

**Town Board Meeting**

**August 1, 2022**

**6:30 p.m.**

**Zoom:** Meeting ID: 832 3007 6478 Passcode: 150560

**Present:** Supervisor Aaron, Deputy Supervisor Alexander, Councilor Tucker, Councilor Legg, Councilor Dove, Attorney Smith.

**Also, Present:** Paula Powell, Steve Ladd, Don Kasper, Dessa Bergen, Bonny Dudden, Ed Conan, Dick Eldredge, Bill Bergen, Josh Allyn.

**Also, Present (via Zoom):** Keri Fey, Bob Herrmann, Brian Buff, Tim Dobrovosky, Chris Buff, Sue Murphy, Jason Gabak, Terry Landers.

**Highway & Water:** Highway Superintendent Tim Dobrovosky submitted his report to the Board for their review. He reported the Highway Department replaced culvert pipes on County Line Road South in preparation for paving, they were ditching, and the road. They also were mowing roadsides& trimming, new water service installed, milled approaches and driveways on Country Line in preparation for paving, storm clean up washout and tress, maintenance on various trucks, patched roadway water break areas, and supplied trucks to various townships. **Transfer Station:** Municipal Recycling Liaison/Refuse Officer Brian Buff reported they removed 6 loads of trash, 6 open top containers, 2 loads of recycling material and 6 pallets of electronics.

**Planning and Zoning:** Planning and Zoning Clerk Karen Barkdull reported on the three , Old Seneca Heights Extension, Scott Heggelke permanent doc at 2645 East Lake Road and an area variance at 863 Milford Drive. Ms. Barkdull reviewed the status of existing projects still open; Lakelawn – proposed brick and stone masonry wall to replace wood fence along West Lake Road, this project is on hold. Nulty – application is on hold with the Planning Board for the shed, awaiting the owner to apply to the ZBA for variance approval. Chris Graham – Application pending for re-design of multi-family residences for the RR district. Victory Sports – The application is pending as the applicant in considering the potential for smaller scale development on the property, and Haba Toys- Expansion application on hold as they re-evaluate the entire property. Other activities included 4 pre-application meetings, 3 Hamlet Committee meetings, 3 hours of training, 1 Shoreline Committee meeting and assisting with the Open Space Committee.

**Codes:** Codes Officer Herrmann reviewed the Codes Office report for July 2022. \* Report attached. He reported he had sent a few letters to property owners under the regulations of “weeds a Grass’ for a code violation. Hopefully the owners will comply but if not, he would be approaching the Board for approval to go in and clean up these properties

**Parks:** Parks Director Sue Murphy reported Playday is going into its last week, and all had gone well this year. The waterfront has been going strong with the lifeguards and the warm weather and would be closing by the end of August. Mandana Boat Launch had also been busy and is going well. They had the first movie night last week in the Austin Pavilion and another is scheduled for next week. They rented a lift to finish the north field light project. Soccer fields are being lined and they are getting the pavilion ready for the fire department field days.

**Budget:** Bookkeeper to the Supervisor, Keri Fey reported they are heading into the 2023 Budget season. She had been working with Department heads preparing for the up coming Budget meetings.

**Minutes of July 18, 2022:** On a motion of Councilor Alexander, seconded by Councilor Dove, and with a (4-0) affirmation of the Town Board, the minutes of February 17, 2022, were accepted as presented.

**Vargason Trail:** Donald Kasper and Steve Ladd were present to represent the residents of Butters Farm. Mr. Kasper said they had received a letter for the Town Attorney regarding the condition and the maintenance of the Vargason Trail at the Butters Farm development. Mr. Kasper reviewed pictures of the trail and the poor condition. The trail goes through wetlands and the wetlands are taking on a lot more water from the development. The HOA ignored the trail due to the extensive work that was needed. The HOA at Butters Farm knows the upkeep of this trail is part of their permit approvals and they had gone out and received three bids from contractors for the repairs. The bids they received were from \$37,000 and \$57,000. These proposals would cut trees and brush back and clear the area, remove the ash trees, and bring in fill to raise the trail above the wetlands. They would bring in gravel and natural material and add proper drainage and then mulch the trail with clean mulch. He had discussed this plan with Town Engineer John Camp, and he was in favor the proposal. Once the trail is brought back and proper drainage is added the Butters Farm HOA would budget for maintenance yearly. The developer did a poor job on the trail originally. With the quotes around \$50,000 and only 25 residents having to pay, this is a lot.

Supervisor Aaron stated currently there is a reserve fund set up for the detention basins at Butters Farm. Mr. Kasper stated this is still needed for the maintenance of the basins, but this could be looked at in the future. Supervisor Aaron stated she could find out if the Town could set up a fund to collected yearly for property owners to fund the maintenance of the Vargason Trail.

