

**MEETING MINUTES
FEBRUARY 19, 2013
TOWN OF SKANEATELES PLANNING BOARD**

Mark J. Tucker, Chairman
Elizabeth Estes
Donald Kasper
Joseph Southern
Scott Winkelman (Absent)
Scott Molnar, Legal Counsel
Doug Wickman, P.C. (C&S Engineers)
Howard Brodsky, Town Planner
Karen Barkdull, Secretary

Chairman Tucker opened the meeting at 7:30 p.m. Beth Estes was welcomed as the newest member of the Planning Board. The Planning Board will not be conducting site visits this month.. The meeting minutes of January 15, 2013 were previously distributed to the Board and all Members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Kasper and seconded by Member Southern to approve the minutes with minor corrections. The Board having been polled resulted in the unanimous affirmance of said motion. Member Estes abstained from the vote.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Beth Estes	[Abstain]
Member	Donald Kasper	[Yes]
Member	Joseph Southern	[Yes]
Member	Scott Winkelman	Absent

Extension Request – Lot Line Adjustment

Applicant: Lloyd Bennett Jr.
William Miles
Old Seneca Tpke
Skaneateles, New York 13152
Tax parcels: 045.-04-02.3(Bennett) and 045.-04-02.1 (Miles)

Present: Robert Eggleston, Representative

The applicant is requesting an extension to the lot line adjustment approval granted in 2011. .23 acres will be transferred from Miles 045.-04-02.1 to Bennett 045-04-02.3 to improve the placement of a future Bennett residence enabling it to be positioned away from the bank of Skaneateles Creek. The delay in filing the 2011 lot line adjustment was caused by the mortgage

bank for Mr. Miles; the mortgage is satisfied and there are no encumbrances to completing the lot line adjustment.

Two conditions on the prior 2011 approval have been met; Lot C had been merged by Mr. Wicks, and the constructed barn with impermeable surface coverage have been reflected on the survey. The survey reflects 60' side yard setbacks as this lot is classified as mixed use. The septic system has been approved by the OCDOH and will be installed as part of the construction of the proposed future dwelling. Water will be connected to the barn when the dwelling is constructed.

WHEREAS, a motion was made by Member Southern and seconded by Member Kasper and whereas the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes an Unlisted action with a negative declaration after review of the short form.

NOW WHEREFORE, a motion was made by Member Joe Southern and seconded by Member Beth Estes, upon a vote thereon, to approve the Extension as presented, and that the Resolution memorializing the Approval is hereby ratified and confirmed, the Approval is extended and currently dated to extend the Applicant's time to fulfill the required conditions thereof, as if said Resolution was dated the date hereof.

Continued Review –Site Plan Review

Applicant: Joseph Palermo
947 Old Seneca Tpke
Skaneateles, NY

Property:
74 Onondaga Street
Skaneateles, New York 13152
Tax Map # 043.-04-08.0

Present: Robert Eggleston, Architect

The applicant is proposing a 625SF permeable patio on the northeast side of the dwelling located 103FT and 112FT from a seasonal watercourse. A mound septic field system was recently installed between the watercourse and the proposed patio location. As the location has a gentle slope, the proposal includes a rock retaining wall approximately 4FT in height on the south and east side and 1FT in height on the north side surrounding the patio. The proposed patio will also have a 4FT fence with gate encircling the patio with a proposed permeable walk leading from the driveway to the patio.

Impermeable surface coverage will be reduces from 6.17% to 6% and open space will reduce from 93.68% to 92.75%. The single-family dwelling is nonconforming to the front yard and east side yard setbacks; however, the proposed patio will not increase the nonconformity. The City of Syracuse had no comments to the proposal in their correspondence dated December 27, 2012.

The applicant is seeking site plan review for land disturbance greater than 200SF within 200' of a stream within the LWOD. The City of Syracuse Department of Water has no comments in their correspondence dated December 27, 2012. The Onondaga County Planning Board resolution of January 6, 2013 had no comments regarding the proposal.

