

**TOWN OF SKANEATELES
PLANNING BOARD
MEETING MINUTES
September 19, 2023**

Donald Kasper
Douglas Hamlin
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 August 15, 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 submitted. The Board having been polled resulted in the affirmance of said motion.

RECORD OF VOTE

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

Discussion

The Planning Board discussed the option of having the public hearing portion of an application before the SEQR determination is conducted and determined that going forward, applications will be processed in this fashion.

Continued Review-Site Plan Review

Applicant:	Self-Storage Route 321, LLC	Property:	
	Matthew Slade		
	4004 Box Car Lane Dr		4437 State Route 321
	Syracuse NY 13219		Skaneateles, NY 13152
			Tax Map #022.-01-12.3

Present: Matt Slade, Representative

At the site visit the board had expressed concern with the excess fill that will be generated on site. The applicant discussed this with his engineer and said and the excess fill will be incorporated into the drainage facility on site.

Mr. Camp commented that the stormwater plan is a continuation of the previous concept, and the grading plan shows the application of the additional fill on site as reasonable. Chair Kasper said the site is well maintained. Member Winkelman inquired about the storm event capacity of the facility and Mr. Camp said that it follows the DEC guidelines for 1-10-100 storms.

Member Marshall asked who the neighbor is to the south of the new buildings and Chair Kasper said that it is open agricultural fields.

At this time, Chair Kasper opened the Public Hearing and asked if there was anyone in favor, against, or have any other comments.

John Morris, 4409 State Street Road, asked if the capacity for stormwater will be increased as they are adding more blacktop and buildings behind his house and Chair Kasper said that the stormwater plan has been modified to address the expansion. Mr. Morris asked if there will be additional screening provided to the east of the new buildings similar to what was done before. He continued saying that he can see the lights on the buildings now and would like to have the trees to screen the lighting.

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

Chair Kasper inquired as to what type of trees are planted there and Mr. Slade said that he thought they were Canadian Norway spruce. He continued saying that they can extend the trees so that they are also east of the length of the new buildings. Chair Kasper asked about the existing lighting and Mr. Slade commented that they are night sky compliant and on dusk to dawn. Member Marshall asked if they could be motion sensitive and Mr. Slade replied that the lighting is on for the security cameras, and the hours of operation are 24/7 for the facility.

WHEREAS, a motion was made by Cochair Hamlin and seconded by Member Winkelman, the Planning Board re-adopted the SEQRA review that was conducted on the proposed Major Site Plan on July 18, 2006 with a Full Environmental Assessment Form, and a negative declaration was determined at that time, which prior determination was reviewed over time in connection with the Prior Approvals, in consideration of this Amendment Application. The Board having been polled resulted in the unanimous affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Cochair Douglas Hamlin and seconded by Member Jonathan Holbein, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the Amendment Application with the following conditions:

1. That the revised Site Plan C-1 through C-4 dated September 11, 2023 prepared by RZ Engineering, PLLC that is approved for the Project shall be followed in all respects for the construction of buildings and improvements including expansion of the drainage facility, and
2. That conifer plantings be continued in the same manner and spacing along the eastern side of the proposed buildings to provide screening; and
3. That all exterior lighting shall be night sky compliant; and
4. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$250 for engineering review; and

5. Except as modified hereby, the conditions set forth in the Prior Approvals remain in full force and effect: and
6. An as-built survey including impermeable surface coverage calculations is required to be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the 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-Site Plan Review

Applicant: James Nocek
 2856 County Line Rd
 Skaneateles NY 13152

Property:
 2433/2413 West Lake Rd
 Skaneateles, NY 13152
Tax Map #055.-03-13.1&13.2

Present: Jim Nocek, Applicant;

Proposed is the merger of the lot into the Anyela’s property and to expand the event center use to include the historic barn. The barn would be restored with a deck added and connected to the Anyela’s path system. Special wine events would be held during May through October at the barn with temporary bathroom facilities brought in. Parking for any event would be located on the existing Anyela’s property.

Chair Kasper shared photos of the historic barn and the farm entrance that would provide emergency access to the barn. He suggested that the brush should be removed to provide better visibility and Mr. Nocek said that it was their intention to remove it and replace it with a low hedge. The walkway from the main lot will remain natural and they have no intention to stone or pave it.

