

**MEETING MINUTES
OCTOBER 22, 2012
TOWN OF SKANEATELES PLANNING BOARD**

Mark J. Tucker, Chairman
Alan Briggs
Donald Kasper
Joseph Southern
Scott Winkelman
Scott Molnar, Legal Counsel
Doug Wickman, P.C. (C&S Engineers)
Karen Barkdull, Secretary

Chairman Tucker opened the meeting at 7:30 p.m.

Amendment Request Major Site Plan

Applicant: Erica Sedberry
GTS Holdings LLC
8409 Pickwick Lane
Dallas, Texas

Property:
2595 West Lake Rd
Skaneateles, New York
Tax Map #055.-03-10.0

Present: Peter Simpson, RZ Engineers

On February 15, 2011, the applicant received major site plan approval to construct a 94,315SF private driveway on the property. The previously approved driveway route followed the tree line that forms the boundary of the open fields. The applicant would like to relocate the driveway to run through the open field. The amended location of the driveway will reduce the impermeable surface coverage by 2400SF and not affect the approved drainage plans. The applicant would like to move the drive away from the stream. The agricultural fields are currently leased for farming and would continue being farmed. Chairman Tucker stated that using the rural farming principles, the driveway should be located near the hedgerow to preserve tillable land and that when a parcel is divided into triangles it is not efficiently farmed. Chairman Tucker recommended that the driveway should come across the lot to create more usable land for farming. Mr. Simpson stated that there are low-lying spots in the existing fields that cannot be farmed easily and the proposed location of the driveway goes through these inconsistent grade areas. The low spots are proposed to be raised up to be consistent with the rest of the grade. Member Kasper stated that if the driveway were sited so that there was a sharp turn perpendicular to the entrance it could be an issue and the grade has an aggressive incline. Member Briggs suggested the plan be revised for the driveway to be squared off so that the land can be farmed more efficiently. An updated site plan with an aerial view behind the site plan line drawing, design the proposed driveway so that the driveway is in keeping with the existing farming driveway strips and squaring off the proposed driveway so that the surrounding land can be farmed more efficiently will need to be submitted.

Amendment Request – Minor Special Permit

Applicant: John Teixeira III
3029 East Lake Rd
Skaneateles, New York
Tax Map #039.-01-14.0

Present: John Teixeira, Applicant

The Teixeiras lakefront had suffered damage from the April 2011 storms and they are proposing to repair the lakefront seawall. Letters of support from the contiguous neighbors were submitted. The cross-section sketch drawing reflects that the first block is set to a depth of one foot or more to provide stability of the wall.

WHEREAS, the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes a TYPE II single family residential project, not subject to further SEQRA review; and

WHEREAS, the Skaneateles Planning Board reviewed the Narrative and site Plan and letter of support from the contiguous neighbors, and after due consideration unanimously adopted the following resolution:

WHEREFORE, a motion was made by Member Joe Southern and seconded by Member Alan Briggs to approve the Modified Application, as presented by Mr. Teixeira, and to approve the revised Site Plan dated October 19, 2012 with the narrative prepared by ESPS dated September 14, 2012 as an addendum to the Approving Resolutions, and that such prior Approving Resolutions are hereby ratified and confirmed, as amended hereby.

Upon a motion made by Member Joe Southern, seconded by Member Alan Briggs, and upon a vote thereon, the Town of Skaneateles Planning Board hereby approves the Modification Application, with the Approving Resolutions remaining in full force and effect except as modified hereby. The Board being polled resulted in the unanimous affirmation of said motion.

Sketch Plan – Minor Special Permit

Applicant: John Priest
3790 Ashworth Drive
Cincinnati, Ohio

Property:
1878 Russells Landing
Skaneateles, New York 13152
Tax Map # 063.-03-07.0

Present: John Priest & Lynne Boles, Applicants; Robert Eggleston, Architect

Mr. Eggleston submitted updated plans dated October 22, 2012 reflecting the revised setback of 10' from the originally proposed 5' setback based on conversation with the neighbors at the Zoning Board of Appeals site visit last Saturday. The neighbor to the south had expressed a desire for the proposed garage to be located further away from his property. The modification will increase the proposed impermeable surface cover by 20SF and decrease the open space by 20SF. Letters of support for the proposal were submitted by the neighbors to the north and south.

