

**TOWN OF SKANEATELES  
PLANNING BOARD  
MEETING MINUTES  
September 20, 2022**

Donald Kasper  
Douglas Hamlin  
Scott Winkelman (zoom)  
Jill Marshall  
Jon Holbein  
Scott Molnar, Legal Counsel  
Brody Smith, Lega Counsel (MWB)  
Emma Aversa, P.E. (C&S Engineers)  
Howard Brodsky, Town Planner  
Karen Barkdull, Clerk

Chair Kasper opened the meeting at 6:30 p.m. The meeting minutes of August 16, 2022 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

**WHEREFORE**, a motion was made by Member Hamlin and seconded by Member Holbein to approve the minutes as corrected. The Board having been polled resulted in the affirmance of said motion. Member Marshall abstained from the vote due to her absence last month.

**RECORD OF VOTE**

Chair	Donald Kasper	Present [Yes]
Vice Chair	Douglas Hamlin	Present [Yes]
Member	Scott Winkelman	Present [Yes]
Member	Jill Marshall	Present [Abstain]
Member	Jon Holbein	Present [Yes]

**Public Hearing – Special Permit**

Applicant: Brewster & DeAnn Sears  
2825 West Lake Road  
Skaneateles, NY 13152  
**Tax Parcel#051.-02-17.00**

Present: Brewster & DeAnn Sears, Applicants; Nancy Vlahos, Kevin Bliss, RIC Energy; Ivo Tomchev, Nicholas Fozmanowicz, Wendel Co.

Mr. Bliss introduced himself as they were setting up the presentation. Ms. Vlahos began saying that the proposal is for a 4.7MW solar facility that will encompass 28 acres of the 87 acre site. There is forest land in the rear of the property, the property owner’s residence on the eastern side of the property with agricultural land in the middle where tie solar array panels will be located. The access drive will be located on the southern border of the property along the existing hedgerow, and the lot is mostly surrounded by hedgerows and tree lines. An access road would be located along the southern property line with the project also fenced. The array height will be 12 feet, and the project complies with all zoning requirements. The arrays will be single access trackers, with 21 invertors and 2 transformers for the system. The point of interconnection is located at the end of the drive at West Lake Road that will go to the station on Jewett Road. The project site will have minimal visibility from the surrounding properties and no visibility from West Lake Road or across the lake. The proposed 4.7MW community array will power approximately 1,200 homes, whereas a utility solar array would generate 20MW of power. Once the solar array is completed there will be no more than four visits a year to inspect the site and do routine maintenance.

The arrays are constructed of an aluminum frame with tempered glass. The land being used for the solar system is leased for a 25 year period. At that time, the panels could be replaced, or the system decommissioned with the land restored to farmable land. The array in place for 25 years will allow the land to allow the land to be fallow and removed the need for fertilizers or pesticides during that period. It would also allow the creation of green, renewable energy. The energy produced will go to the local grid and property owners will have an opportunity to sign up for energy savings on their electric bill. The applicant will be working with OCIDA for a PILOT program.

Chair Kasper inquired about the SEQR process, and Counsel Molnar suggested that the public hearing could be opened as there are individuals who would like to speak that are present, then the SEQR could be completed at the next meeting.

Chair Kasper opened the public hearing and inquired if there was anyone who would like to speak in favor, opposition, or make comment on the project.

Dessa Bergen, 1448 Old Seneca Tpke, said that she is not adverse to clean energy, but she would like the application to be denied. The FEAF reflects that this is a commercial project on agricultural land, in a residential area, and in the watershed. On page 8 d2 of the FEAF, disposal methods of solar panels with a life expectancy of 25-30 years. Will there be an escrow for this? Their answer was NA, and this is not correct as there are some pollutants in the panels. She feels that this special permit is spot zoning because it takes a specific spot in a zone and changes its use, and the homeowners in the area are upended in a way for properties in the vicinity of it and the value of the properties. The solar array at the landfill gives a picture of the result of what a solar farm is. Granting the special permit for the solar array is removing the protection provided by the zoning. This could happen all over the community. On page 9 e,i. of the FEAF, the granting of a solar array so close to Bentley Brook seems unwise. The FEAF refers to the drainage going to the east but never mentions the norther boundary which is Bentley Brook. Bentley Brook is a major tributary that drains into Skaneateles Lake that runs strong throughout the year and is a sensitive environmental area. The project is not consistent with the surrounding area due to the adjacency to West Lake Road with homes along West Lake Road. The nearby properties may be screened from the solar array, but it cannot be screened from a distance as it will be seen from the lake, the eastern side of the lake and the eastern hills and ridges. The solar array cannot be screened to not be seen from the eastern side of the lake by putting trees around it. Solar farms are mechanical and unattractive, and screening is a requirement in the zoning code. The views should not be sold out for a commercial venture. A moratorium should be considered for the solar arrays because this will be a game changer all over town. This use should only be in the IRO district. This should be denied because it is precedent setting. Mr. Bliss stated that he welcomes comments. The question that was answered NA because the question is "What is the disposal method for during operation of waste generated on site?" There is no waste generated during the operation of the energy collection. There is a decommissioning plan and bond at the end of the use.

Richard Cypher, 4843Shepard Rd, commented that there are solar panels at the transfer station and that National Grid could not support the original power that was supposed to be generated there. Chair Kasper commented that the array is running, and Member Holbein stated that the size of the system was reduced. Mr. Cypher said that he supports solar power but that it is not ready yet. Ms. Vlahos commented that they already have approval from National Grid for the proposed capacity of the solar array system.

