

**TOWN OF SKANEATELES PLANNING BOARD  
MEETING MINUTES  
January 19, 2021**

Joseph Southern  
Donald Kasper  
Scott Winkelman  
Douglas Hamlin  
Jill Marshall  
Scott Molnar, Legal Counsel  
John Camp, P.E. (C&S Engineers)  
Howard Brodsky, Town Planner  
Karen Barkdull, Clerk

Chairman Southern opened the meeting at 6:30 p.m. The meeting minutes December 15, 2020 was 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 Marshall to approve the minutes as submitted. The Board having been polled resulted in the affirmance of said motion.

**RECORD OF VOTE**

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

At this time, the Board discussed the appointment of Scott Winkelman as Vice Chair for the Planning Board for the year ending December 31, 2021.

**WHEREFORE**, a motion was made by Member Marshall and seconded by Member Hamlin to re-appoint Member Scott Winkelman as Planning Board Vice Chair. The Board having been polled resulted in the affirmance of said motion.

**RECORD OF VOTE**

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

At this time, the Board discussed the reappointment of Scott Molnar, Esq. as Attorney for the Planning Board for the year ending December 31, 2021.

**WHEREFORE**, a motion was made by Member Winkelman and seconded by Member Hamlin to re-appoint Scott Molnar as Attorney for the Planning Board. The Board having been polled resulted in the affirmance of said motion.

**RECORD OF VOTE**

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

At this time, the Board discussed the reappointment of John Camp of C&S Engineering as Planning Board Engineer for the year ending December 31, 2021.

**WHEREFORE**, a motion was made by Member Hamlin and seconded by Member Kasper to reappoint John Camp as Planning Board Engineer. The Board having been polled resulted in the affirmance of said motion.

**RECORD OF VOTE**

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

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

Applicant: David & Lynn Brown  
1620 New Seneca Tpke  
Skaneateles, NY 13152

Properties: 1620/1630 New Seneca Tpke  
Skaneateles, NY 13152  
**Tax parcel #033.-05-01.2 &  
033.-05-03.1**

Present: David Brown, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

A final plat plan was submitted with the conservation area as part of lot 2, with the establishment of a 30-foot setback to the conservation area from the building line. The language of the conservation easement is being prepared by Mr. Blair. Eric Buck is preparing the designs for OCDOH approval of the septic systems for lot 2 and 4, and they are working with OCDOT for driveway cuts for lots 2 and 4. The speed limit in the area is 45mph, and there is 800 feet clear to the east and 1000 feet to the west.

At this time Counsel Molnar recommended to the Board that the application be an Unlisted Action and reviewed the short form SEQR with the Board. In evaluating, each of the criteria set forth in Part II:

Part II	No or small impact	Moderate to Large impact
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulation?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a CEA?	X	

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing public/private water supplies and/or public/ private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archeological, architectural, or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora, and fauna)?	X	
10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems?	X	
11. Will the proposed action create a hazard to environmental or human health?	X	

**WHEREFORE**, a motion was made by Chairman Southern, and seconded by Member Hamlin, the Board declared this application to be an Unlisted Action, and after review of the SEQR short environmental assessment form and determined that the proposed action will not result in any significant adverse environmental impacts. The Board having been polled resulted in the unanimous affirmation of said motion.

Member Winkelman inquired if there is a delineation between the conservation area and the four lots, and Mr. Eggleston stated that pins will be placed on the corners of each of the lots. Member Winkelman suggested that a fence post be placed there as well to make it visible so that it will not be mowed.

At this time, Chairman Southern opened the Public Hearing and asked if there was anyone in favor of the proposal, and no one spoke in favor of the proposal. Chairman Southern asked if there was anyone who wished to speak in opposition or had any other comments on the project. There was no one who spoke in opposition or had any other comments. Member Kasper reiterated that lot 4 should have site plan approval as part of the conditions. A drainage system could help the neighbor with any water issues as well. Mr. Brodsky inquired if the lot coverage allowable for lot 2 is based on the inclusion of the conservation area, and Mr. Eggleston responded that it only includes the buildable portion of the lot and not the conservation area.

