

**Village of Skaneateles  
Planning Board Public Hearing  
July 11, 2013**

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Continuation of discussions, pursuant to Chapter 190 of the Code of the Village of Skaneateles, in the matter of the application submitted by Parkside Development for Final Subdivision Approval of Phase IV (Section 4), containing 18 lots in a subdivision called Parkside Village Subdivision for the parcel of land located north of West Elizabeth Street and west of Skaneateles Creek in the Village of Skaneateles.

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**Present:** Bruce Kenan, Chairman  
Mark Roney, Member  
Carol Stokes-Cawley, Member  
Douglas Sutherland, Member

Riccardo Galbato, Attorney for the Planning Board  
Dennis Dundon, Clerk to the Planning Board

Corinne Knupp, for the Applicant  
Greg Sgromo, for the Applicant

Michael Malda, Syracuse  
Kathy Farsaci, Skaneateles  
Dave Farsaci, Skaneateles  
Rob Schoeneck, Skaneateles  
Denise Schoeneck, Skaneateles  
Barbara Stack, Skaneateles  
Bettina Smallman, Skaneateles  
Tom Smallman, Skaneateles  
Robert Eggleston, Skaneateles  
Anne Neibert, Chair, Tree Committee

**Absent:** William Eberhardt, Member

Chairman Kenan opened the meeting at 7:30 pm, announcing the application for the approval of Phase IV (Section 4) of the Parkside Village Subdivision. Chairman Kenan noted that the Board previously had reviewed the submittal for Phase IV and had opened and closed the Public Hearing and have exchanged drafts of the resolution with the Applicant. He asked, "Are the issues in the resolution squared-away? With the amount of the Inflow & Infiltration fee, and the amount of the bond?" Ms. Knupp, "Yes. We are actually doing it in two. We are keeping the existing LOC that we have right now, and the total of the two agrees to the amount requested by Jon [Village Engineer]." Attorney Galbato asked, "That amount is?" Ms. Knupp said, "The total is \$672,500. We have two; one currently in place of \$151,700 with HSBC, and we are

doing a different one with M&T, just because of rate changes, in the amount of \$520,800.” Attorney Galbato said, “OK. Then we have to make the changes at the bottom of page 4, which says \$520,800, should be \$672,500.” Ms. Knupp, “That says HSBC, that will now be with M&T.” Attorney Galbato, “For both? Both are with M&T?” Ms. Knupp, “No. The original one, you have a copy of the original Letter of Credit for \$151,700. That is at HSBC. And then we have the new one, for \$520,800 with M&T. The total of the two is \$672,500.” Chairman Kenan asked, “Do it again.” Ms. Knupp, “The current is HSBC has \$151,700 which we have had in place for a while. And we’ve increased by getting another Letter of Credit through M&T for \$520,800.” Attorney Galbato, “So what we’ll do Mr. Chairman, if it’s agreeable, at the bottom of page 4 will be ‘a Letter of Credit with HSBC with a balance of \$151,700 and M&T Bank with a balance of \$520,800, totaling \$672,500 as security for the cost of the required public infrastructure.’” Chairman Kenan, “OK. Sounds good. And they are Letters of Credit in both cases.”

Attorney Galbato, “Yes. And then, Mr. Chairman, on the first page we have to add the tax map number; I have done that, and it is 003.-05-05.1.” Chairman Kenan said, “And drawings all revised and dated July 2, 2013.” Attorney Galbato, “Except for the survey, which is dated May 14, 2013, which is referenced in the beginning of the paragraph. And we have County Planning Board approval.” Attorney Galbato, “Yes, that’s there. Mr. Chairman, page 2 I made a mistake on the third from the bottom. It should be ‘Whereas, on May 8, 2013 and June 6, 2013 a Public Hearing was held...’” Chairman Kenan said, “So July 11 goes away.” Attorney Galbato, “And based on discussions I had with the Chairman, we are leaving the amount that the developer has to pay for the Village Engineer; we’re leaving that blank and it will be decided by the Board of Trustees, or do you want it to come back here?” Chairman Kenan, “Oh, I see. That’s on page 6. I think there has been a request with regard to the Village Engineer.” Ms. Knupp, “The reason being is that the amount that we have paid, especially when we have talked to other people in the business, was exorbitant. When we went through sections, we really don’t have the opportunity – as any business would – to bid it out. It’s basically we have to pay whatever it is.” Chairman Kenan, “I feel your pain.” Ms. Knupp, “That’s our problem. We paid for just that one section, \$78,000 – over \$6000 per lot – just to have somebody oversee. So what we’re asking, is that the ability for us to – I actually went through and found 5 or 6 engineers in the area. We’d like to be able to at least bid it out and have it subject to approval of the people that we have.”

Chairman Kenan, “Let me say this to that. I discussed it with the Mayor since the correspondence started, and as I said, I feel your pain. I’ve been hit with the same thing many times. There are reasons to stick with this engineer, because they do all the other work for the Village and they’re familiar with all the stuff. But complaints about response time and costs, and so on are certainly worth airing. What I’d like to do is to have the Trustees take it up with the Engineer, and if they can reach a satisfactory agreement, to continue with this engineer. Or if not, go to an alternative one. But it is the Trustees who hired the Engineer, and I think, ultimately, it is their decision. But he is attuned to the concerns.” Ms. Knupp, “I think that’s been our other – this past month it has been a ping-pong ball. We couldn’t get plans approved because he said he’s waiting; he didn’t want to approve them until we got Health Department approval. The Health Department by law, will not approve them until the Village signs off.” Chairman Kenan, “We’ve seen the correspondence. I understand that.” Attorney Galbato, “Typically, the Health Department wants to see the conditional subdivision approval, and then