John Cico, 2873 West Lake Rd, said that his property borders the Sears property. His two interests are his property and the environment, especially Bentley Brook that runs through his property. There has been a lot of research about the impact of these large solar facilities on the homes in the area. The closer the system is the greater the impact on the value of the property. If you are within 100-200 meters from these systems,

it negatively affects the property values. Beliefs and surveys have been done and 80% of people would view it negatively; he submitted copies of the studies. He continued saying that until the board can address the issues, the environmental issues as there are potential risks and future challenges, it should not be approved. The big issue is the disposal of the panels at the end of their lives. With the development and improvement of PV technology there are still potential risks for leachate from the panels impacting the environment. Lead, tin, radium, copper, and silicone are major ingredients that could be discharged from broken products in land fills or after environmental disasters. This is not a problem until it is a problem. The board must weigh the risks of that to the benefit of the solar installation as part of the community. The view from is property is also a concern. The character of West Lake Road brought him here and he has a concern on the visibility of the array. He supports solar as green energy of the future. He asked if the PILOT is going to be in addition to the school tax and other taxes that are currently on the property.

Victor Duniec, 2870 West Lake Rd, said that he is an aviator by trade and inquired if the FAA approval is required. Mr. Bliss indicated that they did obtain FAA approval. The screening is a concern and inquired if the array will be screened so that you cannot see it from East Lake Road and the lake. He continued saying that he is unsure that the solar array is in keeping with the town aesthetics. The emerald ash borer may impact any proposed or existing trees that are used for screening. The impact of light reflecting off the solar arrays should be considered. The project is under an LLC and in 30 years the LLC may not exist. He asked if there would be a personal guarantee from the landowner to ensure that the money had been set aside for the disposal of the panels.

Richard Cypher, 4843Shepard Rd, asked where the panels will be made. Mr. Bliss said that they are sourcing the panels from a Canadian company but is unsure where they are made. Mr. Cypher said he is a veteran with the United States Navy and have patriotic feelings about this.

Bill Murphy, 3 Fennel St, said that he cares for the lake and that this is not spot zoning as the transfer station has a solar array. Also, the way the topography of the lake works and the flat area that is proposed for the array, there is no place on the lake where you would see something twelve feet from grade. This is not visible from West Lake Road and will not affect the character of the neighboring homes. The location is behind a lot of dense vegetation. This is a great project for the local community and a great step towards a clean and green energy source. We all need to do a better job and we have an opportunity with this landowner and company to provide power for 1200 homes. Change is scary and no one wants to negatively affect the lake. To bring up issues that are not grounded in fact is troubling. The applicant has gone out of their way to satisfy requests with flying balloons 150 feet in the air with the project only 12 feet tall, and the balloons are not visible from 150 feet in the air.

Brewster Sears, the applicant, said that he has spent two days on the lake taking pictures up along the eastern coast along people's docks, and there is no visibility at all. The land slopes down to the west and there is no visibility along East Lake Road. He pulled off the road where he could and climbed on his truck, and still could not see the balloons.

Dessa Cico, 2873 West Lake Rd, said that she is fully supportive of green energy but has personal concerns about the proximity as it is directly adjacent to their yard. In the creek that runs through there, water comes from the fields that is eroding the creek and going directly to the lake. She is opposed to the proximity of the array to her property and to the potential impact on the creek. The toxicity of the materials is unknown.

Dessa Bergen, 1448 Old Seneca Tpke, said that this is a precedent setting event, and it can carry further into the town. Once this is approved anyone will be able to do this anywhere. It has the same affect as spot zoning although not specifically spot zoning. It is changing the land use at a specific spot. Chair Kasper commented that the community solar array systems are allowed in the zoning by special permit.

John Cico, 2873 West Lake Rd, asked if the solar arrays are permitted only for the use on the premises. Chair Kasper explained that a community solar system is allowed; however, a utility system is only allowed in the IRO district. The application proposed a community solar array.

Holly Gregg, Jordan Rd, said that he agrees with Dess Bergan's comments on the project. The town and the board need to take a step back and look at the affect this will have on the overall community. A homeowner offloading industrial use to a corporation is not the spirit of zoning. He thought solar use was for private use for the private individual, not taking property and turning it into an industrial site. It reminded him of the problem the community had with short term rentals where they would rent them out to make money. The village at least ending up enforcing its laws to make sure that the properties were maintained in a way that makes a community great. His fear is there are landowners around the lake that are going to see this as an income generator. There are going to be investors from out of town seeing an opportunity to create industry around the lake. He really thinks that we need to stop and think about that. The other problem we have had is fracking was a major push for many years to make the case against fracking because of its impact on the community. A solar farm of this size in our community is becoming a thing in the Finger Lakes. This would be the beginning of a new chapter that could happen around Skaneateles. He requested that the Planning Board keep the public hearing open so that comments can be made by the community.

Mr. Bliss said that he would like to address some of the comments that were made tonight. There were concerns about the decommissioning plan and disposal of the panels. There will be a decommissioning bond that the town will maintain as security if the decommissioning plan is executed, otherwise, the town can expend the funds for the decommissioning. Screening will be accomplished with conifer trees that would not be impacted by the emerald ash borer. If there are any trees that perish, they would be routinely replaced. They welcome meetings with the neighbor to determine if the site can be seen from their property, as they cannot see the neighbor from the array site. If it is visible, they will add additional screening. The intent for solar panels is to collect light and they are designed to not reflect light. The panel reflectivity is less than regular glass, and the FAA has reviewed the proposal and has not had issues. There is a creek on the north side of the property, and it is not mentioned in the FEAF because it is not asked about since the array site is a good distance away from the creek. The wetlands and watercourse locations have been delineated in the plan packet. Mr. Bliss continued saying that he has a PhD in environmental science with an emphasis on water resources. He worked for the NYSDEC for 30 years in this area. The City of Syracuse Department of Water had no issues with the project. The arrays are constructed of a tempered glass panel mounted on an aluminum rack supported on steel posts that go into the ground. The panels is composed of 99.9% silica, with copper wiring that would be less than what is in the town hall building, which is encased in glass. In 30 years from now the panels will generate power but less efficiently and will be re-used somewhere else. Underwriters Laboratory (UL) has reviewed the safety of the materials used, and the panels that they will use have passed the rapid resource recovery act testing protocols. There were some comments regarding property values and there are a lot of articles that say that solar arrays are not a factor. The proposed solar array is considered small at 4.7MW whereas a large solar array would generate greater than 20MW. The invertors for the proposed system would be located 1000 feet from houses and would be quieter than the large solar array systems. Regarding the PILOT program, IDA works with the town and school district and only a portion of the property would be part of the program.

