TOWN OF SKANEATELES PLANNING BOARD MEETING MINUTES October 17, 2023

Donald Kasper
Douglas Hamlin
Scott Winkelman (arrived 6:02 pm)
Jill Marshall
Jon Holbein (arrived 6:08 p.m.)
Scott Molnar, Legal Counsel
John Camp, P.E. (C&S Engineers)
Howard Brodsky, Town Planner
Karen Barkdull, Clerk

Chair Kasper opened the meeting at 6:00 p.m.

Application Continuatnce-2-lot Subdivision & Lot Line Adjustment

Applicant: Dan Goetzmann

Eric Goetzmann Property: 1677 Lancelot Place Gully Rd

Skaneateles, NY 13152 Skaneateles, NY 13152

Tax parcel #032.-01-01.0 & 033.-01-18.0

Present: Dan and Eric Goetzmann, Applicants; Robert Eggleston, Eggleston & Krenzer Architects

Chair Kasper: We'll start right off with the application and continue it for Dan Goetzmann.

Cochair Hamlin: Do you want to approve the minutes?

Chair Kasper: No, We will do them later when we have time. Bob can we have a quick update on what

you submitted?

Mr. Eggleston: Sure. Can I ask the status of Scott and John?

Chair Kasper: I do not know if they forgot that the meeting is a six tonight, they should be here. (Member Winkelman arrived).

Mr. Eggleston: Bob Eggleston, architect for the Goetzmanns. The revised plat plan took into account the comments made by the board last month. We went back to the original concept that we had had. Instead of a driveway easement on Dan Goetzmann's property, it will be a 40 foot strip that goes all the way down. So it will be pre-ownership. And we just thought it would rearrange the spot for the lot line relocation or making Dan Goetzmann's property exactly the same size. We have the agricultural easement that would be, which is part of that. And pretty much everything remains the same as far as we didn't update the actual development sketch plan because pretty much it's the same it's just a variation on lot configuration. So it's nothing that you haven't seen already you just took into consideration your thoughts. Eric Goetzmann did talk to the Richards they had no interest in reconfiguring the agreed upon line between lot 1 and 2 so they are keeping that. And if there are any questions.

Chair Kasper; So you went back to the original?

Mr. Eggleston: The original concept.

Chair Kasper: So you're promoting an eight foot setback from the property line for the driveway?

Mr. Eggleston: It could be 8 feet; it could be 20 feet. We have to be 20 feet down from the road because there's a guideline that would prevent us from getting any closer to the powerline.

Member Winkelman: It can't be both 20 feet from both property lines.

Mr. Eggleston: No, we're required to be 8 feet. So it would behoove us to put the driveway to one side or the other.

Chair Kasper: So the utility lines would be on the east or west side; probably on the east side.

Mr. Eggleston: We'll still have to look at that, so we are not making a commitment.,

Chair Kasper: the pole ...

Mr. Eggleston: the guidewire means that we have to keep the driveway to the west as we are going up. So if we do a straight drive, it would be 8 feet on the west and 20 feet on the east.

Member Winkelman: Would there be another utility pole or are you going to put it underground?

Mr. Eggleston: We'll probably put it underground.

Counsel Molnar; Questions if I may. Is the applicant willing to commit that the driveway would be 20 feet off the Huther property?

Member Eggleston: I guess I turn to the applicant, Dan, will commit to that.

Counsel Molnar: And is the applicant willing to continue our conversation we had on the conservation easement over the farm easement so that it's,

Mr. Eggleston: we're open to that.

Mr. Goetzmann: Behind both the Huther and Bruna homes, yes.

Counsel Molnar: Right, along that strip so that it's not developed.

Mr. Eggleston: Correct. Yeah, the agricultural easement behind and to make that a conservation easement is reasonable. So sure.

Counsel Molnar: Please, just a clarification because then it's in favor of the town versus in favor of the farm.

Mr. Eggleston: Right, it'll be in favor of both. So easement B will be for both., and easement B runs adjacent to Lancelot .

Counsel Molnar: Got it. Thank you. And the last question, is the applicant, would the applicant volunteer plantings to screen the driveway to the Huther property?

Mr. Eggleston: Yes, we will. We will probably use arborvitaes.

Counsel Molnar: Thank you.

Member Winkelman: I'm curious Bob, the properties are non-conforming property, and you still can do lot line adjustments on a non-conforming lot, even though it stays non-conforming.

Mr. Eggleston: you don't bring it into context. You're referring to digital guns, who's property, correct? Yes. Yes, yeah, that's consistent. We have a whole stack of cases where it's been done. So it's consistently been done by this board, yes.

Member Winkelman: So there's stack of cases?

Clerk Barkdull: There are cases, yes.

Chair Kasper: Okay, does the board feel comfortable moving forward on this.to SEQR.

Cochair Hamlin: Just a process question. Will the applicant be back for site plan or is this site plan?

Chair Kasper: we have 62 days from the last meeting.

Mr. Eggleston: This is a subdivision application. Site plan review is not required to develop this property. In essence, we've given you site plan review, we've shown you where the house is going to be, how much is going to be, the area of the trees that will be removed, we've shown you the concept for a stormwater management, erosion control, and it's all in the site plan. Pretty much that hasn't changed from the previous submission that we had done. The property line is slightly different. We would be agreeable to any future development in this lot coming back to the site where that is not a normal requirement, but we would consider that. If you want to call this site plan review at the same time, but we've pretty much given you the information.

Cochair Hamlin: I was just asking the question.

Counsel Molnar: So last question, is the applicant willing to commit to that site plan as part of this overall subdivision?

Mr. Eggleston: Yes, we are. Understanding the exact footprint of the house is not worked out but it is basically going to be a 2,500 square foot house in that location.

Member Marshall: You remind us again; you just need to come back with future plans.

Mr. Eggleston: We have no plans right now. The concern was, oh, we can start putting up all sorts of other things. Yeah, that is possible and if we develop any more buildings or put up a storage barn, put up a second home. A second home could legally be put up there. Above and beyond what the code requires.

Member Holbein arrived.

Counsel Molnar: If I may, for Jon's benefit, the applicant presented the plan that's behind you. And prior to your arriving, they had several questions for the applicant. That they have confirmed. First, the easements reflected, at least B behind the other homes on the Lancelot Place, will be also a conservation easement in favor to prevent future development. They confirmed that if they're taking the property all the way to Lancelot Place, that the driveway would be placed so that it's 20 feet from the property li9ne along the Huther property. And lastly, they confirmed that there would be plantings to screen the driveway. And they committed to the existing site plan location for the proposed residence to be developed and site plan approval for any future development on the project.

Member Holbein: Thank you.

Chair Kasper: I don't know if, Karen, can you pull up the house location plan of the most recent. (Requested plan shared). Well, is this the final plan?

Mr. Eggleston: I believe it's September 8th Okay.. Sure. The only difference is instead of a portion of it on Dan's property, it's a full strip all the way down.

Chair Kasper: Si it is a strip.

Mr. Eggleston: What I am saying is that it will be a 40-foot strip instead of a 40-foot easement, this is now a strip.

Chair Kasper: Okay, but this is not showing it on the site plan.

Mr. Eggleston: Right, I'm saying this is the same site plan except that this is now fee ownership and this line changes. The septic moves maybe about 10 feet or something like that. It's very similar.

Counsel Molnar: So it needs to be amended to reflect that.

Mr. Eggleston: Sure.

Member Marshall: would that be a private driveway?

Chair Kasper: Yeah, yeah, that would certainly be a private driveway. Okay.

Member Holbein: So the existing lot is now divided into two parts?

Mr. Eggleston: No. We're doing an equal area to the existing.

Chair Kasper: . Yeah. The existing lot is going to end to this lot. So the existing lot is going to extend into the new lot. And this is all going to be property to them. going to be helpful. All right. Let's talk about SEQR.

Counsel Molnar: I recommend that we classify this as an Unlisted Action and review the matter under SEQR by reviewing the. parts 1, 2 and 3 supplied by the applicant on the environmental assessment form.

Chair Kasper: I will make a motion to declare that this is an Unlisted Action and review the Applicant's Short Environmental Assessment Form under SEQR.

Member Marshall: Second

Chair Kasper: All in favor say aye.

All board members: Aye.

Chair Kasper: Questions?

Counsel Molnar: I'm summarizing where we've been and where we are. Recall that the board rescinded the prior negative declaration based upon change in the project and or new information. And we move forward. The applicants made their submission, including their application materials, with the part one, two, and three of the SEAF. The Huthers, through council, and next door neighbor have provided objections recommending a harder look be taken given issues such as whether or not the property falls within the check zone of the wetlands and whether or not it needs additional review or mitigation measures. And also with respect to the endangered species answer provided by the applicant in the short-form environmental assessment form, reflecting that the Indiana bat and or the Monarch Butterfly could potentially be impacted by this subdivision and this application. As a result, we have an abundance of information in the file, which brings you to this situation to make an informed decision on SEQR after we review the SEQR forms according to the handbook. Given the sensitivity of this application, I recommend we just take it right through the DEC handbook and review each question, each scenario, and each potential answer so that you can articulate your responses and do a hard look SEQR review.

