

Village of Skaneateles
Planning Board Meeting
July 3, 2014

Continuation of the Public Hearing in the matter of the application of Cathy McDonald for a 21 lot subdivision, called Hidden Pond Subdivision, located off East Street in the area of the Village water tower site in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
 Brian Carvalho, Member
 William Eberhardt, Member
 Stephen Hartnett, Member
 Douglas Sutherland, Member

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

 Charlie Wallace, Skaneateles
 Robert Eggleston, Skaneateles
 Kami Cheney, Syracuse
 Richard Aiello, Syracuse
 Wayne LaFrance, Skaneateles
 Janice Miller, Skaneateles

Chairman Kenan called the meeting to order at 7:30 pm, announcing the continuation of the Public Hearing for Hidden Pond subdivision. Chairman Kenan said, "I believe there is nothing new to come before the Board tonight on that subdivision. We are still waiting to hear from the Applicant?" Attorney Galbato, "We are waiting for them to pay the escrows and get feedback on the Engineer's comments." Chairman Kenan said, "So then what the Board should do, I believe, is to keep the Public Hearing open and schedule further discussion at the next meeting. Is there a motion to do that?"

Member Hartnett said, "I move that we continue the Public Hearing to the August 7, 2014 meeting of the Planning Board at 7:30 pm." Member Eberhardt seconded the motion. Upon the unanimous vote of the members in favor of the motion, Chairman Kenan declared, "The motion is passed."

This matter was concluded at 7:36 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting July 3, 2014

Trustee Recommendation in the matter of the further review of the site design for the Village Hall site at 26 Fennell Street in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
 Brian Carvalho, Member
 William Eberhardt, Member
 Stephen Hartnett, Member
 Douglas Sutherland, Member

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

Chairman Kenan called for the next item at 8:19 pm, asking if there were a motion to reaffirm the Board's approval of the site design for the Village Hall site. Chairman Kenan said, "As soon as the easements are in place from both Harris and Patulski, the Village would like to approve moving forward with this plan. They need the easements first and they would like it very much if the Planning Board would help encourage the thought of parking behind the building set in front of it. The Mayor is concerned that some people will bemoan the loss of those few spaces along the wall of the Post Office. And I think maybe there is a concern that the Chamber of Commerce is going to be lobbying for more parking spaces."

There was discussion about the fact that the previously-approved version of the design, displayed in the screen, was not the same as the paper copy that had been provided to the Board. Mr. Dundon acknowledged that he erred in providing an outdated paper version of the design to the Board.

Chairman Kenan suggested that the Board reaffirm its support for the design concept and commend the Village Board for proceeding with such a design because it helps to fulfill the long-term goal for Fennell Street and other parts of the Village to provide some green space and keep parking behind the buildings or alongside the buildings rather than in front of them.

Member Sutherland, "I move that the Planning Board reaffirm its support for the Village Hall site design concept prepared by QPK Design on 2/21/2014. This is the same concept that this Board approved previously on March 6, 2014 and reaffirmed on May 1, 2014. The Planning Board reiterates that on both prior occasions, it has recommended that there be provision for access to and egress from the site into the TOPS parking lot and suggests that a revised design incorporating such access be prepared for presentation to the Trustees. The Board further commends this design to the Trustees since it helps fulfill the long-term goal for Fennell Street and other parts of the Village by providing green space

and restricting parking to alongside or behind the building.” Member Carvalho seconded the motion. Upon the unanimous vote of the members in favor of the motion, Chairman Kenan declared, “The motion is passed.”