John Cico, 2873 West Lake Rd, inquired how this is being calculated and in many cases the town and schools do not receive the taxes. Chair Kasper said that IDA determines what they will pay instead of paying the taxes. Counsel Molnar interjected that the Planning Board is entirely concerned with the dimensions of the project and its placement on the property; it is not within its authority to determine whether the economics work. The Planning Board determines whether the project meets the code and whether it is approvable in its engineering and in its depiction. Mr. Cico said that people here would be interested in

what the town and school will receive for general funding purposes. Chair Kasper there will be a public hearing regarding the PILOT program for this, and the IDA will work with the Town Board and the School.

Ms. Vlahos said that it is unlikely that additional community solar arrays would be installed around the lake as it is difficult to find a locations that has capacity on the grid, a point of interconnection, a willing landowner, and the right topography. Additionally, the project will be obtaining a SWPPP from the NYSDEC to manage the stormwater at the site. Mr. Bliss added that the substation capacity is limited and there would not be another connection as the substation could not support it.

Victor Duniec, 2870 West Lake Rd, said that elevations for the entire project should be provided so that the screening could be considered. Chair Kasper commented that the town engineer is reviewing it. Ms. Vlahos said that they have established a website about the solar array where ;you can look at the documents at [skaneatelesolar.com](http://skaneatelesolar.com).

Chair Kasper suggested that the public hearing be left open to the next meeting. Counsel Molnar recommended that the board consider all the information from this evening and that the SEQR could be reviewed at next month's meeting.

**WHEREFORE**, a motion was made by Member Marshall and seconded by Member Hamlin to continue the public hearing to the next Planning Board meeting. The Board having been polled resulted in the unanimous affirmation of said motion.

Member Winkelman said that the town code has several restrictions on the solar array systems, limiting them to 25% of the total lot coverage. 25% of the property to the west is wetlands and woods at the top of the watershed. The solar arrays will be on pedestals over grass meadow that would not be tilled for 25-30 years. It will act similarly to a conservation and is compatible in the watershed. He asked that the distances from the neighbors and to Bentley Brook to the solar array be given to the board. Chair Kasper commented that written comments can be submitted to the board. A site visit will be conducted on Monday September 26, 2022.

Counsel Molnar requested that the decommission bond details be provided including the amount that would be held aside for the decommissioning so that it could be considered as a condition of the board. Ms. Vlahos said that she will see if they have any prepared language for that.

**Public Hearing- Special Permit**

Applicant	MWB Family I, LLC	Property:
	13915 Old Coast Rd 1003	1326 New Seneca Tpke
	Naples, FL 34110	Skaneateles, NY 13152
		<b>Tax Parcel #043.-04-09.0</b>

Present: Asher Bitz, Applicant: Bill Murphy, Space Architectural Studio.

An updated use chart has been provided to the board. The different uses proposed are for about a quarter of the building space. Mr. Murphy said that the proposed uses will have less impact than the former Chase Design use. Member Hamlin commented that he appreciated the updated information provided to the board and as they are just receiving it, need time to review it. He continued saying that a membership club is listed under the Skan Works section of the building. Mr. Murphy explained that it would be for anyone using the office facility with Skan Works to have access to conference rooms, etcetera.

Four future tenant A and B spaces, there are five potential uses. Counsel Smith reviewed the definition of a membership club and clarified that what was being described under Skan Works would not be considered a membership club, rather just office space. This should be removed from office use as it does not meet the definition of membership club.

The service business is listed for the catering business and as a use for tenant space A and B. The health facility would be for a 2 provider health facility that would, for example, administer IV treatments, it could be a dentist, ear, or eye doctor. There is a medical facility adjacent to this location, so it is already in the neighborhood.

Counsel Smith stated that the SEQR process could occur tonight in addition to the public hearing, and a draft resolution has been prepared for the board to review. He suggested that the public hearing could be opened as there are individuals who would like to speak that are present, then the SEQR could be completed at the next meeting.

Chair Kasper opened the public hearing and inquired if there was anyone who would like to speak in favor, opposition, or make comment on the project.

Pamela Cypher, 3701 Highland Avenue, said that she has been in the neighborhood for her entire life, she likes how their neighborhood is and does not want to see it change. She inquired what was the proposal for. Mr. Murphy said that up until the beginning of this year the building was utilized by Chase Design offices, and they would have 90-130 employees there. It is unlikely that the owner would find a tenant for the entire building, and what they are proposing are a few uses for the building. The west side of the building would be for SkanWorks, as an entrepreneurial center for office use. In addition, there is a land surveyor office in the rear of the building. On the east side is proposed a service business for a wedding cake vendor who would also provide food and drink for the tenants of the building. It would not be open to the public. The WAM office is the owner of the building and is looking to close an office in Camillus and move here. Tenant spaces A and B are seeking a special permit for warehouse use, medical facility use, service use, and membership club. There is no change to exterior of the building other than painting and a sign.

Richard Cypher, 3701 Highland Avenue, said that he has been there 50 years this month. His concerns are noise and water pressure. The water pressure at times is not particularly good and he does not know if the LAB building will be a draw on the water. Sometimes there is good water pressure and other times there is not. Another concern is noise. Will there be 18 wheelers with back up signals on at 6:30 in the morning? Mr. Murphy commented that that is not the intended use by any of the tenants. Mr. Cypher said that it may not be the intended use but has already happened a while ago with a forklift with a backup thing and he does not know if the person did not know how to get it out of reverse, but it went on 70-90 times at 6:30 in the morning. Noise is his biggest concern. If the traffic is going to go in and out of there in the middle of the night, there will be more noise. Mr. Murphy said that there is no traffic proposed for the middle of the night.