Chair Kasper: Okay, good.

Counsel Molnar: So beginning with just refreshing your recollection on part one SEQR information, the applicant has reflected the location of the project together with its status concerning existing land uses. The proposed action as the applicant sees it, including a new onsite septic system for the lot, the applicant intends to, via the plan that's presented to the board, or may I'm sorry about that, bring the driveway all the way to Lancelot Lane and thereby access public. water available in the district to all properties that fall within the water district. The applicant was also, just summarizing what's in the part one, at question 15 reflected that "Does the site for the proposed action contain any species of animal or associated habitats listed on the by the state or the federal government as threatened or endangered", and they did reflect yes, the Indiana bat and the monarch butterfly. With that information together with what the board has previously seen from the applicant and parties in opposition, I recommend we just move into the SEQR part two assessment and answer the questions as required by state law. Turning to Part 2 recall that the state in its handbook that part 2 of the assessment evaluation should take into consideration importance of scale and context. So when the Planning Board has determined that a potential impact may

occur, it will also need to decide if the impact will be small or moderate, or moderate to large, no too small or moderate to large. Decision should be based upon the magnitude of the potential impact. Magnitude is not just the physical size of the project in feet or acres. Magnitude considers the scale, context, and severity of a project.

Scale. The DEC refers to scale, refers to both the size and the intensity of the project. The scale of the project can be measured several ways. It includes the overall size of the project, the number of buildings or structures proposed, the size of the parking lot, or the height of other dimensions and other dimensions of buildings and it also refers to features that measure the intensity of the project such as the amount of traffic that will be generated or the amount of land to be cleared and graded.

Context. The DEC refers to context as follows. Context refers to the conditions on the project site and its relation to adjacent parcels, the neighborhood, and the community as a whole. Similar projects in different settings may have different environmental impacts. For example, construction of a commercial building that is 10,000 square feet in size in a community that is already developed has public water, sewer, and storm drains, and is on a lot that already has been cleared will have very different impacts than the same size and scale project built in a rural undeveloped community. The DEC requires that we measure the impacts at the scene. The measurement of the impacts includes the magnitude of an impact and can be determined based as much as possible on the facts provided in part one and on the scale and context of the project. A proposed action that had no impact on the environment or an impact could be small or moderate to large. R2 asks the reviewing agency to identify if an impact will occur and if so, what size that impact will be. The DEC measures impacts as follows:

No impact. No impact will occur if the proposed action is specifically with the community's adopted plan and zoning, does not cause a change in the intensity of land use in the area, does not change the quality of the existing community or its character, does not change or impact the environmental resource or infrastructure or create a hazard to human health as identified in part one. The DEC further defines small impacts. These impacts are minor in magnitude and have small or limited effects on environmental resources.

Small impacts may also occur when impact is limited to a small area. Small impacts are usually isolated, of minimal size, intermittent, or short in duration, and do not affect rare or unusual species, habitats, or other resources. Small impacts include those that would generally be considered negligible and minor. These are often impacts from activities or resources that are not regulated or protected by any local state or national agency.

A moderate impact. These impacts, or these are impacts that are moderate in magnitude and that have more impact on environmental resources. Moderate impacts can also occur when the impact affects a larger part of the parcel or even a small area extending just beyond the parcel. Moderate environmental impacts may be either isolated, only in one location, or of regional concern. They generally are longer lasting, moderate in duration, and weeks of several months, are largely reversible, and can be readily addressed through mitigation measures or project changes. The resources affected often have broader local or regional concern, and often are activities or resources that are regulated or protected by some local, state, or national agency.

Large impacts, these large impacts, these are impacts that are severe in magnitude or cover larger areas in the neighborhood or community. The environmental impacts anticipated could be irreversible, challenging to mitigate of wide regional scale or of long duration. A large impact may also be unlikely to occur, but if it does, would be very damaging to the environment. The resources affected often have broader local or regional concerns and often are activities or resources that are regulated or protected by some local, state, or national agency. The DEC continues. Instructions for the reviewing lead agency. It is the lead agency's responsibility to answer Part 2 questions 1 through 11. You should use information submitted by the applicant or project sponsor in Part 1 to answer these. Lead agency can request

clarification or extension of information submitted in Part 1 if it is needed to answer the questions in Part 2. However, new information that is requested should come from currently existing or readily available sources. It is not intended that exhaustive new studies be required to complete Part 2. That's just the precursor from the DEC.

Counsel Molnar: Moving on. Question one. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Cochair Hamlin: I'd say no one bet. It's consistent with the plan and it's consistent with zoning. Comprehensive Plan.

Counsel Molnar Are there any special or particular aspects of the application that leads you to that conclusion?

Chair Kasper: Just a one family residential lot.

Counsel Molnar: Creation of a one family lot. Construction or development of the project within a defined site plan area, building envelope if you will, are those factors which assist you in your decision?

Members of the board: Yes.

Counsel Molnar: As a result of your conversation and answers, I'll check no, or small impact may occur. We can go through the samples if you like but think that's an easy question.

Counsel Molnar: Moving on to question two. Will the proposed action result in a change in the use or intensity of use of land? DEC provides as an example. An example of when a change in use of land would occur is when an agricultural field is converted to an office park or a housing development. A change in intensity of land use could occur when the number of employees in an office building changes, traffic increases, or an apartment building is expanded to accommodate more housing units than previously existed. Or a municipal park is converted to another municipal use, such as a town hall. A change in intensity is highly influenced by the local context. Some changes in intensity will have very little impact, while a change in intensity in other places could be very significant.

Chair Kasper: So very little impact, disturbance of the lot will be less than one acre.

Member Marshall: less than one acre. Small as opposed to big.

Cochair Hamlin: Yeah, I'd say small.

Counsel Molnar: Here are samples of small impact on this question from the DEC. A small impact will occur if the change in land use is consistent in size with the surrounding development patterns, does not introduce a new land use to the area, create a need for new transportation, water, or wastewater infrastructure, eliminate any important habitat types and handle all stormwater runoff on site or with existing infrastructure, there may be only a small impact.

Chair Kasper: Small impact. That's what I answered.

Member Winkelman: Consistent with the neighborhood up there.

Chair Kasper: Yeah, consistent with the neighborhood, single family lots. The land, they're going to mitigate their own water runoff on the land. Less than an acre.

Counsel Molnar:. Thank you. As a result of those answers, I'll check the box, no or small impact may occur.

Chair Kasper: Yes.

Counsel Molnar: Moving on to question three. Will the proposed action impair the character or quality of the existing community. Background on this by the DEC is as follows. Community character is defined by all the man-made and natural features of the area. It includes the visual character of a town, village, or city and its visual landscape, but also includes the buildings and structures and their uses, natural environment, activities, town services, and local policies that are in place. Development can cause changes in several community characteristics, including intensity of land use, housing, public services, aesthetic quality, and the balance between residential and commercial uses. DEC defines an impact, will the proposed action impair the character or quality of the existing community, and defines a small impact as follows. The following may result in small impacts. The visual character of the area is changed or in a minor way, but is generally consistent in the design, placement, size, intensity, and architecture of the neighborhood or community. Demand on public services can be handled by existing resources, and the balance between retail commercial uses and residential uses does not change in a significant way.

Cochair Hamlin: it fits perfectly.

Member Marshall: Small impact.

Chair Kasper: Small impact. Just one family residential lot. Consistent with the neighborhood. Using existing water line services, existing gas and electric. and septic being handled on site just like the rest of the properties.

Counsel Molnar: Thank you. As a result of those answers in the dialogue, I'll check that no or small impact may occur.

Counsel Molnar: Moving on to question four. Will the proposed action have an impact on the environmental characteristics that cause the establishment of a critical environmental area? Since we have no critical environmental areas within the time of Skaneateles, I think the answer is no, but I'd like to hear from the board.

Chair Kasper: No.

Member Marshall: No.

Cochair Hamlin: No. I was trying to say no impact.

Counsel Molnar: As a result, I'll checkbox no or small impact.

Counsel Molnar: Moving on to question five, will the proposed action result in adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walking?

Cochair Hamlin: a single family residence will produce very little traffic.

Chair Kasper: There is no mass traffic.

Member Winkelman: They will have a small impact on the neighborhood traffic; the road, there's a driveway in front of there, but it's small.

Counsel Molnar: The DEC defines a small impact for this category as follows. The project will add traffic to the area that roads have the capacity to handle that level of traffic. The project will increase the demand for public transportation, but the existing system has the capacity to handle that. Increase or a minor upgrade to the system can be created. And lastly, the project will increase the demand for sidewalks, bike paths, bike lanes and bike racks for existing bicycle pedestrian facilities have the capacity to handle the increase for the proposed project, includes new connections or expansion of existing infrastructure.

Chair Kasper: The existing infrastructure to handle it without any change.

Counsel Molnar: Any other comments on that? As a result of your answers, I'll check the box no or small impact.

