

**TOWN OF SKANEATELES
PLANNING BOARD
MEETING MINUTES
May 21, 2024**

Donald Kasper
Douglas Hamlin
Jill Marshall (zoom left at 6:39 pm)
Jon Holbein
Samantha Parker-Fann (absent)
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. The meeting minutes of April 16, 2024 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Cochair Hamlin and seconded by Chair Kasper to approve the minutes as corrected. 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	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]
Member	Samantha Parker-Fann	Absent	

The meeting minutes of April 23, 2024 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Cochair Hamlin and seconded by Chair Kasper 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	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]
Member	Samantha Parker-Fann	Absent	

Public Hearing Continuance -8-lot Subdivision

Applicant:	Village Meadow LLC	Property:	
	57 State Street		Franklin Street Rd
	Skaneateles, NY 13152		Skaneateles, NY 13152
			Tax Parcel #047.-01-06.1.

Present: Josh LaGrow, Applicant; Robert Eggleston, Eggleston & Krenzer Architects, Mike Lasell, MBL Group

A construction sequence has been submitted and also a bid to replace the water valve on Old Seneca Turnpike that will increase the fire flow pressure in the area and support the proposed subdivision. The applicant has agreed to put \$6000 in escrow to cover the cost of the replacement of the valve. There has been a couple of deminimis changes to the plan to reflect the stockpile locations on the plan. A preliminary plat plan was also submitted to the town that reflects the proposed lots, building envelopes, road, conservation areas, and coverage numbers for the lots and entire project. A letter from the school district was also submitted that reflects the availability of school bus service. A rebuttal letter was submitted in response to a letter from some of the neighbors.

Chair Kasper requested to have the construction sequence explained to the meeting attendees. Mr. Lasell said that the most challenging part is getting off of Franklin Street. The first step is to create a small construction entrance for a spot to get off Franklin. The entrance would not be the full size of the road and the retaining walls would not be established at that time. The waterline would be relocated inside of the Town right of way and set deeper than the existing waterline at the entrance. There will be a sediment trap with its own check dam by the entrance. Once the new waterline is established it will be tied into the waterline for the subdivision.

Then the fifteen foot wide construction drive will be developed further west with some trees removed to facilitate. Silt fences would be installed behind the properties that border Franklin Street. After the silt fence installation, a large sediment trap will be created in the corner of the proposed road and a temporary swale to the north along the eastern property line that would have check dams along to guide the stormwater to the existing drainage culvert to the north. Additionally there will be a small sediment trap located to the south of the driveway and a temporary swale to the south along the eastern property line. Temporary stockpiles will be created and protected with silt fencing.

While constructing the road, nothing outside of the HOA right of way will be disturbed. The construction would continue up the road going west to set the subbase while they install the waterline and the storm system to the end of the road. They would install waterline services to each lot and stormwater services to the bio-retention area. The construction road is looping, the stormwater and waterline is set. The whole road will not be built yet as there will be services going back and forth. Once all of the underground utility work is completed and stockpile area created near the rear of the property, the final road subbase to the full width will be established and catch basins installed along the road in the stormwater facility. The road would be completed going from the west to the east, and when reaching the north-south drainage swales on the east, they would be finalized before the road entrance and retaining wall installed. This work is projected to be completed in 20 weeks in the summer/fall of 2024.

Home construction is projected for spring/summer of 2025 although some homes could begin earlier after the road is stabilized and stormwater controls in place. As each lot is developed there will be silt fencing in place temporary swales coming to a temporary treatment area with a temporary outlet area in the first phase. When construction is completed the rain garden will be installed.

At this time, Chair Kasper continued the Public Hearing and asked if there was anyone in favor, in opposition, or had any other comments of the project. He noted that the neighbors had submitted a letter to the board and asked if there was a representative that would like to speak regarding the letter. Mr. Fields, 777 Franklin Street, said that the neighbors wanted to put on paper what their concerns were. He continued saying that some of the issues have been addressed. Chair Kasper said that the applicant has addressed the concerns in a response letter that was submitted. Mr. Eggleston said that of the thirty

signatures on the letter not all were adjacent neighbors, and some were in the same dwelling. The first question was in regard to the Old Seneca Turnpike water pressure, and the applicant's engineer and the town's engineer have reviewed the recommendations for the replacement valve that will remedy the issue and improve the fire flow for the higher end of Franklin Street. The applicant is willing to put into escrow the cost for the upgrade to the system.