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

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

Member Hamlin questioned about the handicap access to the barn. Mr. Nocek explained that parking would be up at the main lot with the staff bringing the person(s) down by means of a golf cart. Alternatively, a person could bring down their vehicle with a turnaround by the barn, Chair Kasper said that the plans indicate that there will be a deck and inquired if the design included in the site pan was the final design. Mr. Nocek said that there will be some trees removed to provide the vineyard/barn connection. Cochair Hamlin suggested that the applicant would need to come back to the Planning Board if there were any substantial changes to the plan submitted. Mr. Brodsky asked if a landscape plan had

been developed and Mr. Nocek said that right now their focus is just on the connectivity of the path to the historic barn. Mr. Brodsky added that his concern was the landscaping in connection to the driveway. Mr. Nocek said that they are not looking to develop the driveway access but have it available for emergency vehicles. There will just be a lower hedge to replace the brush in the area.

WHEREAS, a motion was made by Cochair Hamlin and seconded by Member Winkelman, the Planning Board re-adopted the SEQRA review that was conducted on the proposed Major Site Plan on February 27, 2007 with a Full Environmental Assessment Form, and a negative declaration was determined at that time, which prior determination was reviewed over time in connection with the Prior Approvals, in consideration of this Amendment Application. The Board having been polled resulted in the unanimous affirmance of said motion.

WHEREAS, the Board adopted and ratified its findings of fact and conclusions supporting the Major Special Permit, as heretofore modified, attributing said findings and conclusions to the Current Amendment Application.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Chair Donald Kasper and seconded by Cochair Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Current Amendment Application and Merger Request with the following conditions:

1. That the Site Plan SP-1, S1 through S2, with the revised date of August 3, 2023, prepared by Guy Donahoe, licensed architect; and narrative dated July 28, 2023, prepared by Dr. James Nocek, be followed in all respects; and
2. That the brush between the existing barn and emergency access drive is removed and replaced with a low hedge to provide sufficient road visibility; and
3. That any modifications to the approved site plan shall require an amendment request to be submitted by the Applicant, and approval be obtained from the Planning Board; and
4. That the rehabilitation of the existing historic barn requires a building permit from the Town and must meet the New York State building code regulations; and
5. That the farm trail and walking path be maintained as a grass permeable surface; and
6. That except as modified hereby, the terms and conditions of the Major Special Permit, as heretofore amended, shall be strictly complied with; and also apply to the merged portion of the expanded lot.

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-3 Lot Subdivision

Applicant: Skaneateles Park East LLC
Patricia Uritis
9118 Mount Pleasant Drive
Reno, NV 89523

Property:
1551 East Genesee St
Skaneateles, NY 13152
Tax Map #032.-03-20.0

Present: Patti Uritis, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The applicant had received site plan approval for the development of a single family dwelling in the IRO district on this property that has an existing office building. As the applicant was attempting to acquire a loan for the construction of the dwelling, they were informed that a loan could not be obtained on the property that has the office building. The applicant is proposing a three lot subdivision with Lot A at 3.25 acres with the existing office building; lot B at 2.7 acres with he approved single family dwelling ; and lot C of 2.3 acres of vacant land for eventual residential development. The existing road access to the property connects to the existing drive leading to the approved future single family dwelling and lot C. The existing road easement is 50 feet, and it will narrow to 40 feet as it enters lot B. Septic approval has been received for lot C.

There will be a trench drain placed at the west side of the driveway to capture stormwater before the end of the property. Mr. Camp said that the drainage plan works well and was similar to the prior approved plan. There will be private water with separate pits for each of the properties. Mr. Camp said that the elevation change is minimal, and it can be accomplished; beyond the meter pit the lot owner is responsible for the maintenance of the water line. Member Holbein asked if lot C will need an access easement for the emergency turnaround. Mr. Eggleston said that it could be included in the shared access of the driveway as the likelihood is that the house would be located towards that end of the driveway.

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

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

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. The property has had prior SEQR review in 2002, 2015, and again in 2022 (Type II action). In evaluating each of the criteria set forth in Part I as submitted by the applicant:

Question 15 Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered, The applicant indicated Monarch butterfly, Indiana Bat if hickory trees are on site.

He then recommended that the board review part II with consideration to the answers in part 1. There are also materials available to the board for review with the NYSDEC handbook for review part II if necessary. 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? This is a simple subdivision consistent with Zoning and the Comprehensive Plan and does not require variances.	X	
2. Will the proposed action result in a change in the use or intensity of use of land? Small, as a single family lot is being created.	X	
3. Will the proposed action impair the character or quality of the existing community? There is a mix of residential and commercial properties in the IRO district.	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a CEA? The town does not have CEAs.	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? Traffic created from two lots is minimal. A sidewalk easement will be created for connectivity in the eastern gateway.	X	
6. Will the proposed action cause an increase in the use of energy, and fail to incorporate reasonably available energy conservation or renewable energy opportunities? The two new lots would not be a significant increase.	X	
7. Will the proposed action impact existing public/private water supplies and/or public/ private wastewater treatment utilities? The lots are in the water district with capacity available and will be on private wastewater.	X	
8. Will the proposed action impair the character or quality of important historic, archeological, architectural, or aesthetic resources? The properties are set back from the road and there are no historical or aesthetic features in the area.	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)? The lots will contain their own drainage system and the lots are not within 100 feet of wetlands. There were no trees removed for the construction of the dwelling and all construction will occur during the non-habitat period for the Monarch Butterfly and Indiana Bat.	X	
10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? A stormwater plan has been designed for the property and at the site visit it was noted that it was dry land.	X	
11. Will the proposed action create a hazard to environmental or human health? There will be one additional dwelling.	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.

