

# Village of Skaneateles Planning Board Meeting August 7, 2014

---

Work session to discuss the proposed revisions to the Joint Town and Village of Skaneateles Comprehensive Plan and Trustee Lanning's comments regarding sidewalks on West Elizabeth Street.

---

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  
                  Jim Lanning, Village Trustee

Chairman Kenan convened this work session at 6:00 pm. Member Sutherland explained the process by which the drafts came about. Chairman Kenan suggested that the first section needed considerable editing to remove the 'first person' references. There was a general discussion in which various Board members offered suggestions in the matter of the Goals section of the proposed revision. Member Sutherland said he would provide one more draft that incorporates the suggestions made for Board review.

Trustee Lanning explained that the sidewalk formerly running on the north side of West Elizabeth Street has been removed or has deteriorated in several locations between the creek bridge and the Village line. He is proposing its reconstruction and desired input from the Planning Board. Apparently, there was never a sidewalk on the south side of that street. Trustee Lanning described the narrowness of the street, the increase in speeds as a result of the repaving, and the limited sight lines caused as the street rises to the west as reasons why a pedestrian sidewalk would be desirable. It is simply not safe to walk in the street in many locations.

The Board feels that continuity is important and that the walk could meander to accommodate existing trees. Possible means for deferred payment by residents and possible cost-sharing arrangements were discussed in order to make it affordable. It was the sense of the Board that the installation of a sidewalk is a great idea and if done, it should be in compliance with ADA requirements. There was debate over the requirement for sidewalks in subdivisions, with the sense of the Board that in a Village context, sidewalks should be required at the time of development.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



Village of Skaneateles  
Planning Board Meeting  
August 7, 2014

---

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

Dennis Dundon, Clerk to the Boards

Jim Lanning, Village Trustee  
John Crompton, Code Enforcement Officer  
Jorge Battle, Skaneateles  
Susan Schriever, Skaneateles

Chairman Kenan convened the meeting at 7:30 pm, calling the matter of the Hidden Pond subdivision. Chairman Kenan noted that the Public Hearing in this matter is still open asking, "Does anyone here want to speak to the Hidden Pond subdivision? [Pause] Hearing none, I'll move that we close the Public Hearing." The motion was seconded by Member Eberhardt. Upon the unanimous vote of the members in favor of the motion, the Public Hearing in this matter was closed.

Chairman Kenan, "We have required the Applicant to pay a fee in escrow to cover engineering services, which the Applicant has failed to do. In consideration of that, I'd entertain a motion to act on the subdivision request." **Member Sutherland, "I will make a motion that we deny the Hidden Pond subdivision without prejudice to a new application and resubmission of proposed plat and engineering drawings upon payment to the Village of \$5,000 to fund an escrow account for the Village Engineering Fees in accordance with Section 101-3 of the Village Code. At this time, the already-incurred engineering fees of the Village total \$4,211.03."** There was discussion to clarify that this motion would deny the pending application, without precedence meaning that it can be brought back, but that the Board will not hear the matter again until such time as those payments are made. **Member Harnett seconded the motion.**

Upon the unanimous vote of the members in favor of the motion, the pending application for the Hidden Pond subdivision was denied, without prejudice.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Planning Board Meeting  
August 7, 2014**

---

Public Hearing in the matter of the application of Skaneateles Community Center Lot Line Adjustment proposal to effect an equal exchange of approximately 1.48 acres of land between the Skaneateles Community Center 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

                  Dennis Dundon, Clerk to the Boards  
                  Michael Byrne, Village Attorney

                  Robert Eggleston, Architect, on behalf of the Applicant

                  Jim Lanning, Village Trustee  
                  John Crompton, Code Enforcement Officer  
                  Dick Perkins, SVFD President  
                  Dan Evans, SVFD Chief  
                  Jorge Batlle, Skaneateles  
                  Susan Schriever, Skaneateles  
                  Marvin Caldwell, Skaneateles

Chairman Kenan called the matter of the Skaneateles Community Center lot line adjustment at 7:34 pm. By way of background, CEO Crompton said that he is trying to get a copy of the deed from the [American] Legion [Post], "in order to find out if part of the land is actually owned by the Legion or just an easement." Chairman Kenan, "So there is a fundamental question relating to the application itself. I do not have a counsel to ask. We have not yet convened the Public Hearing though we have noticed a Hearing; so let's hold that thought for a minute. We will open the Public Hearing in the matter of the lot line adjustment between the Community Center and the Village of Skaneateles. Having opened the hearing, we will accept the comment you made; would you repeat that?" CEO Crompton, "There is a strip of land to the south of the Legion along Jordan. I think it's this piece right here." Chairman Kenan, "The piece in yellow is what they are suggesting that the Village would receive." CEO Crompton, "Correct. And it is in question as to whether that's an easement; that the Legion has an easement to that piece which, in that case, would not be a big deal to have an easement from the Village, or whether the Legion owns it. Apparently, the County has a tax map number for it but cannot find anything on the deed that

says whether it is an easement or ownership. Lee Overstrum is trying to go through the records of the Legion and hopefully in a few days he will have an answer for us.”

Member Carvalho, “Is that the whole 1.48 acres or just a piece of it that we are talking about?” CEO Crompt, “No it is about 20 feet wide I guess, east to west.” Member Hartnett, “John, I have a couple of other questions on that if you are doing some research. This retention basin, that serves only the Rec Center, is that correct?” CEO Crompt, “Good question on that. Everything slopes downhill from the Rec Center to the Legion.” Member Hartnett, “I would imagine there is some drainage tile from the Rec Center that ends up there.” CEO Crompt, “From the Legion, yes.” Member Hartnett, “No from the Rec center.” CEO Crompt, “Both. I believe there is some drainage tile from both.” Chairman Kenan, “Have you seen the letter from Ken Kaufman dated July 29, 2014?” CEO Crompt, “Yes.” Chairman Kenan, “So you understand the subjects he raises?”

Member Sutherland, “When was that created? Was it a pond that was built in conjunction with the Rec Center or did it exist there before?” CEO Crompt, “I think it existed there.” Member Hartnett, “There are some berms that are built up around there that look pretty recent.” CEO Crompt, “Ever since I have been going to the Legion that little swale/pond has been in there. How long it has been there I don’t know.” Member Sutherland, “Was it more informal and just got improved at the time the Rec Center was built?” CEO Crompt, “It has always been pretty marshy back there; a lot of that landfill region was built up from the school construction in the ‘50s. They just threw all the stuff from the school down there. It didn’t get filled in over there so it is pretty marshy and swampy.”

Chairman Kenan, “John, are you representing the Village tonight?” CEO Crompt, “No I just heard about this a few days ago.” Chairman Kenan, “Mike are you representing?” Attorney Byrne, “No.” Chairman Kenan, “And you are familiar with Ken Kaufmann’s letter?” Attorney Byrne, “We visited the idea of an easement originally and SRCT pushed back and said they were not comfortable with an easement and they had concerns about coming before you in connection with the proposed addition, not being able to comply with the setback requirement if they only had an easement. Ken makes a point.”

Chairman Kenan, “I think the Planning Board’s role is to approve or modify in some way a subdivision request. So I think the issue of easements and so on is an issue between the Village and SRCT, the Planning Board doesn’t need to engage in that – other than the point that you just made about them meeting their side yard setbacks would be achieved with the swap of the land. Is it the Village’s wish to hold on the application pending resolution of the issues John was talking about?” Attorney Byrne, “I don’t think so. My sense of it is, if you are otherwise comfortable with this proposal, you can pass on it. I think then I have got to wrestle with the issue of easement versus conveyance and the Trustees have to talk about it and decide it as well. I think the Trustees wanted to know how you felt about the proposed lot line adjustment.” Chairman Kenan, “I think, speaking for myself, what Ken raises in his letter about responsibility for maintenance of facilities generally – whether it’s roads or retention basins should be resolved between the parties. Maybe that’s a subdivision issue and maybe it doesn’t have to be.”

Trustee Lanning, "Before you came the idea came up that the proposal was even acreage for even acreage. But the wetlands, in my view, could be a potential liability. It's not really an asset. What are your thoughts on that? If we inherit those wetlands, we inherit the cost of maintaining them." Mr. Eggleston introduced himself saying, "I think quite the contrary. The wetlands, if anything are an asset. Right now, you being the Village, dump your water on SRCT's property. When they did the park renovations they put in this drain line that comes here. The SRCT designed the water quality pond over here. That's SRCT's responsibility to meet DEC's requirements for storm water management. That then flows into the wetlands. The wetlands then trickle it out and makes its way to the creek. Wetlands are the best place to put storm water, because it naturally cleans it. So it's an asset to the Village to have this now under their control as opposed to SRCT's control. DEC has the real control. When all this work was done it was assumed this was just going to be Village property, so they were very agreeable to these cross-uses of property. So technically, the Village came and dumped their water onto SRCT's land and treated it as an informal storm water management plan. So I think the fact that the Village actually takes advantage of this is appropriate that the wetlands be there and that's an asset."

Trustee Lanning, "Have you ever seen any situations where the DEC has required maintenance?" Mr. Eggleston, "No. I think if something should happen that causes a malfunction of the drainage, but the whole idea of a wetland is it's a natural type of treatment." Member Hartnett, "Bob, are you saying that the terraced field has drainage tile going down to that area?" Mr. Eggleston, "Correct. The Village put their storm water on SRCT's property, into SRCT's wetland." Trustee Lanning, "And there's two separate areas, a smaller one and a bigger one?" Mr. Eggleston, "This is a water quality pond that was built to DEC standards to take all this nasty water off the driveway, put it through here, pre-treat it in here and then it flows to into the wetlands." Chairman Kenan, "But in terms of storm water retention you still need the capacity of the wetland right? It's merely a pre-treat or whatever." Mr. Eggleston, "It was done 10 years ago; I don't know what the standards were, but basically they met the standards at the time. This offers retention but it also offers cleaning the water before it goes in here. Basically the wetland has a natural retention capability."

Chairman Kenan, "What are the timing considerations?" Mr. Eggleston, "What the SRCT was looking to do; right now we have submitted the actual plat plans which you should have. This is the formal map that will get stamped, signed and filed. So this actually shows, this is the former property line." Chairman Kenan, "So these are the property lines after the re-subdivision." Mr. Eggleston, "This was the cartoon we provided of the concept. The Village Trustees said let's refer it to the Planning Board. We then brought it to the Planning Board for a sketch plan. The Planning Board scheduled a Public Hearing. So now we have presented this map, which was done a week or so ago, which is the actual plat plan that will be filed. The only thing that hannig has not been able to do is to locate the exact location of the easements of the sewer and the electric. We are waiting for the Village to mark it, so that he can then plot it and then write the legal easement description."

Chairman Kenan, "One thing that should be done to this, is that this piece right here should have a designation A or B and this piece should have one as well. This plan shows what the property lines will be after the subdivision, but for the subdivision action it should be indicated that parcel

A of so many square feet is going to go to the Village and parcel B of so many square feet is going to go to SRCT.” Mr. Eggleston, “So we will label; we have the square-footages here we’ll label Section A and Section B. We can do that.” Chairman Kenan, “On timing, as a subdivision application the Planning Board only has to decide that it’s appropriate and the issues are covered. As a business arrangement between the SRCT and the Village there are other issues to be resolved – if there are other easements required and so on. The best thing would be if those things were cleaned up and then we acted on the subdivision. If there is not a time constraint, that’s the neat and tidy way to do it.”

Mr. Eggleston, “I think the timing issue is that we want to clean all the property line issues up before we start anything with the future expansion of the rink. So in that respect, I think we are getting very close to starting that next phase. So that’s where it would be helpful that if you felt comfortable enough that all your interests in the lot line relocation/subdivision were appropriate, you could approve this with the conditions that we mark Section A and section B, that the easements be defined and acceptable to the Village Trustees...” Chairman Kenan, “And a clear delineation of maintenance responsibilities.” Mr. Eggleston, “Correct. Sure. And then that would give us the ability to finish up with the Trustees. It potentially could be cleaned up in the next few weeks.”

Trustee Lanning, “Snowplowing?” Mr. Eggleston, “There is already in place a service contract agreement between the Trustees and the SRCT. Basically the Village reaps the benefit of using the SRCT parking for overflow parking for Austin Park. If you go up there at the appropriate times, half that parking lot is used for soccer and baseball. There is a service agreement written on July 31, 2010 between SRCT and the Village that says whereas the Village reaps the benefit of parking on SRCT land, that the Village agrees to do the snowplowing for the access road, parking lot and rear service road.” Chairman Kenan asked if there were any other comments to be made. Hearing none, Member Sutherland said, “I move that we close the Public Hearing. Member Eberhardt seconded the motion.” Upon the unanimous vote of the members in favor of the motion, the Public Hearing was closed.

**Member Eberhardt said, “I move that we approve the lot line relocation subdivision as shown on the maps presented on August 7, 2014, subject to modification to show the identification of the land segments being transferred; that all easements – ingress, egress and utilities – be plotted on the subdivision plat map; that the responsibility for snowplowing and the maintenance of storm water treatment elements be set delineated between the two parties; and, that the transaction receives the approval of the Village Trustees.” Member Carvalho seconded the motion. Upon the unanimous vote of the members in favor of the motion, the Public Hearing was closed.**

Mr. Eggleston clarified his opinion of the easements involved, and thanked the Board.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Planning Board Meeting  
August 7, 2014**

---

Variance recommendation in the matter of the application of Susan Schriever to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Side yard set-back , right; and Percentage of lot width; and section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to remove an existing deck and construct a screen porch on the existing footprint at the property addressed as 84 State Street in the Village of Skaneateles.

---

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

**Dennis Dundon, Clerk to the Boards**  
                  **Michael Byrne, Village Attorney**

**Susan Schriever, Applicant**  
                  **Marvin Caldwell, Builder, on behalf of the Applicant**

**Jim Lanning, Village Trustee**  
                  **John Crompt, Code Enforcement Officer**  
                  **Dick Perkins, SVFD President**  
                  **Dan Evans, SVFD Chief**  
                  **Jorge Batlle, Skaneateles**  
                  **Robert Eggleston, Skaneateles**

Chairman Kenan called the matter of Susan Schriever for 84 State Street at 7:56 pm. Mr. Caldwell introduced himself and presented, “What it is now she has a 14 by 25 foot pressure-treated deck there. She wants to remove the deck; she wants a new deck built for a foundation to put a screened-in porch on. So there would be a roof and a screened-in porch. The new one would actually be a foot narrower than the existing, so it’s not going to be encroaching upon the footprint size at all, or any property lines or anything.” Chairman Kenan, “And that’s the new one and this is the existing one?” Mr. Caldwell, “No, that’s a picture of what she wants it to look like when it’s complete. This is what we are trying to build here. Like I said, there’s a deck there, we’re just taking that down because it was preexisting and it’s not very sturdy. If we’re going to do this we want to make something solid.”

Chairman Kenan, “The variances are required because of what? What are the nonconforming aspects of the application?” Mr. Caldwell, “What I was told is that now there’s going to be a

porch there would be a height issue.” Ms. Schriever, “There is going to be an expansion of my home. The property lines aren’t that far from my house.” Chairman Kenan, “Apparently, the existing structure is nonconforming because some of the setbacks don’t meet the Zoning. The building probably and the lot certainly predates the Zoning requirements. We have a lot of properties that don’t meet all the setbacks because they have been that way for a long time. So when you expand a nonconforming structure you need a variance, so they can be reviewed by the Zoning Board of Appeals. This Board will review the application and make a recommendation to the Zoning Board and eventually they’ll decide on granting a variance or not – either directly or perhaps putting some conditions that would make it acceptable. In this case all of the variances are preexisting; am I reading that correctly?” CEO Crompt, “Correct.” Chairman Kenan, “We are not creating anything new that’s nonconforming. It’s just the fact that we’re expanding an existing nonconforming use that makes you have to go through this process. Are there any questions?”

**Member Eberhardt said, “I will make a motion that we recommend that the Zoning Board of Appeals approve the variances requested in the Schriever application dated 7/31/14.”**  
**Member Hartnett 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 8:00 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

# Village of Skaneateles Planning Board Meeting August 7, 2014

---

Variance recommendation in the matter of the application of Holbrook Heating to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Side yard set-back , right; Both side yards combined; and Percentage of open area; and section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to place air conditioning and generator equipment pads in the side yard at the property addressed as 17 Griffin Street in the Village of Skaneateles.

---

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

Dennis Dundon, Clerk to the Boards  
Michael Byrne, Village Attorney

Marty Hubbard, Mayor  
Jim Lanning, Village Trustee  
Sue Jones, Village Trustee  
John Crompt, Code Enforcement Officer  
Dick Perkins, SVFD President  
Dan Evans, SVFD Chief  
Jorge Batlle, Skaneateles  
Robert Eggleston, Skaneateles

Chairman Kenan called the matter of Holbrook Heating for 17 Griffin Street at 8:01 pm. CEO Crompt stated that there would be no representative from Holbrook present, and offered to answer questions from the Board. Chairman Kenan asked the CEO to give a quick explanation. CEO Crompt, "They are again looking for preexisting nonconforming. They are not doing anything..." Member Hartnett, "With the exception of adding the pads." CEO Crompt, "Yes. They have done two projects in the past that they did not come to any of the Boards for. One was a generator pad and one was another A/C pad. Now they are adding a third one, and it pushes them into the preexisting condition on the setbacks and a 2% variance on the lot coverage." Chairman Kenan, "So lot coverage is one." CEO Crompt, "Since they are doing this we are just cleaning them all up at the same time, so we are doing all 3 on the one project."

Chairman Kenan, "What is the adjoining property and how close is the nearest structure? Do we know that?" CEO Crompt, "They are behind the bushes on the left hand side. On the left hand side it is quite a ways – probably another 12 feet to the structure." Chairman Kenan, "And

whose driveway is that?" CEO Crompt, "On the right hand side it is like a shared driveway. On the left that's the neighbor's driveway. So you have the structure, then the driveway, then the property in question." Chairman Kenan, "Holbrook has the authority to make the application on the owner's behalf?" CEO Crompt, "Correct." Chairman Kenan, "Frequently the Zoning Board – the question I asked about where is the neighboring house and how far is it. The Zoning Board typically wants to know that on issues that have to do with the side yard. So if there is a way for them to put that information on there before going to the ZBA, that would ease the movement through there." Member Sutherland, "People who are on good terms, and there was a letter saying it was fine would help."

CEO Crompt, "The A/C pad that they have now and the generator are well-shrubbed all around. This one will be shrubbed all the way around too." Chairman Kenan, "Any questions from the Board? Any motions from the Board?" **Member Hartnett said, "I will make a motion that we recommend that the ZBA approve the variances requested in the application dated 7/15/14 for 17 Griffin Street, as per the application." Member Sutherland 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 8:05 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles  
Planning Board Meeting  
August 7, 2014

---

Request by the Trustees for the Planning Board to consider Draft Local law #4 of 2014 and to provide comments to the Trustees.

---

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

                  Dennis Dundon, Clerk to the Boards  
                  Michael Byrne, Village Attorney

                  Marty Hubbard, Mayor  
                  Jim Lanning, Village Trustee  
                  Sue Jones, Village Trustee  
                  John Crompt, Code Enforcement Officer  
                  Dick Perkins, SVFD President  
                  Dan Evans, SVFD Chief  
                  Jorge Batlle, Skaneateles  
                  Robert Eggleston, Skaneateles  
                  Mary Sennett, Town Supervisor  
                  Linda Roche, Skaneateles

At 8:06, Chairman Kenan announced that the next matter was a request from the Trustees for the Planning Board to offer advice on the proposed Local Law #4 which has to do with parking facilities at the Fire Station. Mayor Hubbard said, "The firemen asked to meet prior to the Public Hearing which is scheduled for a week from tonight on the 14<sup>th</sup>. Much of the information regarding this original layout and whatever conditions there were predates some of us who are on the Board or involved in the project. I certainly don't know a lot about the background. That being the case, I know there are members of the Planning Board who have some history on this, and if we get in one place, one time, maybe we'll all learn a little bit more about what was the intent, what were the understandings, etc. We have a contemplated Local Law, which the Planning Board has been given a copy of; we are trying to learn as you review this. Do the Firemen care to offer anything on this as they asked for this meeting?"

Chief Evans introduced himself and said, "Our initial request for this was due to the parking situation at the station, especially on the weekends. During the summer we have had limousines, buses, numerous boats, trailers and personal vehicles left there and take up parking when firefighters later respond to the station. So our initial request was to increase our reserved

parking for the firefighters – which is what we would like to still do, and reduce the parking off the West Genesee Street entrance. People are parking their buses there so they can exit that driveway, which says ‘Do not exit.’ They exit that driveway to return to downtown to pick up individuals coming off The Judge or dinner or whatever. With those vehicles parked there, when we are responding to an emergency, we are pulling in that driveway which is a safety concern for the members and the person parked there. We are in favor of the changes that were presented with the exception of one area – where they struck 11 words from the Law. In Section 212-22B ‘With the exception of 2 designated handicapped spaces, all of the parking spaces at the fire station are available for use by the general public’ with the following words struck ‘while attending an event or conducting business at the fire station.’ That’s where our concern is because if the individuals are not there at the fire station; they are parked there to attend to business downtown and they are taking up valuable parking spaces for responding volunteers. That’s our concern; that if those 11 words are stricken from the Law, that becomes a municipal parking lot which will be available for people to park in at any time. Presently the Local Law which is already existing is not enforced by the Village Police Department. So that’s our main concern with this proposed Local Law.”

Chairman Kenan, “So the issue of boat trailers and limousines and stuff is not a matter of the wording of the Local Law because it is already in here, right? I am reading what I think is the amended Law, where new words inserted are underlined and old words deleted are stricken out, but the rest of the language pre-exists. It is Section 212-22, a new subsection D?” Attorney Byrne, “A new subsection D would prohibit, as Dan says, the parking of buses, campers, trailers and any other vehicle occupying more than one parking space. So it would permit only single vehicles.” Chairman Kenan, “Excepting trailers owned by the Skaneateles Volunteer Fire Department.”

Attorney Byrne, “I think the focus, for you, is pretty defined. The proposed Local Law has two components to it. One, it would impose new restrictions on parking as requested by the Fire Department. It would prohibit, as Dan said, parking on that access road, it would prohibit parking on the perimeter of the station on Genesee and Kane Ave – things that they need to improve access to the site and access around the site. So those are easy and I don’t think there’s any controversy about them. The reason it is before you is that, in drafting this and incorporating those provisions which the Fire Department requested, I saw the language contained in the 2008 Local Law which restricted the balance of parking spaces, approximately 50 spaces, for use only by persons attending a function at the fire department. On my own, without being asked or even consulting anybody, I thought that we should consider getting rid of that. I proposed it because I believe there is a need for additional public parking, particularly at times of major events like we had two weeks ago. I think experience has shown – over the 6 years that this station has been in operation – that the lot is largely unused for most of the time and is a resource that could be used by the public and by the Village for parking. My suspicion is that it probably won’t be heavily used because people are lazy and won’t want to park up there and walk down to the Sherwood, they’ll try to park closer to the Sherwood. I think the issue is whether you feel – in an advisory role to the Trustees – that it would be good public policy that those remaining 50 spaces, other than those that are exclusively reserved for firefighters, ought to be available for public parking.”

Chairman Kenan, "Are the existing 11 plus 2..." Attorney Byrne, "It is 11 plus the Chiefs' spaces and the officers' spaces, so it's probably 11 + 5." Chairman Kenan, "Are there signs there that indicate that?" Attorney Byrne, "There are. They are clearly indicated. Someone parking there would be ignoring any number of signs." Chairman Kenan, "And the fire department is comfortable with this except for that provision?" Chief Evans, "With the exception of the language stricken out, yes. Our concern is that if we have an incident of any magnitude, in particular with the way the parking is set up presently. Initially when we brought this forth, the 11 spaces just south of the station right here are presently reserved for the responding members. We have asked for these here. Our initial request was for these there. After discussion with President Perkins and Chief Perkins our initial request was for these spaces here and to take these four spaces here and make that a driveway or access area to get to the parking spaces for responding members. But in their discussion they said if they come in here they can park here and enter the station here. The marked spaces are presently right here, those 3 spaces here and there are a chief's space, president's space and two handicapped spots right here. If we have a major incident where we are out and we have mutual aid companies coming in, if they can park at our station they typically do. If there is not a space to park, they will park over in this lot somewhere there is a space available to them. In a major incident we will have somewhere between 25 and 40 members respond to that station. Here there are 13, here there's 11. But during the weekends we have had this summer. It's great people are coming to the community but during the weekend of the boat show we had a vehicle parked here with a boat. The gentleman had the cover off his boat cleaning his boat right in the middle of the road. We asked him to move; he finally did, but it's a safety concern for responding members coming in and responding members leaving. This back apparatus bay here—those 4 doors – our vehicles exit this way, come around this way and respond out that way. So if we have the walking public park here they come around and get hit, it's not going to be a good thing. So we'd really like to keep this mainly open for the fire department. I don't know of any other fire department that allows public parking in their parking lot due to the nature of what we do."

Chairman Kenan, "So those bays are deep enough for two vehicles back to back?" Chief Evans, "Yes. These 4 vehicles here face to the east, these 4 vehicles here face to the west." President Perkins, "It would be a major safety to have the general public in that parking lot at the time of an alarm, because members respond in both driveways there. And if they do park up there, the tendency is going to be to walk down that back driveway. We have people walking down that driveway every day. You want to be on your toes when you hit that spot." Chief Evans, "You have the youth skateboarding there now at night; a lot of different things going on. This is brought forth because if the law which is on the books was enforced properly this would be a non-issue. I'm going to tell you right now it is not being enforced."

Chairman Kenan, "Well I would think that the language here would put a lot more teeth in that about the boats and trailers and all that." Chief Evans, "The fire department does have a boat. Our boat is stored at the country club during the summer, but during the summer our boat trailer is stored right there; it is actually chained to the guardrail now because somebody took it on their own to move it out into the middle of the parking lot one night." Trustee Lanning, "One of the things that I found while researching this is that the Law has been on the books since 2008, and it's very clear. But the knowledge of the Law was very vague. Members of the fire department were unsure. People speculated that it always was public parking, when it very clearly wasn't. I

did some research in my car. From the red light at Genesee and Jordan Street to the Austin Park parking lot is 0.4 mile. From that very same red light to this parking lot you go Kane Avenue to the back entrance is over 0.5 mile. So we are not utilizing a fully public parking lot at Austin Park and considering shared privileges with the fire department which seems unnecessary to me when we have this overflow parking lot in Austin Park to utilize. I am in favor of the four changes as well but the 11 words that were deleted are a major change to this existing Local Law. And the vague understanding of this existing local law has led to a lack of enforcement of that law. The police have not been chasing buses out because they are not sure about it.”

Chairman Kenan, “Well as I said before, I don’t recall seeing the signs.” Chief Evans, “There are signs for the handicapped spots there, the Chief & President there, and there are 3 spaces right here that say Authorized vehicles only. Then along the sidewalk here there are two signs that say for Volunteer Firefighters. There is no other signage on that lot.” Attorney Byrne, “To be clear the parking of buses today, is not illegal. In fact the police; you can speak to the Chief about it. What he will tell you is that he has been uncomfortable with the idea of trying to enforce it in Town Court, on the issue of whether they are attending a meeting. It is clear that the proposed Law would prohibit parking of large vehicles that take up more than one space.”

Chief Evans, “The example I gave about a guy cleaning his boat right here this weekend; when we talked to that individual he said he had called the Village Office and the Village Office said he could park at the firehouse parking lot and do what you need to do. I don’t know if that’s true or not; that’s what he told us. I know that the neighbors here to the south don’t want those words stricken from the law. They deal with enough, with us in the middle of the night with lights shining in their windows and such. To make that municipal parking lot, I don’t think they are going to be too happy. I know they were at the last Village Board meeting to express those concerns.” Chairman Kenan, “Before the new building was built and the fire department was located here, this was shared parking was it not?” Attorney Byrne, “There were spaces designated exclusively for firefighters, there were other spaces that were not.” Chairman Kenan, “And they were not limited to doing business in the building.”

Pres. Perkins, “This was a discussion back when the time that the building was going up. There was a discussion with both sides, all the representatives that were there; the Planning Board and that. I had a copy of the minutes. Parking was a major discussion; major concern at that time. I believe that’s why the language went the way that it did in that Local Law. The parking lot was reduced from 100 parking spaces down to 60 or 62 to save money because of the retention basin behind the parking lot. Otherwise it had to be a complete underground retention basin. The problem with parking and making it accessible and losing a road cut on Kane Avenue was a problem. We have the right to rent out the firehouse, and when we rent it out, we have to have parking.”

Chairman Kenan, “The Trustees have asked for some advice from the Planning Board. Any thoughts on the Board? I’ll start. We do have a shortage of parking in the Village – that’s been the case for a long time. There have been lots of suggestions on ways to supplement it here and there. Speaking for myself, no matter what you do you are going to be trading off some priorities here and there to solve whatever is the greater problem. Speaking for myself, I wouldn’t be opposed to the idea of the public sharing the parking as they did in this building for

a period of time.” Perkins & Evans clarified that “the front was for firefighters, small amounts in back were for general public. Public safety and responder safety should be #1.”

Trustee Lanning, “I think it is important to recognize the statesmanship that existed in 2008. Everybody came together and compromised – the neighbors, the fire siren didn’t come with the building – everybody came together as statesmen, and we ended up with a wonderful fire department. Now here we are 6 years later, talking about changing significantly that statesmen agreement that was made.”

Member Hartnett, “I think the parking spaces for the firemen definitely need to be designated far better than they are today. Those few signs are very easily missed. Striping that in a way – firefighters only; something painted on that to restrict that area is very important. In the Local Law to have the restriction for no double use of space – no boat trailers, no bus parking – that absolutely needs to be addressed.” Chief Evans pointed out that four spaces at the entrance are designated for parking. If they are occupied, responders must drive around parked vehicles. Member Hartnett, “My point is I think that the parking spots that you come to agreement with the Trustees over should be designated better than they are today; striped out, painted ‘Firefighter Only’ on the ground, not just a couple of signs.” Chairman Kenan, “Not just the stripes between the cars...” [Multiple conversations] I’m going to suggest you paint the pavement with like green stripes – something that absolutely you can’t miss the fact that it is different from all the other parking spaces.” Member Hartnett, “The responders should have a designated spot that’s very easily identified. And you should not have to deal with buses or somebody washing their boat. Absolutely.”

Chairman Kenan, “And the 4 spaces you mentioned – yes we have a shortage of parking, but I agree with you functionally that they really should not be parking spaces. That’s not the way that you would normally lay out a lot. I think that the expedient of eliminating those four spaces, even though that will shorten our count, would make circulation work a lot better there.” Member Carvalho asked, “Do you have minimum number of spaces that you need?” Chief Evans, “All of them. We train in that parking lot.” Discussion was held to illustrate the scope of some of the trainings. The issue of allowing public access at times other than Monday nights was raised. The firefighters felt that the department uses it on occasion on other nights as well. If opened for public parking, it will restrict its functionality for the department.

Trustee Jones, “The firefighters make a very compelling case why changing this section of the Local Law might not be a good idea. I have talked with many residents whose tax dollars paid for that parking lot. Realizing we do have a parking crunch in town; that crunch may worsen when the new business opens up. Spots that were paid for by the public; it seems reasonable to question if they should be used by the public.” Evans & Perkins argued that a lot of cars are not local and that the referendum to build the new firehouse was a not a referendum for a public parking lot and that Town residents are paying for half the lot.

Member Sutherland, “Was there any conversation – looking at the spots on the very east side that are kind of remote. If the restaurant’s employees are parking there, not the general public but employees does that make a difference? If it didn’t become a public lot, but 11 spaces were specifically assigned. It wasn’t someone coming in to clean a boat, it wasn’t somebody from

Massachusetts, but rather it is people who know this is my spot on these days. They won't be there on Mondays, Tuesdays or Wednesdays because the place is closed." Member Hartnett, "I don't think the Village should be in the business of giving designated parking spots to individual businesses." Attorney Byrne suggested if it is done for one business others will request a similar grant. Chairman Kenan asked about why the easterly spaces did not continue further toward Genesee Street. The reason is the retention basin wraps around there.

Member Carvalho, "When you mentioned trainings, they all seemed to be in the evenings. Is this something we can regulate with time, in order to make it available for overflow Village parking?" Chief Evans said that members are welcome to train on their schedules, including weekends.

Member Hartnett, "I can see your point that you don't want to have any public parking at all in there. There is a lack of parking for the Village and a compromise could be made here. If you had a section striped-off, dedicated, visually easily identified for firefighter parking and then the no buses, no other vehicles, no trailers restriction. When you had your training events, I don't see any issue with you coning-off another section of the parking lot for your training event. But day-in, day-out the couple of dozen extra cars that could be accommodated to that south end would also relieve your firefighters' traffic trying to get up to the firehouse. It would be a win-win for the village and get you a better layout and a secure area for your training by coning it off. You are not going to have the buses, the boat washing station and other people getting in your way. I think there is a compromise to be had here." Chief Evans gave examples and arguments as to possible problems.

Chairman Kenan, I have a suggestion which does not necessarily answer the whole thing. One is to as Steve has been suggesting, paint those areas that are the fire department's areas so the surface is striped diagonally in a much different color, so there's no way you are going to look at it and not realize it is designated for something other than normal parking; with ample signage. And I would take out those four spaces so that you can flow around and not get into a dead-end aisle. Mr. Mayor, are you looking for a resolution from the Planning Board or just suggestions?" Mayor Hubbard, "No." Chairman Kenan, "Then I think my suggestion, speaking for myself, I would suggest that you let the public park in a controlled and policed manner so they are not doing things with big vehicles. Maybe even allocate some more spaces for the fire department over the current number to balance some more what the fire department is asking for. That's my thought on the subject. Anybody else?"

Member Hartnett, "I agree with you. And when you eliminate those two spots, you could run that paint barrier so to speak, directly to the east of that straight up to where that turn is. Absolutely you should be able to cone-off an area for your training. If somebody is parked in there, inappropriately, they have to wait." Chief Evans responded, "We have a Law on the books right now that is not enforced."

Chairman Kenan, "Anybody else have anything to suggest? This was a great conversation; very informative and helpful. Hopefully it helps the Trustees."

On motion of Member Eberhardt, seconded by Member Sutherland, the meeting was adjourned at 9:02 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