Casey Bobowski, 1342 New Seneca Tpke, owned it for the last 35 years and welcomed the LAB, VIP, and Chase Design in the building. He is happy that the applicant is developing it in a beneficial way and supports them.

Jim Tarolli, 3716 Highland Avenue, said that it would have been nice to have the use chart in advance of the meeting. Is the membership club just for office space. Mr. Murphy said that there are two membership clubs; one connected with office use and in tenant spaces A & B, and it could be a not-for-profit entity. Mr. Tarolli said that the concern is how a use will affect the neighborhood. On the chart is listed warehouses and it will involve trucks being parked. Mr. Murphy said that the warehouse tenant they have had

discussions with have been party rentals. Mr. Tarolli asked if trucks would be parked over the weekend or overnight. The one tenant they had talked to wants to set up a showroom and storage. Mr. Tarolli asked if it would turn into a commercial parking lot. Mr. Bitz said that the company they have been talking to has a small panel truck and that any trucks would be parked on the backside of the property. Chase Design used to have a couple of sprinter vans on site that were parked at the rear of the building. Mr. Tarolli asked if tenant spaces A and B could be more defined. Mr. Murphy explained that the chart provides more detail. Counsel Smith explained that the concept is that they are trying to get more flexibility in their special permit. A way to do that is to place ceilings on things like the number of employees, parking spaces, deliveries, and hours of operation. They would come back for minor amendments if the use were changed so long as the proposed use does not exceed the parameters of the chart. The board is considering adoption of the chart as conditions for the issuance of a special permit setting ceilings on the intended uses. Mr. Tarolli asked if the public would have any input on the ceilings. Member Hamlin said that the board just received the chart and is still reviewing it. Chair Kasper said that even if the board grants the special permit for these uses, the applicant will still need to come in for an amendment approval for each of the tenant uses. Member Hamlin reminded everyone that the tenant spaces A and B only represent 21% of the building space. No retail use is allowed in the building. Mr. Asher added that in the office code you are allowed storage. If you were to add a warehouse you would only be adding 3,000 square feet more than what they currently have. The building is only one story so it would not be a big warehouse space. He continued saying that he does not want forklifts beeping either as most of the space is being utilized as office space. Member Marshall said that the definition of a membership club is clear, and Counsel Smith commented that it would be more akin to a country club.

Richard Cypher, 3701 Highland Avenue, said that she does like the issue of hours of operation as it helps to control any of the noise that may impact the neighborhood.

Lori Tarolli, 3716 Highland Avenue, expressed her concern is the warehouse use, recreational business, and membership club uses. The vehicles for Chase Design were incidental to the business whereas warehouse use is trucking. It would be anticipated that there will be truck traffic. Highland Avenue is a recreational route for walkers and runners with the street lined with residential homes. Any truck traffic would devalue the homes and reduce the safety on the street. Mr. Bitz stated that his brother lives on Highland and some employees live on Highland with small children. He has no interest in jeopardizing anyone.

Dessa Bergen, 1448 Old Seneca Tpke, commented that party rental is a weekend type of business. Mr. Bitz said that the party rental would store their materials in the building and a showroom in which a client could order what materials they would need for their event. The table and chairs, etcetera will be delivered to the site. Mr. Murphy said that fits under warehouse use. Mr. Bitz clarified that no events would be held on site.

Jamie Tuozzolo, 50 Onondaga St. inquired if outside storage would be part of the warehouse business. Mr. Bitz said that there would be no outside storage only interior storage like for tables and chairs. Ms. Tuozzolo inquired if it is considered retail for a client to come in and view the rental items. Also how will the building be monitored for retail use for the cake business.

Dick Righting, 3708 Highland Avenue, they have lived in their home for 22 years and look directly down on the LAB building. Chaise Design was a great neighbor. They would like to see the building occupied if it does not infringe on their property, their lifestyle, noise, and the neighborhood. The number of proposed 38-47 deliveries is extremely high compared to what Chase Design had. 5:30 am to 7:30 pm would allow noise to echo down the street on the still nights of summer and winter if warehouse use is allowed. The backup alarms at 5:30 am will negatively impact the neighbors. The party rentals usually have more than one van and the parking aesthetics will impact the neighbors.

Bob Eggleston, 1391 East Genesee St, This is in the RR district. The comprehensive plan talks about uses for large buildings and the adaptive reuse of the buildings. Taking two to three months for a special permit approvals does impact a business looking for tenants. He has a small office space that he rents with his business and have found that he is getting tenants asking for the space before the previous tenant is out. He supports the SkanWorks concept to provide flex space. They do need the flexibility of having a one month process so that business owners do not lose a tenant due to a long approval process. If it is an office for a membership club then it is an office. Membership club is members coming in. He supports this process that will provide reasonable control without having to come in for a lengthy process each time and hampering business.

Mr. Murphy commented that the number of deliveries shown on the chart refer to the number of deliveries to each renter of the offices and other businesses. If FedEx shows up to deliver to all the offices, then the number gets that high. The number includes FedEx, UPS, Amazon, and the post office, and are included in that number. Dick Righting, 3708 Highland Avenue, stated that of the number shown, 24 were for the warehouse use which would affect back up alarms, and hours of operation.

Lori Tarolli, 3716 Highland Avenue, said that the office use is more of the smaller vans that Amazon uses, and the party rental uses more of the larger trucks and not the ones that go to everyone's home.