Counsel Molnar: Moving on to question six. Will the proposed action cause an increase in the use of energy and entails to incorporate reasonably available energy conservation or renewable energy opportunities.

Chair Kasper: It will be a small impact as this the utility usage would show any real difference.

Member Marshall: There have been no concerns.

Member Winkelman: There is power right at the driveway.

Counsel Molnar: We can skip the analysis on the samples?

Chair Kasper: Yes.

Counsel Molnar: Thank you. As a result of the conversation, I'll check no or small impact.

Counsel Molnar: Moving on to question 7. Will the proposed action impact existing A, public or private water supplies? And B, public or private wastewater treatment facilities?

Chair Kasper: It will be with an onsite septic.

Counsel Molnar: Both in terms of water and wastewater treatment, and wastewater treatment will be pursuant to OCDOH rules and requirements, and that wouldn't have any proposed impact on other existing wastewater treatment.

Chair Kasper: Correct.

Member Marshall: I just wanted to know what the effects of this with the water pressure are.

Counsel Molnar: I think we have adequate information in the file, but we also have the town engineer that produced the report. I recommend we ask John to weigh in on that.

Mr. Camp: Pressure in the pipe is a function of the elevation and the distance from the tank, as well as the diameter of the pipe. So that will not change as part of a new single family service connection.

Counsel Molnar: So as a result of dialogue and engineering advice, I would check the no or small impact may occur for both 7a and 7b.

Chair Kasper: Yes.

Counsel Molnar: Moving on to question eight, will the proposed action impair the character or quality of important historic, archeological, architectural, or aesthetic resources?

Chair Kasper: I've seen no minor, I mean, yeah, you're going to cut some trees down, that might be somebody's, two people's view, but a very limited, small, small impact. Not historically, not architectural, no..

Counsel Molnar: Right, the question is, will it impair the character or the quality of important historic, archaeological, architectural, or aesthetic resources.

Chair Kasper: No,

Counsel Molnar: I don't believe that there's been any mention of the project as anywhere near historic, right? There's no mention that I'm familiar with of archaeological resources being impacted on site. So I guess the question remains as to architectural or aesthetic resources.

Cochair Hamlin: So I look at the word aesthetic, it is small, I mean the only thing that dealt with the aesthetic issue in the past, they've been designated view sheds, if you will, and I will say that that really doesn't consider it, nor does something with size wise as it is small.

Counsel Molnar: Thank you, as a result of those comments, I would check the no or small impact box.

Counsel Molnar: Moving on to question nine. Will the proposed action result in an adverse change to natural resources? The DEC provides, it is important to be aware of and evaluate connections between resources on and off the project site. It recommends the analysis be as follows. many factors contribute to whether there will be impacts on natural resources and if so, if they will be small from moderate to large. Scale and context of the project is crucial to this decision. While it is not a requirement of the SEAF to compile a comprehensive list of species found on or near the project site, it may be helpful to the reviewing site to list the natural resources that may be on or near the project site. That's from the DEC website. It's been the subject of both applicant submissions and submissions by interested parties in objections. The DEC provides these items for the impact. Will there be an impact? There is not likely to be any impact of the proposed subject or proposed project.

First, is not in or adjacent to a critical environmental area.

Second, contains no wetlands or water bodies.

Third, contains no animals or associated habitats of species that are listed as threatened or endangered.

Four, will not change or pollute groundwater sources.

Five, will not result in regulated air emissions.

And six, does not result in the loss of existing habitat types.

The question is, I think, threefold.

Is there an impact on an adverse change to natural resources in terms of water, whether it's in or near regulated wetland?

Will there be an impact on the Indiana Bat?

And will there be an impact on the monarch butterfly?

Those are the three pressure points or points of concern raised by interested parties. I recommend we take water first. Will there be an adverse change to natural resources such as by affecting a wetland or watercourse?

Chair Kasper: I'm going to say no. There is no watercourse. As far as wetlands, the applicant provides a biologist, I believe a report was provided reviewed maps and went to the site. The engineer went to the site, didn't find no wetlands. Our Planning board did a site visit in the woods part, but we did not see any wetlands. Our engineer actually visited the site and determined there was no wetlands.

Member Winkelman: or impact on any nearby wetlands.

Chair Kasper: And aerial maps did not show any wetlands in that immediate area. They're all to the west and north.

Counsel Molnar: Yeah, the letter provided by the applicant was dated August 31, 2023 from Scott J. Livingstone Wetlands Operation Manager of Third Dimension Inc. That was the evaluation that the chair referred to.

Chair Kasper: Yes, a professional. So we checked the box that we did go on. Very few people have viewed it.

Counsel Molnar: So as it relates to water, that doesn't seem to be a concern of the board that this proposed action will result in an adverse change to natural resources concerning wetlands.

Members of the board: Correct.

Counsel Molnar: Second aspect of the question is whether or not the proposed action will result in an adverse change to natural resources concerning the Indiana Bat.

Chair Kasper: The applicant provided a report from Keith Dart tree service..

Member Winkelman: There was no shaggy bark hickory trees on the property which is the primary habitat for the Indiana bat. There aren't any signs of...

Member Marshall: Could you remind me again, what was the impetus for saying that there was an Indiana bat?

Mr. Eggleston: It's a possibility. It was a possibility. It hadn't been checked out. Since then we've done exhaustive research, site investigation, and also we have provided in the unlikelihood we run across Indiana bats, there's a protocol for dealing with it. And the tree removal would be done during the season when they are not in habitation..

Cochair Hamlin: I think the client, or the applicant has agreed to do that. You know, as I understand it, the impact on the bat is really more of a concern if you impact the area where they hibernate and not where they live in essence in the summertime. There's only two places in the county where they hibernate, they're both in the town of DeWitt, as I understand it. The mitigation that Bob's talking about, how to do a construction in the appropriate time. I have March, October to March. I don't know what those schedules are, but they've committed to doing that. It's the same mitigation that the folks building the Amazon warehouse used in the town of Clay.

Mr. Brodsky: And DeWitt.

Cochair Hamlin: And DeWitt. Because they ran into the same possibility. And again, I think we're in the area of the bats may be there, may not be there, but even assuming they are, I think given that fact pattern and the fact that the applicant is willing to provide that mitigation, then I would go with that.

Counsel Molnar: Please recall that the DEC guidance suggests if there is an impact, how big will it be? If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact. This will depend on the overall scale and context of the proposed project, as described in Part 1 and Part 2. The reviewing agency should be reasonable when conducting this review. The DEC defines a small impact as one small impact that occur if, first bullet, a small part of the project site is impact. Second bullet, the impact is isolated to the project site, is of minimal size, and does not affect adversely rare or unusual species, habitats, wetlands, water bodies, or critical environmental areas. Third bullet, the impact does not affect any resource that is regulated, such as streams, wetlands, or lakes. For instance, a project site may have state-regulated wetlands on it, but the parcel size may be so large that there will be no disturbance of the wetland area. And fourth bullet, air emissions will occur, but they are below the level at which they fall under regulatory control.

Chair Kasper: So with the bats it would be a very small impact. Isolated to less than one acre.

Member Winkelman: From the five acres of the mature forest that exists there. So it should be three or four acres of mature woods still standing.

Chair Kasper: and the trees will be cut down in the recommended DEC time frame.

Counsel Molnar: And as a result of those, now move on to the third aspect of this, will the proposed action result in an adverse change to natural resources? Will there be an impact on the monarch butterfly?

Member Winkelman: I think it'll be very small. Monarch butterflies, I think, are more meadow, they're still milkweed and goldenrod. Goldenrod and milkweed and meadows that they feed on. There's plenty of that with the farmland around there but, there's very little of that habitat in a mature forest.

Member Marshall: have they've been sighted in the woods?

Chair Kasper: No, there might be some of the edge of the forest, but not where the house would be going. Where it would be clearing. Plus, there again, there's a season for them too.

Member Winkelman: And that patch will remain even after the house is built.

Counsel Molnar: So is it fair to conclude that the impact is isolated to the project site and is of minimal size?

Members of the board: Yeah. Yes.

Counsel Molnar: As a result of your dialogue on plan, I would recommend that I check the box. Well, it's for all three aspects. We've got the checks and only for the wetland, we've got the Indiana bat, and we've got the monarch butterfly. I would check the no or small impact may occur box Is that fair?

Members of the board: Yes, it is. Yeah.

Member Marshall: I have a question. What will happen with the SEQR determination.

Counsel Molnar: Yes, at the end of this deliberation, I will recommend to the board that we take the verbatim transcript of this dialogue and this decision-making process and attach it to part three, whichever way the board answers the question.

Counsel Molnar: Moving on to question 10, will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? The DEC provides that stormwater runoff causes erosion. Runoff is greater where there are constructed surfaces such as paved streets, sidewalks, parking lots, and rooftops. As stormwater flows over land, it washes and removes chemicals, nutrients, sediment, and other pollutants and debris along with it.

Cochair Hamlin: They're going to manage stormwater with an onsite, small scale system built to town specs like we've done for many years now. That would be, yes, some additional impervious surface, but easily managed. The area's not subject to management.