they approve it, and it goes back for everybody's signature." Ms. Knupp, "We went through this and Dunn & Sgromo spoke with them and this went on for 2 to 3 weeks of our month, which was a lot of time for us to lose." Chairamn Kenan, "We won't ignore the concern. I can't guarantee it will get resolved to your pleasure, but we will pursue it." Attorney Galbato, "There could be some work, and review work, that could be done by Bob Lotkowitz, who is the staff engineer for the Village. That is one of the questions that Bruce has raised with the Mayor." Ms. Knupp, "Let me ask you a question. Does it make sense for – we have a list right now of engineers that..." Chairman Kenan, "Why don't you give that to us." Ms. Knupp, "But I guess my question is, is it worth it for us to get a bid from them – that we are actually going to the Board of Trustees with..." Chairman Kenan, "I don't think that works. I think the Village has to control who reviews." Ms. Knupp, "So I should get you a list of; a list of people we know who supply the service." Attorney Galbato, "And I think your email can say 'in light of the resolution passed by the Planning Board on 7/11/13, for consideration of the Trustees, we want to consider these engineering firms, if the Village chooses to do an RFP. Either send it directly to the Trustees or send it to us and we will forward it to the Trustees.'" Ms. Knupp, "Will this impact on having the overseeing engineer in place; anything with starting work and getting working? Because that's what I am afraid of." Chairman Kenan, "What is your estimated start date, assuming the Board approves this?" Ms. Knupp, "We have our contract signed with J. K. Tobin. We put together, as this went to Jon Putnam, our schedule as to what the first task lists were going to be. So we'd like to get started..." Chairman Kenan, "The week of August 5?" Attorney Galbato, "There is one more meeting of the Trustees this month. Their meeting is tonight, but there is another meeting in two weeks."

Chairman Kenan said, "You send us a letter listing the other engineers that you would suggest and note that start date. Attach this to it and copy me and Rick." Attorney Galbato, "I'll pass it on to Mike Byrne and Dennis will send it to the Trustees." Chairman Kenan, "And we'll have another conversation with the Mayor and Trustees. Do everything we can to expedite that. OK?" Ms. Knupp, "OK." Chairman Kenan, "There are other factors at work, so I can't guarantee that you will love the outcome, but we will make an effort." Attorney Galbato, "With the way the draft resolution is worded, it's placing it with the trustees to reevaluate the situation and raise some of the concerns you have with the current engineer or..." Ms. Knupp, "But that doesn't impact the Planning Board?" Chairman Kenan, "We can approve this with that blank and resolve it later. Or I should say we can act on this." Attorney Galbato, "The Board may want to listen to what the developer is thinking for page 5 as to when their proposed end date is for completing all public infrastructure as referenced on the top of page 5. I spoke to Greg about it this afternoon." Mr. Sgromo, "By mid-October. The schedule has us done by mid-October." Attorney Galbato, "But that may not be all of it – sidewalks, trees, etc. Give a realistic..." Chairman Kenan, "This language contemplates completion. So it's not going to be this season." Mr. Sgromo, "I would say a year, maybe even until the end of next construction season." Attorney Galbato, "Want to say 12/31/14? We have to have some end date so it is not 7 years from now." Mr. Sgromo, "I agree. But I'd rather put a cushion on it, rather than drag everybody through a process again. If 12/31/14 works, I think that's fine." Chairman Kenan, "That's fine. And then the following paragraph indicates when the Village will be entitled to draw down funds from the Letter of Credit." Attorney Galbato, "It will be the same date. Do you want 12/31/14?" Mr. Sgromo, "Do you want to say June 30, 2015?" Chairman Kenan, "June 30, 2015 would

work.” Chairman Kenan, “Anything else?” Attorney Galbato, “In number 5 we will insert 6/30/2015.”

Chairman Kenan said, “We do have the Tree Committee with us. Are there any open things that should be discussed with regard to that, Ann?” Ms. Neibert, “I’m Ann Neibert chair of the Tree Advisory Board. I’ll return this map. The Committee went to the section you asked us to, so we could do a plan of trees. So this report is a plan of trees listed by number. The trees are on the back here. And there are several other suggestions. I can give this to you to read.” Chairman Kenan, “How does this compare with the plans that have most recently been submitted?” Ms. Neibert, “Well basically what we have said, is that we feel as the Tree Advisory Board that we have been brought into the game very late. We were asked an opinion one time, but it was pretty much discarded. So now we are being asked to do a plan for Phase IV, which I think is the last phase, when three other phases have already been completed. So what we did is we made a plan choosing trees that we felt were hardier, better choices. The 7 trees we chose are a bit hardier and would give more diversity and color, as well as textural interest. We feel that without some diversity in the development, it could be negatively affected if a disease strikes. We tried to pick trees that fit into what has been already placed there. The Red Spire pear is very similar to the Bradford pear, but it is a hardier variety. And then we have added some other species, I think gave you a list of the species last month – Little Leaf linden, Northwood, Red Sunset, October Glory, Burgundy Belle and the Japanese Lilac tree. So size-wise they would fit into what’s there but would give more diversity in this section than what the other sections have. The rest of the development looks pretty much cookie-cutter; the same trees in every front yard. So we gave a plan that’s representative of the type of thing that our committee does. Whether they wish to choose this plan or not is up to the developer and the Board. We appreciate being given the opportunity to give our opinion and wish you a great deal of luck.”

Ms. Neibert continued, “We also made suggestions – that you should address the dead and dying locust trees immediately, and replace them with the varieties of maples that I listed here. There is also a locust tree that appears to be right in the center of a planned road, in front of properties 30 and 47.” After some discussion, the developers said they’d look at it, since they have a warranty on the trees. Ms. Neibert further suggested that the landscaper selected to plant the trees should have some knowledge of how to plant in compacted soil, and should arrange for proper watering. Ms. Knupp indicated that the trees were watered appropriately. Chairman Kenan asked Ms. Neibert for the report. He said, “With this information, we amend the resolution that we are going to consider, to accommodate a deferral to the next meeting of final resolution of the tree selection and planting criteria.” On page 4 of the draft resolution, it was agreed that the plan would be a product of the Planning Board under advice from the Tree Advisory Board.” It was noted that the next Planning Board meeting is scheduled for August 1, 2013.