Laura Candee, 810 Franklin Street, asked that her name be added to the list,. She is in front of number six lot that floods half the road when it rains hard. The trucks go up and down the road and we did not keep the trucks off the road even with our petitions. We are not keeping New York City out of the area either. Rochester is going to get involved on where we are going to dump garbage. They are going to dump next between Watertown and Ithaca because they cannot be near a water supply. She has been there 45 years. Neighbors have spent hundreds of thousands repairing the backs of houses and it used to be every 6-7 years when we had snow. Two summers ago the road flooded a couple of times. They should have a better company name than limited liability.

The second issue is that the centerline is actually six feet off of the road that favors towards the east. Both the engineering drawing and the preliminary plat plan reflect the correct location of the centerline of the road. The stormwater collection system, the gutters, curbs, and part of the retaining wall(38 square feet) is in the right of way. All of the items will be the responsibility of the HOA for repair and maintenance. This is not unlike any driveway where the homeowner is responsible for the maintenance in the right of way. They will also be going to the Town Board to make them aware of the improvements in the right of way. Counsel Molnar inquired where the applicant is in the process with the Town Board and Mr. Eggleston said that they will be approaching the Town Board next month although there have been informal discussions with the Supervisor and Mr. LaGrow.

The third comment is regarding the waterline. The waterline is located on private property and will be moved further east so that it will be located in the road right of way and it will also be installed deeper than the existing line to protect it from frost. The amount of time the water would be down is less than a day as the old waterline would remain intact until the new waterline is completed and connected. Mr. Lasell explained that the line would be closed from valve to valve to connect the new line to the water system.

The fourth comment was in regard to the stormwater pollution prevention plan(SWPPP). The SWPPP is a requirement in addition to the SPDES permit, and this has been reviewed by the town engineer and included in the construction sequence. Sediment traps during construction will be utilized which are separate from the dry swale that you would want to have put in at the end of the project. Member Marshall asked that landscaping be added to the proposed swales behind the existing houses on Franklin Street for screening including deciduous trees, understory and overstory plants since plants will be removed for the swales. Mr. Lasell said that the trees along the property line are not being touched. The only trees being removed will be in the corner where the proposed road meets the north swale and along the road line, nothing else is not being touched.

The last comment referenced the special permit criteria that is not applicable to this subdivision application, although the criteria is similar to sections A-F of the SEQR process. There were maps submitted with one of farmland that was addressed in the SEQR draft review, and an open space map that reflects that the property is not considered a priority for preservation. Mr. Eggleston said that they appreciate the comments submitted so that they can address the concerns.

Cochair Hamlin asked on how long Franklin Street will be disturbed. Mr. Eggleston explained that there will be a 60 foot long piece of pipe that will be installed in a dug trench. The construction sequence was conservatively 20 weeks for installing the road, waterline, and the rest of the infrastructure. Chair Kasper inquired if the road would be shut down and Mr. Eggleston responding saying that it may be closed temporarily while a truck is exiting or entering the site. Chair Kasper said that once the construction road has been installed the workers would park on the property instead of Franklins Street and Mr. Eggleston agreed. Mr. Lasell said that the most impact will be the construction of the access on the property for parking, then the waterline would be five days for the prep work and then the following week to cut it in and connect the waterline.

Don Lincoln, 778 Franklin Street, said that the area north of the pipe where the swales will drain, there is a ditch there now, and asked if there will be any improvements to the area. Mr. Lasell said that he cannot get beyond the electric line as it would be off this property. They will be directing the stormwater south of the electric line and pull in into the proposed drainage system. The back portion of the northern lots will also be meadow that will assist to slow down stormwater, which will be an improvement from the existing row crops.

Member Marshall left the meeting at 6:39 pm.

Jim Fields, 777 Franklin Street, said that the neighbors sent a letter to the board and not the applicant. Chair Kasper clarified that the letter was also sent to the applicant as it is their project. The board is reviewing both the neighbors letter and the responses from the applicant. The comments regarding the farmland and historic viewsheds have been considered by the board.