The Planning Board agreed to meet on July 24 at 7pm at the Sherwood Inn for the purpose of reviewing the draft revisions to the comprehensive plan and directed Mr. Dundon to provide public notice of the meeting

This matter was concluded and upon motion of Member Hartnett, seconded by Member Eberhardt, the meeting was adjourned at 8:30 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Meeting
July 3, 2014

Variance recommendation in the matter of the application of Jill and Todd Marshall to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back and Percentage of open area; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion to remove a deck and create a new covered entry at the property addressed as 20 Leitch Avenue in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
 Brian Carvalho, Member
 William Eberhardt, Member
 Stephen Hartnett, Member
 Douglas Sutherland, Member

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

Wayne LaFrance, Architect, on behalf of the Applicant
Janice Miller, Architect, on behalf of the Applicant

Charlie Wallace, Skaneateles
Robert Eggleston, Skaneateles
Kami Cheney, Syracuse
Richard Aiello, Syracuse

Chairman Kenan called the next application at 7:37 pm, announcing the application of Jill & Todd Marshall for 20 Leitch Avenue. Mr. LaFrance introduced himself and presented, "We are seeking a clarification, basically. We have been in contact with in multiple conversations with John [Cromp] the local code official, who believes we need to come before the board seeking variances for nonconformance. What I did do in our paperwork, and I apologize there was a typo – if you could take in item 2 of our letter there we cited 225-69B, that should have been D-2. That's where we are kind of hanging our hat. So again that's Chapter 225-69D-2. What that basically pertains to is the extension or expansion of a nonconforming. And 1 and 2 of that rule are exceptions where no variances are required. We believe we fall under that category. If anything if you look at our submission, in our chart of set-backs, we have actually improved the situation. We don't meet the 85% rule, but we actually made it less nonconforming. So we are not clear if we actually require a variance if we hang our hat on here. I also cite 225-70 which is for a small lot. Again, there are exceptions in there that I think we can again hang our hat on, that says for all other intents and purposes, aside from what pre-existing, we are in conformance. So we are open to clarification -- we'd like to know if a variance is indeed needed; we believe it is not."

Chairman Kenan, "So the; step back – what is the nature of the variance if it is required?" Mr. LaFrance, "We're not sure. John cited the need for a variance. He's citing set-backs and side yards, which we are in compliance. So we are not quite sure why. I think John was uncomfortable with us modifying the existing building without it coming under some form of review, therefore he thought variance was the review process; needing for you to see what was done. In this set, by the way, this is the chart we are using. There's a colored drawing here, it represents before and after. The before is the red and that's being removed, and obviously the green is what's being added back. What we're saying is what's adding back is less than what was taken away. That's an over-simplified version of it. So we are not sure what the variance is for."

Member Hartnett, "I think that what John ran into is the fact; the issue that we had a couple of months back – putting a roof over it and changing the volume of the space versus just a flat area." Chairman Kenan, "Is the site nonconforming today?" Mr. LaFrance, "Yes, in the red yes." Chairman Kenan, "And does not any expansion or extension of it require a variance?" Mr. LaFrance, "But we are not expanding." Chairman Kenan, "Well you are extending the use. The fact that the net is not larger does not mean it's not an extension." Member Sutherland, "Extension of time, not physical?" Chairman Kenan, "No, I interpret extension as meaning physical; it's a physical extension. I don't believe the intent is a net extension, I think it means extension." Mr. LaFrance, "I'm looking for clarification there myself. I was interpreting that you have a shell which is in conformance; you can do anything you want inside that shell within conformance because you haven't violated anything. You haven't increased or changed the situation; you have changed the interior of it. So if the net has not changed, in fact has decreased, what is the variance?"

Member Carvalho, "You are changing the shape." Member Hartnett, "And that's what we ran into before." Mr. LaFrance, "That might be an esthetic thing; you may want to look at the change and that would cause the variance. And I would understand that. So if that's the cause, I say I agree and I understand that you want to understand how does this structure change and how does it look. But that's not what we were cited on. We were cited on set-backs." Member Hartnett, "I'm kind of in a unique situation, having been on the Zoning Board previously, and we had a problem with that because it changed not only what the building looked like, but also the cubic amount that was being put on. And I think that's why John sent you to come back." Mr. LaFrance, "OK; I'm looking for clarification." Member Sutherland, "I think you are right, when you look at variances it is not simply the footprint but it is the overall impact on neighbors. So having a look at the design..." Mr. LaFrance, "Doug, I can understand that line of logic; that makes perfect sense. But numerically, Bruce, purely by the numbers we are not changing anything – we are less than the numbers." Member Hartnett, "You are changing the shape and the use." Chairman Kenan, "You are changing." Mr. LaFrance, "We are making a change physically as far as what you can see, I agree. But I think that's esthetic."