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

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made Member Douglas Hamlin, duly seconded by Member Jill Marshall, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the three-lot Subdivision, with the following conditions:

1. The Final Plan subdivision of the Brown Subdivision, dated January 4, 2020 prepared by Paul Olszewski, Land Surveying, PC be submitted for the Planning Board Chairman's review and signature within 180 days from the signing of this resolution; and

2. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or Application; and
3. That Planning Board Site Plan Approval is required for proposed lot 4 for review of conformance to §148-5-4-E; and
4. That Planning Board Chair and the Planning Board Attorney shall approve all language set forth in a Conservation Easement to be prepared and submitted by the Applicant, and that one approved, same be recorded by the Applicant in the Onondaga County Clerk's Office contemporaneously with the filing of the Subdivision Map; and
5. That consistent with the Conservation Analysis and the Conservation Easement, the Applicant shall preserve open space, and natural resources, as depicted on the Subdivision Map, which shall remain open space as required by Section 148-10-13 of the Skaneateles Town Code, and/or the Town Law of the State of New York and applicable sections thereof, without adjustment, modification, or change, except upon the express written consent of the Town of Skaneateles Planning Board; and
6. The Subdivision Map and Deed transferring the property(ies) must be filed in the Onondaga County Clerk's Office within sixty-two (62) days of the signing of said Map, or the Subdivision approval shall be null and void. Proof of said filing shall be immediately forwarded to the Secretary of the Planning Board upon receipt by the Applicant and/or Applicant's representative.

**RECORD OF VOTE**

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

**Sketch Plan- Site Plan Review**

Applicant: Chris Calabro  
124 Port Washington St  
Cortland, NY 13045

Property: 2508 West Lake Rd  
Skaneateles, NY 13152  
**Tax parcel #054.-02-09.0**

Present: Chris Calabro Applicant; Fred Shelley, BME Associates

The application is for the construction of a single-family dwelling located on the existing 4.3-acre vacant lot. A NYSDOT driveway permit is pending for the new driveway off West Lake Road to the dwelling. Review and approval from the City of Syracuse Department of Water and the OCDOH is pending. They have developed a small-scale stormwater management system based on conversations with the town engineer. The proposed bioswale will collect and treat the stormwater before releasing it down site. A SWPPP permit is pending.

Member Winkelman inquired on the impermeable surface coverage and Mr. Shelley responded that it is proposed at 9.6%, and although the dwelling design is not quite finalized, they will be below 10% coverage. Member Kasper asked if the lot is wooded or an open field. Mr. Calabro said that it is an open field and they had removed a couple of trees. Member Hamlin inquired if a conversation has occurred with NYSDOT and Mr. Shelley said that they have not yet submitted a permit request. Member Hamlin said that the proposed driveway is close to existing driveways, and Mr. Calabro said that it is close to the northern driveway, however, he felt confident that they will approve the proposed driveway cut location. Member

Winkelman asked if the driveway to the south as a shared driveway and Mr. Calabro is said that it is fire lane 27 that services about eight homes closer to the lake.

Member Marshall inquired if the hedges along the fire lane and to the east would be removed to provide more views and Mr. Calabro stated that the beauty of the lot is for the views of the lake. The southeast corner may need the hedgerow for stormwater retention, and they are sensitive to the neighbors. Mr. Brodsky inquired about a future patio on the plans at the rear of the house with significant grading and a retention wall. Mr. Calabro said he has hired a landscape architect for that area that would have a walkout and some retention walls. It may be large blue stones and they have considered it as impermeable coverage although they may use permeable materials for the patio as permeable once the design has been completed.

Mr. Camp inquired about the topography of the area where the outlet for the proposed bioswale is to be located as the pipe seems to be pointed at some of the neighbors in the area. Mr. Shelley said that the pipe coming out of there will be from the underdrain so there would not be heavy flows coming out the pipe. There will be a six-inch retention drains for the bioswale to capture any of the water that goes through and treated. They have also provided a ten-foot-wide grass spillway so that it can spread out any additional flows that are directed towards that bio-retention. Eventually there would-be sheet flow on the grass and then flow downstream. Mr. Camp said that the grading plan and the bio-retention will have a concentrating effect, and he recommended that a closer look be taken to whether a swale along the eastern side of the property under the culvert is needed or possibly relocating the bio-swale. It is his recommendation that the pipe and spillway not to be pointed in the direction of the neighbors. Mr. Calabro said that the distance from it to other properties is quite significant. Mr. Camp said that once there is water on a lawn and it is flowing then it would go down slope. We want to manage the water so that it does not adversely affect properties down slope of this property. Mr. Shelley stated that there is a bit of a swale that runs to the southern to the corner of the existing culvert on the west side of the existing driveway. It appears that a lot of run off gets picked up or it goes over the driveway by the southeast corner of the property. The topo shows that there is a minor swale along the private drive. Mr. Camp said that they will look at the drainage so that the proposal will not adversely affect the neighbors.

Member Marshall inquired if any of the neighbors to the east have drainage issues from drainage coming downhill. Mr. Calabro said that the neighbors have been concerned about the silt fence that they have re-installed without any additional issues catching anything running off. Mr. Brodsky inquired if there are any elevations that the board could see to consider how the structure would fit in with the surrounding community. Mr. Calabro stated that they will submit some.