Lisa Lincoln, 778 Franklin Street, asked about dust control during construction. Chair Kasper said that there will be three foot silt fences used and Mr. Lasell explained that the SWPPP requires the watering of the ground during dry conditions to minimize the dust.

Laura Candee, 810 Franklin Street, asked if the town is going to improve the middle of Franklin Street as the road goes down into the ditch in front of Scriven's cabin. It floods and climate change is making it worse. Mr. Camp clarified that this question is for the Town Board rather than the Planning Board. She said that when the highway department cleans the ditches they make them wider and deeper.

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

Chair Kasper asked about a landscaping plan and Mr. LaGrow said that they had renderings that they have submitted. He continued saying that they are not removing a lot of trees. Mr. Lasell said that the property line is on a row of trees by the entrance will be removed. There will be some trees removed at the sediment trap area by the road. Chair Kasper said that the neighbor's pine trees had been cleared to look at the meadow. Mr. Eggleston said that a planting plan can be developed for the area where there are three to four houses that would look over one of the lots. Chair Kasper if any trees will be added on the newly built lots along the road. Mr. LaGrow said that there will be a row a trees along the proposed road.

The board discussed the SEQR process and determined that they would like to do the final SEQR review will the full board present. Counsel Molnar requested that the board be copied when the applicant will be on the Town Board agenda. Chair Kasper scheduled a Planning Board Special Meeting for Wednesday, May 29, 2024 at 6:30 pm to conduct SEQR review and continue the application. Mr. Camp said that he will not be available on May 29, 2024 but can send someone from his office with his comments to the board regarding SEQR.

Public Hearing- 2 lot subdivision

Applicant: Andrew Buck
2685 Howlett Hill Rd
Marcellus, NY 13108

Property:
2180 West Lake Rd
Skaneateles, NY 13152
Tax Map #057.-02-03.0

Present: PJ Wells, PJO Surveying;

An updated proposed plat plan was submitted that reflects the sight distance for the existing farm driveway, and the federal wetlands are indicated on the plan. Chair Kasper commented that at their site visit they noted that there was enough sight distance for the existing farm driveway. Mr. Wells said that he had measured it, and it was over 900 feet.

At this time, Chair Kasper opened the Public Hearing and asked if there was anyone in favor, in opposition, or had any other comments of the project. Mr. Dirk Young, 1001 Lacy Road, spoke in favor of the proposed subdivision.

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

WHEREAS, a motion was made by Chair Kasper and seconded by Member Holbein 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 May 21, 2024, concerning the Application, to classify the action as an Unlisted Action under SEQR. The Board having been polled resulted in the unanimous affirmance of said motion.

WHEREFORE, a motion was made by Cochair Hamlin and seconded by Chair Kasper the Planning Board on May 21, 2024, 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.

WHEREAS, pursuant to and in accordance with Section 276 of the Town Law of the State of New York, and Chapter 148 of the Town of Skaneateles Code, the Applicant has submitted the following items to the Planning Board for consideration when approving the Subdivision Map, including:

1. Final Plan Buck Subdivision dated May 19, 2024, prepared by Paul James Olszewski, P.L.S. ("Final Plat" or "Subdivision Map"); and

WHEREAS, upon review of the Subdivision Map, the Board concurs that it fulfills code requirements, reflecting two subdivided lots under consideration, with Lot 1 consisting of 10.7+/-acres of developed land with dwelling and two barns, and Lot 2 consisting of 42.5 +/-acres of unimproved land.

NOW, THEREFORE, upon a motion made by Cochair Douglas Hamlin, seconded by Chair Donald Kasper, 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 Buck Subdivision, subject to the following conditions:

1. The foregoing recitals are incorporated herein as if set forth at length;
2. That development of the Project according to the Subdivision Map shall be fully complied with by the Applicant, at no cost to the Town.
3. 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.
4. 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.

