

# Village of Skaneateles Planning Board Meeting August 6, 2015

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In the matter of the application of Seth Williams to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, left; Side yard set-back, right; Both side yards combined; Rear yard set-back; Percentage of structure width/lot width; Percentage of open area; and Minimum lot area; and section 225-14 C (5) (a/b) Accessory Buildings, distance to lot lines or structures; to construct a 10 foot by 20 foot shed, 19 foot section of fence with door, 12 by 14 foot rear yard patio and to reconstruct the driveway at the property addressed as 29 East Elizabeth Street in the Village of Skaneateles.

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Present: Bruce Kenan, Chairman  
Brian Carvalho, Member  
Douglas Sutherland, Member

Riccardo Galbato, Attorney for the Planning Board  
John Crompt, Code Enforcement Officer  
Dennis Dundon, Clerk to the Boards

Seth Williams, Applicant

Leif Kallquist, DeWitt  
Richard Schmidt, Skaneateles  
Rochelle Cummings, Skaneateles  
Mac Cummings, Skaneateles  
David Allyn, 14 W Lake St., Skaneateles  
Richard Charles, Mill Valley, CA  
Doug Clark, 24 W. Lake St., Skaneateles  
Doreen Simmons, 38 W. Lake St., Skaneateles  
Scott Feldmann, 28 W. Lake St., Skaneateles  
Alan Johnson, 59 W. Genesee St., Skaneateles  
Paul Dunham  
Bob Eggleston, 1391 E. Genesee St., Skaneateles  
Johan Visser, 9 Ashwood Lane, Skaneateles  
John Pidhirny, 16 W. Lake St., Skaneateles  
Adam Weitsman, 45 W. Lake St., Skaneateles  
Kim Weitsman, 45 W. Lake St., Skaneateles

Absent: William Eberhardt, Member  
Stephen Hartnett, Member

Chairman Kenan called for the matter of Seth Williams for 29 East Elizabeth Street at 7:30 pm, noting that this is a revised application. Mr. Williams introduced himself and presented, "I need a shed. Basically it is a shed in the back of the yard, 5 feet from the property lines. Then a patio that comes off the back of the house and then reconstructing the driveway. The shed originally was 12 by 22; was actually further up, right where the end of the driveway would be, toward the house. I moved it back further and scaled down the size a little bit; also scaling down the patio size." Chairman Kenan, "The driveway now stops approximately at the back of the front porch, is that right?" Mr. Williams, "The paved portion of it. And then it continues on and is in stone; the remainder. The back area, this section right here; this used to be a back porch that was annexed into the house and turned into the kitchen at some point, probably in the 50s."

Chairman Kenan, "So where does this drawing, where does the pavement end? Does it wrap around the building?" Mr. Williams, "No. This is the paving now." Chairman Kenan, "In the future?" Mr. Williams, "It would come right to here. And it would include this area, up to the side door here." Chairman Kenan, "So wrapping around what you just described used to be a porch, until it butts into the most rear protrusion of the house there. And there is a patio now?" Mr. Williams, "There is a slab of concrete that's in the back that I am going to around with pavers. The slab is just where you step out. It's only like 4 foot by 5 foot slab." Chairman Kenan, "So what's the intent with regard to the materials – the driveway and patio?" Mr. Williams, "The driveway will be asphalt and then the patio will be pavers; brick pavers." Chairman Kenan, "So then in the first photograph, that's the little pad you are talking about, next to the dog dish." Mr. Williams, "This is all temporary. I put this in to keep the dog in."

Member Carvalho, "Have you had conversations with your neighbor in back?" Mr. Williams, "Yeah. No problem as long as I am 5 feet away. The other side, that's an absentee landlord and it's in the back of the yard, so it's actually hidden by their garage." Member Carvalho, "And you've got 12 feet to the eaves. Why is it so tall?" Mr. Williams, "I need storage, so I'm actually going to put shelving all the way up. And I'm going to put my canoes and kayaks up in the rafters."

Chairman Kenan, "So if I understand, you are building a fence as well? The back line of the driveway?" Mr. Williams, "Yes. So the fence would come straight across and meet up with the existing." Chairman Kenan, "So there is a fence from that point back?" Mr. Williams, "Yeah, there's fence that actually goes; the posts are still there by I have removed the rotten sections of it. So that will actually be – I'll just put up a picket fence. I am just rebuilding a picket fence using the existing posts that are already there." Member Sutherland, "Is it pickets or a board fence? Does it look like this?" Mr. Williams, "No, no; it matches my neighbor's in the back." Member Sutherland, "Is there a photograph that shows that?" Mr. Williams, "These right here – see the white picket fence in the back? That actually comes this way; it was buried in the shrubbery. It would just come and meet up with the fence that comes across this way."

Chairman Kenan, "In a variance situation, one of the obligations is that you describe how the variance that you are seeking is the minimum variance that would be required to accomplish the goals of the undertaking. The question in this case is the existing house is a nonconforming use because it is closer to the left property line than the zoning allows, but that's a preexisting condition. The shed should be 15 feet from the property line according to the zoning. If you put

it there you'd be in the middle of the yard and it is more functional to be closer to the property line. Can you otherwise explain why these, given the things you are undertaking to do, why these are the minimum variances required to make them happen?" Mr. Williams, "It's really just more the size of what I have to put in the shed. What I have to store is now in the basement and the attic; it's all our outdoor stuff, bikes all of that." Chairman Kenan, "And you need that height to do that?" Mr. Williams, "Not necessarily, but I was just going to use it more for storage; for bins, that type of thing."

Chairman Kenan, "How tall is the fence?" Mr. Williams, "The fence is about 4 feet. See that picket right there? I'm actually going to match that. The shed itself will match the architecture of the house, so it will be the open rafters with the same detail as the house; painted in the same color. I'm going to do cedar scallops and shakes to match the front façade of the house."

Chairman Kenan, "The house is clapboard; you're talking board & batten?" Mr. Williams, "This will be board & batten, yes."

Member Carvalho, "I like that you have gotten rid of the driveway, the patio I think is fine. That is a big structure you are putting back there. It is not butting up to someone's back yard, it is basically their side yard. I went back and looked at it; they have a nice play area for kids and you're going to build a 17 foot high structure, kind of block it in. It is a big structure for that area. That's my concern." Mr. Williams, "Do you want me to bring it down?" Member Carvalho, "That would be better." Mr. Williams, "I can do that. Standard 10 feet?"

Member Sutherland, "You had the benefit of walking around back there. What do you think, Brian?" Member Carvalho, "It is very congested back there. I would want to be sure that the neighbor is ok with it." Mr. Williams, "He likes the idea of the privacy of the deck, because it would be in front of the deck. That way he doesn't see anything forward." [Members discussed possible heights among themselves and with the applicant.]

**Member Carvalho, "I move that we recommend that the Zoning Board approve the variances required as listed for the driveway, patio and shed, except with respect to the shed height to be 10 feet off grade with a pitch to match the predominant pitch on the main house and the trim as described." Member Sutherland seconded the motion.**

Upon the unanimous vote of the members present, the motion was carried 3-0. This matter was concluded at 7:44 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



Village of Skaneateles  
Planning Board Meeting  
August 6, 2015

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In the matter of the application of Maclaren Cummings for Special use permit and to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, and Section 225-23C(1) minimum lot width for supplemental apartment, to construct a new residence with pool, detached garage, supplemental apartment, boathouse, dock and retaining wall at the property addressed as 69 West Lake Street in the Village of Skaneateles.