Two percent of the impermeable surface is comprised of stone and slate steps that are dry laid however do not have the correct spacing between the stones to be classified as permeable. To remove and replace the stones to comply with the proper spacing would cause more land

disturbance in a sensitive area. Removal of the existing slate patio at the top of the bank is proposed; in addition, the existing impermeable plywood steps will be replaced with permeable wood steps

The applicant is seeking variances for the proposed detached garage for side yard setback, floor space, footprint, and lot under 40,000SF. The applicant is seeking a special permit for redevelopment of a lot with proposed impermeable surface coverage over 10% and construction within 200' of the lake line.

Member Kasper inquired whether the location of the proposed garage could be adjusted closer to the road. Mr. Eggleston stated that moving the garage closer to the road would place it closer to the existing septic field.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Briggs to put this matter to public hearing subject to variance determination on ***Tuesday, November 20, 2012 at 7:55 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan – Minor Special Permit

Applicant: Larry & Lynn Meeske
3610 74th Street
Moline, Illinois

Property:
2332 Thornton Grove South
Skaneateles, New York 13152
Tax Map # 056.-03-13.0

Present: Robert Eggleston, Architect

The proposal is to modify a season residence including roof modifications and adding a second floor living space over a portion of the existing dwelling. There will no increase in the number of bedrooms to the residence. At the recent Planning Board site visit, a recommendation was made that the proposed parking area be located closer to the residence with the existing shed replaced and relocated closer to the dwelling. Impermeable surface coverage will be reduced from 25.3% to 20.2% with open space increasing from 74.3% to 76.6%.

Also proposed is a dry laid flagstone walk from the parking area to the permeable patio located within 50' of the lake yard. The shoreline structures will be increased from 113SF to 339SF and below the 400SF maximum allowed for this lot. Large landscape rocks are proposed to delineate the parking area from the lawn area to deter vehicle parking on the lawn.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Kasper to put this matter to public hearing subject to variance determination on ***Tuesday, November 20, 2012 at 8:05 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

Continuation -Major Special Permit/Minor Subdivision

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

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

Present: Marc Pietropaoli, VSM; Lance Wardell, VSM; John Langey, Legal Counsel

Counsel Molnar presented a draft resolution, as discussed at the October 16, 2012 Planning Board meeting, with details that identifies the aspects of the application that have been submitted and relied upon in connection with the questions and answers of the full review of the environmental form submitted by VSM Enterprises LLC, the applicant. Counsel Molnar reviewed the draft resolution line by line with the applicant and Board for completeness and accuracy.

Tax Map # 042.-01-13.1. (previously 042.-01-13.0 and 042.-03-06.1)

**RESOLUTION
OF THE SKANEATELES PLANNING BOARD**

Re: SEQRA Negative Declaration resulting from review of the 617.20, Appendix A, State Environmental Quality Review Full Environmental Assessment Form submitted by VSM Enterprises, LLC, and dated April 6, 2012, for the 99.5 acre property located on State Route 20, Skaneateles, New York.

PLEASE TAKE NOTICE that the following resolutions were adopted at the October 22, 2012 Planning Board Meeting:

WITNESSETH

WHEREAS, by an application dated on December 1, 2008, VSM Enterprises, LLC (“VSM” or “Applicant”) submitted an application to the Town of Skaneateles Planning Board (“Planning Board”) for Site Plan Review, a Major Special Permit and Open Space Subdivision to develop by Cluster Development, consisting of a proposal to construct an Integrated Healthcare, Sports and Wellness Campus to be called “Victory Campus” on two adjacent parcels of land totaling 99.5 acres located on State Route 20, within the RF, IRO and Highway Commercial Zone Districts, consisting of an approximately 101,000 square foot medical/athletic rehabilitation facility, a small shelter, a maintenance facility, up to 544 parking spaces, with 25 acres of athletic fields, including baseball fields, multi-use fields, basketball and tennis courts, and a track area (“Application” or “Project”); and