Member Hamlin inquired about the water usage from Chase Design compared to the proposed uses for the building, and whether it would be the same or less on the usage. Chair Kasper commented that the town should be able to provide the water usage for the building and the area. Pamela Cypher, 3701 Highland Avenue, said that they are across the street from them and are feeling the water pressure issues. Mr. Bitz said that the building has been vacant, and they have hardly used any water for the last two years. Even Chase Design had a skeleton crew there for the two years prior during COVID19. If there is a water pressure issue then that is a bigger issue and not something to do with the LAB building. Richard Cypher, 3701 Highland Avenue, said that the sewer numbers should be looked at and Chair Kasper clarified that the property is on a septic system. Counsel Smith stated a letter from Plumley Engineering could be provided to the Town Board regarding the improvements that were made to the water line. Mr. Eggleston said that this is on the line that the village had made the necessary improvements to the water line just recently that improved the water pressure in this area of town. C&S had submitted a follow up letter regarding fire flow tests that were conducted after the village improvements.

**WHEREFORE**, a motion was made by Chair Kasper and seconded by Member Marshall to close the public hearing and take comments for the next 10 days. The Board having been polled resulted in the unanimous affirmation of said motion.

**Public Hearing- Special Permit**

Applicant Daniel Smith  
4772 Sheppard Rd  
Marcellus, NY 13108

Lukins Mine Property:  
Sheppard Rd  
Skaneateles, NY 13152  
**Tax Parcel #020.-02-09.0**

Present: Daniel Smith, Dave Smith, Applicants

Chair Kasper commented that the hours of operation in the narrative are Monday through Friday 8 am to 6 pm with Saturday hours 8 am to 2 pm. The trucking will be done dawn to dusk 7 days a week. Mr. Smith said that the mining operation is when the gravel is being mined to make the product that is separate from the delivery of material. Chair Kasper said that dawn to dusk 7 days a week is excessive especially given the residential community in the surrounding area. The operation has had no complaints; however, the



concern is that the proposal is for 50 years of operation. Once the special permit is issued it would be allowed forever even after you may not be mining but someone else is mining. The board must consider the future. Mr. Smith said that the resources are important and there. A large mining company could come in and have 100 trucks a day and change how the operation is conducted today. Mr. Smith said that he should have permitted the whole mine in the 1980s and then he would not need approval today.

Chair Kasper inquired if a driveway permit approval for the proposed driveway has been obtained. Mr. Smith said he had not yet done that, and Chair Kasper explained it would just be a letter of approval from OCDOT for the proposed location and that they would not need to pull the driveway permit until they installed the driveway. He continued saying that SEQR will need to be completed by the NYSDEC. Until the SEQR has been completed the Planning Board can take public comment but cannot move forward on the application. Counsel Molnar said that the board can open the public hearing, take comments, and keep it open, but the law states that the board cannot render a decision until a SEQR determination has been made.

Chair Kasper opened the public hearing and inquired if there was anyone who would like to speak in favor, opposition, or make comment on the project.

Dessa Bergen, 1448 Old Seneca Tpke, asked where the mine was located, and Mr. Smith explained where the location of the existing mine was and proposed expansion.

Nicole Stack, 4836 Sheppard Rd, said that she is glad that the Smiths are doing this as they do not really notice the mining activity occurring now. She would like to know what it is going to look out to from her front porch, and how much activity will occur. They have put a lot of time and money into restoring the old house they live in, and they love Sheppard Road. The people near the Hanson mine do not have water in their wells for days when they blast, so she has a lot of concerns. She inquired where the main entrance to the mining would be. Mr. Smith said that they are currently mining at the foot of Sheppard Road. They are looking to permit the entire property for mining. His intent is to begin mining northwest of the existing mining area. Ms. Stack inquired if the farm driveway will be used as an entrance to the mine and Mr. Smith said that it would not as the proposed driveway will be north of that across the Smith log home. Member Marshall inquired if the proposed entrance would look like the existing entrance and Mr. Smith explained that it will be large enough for two trucks like what they have now. Chair Kasper inquired when the new entrance would be used, and Mr. Smooth said that they will not need the access immediately but possibly 3-5 years later. The existing mining area has a couple of years left and when it is depleted they will move the boundaries and work further northwest. Ms. Stack said that she does not want to see a Hanson facility across the street and Mr. Smith agreed. He continued saying that his family has lived there all their life and they are doing this for his in-laws as they are not doing that well. He is looking for anything that would generate income to help them out. Hanson has a monopoly on materials and pricing and what they want to do is to mine the limestone on a small scale and to supply the community with products at a cheaper price. Limestone is the preferred product by engineers for construction. Ms. Stack asked on how the operation can stay small and neighbor friendly. Mr. Smith said that they would keep it small and that they may establish access from Route 321 but that would come later.

Kim Smolen, 4794 Sheppard Rd. said that she appreciates that they are trying to make a living but does not want to see her hamlet get disrupted further by trucks. They have kept the trucks at a minimum and she is wondering about the number of trucks, the noise, dust, and being able to walk on the road. She wants to make sure that the character of the community and the environmental impact as her daughter has asthma. Mr. Smith said that he also lives on the road and is conscious of what he wants to see. Ms. Smolen asked about the hours of operation and Mr. Smith said that they do not want to be open to the public and he limits who can access the mine. They work with small contractors as Hanson turns them away. Ms. Smolen said

that she wants to make sure that there are controls in place for the environment and quality of life for the community are aligned with the Smith business. Member Hamlin explained that this process and the SEQR process are opportunities for the boards to hear the concerns and find the balance.

Nicole Stack, 4836 Sheppard Rd, asked if the goal is only to work with local customers. Mr. Smith said that there has been 40-50 loads a day out of the existing mines and there has not been any complaints. They are not proposing anything differently. If it got larger, then they will pursue a new access off Route 321. Ms. Stack inquired what would happen if Mr. Lukins sold the property and Mr. Smith said that he owns the mining permit on the property so even if the property sold he would have the rights to mine.