Chairman Kenan asked if there were any other questions or comments from the Board. **Member Sutherland said, “I propose that we do approve the following prepared resolution, as amended, with the understanding that we are going to review trees and act on that matter in the future.” The action was seconded by Member Roney. Upon the unanimous vote of the members present in favor of the resolution, the following resolution was adopted.**

**Village of Skaneateles Planning Board  
July 11, 2013**

**In the matter of the application for Final Subdivision Approval submitted by Dr. Daniel Elstein and Trason Skaneateles LLC Section 4 containing 18 lots for the parcel of land located north of West Elizabeth Street and west of Skaneateles Creek in the Village of Skaneateles.**

**WHEREAS, the proposed Section 4 of the Parkside Village Subdivision comprises eighteen (18) residential parcels, designated as lots 25, 30 through 46 on approximately 12.485 acres and future roads to be dedicated to the Village called Orchard Road and Packwood Place with Tax Map Number 03-05-05.1;**

**WHEREAS, a subdivision map titled Final Plan Parkside Village Section No. 4 dated May 14, 2013, by Hal R. Romans, Licensed Land Surveyor of Ianuzi & Romans, P.C., containing sheet No. 1 of 1, has been submitted by the applicant along with the following maps/drawings by Dunn & Sgromo Engineers, PLLC dated July 2, 2013**

- C0.0 Overall Site Plan – Revision Date 7/2/13**
- C1.0 Site Plan – Revision Date 7/2/13**
- C1.1 Water Layout – Revision Date 7/2/13**
- C1.2 Tree Planting Plan – Revision Date 7/2/13**
- C2.0 Road Profiles – Revision Date 7/2/13**
- C3.0 Storm Sewer Details – Revision Date 7/2/13**
- C3.1 Sanitary Sewer Details – Revision Date 7/2/13**
- C3.2 Water Details – Revision Date 7/2/13**
- C3.3 Water, Road And Sidewalk Details – Revision Date 7/2/13**
- C4.0 Erosion & Sediment Control Plan & Details – Revision Date 7/2/13**
- C5.0 Schematic Electrical Plan & Detail – Revision Date 7/2/13**
- C6.0 Existing Water Quality Basins – Revision Date 7/2/13**

**WHEREAS, on September 4, 2003 the Planning Board adopted a State Environmental Quality Review Act Determination of Significance Resolution which determined itself to be lead agency under SEQRA, declared the action as Unlisted and determined that the proposed development of the Parkside Village Subdivision, will not have a significant adverse impact upon the environment and that a negative declaration pursuant to SEQR may be issued; and**

**WHEREAS, by Resolution adopted on September 4, 2003 the Planning Board granted Preliminary Approval With Modification and Notice Of Conditions For Final Plat Approval; and**

**WHEREAS, the Onondaga County Planning Board pursuant to General Municipal Law Section 239 l, m and n by resolution dated October 14, 2003 recommended disapproval of the application for this subdivision; and**

**WHEREAS, by Resolution adopted on November 3, 2003 the Planning Board granted Conditional Final Subdivision Approval; and**

**WHEREAS, said Resolution on November 3, 2003 addressed the issues raised by the Onondaga County Planning Board; and**

**WHEREAS, by Resolution adopted on February 9, 2004, the Board of Trustees of the Village of Skaneateles granted a Critical Impact Permit pursuant to Article X of the Zoning Law of the Village of Skaneateles for a 50 lot subdivision called “Parkside Village” subject to the conditions established in the November 3, 2003 Planning Board Resolution and subject to further conditions; and**

**WHEREAS, by Resolution adopted on November 6, 2008, the Planning Board granted Conditional Final Subdivision approval of the Parkside Village Subdivision Section 2 and Section 3; and**

**WHEREAS, the Onondaga County Planning Board pursuant to General Municipal Law Section 239 l, m and n by resolution dated May 22, 2013 “determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.”; and**

**WHEREAS, on May 8, 2013 and June 6, 2013 a public hearing was held by the Village of Skaneateles Planning Board (“Planning Board”); and**

**WHEREAS, the proposed subdivision will provide for the future dedication of portions of two (2) streets called Orchard Road and Packwood Place to the Village of Skaneateles; and**

**WHEREAS, the future dedication of Orchard Road and Packwood Place is subject to the approval of the Board of Trustees of the Village of Skaneateles upon compliance with this subdivision approval and the Code of the Village of Skaneateles and any modifications or conditions required by the Village of Skaneateles; and**

**THE FOLLOWING RESOLUTION was offered by Douglas Sutherland, and seconded by Mark Roney:**

**BE IT RESOLVED that the applicant be granted Conditional Final Subdivision approval of the Parkside Village Subdivision Section 4 as shown on the subdivision map titled Final Plan Parkside Village Section No. 4 dated May 14, 2013, by Hal R. Romans, Licensed Land Surveyor of Ianuzi & Romans, P.C., containing sheet No. 1 of 1 along with the following maps/drawings by Dunn & Sgromo Engineers, PLLC dated July 2, 2013**

- C0.0 Overall Site Plan – Revision Date 7/2/13**
- C1.0 Site Plan – Revision Date 7/2/13**
- C1.1 Water Layout – Revision Date 7/2/13**
- C1.2 Tree Planting Plan – Revision Date 7/2/13**
- C2.0 Road Profiles – Revision Date 7/2/13**
- C3.0 Storm Sewer Details – Revision Date 7/2/13**
- C3.1 Sanitary Sewer Details – Revision Date 7/2/13**
- C3.2 Water Details – Revision Date 7/2/13**
- C3.3 Water, Road And Sidewalk Details – Revision Date 7/2/13**
- C4.0 Erosion & Sediment Control Plan & Details – Revision Date 7/2/13**
- C5.0 Schematic Electrical Plan & Detail – Revision Date 7/2/13**
- C6.0 Existing Water Quality Basins – Revision Date 7/2/13**

**comprises eighteen (18) residential parcels, designated as lots 25, 30 through 46 on approximately 12.485 acres and future roads to be dedicated to the Village called Orchard Road and Packwood Place with Tax Map Number 03-05-05.1; and**