Chairman Kenan, "I don't have the ordinance in front of me. Would you agree with what I said a minute ago – that it is an extension of a nonconforming use?" Attorney Galbato, "Yes." Mr. LaFrance, "Can I have clarification? It is an extension a measured extension or just a change? So if I take a dormer and I move it on my roof, is that an extension or is that just a change? I

argue that it's a change not an extension. In like manner..." Member Hartnett, "If you are adding a roof over a deck..." Chairman Kenan, "The dormer may not be the best example because it doesn't extend over anything." Mr. LaFrance, "And what's interesting, we almost got it. But if you will notice comparing red to green it is just the stairs coming out that's outside the red zone, so the extension is outside the red zone. I would agree that the stairs are in nonconformance with what was originally there." Chairman Kenan, "In a lot of respects that provision in the ordinance becomes a nuisance or an aggravation in a community like this where there's all these 50 foot lots in the Village and today's Zoning is drawn differently from that, everybody's a nonconforming use and everybody comes for a variance."

Attorney Galbato, "I would recommend – you are in front of this Board for an advisory opinion to the ZBA. You could make your pitch to them because they are the governing Board that could overturn, on appeal, whether or not you need push forward to appeal the determination of the Code Enforcement Officer, of whether or not the variances are required in the first place." Chairman Kenan, "Isn't the ZBA the proper Board to make the interpretation anyway?" All were in agreement that it is.

Attorney Galbato, "He's really asking for more than that; he's asking for..." Member Eberhardt, "We need to act on this." Member Harnett, "And they can decide. This is definitely a change, because it changes the look, the structure and basically the use by putting the roof over it. I think that we should have our opinion recommending to the ZBA whatever we decide." Chairman Kenan, "So it's two-fold if we choose to make it that – one is a recommendation on how to interpret the code, but secondly we could also recommend granting or denial of the variance itself. We might as well do both while we are on the subject and then the Zoning Board can act."

Mr. LaFrance, "I am asking to do the override. I can't speak for John and I shouldn't, he is the Code Officer, but he has no problem with the project he has a problem with the technicality." Member Hartnett, "Again, because of a previous issue." Mr. LaFrance, "Right. I don't need to go there. So I am looking for you to give us a variance on the variance."

Chairman Kenan, "So, do you want to make a motion?" **Member Eberhardt said, "I'll make a motion that we recommend that the Zoning Board of Appeals approve the variances as requested on the application dated June 19, 2014 and that we also recommend that the Zoning Board of Appeals uphold the Code Enforcement Officer's decision that the variances requested are, in fact, required." Member Hartnett seconded the motion.**

Upon the unanimous vote of the members in favor of the motion, Chairman Kenan declared, "The motion is passed." Mr. LaFrance thanked the Board.

This matter was concluded at 7:45 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting July 3, 2014

Variance recommendation in the matter of the application of Ron Beavers and Karen Lewis to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Both side yards combined; Building Height; and Percentage of open area; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion for alteration of the existing kitchen and garage and for construction of a new garage at the property addressed as 50 West Lake Street in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
Brian Carvalho, Member
William Eberhardt, Member
Stephen Hartnett, Member
Douglas Sutherland, Member

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

Richard Aiello, Architect, on behalf of the Applicant
Kami Cheney, Architect, on behalf of the Applicant