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

1. Final Plan Skaneateles Park East Subdivision dated August 25, 2023, prepared by Paul James Olszewski, P.L.S. ("Final Plat" or "Subdivision Map"); and
2. Sketch Plan prepared by Robert O. Eggleston, Licensed Architect, 1 of 1 dated July 26, 2023; and Narrative, revised dated July 6, 2023 by Robert O. Eggleston, Architect ("Sketch Plan").

WHEREAS, upon review of the Subdivision Map, the Board concurs that it fulfills code requirements, reflecting three subdivided lots under consideration, with Lot A consisting of 3.2 +/-acres with existing office building, parking, and a portion of the driveway; Lot B consisting of 2.7 +/-acres of vacant land with an approved site plan for a residential structures and continuing driveway; and Lot C consisting of 2.3+/- acres of vacant land for future development.

NOW, THEREFORE, upon a motion made by Member Jill Marshall, seconded by Member Jonathan Holbein, and upon the affirmative vote of all Members present, as set forth in the Record of Vote referenced below, the Skaneateles Planning Board approves the Subdivision Map for the Skaneateles Park East Subdivision, subject to the following conditions:

1. The foregoing recitals are incorporated herein as if set forth at length;
2. That the Applicant and its professionals shall submit drafts of the Private Driveway and Utility Easement and Maintenance Agreement, (the "Recordable Documents"), for review and approval by 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 Subdivision Map; and
3. That development of the Project, according to the Subdivision Map, Sketch Plan and the Recordable Documents shall be fully complied with by the Applicant, at no cost to the Town; and
4. That one mylar and five copies of the Subdivision Map shall be submitted for signature within six months of the filing of this decision, and that Chair is authorized to sign said Subdivision Map, subject to fulfillment of applicable conditions herein; and
5. That the Subdivision Map shall be filed with the office of the Onondaga County Clerk within sixty days of the signing of the Subdivision Map and proof of said filing shall be submitted to the Planning Board; and
6. That the applicant will follow all NYSDEC guidance to prevent harm to native species at risk; and

7. That any necessary tree clearing be performed between November 1 through March 31; and
8. That the Applicant shall obtain all necessary septic approvals from the Onondaga County Department of Health; and
9. That the Applicant will cooperate with any future eastern gateway plans and consents to granting a ten foot sidewalk easement to the Town of Skaneateles along Route 20; and
10. The Applicant shall obtain all necessary approvals from any other agency or authority having jurisdiction over the Property or Project, including the Town Water Department, and build all required infrastructure including, but not limited to stormwater drainage facilities, and the private shared driveway, where depicted and as set forth on the Subdivision Map and/or Sketch Plan; and
11. That proposed Lot C will require Site Plan Approval for any residential development.

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]

Public Hearing Continuatnce-2-lot Subdivision & Lot Line Adjustment

Applicant:	Dan Goetzmann	Property:	
	Eric Goetzmann		Gully Rd
	1677 Lancelot Place		Skaneateles, NY 13152
	Skaneateles, NY 13152		Tax Map #032.-01-01.0 & 033.-01-18.0

Present: Eric Goetzmann, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

On September 8, 2023 supplemental information was submitted to the town. A letter from Scott Livingston, wetlands operations manager and certified hydrogeologist, concluding that the property contains no potential wetlands based on his observation at the site. The DEC can send someone out to verify wetlands or you can contract within a certified professional to determine if there are any areas that may be wetlands. It is not illegal to build in a check zone. Member Winkelman said that the wetland is located down to the big farm parcel to the west and Mr. Eggleston concurred.

There is a letter from Keith Dart, Dart Tree Service, who is a local forester and found no shaggy bark hickory trees on site. There is also no milkweed found on site as it is an existing forested site that cannot support milkweed, a food source for the Monarch Butterfly. In addition, any tree harvesting, and removal will occur after the period when both Monarch Butterflies and Indiana Bats have migrated. They will be following NYSDEC protocol for work performed during the period when any endangered species have left the area.