RECORD OF VOTE

Chair	Donald Kasper	Present	[Yes]
Co-Chair	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]
Member	Samantha Parker-Fann	Absent	

Public Hearing – Special Permit

Applicant: Michael & Michelle Domke
1013 The Lane
Skaneateles, NY 13152
Tax Map #050.-01-25.0

Present: Michael I Michelle Domke, Applicants; Robert Eggleston, Eggleston & Krenzer Architects

Proposed is a two story garage addition with a primary bedroom above, and convert the existing attached garage into living space. There will be minimal disruption of the area. A bioswale will be added to the west of the dwelling for stormwater control that will feed into the existing drainage area. The proposal requires a special permit for the maintenance of the impermeable surface coverage at 12.9%. Mr. Eggleston noted that the site plan should be modified to reflect a silt fence below the bioswale during construction. Chair Kasper suggested that the drainage should be reviewed regarding the proposed garage addition and Mr. Eggleston said that it will probably be one step down instead of two steps; and a trench drain will be in front of the proposed garage that will tie into the system.

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

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

WHEREAS, a motion was made by Cochair Hamlin and seconded by Member Holbein, the Planning Board classified 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 Cochair Douglas Hamlin, and after a unanimous affirmative vote of the Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application for minor special permit/site plan approval, with the following 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.
2. That the Site Plan 1 of 3 through 3 of 3 dated March 12, 2024, with narrative dated March 12, 2024, prepared by Robert Eggleston, Licensed Architect, be revised to reflect the trench drain for the garage and a silt fence location for the bioswale, and then submitted to the Town and be followed in all respects; and
3. That \$12,641.82 be submitted to the Town of Skaneateles Land and Development Rights Acquisition Fund; 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 establishes an escrow account with the Town of Skaneateles in the amount of \$250 for engineering review; and
6. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance(s) for the Property be fulfilled; and
7. That the Planning Board waives the requirement for special permit findings as the scale of the proposed single family dwelling modifications will not have impact on the function of nearby farm operations, or adverse impact to the scenic, natural, and historic character of the Town; and as the project is not complex and the findings are more applicable to larger projects; and
8. That an as-built survey for this project is required for the Application, which must be prepared and 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]
Co-Chair	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]
Member	Samantha Parker-Fann	Absent	

Public Hearing Continuance-Special Permit

Applicant: Beth Endres
PO Box 727
Skaneateles NY 13152

Property:
1170 Heifer Rd
Skaneateles, NY 13152
Tax Parcel #061.-03-01.0

Present: Robert Eggleston, Eggleston & Krenzer Architects

A revised site plan has been submitted showing the area in green that will be raised two feet up to get it up from the low lying areas. There will also be a perimeter drain added to direct the stormwater from the neighboring property to the road ditch. Mr. Eggleston continued saying that he has had a conversation with Mr. Collard, the adjacent neighbor/farmer, and his remaining concern was that he has drain tiles that cut over near the east end of this property. They will be cognizant of that and will tie his drains into the perimeter drains. They had contacted Mr. Dombrowski at the town highway department, and he had no issues with the proposed trees. Mr. Camp commented that the perimeter swale will be additional support for the drainage of the lot in addition to raising the elevation for the dwelling that should place the property in decent shape. The septic plan is still under review by OCDOH.

At this time, Chair Kasper opened the Public Hearing and asked if there was anyone in favor, in opposition, or had any other comments of the project. Dirk Young, 1001 Lacy Road, said that he appreciated the public hearing being continued as it allowed a more thorough review. He continued saying that the raising of the elevation where the structure will be, and the inclusion of the perimeter drains will help with the drainage in the area.

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

WHEREAS, a motion was made by Chair Kasper and seconded by Member Holbein, the Planning Board classified 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.

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; and
- (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; and
- (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; and
- (4) That the Application will not adversely affect the general availability of affordable housing in the Town; and
- (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; and
- (6) That the Application will have appropriate parking and be accessible to fire, police, and other emergency vehicles; and
- (7) That the Application will not overload any public water, drainage or sewer system or any other municipal facility or service, including schools; and
- (8) That the Application will not degrade any natural resources, ecosystem, or historic resource, including Skaneateles Lake or Owasco Lake; and
- (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; and
- (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; and
- (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 Cochair Douglas Hamlin, seconded by Member Jonathan Holbein, and upon an affirmative vote thereon as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application, with the following additional conditions:

1. 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 building/zoning permit from the Codes Enforcement Officer prior to any work commencing on the Property; and
3. That the Revised Site Plan 1 of 2 dated December 4, 2023, Site Plan 2 of 2 dated November 9, 2023, with the Revised Narrative dated December 4, 2023 prepared by Robert Eggleston, Licensed Architect, 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 an as-built survey for this project be submitted to the Codes Enforcement Office 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	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]
Member	Samantha Parker-Fann	Absent	