WHEREAS, at the time of Application, VSM submitted an EAF Part 1 dated November 25, 2008, including an Environmental Site Assessment Report dated April 22, 2008; and

WHEREAS, on or about the Planning Board’s Regular Meeting of January 27, 2009, VSM submitted conceptual drawings concerning the Application, and a Public Information Meeting was scheduled, which occurred March 24, 2009, at which time site drainage and lighting emerged as the two major environmental concerns of the Project; and

WHEREAS, on or about March 25, 2009, the Applicant submitted its Traffic Study to the Planning Board, and submitted same for review and approval by the New York State Department of Transportation; and

WHEREAS, on or about October 20, 2009, VSM submitted its request for approval to complete the Project using Cluster Development, which Cluster Development request was approved by the Town Board of the Town of Skaneateles on or about October 22, 2009; and

Whereas, on or about April 19, 2011, VSM submitted its Storm Water Plans dated April 8, 2011, and thereafter VSM submitted Drainage and SWPPP Plans dated on or about May 6, 2011, and advised the Planning Board that it would seek an extension of the Water District within which the Project is located, insofar as the above referenced parcels were partially within an existing Water District, with all other utilities currently available at the street for the Project, excepting sewer service which is unavailable and to be managed by the Applicant by construction of an on-site sewage disposal system meeting all rules and requirements of the Onondaga County Department of Health, application for which has been requested by VSM; and

Whereas, on or about March 1, 2012, VSM submitted to the Planning Board an updated series of Plans and Drawings dated February 10, 2012 comprised of a Master Site Plan, Conceptual Views, Elevation Plans, Building Plans, a Zoning Breakdown, a Conservation Analysis Topography, a Conservation Analysis for Wetlands, Existing Watersheds, Proposed Watersheds, Natural Resource Plans, a Conventional Subdivision Analysis, and an Analysis of Buildings Allowed vs. Proposed, which now define the Project as one to be completed in two phases, the first of which will include construction of an approximately 61,000SF medical and research facility, a 90,000SF medical rehabilitation and athletic performance building, with four artificial multi-use lighted turf fields, and parking for 250 vehicles, and 4 buses, with a potential phase two build-out to add 80,000SF to the medical rehabilitation and athletic performance facility, two multi-use natural grass fields, with five baseball-softball only natural grass fields and additional parking for 100 vehicles; and

Whereas, on or about March 1, 2012, the Town Board commenced a Public Hearing concerning the extension of the Water District, which Public Hearing was held open and continued to April 5, 2012, after which on or about April 20, 2012, an extension of the Water District was approved with special conditions, including a special condition that water for fire suppression at the Project be made available by the Applicant from a source altogether separate and distinct from water available from the Water District; and

WHEREAS, upon the request of VSM, on April 17, 2012, the Planning Board approved of its intent to act as Lead Agency for review of the Project in accordance with Article 8 of the

Environmental Conservation Law, and the Rules and Regulations promulgated thereunder at 6 NYCRR §617 *et seq.*, and thereafter on May 3, 2011 issued notice to all interested agencies that the Planning Board has determined the Project a Type I action under 6 NYCRR §617.6, with coordinated review, and therefore provided copies of the EAF submitted by VSM, as well as most recent copies of the draft Master Plan of the Project dated April 8, 2011, and other materials, to potentially interested agencies pursuant to 6 NYCRR §617.6(b)(3)(i); and

WHEREAS, on April 17, 2012, the Planning Board reviewed the EAF Long Form submitted by VSM on or about March 1, 2012, noting that the Planning Board would consider the entire buildable Project for SEQR consideration, despite the fact that it may be built in phases as noted in VSM's revised narrative discussed herein, noting also special areas of concerns for which the Planning Board needed additional information, including information concerning lighting, the turf to be installed at the Project, discussion concerning overall operations at the intended Project including utilization of the athletic facilities, hours of operations, and others, and thereafter by electronic request on or about May 3, 2012, the Planning Board requested additional detailed information from the Applicant in order to classify the significance of these environmental aspects of the Projects; and

WHEREAS, on or about May 15, 2012, the Planning Board reviewed submissions by the Applicant concerning storm water drainage and turf to be installed at the Project, including a discussion by VSM's architect concerning utilization and operation of turf of the kind and quality specified for the Project, followed by a discussion and analysis of the base, sub-base, and storm water collection facilities intended for said fields and the overall Project, including storm water quality management and drainage so that the Project would achieve its required standard for handling on-site all storm water according to an on-site Storm Water Management Plan; and

WHEREAS, on June 8, 2012, the Planning Board continued its review of information submitted by the Applicant concerning sports and site lighting, including a Draft Lighting Plan and specifications for the intended lighting for the Project as recommended by Musco Lighting, which specifies technical lighting be utilized for the project, via concentrated illumination on the field surfaces, with minimal penetration of illumination off the playing surfaces or the Project site, night sky compliant, as more particularly detailed in the Illumination Summary submitted by the Applicant and dated August 20, 2012; and

WHEREAS, by Memorandum dated August 10, 2012, VSM and its engineers replied to the Planning Board's request for expanded information concerning the EAF on file, which caused the Planning Board to request additional information on same on or about August 27, 2012, which requests were addressed by the Applicant according to its submission October 5,

2012, at which time the Applicant submitted a detailed response to additional questions concerning significance of environmental issues, an updated narrative of the Project, and updated Site Data Table, an updated Open Space Plan, and updated Z-18 Allowable Building Footprint; and an updated Drainage District Plan and Testing Location; and

WHEREAS, on or about October 5, 2012, the Applicant submitted a Memorandum from its engineers dated September 7, 2012, addressing additional significance questions posed by the Planning Board, including questions concerning the establishment of a Drainage District for the Project; and

WHEREAS, to date, the Applicant has offered the following to be included as Special Conditions of overall Site Plan and Major Special Permit Approvals, including;

- (a) The proposed Deed of Open Space Covenant and Easement in favor of the Town of Skaneateles in order to manage the Open Space articulated and specified in the Applicant's plans;
- (b) The Applicant's proposed Storm Water Operation and Maintenance Plan, according to which the Applicant shall be bound to monitor the content of accumulated storm water at the Project for heavy metals possibly leaching from the turf fields to be installed, at least every 60 days for a period of one year from installation of said fields, thereafter indefinitely every six months, with results to be reported to the Town Planning Board and Town Code Enforcement Office;
- (c) The Applicant's declaration that it shall submit a Map, Plan, Report and Petition for the establishment of a Drainage District at the Project site, according to and consistent with the Drainage Plan submitted and referenced above; and
- (d) The Applicant's written and verbal confirmation that the public address system to be specified for the project will be distributed sound system, designed and to be operational to compress and concentrate sound for addressing participants and spectators at the Project, with minimal sound reaching the boundaries of the Project site, and the Applicant's representation that it shall ban spectators and participants from utilizing air-horns and other excessive sound devises on the Project property; and

WHEREAS, on request of the Planning Board, the Applicant proceeded to conduct a lighting demonstration at the Project site on or about September 11, 2012, which lighting demonstration was completed by Musco Lighting, the chosen illumination, design and lighting consultant for the Project, including cranes which elevated sample lights to the full 90 foot height of the highest lights designed for the Project, so that all

interested parties, the Planning Board, and the Zoning Board of Appeals, could assess the degree to which light will carry off the Project site; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, and the regulations promulgated thereunder at 6 NYCRR §617 et seq., and consistent with §617.6(b)(3)(ii) to prepare, file and publish a determination of significance within 20 calendar days of its receipt of all information which it may reasonably need to make said determination of significance, on October 16, 2012 the Planning Board reviewed the Applicant's Full Environmental Assessment Form, reviewing each question set forth in Part 2 with specificity, including any and all examples noted thereunder, reaching a determination that the Project will not result in any large or important impact, and, therefore, that the Project will not have a significant impact on the environment, concluding that a Negative Declaration be prepared as a result of said review.

NOW THEREFORE, in consideration of the foregoing, and in consideration of a Negative Declaration concerning a determination of significance for a Type I Action, as determined by the Planning Board on October 16, 2012, the Planning Board does hereby declare as follows:

(1) The foregoing recitals are incorporated herein as if set forth at length.

(2) The Skaneateles Planning Board, Chairman Mark Tucker, with an address at 24 Jordan Street, Skaneateles, New York, 13152, (phone 315-685-1384) has acted as Lead Agency for Determination of Significance for the Project, classified as a Type I action Project for Significance, and has declared that the Project will not result in any large and important impact, and therefore, is one which will not have a significant impact on the environment, and has therefore prepared this Resolution as a Negative Declaration under SEQR ("Negative Declaration").

(3) This Negative Declaration takes into consideration all of the information considered by the Planning Board from all sources, including all materials submitted by the Applicant and its professionals, all plans and specifications, all narratives, all responses for additional environmental information, input from neighbors and parties in interest, including interested agencies the approval of which will be required in order for the Applicant to proceed with construction and development of the Project, and includes as part of the Negative Declaration file, these items which are attached hereto and incorporated herein:

(a) Notice to Potentially Interested Parties dated May 3, 2011, with attachments;

(b) Responses by all Potentially Interested Parties, all of which rendered no objection the Planning Board proceeding as Lead Agency for Coordinated SEQR Review;

(c) Memorandum by EDR Companies dated August 10, 2012 answering additional environmental questions with specificity as a result of the Planning Board's initial review of the Applicant's Full Environmental Assessment Form;

(d) Memorandum by EDR Companies under a memo dated September 12, 2012, further answering and clarifying questions posed by the Planning Board under correspondence dated August 27, 2012;

(e) Minutes from the Planning Board regularly scheduled meeting of April 17, 2012, with detailed discussion points regarding areas of potential significance;

(f) Minutes from the Planning Board's regularly scheduled meeting for October 16, 2012, with detailed discussion points regarding areas of potential significance; and

(g) The Full Environmental Assessment Form, signed by Mark Tucker, Chairman of the Planning Board, dated October 16, 2012, with all answers completed therein by the Planning Board; and

(h) The VSM Enterprises, LLC narrative submitted October 5, 2012.

(4) Pursuant to 6 NYCRR §617.12(a), the Planning Board affirmatively states that the Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law and that this Negative Declaration shall be filed with:

(a) Theresa Roney, Supervisor of the Town of Skaneateles;

(b) The Clerk of the Planning Board;

(c) All involved agencies identified on Exhibit A on the attached Notice to Interested Agencies dated May 3, 2011;

(d) The Applicant; and

(e) Published in the Environmental Notice Bulletin ("ENB") in a manner prescribed by the Department of Environmental Conservation, by regular mail, to 625 Broadway, Albany, New York 12233-1750, and by accessibility on the Department of Environmental Conservation's website at www.dec.state.ny.us;

(5) Notice of this Negative Declaration shall also be incorporated once into any subsequent notice being published by the Planning Board, as required by the Zoning Law of the Town of Skaneateles in connection with a Public Hearing for Site Plan and Major Special Permit approval.

(6) This Resolution shall take effect immediately.

WHEREFORE a motion was made by Member Joseph Southern and seconded by Member Alan Briggs and upon a vote thereon the Planning Board hereby approves the foregoing.

RECORD OF VOTE			YES	NO
Chair	Mark J. Tucker	Present	[X]	[]
Member	Alan Briggs	Present	[X]	[]
Member	Donald Kasper	Present	[]	[X]
Member	Joseph Southern	Present	[X]	[]
Member	Scott Winkelman	Present	[X]	[]

Counsel Molnar stated that as there was never an affirmative answer that there was significance that would in turn require a conditional negative impact to be prepared that would require the applicant to prepare an EIS and causing the Planning Board to scope the significant issues to develop findings of fact and mitigation measures, and as there was never a determination of significance this step was not required. Mr. Langey stated that applicant had submitted much of the studies early in the process so that the Board had time to consider the aspects of the project. The code permits the Board to modify the SEQR determination if new information arises.

There being no further business the Planning Board meeting adjourned at 9:00 p.m.

Respectfully Submitted,

Karen Barkdull, Secretary