Charlie Wallace, Skaneateles
Robert Eggleston, Skaneateles

Chairman Kenan called the next application at 7:46 pm, announcing the application of Ron Beavers and Karen Lewis for 50 West Lake Street. Mr. Aiello introduced himself and Ms. Cheney as being from Holmes, King and Kallquist Architects and presented, "I think you received the drawings." Chairman Kenan said, "We have the package." Mr. Aiello, "We'll have those up on the screen. This is the residence at 50 West Lake. The house was built in 1827, and from all evidence that we found it was constructed as a Federal style, which originally had a ridge parallel to the lake. We found evidence of that in other houses around the area, plus in the attic we recovered the original windows that were in the gable. In the 1870s, there was a substantial amount of upgrade and change to the house and alterations. Basically it was in that time that we assume it was changed to the Italianate style. Now you see from the photos, it has a hip roof on it and the front porch has Italianate features to it – so there were substantial changes. Sometime in the early 1900s, the small extension on the house was removed and replaced by the current stucco addition which you will see when you see the pictures but it would be this area that's in the back of the house here. This would be the main house; the first existing house."

Mr. Aiello continued, "Basically for the Zoning, as you stated in the previous application, the majority of homes are nonconforming. The existing house is 42 feet high which exceeds the

Code at 35. The front yard meets our required set-back. The south yard is 14 feet, which is 11 feet less than the required 25 feet. The north side, the project is set-back 40.3 feet but it is already there so it is already existing. The rear yard, you can't see it here but if we zoom back out, it is very extensive. The basis of; the new clients who have purchased this home really want to take back that beautiful back yard. They already have an amazing view of the lake from the front of the house – absolutely gorgeous. From this porch you can see right across to the lake. This is the addition; the stucco addition that's on the back of the house. That was added later in the 1900s. What they want to do; the alterations they would like to make – there's two projections on the back of the building right here. This is a storage shed underneath and part of an interior master closet up on the second floor. This is basically a kind of an outdoor room; it's not really a sunroom, it's just kind of an outdoor room. Those basically block any view that Ron and Karen have of the back yard with all the extensive patio work that they have done back there. They would like to remove those and change the shape and style of the house so they can go back to enjoying the back yard."

Mr. Aiello continued, "The other feature that's in the house that is kind of also impeding this view is the garage. It is basically inboard in the house. The garage is right in here in the existing house; it goes right into the house. So that, accompanied with the two buildings on the back, really block the views to the back. So really what we have proposed to do is to remove the two appendages that are on the back and replace them. So we would take the two appendages off the back of the house and enable us to create a new area for them to have a sitting area, an eating area -- so basically they will have a view now to the outside to the back. We will be removing the garage from the side, and moving it out to an exterior building that will be attached to the original house. This would be the view looking up from West Lake up the driveway; It's very minimal what you are going to see from the front view of the façade of the house."

Chairman Kenan, "Are those the roof lines that are shown in that lower left elevation? The north elevation?" Mr. Aiello, "What we have another area that we have work that we're going to do – this is the existing roof line right here. So what we'd be doing is extending right over to the garage. This area here which is; what we are going on this side is we're actually going to be raising up the wall and kicking the roof up a little bit to get more head height for the dormer, because it's right in a bathroom and the clients wanted to have more head room. So it will just be adding the additional, kicking the roof up, this roof that's existing will come down and extend over the garage as you see over here in the back." Chairman Kenan, "So the main roof line is what it is in the back and the portion you said is raised is just a few degrees different?" Mr. Aiello, "Yes. It's going from a 5 on 12 up to a 3 on 12. Basically, it's just kicking it up a little bit. It's not going any higher than the original roof line, it's really just staying where it was, just kicking up the pitch a little. The original house has existed painted brick on it, when they did the addition it is all stucco, the painted stucco. Everything we are adding would match the existing stucco so it would be all uniform across. As far as the impermeability, the alteration will affect it in a very negligible manner. We are talking of a change from 85.216% to 84.894%, so it's a total differential of 0.322%."

Chairman Kenan, "The existing garage that's shown in the upper left; does that remain?" Mr. Aiello, "Yes. There is no work being done on that. The original garage is basically in this area here, the dashed lines here, that's the existing garage in there. So instead of having this blocked

by the old buildings and garage, those will go away. So this opens up; we can put the kitchen over here – have an eating area, a sitting area and also they want to add a mudroom/potting area which would then flow out to the garage. So we moved the garage out to here, added a walkway, extended the driveway here.” Member Eberhardt, “What will the function of the old garage be?” Mr. Aiello, “They use the old garage for storage; I think they have extra cars.” Member Eberhardt, “There’s not water out there?” Mr. Aiello, “No, no. Just a garage. But that’s really the extent of all we are doing in terms of adding onto and changing. It’s a very minor impact on the impermeability.”