Chair Kasper: Right, and all the water from the house, or surrounding the house will head to the west which has plenty of the buffer of a natural land to dissipate even before it gets to the farmer's field. But not directed to any residential houses though with the farmer fields to the west.

Member Marshall: Did we discuss if there are currently any drainage issues that you have.

Chair Kasper: So far, no. Nothing came up about that.

Counsel Molnar: The DEC recommends the analysis for this question be as follows. Some projects may be outside of a 100-year floodplain, but still be in an area with known flooding history. Some projects that disturb more than one acre may be required to have a stormwater pollution prevention plan, SWPPP, and will need to include engineered or site-designed methods to control stormwater. In order to decide if impacts will occur, the reviewing agency should look at the available information and ask, first bullet, is any type of land disturbance planned? Second bullet, will there be any increase in stormwater discharge from the site? And if so, how much? Third bullet, if the project site is, is the project site in a 100-year

floodplain or in an area known to have past flooding events? Next bullet, if the project is in a 100-year floodplain, will it alter the flow of water or change the drainage patterns into the water body? And last bullet, will there be a need for new stormwater retention ponds or other stormwater management practices? If there are stormwater discharges and no existing conveyance system, what are the plans to address stormwater and erosion from the site.

Member Winkelman: First of all, if the project is not in a 100 year floodplain, and usually with a new dwelling there is an onsite stormwater control management during construction and then post. Post don't usually do a little retention area.

Cochair Hamlin: Yeah, Bob mentioned that earlier.

Member Winkelman: So, and again, this is situated out in the rural countryside with wide open farmland. It's going to be a very small area.

Counsel Molnar: Well, the DEC defines a small impact on this question. A small impact could occur if the project will result in one of the following. First bullet, the project is not in the 100 year floodplain but has experienced flooding in the past.

Chair Kasper: It hasn't experienced flooding that we know.

Counsel Molnar: the project is not in the 100 year floodplain but has not experienced flooding in the past.

Members of the board: Right, correct.

Counsel Molnar: Next bullet, the project is in a 100 year floodplain, but is a small land disturbance that does not result in a change of floodwaters or drainage to the water. Next bullet, stormwater discharges will take place, but it will now flow to adjacent properties, and the project minimizes stormwater through use of forest materials or collection and reuse of stormwater.

Cochair Hamlin: That's the small scale system.

Member Winkelman: zero flood.

Counsel Molnar: Thank you. Based on those answers, I will check the no or small impact box

Counsel Molnar: And the last question. Will the proposed action create a hazard to environmental resources or human health? The analysis on this question, in order to decide if impacts will occur, the reviewing agency should look at the available information and ask, does the proposed action include the commercial, recreational, or industrial use or application or storage of pesticide, herbicides, or known contaminants beyond normal household use in or around any water body, well, or water resource. Next bullet, will there be any bulk storage of petroleum or chemical products? And if so, what type of storage would be used? Next bullet, are there any alterations to or construction of new dams, ponds, or lagoons planned? And if so, do we meet safety criteria? Next bullet, will the proposed project generate hazardous air pollutants? And if so, how much? Next bullet, will the proposed site an active or inactive solid or hazardous waste site or has the site previously been exposed to pollutants or contamination? Next bullet, will there be any solid or hazardous waste to be disclosed of on or off the site and if so, when, and how

much? Next bullet, is there to be any unearthing of solid or hazardous materials. Next go is, does the site contain a former agricultural use that is known to have used pesticides?

Member Winkelman: None of us know why here in the rural countryside residential.

Chair Kasper: they are not producing chemicals. They might put lawn chemicals down, but it's household use. I would tell you, it might be a propane oil storage tank where energy usage of the house, but that's al..

Counsel Molnar: DEC guidance continues that there is not likely to be any impact if the proposed project first does not use or store any pesticides, herbicides, or other chemicals, commercial, industrial, or recreational properties only. Does not impound liquids, does not produce any hazardous air emissions, does not generate any solid wastes, does not disturb, or create an existing solid or hazardous waste disposal area, or does not expose people to residential chemicals, chemical or fuel storage, disposal spills or agricultural applications. Those are fair factors to assess for this application. Right?

Members of the board: Yes small.

Counsel Molnar: As a result of this dialogue and that guidance, will check the box, no or small impact may occur of the question. Thank you.

Counsel Molnar: That concludes answering the questions. Now it's part three, determination. In that all of the questions, one through 11, will be reviewed thoroughly by the planning board after use following the DEC guidance, I recommend that the planning board consider a motion to check the box. This check this box if you have determined based on the information and analysis of all and any supporting documentation, that the action will not result in any significant adverse environmental impact. And that the reasoning for the board's conclusion, the verbatim transcript of this deliberation to be attached to and be part of part three. I recommend a motion.

Chair Kasper: I'll make a motion that the action will not result in any significant adverse environmental impact.

Cochair Hamlin: Ill second the motion.

Chair Kasper: All in favor say aye.

Members of the board: Aye

Counsel Molnar: Thank you. And that is to also attached this proceeding to part 3 of the SEAF for determination. I'll work with Karen to put that together. And that concludes the SEQR analysis.

Chair Kasper: Okay. Do we have any more questions or information you want from the applicant? No? We'll do the two parts, the lot, and the site plan.

Counsel Molnar: We'll do them both together. Because the site plan forms a part of your consideration for the overall subject. My recommendation is that the board consider a single motion concerning the two parts of the application.

Member Winkelman: I'll make the motion to approve Dan Goetzmann's two lot subdivision and lot line adjustment as presented to us as we reviewed, with the standard conditions.

Cochair Hamlin: . And I second that with maybe some additions as well. want to make sure we capture mitigations that have been presented by the applicant. And include the site plan of the home, well, I guess, yeah, well, the standard conditions, and other conditions like Scott said.

Counsel Molnar: I can recite them for you right now. They're listed right there. First is that the proposed agricultural easement area B behind the homes on Lancelot B, also a conservation easement in favor of the town. The second is that the driveway taking all the way to Lancelot would be 40 feet in width, 20 feet off of the Huther property, and screened, as confirmed by the applicant.

Cochair Hamlin: Was it, is that, are those dimensions right?

Chair Kasper: No, no.

Mr. Eggleston: It's 40 feet and right away. It's a 40 foot strip of land, 20 feet off the Huther' property line.

Counsel Molnar: The driveway would be no closer than 20 feet to the Huther property.

Mr. Eggleston: Correct.

Counsel Molnar: And the site plan would be amended to reflect that.

Mr. Eggleston: Correct.

Counsel Molnar: And the subdivision map would reflect that the, the approving resolution would also reflect the subdivision map would reflect that the applicant is committed to the site plan as presented to the Planning Board dated September 8, 2023, to be amended to reflect the driveway to Lancelot Place. And further committing that the applicant will not develop the property without further site plan review for other structures.

Mr. Eggleston: Correct.

Counsel Molnar: Which is not necessary according to code.

Chair Kasper: Well, the only thing I was going to say, let's limit anything over 500 square feet. They want to put a two car garage, a 20 by 20 or 24 by 24 garage. I don't think we should be involved in that. So, if they exceed 500 square feet of structure.

Counsel Molnar: So it requires site plan review. And the last condition would be that the applicant follows the DEC and applicable guidance to mitigate any impact to the Indiana bat and the Monarch butterfly by performing construction activities in the seasons recorded by the state. Otherwise recorded by the state. Did you get the right?

Chair Kasper: Yes. and also make sure that the utilities are underground from the road, because of the problems.

Member Winkelman: Yeah, that's good.

Chair Kasper: No, no, this is just. I think it's better... It will be here, okay? It will go down the Lancelot Place

Member Holbein: Go straight down.

Chair Kasper: Yeah, go straight down. there's going over existing land. Yes, sir. Over on this side, which would be a 20 foot setback for their area, well, that would be trees. It should be a condition of septic approval by the county.

Counsel Molnar: That is part of the standard conditions..

Chair Kasper: and a driveway permit from the town.. If they do put lighting along the driveway it will need to be night sky compliant. And we, the challenge is, if they start cutting trees over an acre.

Clerk Barkdull: If they clear cut over an acre in a year then they would need to obtain a zoning permit from the town.

Chair Kasper: Now there's a little bit of neighbors' concerns. No, sure, they're covering without a permit.

Counsel Molnar: So a condition that no clear cutting can occur with site plan review. So the site, yes, site plan.

Chair Kasper: Is everything covered? We have a motion and a second. All in favor say aye.

Members Winkelman, Holbein, Kasper, and Hamlin: Aye. Aye.

Member Marshall: No.

Mr. Eggleston: For clarification, those conditions you just laid out was for the subdivision and site plan review.

Chair Kasper: Yes.