Continued Review -Site Plan Review

Applicant:	Wayne LaFrance	Property:
	2100 West Lake Rd	2125 lakeview Lane
	Skaneateles, NY 13152	Skaneateles NY 13152
		Tax Parcel #057.-03-10.0

Present: Wayne & Susan LaFrance, Applicants; Guy Donahoe, Donahoe Group

Counsel Molnar said that Mr. Joe della Santina, who is in attendance today, is an attorney and is the son of the neighbor across the street. He had mentioned that it is his understanding that when the LaFrances had acquired the property in 1998 from Ms. McCarthy, they acquired essentially four of the lots from the 1926 subdivision. Lots 22 and 23 constitutes their home on 41A. They acquired lots 14 and 15 in the same deed and at the same time. It is Mr. della Santina's position that this deed merged the lots together; however, it still needs to be investigated further. The municipal record here in Skaneateles is that we had zoning and had subdivision code chapters on the books well in advance of the deed. There was no

application by Ms. McCarthy to merge the lots as is required under our standard procedure and subdivision chapter. An application for merger is submitted and the board approves it, then provides notice with a filed resolution and goes to Onondaga County real property tax division so that they can review it and merge or otherwise adjust tax parcel numbers. Historically these properties for the LaFrances have been managed under two tax identification numbers, one for the primary residence on 41A and the other for the lots numbered 14 and 15, the subject of this application. If the county and the town have been managing these two properties under two separate tax identification numbers, and the applicants have been paying taxes on the properties since 1998 under two bills, it is clear that the lots were never merged, and the lots are two separate and distinct lots. The question that Mr. della Santina has as an interested party is true based on the recording of the deed from Ms. McCarthy to the LaFrances. He has made an inquiry at the county and has asked them to review their case file to form a conclusion as to whether the lots were merged or not in their eyes. From the municipal Town of Skaneateles, it was not.

Mr. della Santina said that in the 1960s when the town created new zoning rules, Freida and Earl Clark bought the center of the properties on the 1926 map. In the 1960s they did a lot merger and that is how they became bigger and overlapping. Lots 11-13, and lots 19-21, were given deed restrictions and combined. They were given different deeds that exist today. Subsequently Ms. McCarthy obtained the north end where the 22 end is and the south end where the 14-15 lot is. She had two separate and distinct deeds that encompassed what became the metes and bounds following the Clarks review of the property with a planning commission decision in 1971. Was it nonconforming that they made conforming at that time, and he said he was not sure about the tributary. We are just trying to get to the bottom on the density of the lot and the size of the house and drainage. He requested that the application be shelved while they are doing their investigation and if it flushes out it flushes out and then we have to do it. On the McCarthy deed she had the two separate metes and bounds but she purposely use one metes and bounds encompassing all of the lots. The merger predates and goes back to the doctrine of merger in common law, you have one contiguous lot. She may not have followed the procedures, and they are looking at that.

Counsel Molnar said that his observation on common law doctrine of merger is that it was entirely replaced when the State of New York adopted the subdivision requirements set forth in the Town law §267 when the Town of Skaneateles adopted the subdivision chapter as well as the zoning chapter. There are regulations in place concerning subdivision of property and its merger. They would control over what is considered a legal theory that dates back. Mr. Donahoe said that site plan review was required because the lot is within 1000 feet of the lake line. He continued saying that this claim has had no information provided to substantiate their claim. Mr. Camp said that all the records show that the lots are being represented as two lots and it is reasonable for the board to go through the process to consider it contingent on someone providing documentation rather than what is just being said at a meeting. Counsel Molnar said that the board is at liberty to deliberate on the application in its ordinary course in response to an applicant's request. There is a potential hiccup that Mr. della Santina is following up on. If the board where to move forward and approved the proposal tonight because it meets all of the criteria and the variance has been approve, then it would be on a 30 day clock. Mr. della Santina said that there is a contention as to the ownership of lot 5, and a notice regarding this application would be faulty as lot 5 has five owners. If notice was not provided to each of the five owners then it was faulty, and this application should not be concluded.

Counsel Molnar said that based on the map lot 5 is not a lot but an extension of the roadway going around. Mr. della Santina said that in 1931 Shotwell was one of the owners along with Barnett and Smith. Mr.