Dessa Bergen, 1448 Old Seneca Tpke, commented that spent mines would be a perfect place for solar. Mr. Smith said that there were hills on both sides of Sheppard Road and that his father had mined the area and the hills are gone now. That did the road a favor because snow would drift across the road, and it was returned to farmland after the mining.

Counsel Molnar said that there has been a dialog on the continuity of the existing business moving forward into the future. The board's concern is when they grant the special permit it runs with the land and inquired if the applicant would be willing to place a condition on the approval that there would be a limited number of trips per day. Mr. Smith said that he would have to think about that because it depends on the projects being constructed and the weather. Counsel Molnar that it could be set as an average so that it could address the weather conditions. Member Marshall said that it would limit how big the operation could get into the future.

Martin Place, 4843 Sheppard Rd, said that his biggest concern is how to keep the operation as it is as he is happy with the Smith's operation. He does not want to see a large operation take over the mining. Member Winkelman commented that the proposed phasing could control the scale of the operation and keep it compatible with the neighborhood. Counsel Molnar stated that it is a NYSDEC issue under their jurisdiction.

Tamara Place, 4843 Sheppard Rd, lives 150 yards from the proposed mine. Her concern is with blasting as she has cracking in her walls from the Saunders operation. Mr. Smith said that what people do to cut costs is to blast 20,000-50,000 tons at once that takes a lot more energy to do it. A smaller operation you could do 1,000-2,000 with the technology that exists today you would not know it happened. The big quarries want to get as much material right away. Saunders is doing 4500 tons a day which would equate removing 50,000 tons of material to knock down a day. He continued saying that blasting can be done with sodium that builds heat on its own and cracks the rock. They do not blast into their existing mine as they can peel it out of the ground.

Kim Smolen, 4794 Sheppard Rd, asked if it is the NYSDEC for agreements on the amount taken out per day, what types of blasting material used, or the number of trucks per day. Counsel Molnar stated that the NYSDEC has exclusive jurisdiction on how the mine operates. The Planning Board has special permit approval limited to ingress and egress, routing of mineral transport on roads controlled by the town, setbacks to property boundaries, public thoroughfares, dust control, and hours of operation. The board cannot control the number of trips, but the applicant can. The NYSDEC allows for public input, and they will render a decision on their review and SEQR. Ms. Smolen asked if the board does any studies and Chair Kasper replied that the town engineer would review the project.

**WHEREFORE**, a motion was made by Member Marshall and seconded by Chair Kasper to continue the public hearing. The Board having been polled resulted in the unanimous affirmation of said motion.

**Public Hearing-Special Permit/Site Plan Review**

Applicant	Kim Myers	Property:
	209 Southwood Dr	3363 East Lake Rd
	Vestal, NY 13850	Skaneateles, NY 13152
		<b>Tax Parcel #041.-01-28.0</b>

Present: Robert Eggleston, Eggleston & Krenzer Architects.

The site plan was revised based on the site visit to modify the French drain to catch the water coming down and drain into the catch basin by the road. Additionally the catch basin by the driveway will capture the water from the driveway and then the stormwater will drain through the existing draining lines before reaching the lake. The project is to enlarge the deck on the house, replace the stairs with a traditional set of stairs, add a patio and a firepit area by the lakeside. Impermeable surface coverage is at 11.4% and the applicant would like to maintain the coverage.

**WHEREAS**, a motion was made by Chair Kasper and seconded by Member Hamlin, the Planning Board declared this application a Type II action pursuant to 6 NYCRR617.5(c)(11) and not subject by SEQR for further review. The Board having been polled resulted in the unanimous affirmation of said motion.

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

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

Member Winkelman commented that there will be more stormwater down in front of the garage with an open grate. Mr. Eggleston said that the grate is small, but the 8 inch collector pipe is large that will continue all the way through. The grate will allow any surface water in the area to drain into the pipe. There will be less water going into the grate because there will be an interceptor before the water gets to the grate.

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made Member Jill Marshall and seconded by Member Douglas Hamlin, and after an affirmative vote of a majority of 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 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.
2. That the Site Plan 1 Of 3 dated August 26, 2022 and site plan 2 Of 3 through 3 of 3 dated August 1, 2022, with narrative dated August 1, 2022 prepared by 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 \$9,326.04 be paid by the Applicant to the Town of Skaneateles Land and Development Rights Acquisition Fund; and
5. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of all phases of the completed project within (60) days of completion of the project.

**RECORD OF VOTE**

Chair	Donald Kasper	Present	[Yes]
Vice Chair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

**Continued Review- Site Plan Review**

Applicant	Roy Kurlak 27 Fennell St B208 Skaneateles, NY 13152	Property: 2572 East Lake Rd Skaneateles, NY 13152 <b>Tax Parcel #036.-01-19.1</b>
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Present: Guy Donahoe; Donahoe Group

There have been no changes to the submitted site plan and the board conducted a site visit to the property. There will be some pavement removed to make way for the proposed addition to the pole barn.

**WHEREAS**, a motion was made by Chair Kasper and seconded by Member Hamlin, the Planning Board declared this application a Type II action pursuant to 6 NYCRR617.5(c)(11) and not subject by SEQR for further review. The Board having been polled resulted in the unanimous affirmation of said motion.

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made Chair Donald Kasper and seconded by Member Douglas Hamlin, and after an affirmative vote of a majority of 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 Site Plan S-1 through S-2 dated July 12, 2022 and Plan Elevations A-1 dated June 21, 2022 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 an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of all phases of the completed project within (60) days of completion of the project.