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Present:        Bruce Kenan, Chairman  
                  Brian Carvalho, Member  
                  Douglas Sutherland, Member

                  Riccardo Galbato, Attorney for the Planning Board  
                  John Crompt, Code Enforcement Officer  
                  Dennis Dundon, Clerk to the Boards

                  Leif Kallquist, Architect, on behalf of the applicant  
                  Mac Cummings, Applicant  
                  Rochelle Cummings, on behalf of the applicant

                  Bob Eggleston, Skaneateles  
                  Roy Lootens, Skaneateles  
                  Paul Dunham

Absent:        William Eberhardt, Member  
                  Stephen Hartnett, Member

Chairman Kenan called for the matter of Maclaren Cummings for 69 West Lake Street at 8:53 pm. Mr. Kallquist introduced himself and Mr. Cummings and presented, "It's an existing little over 1.6 acre lot that has several nonconforming issues. The existing structures exceed the maximum lot width on the site, they are 105 feet wide which is about 67% of the lot width; code is 55% max. Our current proposal is to bring in the house and structures within the lot width requirements, so we will be removing that nonconformity. The other items with the existing site are the side yard set-backs of the existing house are nonconforming also; in the new proposal we will be conforming in side yard and both side yards set-backs. The existing site right now is also under the open space requirements at 83.4%; our proposal with all our site walls, supplemental apartment, terraces and pool will come in at 88.2%, so we are reducing the 6.6% overage down to 1.8% overage. The variance requirement for the supplemental apartment is based upon the minimum lot width is at 150 feet, with the supplemental apartment we have to add 10 feet for

160 feet required. The way we calculated the site, because of the odd shape; when you look at the site here we have a max width in the middle and slightly narrow in the front and difficult to measure along the lake front. What we have done here, we take the width of the lot where we are building, at the max width point of the site and also at the minimum width point of the development area. We average it together to come up with an average perception of lot width. That's how we determined our lot width of 155.9 feet. The actual width of the lot at its widest point is 164 foot, so if we were to use that figure we would be in conformance. The last time I was in front of the Board we used this process because of the long narrow sites, to determine an actual width to be determined."

Mr. Kallquist continued, "So what we have done here is; this is a blowup of just the street front development area. We have moved; the old house is set in this position here. We have moved our main structure down-site a little bit to capture views of both the Village and down the lake. We have moved our supplemental apartment and accessory garage structure out to the front in line with the neighbor's garage structure there. So we've placed these structures which act as a gatehouse elements to provide the scale from the street façade, so when you're driving by there is a nice natural rhythm of smaller structures, that when you pass through the middle you get a nice sculpted view of the house through those forms. Down at the boathouse there is another development area for which we are after a special permit also with the supplemental apartment. What we are doing is removing the stone walls and failing brick terraces. We are going to clean up and remove all that development area down there and go to the crisp lawn element down to the shoreline wall, which is a complete wall from coast to coast right now. This area right there is an existing concrete formed wall that wraps all 3 sides and forms the current high lake line. That area of that dock which is really a deck area, a terrace area, is included in our shorefront development numbers and then our dock area are docks that are outboard of the seawall line. Our boathouse is within the requirements right now."

Chairman Kenan, "The existing dock is a slip isn't it with a structure over it?" Mr. Kallquist, "Right, there's a little gazebo structure that floats over the top of it. And that's sitting right where the boathouse is now that is outboard of what is the permanent full-walled structure that is down there right now." Chairman Kenan, "So adjacent to that slip is this square?" Mr. Kallquist, "Yes, you got it. We call that terrace, and then this is the dock. All those existing docks are on pilings -- big concrete shafts -- one is lifted right now in the middle; we have to get down and see what's going on. So we started with the concept sketches of the main house. the street façade and then as the great form tumbles down we get to a walkout level that creates some privacy and a terrace level that's cut back into the hillside so you are not up there on display as the boats are going by."

Member Sutherland, "Leif, a lot that's happening. You are going up from West Lake Street and then back down; this is just beyond the peak?" Mr. Kallquist, "This is at the cusp of the peak. The existing grade right now climbs up as you rise; the grades here all drop downhill on this bias towards the Village. This is the highest part, it's way up here and it keeps on humping right on up to about here where the old house line was. The grade's up here and this little sight wall that we're going to remove. The grade contours climb up hill, continue to climb up and peak right where the house is now at the 10 or 11 foot elevation. Our finished floor is going to start from there and be at 12, but we are pulling it forward into here to allow the existing grade which then

quickly starts to drop off this way, to become a natural walk out. We marry the grade line at our outdoor terrace in the back right here, come through then drop to 4 feet to leave a wall at the pool line, so we don't have to have fences at the front side of the pool; it is all expressed. We actually tie back into; we are doing a garage – it is underneath on the north side and this marries existing grade right at the centerline of the garage right now. So everything we keep tied all back into our natural grades. The existing house and pool structure which is way up here is all pumped up and dumps a lot of water off onto the neighbor's property to the north. By doing this we actually pull all these parking areas back, clean up these grades, all we are doing is just rolling the grades back to fall naturally down that existing hillside and tucking this back and underneath."

Chairman Kenan, "These trees that are drawn, are they indicative of existing trees?" Mr. Kallquist, "They are all existing trees. Every tree on here besides the; including these the existing birch trees that are well developed in that existing driveway circle, this is existing. We have some new stuff going in that will tighten up the drive approaches and lanes and the landscaping around the house. But these are all the existing trees on site right now. We can start with the supplemental apartment. These are some of the viewsheds; some of the forms of the house are traditional gable forms; classic village architecture, white on white; white clapboard, white shingle. Peaked window forms in the gable that are rolled back in with rolled shingle work. The goal here is to create an approach path here that leads up between two little houses that form a gating effect into a courtyard."

Mr. Cummings, "Can I talk about the supplemental apartment; the usage of that? As far as the house, that's kind of the design that Rochelle and I came up with Leif and the help of Thom Filicia. I have a mom who got cancer a couple of years ago, has lupus. She really loves Skaneateles. We thought that it would make sense for her to have kind of her own place that she can stay, where it looks like it is part of the structure but it is not actually connected to the structure. Nothing against my mom, we love her very much, but it is something we are kind of planning ahead for. So that's kind of got a specific purpose for us as to why we thought about it that way and designed it that way. As you guys see the house, it is very functional as to how we use the house and how we think we want to live. We have literally thought through where our kids will sleep and where the nursery will be and all those types of things inside the house. So we think it is a very functional house not only for ourselves but also for the Village."

Chairman Kenan, "Is it a two-story apartment?" Mr. Kallquist, "Right now we are a one-story with loft kind of setup in there. We have these nice 12-12 gable pitches and traditional dormer shapes with a material shift. We are into a red cedar at grade, natural grade red cedar shake roof and the shed dormers will be like a galvanized patina metal skin with exposed rafter tail elements." Chairman Kenan, "And over this garage is there a second floor?" Mr. Kallquist, "Right now it is just storage space." Member Sutherland, "What's the footprint for each of those spaces?" Mr. Kallquist, "They are each right now, 689 SF, each. The second level of the apartment is probably half that. The goal was to make the scale appropriate and not maximize it." Attorney Galbato, "Does the supplemental apartment exceed 800 SF?" Mr. Kallquist, "The footprint does not, nor the apartment."