Chairman Kenan, “OK, so you are taking off those two bumps on the back, and you are putting on a new garage, and that new garage occupies some small fraction more of the site coverage than before? Does the sidewalk and the driveway pavement – does that contribute to lot coverage?” It does not. Mr. Aiello, “We are asking the Board to recognize the grandfathering of the above listed zoning dimensional issues, consider the alterations to be an asset to the Village of Skaneateles, and to accept the small impact of the impermeability issue.”

Chairman Kenan asked, “Any questions?” Member Carvalho, “So to extend that driveway, you are taking that tree out? The maple tree right at the corner?” Mr. Aiello, “Right there you mean?” Member Carvalho, “No, the other corner -- right at the edge of the driveway turn-around.” Mr. Aiello, “We are not doing any work here, it would all be just in here.” Member Carvalho, “To extend the driveway though, you would take out all of that?” Mr. Aiello, “You mean removing this material here, right? We would be removing that.” Chairman Kenan, “And you are referring to a tree. Is it in that area where the drive is shown?” Member Carvalho, “Yes.” Mr. Aiello, “I’m sorry, I’m not prepared with an answer. I apologize.” Member Carvalho, “I was just trying to figure out; this is all going away. This is where your new driveway is going to go, because this is the driveway going in?” Mr. Aiello asked to have the site plan displayed again. Mr. Carvalho, “I couldn’t tell from your site plan.” Mr. Aiello, “You’re saying it is right in his area here? It would have to be removed then, if there is one in there.”

Chairman Kenan, “Any other questions? Anyone care to make a motion?” **Member Eberhardt said, “I’ll make a motion that we recommend that the Zoning Board of Appeals approve the Beavers/Lewis application dated the 13th day of June 2014 as submitted. Member Sutherland seconded the motion.** Upon the unanimous vote of the members in favor of the motion, Chairman Kenan declared, “The motion is passed.” Mr. Aiello thanked the Board.

This matter was concluded at 8:02 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Meeting
July 3, 2014**

Trustee Recommendation in the matter of the Skaneateles Community Center Lot Line Adjustment to effect an equal exchange of approximately 1.48 acres of land between the Skaneateles Community Center / Skaneateles Recreational Charitable Trust and the Village of Skaneateles. This matter was referred to the Planning Board by the Trustees on June 26, 2014.

Present: **Bruce Kenan, Chairman**
 Brian Carvalho, Member
 William Eberhardt, Member
 Stephen Hartnett, Member
 Douglas Sutherland, Member

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

Charlie Wallace, on behalf of the Applicant
 Robert Eggleston, Architect, on behalf of the Applicant

Chairman Kenan called for the next item at 8:03 pm, announcing the matter of the Skaneateles Community Center proposed lot line adjustment. Mr. Eggleston introduced himself and presented, “This is a lot line relocation.” Chairman Kenan, “Which is technically a subdivision.” Mr. Eggleston, “Yes, I believe so. Back in the beginning of the SRCT and the Community Center, the property owned by the American Legion was acquired and annexed into the Village so that there would be room to build the Rec Center without putting it in the existing park. At the time; this is the Legion property – the Legion maintained this piece and the rest was acquired by the SRCT for the purpose of building the Community Center. The intent was that once the Center was built then the SRCT would donate this to the Village. The Village would acquire it, the property would be merged with Austin Park, so it would be all one property. They even knew, at the time that they were building it, that the entrance service road and a number of the utilities would come in on the Village property. Because of the wetland location, they had to come down here. Those were all understandings and agreements in writing.”

