

VILLAGE OF SKANEATELES

26 Fennell St

Skaneateles, NY 13152

315-685-2118

Email: codes@villageofskaneateles.com

Fax: 315-685-0730

**INSTRUCTIONS TO APPLICANTS FOR LICENSING OF
BED-AND-BREAKFAST HOMESTAYS, HOTELS AND
LODGING FACILITIES**

Please prepare this application by completing all the necessary sections. Consult the Code Enforcement Officer if you need assistance completing this application.

SIGN AND DATE THE APPLICATION ON PAGE 2 BEFORE A NOTARY PUBLIC

MUST be accompanied by the following items:

1. Property survey, **that is to scale**, showing the current locations of:
 - i. All existing buildings and structures on the property and their dimensions.
 - ii. All buildings and structures on adjacent lots, within 25' of the property lines.
 - iii. Parking areas, paved areas, driveways, patios and decks with dimensions.
 - iv. Special easements and right-of-way's if applicable.
 - v. Site plan with table of required, existing setbacks and lot coverage.
 - vi. All property line dimensions: front, left and right sides and rear.
 - vii. All distances (setbacks) from existing building(s) on the property to the lot lines in #5.
 - viii. Distance from the adjacent lot's structures (#2) to the nearest shared or common lot line.

*If no changes to site since your Village Approval you may use the survey and site plan previously provided and approved.

2. Check payable to the: **Village of Skaneateles**; for a Licensing fee, in the amount of \$75.00 for five or fewer rental units (rooms) or sleeping rooms, and \$150.00 for six or more rental units (rooms) or sleeping rooms.
3. A copy of your Certificate of Occupancy
4. Building plans or floor plans and elevations
5. Evidence of prior Special Use Permit. Section 130-1 B(2)
6. Satisfactory documentation provided that all other authorizations needed to operate the covered use in conformance with applicable federal, state and local requirements. Section 130-1 B(4)
7. Evidence of all applicable sales and room occupancy taxes related to any prior period of operation have been paid. Section 130-1 B(5)
8. Certificate of Insurance/Binder for Business Owners' Policy Insurance. Section 130-1 B(7)
9. For a Hotel or Lodging Facility, evidence of on-site supervisory management at all times
10. For a bed-and-breakfast home stay, evidence that the owner(s) is physically in residence at such dwelling during periods in which the rooms are rented
11. If property is owned by a Corporation, LLC, or other entity, Authorization Resolution
12. If property is owned by a Trust, a copy of the Trust or Trust Affidavit
13. The Code Enforcement Officer may require additional drawings, plans, documents or specifications that he/she deems appropriate per *Skaneateles Code*
14. If applicant is not the property owner, power of attorney in favor of the applicant, a signed and notarized agency letter, or a signed retainer agreement, authorizing the applicant to act on behalf of the property owner.

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LICENSE APPLICATION CHECK LIST

*** SEE INSTRUCTIONS FOR DETAILS ***

- COMPLETED AND SIGNED LICENSING APPLICATION
- APPLICATION SIGNATURE NOTARIZED
- PROPERTY SURVEY AND A SITE PLAN
- CERTIFICATE OF OCCUPANCY
- BUILDING PLANS OR FLOOR PLANS AND ELEVATIONS
- SITE PLAN
- COMMERCIAL OR RESIDENTIAL REVIEW FORM (IF APPLICABLE)
- CHECK PAYABLE TO THE VILLAGE OF SKANEATELES
- EVIDENCE OF PRIOR SPECIAL USE PERMIT. SECTION 130-1 B(2)
- SATISFACTORY DOCUMENTATION PROVIDED THAT ALL OTHER AUTHORIZATIONS NEEDED TO OPERATE THE COVERED USE IN CONFORMANCE WITH APPLICABLE FEDERAL, STATE AND LOCAL REQUIREMENTS. SECTION 130-1 B(4)
- EVIDENCE THAT ALL APPLICABLE SALES AND ROOM OCCUPANT TAXES RELATED TO ANY PRIOR PERIODS OF OPERATION HAVE BEEN PAID. SECTION 130-1 B(5)
- BUSINESS OWNERS' POLICY INSURANCE. SECTION 130-1 B(7)
- FOR A HOTEL OR LODGING FACILITY, EVIDENCE OF ON-SITE SUPERVISORY MANAGEMENT AT ALL TIMES
- FOR A BED-AND-BREAKFAST HOME STAY, EVIDENCE THAT THE OWNER(S) IS PHYSICALLY IN RESIDENCE AT SUCH DWELLING DURING PERIODS IN WHICH THE ROOMS ARE RENTED
- IF PROPERTY IS OWNED BY A CORPORATION,LLC, OR OTHER ENTITY, AUTHORIZATION RESOLUTION
- IF PROPERTY IS OWNED BY A TRUST, A COPY OF THE TRUST OR TRUST AFFIDAVIT
- IF APPLICANT IS NOT THE PROPERTY OWNER, POWER OF ATTORNEY, SIGNED AND NOTARIZED AGENCY LETTER, OR SIGNED RETAINER AGREEMENT, AUTHORIZING THE APPLICANT TO ACT ON BEHALF OF THE PROPERTY OWNER

*** ALL INCOMPLETE APPLICATIONS WILL BE RETURNED ***

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Application for Licensing (page 1 of 2)

Date of Application _____ Permit Date and Number _____

Name of Applicant _____

Address of Applicant _____

Applicant's Email _____ Contact # _____

Name of Property Owner (if different from applicant) _____

Property Owner Address _____

Property Owner Email _____ Contact # _____

Type of Facility (as terms defined by Village Code):

Bed-and-breakfast homestay _____ Hotel _____ Lodging Facilities _____ Other _____

Tax Map Number _____

Existing Use _____

Criteria as described in Chapter 130 of the Village Code:

Date special use permit received pursuant to Section 225-40 _____

Any other authorizations needed or approvals obtained to operate _____

Sales and Room Occupancy Taxes paid:

	Year	Paid
New York State Department of Taxation and Finance	_____	_____
Onondaga County	_____	_____

Business Owners' Policy Insurance

Name _____ Term _____

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Application for Licensing (page 2 of 2)

The applicant declares that the information contained in this application, and the plans, specifications and other supporting materials submitted in support of this application are true, the applicant has reviewed the excerpts of the Skaneateles Village Code attached hereto, and has made such representations to induce the Village of Skaneateles to issue a License and the applicant will comply with all laws, codes and ordinances controlling this work.

Date _____ Signature _____

Print Applicant's Name _____

Affidavit of Owner or Applicant

STATE OF NEW YORK)

) ss:

COUNTY OF _____)

On the ____ day of _____, in the year 20____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

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Licensing Application Review Sheet

Date Received _____ Tax Map Number _____

Applicant's Name _____

Name of Property Owner (if different from applicant) _____

Address of Worksite _____

Permit Fee Date Received _____ Amount Received _____

Additional Info. Requested _____

Date Review Completed _____ Signature _____

Reasons for Denial – Does not comply with the following:

Planning Board Review and Positive Recommendation _____
Planning Board Recommended Term of License _____
Planning Board Conditions, if any

Permit Number _____ Date Issue _____ Term _____
Application Status: _____ Approved _____ Denied

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For your convenience, below are excerpts from the Village Code which may apply to your property and this Licensing Application. It is understood that other provisions of the Village Code may or do apply to the property. The Applicant is encouraged to review the entire Village Code which can be obtained at www.villageofskaneateles.com.

Article I. Bed-and-Breakfast Homestays, Hotels and Lodging Facilities

§ 130-1. Applicability; criteria; fees.

A.

Applicability. This section shall apply to each bed-and-breakfast homestay, hotel and lodging facility located in the Village.

B.

Licensing. Every use subject to this section shall, as a condition precedent to the permissibility of the use, obtain a license. Each license shall meet the following criteria:

(1)

Be issued by the Code Enforcement Officer upon positive recommendation of the Planning Board;

(2)

Demonstration by the applicant that it has obtained a special use permit pursuant to § **225-40**;

(3)

Be for a term not to exceed one year, as determined by the Planning Board in its recommendation;

(4)

Satisfactory documentation provided by the applicant/licensee of all other authorizations needed to operate the covered use in conformance with applicable federal, state and local requirements;

(5)

Satisfactory evidence provided by the applicant/licensee that all applicable sales and room occupancy taxes related to any prior periods of operation have been paid;

(6)

No more than eight licenses for bed-and-breakfast homestays, including all licenses issued for uses protected under § **225-69.1**, shall be issued and in effect at any one time; and

(7)

Prior to the issuance of a certificate of occupancy and annually thereafter evidence must be furnished to the Code Enforcement Officer of continuously maintained business owners' policy insurance.

C.

The fees to be paid for a license shall be provided in the licensing fee schedule as adopted from time to time by resolution of the Village Board of Trustees.

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Excerpts from Chapter 225:

§ 225-4. Definitions.

BED-AND-BREAKFAST HOMESTAYS

The use of a single-family dwelling, subordinate and incidental to the principal use of the property as a single-family residence of occupancy by the homeowner(s), made available for compensation to transient guests which meet the following criteria:

[Amended 12-23-2015 by L.L. No. 4-2015]

A.

Not more than two sleeping rooms if located in the A2 or C Zoning Districts are made available, and not more than five sleeping rooms, limited to 10 occupants*, if located in the D Zoning District are made available;

B.

No cooking facilities are available to guests and no prepared foods other than breakfast that may be served by the owner(s) at the owner's option;

C.

The duration of any such stay shall not exceed seven consecutive nights;

D.

The single-family dwelling in which such rooms are made available must exist as of the effective date of this definition; and

E.

The owner(s) must be physically in residence at such dwelling during periods in which the rooms are rented. Short-term absence(s) by the owner(s) during periods in which the rooms are rented are permitted as long as the following are satisfied:

(1)

The owner must have and demonstrate that on-site supervisory management is present during short-term absence(s); and

(2)

Short-term absence(s) shall mean for no more than three weeks in any one calendar year.

* Per 19 NYCRR 1220.1.

HOTEL

A building or group of buildings on a single lot which contain(s) as its only principal use living and sleeping accommodations for transient occupancy containing six or more rental units (rooms) with on-site supervisory management at all times, and which has a common exterior entrance or entrances, and which may contain one or more facilities incidental to such occupancy, such as dining rooms, gift shops, personal services, a bar where nonalcoholic and alcoholic beverages may be served for on-premises consumption, restaurants, meeting rooms, lounges, swimming pools and related incidental uses designed primarily to accommodate the occupants thereof but which may also be open to the general public. Retail is permitted in a hotel as an accessory use at street level.

[Amended 12-23-2015 by L.L. No. 4-2015]

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LODGING

A building or group of buildings, whether detached or in connected units, on a single lot, containing individual sleeping units intended primarily for transient travelers, containing six or more rental units (rooms) with on-site supervisory management at all times. Accommodations incidental to such occupancy may be provided, including dining rooms, gift shops, personal services, a bar where nonalcoholic and alcoholic beverages may be served for on-premises consumption, meeting rooms, lounges, swimming pools and physical fitness rooms, to accommodate the residents and invited guests and the general public. [Added 3-22-1999 by L.L. No. 1-1999; amended 12-23-2015 by L.L. No. 4-2015]

ON-SITE SUPERVISORY MANAGEMENT

The providing of on-site supervision and management at all times of all aspects of operation of a hotel or lodging or bed-and-breakfast homestay, as appropriate, to a quality and standard commensurate with the community character by either:

[Added 12-23-2015 by L.L. No. 4-2015]

A.

Persons employed by the owner who are not resident at the facility and who possess the training and skill or with equivalent practical experience in hotel or bed-and-breakfast homestay management, as appropriate; or

B.

Where authorized as provided in § 225-69.1, a professional hotel or lodging management company.

PROFESSIONAL HOTEL OR LODGING MANAGEMENT COMPANY

A company that has as its principal business the supervision and management of hotel or lodging facilities and whose employees have the requisite training and experience to operate said facilities to the same standard of care and quality required of on-site supervisory management.

[Added 12-23-2015 by L.L. No. 4-2015]

TRANSIENT OCCUPANCY

Living and/or sleeping accommodation provided for compensation or barter for a period of less than 30 consecutive days. Bed-and-breakfast homestays, hotels, and lodging shall individually and collectively be transient occupancies.

[Added 12-23-2015 by L.L. No. 4-2015]

§ 225-40. Bed-and-breakfast homestays.

[Amended 12-23-2015 by L.L. No. 4-2015]

In addition to the above general provisions, a bed-and-breakfast homestay shall be subject to § 225-40A and shall comply with the following prescribed standards:

A.

Preparation of food. The only meal that may be provided to guests shall be breakfast, and, if provided, it shall only be served to guests taking lodging in the home.

B.

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Interior design standards. The architectural integrity and arrangement of the existing interior spaces must be maintained; the number of guest rooms shall not be increased.

C.

Exterior design standards. The exterior appearance of the structure shall not be altered from its single-family character.

D.

Inspections. Each bed-and-breakfast homestay operation shall be subject to an annual inspection by the Village Code Enforcement Officer.

E.

License. Every bed-and-breakfast homestay and any grandfathered bed-and-breakfast homestay pursuant to § 225-69.1 shall be subject to the requirements of § 225-40A.

F.

Notwithstanding any other provision of this chapter, no more than eight bed-and- breakfast homestays (of which no more than three may be in the A-2 Zoning District), including those grandfathered pursuant to § 225-69.7, shall be permitted in the Village. Any bed-and-breakfast homestays in excess of that amount shall not be permitted.

G.

Off-street parking. Each bed-and-breakfast homestay shall provide one off-street parking space for each sleeping room used to accommodate guests, plus two parking spaces for the owner(s).

§ 225-42. Hotel and lodging.

[Added 3-22-1999 by L.L. No. 1-1999; amended 9-22-2011 by L.L. No. 1-2011; 12-23-2015 by L.L. No. 4-2015]

In addition to the above general provisions, a hotel or lodging use shall comply with the following prescribed standards:

A.

Preparation and service of food. Meals may be served to registered and invited guests.

B.

Off-street parking. One parking space for each sleeping unit or suite, plus one parking space for each staff employee for the day shift and one space for a management vehicle, shall be provided. One additional parking space for each five persons accommodated in meeting rooms shall be provided. Parking requirements may be varied by the Zoning Board of Appeals to satisfy the conditions.

C.

Density of development. The density of buildings and structures related to this use shall comply with the current Density Control Schedule^[1] for the Residential A-2 District, except for the minimum open space which shall be 80%.

[1]

Editor's Note: The Density Control Schedule is included as an attachment to this chapter.

D.

Design and layout. Imaginative design of buildings and structures is encouraged. Both the Planning Board and the Zoning Board of Appeals shall be provided with drawings showing the proposed site layout, landscape treatment, facade design and building materials to be used. In reviewing these drawings the Boards shall consider the compatibility of the proposed development with the surrounding neighborhood, traffic congestion or hazards, suitable recreational spaces, landscaping and preservation of natural features and views.

E.

Outdoor storage. Any outdoor storage of garbage and rubbish shall be in containers which are enclosed in such a way as to be concealed from public view and inaccessible to children, dogs, and vermin.

F.

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Buffers and visual barriers. Where a lot and such use abut a residential use, there shall be provided around parking, driveways and outside activity areas a wall, fence or compact evergreen hedge or a landscaped strip of trees or shrubs so designed as to form a visual screen not less than six feet in height at the time of planting or construction to screen such activity from the adjacent residential property. It shall be the responsibility of owners of said lots to maintain such visual screens placed on their property. Site lighting shall be subtle, indirect and shielded from neighboring properties.

G.

Landscaping. Lot area not required for buildings, structures or parking shall be landscaped with grass, decorative trees and shrubs. A plan showing the location and species of plant material shall be provided.

H.

Driveways and curb cuts. No more than two driveways or curb cuts from such use to a public street shall be permitted. Driveways from parking lots shall have a maximum grade of 8% and shall be graded so as to provide at least 40 feet of nearly level roadway at any intersection with a public street.

I.

Access drives and parking space. Yards may be used for access drives and parking space. No access drive or parking space shall be closer than 10 feet to any lot line except in the Downtown D District. Said ten-foot strip shall contain decorative fencing or trees and shrubbery adequate to visually screen parking from adjacent properties.

J.

Prior to the issuance of a certificate of occupancy and annually thereafter evidence must be furnished to the Code Enforcement Officer of:

(1)

Continuously maintained business owner's policy insurance;

(2)

Satisfactory documentation that all other authorizations needed to operate the covered use have been obtained in conformance with applicable federal, state and local requirements; and

(3)

Satisfactory evidence provided that all applicable sales and room occupancy taxes related to any prior periods of operation have been paid.