A site plan showing the proposed location of the dwelling and septic for the new lot, with the limits of clearing of the land under an acre and provided on the plan. There will be no tree clearing behind Ms. Huther's house. The typography indicates that the drainage will be away from the south and will be directed to the proposed bioswale to catch the runoff from the house. Silt fences will be utilized in the work area during construction.

Alternative plans have been provided with alternative plan A showing the Huther preference having the driveway through Dan Goetzman's property which would increase the impermeable coverage to a nonconforming level on this lot as it would also require fire truck turnouts as well. Alternative plan B reflects the original proposal for the driveway with the newly created lot extending a 30 foot strip to Lancelot Place allowing the driveway to be located eight feet from the property line. The current plan complies with the zoning and subdivision codes and fire safety requirements. Chair Kasper inquired if any trees will be left inside of the red line of disturbance and Mr. Eggleston replied that they may be some kept. Chair Kasper asked about the land between Dan Goetzman's residence and the proposed residence. Mr. Eggleston said that they will maintain the trees there and will not remove trees on the eastern strip, just clear out dead branches and brush.

Member Winkelman asked about the portion of the driveway that will be part of the new lot. Mr. Eggleston explained that as part of the lot line adjustment, the section of the driveway would be part of the proposed lot and there is a triangular portion of the proposed lot on the west side that will become part of the Dan Goetzmann lot. The rectangular notch does allow the new residence to connect to the public water system. Dan Goetzmann's lot is a nonconforming lot that will not change in lot size with the lot line adjustment. Mr. Eggleston explained that the original proposal had the proposed lot having a 30 foot strip of land down to Lancelot Place, and if the board prefers that design, the applicant is amenable to it.

Member Marshall asked why the lot is designed to have a 30 foot leg of land that is located behind the houses on Lancelot Place. Mr. Eggleston explained that the Goetzmanns and the Richards came to an agreement for the acquisition of five acres, and the 30 foot strip gets the applicant closer to achieving a five acre lot. The 30 foot strip will still be under an easement with the Richards having the right to manage the hedgerows. Member Marshall asked about the house location and Mr. Eggleston shared the location on the site plan and said that the location of the septic system is downhill from the proposed dwelling facilitating a gravity fed septic system.

Chair Kasper continued the public hearing and invited any who would like to speak.

Chris Bruna, 1711 Lancelot Place, the panhandle to the east should be removed from the plan as the applicant is not achieving 5 acres with it anyway. It would be cleaner to have the lot from the corner between the Huthers and the Goetzmanns straight to the north making it a standard square. Chair Kasper explained that the board does not design lot shape and cannot tell an applicant that they cannot propose it. Mr. Bruna said that there is a hidden agenda for that strip. He asked about the water pressure in the area. Mr. Camp stated that there was piping improvements completed in the village several years ago that improved the water service at this part of the town and other parts of the town. A flow test was conducted on the system after the improvement was made. The public portion of the system now meets the minimum requirements for the ten state standards for pressure performance. Chair Kasper commented that anything after the public portion of the water line the town does not have control. Mr. Bruna asked if he could put in a booster pump and Mr. Camp said that it would need to be approved by OCDOH and that it is unlikely they would approve it.

Mr. Camardo Jr., attorney for Ms. Huther, said that there is still a lot of problems with the SEAF with a lot of unanswered questions. On September 7, 2023, a document was submitted from the DEC website attached to the papers that talked about how you have to contact the DEC and he does not understand what the push back is about not contacting them. It does not say that. You also have to have ACOE regulations and to check with them as it could be on their wetlands maps. There are two sets of wetlands maps. I have not heard that anyone checked with the DEC or ACOE that has 500 feet adjoining areas. Not just from the wetlands but 500 feet outward. Nobody has done anything about that. It is their application, and they should come forth and satisfy everybody. And that is incredibly significant. They are hedging and there are a lot of unanswered questions. On September 8th they attached the Dart Tree Service research who went to look at trees, big deal. The SEAF says that there are bats out there. They have an obligation to come forth and say how they are going to mitigate the situation. Not just build in November when the habitation period is over, because they could hide in dead trees. Are there any dead trees and has anyone looked; not just the shagged bark hickory trees. In my letter it says that if bats are found then they should be identified. What trees are being removed and there should be some surveys out there. Even when the trees are taken down, the DEC talks about when the bats come back. The areas they were in should be mitigated for when they come back. You cannot randomly take everything down. A biologist should be gotten to address the concerns. They want the board to go ahead and start voting on things. The board has to go through section 2 and answer the questions. How can you answer the questions when you don't have answers. The DEC and ACOE says it is okay. I just do not get it. If there is nothing to hide put it on the table and I have nothing to complain about. If you go ahead and vote then article 78 will happen to force this to court. I would say that the SEAF has not been properly complied with and you cannot go through part 2 and say, 'whether the proposed action will not create a hazard to environmental resources or human health' and say no or say moderate. You do not have the answer to it because it has not been provided in the documentation. This should not be ramrodded through. If you do find it, is the impact significant. I have given the documentation that ought to be followed from the Indiana Department of Transportation website. Where the bats hide during hibernation periods, what you should do, as stated in the management documentation from the Indiana Department of Transportation. The most vulnerable period of the life cycle of the Indian bat is during winter hibernation and this is in the documentation that was provided by the architect. I am taking criticism that I am misrepresenting this, but he did not create this. The board can do what they want but he does not think there is enough documentation. There was no biologist, are there bats out there or no bats out there.