Mr. Camp noted that the proposed driveway may not meet the required 20-foot setback to the property line requirement. The driveway will need to be modified to reflect a 20-foot setback from the property line. Mr. Brodsky stated that he was hesitant to recommend that the driveway could come off the fire lane as it is nonconforming with the number of dwellings on it already. Mr. Calabro stated that he has two young drivers and does not like the access from the fire lane. Mr. Shelley stated that the posted speed in the area is 50mph and they have designed the driveway cut for 55mph. Mr. Shelley inquired if the 20-foot setback is a requirement that the board could waive if need for safety. Mr. Brodsky said that the 20-foot setback for driveways could be waived by the board. Mr. Brodsky also suggested that the neighboring driveway be shown on the site plan so that the board can see the relationship of the proposed driveway to the neighboring driveway.

Mr. Camp inquired on the small structures that are straddling the property line with the neighbor to the north. Mr. Calabro said that they are raised bed gardens that are encroaching his property. Member Hamlin suggested that the driveway width could be reduced as 20 feet in width is substantial. Member Kasper reminded the board that a few years ago there was a washout on Lakefront Lane that washed out a dwelling

and septic system. He recommended that the board consider the stormwater events that can happen in the area. Site visits will be conducted independently.

**Sketch Plan- Subdivision**

Applicant: Justin Boisey  
720 Crow Hill Rd  
Skaneateles, NY 13152  
**Tax parcel #025.-01-06.0**

Present:

No one was present to represent the application, consequently the application will be moved to the next Planning Board meeting agenda.

**Continued Review- Site Plan Review**

Applicant:	Ed & Christine Szemis	Property:	1682 Amerman Rd
	310 Franklin Ave		Skaneateles, NY 13152
	Princeton NJ 08540		<b>Tax parcel #063.-04-05.0</b>

Present: Chris Szemis, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The lot is only 11,542 square feet with an existing nonconforming cottage that is nonconforming to side and lake yard setbacks. The existing impermeable surface coverage is 24.2%. As the lot is under 20, 000 square feet, a variance is required for any development. The existing cottage is in structural disrepair and the applicant would like to demolish the existing cottage and replace the cottage in a new location that would be conforming to the required 20-foot side yard setback. The potential living space would be 9.5% (under the 10% maximum allowed), and the building footprint would be 5.9% of the total lot area (under the 6% maximum allowed).

A variance will also be required for the proposed 50.6-foot lake yard setback, which is less nonconforming than the existing 38-foot lake yard setback with the existing cottage. The proposed front yard setback of 25 feet is conforming, and the proposed 4-foot deck can encroach by 8 feet into the front yard setback. The proposed deck will wrap around the building with the deck being 10 feet deep on the lakeside. The nonconformities of the lot will be significantly improved with the redevelopment of the lot. The Zoning Board of Appeals have held their public hearing with a couple of comments that were made and is continuing their review next month. The Zoning Board of Appeals is requesting additional comment from Mr. Camp regarding the drainage plans.

The existing two-bedroom cottage is being served by a holding tank, and the applicant has received preliminary approval from the OCDOH to replace the 2,000-gallon holding tank. After the existing cottage that is built on piers is removed, the applicant has a conceptual design for an engineered septic system that would be in the northwest corner of the lot. If the OCDOH does not approve of the septic design, then the approved replacement holding tank will stay. The dwelling will remain a two-bedroom seasonal cottage.

As part of the proposal a bioswale will be added in the southeast corner of the property that will take the drainage off the roof gutters. The impermeable surface coverage would be reduced to 10% with the removal of a significant amount of existing driveway. The bioswale will be 18 inches deep with a six-inch overflow. There will be an underdrain with a pipe that will go over the cliff to deposit the stormwater at the bottom of the cliff. This technique would eliminate the potential erosion of the site. Throughout the lot there is a

series of rock retaining walls that tend to help control erosion and stormwater, which will be maintained except for one where the proposed dwelling would be located.