	RECORD OF VOTE		
Chair	Donald Kasper	Present	[Yes]
Cochair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[No]
Member	Jonathan Holbein	Present	[Yes]

Special Permit Amendment

Applicant: Gavin McCaul Property:

1400 E Genesee St

Skaneateles NY 13152

Tax parcel #042.-05-03.0

Present: Robert Eggleston, Eggleston & Krenzer Architects

Mr. Eggleston began saying that since the last meeting, they did supply a more exhaustive list of potential tenants for the space with low water impact, low impact to traffic and low public access. This is intended for the tenants to come and go to this space. There will be occasional visitors, but that is not going to be there. They do not have any retail uses, and they do not have any restaurant uses. The septic field is designed for 300 gallons per day that would accommodate 20 full-time people there all the time. Through leases they will monitor the number of full-time employees that would be assigned to work there all the time, so we can make sure that we are not overloading the system. The stormwater management has been designed and then reviewed by John Camp's office, which will handle things with the proposed swale. There is a NYSDOT permit that is just waiting for the time of the contractor to pull it and construct the driveway. Again, this is a modification of the previously approved project; it is really the same use as what was originally approved. It is different because it is one building instead of two buildings. Major difference is we now have a brick facade two stories in front, that will be facing Route 20 instead of overhead doors. The overhead doors will now face west instead of Route 20.

Chair Kasper commented that the proposed building is quite large compared to the two buildings and Mr. Eggleston commented that it is approximately 1,300 square feet larger. Chair Kasper inquired about the height of the building and Mr. Eggleston said that the proposed building will be 28 feet tall, and the prior proposed buildings were 29 feet tall. Chair Kasper asked about the number of stalls proposed. Mr. Eggleston said that there are 10 warehouse spaces of 1,200 square feet each, and then the addition is another 1,200 square feet with the common space that the tenants could use for meeting with clients that was in a more finished office space as opposed to a warehouse space. Or the second floor could be private offices that would be offered to the tenants if they wanted to have a full-time employee, a bookkeeper, or someone like that, rather than having a warehouse space.

Member Winkelman asked if there was sufficient space for expansion of the septic system and Mr. Eggleston responded affirmatively. Member Winkelman inquired if a SWPPP has been obtained and Mr. Eggleston said that there is a SWPPP that has been supplied to the town. There has already been a SPEDS in space for that already initiated with weekly visits to the site. There is an existing swale that is shown on the enhanced plan that shows that the water from the western swale will be picked up and directed to the bioswale on the eastern side of the property. Chair Kasper commented that the deciduous trees on the east side are located on the neighboring property. Mr. Eggleston said that they are adding trees as shown on the plan. They have deciduous street trees along Route 20 and then they have evergreens along the parking area and the east side by the proposed deck.

Mr. Brodsky said that one of the things he just wanted to point out that one of the major changes is that this is a single building and not the two buildings as before; the board capitalized on the two building arrangement by using that to shield some of the parking. Overnight parking was a prior concern that the board had. Mr. Eggleston said that there will be no overnight parking with this proposal. Chair Kasper said that the other buildings were facing north with a lot more parking in the front. He continued saying that the biggest difference is that it is a huge building compared to two buildings. When you walk the lot if felt like it took up the whole lot.

Cochair Hamlin inquired if the tenants could do some internal construction if they want, and Mr. Eggleston said that they could with a building permit. We're asking for pre-approval site plan review/special permit for the mentioned uses in the narrative and in Gavin's enhanced list of potential tenants. You will also notice that he did exclude certain uses just to put your mind at ease. And not to say that if a tenant comes that is different from that we have the right to come back for a specific evaluation of that application but

otherwise there will be whatever build out there will be a toilet in every room whether they build a mezzanine or not is a function of their desired plan. Member Marshall asked about floor drains. Mr. Eggleston said that there will be no floor drains. The first third of the building will be sloped to the overhead door and then two-thirds will be flat. Especially if you have like a workshop or something like that, you tend to want to have a flat site that you're putting the machinery on. The auto detailing would be a bucket wash situation, not a car wash or anything like that.

At this time, Chair Kasper opened the Public Hearing and asked if there was anyone in favor of the project and no one spoke in favor. Chair Kasper asked if there was anyone wishing to speak in opposition or had any other comments.

David Loftus began saying that he owns the property across the street and wrote a letter to the board. He wanted to make sure the board was aware of the number of driveways within 570 feet as he pointed out, the big drivelines. First in that sense, and two, the Childhood Development Center. Chair Kasper said that the board did receive the letter and received a comment from the engineer. Mr. Camp said that the town does not have any jurisdiction there. It is a state road, so the state issues the permit. If the town had a particular concern, the town could make that known to the DOT. But based on my experience, Route 20 is well below the design capacity. And the DOT would specifically check on these site distance issues as part of issuing their permit.

Mr. Loftus asked if they have a public hearing for their decisions on driveway permits and Mr. Camp said that they do not on situations like this. Chair Kasper added that the town limits it to one driveway per property in that area. Mr. Loftus said that it is really busy there with Early Childhood coming in and out. Right in front of the site it goes from two lanes to three since they created an extra lane for turning into Skanellus and onto Lee Mulroy. With all these considerations it is a busy little area. Member Marshall asked if it is effective if the driveway is located on the east or west side of the property and it was noted that with the driveway located on the west side of the property it would be further away from the Lee Mulroy intersection.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Winkelman to close the public hearing. The Board having been polled resulted in the unanimous affirmance of said motion.

Chair Kasper inquired about the updated potential tenant list and Mr. Eggleston explained that they were asked to further define the list by Howard, and that was our response for that request. So it is part of the application. Mr. Brodsky said that he had looked the list over briefly and hoped that the board would look at it critically to determine what uses the board thought reasonable. So, if you have that concern, they have a reasonable request in that they want to have pre-approval on the posted land uses that are allowed under the conservative business category. That is fine. You may want to limit that to certain specified examples that they have provided or exclude certain examples that they, you know, like, how many, for example, there will be, you might say that we can have one vehicle service business in this site. Chair Kasper said one of the concerns is for one of the tenants storing chemicals, like a commercial cleaning company would be storing so many chemicals he would be worried about a fire or explosion. Mr. Brodsky said that the board could place a limit on how much storage you can contain here. Same thing with the vehicle servicing, you know, like we said, it is bucket wash and there is no oil changes and nothing like that going on. And so, this is the opportunity for you to specify conditions on the nature of the operations that they are requesting.

Chair Kasper said that a pet daycare. I mean, that should be outdoors, and Mr. Eggleston said that the pet care is for a daycare with an indoor facility for exercising the dog, they take them outside for biologically appropriate reasons. Chair Kasper commented that the land's not really a situation for a dog run or anything like that. There would be no dog runs, there would be no kennels per se. Mr. Brodsky said that another concern with the pet daycare because the people were dropping a pet's off that would impact traffic. Cochair Hamlin said that he is not ready to approve this list without giving it some r thought. You know, there are potentially subjective uses. Member Marshall asked if a list is needed and Mr. Brodsky said that if you do not have a list, then he would be cautioning you not to give them preapproval without knowing the specifics. Otherwise, every time you get a service business, you are always asking the details, what goes on. They legitimately want to, let us say, minimize how many times they have to come back.

They need to be able to market it the way they want to market it for that month. Now, like Bob said, they narrowed down the list to something you are more comfortable with. That still gives them the opportunity on a specific request, a pet daycare, and here are the details and you allow it in on a case-by-case basis. So I am glad that they provided the list. It is very illustrative. It is something you really do need to think about, which is what I was hoping to accomplish. And you do you recognize it they could come in on an individual basis for anything that is not on that list. Member Winkelman said that he thought originally it was supposed to be people that would use it as a home base for their own service, but so much customers coming to them have made it their home base to go out from, and it that the primary use that you see? Mr. Eggleston responded that it is, and I guess the question is has this detailed list given pause for uses that's the case for you.

Mr. Eggleston suggested that it will take three minutes to go through the list, and Member Marshall asked to talk about retail, and if it is more efficient to put language about retail business in there? Mr. Eggleston reminded that board that retail is prohibited in the IRO district. Mr. Brodsky suggested that any service business that requires the customer to come directly to the site, where you have direct customers coming on a regular basis, or multiple customers coming into the site. So people dropping off their pets, for example, Chair Kasper said that it would be right on the edge of retail.

The board decided that going through each of the listed uses would take more time than is available tonight and Chair Kasper suggested that it might be better to produce a definition of what is allowable. Not allowing uses that store chemicals. Would painters and decorators use the space as storage of for a showroom. Mr. Eggleston said that for instance Steve Burns has a space on Fennel and does not believe that you can come in look at it sample books.

Counsel Molnar suggested that it would be beneficial between now and next meeting prepare a draft resolution so that we capture these concerns and articulate some language to prohibit retail of course which is prohibited in the IRO zone. Then put limitations on approved service uses as set forth in the narrative and it is defined. Cochair Hamlin said that he would rather do that than try to do it on the fly right now. Chair Kasper suggested that the board could do a resolution with a condition that comes up with an agreeable list. I am sure the contractor wants to go ahead and begin construction. Counsel Molnar said that the application is framed in, as an amendment of the existing special permit. I do believe it would be a reasonable condition for the applicant to submit a modified list of independent activities and services to be completed at that site, according to the review, but otherwise, this would be prohibited activities. Mr. Eggleston responded saying that it sounds like it's required on the October 6th list, that if that were

to be worked on if a workshop with the applicant and the chairman of the Planning Board and one other designated person, which would be acceptable. In other words, let us have a workshop and sit down and work it out together. I mean, I do not want to keep throwing darts with a blindfold on. Chair Kasper said that the to know what he could do with the building. Counsel Molnar said that the challenge is there's been a request of approval, but we don't know what the conditions are. That I think is not the best practice. Chair Kasper said that the condition of the rental space of the tenants and the services to be provided could be determined in the workshop. What we could do is we could submit our questions within 30 days by next planning meeting and then he could respond. We put a time frame in 30 days to refine the October 26th list. The list of uses are usable in our zoning, but we want to get into the details.

Counsel Molnar said that to provide the applicant latitude to continue with the construction of the overall building, via an amendment of the special permit, but have it conditioned upon this being worked out by between the applicant, the chair, and I would say the planner, and that would be a reasonable condition. Chair Kasper said that the board members can submit their list and that can be reviewed during the workshop.

The application will be reviewed as a special permit and not an amendment to the prior approval as there in an increase in the site of the building and a public hearing held. Counsel Molnar stated that is it just a conclusion to say it is a new special permit, is it a fair characterization to say that this, the change goes from a combined 12,000 square feet of buildings at the same height to now 13,200. So there is an increase of 1200 square feet. And reconfiguration on site, are those factors which would change your determination under SEQR? Because SEQR was reviewed and approved by the Planning Board as an unlisted action, thoroughly reviewed on the site plan and the application as it was presented. We can either adopt the existing SEQR because it was thoroughly complete, or we can rerun SEQR. Chair Kasper said that the prior SEQR because it is the same usage and the same configuration.

WHEREAS, a motion was made by Cochair Hamlin and seconded by Member Marshall, the Planning Board adopted and ratified the prior SEQRA determination, last reviewed October 18, 2022 for the Approving Resolution, which classified the Project as an Unlisted Action, after which the Planning Board rendered a negative declaration for the Application after review of the SEQRA forms submitted by the Applicant. The Board having been polled resulted in the unanimous affirmance of said motion.

WHEREAS, the Planning Board in reviewing the Application under Special Permit and Site Plan review criteria, adopted the following findings (the "Findings") for proceeding with a determination on the Application:

- (1) That the Application will comply with all provisions and requirements of this chapter and of all other local laws and regulations and will be consistent with the purposes of the land use district in which it is located, with the Comprehensive Plan and with the purposes of this chapter;
- (2) That the Application will not adversely affect surrounding land uses by creating excessive traffic, noise, dust, glare, pollution, or other nuisances as the building will not affect the surrounding area due to the minimal activity proposed; The project will not affect anything as there will be minimal activity.

- (3) That the Application will not result in the release of harmful substances or any other nuisances, nor cause excessive noise, dust, odors, solid waste, or glare;
- (4) That the Application will not adversely affect the general availability of affordable housing in the Town;
- (5) That the Application will not cause undue traffic congestion, unduly impair pedestrian safety or overload existing roads, considering their current width, surfacing and condition.
- (6) That the Application will have appropriate parking and be accessible to fire, police, and other emergency vehicles;
- (7) That the Application will not overload any public water, drainage or sewer system or any other municipal facility or service, including schools;
- (8) That the Application will not degrade any natural resources, ecosystem, or historic resource, including Skaneateles Lake or Owasco Lake;
- (9) That the Application will be suitable for the property on which it is proposed, considering the property's size, location, topography, vegetation, soils, natural habitat, and hydrology and, if appropriate, its ability to be buffered or screened from neighboring properties and public roads with the applicant's proposed landscape plan;
- (10) That the Application will be subject to such conditions on operation, design and layout of structures and provision of screening, buffer areas and off-site improvements as may be necessary to ensure compatibility with surrounding uses and to protect the natural, historic, and scenic resources of the Town;
- (11) That the Application will be consistent with the community's goal of concentrating retail uses in the Village and hamlets, avoiding strip commercial development and locating nonresidential uses that are incompatible with residential use on well-buffered properties and is consistent with the Comprehensive Plan;
- (12) That the Application will be able to comply with site plan review standards in §148-10-6, and the Rural Siting Principles in Town Policy and Guideline Book have been taken into consideration; and
- (13) That the Application will have no greater overall impact on the site and its surroundings than would full development of uses of the property permitted by right.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Chair Donald Kasper, seconded by Cochair Douglas Hamlin, and upon an affirmative vote thereon as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application, and amends the Approving Resolution, with the Approving Resolution remaining in full force and effect except as amended hereby, with the following additional conditions:

- That the Special Permit/Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
- 2. That the applicant shall obtain a zoning permit from the Codes Enforcement Officer prior to any work commencing on the property; and
- 3. That Site Plan 1 of 2 through 2 of 2 dated September 7, 2023 with the Revised Narrative dated October 6, 2023 prepared by Robert Eggleston, Licensed Architect, and Stormwater Plans CA-100,110, 500-504 dated September 7, 2023 prepared by Ed Reid, Licensed Engineer, be followed in all respects; and
- 4. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
- 5. That the Applicant post escrow of \$250 for engineering and legal review of the Plans and Submissions and for inspection by the Town for the Project under construction; and
- 6. That a meeting be held within 30 days with the applicant, its representative, the Planning Board Chair, the Town Planner, and the Town Attorney to finalize the accepted list of allowable uses under this Special Permit approval; and
- That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of all phases of the completed project within (60) days of completion of the project.

	RECORD OF VOTE		
Chair	Donald Kasper	Present	[Yes]
Cochair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

The board members will provide a list to Don on the potential tenant categories and a workshop Zoom call or meeting will be coordinated to review that with Howard, Scott, the applicant, Bob, and the Chair.

Continued Review-Site Plan Review

Applicant: Dennis & Tracey McCarthy Property:

1 Sachem Drive 3241 East Lake Rd
Skaneateles NY 13152 Skaneateles, NY 13152
Tax parcel #040.-01-08.0

Present: Dennis & Tracey McCarthy, Applicants; Adrienne Dunn, Ramsgard Architectural Design

Ms. Dunn began by saying that in the last meeting, they went over the basic plan concepts. They are proposing a renovation of their existing residence as well as the addition of a detached garage on the property. They have received the variance approval from the Zoning Board of Appeals for the insufficient lake frontage. Based on our last meeting, as well as some of our conversation at the site visit, they have

provided a drainage system. They are proposing a 360 cubic foot underground ADS system that is 12 feet wide or 15 feet wide by 24 foot long, which would be between the existing residence and the proposed garage. Because of the slopes of the roofs that we are proposing, the majority of our water discharge on the property will be going into that area. The plan is to include all of our gutters directly routed into that underwater system to store the water and dissipate it. Similarly to how we would treat our current septic system. Chair Kasper commented that it would all be underneath the ground.

Mr. Camp said that the proposal is not on our standard list of practices. It does not mean that we should consider it, but he questioned on what would happen during a bigger storm when that thing is full of water. Ms. Dunn said that given the fact that they have oversized the drainage facility, they do not anticipate it being overflowing, but because of the depth below grade, our thought is that it will hold on to that water and then slowly dissipate after the storm has passed. Mr. Camp commented that there is always a storm that is bigger than the system, and Member Winkelman added that there should be an outlet to handle the big storms. Mr. Camp said that there is not a lot of topographic detail, but the garage is higher in elevation of the house by several feet. You are showing the roof leaders from the house running uphill into the rain garden. I do not know how that is going to work and Ms. Dunn said that because it is subterranean it should be low enough to work. Mr. Camp said that the depth of the system will be important to the effectiveness of the system. He continued saying that it might be 3 or 4 feet in the ground, and in general terms, these things are nice because they are out of sight, but at the same time they are out of sight, and they are hard to tell when they're not working anymore. So that is an issue that should be considered. When the topographic information gets worked out, it could be pretty deep. Chair Kasper said that they did meet on the site, and, you know, we met with Andy who explained the system. He did say that would be deep enough to bring the drainage from the garage and the house into that area. Mr. Camp said that typically when you, when these types of systems are designed for, on a larger scale, for development in areas where land is valuable, so these things get put under parking areas often, there are infiltration tests done at the elevation at which these things will be installed to demonstrate that they are going to work. I do not know how deep rock is here, right? You might not be able to get three or four feet in the ground, but I just, I do not have that information. It needs a little more thought. There is some topo on there, but there is no design information, Chair Kasper said that there was not much of a grade there. You know, the board members think that there is three old camps, original old camps. This is the one that has not really been done, anything done to it. It is surprising when you get down there because of the location.

Mr. Camp said that this is not really the board's issue, but there is a little bit of a risk here in a situation like this where you are injecting water into a ground upslope from the primary building built on a slab foundation. Water can go under that slab and could potentially cause issues. Like I said, I do not have any information as to what goes on below the surface there. Mr. Brodsky asked if they were planning to do topographic with the site to show the grade and Ms. Dunn said that it will be provided in the building permit application. Mr. Brodsky said that it would be helpful for the Planning Board to have that, and Chair Kasper commented that everything is flat, but one thing they could do is produce a swale, between the property line, so that the overflow could go into it.

The board review the submitted survey and Mr. Camp noted that there would be four to five feet in depth with the median elevation difference the three feet of the surface and depending on how deep the gutter is coming out of the house you got to subtract that, so you are going to be four feet in the ground all day long maybe more. Like I said it is worth a little bit of thought. Possibly an infiltration test at the very least

a test hole to see if you can even dig that far down on that side. There may be a reason there is a slab on grade there. I do not know; I am just speculating.

Member Winkelman asked where the septic system is located. Ms. Dunn said that the septic system is currently somewhere on the lakeside. We plan to upgrade that and comply with code because of the age of the home, it is like a dry well, so that needs to be upgraded as well. But we have space in that lake yard. Mr. Camp asked if an application was submitted to OCDOH and Ms. Dunn said that have not: there was a previous design on that for on a house renovation 10 years ago. Mr. Camp commented that they may be interested to know about that stormwater treatment. If that approval were only 10 years old I would not guess they would absolutely change the design too much but that is up to them. Lots of times they try to encourage people to get these up slope of the house, farther away from the lake. I am guessing if it was like I said it was 10 years ago they are not willing to change that.

Chair Kasper said that the town's engineer wants more details on that. Mr. Camp added that a water management plan or a test pit would be a promising idea because that would just give you an indication as to whether that will work. Member Winkelman said that locating the leach field is a primary thing and to get that approved by the county. Mr. Camp agreed because if they make you move that, they might want it between the house and the garage. I do not know if you are talking about the garage,

Ms. Dunn said that will contact the county and provide more details and Chair Kasper said that the application will continue next month. He apologized to the McCarthys who indicated that it was their intention to begin construction as soon as possible.

Continued Review-Site Plan Review

Applicant: Stacey & Trevor Tank

3394 East Lake Rd Skaneateles NY 13152 Tax parcel #034.-04-29.0

Present: Trevor Tank, Applicant; Bill Murphy, Space Architectural Studio;

Erick Buck has reviewed the septic system and provided that information to Rich Abbott. The site visit was conducted and determined that the site is flat and that they do not anticipate any stormwater flow changes as the footprint increase is very modest. Chair Kasper commented that he did not think a stormwater management project would be necessary at this site. Any stormwater would sheet across the lawn and be mitigated well before reaching the road ditches. There are many established trees there. The two expansion areas are at the center of the long dwelling. The house sits on a ridge with the back of the house having stormwater draining to the existing pond.

Member Winkelman inquired about the septic system. Mr. Murphy said that there are two septic systems on the property with on and for the cottage up in the front corner between the cottage and the garage that is a drywell system. Then there is a three drywell system that is south of the dwelling. They have been tested earlier this year with the sale of the property and tested well. There is also plenty of room should there need additional expansion area.

WHEREAS, a motion was made by Chair Kasper and seconded by Member Winkelman, the Planning Board declared this application a Type II action pursuant to 6 NYCRR617.5(c)(9) and not subject

by SEQR for further review. The Board having been polled resulted in the unanimous affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Chair Donald Kasper and seconded by Member Jill Marshall, and after an affirmative vote of the Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application for minor site plan approval, with the following conditions:

- 1. That the /Site Plan Approval will expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal.
- 2. That Site Plan S-1, Z-1 through Z-2, dated September 13, 2023, with narrative dated September 13, 2023, prepared by William Murphy, Licensed Architect, be followed in all respects; and
- 3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
- 4. That the septic system shall be protected during the construction period for the project.

	RECORD OF VOTE		
Chair	Donald Kasper	Present	[Yes]
Cochair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

Sketch Plan-Special Permit

Applicant: Seth Thibault Property:

44 W Elizabeth St

Skaneateles NY 13152

Tax parcel #032.-03-32.0

Present: Seth Thibault, Applicant;

The applicant is proposing to change the use of the property from long tern rental to a lodging facility. It would only involve one building that has 6 units. Mr. Thibault said that in 1953 it was a motel called 'Motel Skaneateles' and Mr. Thibault shared photographs of the motel from that time period. Chair Kasper inquired about the intended uses of the other buildings on the property. Mr. Thibault say that the goal is to update all of the buildings with the focus on one building right now.

Mr. Brodsky said that his concern is that the submission is lacking a site plan and only presenting a survey. The site plan should include the parking and driveways. Chair Kasper said that the idea is great and allowed but that the board needs a site plan submitted with these details. The existing sign will remain in the same location with the name changed. Mr. Thibault said that the buildings were in disrepair, and they have been in process of cleaning and bringing it back up to standard. Chair Kasper said that the board will also need information on the existing septic system on the property and a letter from OCDOH is on file.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Marshall to schedule a public hearing on *Tuesday, November 21, 2023* at 6:30 p.m. The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan-Lot Line Adjustment

Applicant: Charles R. Keyes Properties:

1010 Jewett Rd 1010.1006 Jewett Rd, 3960 Jordan Rd

Skaneateles NY 13152 Skaneateles, NY 13152

Tax Parcels #045.-02-01.0,03.1,26.0

Present: Rick Keyes, Applicant;

The applicant is proposing a lot line adjustment between three lots with parcel A at 5.88 acres with the existing dwelling, parcel B to 1.2 acres and parcel C to increase to 1.4 acres with an existing dwelling. Parcels B and C will become less nonconforming. The board requested that the maps be updated to reflect the lot measurement to the road right of way in addition to the centerline.

WHEREAS, a motion was made by Member Marshall and seconded by Cochair Hamlin, the Planning Board declared this application a Type II single family residential action and not subject to further review under SEQR 6 NYCRR Part 617.5(c)11. The Board having been polled resulted in the affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Chair Donald Kasper, seconded by Cochair Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby APPROVES the Lot Line Adjustment, with the following conditions:

- 1. The LLA Map be corrected to include the lot size calculations to the road right of way in addition to the centerline, and be submitted to the Chairman for review, approval, and signature prior to filing with the Onondaga County Clerk's Office; and
- The LLA Map and deed transferring title to the adjusted property must be filed in the Onondaga County Clerk's Office within sixty-two (62) days of the signing of said LLA Map or the Lot Line Adjustment shall be null and void. Proof of said filing shall be immediately forwarded to the Secretary of the Planning Board upon receipt by the Applicant and/or Applicant's representative; and
- 3. The Applicant obtain the approval of any other agency or authority having jurisdiction over the Property of Application.

RECORD OF VOTE			
Chair	Donald Kasper	Present	[Yes]
Cochair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

Amendment Request Site Plan Review

Applicant: Deborah Bradbury-Duniec

2870 West Lake Rd Skaneateles, NY 13152 Tax parcel #052.-01-03.1

Present: Deborah & Vic Duniec, Applicants; Jo Anne Gagliano, Joe Falco, EDR; Leif Kalquist, Holmes, King, Kallquist & Associates.

The applicant is requesting an amendment to the prior approval for the outside stairs access to the basement on the north side of the primary dwelling. Impermeable surface coverage will be slightly reduced as the walkway is no longer needed on that side of the house and they were able in include more green space. Mr. Kalquist said that the goal of the access stairs to the basement was to provide more light into the space and contribute to the garden area by design.

Ms. Gagliano said that they are also proposing waterfront modifications. They went out and measured all of the structures which caused changes in shoreline calculations. Impermeable surface coverage for the entire lot went down from the June calculation of 4.64% to 4.57% and total lot coverage went from 4.78% to 4.76%.

There is an existing boathouse with a connection over the path to the summer room. There is an existing sink in the summer room, however there is no toilet. The existing structures are in disrepair and some of the pavement will be removed. A portion of the summer room is outside of the 50 foot shoreline setback area. There will be an external sauna and fireplace chimney that will be beyond 50 feet to the lake line. Mr. Kalquist said that the existing roof line that extends to the boathouse does not actually connect to the summer room and proposed the removal of the roof over the walkway. A trellis over the walkway that would not attach to the boathouse would be added in place. The boathouse would be rebuilt in kind to the existing boathouse. The summer room will have a dormer shed roof to provide more light in the afternoon. A bracketed arbor above the windows will be added for an architectural feature. The 1970s doors will be replaced with doors with a more period correct character. Ms. Gagliano said that the docks will be repaired in the same footprint.

Chair Kasper inquired about the existing foundations and Mr. Kalquist said that the summer room will be lifted to replace the failing foundation. For the boathouse, their intention is to work with the existing mass foundations. The boathouse has filled with gravel over the years and will be cleaned out. The roof of the boathouse will have a metal roof. Mr. Brodsky inquired where the wastewater for the sauna and sink would go. Mr. Kalquist said that the existing sink wastewater is piped into a pile of gravel in the ground as far as they can determine. He continued saying that the future planning for this area would include a bathroom located beyond 100 feet from the lake line and they would pump up the water from the sink to the leach field that would be created for that bathroom. Mr. Brodsky recommended to the board that before the waterfront improvements are considered for approval, an acceptable solution is provided for where the wastewater would be routed. Ms. Gagliano said that the sink wastewater could be pumped up to a tank that would be emptied periodically as the area is accessible by vehicle, and any proposal would be approved by OCDOH.

Mr. Brodsky inquired if there would be any re-grading in the area and Ms. Gagliano said that the backside of the hill may need a masonry wall but that there will be no re-grading. Mr. Brodsky suggested that a site visit may need to be conducted.

Member Winkelman asked if the fireplace is facing inside only, and Mr. Kalquist said that it is facing inside only and will be a true Rumford wood burning masonry fireplace. Mr. Camp asked for clarification on the foundation of the summer room and Mr. Kalquist said that that they will replace the slab and rebuild the structure. Mr. Camp said that replacing the foundation would have land disturbance and Mr. Brodsky said that that activity would trigger a special permit. Mr. Duniec said that in reference to the boathouse pier, they are looking at sheet piling and that would not be considered land disturbance. Ms. Gagliano clarified that land disturbance would be involved with the replacement of the summer room slab.

Chair Kasper inquired about the future bath house location and Ms. Gagliano said that it would be somewhere up the hill. Chair Kasper asked when the intended work will begin for the shoreline and Ms. Gagliano said that it would be in the spring. Chair Kasper suggested that the bath house location could be put on the plan and then the septic design could be done. Then you could come back with the plan for the shoreline alterations once you have septic approval. Ms. Gagliano requested that the board consider the amendment for the stairs by the dwelling as it is integral to the primary dwelling. Chair Kasper inquired about the Bilko door and Mr. Kalquist explained that it is the original location, and their intention is to keep it to access the other end of the basement. Chair Kasper said that the board will consider the amendment request for the basement access stairs on the north end of the primary dwelling only and that the applicant will come back with the proposed shoreline modifications at a later date.

WHEREAS, a motion was made by Member Marshall and seconded by Cochair Hamlin, the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes a TYPE II single family residential project action pursuant to 6 NYCRR Section 617.5(c)11, not subject to further SEQRA review; and The Board having been polled resulted in the affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Chair Donald Kasper and seconded by Cochair Douglas Hamlin, and after an affirmative vote of the Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application for minor site plan approval amendment, with the Prior Approval remaining in full force and effect except as amended hereby, with the following additional conditions:

- 1. That the Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal.
- That Site Plan X-001,C-002- through C-005 dated October 6, 2023, prepared by Environmental Desing and Research DR, Licensed Architects be followed in all respects; and
- 3. That Site Plan approval reflected herein does not permit or approve any improvements to the boathouse, lakefront alterations, garages, or other accessory buildings, all of which shall require separate Planning Board review and approval after full application therefore by the Applicant; and

4. The terms and conditions of the resolution granting Prior Approval, as hereby amended, shall be complied with by the Applicant.

	RECORD OF VOTE		
Chair	Donald Kasper	Present	[Yes]
Cochair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

Amendment Request-3 lot Subdivision.

Applicant: Skaneateles Park East LLC

Patricia Uritis Property:

9118 Mount Pleasant Drive 1551 East Genesee St Reno, NV 89523 Skaneateles, NY 13152 Tax parcel #032.-03-20.0

Present: Patti Uritis, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The three lot subdivision was approved last month and as the map was being finalized it was determined that there would need to be a 50 foot utility easement on lot A instead of the originally proposed 25 foot utility easement. This will allow the utilities to work around existing patriarchal trees that the applicant would like to maintain. The easement will maintain a 25 foot utility easement one it enters lot B.

WHEREAS, a motion was made by Chair Kasper and seconded by Cochair Hamlin, the Planning Board adopted the prior SEQR pursuant to and in accordance with the New York State Environmental Quality Review Act, 6 NYCRR 617 et seq. ("SEQR"), and Section 276 of the Town Law of the State of New York, Public Hearing was advertised and held on September 19, 2023, concerning the Application, classified as an Unlisted Action under SEQR by the Planning Board on September 19, 2023, and reviewed pursuant to the Short Environmental Assessment Form submitted by the Applicant, resulting in a determination that the proposed action will not result in any significant adverse environmental impacts. The Board having been polled resulted in the unanimous affirmance of said motion.

NOW, THEREFORE, upon a motion made by Member Jill Marshall, seconded by Member Jonathan Holbein, and upon the affirmative vote of all Members present, as set forth in the Record of Vote referenced below, the Skaneateles Planning Board approves the Subdivision Map for the Skaneateles Park East Subdivision, subject to the following conditions:

- 1. The foregoing recitals are incorporated herein as if set forth at length;
- 2. That the Applicant and its professionals shall submit drafts of the Private Driveway and Utility Easement and Maintenance Agreement in one or more documents, as may be applicable (the "Recordable Documents"), for review and approval by the Planning Board Chair and the Planning Board Attorney, and as approved shall be executed and recorded by the Applicant in the Onondaga County Clerk's Office contemporaneously with the filing of the Subdivision Map; and

- 3. That development of the Project, according to the Subdivision Map, Sketch Plan and the Recordable Documents shall be fully complied with by the Applicant, at no cost to the Town; and
- 4. That one mylar and five copies of the Subdivision Map shall be submitted for signature within six months of the filing of this decision, and that Chairman is authorized to sign said Subdivision Map, subject to fulfillment of applicable conditions herein; and
- 5. That the Subdivision Map shall be filed with the office of the Onondaga County Clerk within sixty days of the signing of the Subdivision Map and proof of said filing shall be submitted to the Planning Board; and
- 6. That except as modified hereby, the terms and conditions of the Prior Approval shall be complied with.

	RECORD OF VOTE		
Chair	Donald Kasper	Present	[Yes]
Cochair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

Sketch Plan-Site Plan Review

Applicant: Jeremy Kimball

1351 Cherry Valley Tpke Skaneateles NY 13152 Tax parcel #032.-03-30.1

Present: Robert Eggleston, Eggleston & Krenzer Architects

The are no proposed changes to the existing uses of the property. Jeremy's wife is a midwife and currently has an office in a small portion to the building housing the dance studio. Proposed is a 32'x40' office building with a 324 square foot porch that would be located on the gravel pad that is west of the dance studio. There will be six dedicated parking spaces and one handicap space for the office. Portions of the existing gravel lot will be taken to grass and landscaping with deciduous trees along the front of the building. The existing septic system supports the dance studio building and storage building office. There will be a secondary septic system developed for the proposal office and storage office with the dance studio maintaining the existing system.

Additionally, a 60'x80' storage building is proposed to be located to the north of the existing storage buildings. He will be storing his stuff and some of the equipment that is currently parked outside and the potential for some of the vehicles parked outside. The area will be leveled to provide a flat surface for the building. A drip strip will be provided under the eases with the drainage directed to the existing swale and into the pond. The existing driveway will provide access to both buildings. Once construction is completed, the dance studio will expand into the entire building. Impermeable surface coverage and total lot coverage will remain at 31.4%, including any future sidewalk.

Member Marshall commented that parking for the dance studio is problematic. Mr. Eggleston said that there has been some discussion regarding the enlargement of the parking area for the dance studio, and they have in the past used the gravel area for overflow parking. Whether the dance studio staggers the

classes, or they develop a loop so that kids can be dropped off and picked up safely will need to be determined. Member Marshall said that although she does not like pavement, it is not a good situation. Member Winkelman suggested that there should be a sidewalk there so that people can park in the road and pick up there. Mr. Eggleston said that he does not think the NYSDOT would support parking on the road. Member Winkelman asked about the tree at the front of the property and Mr. Eggleston explained that it has a horrible base as it used to be part of the parking lot there. Member Winkelman inquired on the width of the driveway by the dance studio and Mr. Eggleston said that it is 24 feet. A site visit will be conducted independently by the board.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Holbein to schedule a public hearing on *Tuesday*, *November 21*, *2023* at 6:40 p.m. The Board having been polled resulted in the unanimous affirmation of said motion.

The meeting minutes of September 19, 2023 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Marshall to approve the minutes as submitted. The Board having been polled resulted in the affirmance of said motion.

	RECORD OF VOTE		
Chair	Donald Kasper	Present	[Yes]
Cochair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

WHEREFORE, a motion was made by Cochair Hamlin and seconded by Member Winkelman adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 9:35 p.m. as there being no further business.

Respectfully Submitted, Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston Eric Goetzmann Bill Murphy Chris Bruna Daniel Goetzmann Ericka Clark Seth Thibault Carol Huther Joseph Camardo Jr. Adrienne Drumm Tracey McCarthy Dennis McCarthy Joanne Gagliano Joe Falco Patti Uritis Leif Kallquist Trevor Tank

Additional Meeting Attendees (Zoom):

Chris Buff Kevin Huther JP Meyers Mike Drake
Mark Tucker Michael Major Victor Duniec Deborah Duniec
Jack's phone