WHEREFORE, a motion was made by Member Southern and seconded by Chairman Tucker to declare this application to be a Type II action not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, that the Skaneateles Planning Board **APPROVES** the minor Site Plan application with the following conditions:

1. That Special Permit 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 2 and 2 of 2 dated December 12, 2012 prepared by Robert O. Eggleston, with the Narrative and Construction Sequence dated December 27, 2012, be followed in all respects.

Upon a motion made by Member Kasper and seconded by Member Estes the Town of Skaneateles Planning Board hereby approves the application for a minor site plan with the above conditions.

RECORD OF VOTE

Chair	Mark J. Tucker	Present	[Yes]
Member	Beth Estes	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Absent	

Public Hearing – Special Permit/Site Plan Review

Applicant: Mark Bitz
PO Box 240
Memphis, NY

Property:
3145 East Lake Road
Skaneateles, New York 13152
Tax Map # 040.-01-28.0

Present: Robert Eggleston, Architect

No one requested the notice to be read. A revised site plan dated February 7, 2013 was submitted to reflect a landscaping plan for the lot. The proposal is for the demolition of the existing 2,776SF dwelling and accessory structures and construction of a 1,728SF two-story dwelling, 200SF shed, 600SF lakeside patio, shoreline retaining wall on the south corner of the shoreline where some erosion has taken place and a detached three car garage to be built at a future date. The proposed walkways will be permeable and the driveway will be increased by 296SF. The location of the proposed garage is between two existing trees that will be kept. Proposed open space is 84.7% and the proposed dwelling will conform to all setback requirements. A new septic system is being designed for the proposed four-bedroom dwelling.

The proposed dwelling will be located 128FT from the lake line. A DEC permit is required for the new water line and the shoreline sea wall. There is a 30' section of shoreline that has been eroded to the base of existing willow trees. The erosion extends 10-15' on to the neighboring property to the south owned by Mary Bright. Mary Bright has a concrete sea wall on her property and the Bitz proposal is to construct their sea wall to join the Bright's sea wall to provide continuous protection from erosion. Mary Bright is in support of the proposal and the extension of the sea wall. The proposed sea wall will be constructed with a base of one foot below ground level to provide stability. The DEC permit approval is still pending.

Member Southern commented that the applicant has an opportunity to reduce the impermeable surface coverage even further, and suggested a reduction from a three-car garage to a two-car

garage. The reduction in the size of the garage could reduce the impermeable surface coverage to 12-12.5%. Member Estes stated that she had read recent studies recommending 5-7% impermeable surface coverage is the optimal level. Member Kasper inquired of Doug Wickman, the mitigating impact of the proposed landscape enhancements. Doug Wickman stated that the proposed landscaping will mitigate much of the storm water runoff but that he could not quantify it. He continued stating that the research he has read indicated that 10% impermeable surface coverage was an accepted level, and that the Town code is written to a 10% maximum level.

The construction sequence reflects that the shoreline work will commence after July 15, 2013 with the demolition and construction of the new dwelling commencing immediately. The 55,200SF lot is nonconforming with existing impermeable surface coverage of 13.7% and a proposed coverage of 13.0%. During the site visit discussion ensued regarding whether the driveway should be straightened rather than the curved design proposed. If the drive had a direct approach to the south it would cut through the septic field. The north end of the property has poor sight visibility and it would be difficult to obtain a DOT permit for a driveway re-location in this area. Re-positioning the proposed dwelling further west would create additional soil disturbance rather than locating it in the approximate footprint of the existing dwelling. C&S Engineers have suggested mitigation of the impermeable surface coverage through the use of landscaping. There will be landscaping on the south side, around the house, east side of the patio and by the lake front retailing wall. Some fragile trees will be replaced with healthy species. The applicant will submit a landscaping plan detailing suggested plantings that the Board chair and Town Engineer could review and approve. A new septic system has been approved for five bedrooms, with only four proposed in the dwelling design, and will be installed in connection with the dwelling construction.