Member Sutherland, "So as you are looking from West Lake Street, it is a two-story house. The third floor, the walkout is built in. It's a very nice way of handling it. It's a really nice project."

Mr. Kallquist, "We'll have some fun here. From flying over, you can see how the driveway starts on the lower side – and we are maintaining the existing curb cut because it is all granite curb. We remove the walls that are in slight disrepair around this land form here that wraps around the back side. Then we drive up to the drive court and the actual driveway drops down along to the left along the existing grade line. It is two stories tall in front and we have sort of gable, step gable, gable on gable kind of motif to bring the scale down into a low, linear porch along the front and a viewshed right thorough the house as you approach, through the great room space and right out to the lake in the background. As we come down West Lake Street, that's the actual little limestone wall that's up about that high and it's actually tucked in behind that. As we continue on down the street, the house starts to appear between the gatehouses. It's set behind that big tree in the front, the existing tree, the birches that are appearing are in the drive court right now and then as we drive up the driveway the goal is to give and take away the view planes, so we approach focused on the detail work on these structures and as you punch through the gating effect of the two structures, we then present the house. That's a play on the tower element; we are using the cupola on the center element to drop white into the center space, where we are darkest, and the bridge that connects the two bedroom wings. All the way down on the left hand side that's all existing grades; bringing the grade plane up to meet the structure and hunker it in. We get the 3 garage doors for the three-car garage, tucked underneath the bays. As we continue on down the driveway we are looking over existing slope plane down to where the boat house is. This is all existing grade; the great lawn that we are going to maintain all the way down to the water's edge."

Chairman Kenan, "The pavement ends there?" Mr. Kallquist, "The pavement ends at this line right here, so you can pull out, back up, and scoot back up the driveway. As we drop down to the water from the north side we start to get the boathouse development. We have put the boat entry on the north side, to get it out of the wave action. You can see that permanent structure; that is the high water line now. And then we have a new permanent dock structure to capture and anchor the boathouse." Chairman Kenan, "What's in the boathouse?" Mr. Kallquist, "Right now, two boat slips." Chairman Kenan, "There is no upstairs; that glass looks right into the boat slips?" Mr. Kallquist, "Right. As it spins, this is where we are taking all the development that was in this area comes out, and the lawn comes down and wraps to the line of the wall." Chairman Kenan, "And these are new walls?" Mr. Kallquist, "They are the existing walls that are there; we are going to pull the limestone that's falling apart off them and reskin them with a stone that matches up with the foundation work on the house. That's a concrete wall that's faced. As we come back up we are looking at the house and a play on gables and gable forms and we get a linear covered terrace up at the living space and then an internal stair that accesses the game rooms and kids rooms that spills out onto the terrace and a small vanishing edge pool." Chairman Kenan, "The invisible edge is such that you don't have to fence it. Don't you have to fence the other side?" Mr. Cummings, "It's actually what exists there now. The current pool is a vanishing edge." Mr. Kallquist, "They are not modeled here now. We will have a fence line that ties into the landscaping element here and come around and ties into the element here." Chairman Kenan, "So the upland sides are fenced." Mr. Kallquist, "The goal is to fence sides. The whole goal with the pool was to keep it linear and parallel to the house and keep it pulled in tight, so the view of that from the living space above is not about seeing this big pool in front of your face every day. It's always in the foreground because most of the year it is covered. This is the master bedroom wing up here and the lower level is guest bedroom, family media space and

screened porch on the south exposure. And that's the entry to the apartment and it is balanced by the man door into the garage."

Chairman Kenan, "As far as variances go the issue is lot width at 4.1 foot, and minimum open space which is an improvement from the existing conditions. And then it's a Special Use Permit for the supplemental apartment and the boathouse." Mr. Kallquist, "They each require a Special Use Permit." Chairman Kenan, "And all those structures and pavements are included in the calculations?" Mr. Kallquist, "Correct, including the lakeside structures and terracing. The terracing will be permeable pavers as a design approach along with the drive courts and the drive elements also."

**Member Sutherland, "I move that we recommend the ZBA approve the variance application for lot width and lot coverage and approve Special Use Permits for supplemental apartment and boathouse. Member Carvalho seconded the motion. Upon the unanimous vote of the members present, the motion was carried 3-0. Member Sutherland, "Separately, I move that we approve the Site Plan as presented." Member Carvalho seconded the motion. Upon the unanimous vote of the members present, the motion was carried 3-0.**

This matter was concluded at 9:18 pm. Mr. Cummings thanked the Board.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



**Village of Skaneateles  
Planning Board Meeting  
August 6, 2015**

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In the matter of the application of Richard Schmidt for Site Plan Approval and Critical Impact Permit to change the use of the first floor from Retail Sales to Retail Sales and Office, Licensed Professional at the property addressed as 26 East Genesee Street in the Village of Skaneateles.

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**Present:**        Bruce Kenan, Chairman  
                     Brian Carvalho, Member  
                     Douglas Sutherland, Member

                     Riccardo Galbato, Attorney for the Planning Board  
                     John Cromp, Code Enforcement Officer  
                     Dennis Dundon, Clerk to the Boards

                     Richard Schmidt, Applicant

                     Leif Kallquist, DeWitt  
                     Rochelle Cummings, Skaneateles  
                     Mac Cummings, Skaneateles  
                     David Allyn, 14 W Lake St., Skaneateles  
                     Richard Charles, Mill Valley, CA  
                     Doug Clark, 24 W. Lake St., Skaneateles  
                     Doreen Simmons, 38 W. Lake St., Skaneateles  
                     Scott Feldmann, 28 W. Lake St., Skaneateles  
                     Alan Johnson, 59 W. Genesee St., Skaneateles  
                     Paul Dunham  
                     Bob Eggleston, 1391 E. Genesee St., Skaneateles  
                     Johan Visser, 9 Ashwood Lane, Skaneateles  
                     John Pidhirny, 16 W. Lake St., Skaneateles  
                     Adam Weitsman, 45 W. Lake St., Skaneateles  
                     Kim Weitsman, 45 W. Lake St., Skaneateles

**Absent:**        William Eberhardt, Member  
                     Stephen Hartnett, Member

Chairman Kenan called for the matter of Richard Schmidt for 26 East Genesee Street at 7:45 pm. Mr. Schmidt introduced himself and presented, "What I am doing is creating an office space forming from where the traditional florist shop is and continuing the wall down in that area here. Existing wall is here. There is an entrance, separate door that would come in. A door would be established here on this wall. The continuation of that wall would come down 18.5 feet this way

and return to the brick wall 8.5 feet in that direction.” Chairman Kenan, “So there is a door at the stair, now?” Mr. Schmidt, “No. there is a door here, wall here, open area here. This is all open that goes downstairs. This goes to the apartments upstairs.” Chairman Kenan, “Is there a door right there to the stair that goes up?” Mr. Schmidt, “Yes. On the outside. This is the stairwell that goes down underneath the outside door that goes up. There is a stairwell that goes up to the second floor.” Chairman Kenan, I’m trying to figure out how many doors are there now? I know the door into the shop which is in the angled wall.” Member Sutherland, “Are there 3 doors or 2 doors?” Mr. Schmidt, “There is a door to the florist shop, the door that goes in and goes downstairs, and the door that goes upstairs.” Chairman Kenan, “So there are 3 doors. You are not changing any of that?” Mr. Schmidt, “Nothing changes.”