Shotwell dies and provides in the deed that lot 4 has right of use over lot 5. There is quick claim language in that deed that provides for one third ownership of all of lot 5. There are a number of members on the block that have percentage ownership and that would again cause the notice to be faulty and the application cannot move forward.

Counsel Molnar clarified that the application is for site plan review and not a public hearing, and as a result the board is not bound by statutory requirements to public notice or provide mailing to the neighbors. That issue is a non-issue in terms of site plan review. Mr. della Santina said that he is more concerned about what the planning commission did in 1971 and any conditions that they would have placed on this lot. Mr. LaFrance said that there are no records and Mr. della Santina said that it is in the deeds with a comment about lot 5 being included in the deeds with a reference that lot 5 should be deleted. Mr. Donahoe commented that the argument does not hold water and that the board could make a decision. Mr. Camp added that it would waste more time having to come back for another meeting.

Chair Kasper requested that Mr. Donahoe review the updated plan. Mr. Donahoe said that the site plan was updated based on the site visit and last month's meeting, and a small scale stormwater system was added with a swale running parallel to the creek and draining into a bioswale located in the southeast corner of the lot. Mr. Donahoe said that they had received the variance for the watercourse setbacks and all other dimensional requirements have been met. The septic system has been approved by OCDOH.

WHEREAS, a motion was made by Chair Kasper and seconded by Cochair Hamlin, the Planning Board declared this application a Type II action pursuant to 6 NYCRR617.5(c)(12) 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 Jonathan Holbein, and after a unanimous 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 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.
2. That the revised Site Plan A002 dated May 6, 2024, with narrative dated March 22, 2024 and construction sequence dated May 9, 2024 prepared by Guy Donahoe, 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 Applicant must establish an escrow account with the Town of Skaneateles in the amount of \$250 for engineering review; and
5. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variances(s) for the Property be fulfilled; and

6. That an as-built survey for this project be submitted to the Codes Enforcement Office 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]
Co-Chair	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]
Member	Samantha Parker-Fann	Absent	

Sketch Plan -Site Plan Review

Applicant: Brian & Diana Abbott	Property:
2100 West Lake Rd	2125 lakeview Lane
Skaneateles, NY 13152	Skaneateles NY 13152
	Tax Parcel #057.-03-10.0

Present: Brian & Diana Abbott, Applicants; Robert Eggleston, Eggleston & Krenzer Architects

The applicants are proposing two small additions, with a second floor addition to create a bathroom on the second floor. The first floor additions will be for a small 30 square foot entryway with an entry porch, and then a 11x12.75 square foot mudroom addition at the southeastern corner of the dwelling. The lot is 24 acres and within 1500 feet of the lake. Impermeable surface coverage will be .8% and total lot coverage would be .9%. The property is very flat and will not require a silt fence during construction; the City of Syracuse had no comments regarding the proposal. The dwelling is a cedar shake dwelling that blends into the landscaping. The board determined as the property is flat and the modification minor in nature that a site visit will not be necessary.

WHEREAS, a motion was made by Chair Kasper and seconded by Cochair Hamlin, the Planning Board classified 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 Jonathan Holbein, 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 1 of 4 through 4 of 4, dated May 3, 2024, with narrative dated May 1, 2024, prepared by Robert Eggleston, 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 verification of conformance of complete project be certified by Robert O. Eggleston, Licensed Architect, within (60) days of completion of the project with verification submitted to the town.

RECORD OF VOTE

Chair	Donald Kasper	Present	[Yes]
Cochair	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]
Member	Samantha Parker-Fann	Absent	

WHEREFORE, a motion was made by Chair Kasper and seconded by Cochair Hamlin to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 7:44 p.m. as there being no further business.

Respectfully Submitted,
Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston	Josh LaGrow	Don Lincoln
Laura Candee	Lisa Lincoln	Paul Wells
Jim Fields	Guy Donahoe	Dirk Young
Kevin Cooper	Joe Della Santina	

Additional Meeting Attendees (Zoom):

Mark Tucker	Mike Drake
Mike Lasell	Lori Milne
Mike Domke	Chris Buff
Jim Fields	Jill Marshall
Susan LaFrance	Lisa Wilsey
Wayne LaFrance	