**RECORD OF VOTE**

Chair	Donald Kasper	Present	[Yes]
Vice Chair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

**Sketch Plan Special Permit**

Applicant      Jeffery Batis Skaneateles Strength 1159 Lacy Rd Skaneateles, NY 13152	Property: 1382 East Genesee St Skaneateles, NY 13152 <b>Tax Parcel #042.-01-08.1</b>
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Present: Jeffery Batis, Applicant

The applicant has a personal training business since 2019 in this location. Mr. Batis explained that he is a chiropractor and works to rehabilitate individuals through strength training. They are looking to expand the business in the back part of the existing building for field training. The location is the former Bobbett small engine building. Although they have been doing business since 2019, they were just made aware that they would need a special permit for the activity. There are no proposed changes to the exterior of the building. Member Hamlin inquired on the hours of operation and clients that they see. Mr. Batis explained that they see four to six people at a time for half hour to one hour sessions. Mr. Brodsky inquired about the hours of operation and Mr. Batis said that they are there usually until 6:30 pm but may want to extend hours.. The board suggested that they consider their hours of operation so that they do not limit themselves for the future. A drive by site visit will be conducted independently by the board.

**WHEREFORE**, a motion was made by Chair Kasper and seconded by Member Marshall to schedule a public hearing on ***Tuesday, October 18, 2022, at 6:30 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

**Sketch Plan- Special Permit/Site Plan Review**

Applicant      Justin Marchuska Skaneateles Initiatives Inc 408 Commerce Rd Bethel, NY 13850	Property: 1590 Cherry Valley Tpke Skaneateles, NY 13152 <b>Tax Parcel #042.-05-03.01</b>
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Present: Robert Eggleston, Eggleston & Krenzer Architects

The property is located to the east of the Skaneateles Early Childhood Center and west of Grace Chapel property. This was the location of the former Pigpen restaurant and Mary’s decades ago. Most recently, the structure was demolished, and it is vacant property. Proposed is a two phased plan with a 60 foot x 100 foot building, and parking constructed in phase one. There will be parking in the front of the building with a permanent parking space behind and a gravel area for phase two building. They have completed the perc tests for the proposed septic plan.

There will be five bays with each bay having an overhead door, a pass door, and bathroom in each unit. They would be rented out and more than one unit could be rented out to an individual. It would be leased out to service businesses for contractors or storm window companies. The intent is for low public access and may have a business office with one or two employees. Member Hamlin inquired if equipment could be stored on site and Mr. Eggleston said yes, like any garage that might have trucks that would be stored there. Like any garage they may have trucks that they would there, but it would not be auto service where they would change the oil for customers. There are these type of buildings called flex spaces for smaller businesses that do not need a lot of space. They may store materials or have a shop assembly of things like windows.

The parking areas are designed so that three parking spaces per unit are not designed in front of overhead doors. Additionally, they could park in front of the overhead doors. There may be businesses that use the overhead doors once or twice a week. They will prepare a document that demonstrates how a fire truck or tractor trailer can maneuver the area. Chair Kasper inquired if the spaces were leased to contractors, would there be trucks parked there overnight. Mr. Eggleston said that it is possible, and it could be required that overnight parking be behind the building.

Native deciduous trees would be planted to screen the front of the building and evergreen trees to assist with screening on the side of the parking area. There will be some eastern white pines that will be planted to provided further screen with the hedgerow to the west along the Early Childhood Center. Chair Kasper inquired if the Early Childhood Center had any special conditions regarding the sale of this lot. Mr. Eggleston stated that he was not aware of any restrictions.

The stormwater plans have been designed by Mr. Reid and submitted to the board. Member Hamlin inquired if there will be a fence located around the property and Mr. Eggleston said no. Chair Kasper said that he sat on the board for the school and had made recommendations that they have control over what might occur on the lot as part of any sale. Mr. Eggleston commented that he will check with Mr. Marchuska. Mr. Brodsky asked if there would be any outside storage and Mr. Eggleston said that there would not.

Chair Kasper commented that he has a concern as to controls on what may go in the building. Mr. Eggleston said that if there were any changes to the approval that it would require an amendment. Mr. Brodsky suggested that detail be provided to the board. Member Winkelman inquired why the driveway is located on the west side of the property as it could be placed on the east side and be located away from the school. Mr. Eggleston said that locating it on the west side will place the driveway further away from Lee Mulroy. He continued saying that there is a lot of traffic with the school bus and parents dropping off children. The commercial entrance is designed for commercial trailers and trash trucks. Chair Kasper commented that the lot is very wet, and Mr. Eggleston said that they would build areas up. Ms. Versa said that Mr. Camp had a question on the drainage and how it drains, whether it is piped or sheet flows. Mr. Reid will contact Mr. Camp for a discussion on the property.

Member Hamlin inquired if there will be drains in the floor of the buildings and Mr. Eggleston said that they will not have drains in the floor, just drains on the exterior. Active hours on the property would be 7 am to 6 pm. Night sky compliant wall pack lighting will be utilized over each door that are motion detection and one dusk to dawn lighting on each side of the building. Chair Kasper requested that the proposed signing for the building be provided to the board. Mr. Eggleston said that he will discuss it with the owner and suggested that they could brand the building with small signs for the leased units. Member Hamlin asked about sidewalks as part of the gateway plan and Mr. Eggleston said that there will be ten feet right of way. More defined list of hours, uses, and rules of operation should be provided to the board. A drive by site visit will be conducted independently by the board.

**WHEREFORE**, a motion was made by Chair Kasper and seconded by Member Marshall to schedule a public hearing on **Tuesday, October 18 2022, at 6:40 p.m.** The Board having been polled resulted in the unanimous affirmation of said motion.

**Sketch Plan-Site Plan Review**

Applicant	John & Kay Clark 7751 Bainbridge Dr Liverpool, NY 13090	Property: 3701 Fisher Rd Skaneateles, NY 13152 <b>Tax Parcel #032.-03-04.0</b>
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Present: Robert Eggleston, Eggleston & Krenzer Architects

The applicants are proposing a dwelling on a 28 acre parcel on Fisher Road. The driveway will be located on the south end of the property along a hedgerow with the proposed dwelling located approximately 400 feet back from the road. The lot is in the IRO district and is south of the property owned by Mr. Zechman. The structure will be a “barnominium,” meaning that it will have a pole barn structure with living quarters inside, A site visit will be conducted on Monday September 26, 2022.