Chairman Kenan, “But instead of this being a small rectangular area which gives access to the basement stair, you are pushing a partition back to make the office.” Mr. Schmidt, “This is part of the shop. Put a door here, that’s the opening and this is the area that Sandra would allow me to take.” Chairman Kenan, “It’s what, 180 SF?” Mr. Schmidt, “It’s 18.5 feet long by 8.5 feet wide.” Chairman Kenan, “And it’s a size that it doesn’t require another exit. Am I right?” Mr. Schmidt, “Correct. John wanted me to bring pictures of the existing wall that is here, that is made up of that material. And he wanted a materials list which I just handed you. Instead of using 2 by 4s, I’m going to be using metal 2 by 4s, more fire rated; double wall sheetrock, and the windows are framed metal windows.”

Chairman Kenan, “So we would need to approve a site plan review and make a recommendation to the Trustees for Critical Impact Permit, and we get to perform a SEQR review at the same time.” Attorney Galbato, “The applicant has not submitted the SEQR form yet, but I would ask him to do that after the meeting. The short form works.” Mr. Schmidt, “That’s why I don’t have an architect drawing.” Member Carvalho, “And this office is for you?” Mr. Schmidt, “Only. I’m a one-man band; I’m my own broker.” **Chairman Kenan, “I’m going to move that the Planning Board grant site plan approval for the modification to the premises as presented. In the process, we declare ourselves lead agency, declare this as an unlisted action and issue a negative declaration; and authorize the Chairman to sign part 2 of the Short EAF once we have it submitted to the code office. Further, that we make recommendation to the Trustees that they approve the Critical Impact Permit for the modification requested.” Member Carvalho seconded the motion.** Upon the unanimous vote of the members present, the motion was carried 3-0. This matter was concluded at 7:50 pm. Mr. Schmidt thanked the Board.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Planning Board Meeting  
August 6, 2015**

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In the matter of the application of Richard Charles for Special Use Permit and Critical Impact Permit to change the use of 1,111 SF of the first floor space from Office, Licensed Professional to Hotel (2 rooms) at the property addressed as 39 Jordan Street in the Village of Skaneateles.

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**Present:**        Bruce Kenan, Chairman  
                     Brian Carvalho, Member  
                     Douglas Sutherland, Member

                     Riccardo Galbato, Attorney for the Planning Board  
                     John Crompt, Code Enforcement Officer  
                     Dennis Dundon, Clerk to the Boards

                     Bob Eggleston, Architect, on behalf of the applicant  
                     Richard Charles, Applicant

                     Leif Kallquist, DeWitt  
                     Rochelle Cummings, Skaneateles  
                     Mac Cummings, Skaneateles  
                     David Allyn, 14 W Lake St., Skaneateles  
                     Doug Clark, 24 W. Lake St., Skaneateles  
                     Doreen Simmons, 38 W. Lake St., Skaneateles  
                     Scott Feldmann, 28 W. Lake St., Skaneateles  
                     Alan Johnson, 59 W. Genesee St., Skaneateles  
                     Paul Dunham  
                     Johan Visser, 9 Ashwood Lane, Skaneateles  
                     John Pidhirny, 16 W. Lake St., Skaneateles  
                     Adam Weitsman, 45 W. Lake St., Skaneateles  
                     Kim Weitsman, 45 W. Lake St., Skaneateles

**Absent:**        William Eberhardt, Member  
                     Stephen Hartnett, Member

Chairman Kenan called for the matter of Richard Charles for 39 Jordan Street at 7:51 pm. Mr. Eggleston introduced himself and presented, "Richard Charles had redeveloped this property in 2004-2005. It was the reconstruction of a dwelling and enlargement addition. Currently, it was approved for 1100 SF of professional office on the first floor with a 2 car garage. There is a one bedroom dwelling on the second floor, and there is one hotel room over the garage, which is rented for periods of less than 30 days."

Chairman Kenan, "What makes a hotel room?" Mr. Eggleston, "It is a bed and it's a bathroom and it's rented on a short-term basis. There's no cooking facilities, there are no living facilities that would make it a dwelling unit." Member Sutherland, "How do they manage that now?" Mr. Eggleston, "It's managed; actually Richard do you want to address how it is managed? Richard lives in California and he comes back periodically. He uses it for himself when he is here and when he is not here, you have a local person who maintains and is on call." Mr. Charles, "Curt Feldmann is taking care of it for me. We use it; I use it. I just got in about an hour ago, so I'll be sleeping in it tonight. Since I heard what's been going on in the Village with the short-term rentals, I asked Bob to bring it before the Board."

Mr. Eggleston, "Basically, back in 2009, we originally had asked for 3 hotel rooms, of which 2 were located on the first floor where the professional office is located and the 1 that was approved for over the garage. During that process when we came back, he was having trouble renting the first floor office, so that's why he was proposing the 2 hotel rooms. In between meetings he actually got a nice lease with Delmonico who wanted the space. They are now looking for a different space and are going to be terminating the lease. At that point we changed it to keeping the retail space of 1100, but having the hotel room on the second floor above the garage. So now we're kind of coming back to complete that application that we started in 2009. The hotel room in the front; each room will have a sitting area, a sleeping area and a bathroom. The front unit is accessible from the front porch; it already has a ramp for total accessibility. It will have a bathroom that meets accessibility needs. It also has access from the common stairs in the back with an entrance off the back. The second room has a sitting and sleeping area plus a bathroom. It is not handicap-accessible, it is accessed from the back area. He has a local company that manages, does the housekeeping and attends to any of the needs when he is not here." Chairman Kenan, "Where is the local company located?"

Mr. Eggleston, "It is Curt Feldmann on Fennell Street. Right next door. Looking at the parking requirements; the parking requirements are that we have 1.5 parking spaces for the dwelling unit – because it is between 1,000 and 1,500 SF – we are required to have 1.25 cars per room or 3.75 cars – which is a total of 7.25 cars (*sic*). We have 7 cars available on site. There are 2 in the garage, there are 3 to the south side of the building and there are 2 on the south side behind the building. So we actually have 7 cars, we are required to have 5 parking spaces, so we exceed the required parking area. The other question to be looked at is the water usage. Currently the water usage is 220 gallons for the two bedrooms; the one in the dwelling unit and the one in the hotel room. And then there's 4 employees in the office space for 60 gallons; that's 280 gallons. The new usage will be 4 bedrooms – 3 hotel units and the dwelling unit for 440 gallons, which is a 160 gallon increase. So we are less than the 400 gallon increase, so there is no Village I&I fee required for this. The exterior of the building will remain the same and there will be just the interior separation of the office space for hotel rooms. It will be fire rated, there will be the required smoke detectors in there. And we have gone through the Critical Impact criteria as well. Are there any questions that you have relative to this application? This is a Special Use Permit, so we are looking for a referral to the Zoning Board of Appeals and also a Critical Impact use, so that's a referral to the Board of Trustees."