Chairman Southern inquired if the application is awaiting a decision by the ZBA. Mr. Eggleston stated yes that there were some environmental issues from the neighbor to the southeast. The neighbor felt that redevelopment of the lot would cause erosion. The ZBA has requested that Mr. Camp provide his determination of the impacts of drainage on this site from an environmental point of view. Mr. Camp stated that he had visited the site before the snow fell and wondered if the bioswale could be located on the other side of the lot although it would be more difficult to get the water there. He continued saying that after he had viewed the property, he determined that the bioswale is proposed at the correct location. Mr. Eggleston stated that the east corner was chosen as it is flatter than the north corner that is sloped and Mr. Camp agreed. Mr. Camp said that regarding disturbance of the lot, it appears that the intent is to leave almost all the landscaping in place. The owner has spent a lot of time maintaining the landscaping and any contractor doing the construction will be doing their best to stay out of the landscaping so as not to be required to repair or replace it. He continued saying that the footprint of the disturbance will be minimized on a small lot. There is always concern with construction on a lot this size; however, this is set up to be successful. There is an Ash tree in the middle of the lot that will be removed as it is unhealthy and is the only tree that will be removed said Mr. Eggleston.

Member Kasper inquired if the lot to the north is developed. Ms. Szemis stated that the neighbor to the north has a house that is literally sitting on the water that is not visible from up top. Mr. Eggleston said that the house to the east is on the edge of the cliff. Member Kasper inquired if this property is on the town line and Mr. Eggleston responded that there are four to five houses before you reach the town line. Member Kasper inquired if the house to the south is on the property line and Mr. Eggleston replied that it is on the cliff but away from the property line. Member Kasper commented that both neighboring lots are heavily wooded and the applicant's lot is not. Mr. Eggleston said that two owners ago, the owner removed the trees and the last owner put in the terraced retaining walls and landscaping. The current owners have owned the property since 2017. Member Winkelman said that the proposal is a good improvement. Chairman Southern stated that the Planning Board will move forward once the ZBA has rendered their decision.

### **Sketch Plan- Site Plan Review**

Applicant: David Graham  
1212 Greenfield Ln  
Skaneateles, NY 13152  
**Tax parcel #053.-01-17.0**

Present: Robert Eggleston, Eggleston & Krenzer Architects

The applicant is proposing an addition to the existing four-bedroom dwelling on Greenfield Lane. All four bedrooms are located on the second floor and he would like to have a master bedroom addition on the first floor, converting the smallest bedroom on the second floor to an office. There will be a small deck addition to connect the proposed master bedroom to the existing deck. Impermeable surface coverage would increase from 9.5% to 10%, including the removal of 171 square feet of driveway. A bioswale will be added to the northeast corner of the property taking the drainage from the roof gutters, then treating the stormwater before it goes to the road ditch.

Member Hamlin inquired about the existing septic system and Mr. Eggleston commented that the City of Syracuse did not have anything on file for the septic system. The dwelling was constructed in the 1980s, with the septic field located at the western end of the property with a septic tank and pump chamber near the dwelling.

Mr. Camp inquired on the topography of the area where the bioswale is proposed. Mr. Eggleston stated the area begins to drop off but then levels a little where they will not need to build too much of a dike on the eastern side of it. The applicant had commented that the area tends to be wet so it would be a natural area for the bioswale. Member Marshall inquired if there are any existing drainage issues. Mr. Eggleston replied no, he was not aware of any although the addition of the bioswale will improve it. Mr. Brodsky inquired if site topography will be submitted and Mr. Eggleston replied no as the site is not very dramatic. Mr. Camp said that he is not familiar with this portion of Greenfield Lane and will be doing a site visit of the property.

**Sketch Plan-- Special Permit**

Applicant	Jonathan Cohlan	Property:
	Louisa Cohlan	3007 East Lake Rd
	241 Kenlyn Rd	Skaneateles, NY 13152
	Palm Beach, FL 33480	<b>Tax Parcel #039.-01-15.0</b>

Present: Robert Eggleston, Design Professional;

Mr. Eggleston began saying that the project was approved a couple of years ago as a phased project. The main dwelling is progressing as well as the boathouse taking shape, with most of the infrastructure in place. As a result of the project there were several changes that applicant is interested in making, some generated from working at the site.

The guest house at the north end that was the original guest house has been used as a construction office, and the applicants would like to retain the structure to be used as a home school that is separate from the house. They would like to expand the cobble area set in granular stone around the motor court for guests that visit as an area to parking that would allow the driveway to remain free of obstruction. The third area the applicant would like to modify is to replace the approved permeable pavers with larger pavers without spacing that would be considered impermeable surface coverage. The fourth item is the pavers up by the loggia, switching out permeable pavers for larger flagstone impermeable pavers. The fifth item is the addition of more cobble pavers by the garage to assist with maneuverability of autos. The sixth item is to create a 2-car parking area between the new guest house next to the tennis courts and the old guest house. The seventh item is keeping the driveway down to the lake with two parking spots for lake access. This drive would have a grass strip to reduce the amount of impermeable surface coverage. Mr. Zona has provided a modified stormwater plan to address the additional impermeable surface coverage. The SWPPP has also been modified to address the addition impervious coverage to stormwater.

