

**TOWN OF SKANEATELES  
PLANNING BOARD  
MEETING MINUTES  
May 16 2023**

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

Chair Kasper opened the meeting at 6:30 p.m. The meeting minutes of April 18, 2023 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

**WHEREFORE**, a motion was made by Chair Kasper and seconded by Member Marshall to approve the minutes as corrected. The Board having been polled resulted in the affirmance of said motion.

**RECORD OF VOTE**

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

**Continued Review –Site Plan Review**

Applicant: Derek Smith  
843 Crow Hill Rd  
Skaneateles, NY  
**Tax Parcel #024.-01-36.0**

Present: Forest English-Loeb, Clean Energy Consultants

There are no changes to the proposed site plan. The applicant will be removing the stumps down to grade in anticipation of the solar installation. Chair Kasper said that the lot is located off the road, and it is unlikely the solar array location will be seen by anyone.

**WHEREAS**, a motion was made by Chair Kasper and seconded by Member Holbein, 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 Member Jill Marshall and seconded by Member Jonathan Holbein, and after a unanimous affirmative vote of Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application for a minor site plan review, with the following conditions:

1. That 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 PV-1 through PV-14 and Narrative dated March 9, 2023 prepared by Alternative Power Solutions of NY, LLC be followed in all respects; and
4. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
5. That the Codes Enforcement Officer verify placement of the solar array for conformance to the site plan in lieu of an as-built survey.

**RECORD OF VOTE**

Chair	Donald Kasper	Present	[Yes]
Cochair	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: Winding Way Association  
 c/o Mark Schwab  
 PO Box 281 Properties: Various  
 Skaneateles, NY **Tax Parcel #Various**

Present: Mark Schwab, President of Winding Way HOA; Rudy Zona, RZ Engineering, PLLC

There are no proposed changes to the site plan. Mr. Zona said that there were areas noted by the board at the site visit that will be addressed at a different phase for the last piece of the watercourse remediation. There is a pending application with the ACOE and the application for funding has just opened today although they do not need ACOE approval to obtain the funding. Mr. Schwab said that the funding is rated on various attributes of the project and Chair Kasper noted that as this project affects Skaneateles Lake, it should rate higher since the lake is a drinking water source. Mr. Camp commented that he has reviewed the plan and did not have any issues with it. Any modifications to the plan in response to NYSDEC requests would be minor and not affect any Planning Board approvals.

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:

1.

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	

**WHEREAS**, a motion was made by Cochair Hamlin and seconded by Member Marshall, the Planning Board classified this application an Unlisted Action and reviewed the Applicant’s Short Environmental Assessment Form under SEQR, evaluating each of the criteria set forth in Part II, upon which the board 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.

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made by Chair Donald Kasper and seconded by Member Jill Marshall, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the Site Plan, 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; and
2. That the Site Plan C-0 through C-5 dated April 7, 2023 prepared by RZ, Engineering PLLC, and Narrative dated April 10, 2023 prepared by Mark Schwab, Winding Way Association President, be followed in all respects; and
3. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$1000; and
4. That the applicant will ensure that all comments from the City of Syracuse Water Department be addressed, reflected in the appropriate site plan, and be fulfilled, with copies submitted to the Town; and

5. That the Applicant shall obtain all necessary permits and approvals from the NYSDEC, ACOE, and any agency or authority having jurisdiction over the Property or Application; and
6. The Planning Board waives the requirement for an as-built survey for this project.

**RECORD OF VOTE**

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

**Continued Review-Amendment Special Permit**

Applicant:	Christopher Nulty 62 Woodcliff Terrace Fairport, NY 14450	Property: 2699 East Lake Rd Skaneateles, NY 13152 <b>Tax Map #037.-01-04.0</b>
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Present: Christopher Nulty, Applicant;

Submitted was a revised site plan that reflects the shed being reduced to 80 square feet and the installation of the grass strip in the driveway. The Zoning Board of Appeals had approved the two variances; an increase in impermeable surface coverage to 11.6% and the increase in total footprint for the lot.

**WHEREAS**, a motion was made by Chair Kasper and seconded by Cochair Hamlin, 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 action, not subject to further SEQRA review The Board having been polled resulted in the unanimous affirmation of said motion.