Chairman Kenan, "Counsel, how is a hotel room different from the short-term rental that everybody has been talking about?" Attorney Galbato, "Short-term rental is just a term that has been used. There is no definition of short-term rental in our code. We have different definitions for lodging, hotels, motels, rooming houses or rooming units." Chairman Kenan, "So if everybody who wanted to do a short-term rental, whatever that is, called it a hotel room, they would be OK?" Member Carvalho, "They'd have to get this Special Permit." Chairman Kenan, "They'd have to get a Special Use Permit in Downtown D." Attorney Galbato, "In Downtown D, a hotel/motel is permitted subject to a Special Permit under the Permitted Use Chart, as is a rooming house and as is lodging. The only thing permitted under a Special Permit for short-term Village-wide, that I'm aware of, is a Bed and Breakfast Homestay." Mr. Eggleston, "And that requires that it be in an owner-occupied single-family dwelling, which this is not."

Member Carvalho, "So as a hotel they will pay occupancy tax and all of that?" Mr. Eggleston, "Correct." Chairman Kenan, "Now you are specifically talking about the parcel of land that has the building and most of the 7 parking spaces? The metal building, right of way and so on, that's a separate parcel?" Mr. Eggleston, "That's a separate parcel, correct." Chairman Kenan, "And is there an easement or something for the access and the missing pieces of spaces 6 and 7?" Mr. Eggleston, "There is and that has been included in the application; a copy of the easement. That was one of the questions and a hang-up when we did this in 2009. Since 2009, of course, Richard Charles has purchased the building at 37." Attorney Galbato, "Are those two separate tax parcels, Bob?" Mr. Eggleston, "Yes they are."

**Member Sutherland, "I would make a motion that we recommend that the ZBA approve the Special Permit application and also recommend to the Board of Trustees that they approve the Critical Impact Permit request." Member Carvalho seconded the motion.** Upon the unanimous vote of the members present, the motion was carried 3-0. This matter was concluded at 8:02 pm. Mr. Eggleston thanked the Board.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



**Village of Skaneateles  
Planning Board Meeting  
August 6, 2015**

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In the matter of the application of Nick McKeon for Site Plan Review and Critical Impact Permit to change the use of an auto body shop to restaurant and taproom at the property addressed as 37 Jordan Street in the Village of Skaneateles.

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**Present:** Bruce Kenan, Chairman  
Brian Carvalho, Member  
Douglas Sutherland, Member

Riccardo Galbato, Attorney for the Planning Board  
John Crompt, Code Enforcement Officer  
Dennis Dundon, Clerk to the Boards

Bob Eggleston, Architect, on behalf of the applicant  
Richard Charles, Property Owner

Leif Kallquist, DeWitt  
Rochelle Cummings, Skaneateles  
Mac Cummings, Skaneateles  
David Allyn, 14 W Lake St., Skaneateles  
Doug Clark, 24 W. Lake St., Skaneateles  
Doreen Simmons, 38 W. Lake St., Skaneateles  
Scott Feldmann, 28 W. Lake St., Skaneateles  
Alan Johnson, 59 W. Genesee St., Skaneateles  
Paul Dunham  
Johan Visser, 9 Ashwood Lane, Skaneateles  
John Pidhirny, 16 W. Lake St., Skaneateles  
Adam Weitsman, 45 W. Lake St., Skaneateles  
Kim Weitsman, 45 W. Lake St., Skaneateles

**Absent:** William Eberhardt, Member  
Stephen Hartnett, Member

Chairman Kenan called for the matter of Nick McKeon for 37 Jordan Street at 8:03 pm. Mr. Eggleston introduced himself and presented, "37 Jordan Street was purchased by Richard Charles, and we had come in and got a zoning approval to actually tear this down and build a 4 family dwelling unit. Due to financial considerations and the final cost of the project, Richard put it on hold. He then found Nick who is a tenant and has signed an intent to lease the property and to convert the existing building into a restaurant. So we'll keep the existing structure. We

are going to upgrade the exterior with actual board & batten siding, windows as we have shown in the exterior, which really will enhance the carriage house appearance of the building. We will; there are some coolers that we will put on the east side of the building and there is a 12 by 26 foot porch that we are putting on the west side. The west area which is a triangle shape difficult to get in and out of, will become a green space garden. It will be fenced in by a 6 foot high fence around it. We will have 4 parking spaces in front of the building; 1 will be designated as a handicapped space. Basically, the lot is 82 feet at the building line where 30 is required. It is 9,000 SF where 3,000 SF is required. We will have 62.9% open space where 20% is allowed. So we don't have any variances required for this application."

Mr. Eggleston continued, "The main level of the building is 2,378 SF. We are taking the existing structure, opening it up. We will put a mezzanine over 500 SF of this end. The rest will be opened up and we will vault; expose the trusses and have a nice volume space in there. That will have the kitchen facilities, two bathrooms, the coolers. It will have a bar that will seat 18 people and the restaurant area will seat 55 people. The mezzanine will have another 26 people up on top that will overlook the rest of this. The operations will be noon to midnight serving lunch and dinner Monday through Thursday; 11 to 2 am Friday and Saturday; and 11 to 10 pm on Sunday. There would be some seats on the outdoor space, where you can sit and overlook the garden area which would close 9 pm on weeknights and Sunday, 10 on Friday and Saturday. Winter hours would be adjusted based on the patrons needs and the amount of activity. The restaurant will be a family-friendly environment, featuring local foods, wines, spirits, brews. The only live music would be an occasional acoustic instrument. There will be no bands, no dancing, no DJs, no concerts, no wedding venues, no private parties where the whole thing is leased out. There will be 11 employees on the maximum shift. We will install the required grease trap outside; we have an area for dumpsters that will be fenced in near the front of the building. deliveries will be similar to other restaurants; quite often they use the same vendors for making deliveries."

Mr. Eggleston continued, "Lighting will have some night-sky-compliant lights in front of the building shining down; there will be lights underneath the covered porch and there will be some low-voltage landscape lighting accenting the garden area. The lights will be turned off after the patrons leave. Parking for the restaurant is not required to be on site in the Downtown D District, but the parking impact is one car per 4 seats or 25 cars; or 1 per 100 SF of restaurant area which would be 29 cars. We have the 4 parking spaces which would be reserved for people who have accessibility issues. We are directly across the street from the municipal parking lot. The parking behind the post office is only a couple of hundred feet..." Chairman Kenan, "There is a fence I believe." Mr. Eggleston, "There is a fence and we don't have any right to cross it." Member Sutherland, "Who owns the area with the fence." Mr. Eggleston, "I believe it is Verizon. Most of the usage is evening when the municipal lot is not quite as stressed." Member Sutherland, "How do customers find it?" Mr. Eggleston, "There will be signage here on the street. It is also that is looking to attract the local people, so people will find it by habit. The water usage at the auto body shop used 139 GPD based on their 2013 water records. The 99 seat restaurant at 15 GPD per seat would be 1,485. In this case we have a net increase of 1,346 GPD, so there will be a substantial payment for the inflow/infiltration fee of about \$16,000 which Nick is prepared to pay for the change of use on this. That is a one-time fee that the Village uses to

help fund projects to reduce storm water. I have gone through the Critical Impact criterias. Are there any questions that you have relative to this application?"