Kevin Huther, son of Ms. Huther, said that he seconds the concerns mentioned by Mr. Camardo. The response for an alternative driveway going between Craig and Dan Goetzmann's houses is a circuitous route to exceed the impermeable surface coverage of 15%. We can provide an alternative as it is a pretty straight shot over the gas line easement, bypassing the septic system, a slight turn, then straight into the woods. The driveway does not need to be on his mom's side of the property as it will devalue her property, and Dan is not devaluing his own property. This should be explored more and not oh we cannot do it because it is going to come within 25 feet of Dan's door. You don't need shared access on the drive. For two brothers that are trying to take care of their mom's housing situation, this whole thing is disingenuous. Chris Bruna said that the design was made for a tv moment as it could come off Knightsbridge and go around the property. Mr. Huther said that the emergency vehicle bypass is a non-issue at that point. Chair Kasper clarified that driveways over 500 ft required emergency pull outs and turnaround. Mr. Camp commented that a driveway between the septic field and the house would be over the septic wastewater pipes.

Ms. Huther, 1705 Lancelot Place, said it would not go between the septic and the house and came up to the board to explain how the driveway would go around the property.

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

Mr. Eggleston said that the driveway they have presented is their preference and that the proposed driveway is the most efficient design that meets the code requirement. More trees would need to be removed to reach the location for the house. It is not Huther's land; it is Goetzmann's land. They are being upfront and honest in the negotiations of the lot with the inclusion of the panhandle. A more rectilinear lot with agricultural land and an easement would be possible only if the Richards were amenable. Mr. Camardo submitted his letter on September 15, 2023, after the Planning Board's date of September 8, 2023 for submissions. Mr. Camardo acknowledged that his submission was in a timely fashion. The wetlands determination was done within the DEC procedures, and they are creating an issue that does not exist. The DEC does not say shall in their instructions. While Ms. Huther said she saw bats, she did not define what species as there are more than eight species in the area. The neighbor talks about putting the driveway twenty feet off the property line that would negatively impact their property value but did not supply any appraisals to support that claim. The driveway and proposed dwelling comply with all of the zoning requirements, and they are simply looking to find a home for the applicants' mom. Ms. Huther said that she does not see how it is taking down more trees and it might be taking down fewer. The trees are coming down either on one side or the other.

Chair Kasper said that the board has the zoning codes to follow and use common sense and safety in consideration in reviewing applications. Member Hamlin said that Mr. Camardo's letter indicated that the primary issue is the driveway as the last statement in the letter is that if the driveway is moved then the other issues go away. He asked what the concerns are regarding the driveway. Ms. Huther stated it would disrupt the landscape, because she has lived in her house for 45 years, they would be taking down trees, and she does not want traffic next to her house. It would be intrusive for her as she looks outside of her second floor bedroom window, and she would see the tops of cars going by. Cochair Hamlin said that the board could consider screening and Ms. Huther said that it is a problem as in winter it is brutal. You can put trees up too far because you cannot go over the easement. It would have to start at the turnaround and could go up to the woods for screening. She continued saying that she has tried snow fencing and the snow just comes over the top and dumps. Her snowplow person has to plow her driveway and next to the driveway on the grass so that she can get out for big storms. Chair Kasper reiterated that the board has to consider the zoning code and take all of the information to make their decisions.

Counsel Molnar inquired if the applicants are amenable to having a conservation easement for the benefit of the town in addition to the Richards over the 30 foot easement area. The panhandle will be in control of the Richards and subject to easement for agricultural maintenance. Mr. Eggleston said that although he has discussed that option with his clients, he would think it would be yes. Mr. Goetzmann said he was in agreement with it as there is no hidden agenda. Counsel Molnar said that with the conservation easement with the town that would conclude that discussion.

Counsel Molnar said that the applicant has indicated that they have no interest in clearing the balance of the property and asked if the applicant would consider a conservation easement over that portion of the lot. Mr. Eggleston said that there was some discussion of a storage barn on the property in the future, so

they are not prepared to agree. They would agree to requiring site plan review if there was any additional development of the property even though it is not required.

Lastly, Counsel Molnar asked if the applicant would consider screening if the driveway is located next to the Huther property. Mr. Eggleston said that they were agreeable to that, and it could be evergreens.

Counsel Molnar discussed with the board that SEQR was rescinded, there is now a closed public hearing record, additional information has been provided by the applicant and the public, and the board has 62 days to render a decision. He recommended that based on the discussion the board could review SEQR informally so that it can determine whether or not additional information is needed, or proceed with a SEQR determination formally and run through it using NYSDEC guidance with information that has been accumulated, the NYSDEC handbook, and the sample responses the NYSDEC has offered in their handbook. That can be reviewed along with the eleven questions formally or informally. Chair Kasper recommended that the SEQR determination be held over to next month, so the board has more time to review the information and comments from the public hearing. The application will continue at the next Planning Board meeting scheduled for October 17, 2023, with The SEQR determination for this application scheduled for 6 p.m.

Sketch Plan-Site Plan Review

Applicant:	Dennis & Tracey McCarthy	Property:
	1 Sachem Drive	3241 East Lake Rd
	Skaneateles NY 13152	Skaneateles, NY 13152
		Tax Map #040.-01-08.0

Present: Dennis & Tracey McCarthy, Applicants; Adrienne Dunn, Ramsgard Architectural Design

The applicants are in the process of remodeling their home. They will be removing the existing porch and adding patios to the dwelling and a proposed detached garage. A variance is being requested for the nonconforming lake frontage. Mr. Camp inquired if there was an existing driveway on the property. Ms. Dunn stated that the existing driveway is located on the property line with the majority of the driveway located on the neighboring property to the north. They will be removing the coverage on their lot and put a proposed driveway to the proposed garage. The fire lane access to the property is located on the neighboring property to the south. The lot to the north uses an existing driveway located on the north end of their property.

Chair Kasper noted that there is no small scale stormwater management proposed for the application and suggested that one should be added as the town has been requesting them for properties in the lake watershed for the last five years. Mr. Camp offered to provide the information to the design professional. A site visit will be conducted by the board on October 3, 2023.

Special Permit Amendment

Applicant:	Gavin McCaul	Property:
	1400 E Genesee St	1590 Cherry Valley Tpke
	Skaneateles NY 13152	Skaneateles, NY 13152
		Tax Map #042.-05-03.0

Present: Robert Eggleston, Eggleston & Krenzer Architects

The applicant is requesting a special permit amendment to the 2022 approval for storage buildings for mixed use. Proposed is a 13, 200 square foot building instead of the prior proposal for two 6,000 square foot storage buildings. Instead of the overhead doors facing the road the doors will be facing west. As in the prior proposal, there will be 10 tenant spaces with uses for service businesses, automobile service station, and/or warehouse space. The north side of the building will have a 1200 square foot two story shared area for meeting rooms on the first floor and office space for the storage tenants on the second floor. Each of the tenant units will be two stories tall with the potential for each unit to have a mezzanine level; the units will also have their own restrooms. The tenants would be low customer and employee use. The name of the building would be Skaneateles Depot with a brick façade. They are in agreement with the 10 foot easement for sidewalks.

The stormwater plan has been reconfigured and enlarged. The driveway entrance permit has been obtained and has been adjusted further west than the prior approval. The septic design has been completed and the SWPPP has been prepared for the SPEDS permit. Deciduous trees will be along the street and the evergreen trees will be along the side parking area. In addition to the building there will be a permeable walkway to the building and a small patio at the northeast corner of the building for employees to take lunch or breaks. There are 17 designated parking spots and tenants could park in front of the overhead doors, as in the prior approval.

Member Winkelman asked on the size of the proposed septic system and Mr. Eggleston replied that a house is designed for 100 gallons per bedroom and offices are based on 15 gallons per person, so the use would be approximately 220 gallons and less than a three bedroom dwelling. Member Hamlin inquired on how the number of people would be limited and Mr. Eggleston said that it would be in the leases limiting the number of employees.

Chair Kasper inquired on what property the hedgerow to the west lies, and Mr. Eggleston replied that it is located on the pre-school property. He said that there is a thin spot near the side parking area on this lot so that was one of the reasons for the additional trees proposed. Chair Kasper said that there looks like there is a swale between this property and the preschool. And if there is a swale, where is it draining.

They will be creating their own bioswale and they will collecting all of the water on site. Chair Kasper said that there is a lot of fill, and the drive may be lower on the site. Member Winkelman commented that with all of the fill proposed it will push the water away from the property. The lot is located outside of the watershed. A site visit will be conducted on October 3, 2023.

Chair Kasper commented that the proposal is a substantial change and Counsel Molnar said that the board can conduct a public hearing following the zoning code requirement for the modification. Mr. Eggleston said that the change is the additional 1,200 square feet.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Marshall to schedule a public hearing on **Tuesday, October 17, 2023 at 6:20 p.m.** The Board having been polled resulted in the unanimous affirmation of said motion.

Mr. Eggleston inquired about the type of SEQR that will be conducted for this application as he has supplied the SEAF. Counsel Molnar said that the SEAR should be sufficient for the Unlisted Action. Chair Kasper requested that the estimated water usage should be provided to the board. Mr. Brodsky suggested

that a list of uses should be provided with limitations as to the type. For example, limit detail shops to one. Chair Kasper added that the board will not allow a utility trailer to be stored on site overnight. Member Winkelman said that the board needs to know where any floor drains will be, and Mr. Camp added that the drains would need to have oil and water separators.

Sketch Plan-8-lot Subdivision

Applicant:	Josh LaGrow	Property:
	57 State Street	Franklin Street Rd
	Skaneateles, NY 13152	Skaneateles, NY 13152
		Tax Map #047.-01-06.1

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

There was an informal review a couple of months ago explaining the process of reviewing the possibilities of a conservation subdivision, and they determined that a conventional subdivision is what would work for this lot. Since then there has been some preliminary engineering review for the 8 lot subdivision with each lot at 2+ acres, a road that they would like to dedicate to the town, sidewalks on the north side of the road, and drainage plans. The land has been previously farmed although the quality of the land is not the most suitable for farming. A land suitability narrative has been submitted. They have also had a neighborhood meeting so discuss the plan and hear comments and concerns the neighbors may have.

Mr. Lasell said that there have been many visits to the site and that he would like to discuss three main aspects of the plan. The entrance at the location significantly climbs uphill and there is a drainage swale that has made its way down to an existing culvert at Franklin Street. There are neighbor houses on each side of the entrance. Because of the slope they are trying to attain going up the slope with a maximum 6% grade, the proposed road will be from four feet to seven feet below the grade of the neighboring properties. This will allow the entrance to be camouflaged and reduce light pollution from any headlights. There will be two retaining walls along the access road due to the elevation change. The site distance for the road does not seem to be an issue although a formal evaluation will be conducted.

There are three major areas where the stormwater leaves the site. The biggest area is the manufactured drainage behind the existing houses on the northeast side of the property. The second path is the meandering path that drains to the culvert on Franklin Street. The final one is the existing path that is located behind the houses to the southeast when the stormwater ends up into the backyards of those properties. Those are the three main points where the focus has been regarding stormwater. Obviously, they plan will need to meet NYSDEC regulations, but the current soils are silty clay with the top layer of bare soil with a row crop. There are existing drainage issues with some dirty water flowing down with the row crops. A residential subdivision will have less run off than the current row crops, and that before they create some green stormwater infrastructure that will improve the quality and quantity or run off from the property.

There is a long linear dry swale the is preliminarily proposed to the northeast on the property that would have a filtering underdrain system. The water being collected from the roadway would be directed to this drainage facility where it can slowly be filtered and released as they do not want to take it down the driveway to the culvert on Franklin. The goal is to have less water coming off the property. Mr. Camp inquired on the location of the outlet and Mr. Lasell said that it is currently directed to an existing

stormwater pipe to Franklin Street. The culvert is between 12-18 inches at Franklin. Mr. Camp commented that the concept looks good and recommended that the storage should be oversized to help control and slow down the stormwater.

The second area they are only going to take the water that is there and create a filtering before it reaches the culvert. The north side of the road stormwater will be collected and sent through catch basins before reaching the road ditch. The southeast portion of the lot would have a long linear drainage facility. They have not completed their research to determine a discharge point on this side of the property. Although there is an existing concentrated point. They could do level spreaders of the stormwater. Mr. Camp commented that a proper outlet will need to be determined for that area instead of a bunch of level spreaders leading into backyards.

Mr. Camp said that the biggest potential issue with the proposed public road is does not meet the town road standards. Retaining walls in the right of way are not part of the standards. He continued saying that the 60 foot width does not concern him although he does not speak for the town superintendent or the town board regarding the retaining walls. Member Winkelman commented that there is no place to push the snow. Mr. Lasell said that the retaining walls would be at the easement line, with a five foot sidewalk on the north side of the road, and a 15 foot space to the south that is all pitch line with plenty of room for snow. On the north side there is four feet of space between the edge of the road and the sidewalk, and that is not significantly different in any villages sidewalk and road designs. Mr. Camp reiterated that bigger issue is the retaining walls and suggested that they talk with the town board regarding the retaining walls.

Chair Kasper inquired about water pressure in the area although the proposed water tower timing is still pending. Mr. Lasell said that he had left a message for Miranda and Shane as they have not seen any data yet on Franklin to determine if they can meet the fire flow requirements today. Mr. Camp asked about the elevation change and Mr. Lasel said that there is a 40 foot elevation change from the road from the top to Franklin Street.

Chair Kasper said that the other issue is sidewalks, and the town does not have zoning code regarding sidewalks. Member Winkelman said that the comprehensive plan talks about a walkable community and that we need to start and make it happen. The town could also consider partnering with the village and their equipment. There may not be sidewalks on Franklin but eventually there will be. Mr. Camp said that if the sidewalk is in the right of way that it will be a town board decision. Chapter 129 does provide limited guidance regarding sidewalks and that the property owner would be responsible for the repair and maintenance of any sidewalks. Mr. LaGrow said that with other surrounding communities it starts with building sidewalks and then they eventually connect. He continued saying that Franklin Street is a popular road that is used for walking and running and sidewalks for Franklin should be considered. Chair Kasper said that that would be a town board decision regarding sidewalks. Member Winkelman inquired if the project could have a private road instead of a dedicated road. Mr. Eggleston said that the subdivision guidelines would required a wider road or conversely, a conservation subdivision that does not work for the property. The goal of the subdivision is to have a village atmosphere due to its proximity to the village with neighborhood amenities. He continued saying that the town needs to consider intermediate size roads for communities that are not required to be so wide but would still be more dependable than the lanes going down to the lake. With a private road there is also the issue of establishing a HOA which does not necessarily make sense for an 8 lot subdivision.

The applicant will continue to work through some of the details and issues before they will be back on the agenda. A site visit will occur after the plan has been further enhanced.

Sketch Plan-Site Plan Review

Applicant: Stacey & Trevor Tank
3394 East Lake Rd
Skaneateles NY 13152
Tax Map #034.-04-29.0

Present: Trevor Tank, Applicant; Bill Murphy, Space Architectural Studio; Ray Falso, Contractor

Site plan review is required as the lot is located within 1500 feet from the lake line. This is a large lot with a pond in the rear of the property. The front yard of the lot flows to the lake and the back yard flows back into the existing pond. Mr. Murphy continued saying that the pond flows back watercourse recently improved by the Pajaks. There will be no changes to the drainage patterns of the site. They are look to provide a statelier presence to the dwelling with the front and rear porches to the dwelling. The second floor will have a new primary suite and gym space. The parcel is 24 acres with less than 1% lot coverage. They are look to restore the over 100 year home and augment the dwelling. The owner wants to improve the property and make it their home base. Rich Abbott is looking for additional information on the septic system although there is no plan to change the number of bedrooms. An additional bathroom will be incorporated to the primary suite. Chair Kasper said that the board has a concern with the stormwater system.

Member Winkelman said that the pond on this property drains across Pork St then to Sucker Brook. Chair Kasper said that this property is flat, and Mr. Murphy said there is a long lawn and trees in the front of the yard. Mr. Brodsky said that topography should be provided, and Mr. Murphy said that the property is flat. Member Winkelman suggested a site visit and Mr. Murphy said that he was hoping that the application could be approved tonight with conditions given after the site visit. They have a contractor that is ready to dig as they did not anticipate that site plan review would be required.

Counsel Molnar said that if the board is familiar enough with the site that a site visit in not required then the board could proceed; however, if a site visit will be conducted then it can be held over to the next month to make an informed decision. There are three septic systems on the property servicing the main dwelling, guest house and barn. A site visit will be conducted on October 3, 2023 and the application will continue next month.

Discussion

The draft shoreline legislation was discussed by the board and the board submitted suggestions.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Holbein to endorse the proposed shoreline legislation with the addition of the following recommended modifications:

The Board having been polled resulted in the unanimous affirmance of said motion.

WHEREFORE, a motion was made by Cochair Hamlin 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 9:35 p.m. as there being no further business.

Respectfully Submitted,

Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston	Matt Slade	Collin Donahoe
Chris Bruna	Eric Goetzmann	Ericka Clark
Jordan Bruna	Carol Huther	Joseph Camardo Jr.
John May	Adrienne Drumm	Tracey McCarthy
Dennis McCarthy	Josh LaGrow	Patti Uritis
Johny Morris	Ray Falso	Bill Murphy

Additional Meeting Attendees (Zoom):

Chris Buff	Kevin Huther	Scott Brothers	Mike Lasell
Mark Tucker	Michael Major	Aimee Case	