**FURTHER RESOLVED, that the Planning Board hereby incorporates the terms and conditions of the Resolutions adopted on September 3, 2003 granting Preliminary Approval with Modification and Notice of Conditions For Final Plat Approval and November 3, 2003 and November 6, 2008 granting Conditional Final Subdivision Approval as if set forth herein; and**

**FURTHER RESOLVED, that the Planning Board hereby incorporates the terms and conditions of the Critical Impact Permit Resolution adopted by the Board of Trustees of the Village of Skaneateles on February 9, 2004 as if set forth herein; and**

**FURTHER RESOLVED, that the applicant shall remove the debris and fill located north of the intersection of Orchard Road and Sinclair Street and shall remove the sign pedestal or stone wall located at the southwest corner of the Parkside Section 1 entrance to the satisfaction of the Code Enforcement Officer prior to the signing of the final subdivision maps by the Chairman of the Planning Board; and**

**FURTHER RESOLVED, that prior to the signing of the final subdivision maps by the Chairman of the Planning Board the applicant shall correct, complete and comply to the satisfaction of the Village the following:**

- 1. The final subdivision map to be filed shall show the location of street lights, sidewalks and trees as approved by the Planning Board;**
- 2. The species of trees to be planted to be approved by the Planning Board upon recommendation by the Village Tree Committee.**

**FURTHER RESOLVED , that any Restrictive Covenants prepared by the applicant be approved by the Planning Board and Planning Board attorney and Village Attorney prior to the signing of the final subdivision maps by the Chairman of the Planning Board; and**

**FURTHER RESOLVED, that the Restrictive Covenants be referenced in the final subdivision maps and be filed simultaneously with the filing of the final subdivision maps at the Onondaga County Clerk's Office; and**

**FURTHER RESOLVED, that the applicant prepare a Utility Easement Agreement and Drainage Easement Agreement from the applicant to the Village of Skaneateles to be approved by the Planning Board attorney and the Village Attorney and Village Trustees prior to the signing of the final subdivision maps by the Chairman of the Planning Board. Said Drainage Easement shall state that the owner shall be prohibited from filling or otherwise modifying any portion of the drainage easement; and**

**FURTHER RESOLVED, that the Utility Easement and Drainage Easement to the Village of Skaneateles be referenced in the final subdivision maps and be filed simultaneously with the filing of the final subdivision maps at the Onondaga County Clerk's Office; and**

**FURTHER RESOLVED, that the subdivision and final subdivision map comply with the provisions of Sections 190-19 and 190-20 of the Village Code prior to the signing of the final subdivision maps by the Chairman of the Planning Board; and**

**FURTHER RESOLVED, that the applicant comply with Section 190-7 of the Village Code prior to the signing of the final subdivision maps by the Chairman of the Planning Board; and**

**FURTHER RESOLVED, that the applicant has previously posted with the Village a Letter of Credit with HSBC with a balance of \$151,700 and M&T Bank with a balance of \$520,800, totaling \$672,500 as security for the cost of the required public infrastructure improvements; and**

**FURTHER RESOLVED, that the applicant agrees to complete to the satisfaction of the Village of Skaneateles all public infrastructure, including but not limited to, electrical lines and appurtenances, water and sewer lines and appurtenances, storm water system and**

**appurtenances, streets, including curbs, sidewalks and street lights, trail and trees by June 30, 2015; and**

**FURTHER RESOLVED, that the Village shall be entitled to draw down funds from the Letter of Credit to the extent needed to complete any of the foregoing public infrastructure items which have not been completed by the developer by June 30, 2015; and**

**FURTHER RESOLVED, that the developer confirm to the satisfaction of the Village that the existing electrical poles and lines, guy wires and appurtenances located on the north side of Packwood Place do not intrude onto Packwood Place and the right of way or property to be conveyed to the Village for Packwood Place prior to the signing of said maps by the Chairman of the Planning Board.**

**FURTHER RESOLVED, that these conditional final subdivisions approvals are subject to and conditioned upon approval of the Onondaga County Health Department prior to the signing of said maps by the Chairman of the Planning Board; and**

**FURTHER RESOLVED, that these conditional final subdivisions approvals are subject to and conditioned upon approval of the New York State Department of Environmental Conservation for the sanitary sewer system and storm sewer system prior to the installation and construction of said sewer systems; and**

**FURTHER RESOLVED, that the final subdivision maps shall state the following:**

**“No building permit will be issued for any Lot until all public infrastructure, including but not limited to, electrical lines and appurtenances, water and sewer lines and appurtenances, storm water system and appurtenances, streets including curbs, sidewalks and street lights, trail and trees are completed and accepted by the Village of Skaneateles.”**

**“Each dwelling will require compliance with the Design Standards established by the Planning Board for Parkside Village and plans for each dwelling shall be submitted for review and approval to the Architectural Review Committee of the Planning Board. Unless otherwise approved by the Planning Board, each dwelling and lot shall comply with the lot contours as shown on the final site plan maps approved by the Planning Board.”**

**“The I & I Impact Fee of \$75,600.00 as determined by the Village Trustees is to be paid by the developer prior to the issuance of a building permit and upon submission of an application for a building permit. “**

**“A grading plan for each lot shall be submitted with an application for a building permit to determine that the grades comply with the Planning Board Approval.”**

**An as built map for each lot showing grading shall be submitted to the Village and to be approved by the Village Engineer to confirm that the grades comply with the approved Subdivision Maps and Approval.”**

**FURTHER RESOLVED, that all the utilities including curb valves/individual water shut offs shall be located within the ten (10) foot utility easement; and**

**FURTHER RESOLVED, that this conditional final subdivision approval for Parkside Village Section 4 may be subject to further Article XI Critical Impact Uses and Critical Impact Permits as determined by the Village Attorney and the applicant obtain any and all necessary Critical Impact Permits from the Village Board of Trustees prior to the signing of the final subdivision maps by the Chairman of the Planning Board; and**

**FURTHER RESOLVED, that prior to the release of the Letter of Credit, the developer shall file with the Village approved as-built drawings to show the location of all public infrastructure; and**

**FURTHER RESOLVED, that the applicant is subject to the provisions of Chapter 190: Subdivision of Land and Section 190-13(G) of the Village Code; and**

**FURTHER RESOLVED, that in conformance with the Village Code, Chapter 167, Section 167-35(G)(4), the applicant pay the required Inflow and Infiltration (I & I) Fee of \$75,600.00, for Section 4, with the Village Clerk prior to the issuance of a building permit and upon submission of an application for a building permit; and**

**FURTHER RESOLVED, that the developer shall deposit money in escrow sufficient to cover the cost of the Village’s engineer for inspection of construction of the subdivision pursuant to the Village Code. Said amount to be approved by the Village Board of Trustees; and**

**FURTHER RESOLVED, that the final subdivision maps of the Parkside Village Section 4 is subject to approval of the Planning Board Attorney, Village Attorney, Village Engineer and the Village Department of Public Works prior to the signing of said map by the Chairman of the Planning Board; and**

**FURTHER RESOLVED, that pursuant to Village Law Section 7-728 this conditional final subdivision approval shall expire within 180 days after this resolution granting such approval unless all requirements stated in such resolution have been certified as completed. The planning board may extend the time the conditional subdivision approval must be submitted for signature in accordance with Village Law Section 7-728(7)(c).**

**Voting:**

<b>Bruce Kenan, Chairman</b>	<b><u>  Aye  </u></b>
<b>William Eberhardt, Member</b>	<b><u>not present</u></b>
<b>Douglas Sutherland, Member</b>	<b><u>  Aye  </u></b>
<b>Mark Roney, Member</b>	<b><u>  Aye  </u></b>
<b>Carol Stokes-Cawley, Member</b>	<b><u>  Aye  </u></b>

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**Dennis Dundon**  
**Clerk to the Planning Board**

Ms. Knupp and Mr. Sgromo thanked the Board. This matter was concluded at 7:53 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



**Village of Skaneateles  
Planning Board Public Hearing  
July 11, 2013**

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Variance recommendation in the matter of the application of Michael Malda to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, Side yard set-back left, Both side yards combined and Percentage of structure width/lot width; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to expand the existing breakfast area, adding 107SF to the living space at the property addressed as 108 East Genesee Street in the Village of Skaneateles.

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**Present:** Bruce Kenan, Chairman  
Mark Roney, Member  
Carol Stokes-Cawley, Member  
Douglas Sutherland, Member

Riccardo Galbato, Attorney for the Planning Board  
Dennis Dundon, Clerk to the Planning Board

Michael Malda, Applicant

Kathy Farsaci, Skaneateles  
Dave Farsaci, Skaneateles  
Rob Schoeneck, Skaneateles  
Denise Schoeneck, Skaneateles  
Barbara Stack, Skaneateles  
Bettina Smallman, Skaneateles  
Tom Smallman, Skaneateles  
Robert Eggleston, Skaneateles

**Absent:** William Eberhardt, Member

Chairman Kenan opened the meeting at 7:55 pm, announcing the application of Michael Malda for 108 East Genesee Street. Mr. Malda introduced himself and presented, "My client proposes to add a 107 SF bump-out to round out the corner of her house. It would essentially just fill in a corner. She went back and forth whether they should do it in the last construction phase and decided not to. Now that she is looking at her house she has decided that it would allow her a much better use of the breakfast room for entertaining and a much more direct access to her existing stone patio. The bumped out portion would be right here; we'd simply extend the existing wall. Other options have been discussed but this one allows us to enlarge the room without encroaching on the already non-conforming setbacks. It also helps bring the exterior of the house up a more compatible relationship with the recent additions, and undo a bit of a 1970s renovation – skylight and roof design that doesn't quite work. The other item that was of

concern was the lot coverage. The existing house is already non-conforming; this addition would increase that non-conformance by 0.7%. Are there any questions?"

Chairman Kenan, "So in terms of variances the issues are the lot coverage and the fact that the existing house does not conform to the required set-backs. Mr. Malda, "So we're simply bringing that one wall out further without encroaching further, and covering up a little extra corner of the property. Again that increase in lot coverage would be 0.7%." Chairman Kenan said, "The expansion is roughly 9 by 12, is that right?" Mr. Malda, "8 foot 10 by 12 feet."

Chairman Kenan asked, "Any questions?" **Member Sutherland said, "I move that we recommend to the ZBA that they approve the variances requested." Member Stokes-Cawley seconded the motion.** Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan declared the motion passed. It was noted that the ZBA meeting will be held on July 23 at 7:30 pm. Mr. Malda thanked the Board. This matter was concluded at 7:58 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Planning Board Public Hearing  
July 11, 2013**

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Variance recommendation in the matter of the application of David & Kathleen Farsaci to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, Side yard set-back left, Side yard set-back right, Both side yards combined and Percentage of structure width/lot width; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to enlarge an existing deck and construct stairs to the ground level pool area at the property addressed as 50 East Lake Street in the Village of Skaneateles.

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**Present:** Bruce Kenan, Chairman  
Mark Roney, Member  
Carol Stokes-Cawley, Member  
Douglas Sutherland, Member

Riccardo Galbato, Attorney for the Planning Board  
Dennis Dundon, Clerk to the Planning Board

Kathy Farsaci, Applicant  
Dave Farsaci, Applicant

Rob Schoeneck, Skaneateles  
Denise Schoeneck, Skaneateles  
Barbara Stack, Skaneateles  
Bettina Smallman, Skaneateles  
Tom Smallman, Skaneateles  
Robert Eggleston, Skaneateles

**Absent:** William Eberhardt, Member

Chairman Kenan opened this portion of the meeting at 8:00 pm, announcing the application of David & Kathleen Farsaci for 50 East Lake Street. Chairman Kenan asked, "Anything you want to tell us about the application?" Mr. Farsaci, "It is pretty much what the application says it is." Chairman Kenan, "The issues are in terms of variances..." Attorney Galbato, "Percentage of open area, side yard set-back left, right and both and percentage of structure width/lot width." Chairman Kenan asked, "And comparing that to existing, the extension is basically toward the rear yard, toward the pool, is that right?" Mr. Farsaci, "That's correct." Member Roney asked, "So none of the set-backs are going to change. It is just between the house and the pool." Mr. Farsaci, "Right." Chairman Kenan asked, "Any questions. [pause] Anyone have a motion?"

**Member Roney said, "I will move that we recommend that the Zoning Board of Appeals approve the variances requested." Member Stokes-Cawley seconded the motion. Upon the**

unanimous vote of the members present in favor of the motion, the Chairman declared the motion passed. The Farsacis thanked the Board. This matter was concluded at 8:02 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Planning Board Public Hearing  
July 11, 2013**

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Variance recommendation in the matter of the application of Barbara Stack to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area; and Section 225-14(d) Swimming pools, 25ft distance to lot lines to construct a 15 X 26 foot swimming pool with steps at the property addressed as 32 Orchard Road in the Village of Skaneateles.

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**Present:** Bruce Kenan, Chairman  
Mark Roney, Member  
Carol Stokes-Cawley, Member  
Douglas Sutherland, Member

Riccardo Galbato, Attorney for the Planning Board  
Dennis Dundon, Clerk to the Planning Board

Barbara Stack, Applicant

Rob Schoeneck, Skaneateles  
Denise Schoeneck, Skaneateles  
Bettina Smallman, Skaneateles  
Tom Smallman, Skaneateles  
Robert Eggleston, Skaneateles

**Absent:** William Eberhardt, Member

Chairman Kenan opened this portion of the meeting at 8:00 pm, announcing the application of Barbara Stack for 32 Orchard Road. Chairman Kenan said, "Again we have variances – open area and setback of the proposed pool from lot lines. This is the kidney pool, right?" Ms. Stack said, "Right. If necessary I could change it to something smaller. I would like to have it for my grandchildren who live down the street. I just moved here as my retirement home; I'm not retired yet, but I'd like to put a pool in." Chairman Kenan asked, "How does the pool – I understand how it affects the open area – but how does it affect the lot line set-backs? Does it? Are they unchanged or are they changed?" Ms. Stack, "They are unchanged." Chairman Kenan concurred, "I would say they are unchanged. The house is what creates the variances on the side yards. And you seem to have ample rear yard." Ms. Stack, "Oh yes." Chairman Kenan asked, "Any questions on this one?"

Member Stokes-Cawley asked, "Does this need a fence?" Ms. Stack, "Oh yes." Member Stokes-Cawley, "Is that part of the application?" Ms. Stack, "No, I had the fence people ready to

put it only around the pool. It will be wrought iron fence, totally encasing the pool, nothing else. So the pool is locked at all times when I am not there.” Chairman Kenan, “That’s a good question. Where would the fence be in relationship to the pool?” Ms. Stack, “Right around the pool and up to the house, because there will be a patio from the house replacing the current patio with one just the same size, and then the steps going down to the pool. So that whole area, the pool area, up to the house will be fenced in.” Member Sutherland, “Probably what should happen is that the area where the fence is going should be marked on this plan. Since we’re just doing a recommendation from the Planning Board to the ZBA, we could probably recommend it subject to the fence being marked on the plan. There is probably also a code consideration as to how high the fence needs to be, so if it can be identified as to where it goes and the nature of fence – so that all that material can go on to the ZBA. It won’t hold anything up, but it will provide them the additional information they should have before they act.”

Ms. Stack, “So should I get a copy of the survey once again, because I had the house resurveyed just for this particular issue. I will draw the fence and put the measurements in.” Chairman Kenan, “If you would supplement that drawing with the fence location shown on it, and dimensioned from the pool and property lines. They are going to need to know that.” Ms. Stack said, “I wish somebody had said something.” Member Sutherland, “If you had it, you might include a catalog cut – a picture out of a catalog or something – for the fence, so they can see the nature of the fence; how wide the spindles are, those kind of things, so they will be acting in an informed way when they take a vote.” Ms. Stack, “Are there any pools that have been put in the Village and do they have a specific fence type?” Member Sutherland, “There isn’t a specific type; have you already talked with someone about putting the fence in?” Ms. Stack, “Yes, Jeff Lemon of Cannon Pools. He put my fence and pool in at my house in Sherwood Farms.”

Member Sutherland, “I would guess that if you called him and said that you needed to have a catalog cut of the exact fence that’s being proposed, that he could probably get something to you in a matter of a day or so.” Ms. Stack, “I’ll do that first thing tomorrow.” Chairman Kenan, “That’s basically a page or picture out of the catalog.” Attorney Galbato said, “You can send that to Dennis, along with a revised survey showing the fence location.” Chairman Kenan asked, “Anything else? [Pause] How about a motion on this one?”

**Member Stokes-Cawley said, “I move that we recommend this to the Zoning Board of Appeals for approval, subject to the modification of the drawing and a catalog cut showing the proposed fence.” Member Sutherland seconded the motion.** Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan said, “Approved. Ours is a recommendation, the Zoning board will need to act on it.” Ms. Stack thanked the Board. This matter was concluded at 8:09 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles  
Planning Board Public Hearing  
July 11, 2013

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Variance recommendation in the matter of the application of Robert & Denise Schoeneck to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to construct a cement pad for air conditioning compressor on the south side at the property addressed as 77 Jordan Street in the Village of Skaneateles.

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Present:        Bruce Kenan, Chairman  
                  Mark Roney, Member  
                  Carol Stokes-Cawley, Member  
                  Douglas Sutherland, Member

                  Riccardo Galbato, Attorney for the Planning Board  
                  Dennis Dundon, Clerk to the Planning Board

                  Rob Schoeneck, Applicant  
                  Denise Schoeneck, Applicant

                  Bettina Smallman, Skaneateles  
                  Tom Smallman, Skaneateles  
                  Robert Eggleston, Skaneateles

Absent:        William Eberhardt, Member

Chairman Kenan opened this portion of the meeting at 8:10 pm, announcing the application of Robert & Denise Schoeneck for 77 Jordan Street. Chairman Kenan said, "You want some air conditioning right?" Mr. Schoeneck said, "Back in 2001, we obtained a variance to add a 600 SF garage and family room to our property. At that time we were already above the maximum allowed lot coverage by a few percent. That increased to 80.74% of open area." Chairman Kenan, "And you want to trim 0.09% off of that?" Mr. Schoeneck, "We were told that we should. There may be a little less than that. I put it in for a 3 by 4 foot pad for a second condensing unit. It may be a little bit smaller than that." Chairman Kenan, "And that's the whole issue right? It doesn't affect setbacks; it is simply the lot coverage for this pad."

**Member Sutherland said, "I move that we recommend to the Zoning Board of Appeals that they approve the variances as requested by the Schoenecks." The motion was seconded by Member Roney.** Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan declared it passed. The applicants thanked the Board. This matter was concluded at 8:13 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles  
Planning Board Public Hearing  
July 11, 2013

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Variance recommendation in the matter of the application of Valerie & Bill Hanbury to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, Side yard set-back left, and Both side yards combined; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to install a new stone paver patio at the property addressed as 49 Academy Street in the Village of Skaneateles.

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Present:       Bruce Kenan, Chairman  
                  Mark Roney, Member  
                  Carol Stokes-Cawley, Member  
                  Douglas Sutherland, Member

                  Riccardo Galbato, Attorney for the Planning Board  
                  Dennis Dundon, Clerk to the Planning Board

                  No one present on behalf of the Applicant

                  Bettina Smallman, Skaneateles  
                  Tom Smallman, Skaneateles  
                  Robert Eggleston, Skaneateles

Absent:        William Eberhardt, Member

Chairman Kenan opened this portion of the meeting at 8:15 pm, announcing the application of Valerie & Bill Hanbury for 49 Academy Street. Chairman Kenan said, "So the open area goes down from 85 to 76 percent. The left yard goes from 15 to 2. That's it. It's a patio, it's not a building. We saw this property just a couple of months ago. What do you think?"

Member Roney said, "Where's the left side dimension. It was 9 foot 7." Chairman Kenan said, "I don't get the 9 -7 because the garage is 6 feet -- unless the garage has a different setback."

**Member Sutherland said, "I move that we pass this on to the ZBA without a recommendation, but to advise the applicant that it would be helpful to show the relationship to the house next door, since the set-back is pretty tight on the adjoining lot, and with that additional information the ZBA can act." The motion was seconded by Member Roney. Upon the unanimous vote of the members present in favor of the motion, the motion was declared passed. This matter was concluded at 8:19 pm.**



**Village of Skaneateles  
Planning Board Public Hearing  
July 11, 2013**

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Variance recommendation in the matter of the application of Thomas & Bettina Smallman to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, Front yard set-back and Rear yard set-back; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to construct a two story addition on the west side, a one story addition on the east side and a 7.5 foot high fence on the north side at the property addressed as 3 Chestnut Circle in the Village of Skaneateles.

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**Present:** Bruce Kenan, Chairman  
Mark Roney, Member  
Carol Stokes-Cawley, Member  
Douglas Sutherland, Member

Riccardo Galbato, Attorney for the Planning Board  
Dennis Dundon, Clerk to the Planning Board

Robert Eggleston, Architect, on behalf of the Applicant  
Bettina Smallman, Applicant  
Tom Smallman, Applicant

**Absent:** William Eberhardt, Member

Chairman Kenan opened this portion of the meeting at 8:20 pm, announcing the application of Thomas & Bettina Smallman for 3 Chestnut Circle. Mr. Eggleston introduced himself and presented, "They purchased the Soderberg house on Chestnut Circle a couple of years ago and want to make some improvements to it. It is a fairly plain colonial house built in the 1960s. They would like to get a little bigger kitchen, so they'd like to bump out the front 6 feet for the kitchen 13 feet wide, and then put a porch – right now there is no porch, just a small little stoop that's in disrepair – there's no protection when people come to the front door. So extend this 6 feet out..." Chairman Kenan, "So it is a kitchen and porch next to it." Mr. Eggleston, "The kitchen would be a one-story addition coming out. It's actually similar to what Mrs. Cooper's house was like, next door right around the circle. So that's the first thing they'd like to do. That actually requires a front yard variance in that they are currently 26.1 feet and they're going to reduce to 20.8 feet."

Mr. Eggleston continued, "The second thing they would like to do is put a sunroom on the side, which is a two-story space with a loft in it, so it would be another wing on the side that steps down appropriately from the main house and steps back. So I think proportionally it fits nicely on the colonial. It will have windows to match the front keeping it consistent with the

architecture. That has no side yard or dimensional variances required. The third thing; they have the two-car garage, but they need a place to put the lawn equipment and a few other things. So they want a 10 x 16 wing put on the side that sets back, and again that would blend with the rest of the house. It has no dimensional set-back requirements. The third thing – they have installed a fence in the back; they got a permit to put up a pergola and alter the deck to a patio. That was done without the need of a variance. And they put up a fence around it. The fence is purposely designed to contain their cats. They tried doing a 6 foot fence which is a standard for the Village. That wasn't quite working. They had to kind of bring in the top a little bit, and so it's actually 7.5 feet. The Zoning Law requires any fence that encroaches on the required side or rear yard to only be 6 foot high. So actually this portion of the fence is fine. It's actually just this little corner here that's 31.5 feet from the rear line is non-conforming as a result of their having to raise the fence up. So this is fine over here, it's just this little corner here that doesn't comply. So they'd like a variance to allow them to maintain this 7.5 foot high fence in this corner. This is not anything that they have been cited on, they realized that it does not conform. And then the other variance is that we're going to decrease the open space from 84.3% to 81% open space where 85% is required. For an undersized lot of 15,000 SF that is not uncommon in this area."

Mr. Eggleston continued, "Speaking to the front yard, I think adding the porch on the front enhances the house. Because this is on the circle with only two houses on the circle, there's no real street line that one really needs to be concerned about. And lucky for all of us, there's this beautiful tree right in the center that they will be able to keep. We show the tree over here. There's a bush here and we're able to preserve that bush as well. So this will afford them a few extra elements to the house; it's unique because it sets back in the circle; it doesn't really have a street façade that it has to pay attention to. The Cooper house is over here and that's 29.7 feet away corner to corner. Are there any questions relative to what we are proposing?"

Chairman Kenan, "Any questions?" Member Stokes-Cawley, "What was the open space percentage change?" Mr. Eggleston, "We change from 84.3 to 81.7, which is 2.6%. So before this it was under by 0.7%."

**Member Roney said, "I move that we recommend to the ZBA that they approve the requested variances." The motion was seconded by Member Sutherland.** Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan said, "The motion is passed." Mr. Eggleston thanked the Board. This matter was concluded at 8:26 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Planning Board Public Hearing  
July 11, 2013**

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Variance recommendation in the matter of the application of Bob & Kathy Kleckner to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, Side yard set-back left, Side yard set-back right, Both side yards combined, and Percentage of structure width/lot width; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to construct a 6 ft privacy fence along the north boundary adjacent to a new 900 SF deck to be constructed on the north side of the house, construct a new deck and 6 ft privacy fence to be partially constructed over an existing concrete patio on the south side, and to construct a 42 in high picket fence around the rear yard at the property addressed as 8 Lakeview Circle in the Village of Skaneateles.

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Present:        Bruce Kenan, Chairman  
                  Mark Roney, Member  
                  Carol Stokes-Cawley, Member  
                  Douglas Sutherland, Member

Riccardo Galbato, Attorney for the Planning Board  
Dennis Dundon, Clerk to the Planning Board

No one was present on behalf of the Applicant

Absent:        William Eberhardt, Member

Chairman Kenan opened this portion of the meeting at 8:30 pm, announcing the application of Bob & Kathy Kleckner for 8 Lakeview Circle. Chairman Kenan said, "So they used your [Mr. Eggleston's] drawing as a survey. I'm not sure I understand this; how to read this. There's the patio and there's the house. And he wants to build a wood deck that goes all the way to the fence, and there's a gate. And apparently the deck either goes under the porch or replaces it. Is that the way you see it. So they want to fence this patio, shortening the side yard from 7.5 to 6.5. I like to help people along. Is there another fence here? They probably want to fence this. That's all new fence." Member Sutherland, "How do you know that from here?" Chairman Kenan, "A 4 foot 2 inch picket fence. I don't see it on this plan, so I assume it's new. I see this is within the property line."

Chairman Kenan asked, "Who does this come from? Do you send it to us or does it come from Adam?" Mr. Dundon, "Adam gets it, looks at it, denies it, and then I send it to you." Chairman Kenan said, "The information is fairly sketchy to figure out what's going on. Is this your interpretation – they want to add a fence all the way around, they want to build a deck, and they want to put a fence around this. And that's it? And the open area gets cut from 80 to 73 roughly." Mr. Dundon read the description on the agenda. Chairman Kenan said, "This says the

left side dimension is less than a foot. What are we measuring to, the deck or the fence?" Mr. Dundon said, "Probably the deck." Chairman Kenan said, "Then this would be consistent. The right side is fine, the rear yard doesn't change. It goes from 73 to 90%, where 55 is the maximum. All these lots in Lakeview Circle are very tight. It's hard to do almost anything without being non-conforming. The deck looks awfully big compared to the size of the house. Look at it; 75 – 80% the size of the house. What do you think that is, an existing tree maybe?" Member Roney, "Yes; wrapping around a tree. Do people never fill these out right or don't I understand them?" Attorney Galbato, "I don't like it to use existing because you still may be adding to the set-back, even though you are still within..." Member Roney, "The second column is supposed to be non-conforming, so if their rear yard set-back is currently 75 feet, that's conforming and there shouldn't be any number there." Chairman Kenan, "So the left side is now less than 1, it was 24. But they say 12 foot change. The variance requested is from 25 to 1."

Chairman Kenan said, "If I were making the motion, I would recommend denial, only because all these lots are small and you have to give people leeway, because everything is non-conforming. But having said that, you are supposed to go for the least variance you need to accomplish what you want to accomplish. I think this deck is awful damn big – at least compared to the size of the house. It would seem to me that they could lessen the variance by a lesser deck, and I'm not sure that would be a bad thing to do." Member Sutherland, "It also looks like somebody who doesn't know what they are doing; who sketched something and has no concept of what it is going to be or what it's going to look like. There are so many questions; to send that one along with any kind of a recommendation is bad. It's almost like we are shirking our duty by sending it along without a recommendation." Chairman Kenan, "I think I would recommend denial. We have to do something right?" Attorney Galbato, "You could table it because the applicant was not here, or take a position."

Chairman Kenan said, "There is certainly insufficient information and nobody here to explain it. If we send it along with a recommendation of denial, then before the next month, when they come back, if they do, they will have the Zoning Board's opinion on it as well as ours - which is probably a good warning as to what kind of outcome is likely." Attorney Galbato, "Or if the Board chooses to recommend denial, they can choose to modify their application and come back to this Board in August, based on the input from this discussion." Attorney Galbato said, "One set-back is proposed to be less than 1 foot from the Property Line? I would recommend that if someone is going to be that close, that you require a survey. You don't want to be in the position of approving something that's a possible encroachment." Chairman Kenan said, "They ought to get some comment from the neighbors too. That's not a requirement of the Zoning." Attorney Galbato said, "Less than a foot without a survey." Member Sutherland, "Less than a foot without a survey and with many of these numbers being above what is permitted."

**Chairman Kenan said, "I'll move that the Planning Board recommend denial of the variances requested with the commentary that (1) the request seems excessive, (2) they are requesting a side yard set-back of less than 1 foot without a survey -- anything that close to the property line should be accompanied by a survey, and (3) because the information is not sufficiently clear for the Board to consider an approval." Member Sutherland seconded the motion. Upon the unanimous vote of the members present in favor of the motion the Chair declared the motion passed.**

The meeting was adjourned at 8:40 pm by acclamation.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