**Sketch Plan- Site Plan Review**

Applicant	Alison Miller Miller II LLC 1416 Thornton Hts Skaneateles, NY 13152	Property: 1409 Thornton Hts Skaneateles, NY 13152 <b>Tax Parcel #057.-01-33.0</b>
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Present: Robert Eggleston, Eggleston & Krenzer Architects

The applicant has a cottage that has had small improvements over the years. The existing crib wall deck area is composed of stone with turf on it to reduce the wash out of the deck. There is also a set of steep stairs that does not meet the current building code. They are proposing to replace the stairs that will have landings along the way down to provide safer access to the lake. The turf mat on the deck will be replaced with wood boards to preserve the stone in the deck area so that it does not wash out. The deck area will be reduced by 260 square feet while still maintaining the existing shed. A 6 foot wide by 30 feet long steel pile permanent dock will be constructed off the east end of the seawall. Shoreline structures will reduce from 1018 square feet to 1000 square feet. The lake line runs along the shoreline and wraps around the existing deck area. A site visit will be conducted on Monday September 26, 2022

**Extension Request**

Applicant	Skaneateles Springs Corporation Rick & Debbie Moscarito 120 Madison St Chittenango, NY 13037	Property: 1601 East Genesee St Skaneateles, NY 13152 <b>Tax Map #032.-03-17.1 &amp; 032.-03-17.2</b>
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Present: Robert Eggleston, Eggleston & Krenzer Architects

The applicant is requesting an extension to the approved project as there have been delays with the water pressure issues from the village and the applicant has been working on other projects. He would like to continue with the project and be back with modifications to the plan soon. It makes sense to maintain the

current application and modify it rather than start all over, so the applicant is requesting the board's indulgence by giving an additional year for getting this going.

**WHEREAS**, a motion was made by Chair Kasper and seconded by Member Marshall, the Planning Board recalled that it conducted a SEQRA review of the proposed Major Site Plan on February 21, 2017 with a Full Environmental Assessment Form, and a negative declaration was determined at that time, which prior determination was adopted by the Planning Board in consideration of this Extension Application. The Board having been polled resulted in the unanimous affirmance of said motion.

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made by Member Douglas Hamlin and seconded by Member Jill Marshall and after an affirmative vote of all Members present, the Skaneateles Planning Board **APPROVES** the Extension Application for an additional twelve (12) months, with the following conditions:

1. That the original Site Plan and Construction Narrative approved for the Project shall be followed in all respects for the construction of buildings and improvements not otherwise completed to the date hereof, and that all conditions of the Approving Resolutions required by the Planning Board be followed in all respects, except as extended hereby for an additional twelve (12) months.

**RECORD OF VOTE**

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

**Extension Request- 9 Lot Subdivision**

Applicant: Emerald Estates Properties, LP  
3689 Yosemite Ct  
Naples, FL 34116

Property:  
2894 East Lake Rd  
Skaneateles, New York  
**Tax Map #036.-01-37.1**

Present: Robert Eggleston, Eggleston & Krenzer Architects

Mr. Eggleston began saying that the applicant has been working with the Central New York Land Trust, to purchase the Hidden Estates 81 acres for conservation. The Land Trust has three years to complete their due diligence and use the grant that they were awarded, therefore, the applicant is requesting an additional two year extension for the subdivision approval.

**WHEREAS**, a motion was made by Chair Kasper and seconded by Member Marshall, the Planning Board recalled that it conducted a thorough SEQRA review of the proposed Project, as set forth in the Approving Resolution, reflecting that the FEIS Mitigation Requirements of the Project have adequately analyzed, designed, and proposed mitigating measures, alternatives, and engineered solutions, which when utilized by the Applicant in connection with development of the Project, shall mitigate and/or eliminate potential environmental impacts, which prior SEQRA determination was adopted by the Planning Board in consideration of this Extension Application. The Board having been polled resulted in the unanimous affirmance of said motion.



**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made by Chairman Donald Kasper and seconded by Member Jill Marshall and after an affirmative vote of all Members present, the Skaneateles Planning Board **APPROVES** the Extension Application for an additional twenty-four (24) months from the expiration date of the original Approving Resolution to September 18, 2024, with the following conditions:

2. That the conditions set forth in the Final Determination on FEIS and Preliminary Plat dated May 25, 2021 for the Project shall be followed in all respects for the subdivision of land and construction of buildings and improvements not otherwise completed to the date hereof, and that all requirements of the Approving Resolution of the Planning Board be followed in all respects, except as extended for an additional twenty-four (24) months.

**RECORD OF VOTE**

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

**WHEREFORE**, a motion was made by Member Hamlin and seconded by Member Marshall to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 8:45 p.m. as there being no further business.

Respectfully Submitted,  
Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston	Dave Smith	Dan Smith	Jean Ann Ridings
Bill Murphy	Nancy Vlahlos	Guy Donahoe	Richard Ridings
Kevin Bliss	Victor Duneac	Richard Cypher	John Cico
Dessa Bergan	Lori Tarolli	Jaime Tuozzolo	Dessa K. Cico
Tamara Place	Martin Place	Lonnie Warner	Taylor Flanick
Jeff Batis	Guy Donahoe	Casey Bobowski	Jim Tarolli
Nichole Stack	Kim Smolen		

Additional Meeting Attendees (Zoom):

Asher Bitz	Chris Buff	Matthew Kallen
Nicholas Fozmanowicz	Scott Winkelman	Mark Tucker
Emma Aversa	Ivo Tomchev	Holly Gregg
Ed Reid		