Mr. Eggleston stated that although the lot is being redeveloped, it is difficult to achieve 10% impermeable surface coverage on a lot under two acres. Chairman Tucker noted that the location of the proposed dwelling is over 100' away from the lake line. Mr. Eggleston stated that he could submit a revised site plan reflection 12% impermeable surface coverage in addition to a landscaping plan to be reviewed and approved by the Chair and Engineer.

WHEREFORE, a motion was made by Member Southern and seconded by Member Kasper to declare this application to be a Type II action not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Chairman Tucker opened the Public Hearing. No one spoke in favor of the project or wishing to speak in opposition or had any other comments. Two letters of support were submitted from the neighbors.

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

NOW, THEREFORE, BE IT RESOLVED, that the Skaneateles Planning Board **APPROVES** a special permit and minor site plan review for the Application, with the following conditions:

1. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$1000; and

2. That the Applicant shall obtain all necessary permits and approvals from the Onondaga County Department of Health, the DEC and any other approval needed for the Application; and
3. A DEC permit is only required for the proposed shoreline construction; and
4. That \$2,601.30 be submitted to the Town of Skaneateles Land and Development Rights Acquisition Fund; and
5. That the landscape plan be reviewed and approved by the Planning Board Chairman and Town Engineer; and
6. That Special Permit 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.

B. After issuance of a building permit the following conditions shall apply:

1. That the Site Plan 1 of 3 dated February 7, 2013 be revised to reflect impermeable surface coverage at 12%, prepared by Robert O. Eggleston, with the Narrative and Construction Sequence pages 1-2 dated December 31, 2012, be followed in all respects; and
2. 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; and

Upon a motion made by Member Southern and seconded by Member Kasper the Town of Skaneateles Planning Board hereby approves the application for a minor site plan with the above conditions.

RECORD OF VOTE

Chair	Mark J. Tucker	Present	[Yes]
Member	Beth Estes	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Absent	

Amendment – Site Plan Review

Applicant: Robert & Annette Pickup
 2220 West Lake Rd
 Skaneateles, New York 13152
Tax Map #057.-01-04.1

Present: Robert Eggleston, Architect

The applicant had received site plan and area variance approvals in 2011 for a garage addition and renovation of an existing single family residence on a nonconforming lot. Construction currently underway, the applicant has determined that they would like to modify their deck by

making it four feet wider on the angle, adding 51SF of area to the deck. The impermeable surface coverage remains the same as the proposed 9.9%. Open space will be reduce to 88.3% from 88.5%; however over the 80% minimum open space required.

WHEREAS, a motion was made by Member Southern and seconded by Member Kasper and whereas the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes a TYPE II single family residential project, not subject to further SEQRA review.

WHEREAS, the Planning Board has determined that amendment to the site plan is a minor augmentation; and

WHEREAS, the Skaneateles Planning Board reviewed the Site Plan, and Drawings, and after due consideration, unanimously adopted the following resolution:

Upon a motion made by Member Don Kasper, seconded by Member Joseph Southern, and upon a vote thereon, the Town of Skaneateles Planning Board hereby approves the Application to modify the Prior Approval, with the Prior Approval in full force and effect according to its terms, as modified hereby with the following additional condition:

1. That the updated site plan dated November 27, 2012 and first floor plan dated December 7, 2012 prepared by Robert O. Eggleston be followed in all respects.

RECORD OF VOTE

Chair	Mark J. Tucker	Present	[Yes]
Member	Beth Estes	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Absent	

Informal Discussion

Applicant: McCracken Casper Group
1351 Cherry Valley Turnpike
Skaneateles, New York 13152
Tax Map #32.-02-30.1

Present: Mike McCracken, Robin Casper, applicants; Leif Kalquist, Architect

Mr. McCracken stated that he and his partner, Robin Casper, are proposing an active senior living facility on East Genesee Street at the Bombard Chevrolet location. It would be independent housing for 55+ year olds with concierge service including, laundry, pet care, maid service and shuttle to appointments. They have had several meetings with residents of the town and there appears to be a need for such housing. Connection to the village by means of extending the sidewalk is also proposed.