Mr. Eggleston continued, “It was, as you know, about 2010 that it was realized that the original arrangement where the Village would own the property and the building and the Town would manage it wasn’t going to occur, and it was determined that the Village would not acquire the property. So the SRCT is going to maintain ownership of it. So as a matter of cleaning things up, what happens is the access road and a number of utilities are on the Village property. There’s actually some parking and access area off Jordan Road that’s used in conjunction with this ball field. When they redid some of the drainage in this ball field, they brought in some

drainage that goes on to the SRCT property. We thought the easiest thing to do was to do a lot line relocation where we will give to the Village the property on the west end, off Jordan Road, which is exactly the same size as the property along the south side of the SRCT property – the north side of the Village [Austin Park]. Square foot for square foot we are doing an exchange, so the Village has the use of this property, which they have been using. That could enhance parking and their drainage is there. The SRCT would own the land that the driveway and utilities are on. The only utility that we could not work into this land swap was the sewer – the sanitary sewer line comes down and ties into Jordan Street. So we would have an easement for the sewer line coming down that we would hold back so that we could maintain it.”

Chairman Kenan, “So it’s an easement from the Village to the SRCT for the sanitary sewer. There’s no easement running the other way?” Mr. Eggleston, “There don’t need to be any easements that we are aware of.” Chairman Kenan, “So all those other utilities are for the SRCT’s use.” Member Sutherland, “Could you run through the separation between Village and Town?” Mr. Eggleston, “When the property was annexed into the Village, the Village line comes across here. Then we annexed this into the Village...” Chairman Kenan, “Including the Legion.” Mr. Eggleston, “Including the Legion, and then it continues across.” Member Sutherland, “Did the Legion get sewer? Was that part of the deal?” Mr. Eggleston, “Yes it did. The Legion got sewer and water and electricity.” Mr. Dundon suggested that there is likely an easement from SRCT to the Village for the newly-installed electric service feed that comes in from Jordan Street.

Mr. Wallace introduced himself as President of SRCT and said, “I believe, I’m not exactly sure of the location, but it goes underground here. There needs to be an easement to Village Electric from the SRCT to bring the line up to here and over to the transformer.” Chairman Kenan, “So Village Electric would own the lines so it needs an easement from SRCT. You don’t have to deal with that as part of the lot line. But the sewer you do need an easement.”

Mr. Eggleston, “What we plan on doing; we first approached the Village Trustees with the concept, they thought that it was worthy enough to refer it to the Planning Board. Upon your recommendation we will then go back to the Trustees for the final approval. We will have Hannig, who is the surveyor, we will have him do an actual plot plan. Right now we will call this a sketch plan.” Chairman Kenan, “The procedure is that the Trustees want to hear the Planning Board’s recommendation on doing this or not. The Trustees will then, presumably authorize its happening and then there needs to be a formal subdivision?” Mr. Eggleston, “Mike Byrne finally got back to us and we have not heard that a formal subdivision application is included. Does it have to be referred to the County?” Attorney Galbato, “No, because it is a lot line readjustment; you are not creating a new lot. But it needs to authorize you to sign it; sign the new survey map for it to be filed with the County Clerk. Without a Board resolution approving a re-subdivision you are not authorized to sign it.”

Chairman Kenan, “So if the Board so chose, they could recommend this to the Trustees that they take the action and at the same time approve it as a re-subdivision/lot line adjustment subject to the Trustee action.” Attorney Galbato, I would also do a negative declaration under SEQRA. There is no proposed and no likely change in the use of the property, so a negative declaration is warranted.” Mr. Wallace, “But the Planning Board does have to approve the lot line adjustment

for the subdivision?" Chairman Kenan, "In order for it to be filed with the County, yes." Mr. Wallace, "Do we have to have a Public Hearing for that or if it's just a lot line adjustment?" Attorney Galbato, "Technically you should have a Public Hearing, although we have done lot line adjustments without a Public Hearing." Member Eberhardt, "With this do you want to do that? It should be squeaky-clean." Member Hartnett, "And I think you would definitely want to have the easements available." Mr. Eggleston, "We will have all of that ready and prepared for filing; we will have both Rick and Mike Byrne look at those."