Attorney Smith stated he thought they could use the funds in the existing reserve account, since it is a special fund not specific to the drainage ponds. If the Town could charge the homeowners and use this fund that could happen. Attorney Smith asked if it is designated wetland. Mr. Ladd stated yes, it is a NYS DEC wetland, and the contractors understand this and would need to get the necessary permits.

Supervisor Aaron thanked Mr. Kasper and Mr. Ladd for taking on this project and understanding it was part of their subdivision approvals.

Councilor Alexander asked who were the contractors that submitted bids. The conservation areas have some of the same maintenance and it would be important to separate the trails and asked if they had considered using the fallen trees as a border or “runway” for the trail. This is used at the Conservation Area. Mr. Kasper steed yes, they are considering that.

Mr. Kasper discussed doing the project in 2 parts. Supervisor Aaron stated this is all reasonable.

Mr. Kasper stated since the Town made the trail a condition of the subdivision and the trail is open to the public would the Town consider helping with the funding for this project or at least keep it in mind for the future.

Supervisor Aaron stated they have applied for a grant for a trail system and this trail would be an important piece to the trail systems and she would keep that in mind.

Councilor Dove asked how much was in the fund for the detention basins. Supervisor Aaron stated not much, they only collect \$25 per year per parcel. It would have to be determined if this fund could be used to go towards the trail in the future.

Councilor Legg asked about the existing drainage along State Street. Mr. Kasper stated they have not looked at drainage that is off of the property.

Councilor Legg stated when he had worked on clearing the trail for the Skan Races getting the sunlight back in there was a great idea it had worked in the past. Mr. Kasper agreed this would be one of the first things, to clear it out and get the sunlight in. That would help with the darkness and the mosquitos, which is a safety issue. Mr. Ladd stated they are not using any volunteers for clean out for safety reasons. Future maintenance might be done by volunteers.

Supervisor Aaron and the Board thanked Mr. Kasper and Mr. Ladd for the update and their work.

**7:00 p.m. Public Hearing Proposed Local Law B of 2022 “A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries”** : Supervisor Aaron reviewed the public notice for the public hearing regarding Proposed Local Law B of 2022 “A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries. The Town of Skaneateles did not pass a law not allowing Cannabis Retail Dispensaries in the Town of Skaneateles; therefore, a zoning district must be established. This proposed local law is proposing that dispensaries would be allowed in the “Highway Commercial” Zoning District.

Supervisor Aaron reviewed the proposed Local law. \*Proposed Local Law Attached

Supervisor Aaron stated they are in receipt of letters from the Town Planning Board, the Town Zoning Board and the Onondaga County Planning Board. She reviewed the comments; The Zoning Board had comment. The Planning Board commented and stated the following:

- Member Marshall urges caution in creating legislation that is encouraging strip development in the gateways.
- Member Marshall expressed her concern over the continued development of the gateways in a manner of strip development.
- A suggestion was made to add the section below:

In addition to the requirements of this chapter, all applicable requirements of the New York State Office of Cannabis Management shall be satisfied.

Attorney Smith reviewed the proposed amendment. He reviewed the Town Zoning map and the Highway Commercial Districts. There are three areas in the Town that are zoned Highway Commercial, on the east and west gateways, and a small district on Fennell Street.

There are three different ways the use is permit could be established in the proposed amendment; permitted by right, permitted by site plan and permitted by special permit. The most stringent threshold by the Planning Board is by special permit. The way this proposed amendment is written is that Cannibals Dispensaries would only be allowed in the Highway Commercial Zoning District with the approval of a Special Permit by the Town Planning Board with a minimum lot of 2.5 acres and minimum parking requirement of 1 parking space per 75 square feet of merchandise. Attorney Smith reviewed the Special Permit process and the most stringent threshold by the Planning Board.

***\*Proposed amendment attached***

Councilor Legg asked to clarify that the Town Local law could not over rider any of the State regulations, such as the distance to a school or church. Attorney Smith stated no, it could not. Time place and manner is all that the Town could regulate. The State would regulate the operation of the business.

Councilor Dove asked if “no onsite consumption” means just in the facility or all the property, such as the parking lot. The Board could add “anywhere on the property” to the law to clarify if they wished.

Councilor Tucker stated he had concerns regarding the increased requirement for parking and the increase on impermeable surface in the watershed. Attorney Smith stated the impermeable surface coverage was not increased, the additional parking would have to be with in the allowable impermeable surface coverage, but there is an also a large lot requirement, 2.5 acres.

Councilor Alexander asked what the minimum lot requirement is now in the Highway Commercial District. Attorney Smith stated depends on the utilities on the parcels, it could be as small as ½ acre, if there is public water.

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the public hearing for Introductory Local Law B of 2022 ““A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries” was opened.

**Josh Allyn, Taproot Fields, Jordan Road :** What is the impermeable surface coverage now in HC? Planning and Zoning Secretary stated impermeable surface coverage is 50% and total lot coverage is 60% and cut in 1/3 in the watershed.

Mr. Allyn stated there is only 2 areas, the east and west gateways to the Town were existing lots would be the required size, not on Fennel Street. Attorney Smith stated because of the present configurations there are no lots large enough.

Some of these places have smoking sections for tobacco, could this be a loop- hole and would code enforcement police this? Attorney Smith stated State Law stated that if there are repeated violations

and any of the conditions set forth by the Planning Board it would be subject to code violations and subject to revocations of the permits.

Councilor Alexander stated it would be very difficult to regulate any use in individual vehicles. Attorney Smith stated this should be dealt with by Law Enforcement “Vehicle and Traffic Law”.

**Dessa Bergan, Old Seneca Tpk:** Ms. Bergen stated she had seen there is a request by the owners of the LAB building on New Seneca Turnpike for a zone change to Highway Commercial. That would put the Highway Commercial district in a more residential area.

Ms. Bergen asked what the time restraints are for when these facilities can be open and closed. Councilor Alexander stated yes, it stated: Operation: Monday – Saturday 9:00am -9:00 pm and Sunday 10:00am -6:00pm.

Ms. Bergen stated her concerns over the Highway Commercial districts growing in the future and what impacts that would cause.

**Don Kasper, Planning Board Chair, State Street Road:** Mr. Kasper asked if a 2.5-acre lot could it be part of another 2.5-acre lot, shared with another business. Attorney Smith stated, no it was written for a stand-alone business.

Mr. Kasper asked when the State comes out with their regulations would it be incorporated into our zoning. Attorney Smith stated no, the State regulates the licensing and Municipalities can regulate on time, place, and manner.

Councilor Dove asked if the Board would consider keeping the Public Hearing open till the next Board meeting on August 15, 2022. The Board agreed.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the public hearing was kept open till August 15, 2022, at 6:45 p.m. for any additional comments.

Attorney Smith reviewed Part II of SEQRA for Proposed Local Law B of 2022 “A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries”. Attorney Smith recommended the Board answer all 18 questions in Part 2 of the SEQRA “no”. The Board agreed.

Attorney Smith reviewed the section regarding traffic. This amendment would add to the traffic flow, but not enough to complete an Environmental Impact Statement. The Board agreed.

***\*Completed SEQRA Part II attached.***

Attorney Smith reviewed Part III of SEQR. The options for Part III are:

- A. This Project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative deceleration is issued.
- B. Although this project could have significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

- C. This project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts, Accordingly, this positive declaration is issued.

The Board agreed to A. “This Project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.”

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the Board declared Proposed Local Law B of 2022 “A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries” a negative declaration under SEQRA.

The Public Hearing would continue at the August 15, 2022, Town Board meeting at 6:45.

**Mottville and Shepard Settlement Cemeteries - Shed Quotes:** Supervisor Aaron stated the following quotes were given for two sheds. One shed at the Sheppard Settlement Cemetery and one at Mottville Cemetery:

	Mottville	Shepard Settlement
Quality Sheds	\$6,279.80	\$6,779.00
Tyson Sheds	\$6,160.86	\$6,848.82
Breezy Acres	\$6,499.00(+delivery)	\$7,249.00(+delivery)

Councilor Legg stated he had spoken to Cemetery Superintendent Dick Eldredge regarding his concern of the size of the sheds. Mr. Eldredge confirmed the sheds were large enough to store all the equipment at both cemeteries.

On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board, the Board authorized the purchase of the following:

	Mottville	Shepard Settlement
Quality Sheds	\$6,279.80	\$6,779.00

As budgeted.

**Cemetery Signs:** Town Historian Beth Battle reported to the Board she had received a request from Andrew Miledonis, second vice president for the Sons of the American Revolution to place signs at the Sheppard Settlement, Mottville Cemetery and Owasco Cemetery listing the Revolution War soldiers buried in each cemetery. There are 4 soldiers in Sheppard Settlement , 6 in Mottville and 17 in Owasco.

The Owasco cemetery is not maintained by the Town of Skaneateles therefore the request should be passed on to the Owasco Cemetery Board.

Ms. Battle reviewed the current signs in the cemeteries. Councilor Legg stated he understood the request had come from a private individual representing the Sons of the Revolutionary War and

he stated he would work the individual cemetery. Ms. Battle stated she would forward the request to the Owasco Cemetery Board.

Ms. Battle stated the request went to the Village for the Lakeview Cemetery and the Village is in favor of this. She stated since there are already National Historic Register signs at the Mottville and Sheppard Settlement Cemetery she was not in favor of adding more signs. She asked the Board for their recommendation.

The Board discussed the signs at the cemeteries and suggested Ms. Battle respond to the request to let them know who to contact at the Owasco Cemetery and work with Cemetery Superintendent Dick Eldredge regarding the request for the Town of Skaneateles Cemeteries.

**Frog Pond Liquor - One Day License:** Supervisor Aaron stated a request from Tully's North Syracuse, Inc for an event at the Frog Pond was received for the following:

An application for a(n) Beer, Wine, Cider (Temporary) Permit has been received. Please note the following deficiencies must be corrected in order to complete the review of your application:

ABC Law limits the number of One-Day Beer and Wine Permits that can be issued for a location to four permits in a calendar year; With the exception of certain Not-for-Profits limited to 21. Any applications submitted over that limit may not be considered. All applications submitted over those limits must submit a letter of support and letter of no objection from the local police department, municipality, and community board. Once all three conditions are met, up to 21 permits may be received total per calendar year.

The Board had no objections to the request.

On a motion of Councilor Alexander, seconded by Councilor Dove and with unanimous (5-0) affirmation of the Town Board the Board stated there were no objections to the request for a one-day beer and wine license for Tully's North Syracuse, Inc. at the Frog Pond located in the Town of Skaneateles for October 15, 2022.

**Establish CNY Community Foundation:** Supervisor Aaron reported her, and Councilor Alexander had met with CNY Community Foundation regarding opening an account to accept donations for the upcoming parks projects.

Councilor Alexander stated her, and Councilor Legg had met with the CNY Community Foundation. Many community members had showed interest in donating to projects that are planned for the parks and conservation areas.

The CNY Community Foundation would offer us a lot of flexibility with this fund. Disbursements can be made to the Town of Skaneateles on short term or long-term basis with the approval of the Town Board and the signatures of the Supervisor & Deputy Supervisor. The fund can go on indefinitely into the future and if there is a desire to close the fund, it can easily be done at any time with 100% of the funds being dispersed back to the Town.

The CNY Community Foundation will accept and process all donations and respond to donors on our behalf. They will also provide a webpage (we will create content), where people can easily donate. Their commission is ¼ of a percent per year which is a small fee to pay for the service they will provide, not to mention that they have direct access to many possible donors.

Some of the examples of projects community members would like to donate to are the pickle ball courts, the pavilion and the basketball courts.

The only requirement would be the account start up funding would be \$10,000. They are proposing the Board agree to take \$10,000 from the ARPA funds and start the fund with the CNY Community Foundation. The fund would be called “the Skaneateles Parks and Preservation Fund”.

Councilor Alexander stated the responsibility of the Town would be to keep track of the allocation. The CNY Foundation would manage the fund and respond to all donors.

Councilor Tucker questioned the percentage after the fund reaches \$1,000,000, as stated in the information from the CNY Foundation. Councilor Alexander stated she would clarify this with the CNY Community Foundation, this was not the information she was given.

Attorney Smith clarified this is not considered gifting, this is an account similar to a bank account with fees.

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the Board authorized establishing the Skaneateles Parks and Preservation Fund with The CNY Community Foundation and authorize \$10,000 start-up deposit from the ARPA funds, with the Supervisor and Deputy Supervisor be authorized signatories on the account.

**ARPA Funds Designation:** Supervisor Aaron stated the Board had authorized \$10,000 of the ARPA (American Rescue Plan Act) funds be distributed to the Skaneateles and Mottville Fire Departments and \$5,000 to the Marcellus Fire Department. It was brought to her attention by Councilor Legg the Board could consider a distribution to SAVES of \$10,000 of the ARPA funds as well for their emergency service to the community.

On a motion of Councilor Alexander, seconded by Councilor Dove and with unanimous (5-0) affirmation of the Town Board the Board authorized the distribution of \$10,000 of the ARPA Funds to SAVES.

**Schedule Meetings regarding Austin Park Project:** Supervisor Aaron stated the Board would like to schedule informational meetings regarding the proposed Austin Park and Pavilion project. This project is to consider updates to the park, including pickleball courts, and the Austin Pavilion.

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the Board scheduled two informational meetings regarding the proposed Parks and Austin Pavilion project for August 25, 2022, via Zoom at 7:00 p.m. and September 13, 2022, at 7:00 p.m. in person at the Aust Pavilion.

**Community Band Requests:** Parks Director Sue Murphy stated there had been a request from the Community Band for funding. The symphony did not come to the park this year and the funding



that was budgeted for the Symphony could be redirected to the Community Band this year. If the Board would like to continue this funding in the future, it would have to be discussed at budget time. The funding set aside for the Symphony was \$500. She recommended the Board redirect the funds to the Community Band.

On a motion of Councilor Alexander, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the Board authorized \$500 be distributed to the Community Band for 2022.

Supervisor Aaron stated the Town Board is in receipt of a request from the Community Band for use of the Austin Pavilion as a rain location for the Friday night Community Band concerts. Parks Director Murphy stated she did not have a problem with this request as long as they give adequate notice, but there are only 2 weeks left till the Fire Department moves into the Pavilion for the field day setup.

**Credit Card Processing Company FORTE Agreement:** Town Clerk Julie Stenger requested the Board consider the change to FORTE for credit card processing. We currently use the service “Express Pay”, and I am proposing to switch to a company called “Forte”. There will be no charge to the Town, the only charges that go to Forte are the user fees paid by the card holders. Forte will also give us the card terminal at no charge. The current fees charged to users from Express Pay are 3.3%. Forte’s charges are only 2.85 %, this will be a savings to our residents as well.

Forte also will link to our software for better online payments. She said that she is also adding an online dog payment system for \$1,500 but it will allow an online access and payments for our residents and currently we have about 1000 dogs licensed and are planning a dog enumeration by mail in the Fall/Winter of this year and I wanted to implement the online program at the same time. And keeping our fingers crossed I will have a better online option for the 2023 Transfer station Permits.

The Board agreed this was a positive change and agreed to authorize Supervisor Aaron to sign the agreement.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the Board authorized Supervisor Aaron to sign the Agreement for credit card process with FORTE as presented.

#### **Announcements/Correspondence/Updates**

▪*Update Hamlet Committee Meeting/Northern Plan Focus Groups, Committee Appointment-Bonny Dudden:* Councilor Legg updated the Board on the last Hamlet Committee meeting. It was held at the Austin Pavilion and there were about 20 people in attendance. The meeting went well and EDR helped out with the timeline for the Hamlet Plan. They discussed the transition of members. They recognized Mottville had representation on the committee, but they were lacking members from Skaneateles Falls.

This is a listening phase, and the committee wanted to hear from the residents. Committee members Dick Eldredge and Chris Graham have stepped down to focus on other areas such as the focus groups.

Councilor Legg reported the surveys were being collected and he found it interesting that 70% of the survey responses stated there was a concern about traffic, on Jordan Road in the hamlets.

Councilor Legg announced he had received a letter of interest from Skaneateles Falls resident Bonny Dudden stating her interest in being considered for a member of the Town of Skaneateles Hamlet Committee. He stated Ms. Dudden had been a resident of Skaneateles Falls for 20 years and she would make a great addition to the committee.

On a motion of Councilor Legg, seconded by Councilor Alexander, and with unanimous (5-0) affirmation of the Town Board the Board appointed Bonny Dudden to the Town of Skaneateles Hamlet Committee.

Councilor Legg stated they are still in search of other members for the Hamlet Committee, and anyone interested should send their letter of interest to the Town Clerk.

Councilor Legg announced the next Hamlet Committee meeting would be at the Town Hall on August 29, 2022 at 5:30 p.m.

- *Onondaga County Snow Removal Contract:* Supervisor Aaron stated the Onondaga County Snow Removal contract is up for renewal this year. The new contract is a 5-year contract with the option to renegotiate the price in 2 years. Currently it looks like it would be about a 3% increase and a cap on the cost of diesel fuel. When the contract is submitted by the County it will be back on the agenda for the Town Boards authorization and for Attorney Smith's review.
- *Update Water Grant Application – Andrews Road Water Extension:* Supervisor Aaron announced Engineer John Camp had informed the Board that the overall funding budget for DWIA is substantially higher than IMG and no inter-municipal agreement is necessary. Councilor Alexander stated the Village would still have to get approval for the extension of the water.
- *Rotary Thank you Letter to Parks:* A letter was received from Rotary thanking Sue Murphy and the Parks staff for all their work and support during the 2022 Annual Rotary Father Day Pancake Breakfast
- *Update Austin Park Project:* Councilor Alexander stated two public informational meetings are scheduled for August 25<sup>th</sup> at 7:00 p.m., via Zoom and September 13<sup>th</sup> at 7:00 at the Austin Pavilion in person. Plans and updates regarding the park's projects will be available from King & King Architecture and they would be there to answer any questions.
- *Update Open Space Committee:* Councilor Tucker reported the Open Space Committee had met on July 26<sup>th</sup>. He reviewed the three properties the committee is looking at; Laxton's, Scott Winkelman's and O'Neill's. The next meeting would be scheduled for September.
- *Update Shoreline Regulations:* Councilor Tucker stated the committee had met and discussed the format of their meetings, trying to meet in person only. They are going to meet with the design professionals first, then with contractors, residents and the Skaneateles Lake Association. The next meeting is scheduled for August 11<sup>th</sup>.

**Public Comment:** Dessa Bergan, Old Seneca Turnpike, Skaneateles – Ms. Bergan spoke to the Board regarding two homes on West Lake Road. Her family camp is across the lake at Five Mile Point from these homes on the west side. The lights on the “blue” house are very strong and bright and shine across the lake and cause disturbance to the neighbors.

Ms. Bergen made a formal complaint, as stated in the Town Code. She submitted her complaint last February. She showed the Board pictures of the lights. Attorney Molnar indicated these lights did not comply with the Town Zoning Code and a formal complaint would need to be submitted.

Ms. Bergen review the section of Town Code regarding violations:

“Section 148-10-3(D) Complaints of violations. Whenever a suspected violation of this chapter occurs, any person may file a signed written complaint reporting such violation to the Codes Enforcement Officer. The Codes Enforcement Officer may also investigate any oral complaint made to his/her office. All complaints, written or oral, shall be properly recorded, filed and immediately investigated by the Codes Enforcement Officer and reported to the Town Board. The Town Board may by blanket resolution authorize the Codes Enforcement Officer to act independently in all cases or particular class of cases.”

Supervisor Aaron asked if there had been any change in the lights recently. Codes Officer Herrmann had spoken to the property owner and was told the lights had been adjusted. Ms. Bergen stated if he did adjust them, it was not much. This needs to be addressed.

Supervisor Aaron stated they would follow up on her complaint.

**Budget Amendments:** On a motion of Councilor Legg, seconded by Councilor Alexander, and with unanimous (5-0) affirmation of the Town Board the Board approved the following budget amendments:

\$35,000.00	Increase	019894.01.004.00	Other Government Support
\$35,000.00	Decrease	004960.01.000.00	Federal Aid Emergency Work
Town Board-ARAP Distribution- Skaneateles, Mottville, Marcellus Fire Companies, SAVES Ambulance Cor.			

\$6,765.00	Increase	081604.01.004.00	Refuse/Garbage CE
\$6,765.00	Decrease	000878.01.000.34	Repair Reserve
Transfer Station Equipment Repair Reserve			

**Abstract #22-14:** On a motion of Councilor Alexander, seconded by Councilor Dove and with unanimous (5-0) affirmation of the Town Board vouchers #22-0670 - #22-0752 were authorized from the following funds:

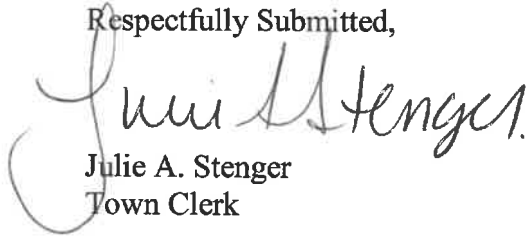
General Fund:	\$ 83,248.73	Highway:	\$ 3,265.53
Water:	\$ 1,637.28	Part Town	\$ 176.81
St. Light	\$ 536.74	T& A	\$ 627.66
<b>TOTAL:</b>	<b>\$ 89,492.75</b>		

**Executive Session:** On a motion of Councilor Alexander, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 9:05p.m. for attorney advice and personnel.

On a motion of Councilor Tucker, seconded by Councilor Legg with unanimous (5-0) affirmation of the Town Board the meeting was returned to open session at 10:00 p.m.

On a motion of Councilor Tucker, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned at 10:00 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Julie A. Stenger". The signature is written in a cursive style with a large initial "J".

Julie A. Stenger  
Town Clerk

AFFIDAVIT OF PUBLICATION  
State of New York  
County of Onondaga }SS.:

Shannon Christian being duly sworn that she resides in the Town of Westport, County of Essex, New York and that she is the Agent of the PRESS OBSERVER a weekly newspaper published at Skaneateles in the County of Onondaga, and that the notice, a printed copy of which is hereto attached, was printed in said PRESS OBSERVER on the following dates:

07/06/2022

Signed this 7th day of July, 2022

Shannon Christian  
Agent

Sworn to before me this 7th day of July, 2022

Gayle M Alexander  
Notary Public

Gayle M Alexander  
Notary Public, State of New York  
No. 01AL4977709  
Qualified in Essex County

Commission Expires 02/11/2023  
293043

**PUBLIC NOTICE**  
NOTICE IS HEREBY GIVEN that a public hearing shall be held by the Town Board of the Town of Skaneateles at 7:00 p.m. on August 1, 2022 regarding Proposed Local Law 2022- B "A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries Within the Town of Skaneateles, for your review and comment.  
A copy of the local law and related materials is available for review at the Town Clerk's Office of the Town of Skaneateles, 24 Jordan Street, Skaneateles, New York or at <https://www.townofskaneateles.com/assets/Uploads/Local-Law-B-of-2022.pdf>  
An opportunity to be heard in regard to such local law will be given at the hearing to those favoring or opposing the same, as well as any comments on the environmental significance of such local law. Communication in writing in relation thereto may be filed with the Town Board or at such hearing.  
Said Hearing will be held on Monday, August 1, 2022 at the Skaneateles Town Hall, 24 Jordan Street and via Zoom at <https://us02web.zoom.us/j/86511764725>, Meeting ID: 865 1176 4725, Passcode: 236849. At that time, or for a period of time thereafter, all persons will be heard or have an opportunity to provide written comment on this Proposed Local Law.  
PO-293043

**TOWN OF SKANEATELES  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing shall be held by the Town Board of the Town of Skaneateles at 7:00 p.m. on August 1, 2022 regarding Proposed Local Law 2022- B “A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries Within the Town of Skaneateles” for your review and comment.

A copy of the local law and related materials is available for review at the Town Clerk’s Office of the Town of Skaneateles, 24 Jordan Street, Skaneateles, New York or at <https://www.townofskaneateles.com/assets/Uploads/Local-Law-B-of-2022.pdf>

An opportunity to be heard in regard to such local law will be given at the hearing to those favoring or opposing the same, as well as any comments on the environmental significance of such local law. Communication in writing in relation thereto may be filed with the Town Board or at such hearing.

**Said Hearing** will be held on *Monday, August 1, 2022* at the Skaneateles Town Hall, 24 Jordan Street and via Zoom at <https://us02web.zoom.us/j/86511764725>, Meeting ID: 865 1176 4725, Passcode: 236849. At that time, or for a period of time thereafter, all persons will be heard or have an opportunity to provide written comment on this Proposed Local Law.

Dated: Skaneateles, New York  
June 29, 2022

Julie A. Stenger, Town Clerk  
Town of Skaneateles

**RESOLUTION  
OF THE TOWN BOARD  
OF THE TOWN OF SKANEATELES**

**Proposed Zoning Law Amendment Related to Cannabis Retail Dispensaries**

WHEREAS, pursuant to Municipal Home Rule Law Section 20(4), Board Member Alexander has introduced for consideration Local Law No. B of 2022 entitled "A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries Within the Town of Skaneateles" (the "Proposed Local Law"); and

WHEREAS, the purpose of the Proposed Local Law is to amend Sections 148-4-4 and 148-12-2, and add Section 148-5-9 to the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the "Zoning Law"), related to the regulation of the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles; and

WHEREAS, New York State Cannabis Law§ 131 expressly authorizes the Town Board to adopt reasonable regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries; and

WHEREAS, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617, and Section 239 of the General Municipal Law, with respect to these proposed amendments to the Zoning Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby declares its intent to serve as lead agency for purposes of a coordinated review under SEQRA of the Proposed Local Law;

**BE IT FURTHER RESOLVED** that the Town Board hereby preliminarily classifies the Proposed Local Law as a Type 1 Action under SEQRA, and the Town Board hereby directs the Town Clerk to send Part 1 of the Full Environmental Assessment Form and the Proposed Local Law to all interested agencies to request their comments thereon;

**BE IT FURTHER RESOLVED** that the Town Clerk shall refer the Local Law to Onondaga County Planning for its review pursuant to General Municipal Law Section 239;

**BE IT FURTHER RESOLVED** that the Town Clerk shall refer the Proposed Local Law to the Town of Skaneateles Planning Board for its review and report pursuant to Section 148-10- 11 of the Zoning Law, no later than thirty (30) days from the date of this resolution; and

**BE IT FURTHER RESOLVED** that the Town Board shall hold a public hearing to receive comments about the proposed amendments on August 1, 2022 at 7 : 0 0 pm.

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Town of Skaneateles  
Local Law No. 3 of the Year 2022  
A Local Law Establishing Zoning Requirements for  
Cannabis Retail Dispensaries Within the Town of Skaneateles

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Be it enacted by the Town Board of the Town of Skaneateles (the “Town Board”) as follows:

**Section 1. Legislative Intent**

It is the intent of this local law is to establish regulations governing the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles.

**Section 2. Authority**

This local law is adopted pursuant to the New York Town Law and the New York Municipal Home Rule Law.

**Section 3. Purpose**

The purpose of this Proposed Local Law is to amend Sections 148-4-4 and 148-12-2, and add Section 148-5-9 to the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the “Zoning Law”), related to the regulation of the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles.

**Section 4. Amendments to Code**

See the attached proposed amendments to Sections 148-4-4 and 148-12-2 of the Zoning Law and the addition of a new Section, 148-5-9.

**Section 5. State Environmental Quality Review Act (SEQRA)**

The Town Board has considered the provisions of Article 8 of the Environmental Conservation Law (“SEQRA”) and the regulations adopted thereunder at 6 NYCRR Part 617 and finds that the proposed amendments to the Zoning Code will not result in any significant adverse environmental impacts. Therefore, no further review is required under SEQRA.

**Section 6. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 7. Effective date**

This Local Law shall take effect upon filing with the Secretary of State.



**Proposed Amendments**  
**(additions are underlined in bold red type)**

Section 148-4-4(B)(2) (Highway Commercial District Regulations) of the Zoning Law shall be amended as follows:

Use Category	Permit	Notes and References
<b>Business Uses</b>		
Agriculture	P	
Automobile service station	S	See §148-4-4.E.3
<b><u>Cannabis Retail Dispensary</u></b>	<b><u>S</u></b>	<b><u>See §148-5-9</u></b>
Forestry	P	
Home occupation, small-scale	P	See §148-5-5.B.2.a.
Home occupation, large-scale	S	See §148-5-5.B.2.b.
Junkyard		See §148-5-1.E.2 and Chapter 86 of the Code of the Town of Skaneateles.
Light industry	S	
Lodging facility	S	
Office	S	
Recreational business	S	For recreational business, see §148-5-5.G
Restaurant	S	
Retail business	S	See § 148-4-4.E
Service business	S	See § 148-4-4.E
Solar energy systems	Varies	See §148-5-8
Storage Building	P	
Utility facility	S	
Veterinary hospital	S	
Warehouse	SPR	

Section 148-5-9 shall be added to the Zoning Law as follows:

**148-5-9. Cannabis Retail Dispensaries.**

- A. Special Permit Requirement. A Special Permit shall be required for all Cannabis Retail Dispensaries. The Planning Board shall apply the standards set forth in Section 148-10-7 of the Zoning Law when considering whether to issue a special use permit. An applicant shall adhere to the procedures set for in Section 148-10-8 of the Zoning Law governing the process to apply for a special use permit, including the requirement for a public hearing to allow for comment from members of the community.**
- B. Lot Area. A Cannabis Retail Dispensary must be located on a lot no smaller than 2.5 Acres that is located entirely within the Highway Commercial Zoning District.**

- C. Minimum Parking Requirements. For each 75 square feet devoted to merchandising within a Cannabis Retail Dispensary: one parking space shall be required.
- D. Impact on Neighboring Properties. The Planning Board shall consider the unique potential for excessive traffic, noise, light, glare or other nuisances associated with the Retail Sale of Cannabis Products, due to the anticipated high intensity of the use, potential for crowds and long lines. The Planning Board may require additional buffers and screening in excess of the minimums set forth in the Zoning Law in order to mitigate the above referenced impacts.
- E. On-site consumption. On-site consumption of Cannabis Products is not permitted at a Cannabis Retail Dispensary.
- F. Time of Operation: A Cannabis Retail Dispensary may only operate during the following timeframes: Monday-Saturday 9 a.m. to 9 p.m.; and Sunday 10 a.m. to 6 p.m.

Section 148-12-2 (Definitions) of the Zoning Law shall be amended as follows:

“Cannabis” means all parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. It does not include hemp, cannabinoid hemp or hemp.

“Cannabis Products” means cannabis, concentrated cannabis, and cannabis-infused products for use by a consumer.

“Cannabis Retail Dispensary” means any person or business that engages in the Retail Sale of Cannabis Products, the sale of which requires the issuance of a license under the provisions of New York State Law.

“Retail sale of Cannabis Products” means to solicit or receive an order for, to keep or expose for sale, and to keep with intent to sell, made by any licensed person, whether principal, proprietor, agent, or employee, of any Cannabis or Cannabis Products.