The plan would include removal of the existing auto dealership and storage units, replaced with a 22,790SF main building and three 7093SF villas with up to 75 units. The total building footprint proposed at 44,549SF, just under the 45,000SF maximum allowed for a mixed-use lot. There is also consideration given to obtaining the Kennedy property next door, removing the car wash and improving the gas station integrating the property into the proposed project. They could

merge the second property or maintain it as a separate tax map number. The property containing the Conley apartments may be acquired to add to the proposal with the apartments removed.

An objective with the proposal is to develop the facility at LEED gold system status. Grey water will be re-used; storm water reclaimed; green building materials; and provide a walkable park like setting for the residents. The drainage swales implemented by Mr. Bombard would be maintained.

There will be approximately fifty dwelling units that would be leased, ADA accessible and have one ownership. The exterior design of the project would be designed to reflect the village building style with services provided. The projected impermeable surface coverage would be 25% based on the preliminary drawings whereas 30% is the maximum allowed for the HC district in the LWOD.

Doug Wickman commented that water service will be the biggest obstacle for the project as water will be needed for both drinking and fire service for the proposal. The Village water service would not be able to provide for the proposal based on the existing aging infrastructure.

Continued review: Major Subdivision

Applicant: Tim Green/owner Loveless Farm Development
1194 Greenfield Lane
Skaneateles, New York 13152

Property: 2783 West Lake Rd
West side 051.-02-18.1
Vacant land:
East side 053.-01-39.1

Present: Matt Vredenburg, Project Manager.

Mr. Vredenburg presented an updated status of the project proposal. This month's submittal dated March 9, 2012 included updated plat plans including open space calculations and building envelopes; lake front access plans, bridge design, open space narrative, and existing and proposed watershed plans. Mr. Vredenburg stated that the application is now complete. Percolation tests have been completed for the eighteen proposed lots. There are two types of open space on the plans; unbuildable areas for conservation and community use and private lot open space that includes the septic area, yard setbacks, driveway access, fences, entry piers, shed under 200SF, and mailboxes. The lakefront access will be deeded to six lots and limited to pedestrian traffic only. No vehicular traffic will not have access.

The applicant would like to begin the SEQR process in March 2013 with a potential public hearing in April 2013.

Member Southern inquired if Mr. Van Epps has access to the proposed lake access in the subdivision. He continued stating that he would be able to use vehicular access if he has the right to use the lakefront access. Mr. Wickman stated that it is stated on the plans. Mr. Vredenburg stated that the applicant has access rights on Mr. Van Epps lot, however he isn't aware of access rights for Mr. Van Epps on the applicant's lot. Chairman Tucker asked if there will be a restroom facility at the shared lakefront. Mr. Vredenburg stated there are no plans for facilities at the lakefront. The shared lakefront access will be deeded to the five east lots and one lot on the west side. There will be parking spaces allocated for the lot owners with shared lakefront access located closer to the lakefront access.

Chairman Tucker inquired on the topography for the five east side lots. Mr. Vredenburg stated that the east lots do not have slopes in excess of 30% and as such are considered buildable.

The design of the dwellings will be determined by the lot owners. The access driveways are indicated on the plans with the paved areas omitted from the open space calculations. Access to the lots on the west side limits some of the lots. Chairman Tucker commented that the lots on the west will be restricted by the small lot building envelopes. Mr. Vrendenburgh stated that some of the impermeable surface coverage is used for the access roads and that reduces the amount of impermeable surface coverage available for the individual lots. Chairman Tucker stated that lot 13 has a proposed building envelope that is very limited. He requested that a breakout example of lot 13 should be created to show how the impermeable surface coverage might be allocated on the lot reflecting the amount for the dwelling, driveway, etc.

Member Kasper commented that lot 8 has a restricted building envelope shape is the shape of an "L". Mr. Vrendenburgh stated that lot 8 has 4000SF building envelope and is impacted by the 100' setback of the primary dwellings from the community open space, but may be able to be squared off. Chairman Tucker asked for clarification of the determination of the open space reflected on the site data table. Mr. Vrendenburgh stated that the 60% of the gross open space area is calculated from the total gross acreage, and is 27.93 acres. The 27.93 acres consists of approximately 76% buildable open space land and approximately 23% on non-buildable land.