The requested modifications equate to 9,805 square feet of impermeable surface coverage added back to the original approval in 2016. The impermeable surface coverage of the property prior to the 2016 plan approval was 19.9% with the 2016 special permit/site plan approval bringing the impervious surface coverage down to a conforming 10%. The applicants were a little hasty in removing some of the coverage and as a result they are requesting 14.7% impermeable surface coverage. They are requesting a special permit for redevelopment for 14.7% impermeable surface coverage, reduced from 19.9%.

With redevelopment, the zoning code requires that the overage in impermeable surface coverage be mitigated by the acquisition of land that results in the permanent protection of a conservation easement of 10 square feet of land in the same general area for each square foot of impervious surface coverage greater than the area required to bring the lot into compliance with applicable coverage limitation for conforming lots. Alternatively, a monetary contribution can be made equal to the cost to protect 10 square feet of land with a conservation easement for each square foot of impermeable surface coverage greater than the area

permitted to bring the lot into compliance. The applicant would need 98,050 square feet of land to comply. The applicant has acquired approximately 21 acres of land across East Lake Road and north of the property. They are proposing 4.5 acres of tillable farmland to be placed into conservation to offset the impermeable surface coverage, greater than the 2.25 acres needed. The additional 4.7 acres would be reserved for future conservation considerations. The remaining 12.2 acres of the parcel consists of Sucker Brook and steep slopes that is not buildable. A land suitability analysis was completed to reflect that the property for consideration for land of conservation value meets the criteria, as it has the DEC stream, the federal wetlands, steep slopes, natural succession adjacent to other natural succession, and farmland adjacent to farmland.

Chairman Southern stated that the board is charged with reducing impermeable surface coverage and not permitting increases in impermeable surface coverage. The board has not had a request to buy back impermeable surface coverage on a project before. Under the existing code, the board cannot grant increases in impermeable surface coverage over the maximum allowed for a district. Mr. Eggleston stated that this is not a request to increase the impermeable surface coverage as the project started at 19.9% impervious coverage. They are asking to reduce it to 14.7% instead of the 10%. Chairman Southern said that the project had an existing approval at the conforming 10% impervious coverage, and the applicant is requesting to exceed that. Mr. Eggleston said that they want to modify that approval.

Counsel Molnar stated that he agreed with the Chair as right now compliance with that existing approval is mandatory at 10% impervious coverage. The proposed amendment seeks to increase the impermeable surface coverage from the permitted 10% to something over that. Member Marshall inquired on the status of the project and Mr. Eggleston said the multi phased project is still ongoing and no certificate of occupancy has been issued. Mr. Eggleston stated that he disagrees with Counsel Molnar in that the project is not a completed project and amendments are made all the time. They are asking the ability to reduce the impermeable surface coverage less than what was originally proposed.

Counsel Molnar stated that in the absence of any action, compliance is required with the major special permit that was approved at 10% impervious coverage. Mr. Eggleston said that the project has not been completed and they are asking for modification. They come back all the time for modifications on projects. Chairman Southern clarified that there has never been an application that comes back for an increase in impermeable surface coverage over 10% and Mr. Eggleston cautioned that the board should be careful about stating that.

Counsel Molnar stated that property that is to be placed into conservation needs to be immediately adjacent to the lot in question. Mr. Eggleston said that they would not need a special permit if it was immediately adjacent to the lot. Mr. Brodsky commented that the lot needs to be in the vicinity of the lot in question, not necessarily adjacent to as stated in the nonconforming section of the code.

Chairman Southern commented that the appearance is that you are going to buy your way into impermeable surface to do what you want on this lake. The original project was reviewed in good faith and approval was granted with conditions and understandings. He continued saying that to ask for an increase in impervious coverage is totally inappropriate. Mr. Camp stated that the intent of this section of code is to allow nonconforming situations to proceed, not to buy more impermeable coverage. Mr. Eggleston said that they are modifying the 19% impermeable coverage of this lot, realizing that there are difficulties getting back to the 10% impervious coverage. They only thing they were sorry they did not do is propose this to begin with because the board would be looking at the reduction from 19% to 14% impervious surface by special permit. Counsel Molnar commented that it did not happen. Mr. Eggleston agreed, and said that this is a modification of the approval and the project has not been finalized.

Member Hamlin said that approval was granted. Counsel Molnar reiterated that approval was granted, and compliance is required according to the existing approval. Member Marshall inquired if it matters that it is not completed; she is not saying that she agrees or disagrees; however, the project is still ongoing. Mr. Camp commented that the approval is done; that procedure is completed. Member Marshall inquired if other projects ask for amendments, and just because we may not like this modification does it not follow suit. Chairman Southern said that projects do come back commonly for a change in the site plan; never do they come back for an increase in impermeable surface coverage.

Mr. Brodsky said that in the initial review they were not subject to a special permit for redevelopment as their plan complied with the maximum 10% impermeable surface coverage. They are now initiating a new process, a special permit process, and inquired what the status of the existing approval that granted the 10% coverage. Counsel Molnar stated that as with any other activity compliance is required to the existing special permit approval. The resolution adoption is something the codes enforcement officer would compel compliance with including the 10% impermeable surface coverage. Mr. Eggleston said that the zoning law allows us to bring modifications and to ask for a modification to an approval. Member Marshall said that if people can ask for modifications, even if the board does not like the modification. Mr. Brodsky said that they are initiating an action that they had not had before with the original application. Mr. Camp agreed and said that it would be a different application. Mr. Eggleston stated that any modification is asking to deviate from what was approved. Chairman Southern said that there are instances where the board can make those approvals and there are instances where they cannot make those approvals. Mr. Eggleston said that the board is not prevented from reviewing the application and Chairman Southern disagreed. Mr. Camp said that in the nonconforming section of the code the language reads to the effect of the applicant shall reduce the impermeable surface coverage to the maximum extent possible and that was applied for at 10%. That passed the smell test to determine what the maximum extent possible was. Chairman Southern stated that the initial plan was approved under that condition. Counsel Molnar suggest that the minutes of the prior approval be reviewed by the board to get a true picture. Chairman Southern referred it back to Counsel Molnar for review and the application will be at next month's agenda.

**Preliminary Plat Plan – Major 33 lot subdivision**

Applicant	Jordan Road Town Homes LLC	Property:
	4302 Jordan Rd	County Line Rd
	Skaneateles, NY 13152	Skaneateles, NY 13152
		<b>Tax Parcel #018.-02-29.1</b>

Present: Chris Graham, Applicant; Robert Eggleston, Eggleston & Krenzer Architects;

Mr. Eggleston updated the board that the County Line Road subdivision may have a different name based on the Onondaga County approving the name of the subdivision.

Counsel Molnar said that after reviewing town zoning code and the information on file, the application is being considered for preliminary plat plan approval as there are other matters under chapter 131 for the applicant to complete prior to the issuance of the final plat plan approval. A draft resolution has been circulated to the board for consideration.

Counsel Molnar had a conversation with Member Marshall regarding the agricultural disclosure statement that is reference under condition 13 of the proposed draft resolution. In consideration that the proposed subdivision's proximity to an ongoing farm operation, he reviewed chapter 148 of the town code, specifically 148-5-4.K.2, that requires disclosure of any proposed residential development that abuts agricultural uses. It specifically states, " This property adjoins land used for agricultural purposes. Farmers have the right to apply approved chemical and organic fertilizers, pesticides, herbicides, and animal wastes,

and to engage in farm practices which may generate dust, odor, smoke, noise and vibration.” Considering the applicant’s offer to distribute an agricultural disclosure notice and consideration of the Planning Board members at prior meetings, condition 13 has been amended to reflect the requirement. If the Planning Board wishes to entertain a motion now that it has been drafted, he recommended further discussion on this point if necessary, to advance this application to the proposed resolution.

Member Kasper said that this is a preliminary plat and inquired what it would allow the applicant to do; would the final plat plan come through when the roads and infrastructure have been constructed. Chairman Southern said that the applicant would need to have all the approvals in place such as septic approval for each of the lots. Mr. Camp said that the specific definition of the plat is the subdivision boundaries. Counsel Molnar said that chapter 131-3D is clear that the final plat plan for a major subdivision; within 6 months after receiving preliminary plat plan approval, must file with the planning board the subdivision plat in its final form and meet the criteria set forth. Among the criteria would be the endorsement and approval by the OCDOH shall be secured by the subdivider before official submission of the final subdivision plat. This is part of a list of requirements prior to submitting the final subdivision plat with the board. The preliminary plat approval would allow the applicant to pull permits, begin moving dirt, install infrastructure, and further advance their application to the town board for creation of a drainage district, negotiations for extension of a waterline and its configuration. Install roadways that have been approved by the town board. This approval would also allow the developer to final name approval for the subdivision and the proposed streets.

Member Marshall commented that the town is agricultural friendly and inquired if the signing for the development could include a statement that the subdivision is part of a proud agricultural community. She would hate to see someone’s barbeque spoiled by agricultural use winds and the property owners purchasing the property without realizing that it is next to an active farm. She continued saying that she would like to protect the farmers and Chairman Southern inquired what they need to be protected from. Member Marshall said so people remember. Chairman Southern said that people have a right to file nuisance lawsuits and that the board cannot prevent legal action from happening. Member Marshall commented that sometimes people move next to farm and may forget that they live next to a farm until it is a nuisance. Mr. Eggleston invited Member Marshall to talk to the people who have purchased their condominium on Lauder Lane, which is just a few feet further east. There are eight families that live there now, and when asked about the Peters Farm, they comment that they smell it a couple days a couple times a year. He said that he appreciated that the Peters have a concern with having to deal with nuisance complaints. This property has been designated a hamlet for the last 31 years, which is supposed to encourage residential development.

Member Marshall said that she was fine with the placement of the development and was considering creative ways to also support the farms so that the farmers know they are being supported by us. She continued saying that the sign could reflect the towns support for agriculture while inviting new residents to the community. Mr. Brodsky suggested that a sign on the property would not be a long-term solution; however, a declaration document incorporated as a legal protection in the subdivision itself. The applicant could prepare a statement saying that they are proud to be adjacent to farmland and have that as a document that the property owner receives in response to Member Marshall’s idea of having something more affirmative. Chairman Southern said that the code already has the requirement to protect farming in agricultural districts. Member Marshall commented that she was looking to get rid of some of the animosity and tension, so she suggested the idea of the sign. Member Kasper said that the Peters could also put up a sign themselves saying that they are an active farm with the right to farm. Chairman Southern said that there are a lot of things that farms can do by creating buffer zones and planting trees that could be in addition to the notifications to the potential property owners in the area. Chairman Southern suggested the board think about ways to make it clearer to the potential property owners that they are next to an active farm.

Mr. Blair, legal counsel to the applicant, stated that he has experience with subdivisions near agricultural land. They are planning to do three things to provide support for the board's consideration and the Peters' farm. In each deed there will be an agricultural sights, smells, and sounds statement. In their declaration of covenants and restrictions (DC&Rs) they will have a section discussing nearby agricultural activity and residing in or near an agricultural district. On each survey there will be an annotated statement. These three items are more than is typically done in a subdivision to address any concerns. They also provide a guide to homeowners on how to maintain swales, and they could add an agricultural statement on there as well.

Counsel Molnar said that if the statement is going to be included in the declaration of restricted covenants and conditions, the three items that Mr. Blair stated that could be listed under condition 13 of the draft resolution. The exhibits could be attached to other marketing material. He recommended that condition 13 be adjusted to reflect the code requirement, and the three items the applicant has voluntarily offered to be agreed to by the Planning Board and the applicant. The board agreed on the revisions. Member Winkelman suggested that the names for the roads could be after classic dairy cows such as Guernsey, Holstein, etc. Counsel Molnar said that the revisions could be reviewed at the next meeting and Mr. Blair suggested that the board vote on the preliminary plat plan tonight subject to agreement between the board or counsel and the developer within 10 days on applicable language. He did not anticipate any disagreement on this point whatsoever.

Mr. Brodsky inquired if the plan were to break up the subdivision into sections, and Mr. Eggleston stated that it was his belief that the entire subdivision would be accomplished at once. Mr. Graham said that he intends to do the road at the same time rather than break it up.

Counsel Molnar commented that if the Planning Board intends to move forward that it would be based on the redline version that was recently submitted to the board and subject to the additional language discussed regarding condition 13.

**NOW, THEREFORE**, upon a motion made by Chairman Joseph Southern, seconded by Member Scott Winkelman and upon the affirmative vote of all Members present, as set forth in the Record of Vote referenced below, the Skaneateles Planning Board Conditionally Approves the Preliminary Plat for the County Line Road 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 Preliminary Plat, and the Recordable Documents (as defined herein), shall be fully complied with by the Applicant, at no cost to the Town;
3. The Applicant shall obtain all necessary approvals from any other agency or authority having jurisdiction over the Property or Project, including the Town Board, the Town Highway Superintendent, and the Town Water Department, and build all required infrastructure including, but not limited to, drainage basins, stormwater drainage facilities, and the roadways according to Town standards and specifications, at no cost to the Town, where depicted and as set forth on the Preliminary Plat, and as specified in the Site Plans;
4. That the Applicant and its professionals shall submit draft documents to memorialize all rights of way and easements reflected on the Preliminary Plat, Site Plans, and the Easement Map to establish: a) a ten-foot wide pedestrian easement; b) a 30-foot wide shared access easement for shared driveways; c) a 30-foot wide storm water easement; d) a proposed stormwater management facility "A" easement area and a proposed storm water management facility "B"

easement area; e) a road maintenance agreement for use until such time as the roadways are dedicated to and accepted by the Town of Skaneateles; f) proposed utility easements; and g) proposed walking path easements (collectively the “Recordable Documents”), for review and approval by the Town Attorney, the Planning Board Chair and the Planning Board Attorney, and as approved shall be executed and recorded by the Applicant in the Onondaga County Clerk’s Office contemporaneously with the filing of the Final Plat (as defined herein);

5. That the Applicant shall make application to the Town Board of the Town of Skaneateles for the extension or creation of any lighting, drainage, water, or other required district, and that the Applicant fulfill any conditions required by the Town Board in consideration of granting extensions to or creating said districts (collectively the “District Approvals”);
6. That the Applicant obtain any and all necessary approvals from the Town Board of the Town of Skaneateles required for infrastructure of the Project, including, but not limited to design and construction of storm sewers, drainage facilities, extension of public water lines, approval of design of the proposed roadways, and as otherwise applicable, and that the applicant post security or escrow as may be required by the Town Board, in anticipation of the dedication of said water lines, hydrants and other improvements to the Water District, the dedication of roadways, grants of easement to the Town regarding the water quality detention basins, and as otherwise required by the Town Board;
7. RESERVED.
8. That the Applicant shall obtain all necessary septic approvals from the Onondaga County Department of Health and fulfil any conditions imposed therewith;
9. That the Applicant shall deposit an amount to be determined by the Planning Board in escrow to cover reasonable costs of review by the Town Engineer and Planning Board Attorney and shall deposit additional escrow as determined necessary by the Planning Board.
10. That prior to the start of any construction, the Applicant, its Engineer and Contractors shall arrange for a preconstruction meeting with the Code Enforcement Officer, Town Highway Superintendent, Town Water Department, and Town Engineer to assure the parties mutual understanding of the conditions and requirements of this Resolution, and the sequence and/or requirements for construction of the Project.
11. Prior to the start of any construction the Applicant shall submit, as necessary, any additional erosion and sediment control plans, grading plans, construction sequences, or any plans as may be required by the Planning Board, the Code Enforcement Officer and/or the Town Engineer.
12. That all approvals required from or by the New York State DEC for stormwater runoff control in conformance with the NYS SPDES Phase II Program be received and complied with by the Applicant when completing the construction of the Project.
13. That the Applicant shall place an agricultural disclosure notice (the “Agricultural Disclosure Notice”) on the face of the Preliminary Plat, within all marketing materials used in the marketing for sale of residential lots within the Project, within a Declaration of Restrictive Covenants and Conditions to be recorded concerning the Project, on each survey for each lot created within the Subdivision, and further on each deed conveying a residential lot(s) in the Project to others, providing notice that: a) this Property adjoins land used for agricultural

purposes; b) Farmers have the right to apply approved chemical and organic fertilizers, pesticides, herbicides, and animal wastes, and to engage in farm practices which may generate dust, odor, smoke, noise and vibration; and c) the Project is within 500 feet and proximate to an active pre-existing dairy farm, and other active farming operations, located in the Town of Sennett, Cayuga County, beyond the regulatory jurisdiction of the Town of Skaneateles Planning Board.

14. That within six months after this conditional approval of the Preliminary Plat, the Applicant shall comply with the requirements of Sections 131-3(C), (D) and (E) of the Town of Skaneateles Code, and make application to the Planning Board pursuant to Section 131-3(D) seeking final plat (“Final Plat”) approval by submitting a Final Plat in substantial agreement with the Preliminary Plat for the Planning Board’s consideration.

**RECORD OF VOTE**

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

**Sketch Plan- Special Permit**

Applicant: Shelley Andrade  
 4265 Jordan Rd  
 Skaneateles, NY 13152  
**Tax parcel #024.-02-04.0**

Present: Shelley Andrade, Applicant;

The applicant is moving her service business, Cat’s Meow Inn, to a new location that will be in the sunroom of the dwelling she recently acquired. It is 340 square feet, dedicated to the space that will house only 22 cats at a maximum. There will be no exterior changes to the property, although she may add a sign in the future. She is the only employee of the business. It was determined that the use would be a small-scale home occupation not requiring a special permit, and the applicant will submit a letter and floor plan for the file.

**WHEREFORE**, a motion was made by Member Winkelman 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 8:20 p.m. as there being no further business.

Respectfully Submitted,  
 Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston	Tate Ryan
Tom Blair	N. Peters
Fred Shelley	Troy Beckwith
Chris Calabro	Chris Buff
Chris Graham	David
Chris Szemis	J. Formossa
David Ketchum	Carrie Conroy Ryan
Louisa Cohan	Kathleen
Pam Schreenee	Jeff's Iphone