Chairman Kenan, "So we could approve a sketch plan and make a recommendation to the Trustees and then come back at the subsequent meeting and have a Public Hearing and final subdivision approval when we have the survey map. If you think it's a question, we probably should do it that way. There isn't any timing issue, is there?" Mr. Wallace, "Nothing really." Member Hartnett, "Any other issues along that roadway, Bob?" Mr. Eggleston, "One thing that we went through very carefully is to make sure that we identified any and all easements. It was brought up about the Village electric and Tom from VIP who has been spearheading a lot of the technical stuff, is in contact with the Village electric department waiting to get the exact location. We can get Hannig to actually survey and find where that was placed." Chairman Kenan, "You're going to want all that on the map." Mr. Eggleston, "Absolutely. The road is in there and I know that there's a large map that we filed. We have enough room so that when snowplowing, the snow is on the property. It is not pushed over. The utilities are beyond that. So we include all the utilities from State Street coming out; and again the only utilities we don't is the continuation of the sewer line and the electric lines."

Member Hartnett, "My concern is that the Trustees have a good product to make their vote on, so that when they do their Public Hearing there are no things that come up later on." Mr. Eggleston, "Oh, absolutely." Chairman Kenan, "Bob, the proposed expansion doesn't impact this negatively in any way does it?" Mr. Eggleston, "Correct." Chairman Kenan, "It all fits within this geography?" Mr. Eggleston, "Correct. The proposed expansion is in this area right here." Chairman Kenan, "Fits within the road way that's built now?" Mr. Eggleston, "Fits within the road way, right." Member Hartnett, "That was always a kind of phase two to that anyhow." Mr. Eggleston, "Absolutely, and technically we have a building code issue because we have to have a fire rated wall if you are so close to the property line. Now that was ignored, because the property line was going to go away, but you continue this out and we'd have to build it out of concrete instead of steel to make it meet code. So what this will do is, this will give us more than enough so that we meet the building code. Before when they did this, I'm not sure if there's actually enough clearance for the rating of the wall or not, but this takes any of those issues away."

Chairman Kenan, "I think the thing to do is a sketch plan approval and then when you have everything you need on the map, come back and we'll do the final subdivision and sign the map, and have the Public Hearing." Attorney Galbato, "Whenever you come back Dennis can just administratively schedule the Public Hearing whenever you are ready." Mr. Eggleston, "There's no reason, at this point, that we can't have a Hannig survey and subdivision map ready for the next meeting. So if you want to put this to Public Hearing for next month, then we can have that prepared for you in the next two weeks so you have it on hand." Chairman Kenan, "Do we have a motion?" Mr. Wallace, "It might be the meeting after that, like a month from now." Chairman

Kenan, "What do you need, 10 days?" Mr. Dundon indicated that the cutoff for the August 7 meeting would be July 18, 2014 in order to have the notice of hearing published timely. Chairman Kenan, "So let Dennis know and when he gets it he will schedule."

Chairman Kenan said, "I'll make a motion. I will move that the Planning Board recommend to the Trustees that they effectuate the land swap proposed according to this lot line adjustment study prepared by VIP Structures that was issued for Village review on June 9, 2014. Further, that the Planning Board approve the sketch plan for the purpose of subdivision approval on the same plan as submitted. And also that the Planning Board declares itself lead agency under SEQRA, noting that this is an unlisted action receiving uncoordinated review, and that we find a Negative Declaration in that no new lots are being created and there will be no change of use. Further, that we schedule a Public Hearing and final action, subject to the Trustees approving the land swap and the necessary subdivision map being made available to the Board." Member Sutherland seconded the motion. Upon the unanimous vote of the members in favor of the motion, Chairman Kenan declared, "The motion is passed." Mr. Eggleston, "Are you seeing us going back to the Trustees for final approval after or before the Public Hearing?" Chairman Kenan, "Before." Messrs, Wallace and Eggleston thanked the Board.

This matter was concluded at 8:18 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards