

K. Skaneateles Lake shoreline regulations.

(1) The following requirements apply to structures located within 50 feet of the lake line or within the 100-year flood hazard area ("shoreline structures").

(a) General restrictions.

[1] Site plan approval requirement. The construction of seawalls, retaining walls, except those that are located 10 feet or more from the lake line, marine railways, permanent docks larger than 200 square feet, decks or patios larger than 400 square feet, stairways higher than 25 feet, and boathouses shall require site plan approval.

[2] No shoreline structure or improvement shall be built or expanded except pump houses, docks, seawalls, retaining walls, gazebos, stairways, storage buildings, fire pits not exceeding two feet in height or 16 square feet in area, children's playground equipment, and boathouses. Where more restrictive, this provision shall take precedence over the setback requirements in § 148-5-4H(4). All structures, seawalls, and retaining walls shall be located upland of NGVD 865.02 elevation (high-watermark).

[3] Dimensional limits. The total combined square footage of all shoreline structures listed in Subsection K(1)(a)[2] shall be limited as described below. Seawalls and retaining walls used only for purposes of erosion control, containing no walks or decking, shall not be included in the calculation of the square footage of shoreline structures. Lake frontage shall be measured as a straight line connecting the two lot corners where they intersect the lake line with an intermediate point in the lake line, not including man-made projections into the lake.

[a] On lots with greater than 200 feet of lake frontage: a maximum of 800 square feet for every 200 feet of lake frontage.

[b] On lots with between 100 feet and 200 feet of lake frontage: a maximum of 600 square feet.

[c] On lots with less than 100 feet of lake frontage: a maximum of 400 square feet.

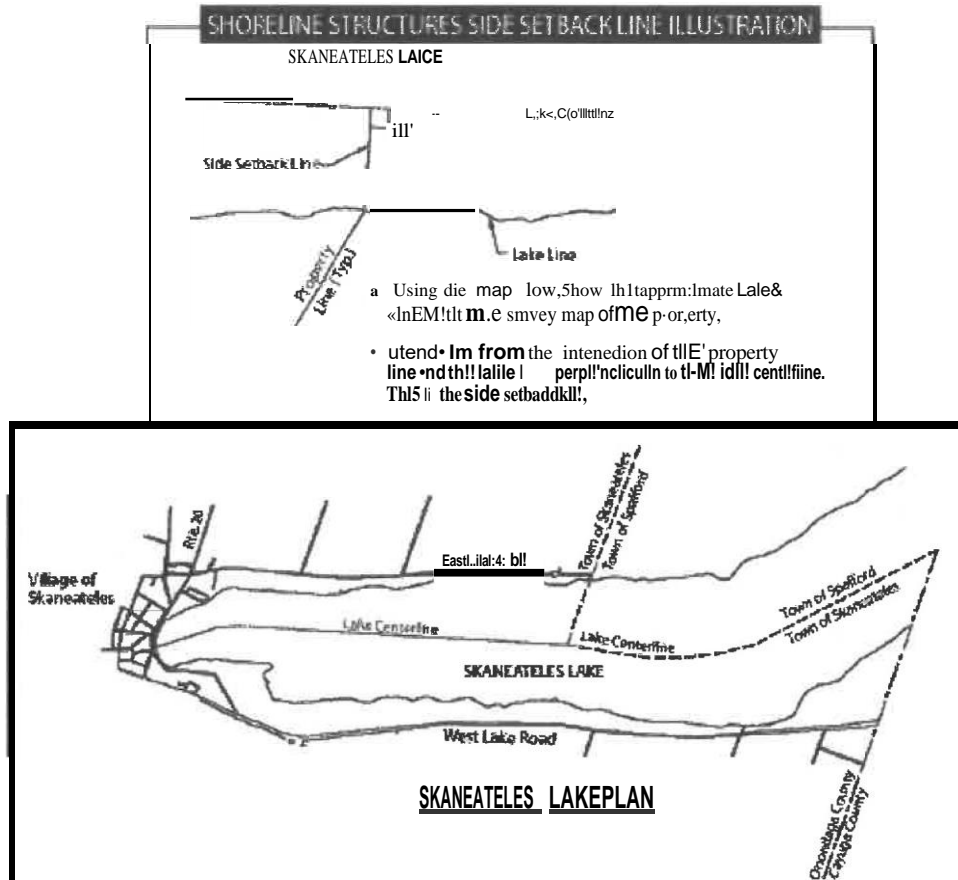
[4] Except as provided in § 148-7-1K(1)(b), the height of shoreline structures shall not be more than 12 feet above average grade. This

restriction also applies to any structure placed on top of another structure.

- [5] Materials. All applications for the construction of such structures shall be accompanied by a certificate acceptable to the Planning Board or official that all materials to be used in such construction are free of toxic substances.
- [6] See § 148-5-4D for erosion control requirements. Site plan review requirements are listed in §§ 148-10-8A, 148-5-4D(1), and 148-5-4H(5). See § 148-5-41 for steep slope regulations.
- [7] In addition to the requirements of this chapter, all applicable requirements of the New York State Department of Environmental Conservation, the United States Army Corps of Engineers and the New York State Office of General Services shall be satisfied.

(b) Special requirements.

- [1] No shoreline structure other than a dock and stairs leading to a dock shall be erected, constructed or placed so as to extend offshore beyond the lake line, except as otherwise approved by the New York State Office of General Services.
- [2] The foundation area of a boathouse shall not exceed 500 square feet. The height of any part of a boathouse shall not be greater than 16 feet above the lake line. No living quarters shall be allowed in a boathouse. No boathouse shall be used for any purpose other than storage.
- [3] Not more than one boathouse, permanent dock, and marine railway shall be permitted for each lakefront lot, except for a lakefront marina allowed by special permit, except as otherwise approved by the New York State Office of General Services.
- [4] Except as provided in § 148-8-9A(1), all shoreline structures except seawalls and retaining walls needed for erosion control shall be constructed with a minimum side setback of 20 feet from the setback line. To locate the setback line, the approximate center line of Skaneateles Lake shall be determined and a line perpendicular to this center line shall be extended to the property corner. This perpendicular line shall be the setback line. See diagram below.



- [5] No dock or marine railway shall be constructed or placed in a manner that will interfere with normal navigation or access to adjacent land or docks.
- [6] Any submerged part of a marine railway less than four feet below the surface of the lake shall be identified by an approved navigational hazard buoy which shall be in place when ice is removed from the lake water lying within the Town's corporate boundary.
- (c) Lakefront marinas. Marinas shall be allowed by special permit and may be exempted from the dimensional regulations of this § 148-7-1K(1) if they can satisfy all applicable performance criteria in § 148-10-6.
- (d) Exemption for temporary docks. The dimensional and permit requirements in this Subsection K(1) above do not apply to temporary docks.
- (2) Supplementary lake yard restrictions. In addition to the requirements of §§ 148-5-4H and 148-7-1K(1) above, all structures located within 200 feet of the lake line of Skaneateles Lake shall comply with the following requirements:

- (a) Any construction or expansion of any such structure shall require site plan approval, including an erosion and stormwater control measures as provided in § 148-5-40(3).
 - (b) No boathouse or storage building shall be used for any purpose other than storage.
 - (c) No change of grade shall be permitted within 100 feet of the lake line except by special permit. A stabilization and planting plan is required.
 - (d) No construction or expansion of any dwelling located within 150 feet of the lake line shall be permitted unless the lot has at least 75 feet of lake frontage for each four-bedroom or smaller dwelling, plus 25 feet of additional lake frontage for each additional bedroom. This provision shall not be construed to permit the creation of lots with less than the required minimum lake frontage for a conventional subdivision, except in the case of conservation subdivisions. In the event of a conflict with § 148-8-9A, the more restrictive requirement shall control.
 - (e) No fence exceeding four feet in height shall be permitted within 100 feet of the lake line. Any such fence four feet or less in height within 100 feet of the lake line (excluding gates) must allow at least 50% of visual penetration when viewed at any angle between 45° and 90° to its face, including pickets, post, rails or any other feature that can block visual penetration.
 - (f) No berm or wall (except retaining walls along or parallel to the lake line or along a watercourse) shall be permitted within 100 feet of the lake line. Except for retaining walls serving as bank protection along or parallel to the lake line, no wall within 100 feet of the lake line shall exceed four feet in height. See § 148-5-41(5), which establishes site plan approval requirements for such structures.
 - (g) A berm or wall six feet in height or less shall be permitted more than 100 feet from the lake line.
- (3) Shared lakefront recreation. All land used for shared lakefront recreation (see definition) shall be required to comply with this Subsection K(3). Land being used for such purposes at the time of the original enactment of this § 148-7-1 shall be considered a nonconforming use.
- (a) Land may be used for shared lakefront recreation by special permit, provided that the following conditions are satisfied:
 - [1] A lot used for shared access must have at least 15 feet of shoreline and 2,000 square feet of lot area for each dwelling unit that shares lake access using the parcel. To illustrate, a parcel with deeded rights for eight dwelling units would need to have at least 120 feet of shoreline and 16,000 square feet of lot area. These dimensional requirements may be modified by the Planning Board on lakefront access parcels with more than 20,000 square feet in area and more than 200 feet of shoreline, provided that adequate buffers are provided to mitigate the impact on adjacent parcels and that permitted

occupancy will not adversely affect lake water quality. In making this determination, the Planning Board shall consider issues of health, safety, and aesthetics, including pedestrian safety where a highway crossing is involved and the practical usability of the shoreline for lake access.

- [2] The special permit shall contain specific occupancy limits based upon the number of dwelling units times four people, in order to prevent degradation of the lake from overuse. The special permit may also contain requirements for buffering and screening between the shared lakefront parcel and adjoining properties to minimize disturbance to such properties and to protect their privacy.
 - [3] If the occupancy limit (number of dwelling units times four persons) exceeds 25 persons, toilet facilities may be required as follows:
 - [a] Properly maintained chemical or waterless toilets shall be provided; or
 - [b] Low water flow toilets, together with an approved subsurface disposal system, shall be provided, set back at least 100 feet from the lake line.
 - [4] Adequate parking areas shall be provided as determined by the Planning Board.
 - [5] Erosion and stormwater control measures, if required, shall prevent runoff containing sediment or pollutants from entering the lake. If no such measures are required because less than 5,000 square feet will be disturbed, the special permit shall contain such conditions as may be necessary to protect the lake from sediments or pollution, including but not limited to the provision of vegetated buffer strips along the shoreline.
 - [6] The development and use of the site shall comply with all performance standards for the Lake Watershed Overlay District.
 - [7] For any site with an occupancy limit in excess of 25 persons, an annual inspection fee may be required in a sufficient amount to cover the cost of monthly inspections during the summer months.
- (b) The special permit shall contain such conditions on property management as may be necessary to ensure compliance with the requirements of Subsection K(3)(a) above and any of the requirements of § 148-6-2 which the Planning Board determines to be appropriate.