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made by Chair Donald Kasper, seconded by Member Jill Marshall, and upon an affirmative vote thereon as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application, and amends the Approving Resolutions, with the Approving Resolutions remaining in full force and effect except as amended hereby, with the following additional conditions:

1. That the Special Permit/Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. That the applicant shall obtain a zoning permit from the Codes Enforcement Officer prior to any work commencing on the property; and
3. That Site Plan 1 of 3 through 3 of 3 and Narrative dated April 26, 2023 submitted by Christopher Nulty, be followed in all respects; and

4. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
5. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance for the Property be fulfilled; and
6. 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
7. That the approval is subject to all other conditions set forth in the Approving Resolutions of November 21, 2017, January 21, 2020, and October 20, 2020 pertaining to this Property, which remain in full force and effect except as amended herein.

**RECORD OF VOTE**

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

**Sketch Plan-Site Plan Review**

Applicant: Gabriel Rojas  
 2005 Coon Hill Rd  
 Skaneateles, NY 13152  
**Tax Map #035.-02-07.0**

Present: Forest English-Loeb, Clean Energy Consultants

The applicant is proposing a 11.4kW ground mount solar array for the existing dwelling, with additional conduit laid for a future connection to the cottage. There will be no battery storage on the property. Member Marshall noted that there is a federal wetland on the property although it is not near the proposed location for the array. Mr. Camp said that generally, smaller solar arrays systems can be installed in wetlands without additional permitting. Mr. Brodsky inquired on the height of the solar arrays and Mr. English-Loeb said that the maximum height would be 11 feet. Mr. Brodsky asked about the spacing between the panels and Mr. English-Loeb said that there is a 1/3 inch gap between the panels. He continued explaining that location of proposed arrays was previously farmed, and they will be using 80 inch helix ground screws for the uprights.

Mr. Brodsky inquired what can grow under the solar array that is almost 600 square feet. Member Marshall asked if there were any photos to show the location and Mr. English -Loeb suggested that Google maps street view can provide some guidance. Mr. Brodsky inquired about screening along the road and Mr. English-Loeb said that they do not want to add screening along the road as it would block the sun. There has been some tree removal on the property. A site visit will be conducted on Tuesday, May 30, 2023 beginning at 5:30 pm.

**Sketch Plan-Site Plan Review**

Applicant: Gary Shanley  
The Crusader Rev. Trust  
2969 East Lake Rd  
Skaneateles, NY 13152  
**Tax Map #039.-01-21.0.0**

Present: Robert Eggleston, Eggleston & Krenzer Architects

The applicant is proposing a permanent dock for the property that would be 384 square feet. The site plan reflects the water perimeter and depth study. A variance is being pursued for the increase in shoreline structures based on the existing code. The Zoning Board of Appeals has scheduled a public hearing on June 6,2023 for the variance request. A site visit will be conducted on Tuesday, May 30, 2023.

**Sketch Plan-Site Plan Review**

Applicant: Daniel Hagen  
1011 The Lane  
Skaneateles, NY 13152  
**Tax Map #050.-01-26.0**

Present: Daniel & Ann Hagan, Applicants; Robert Eggleston, Eggleston & Krenzer Architects;

The property was redeveloped in 2001 and had received a variance for 13.3% impermeable surface coverage variance. Proposed is a detached three level garage that would have storage below and a bonus room above the ground level. The driveway will be reshaped to reduce the existing coverage of 13.4% to the approved 13.3%. There will be retaining walls added to the east side of the proposed garage and flanking the sides of the lower level of the garage. The garage will be designed to match the existing dwelling on the lot.

There is a large septic system on the property and the bioswale is designed to meet one half of the total stormwater drainage. The roof gutters from the proposed garage will be managed by the bioswale. The house gutters are directed to an existing drainage system that drains to the ditch on the north adjacent property.

There will be no plumbing in the structure. Member Winkelman asked what the gravel area is in the backyard and Mrs. Hagen said that it used to be a playground that has been converted into a fire pit and fenced in dog area. Neighbors to the west and east have submitted letters of support. A site visit will be conducted on Tuesday, May 30, 2023.

**Sketch Plan-Site Plan Review**

Applicant: John & Dessa Cico  
2873 West Lake Rd  
Skaneateles, NY 13152  
**Tax Map #051.-02-16.0**

Present: John & Dessa Cico, Applicant;

In 2021 the applicant had received Planning Board approval for an attached garage with living space above, the east porch enclosure and the addition of a northern porch. The approval expired in November 2022, and the applicant is now proposing a site plan that is modified from the original proposal. Proposed is a porte-cochere, enclosing the east porch for a mud room, and added a north porch to the dwelling. The porte-cochere will be located further from the existing stream located to the south of the dwelling. A site visit will be conducted on Tuesday, May 30, 2023.

**Amendment Request- Special Permit**

Applicant: Pat Delmonico  
2556 West Lake Rd  
Skaneateles, NY 13152  
**Tax Map #054.-01-01.0**

Present: Robert Eggleston, Eggleston & Krenzer Architects;

The original approved project was to build up the rock walls along the southern shoreline to help control erosion, the addition of a patio, and a future dock. The amended request is to substitute the approved patio with a deck that would be partially over water, and a permanent dock that extends out 26 feet beyond the 12 foot deck in addition to the approved rock walls for erosion control. A seasonal dock will be utilized beyond the permanent dock to achieve four feet water depth during low water. The total shoreline structures will be conforming at 598 square feet. The NYSDEC permit is pending on this project, and it is anticipated that the retaining wall work will be completed this year with the permanent dock installed next year.

The water perimeter is shown on the site plan and reflects that it is under 4000 square feet and includes the NYSDEC 10 foot setback for berthing and docking. The seasonal dock has a platform on the end for easier egress from a boat. If the applicant chooses to convert the seasonal dock to a permanent dock, then approval will be obtained from the board. A site visit will be conducted on Tuesday, May 30, 2023.

**WHEREAS**, a motion was made by Chair Kasper and seconded by Member Holbein, 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. The Board having been polled resulted in the affirmance of said motion.

**WHEREFORE**, a motion was made by Member Marshall and seconded by Member Holbein to waive the requirement for a public hearing as the requested modifications are consistent with the terms of the prior approval and does not represent a substantial change. The Board having been polled resulted in the affirmance of said motion.

**Informal Discussion-**

Butter Farm Association  
c/o Stephen Ladd  
1027 Butters Farm Lane  
Skaneateles NY 13152

Property:  
Butters Farm Lane-Vargason Trail  
Skaneateles NY 13152  
**Tax Map#045.-02-42.0**

Present: Don Kasper, Butters Farm Homeowners President:

Chair Kasper recused himself from the board to represent Butters Farm Association. Member Marshall asked what the Butters Farm Association is requesting. Member Winkelman commented that the HOA is responsible for the Vargason Trail, and they do not want to maintain the trail anymore. The east-west portion of the trail is essential, in better shape and is used. The north south portion of the trail runs through the middle of the wetlands to the community center. This section of the trail is wet and would need a lot of improvement before it could be regularly maintained. Mr. Camp said that the site was visited at the point of high rains and recommended that the site be re-visited during the fall during dry periods.

Mr. Kasper stated that the HOA also has concerns with the dead ash trees, ticks, and wildlife. Member Marshall said that one of her concerns is that the trail was put in place instead of sidewalks, and abandoning the trail eliminates the pedestrian connectivity. Trails and sidewalks are developed over a long term, and she did not recommend that the trail be abandoned. Member Winkelman inquired what the options would be including the possibility of sidewalks along Route 321 with a public sidewalk. Mr. Kasper said that putting in a sidewalk would be expensive, and the HOA would not be able to afford it. Mr. Brodsky suggested that there may be citizen groups that could assist with the maintenance of the trail. Member Winkelman said that although there is no existing sidewalk on Route 321, the road is heavily used by automobiles, runners, and walkers alike. If there was a sidewalk to connect the private drive in the Butters Farm subdivision and on to the trail then down Jordan Road.

Mr. Kasper said that the HOA does not want to abandon the existing easements including the easement through the State Street private driveway to the trail. Member Marshall suggested that the HOA keep the trails open, because if the trail is closed it is unlikely that it would be re-opened. Mr. Kasper said that because of the HOA liability, they want to put up signs that say that the trail is closed. Member Winkelman suggested that the north south trail could be closed, and the east west trail left open and maintained.

Mr. Eggleston said that he was part of the original subdivision and that the comprehensive plan calls for trails and not sidewalks in the town. Sidewalks are meant for villages where they are plowed and maintained. The HOA was required to maintain the trail as part of the subdivision approval, and they let the maintenance lapse for 10-15 years. We should build up and develop access for trails in the town. The original wood and mulch design was NYSDEC acceptable for going through a wetland, but it was not maintained. He continued saying that the only way you could put a trail or sidewalk along Route 321 in by getting approval from private property owners due to the road and the ditches.

Member Marshall reiterated that if the trail closes, it will never re-open. She continued saying that when she was on the trails committee, people bought property knowing that it had the railroad bed, then they were opposed to a trail on the railbed because it had been abandoned for a period. It is hard to go backwards when they are out of use. She suggested a boardwalk for the north south trail and Mr. Kasper concurred. She continued suggesting that the town could come in and help establish it. Mr. Brodsky commented that if the town takes that step there must be the surety that there will be public access. Member Marshall said that some of the kids from school would use the trail to meet up with friends that live in the development.

Counsel Molnar synopsized the conversation saying that:

- The board is in support of keeping the entire trail;
- Encouraging the town to act action to compel the HOA to maintain the trail by the clearing so that it does not overgrow;

- Maintain the east west lateral for use in all seasons;
- Maintain the north south lateral for seasonal use as it is too wet portions of the year;
- In the future, as resources become available to the HOA through dues to manage the trail system to keep it clear and consider the proposal of a boardwalk.

Member Winkelman said he is not in support of keeping the trail based on the nature of the wetland being unspectacular. Mr. Brodsky inquired if there was another location for the north south portion of the trail and Counsel Molnar commented that it would be outside of the easement corridor in the recorded document. Town Board Member Tucker stated that the Town Board was in support of keeping the trail,; however it would be up to the Planning Board. He suggested the trail remain open and that the dead trees removed. There is an existing drainage easement with funds that are collected by the town from the subdivision residents that could be increased to accumulate funds to do the maintenance and improvements. Mr. Kasper said that to do all the maintenance would be \$75,000, including the \$30,000 to \$35,000 to mulch it and remove the trees.

Member Winkelman reiterated that the wetland would remain the wetland and not waste the money on maintaining the trail. The wetland is functional for stormwater but not spectacular for the nature hiker. He continued saying that sidewalks are needed for the runners, walkers, bikers that connect to the trail going east west. Member Marshall said that they are two separate things, Sidewalks are great but do not abandon the trail and do what is possible to improve it. The purpose of the trail is for connectivity and not necessarily for the wetland to be spectacular. Creating a trail system is a slow process. Member Winkelman said that the Skaneateles Creek corridor is the place for the trail. Member Marshall said that it should not be one or the other. Mr. Kasper said that the amount of water that drains into the wetland has increased and that may not have been taken into consideration at the time of the development of the subdivision. Although the HOA had created a funding mechanism for the maintenance of the trail, they dropped it, and it can be reactivated.

Member Winkelman asked what material is being used on the east west portion of the trail. Mr. Kasper said that it had been mulch in the past, but there is nothing there now. Member Winkelman said that attention should be placed on the east west portion and that is where the money should be spent. Mr. Camp reminded that board that the HOA is required to maintain the entire trail system. Mr. Brodsky said that this discussion is in front of the board to determine if the subdivision condition of the trail should be kept, modified, or abandoned. Counsel Molnar commented that the north south portion could be modified for seasonal use. Member Marshall recommended that the HOA work with the town to get a long term solution for the north south portion of the trail to allow a year round use with a boardwalk, or relocation of the easement for the trail. Cochair Hamlin said that he agreed that it is a reasonable position to take as a recommendation to the Town Board. Town Board Member Tucker commented that the wetland was drier during this recent site visit compared to the visit he had conducted in April of last year. Mr. Camp suggested that the board visit the trails in August or September to see the trail system during the drier period.

Member Winkelman suggested that the east west section could be paved, and Mr. Kasper said that it would require NYSDEC review and permitting. Mr. Camp said that may be a better idea for the north south portion so that it could dry between storms, and be usable more quickly, although the NYSDEC may not approve paving in a wetland and would support a boardwalk. There are a few parts that are wet in the north south portion that could have a boardwalk and there is plenty of areas of the north south trail that is dry. Town Board Tucker said that they are a lot of trees that need to be removed along the trail.

**WHEREFORE**, a motion was made by Member Holbein and seconded by Member Marshall to authorize Counsel Molnar to draft a position and recommendation paper to the Town Board. The Board having been polled resulted in the affirmance of said motion.

**RECORD OF VOTE**

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

The draft will be shared with the board prior to submission to the Town Board. Chair Kasper returned to the board.

**WHEREFORE**, a motion was made by Chair Kasper and seconded by Member Winkelman adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 7:53 p.m. as there being no further business.

Respectfully Submitted,  
Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston	Rudy Zona	John Cico	Dessa Cico
Mark Schwab	Mark Tucker	Daniel Hagen	Ann Hagen

Additional Meeting Attendees (Zoom):

Kim Beckeman                      Forest English-Loeb    Chris Nulty