Mr. Brodsky requested that the site data table be augmented to reflect impermeable surface coverage and open space in percentages as well as the square footage. He reiterated that the community open space can overlap the private open space.

The private road from Fire Lane 17 will be improved to town specifications up to the hammerhead and Fire Lane 17 will be improved to town specifications up to the proposed private road. The proposed road off Fire Lane 17 has been redesigned to meet perpendicular to Fire Lane 17.

Borings for the proposed bridge on lot 1 have been conducted for one side of the bridge and it is assumed that the conditions will be the same for the other side of the proposed bridge. To conduct borings for the other side of the bridge would require barging in equipment and clearing trees. This will be done once approvals have been given for the subdivision and prior to commencing the construction of the bridge. Mr. Wickman stated that the construction plans for the bridge should be reviewed by their designer as the bridge is a private bridge. He continued stating that although the plans show the bridge as part of the homeowners association responsibility, he recommended that it be privately owned and maintained by lot 1.

Member Estes inquired if there was thought to making the lots larger to comply with the comprehensive plan. Mr. Vrendenburgh stated that the density calculations are based on two acre lots. The proposed subdivision is in keeping with the rural citing principals to define the building areas, not contribute to urban sprawl and conserve more open space. Mr. Vrendenburgh offered to meet with any new board members who may need further clarification of the proposal.

Counsel Molnar stated that Mr. Van Epps had written a letter indicating that he has a right of first refusal on record for the any land that is being considered to be transferred to an HOA, and if the transfer occurred with out first offering to Mr. Van Epps then it would be contested. Counsel Molnar stated that a resolution to this issue should transpire prior to the continuance of the Planning Board approvals. Mr. Vrendenburgh stated that Andrew Leja will be in attendance at the next Planning Board meeting and will address the issue.

Continuation -Major Special Permit/Minor Subdivision

Applicant: Marc Pietropaoli
791 W. Genesee Street
Skaneateles, New York

Property:
Route 20 East
Skaneateles, NY 13152
Tax Map #042.-01-13.1

Present: Lance Wardell, VSM; Paul Sharlow, Mike Fogel, Legal Counsel

Member Joseph Southern recused himself from all Planning Board discussions and actions regarding Victory Sports project. Member Beth Estes refrained from comment from all Planning Board discussions and actions regarding Victory Sports project. Counsel Pat Sardino, Town Attorney, stated that a further discussion with Member Estes is required regarding her ability to participate on this application based on prior on record comments.

Mr Sharlow of Gilberti, Stinziano, Heintz and Smith, introduced himself as legal counsel for Victory Sports Campus, The law firm has over thirty years experience in permitting, and lead environmental counsel. Their law firm is adept in the requirements to comply with SEQR. The law firm has review the file and Victory Sports feels that the project does comply with a permittable use for the location. Based on any confusion and mis-understanding of the project by the Planning Board, the applicant will prepare an environmental impact statement. The EIS would then be put out to comment and obtain comment from the Planning Board and the public and respond to any significant And substantial comments regarding the project. The applicant is amenable to the Planning Board rescission of the negative declaration and the issuance of a positive declaration. Scoping is not mandatory but optional under the SEQR regulations; however the applicant is willing to discuss further.

Counsel Molnar stated that his recommendation to have the Board invite from the applicant a short scope defined largely from Mr. Fucillo's letter of November 16, 2012 and the January 16, 2013 letter regarding the project connect with the village system. The entire scope would entail the six questions from the two above mentioned correspondence. The scope could be defined at the next Planning Board meeting. As there is no quorum present, the negative declaration cannot be rescinded at tonight's meeting; however it could be declared at next month's meeting before a positive declaration could be issued to the agencies. The environmental impact statement could begin.

There being no further business the Planning Board meeting adjourned at 9:53 p.m.

Respectfully Submitted,

Karen Barkdull, Secretary