Member Carvalho, "There's residences on either side of this building?" Mr. Eggleston, "There's a two-family house on the north side, on the south side is Nick's own house; it's a two-family house. You have the boutique hotel, you have multiple family and a business – haircut salon, bordering on the other side. Across the street you have the bank, Byrne Dairy and Moro's restaurant. Up the street you have the pretzel restaurant." Member Carvalho, "Going all the way up Jordan though it is all residential." Mr. Eggleston, "It is actually all mixed use. I don't think you get a single family residence; I'm not sure if there are any single-family residences left on that side of the street. The next one is David Lee which is 3 or 4 apartments, you then have the Gray House (B&B), you have the funeral home, you have the two-family with an office behind."

Chairman Kenan, "How do you get into the place? I see that there is a door, but the point of the question is that you have to squeeze between parked cars to get there. Is there a better way to do that?" Mr. Eggleston, "Well we can take a look at that to see; usually the handicapped space offers that. As we were trying to put them in it's an odd shaped property and it's a difficult place to come in and that's why I think that the parking really becomes reserved for those who need to be close." Chairman Kenan, "In this case the fact that there's an open area next to the handicapped space doesn't help a lot because it's behind another parked car. I wouldn't think that would function very well. You don't have room to do anything other than that angled parking in there." Mr. Eggleston, "Correct. Something else we could consider would be putting a sidewalk that comes along this south fence that helps to lead people down there. I'd probably put it against the fence as opposed to the other side, because you've got the parking from the Charles building. So I can see adding a sidewalk right along that south side." Is Mr. McKeon an experienced operator?" Mr. Eggleston, "Yes. He has two similar restaurants in New York City." Mr. Charles, "He has one in Tribeca and just opened a second in Brooklyn."

Chairman Kenan, "The cooler addition, one is kegs and the other cooler. In the building elevation it looks like it is not a full story high." Mr. Eggleston, "Correct. Those are short units, We can dress them up. They come from the supplier – a prefab unit. There is no reason we can't put siding on them to have them blend with the building." Chairman Kenan, "It's a flat roof?" Mr. Eggleston, "It's a low-pitched roof. We will pitch it to the south so we can collect the water and take care of that along with the roof gutters. I have indicated that we will have gutters on the back and front and we will tie that into the storm system."

Member Sutherland, I would think maybe Bob going back and working on the site plan and making some adjustments might make some sense." Mr. Eggleston, "And the adjustments you'd like to see the sidewalk?" Member Carvalho, "I'm not sure a bar and a restaurant really is in a harmonious relationship with the adjacent uses. I know that you listed all these other commercial properties, but it really is a residential area. Having bars open until 2 am on the weekend I don't think is appropriate." Mr. Eggleston, "This is mixed use Downtown D area and there is a lot of mixed use right adjacent, right across the street. I respectfully disagree with your characterization of this as a residential neighborhood. This is not the Lake House Pub. This is not loud music. This is where you go in and it's more family oriented." Member Carvalho, "I

don't think families are there until 2 am." Mr. Eggleston, "I guess define family." Member Carvalho, "I can't recommend it."

Mr. Eggleston, "So looking at the things you'd like me to come back with, we had the finishes on the cooler, the access to the main door a little more space. The sidewalk on the south side, is that something you want to see? The question is how do you get there. Do we put along this fence; do we put a sidewalk that comes right along this fence that helps to define the pedestrian access from Jordan Street?" Chairman Kenan, "My question is really different from that. Once you get there, you have to walk between parked cars to get to the door. I don't know how, functionally, that works." Mr. Eggleston, "and that was my previous point." Chairman Kenan, "And I don't have an answer for that other than eliminating some of that parking in order to create access there." Mr. Eggleston, "And maybe that's the only solution." Chairman Kenan, "I do think it's something you should study."

Member Sutherland, "I think it all needs some more work and tonight there wouldn't be 3 votes in favor of that anyway. But I think before that, it's an odd application, there are a number of question marks to it and I think going back and doing a little more work would be appropriate. At some point also, while we could do site plan approval on this with a public hearing before it." Chairman Kenan, "We could call for a public hearing on a site plan approval." Member Sutherland, "I'm just not sure that the plan is at a point yet to do that." Mr. Eggleston, "Would that be your desire to schedule a public hearing for next month?" Member Sutherland, "I think what we ought to do first is to get the plan to the point where it is ready for a public hearing. I just don't think it is there yet." Mr. Eggleston, "It would probably be appropriate to schedule the public hearing for next month. We will prepare the plan and get it to you, rather than drag it out a third month. It doesn't mean that we can't continue to change the plan. But if you feel this needs a public hearing, why don't we schedule it and get the comments earlier rather than later." Chairman Kenan, "You can always schedule a public hearing with the stipulation that the plans be submitted two weeks prior to the meeting."

**Member Sutherland, "I move that we give the architect some more time to work on the plan based on the comments we have heard tonight and that we adjourn the matter for tonight and schedule a public hearing for our next meeting, September 3, 2015 at 7:30 pm, provided that drawings are submitted two full weeks prior to the meeting." Member Carvalho seconded the motion.** Upon the unanimous vote of the members present, the motion was carried 3-0. This matter was concluded at 8:24 pm. Mr. Eggleston thanked the Board.

**At a point later in the meeting, after a discussion of Board Member availability for a meeting on September 3, on motion of member Sutherland, seconded by Member Carvalho, the foregoing motion was amended to read September 2, 2015 at 7:30 pm.**

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Planning Board Meeting  
August 6, 2015**

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In the matter of the application of Michael Williams and Johan Visser for Site Plan Review to add a 308 SF patio with fire pit and 89 lineal feet of rock seawall at the property addressed as 9 Ashwood Lane in the Village of Skaneateles.

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**Present:**        Bruce Kenan, Chairman  
                     Brian Carvalho, Member  
                     Douglas Sutherland, Member

                     Riccardo Galbato, Attorney for the Planning Board  
                     John Crompt, Code Enforcement Officer  
                     Dennis Dundon, Clerk to the Boards

                     Bob Eggleston, Architect, on behalf of the applicant  
                     Johan Visser, Applicant

                     Leif Kallquist, DeWitt  
                     Rochelle Cummings, Skaneateles  
                     Mac Cummings, Skaneateles  
                     David Allyn, 14 W Lake St., Skaneateles  
                     Doug Clark, 24 W. Lake St., Skaneateles  
                     Doreen Simmons, 38 W. Lake St., Skaneateles  
                     Scott Feldmann, 28 W. Lake St., Skaneateles  
                     Alan Johnson, 59 W. Genesee St., Skaneateles  
                     Paul Dunham  
                     John Pidhirny, 16 W. Lake St., Skaneateles  
                     Adam Weitsman, 45 W. Lake St., Skaneateles  
                     Kim Weitsman, 45 W. Lake St., Skaneateles

**Absent:**        William Eberhardt, Member  
                     Stephen Hartnett, Member

Chairman Kenan called for the matter of Michael Williams & Johan Visser for 9 Ashwood Lane at 8:25 pm. Mr. Eggleston introduced himself and presented, "Visser/Williams own the property at the end of Ashwood Lane. The house sits back quite a distance from the lake. There is some shared lake access that uses part of the property coming down to the lake. They have a little over 100-some feet of lakefront. Part of the lake frontage has eroded away, it is fairly level land but it is constantly eating away at it. In the northern portion of it is about 65 feet; there's about 89 feet that's eroding away, there's about 65 feet that is recipient of the erosion that seem to be building

up. What they would like to do is to put in some rock; two layers of rock along the eroded shoreline creating a seawall. What we are going to do is to have the stacked rock; we'd like to embed that down about 1 foot into the lake bed, so that it is not immediately eroded away. Then they will step back and a second layer to bring it up to about 867 which is the flood plain. This will be set in stone with filter fabric behind it and stone base. DEC likes to see some large rocks placed in front to break up the wave action; to help prevent it from continuing to erode against the bottom. This is a very common detail we do in the Town all the time. We have submitted a DEC application for this. The second item they would like to do within the 50 foot lake shore set-back zone, is to put in a patio with a small fire pit in the center of it. This patio will be 308 SF; it is 47 feet from the north line it is 25 feet from the south line. The Village requires that shoreline structures occupy no more than 10% of the lake set-back zone' we are proposing 9.7%, so we have 90.3% open space. That includes an existing kayak rack, the patio and a retaining wall area. This requires site plan review because we are doing alterations within the 50 foot lake yard set-back zone."

Member Sutherland, "The lake rights area that is shared among multiple folks, everyone is OK with it?" Mr. Eggleston, "Yes." Chairman Kenan, "How many properties?" Mr. Visser, "5 additional properties." Member Sutherland, "Is there some evidence of that?" Mr. Eggleston, "It's in the deeds." Member Sutherland, "No, just that those who are enjoying the shared lake rights are fine with this." Mr. Visser, "We have spoken with them; there are no objections at all. We have spoken with the Easters as well, to the south of us. There have been no objections at all." Chairman Kenan, "Could you explain the dual rights of way here? There's a 50 foot wide lake access right of way along the northern boundary, and then apparently a 10 foot one along the southern boundary?" Mr. Eggleston, "No, that's on the Easter property. That's someone else totally. What it is, is that the erosion has gone around the arborvitae here and the first 10 feet has also eroded on the other side. So in the spirit of having the continuity from the 10 foot out, it's fine. So basically, instead of stopping short it is just continuing to where the erosion stops." Chairman Kenan, "Don't you need evidence of the Easters' concurrence with that construction?" Mr. Eggleston, "Yeah. We can get that for you." Chairman Kenan, "That's their property. They or a predecessor has granted access to somebody that's in the deed?" Mr. Visser, "The Green family on Bobbett."

Member Carvalho, "That seawall, that's actual quarried stone." Mr. Eggleston, "Limestone." Attorney Galbato, "Bob, does your client actually own the lake rights area?" Mr. Eggleston, "Yes, they own it. And 5 people have rights to go over it." Member Sutherland, "But again, the folks that have rights to go over it; do they have a legal say in it?" Attorney Galbato, "I would like to see the actual terms of the easement or right of way to be sure that he's allowed to make structural improvements." Mr. Visser, "They have the right of way to use the appropriate lake front." Mr. Eggleston, "So they can stop and sit on the lake front. So they have recreation rights to the land. They can set up a chair, put a boat on it, the kayaks and whatever."

Member Sutherland, "Rick, is there something that we should be asking for to confirm that?" Attorney Galbato, "I would like to see the right of way agreement, easement agreement; or if it's in the deed and chain of title, just to see what rights the servient owner, which is Bob's client, has over his own property which is subject to these 5 property owners having access to Skaneateles Lake. He is installing a structure and is he allowed to do that under the terms when

one of his predecessors granted lake rights to these 5 parcels, probably during some subdivision way back when. That's one thing, or the Board could choose to have a public hearing which would put those 5 on actual notice, or if the votes are there you could consider passing it subject to my review of the necessary legal paperwork."

**Chairman Kenan, "I was just going to suggest, if you are so inclined, I make a motion to approve the Site Plan Review subject to the applicants giving evidence satisfactory to counsel that they have the authorization from the Easters and the other 5 to make these improvements."** Member Sutherland, "I think that makes sense. I'm fine with what's being proposed, I'm just want to make sure that..." Attorney Galbato, "You are looking for something from all 5 parcels; I would like to see the actual easement agreement as well." Chairman Kenan, "And once you sign off, there is an approval." Attorney Galbato, "The Easter agreement plus the sign off from the 5." **Member Sutherland seconded the motion.** Upon the unanimous vote of the members present, the motion was carried 3-0. **Chairman Kenan, "In addition to the Site Plan approval with the condition just recited, the Planning Board will declare itself lead agency, declare this an unlisted action and issue a negative declaration and authorize the Chairman to sign part 2 of the Short Environmental Assessment Form. Member Sutherland seconded the motion.** Upon the unanimous vote of the members present, the motion was carried 3-0. This matter was concluded at 8:36 pm. Mr. Eggleston thanked the Board.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



**Village of Skaneateles  
Planning Board Meeting  
August 6, 2015**

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In the matter of the application of Kim Weitsman for Site Plan Review to add 18 car parking lot, berm, plantings, formal vegetable & cutting garden, walkway, pavilion and garden fence at the property addressed as 53 West Genesee Street in the Village of Skaneateles.

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**Present:**        Bruce Kenan, Chairman  
                     Brian Carvalho, Member  
                     Douglas Sutherland, Member

                     Riccardo Galbato, Attorney for the Planning Board  
                     John Crompt, Code Enforcement Officer  
                     Dennis Dundon, Clerk to the Boards

                     Bob Eggleston, Architect, on behalf of the applicant  
                     Kim Weitsman, Applicant  
                     Adam Weitsman, on behalf of the applicant

                     Leif Kallquist, DeWitt  
                     Rochelle Cummings, Skaneateles  
                     Mac Cummings, Skaneateles  
                     David Allyn, 14 W Lake St., Skaneateles  
                     Doug Clark, 24 W. Lake St., Skaneateles  
                     Doreen Simmons, 38 W. Lake St., Skaneateles  
                     Scott Feldmann, 28 W. Lake St., Skaneateles  
                     Alan Johnson, 59 W. Genesee St., Skaneateles  
                     Paul Dunham  
                     John Pidhirny, 16 W. Lake St., Skaneateles

**Absent:**        William Eberhardt, Member  
                     Stephen Hartnett, Member

Chairman Kenan called for the matter of Kim Weitsman for the Krebs Restaurant at 53 West Genesee Street at 8:37 pm. Mr. Eggleston introduced himself and presented, "The Krebs; you have had a number of opportunities to look at this. Since our last application, have opened up and been operating over a year. One of the things that they were interested in doing is, as they had talked earlier, originally the Lovelesses always had formal gardens. We currently have the existing Loveless garden on the adjacent property. They are looking at developing the gardens in the south lawn. Currently, we are looking at a design that has raised beds. Austin, their chef, is

very excited about having, growing vegetables, growing herbs, growing fruits that will be used and featured in the restaurant itself. Not only will it be something from an esthetic standpoint to enjoy and walk through for the patrons, but it also would be something that is functional as far as enhancing the offerings of the Krebs. In looking at the whole package of the south lawn, and how everything gets put together, and also having a year's experience under their belt, once again would like to consider a limited amount of parking being added to the back. The original proposal way back was 68 cars meeting the required parking. That is not what they are interested in doing, but they are looking for a little relief. The question is what's changed? There is no question that we can provide berms, we can provide vegetative screening, we can provide storm water control; various different options."

Mr. Eggleston continued, "From when the Lovelesses operated the Krebs in the 1990s and 2000s, what has changed is what is changed in the Village. West Lake Street has reduced the parking on-street to only 11 cars right at the northern end. So what used to be parking that went up along the entire street, is now gone. That has further enhanced once the Village came through, put in the curbs, narrowed the street, and did those improvements there is no question but what you can't park beyond the 11 spots that are currently there. The restructuring of the municipal parking lot in the Village with its two hour parking limit has forced a lot of the downtown employees to park on the streets – whether it is Academy Street or West Genesee Street. We have done some parking studies and observations. We are noticing a lot of long term all-day parking on West Genesee Street often as far up as the Krebs even on days when Krebs isn't open. The Village probably has even more special events that draws people into the Village; we all benefit from this. We have the Dickens season in the winter. It all competes for the West Genesee Street parking spaces. Recently on Friday evening of the classic boat show, about one hour before the restaurant opened, there was absolutely no available parking on West Genesee Street, between Kane Avenue down into the Village. Originally Krebs was open May to October and that's usually when we have more people in town and parking issues and you would think that after October it wouldn't be a problem with the parking on the street. In the winter months we do have high snow banks along West Genesee Street, making the parking more challenging; making it difficult for passengers to get out of the car. The Village does not remove the snow between the sidewalk and the road like they do in the downtown area."

Mr. Eggleston continued, "There's approximately 60 on-street parking spaces on West Genesee Street between West Lake Street and Kane Avenue. These spaces are not marked; cars park random. On this map I hatched out where there is no parking. There is no parking at the fire station. That has chewed away at some of the parking that the Lovelesses took advantage of. I know that Adam would like to make a statement relative to his vision for the restaurant."

Mr. Weitsman, "My wife started the Krebs about a year ago. As you know when we came to town we understood that there would be a lot of unknowns, because we weren't from the area. My wife and I have tried really hard to fit in with the community and to be part of the community. The Krebs is 100% non-profit restaurant. The restaurant this year has given just under \$100,000 to local charities. My wife and I we pay for our meals there; we feel that by us eating there it is taking money away from the charities. When we came to the Board you were nice enough to give us the permit to go there. We have tried to keep the property very nice because we want to be good neighbors to our neighbors and we live on West Lake Street also.

We live here so we want to be a really good neighbor. We are only open 3 nights per week; the restaurant is open Thursday, Friday and Saturday. The bar is usually closed, I'd say, by 10:30 at night. It's not really that kind of a bar; it is more a service bar for the restaurant. Our clientele; I'd say that 60% of our clientele is an older clientele; I'd say the ages are 50 – 55 and above. The biggest complaint – the restaurant has gotten really good reviews for the food and the service – but in any of the reviews it is all about 'there is no parking'. In the winter time, if someone wanted to park on the street at the fire station and walk down – we have redone the sidewalks in front of the Krebs, but to walk down in the winter on the ice it's a long walk for the people that come. None of our employees park in the spaces; we have 10 total spaces on site. So again the restaurant is only open 3 ½ days a week. If it is raining, our customers are drenched even if they park downtown..So we are asking; we will be flexible with the neighbors, if the neighbors don't like the plan we are not people that are set in stone."

Mr. Eggleston, "We'd like to consider this the beginning of a dialogue. It was initiated by the fact that they are giving serious consideration to the gardens and once they are put in we want to develop the gardens. The first garden is really this large formal garden area with gates around it. It has a pavilion. Now the pavilion, we are talking about a 12 by 12 little pavilion gazebo type structure. It is really more of an architectural element as a centerpin for the formal gardens. Whether it is a pavilion, whether it's an obelisk, whether it's a fountain; we just wanted an architectural element there. This is not a wedding venue, this is not a place for 150 people to come and get drunk and eat oysters and be loud. This is just an architectural element of a formal garden set at the level that the Krebs really want – which is to do the finest in the food, the ambience of the space and trying to improve the menu with local on-site grown produce."

Mr. Weitsman, "We don't do any outdoor we don't do any events – we do zero events at the Krebs. It is mostly reservation or local walk-in. We don't do any bachelor parties, wedding parties – we refer those to the other local establishments. We don't plan on doing it. I know that some of the neighbors earlier today were worried about what happens down the road. Do we come back, are we going to look for more parking. Or pass away to the next owner. We are willing to restrict the deed that this is as far as it goes and that we would not be allowed to, in the future, come back to you to ask for anything else. We are willing to make it a life-long thing, because the Krebs will always stay non-profit, it will always stay for the community. I'd say that 70% of our diners are local people, so we are willing to make sure we appease the neighbors by saying that this is the last time we will be coming in front of you. We just need some parking for the older residents that are coming to the Krebs. That's why we scaled it down from 60 to 18 to show the neighbors that we care; that we are not looking to make this a mass establishment. We do 2 turns per night. Our staff is out of there at a decent time. We keep the place impeccable from the back to the front, it is power-washed, it is clean, the landscaping is kept perfect. It fits in with the neighborhood. We just want a chance to be able to take care of all our customers. The younger customers don't mind walking. The older customers; if the neighbors can help us work on the plan, Kim and I are totally flexible to make it an open dialogue with the neighbors. We don't want to push anything down anybody's; they have been there before us, so they trump us and our opinion with their feelings."

Mr. Eggleston, "I wanted to comment that we have actually started reaching out to neighbors. We have had extensive conversations with 4 different neighbors. We have had different

opinions and it has been enlightening to have the dialogues. And we want to continue the dialogues. The other thing, and I find this very frustrating as a design professional. There are 2 types of clients; there are those who follow the rule and do everything that they promise and say they are going to do. I think that the Krebs has done everything it should; they have asked for things, they have been denied things, and they have done what they said they were going to do. They said they were going to preserve this and they actually preserved the building; they had proposals to tear it down and start from scratch. And then there are others who take out two parking spaces and put in picnic benches and they never got approval for that. But the Krebs has done everything they said they were going to do.”

Chairman Kenan, “OK any questions here? This is not a public hearing, this is a regularly scheduled meeting but I sense that there are people here who want to speak on the subject. I wonder if it wouldn’t be prudent to have a public hearing on the site plan review?” Attorney Galbato, “You could do that at your September meeting if you so choose.” Chairman Kenan, “If that’s the way we’re going to go, is there anything else the Planning Board would like to see at that time or discuss?” Member Sutherland, “I think probably more than anything, encouraging conversation with the neighbors.”

Chairman Kenan, “By the way, what’s the nature of the garden fence that’s indicated here?” Mr. Eggleston, “We really haven’t gotten into the finer details; it’s low but it’s something to keep the local critters out.”

**Member Sutherland, “I move that we continue this matter and schedule a public hearing at our meeting of Wednesday September 2, 2015 at 7:45 pm.” Chairman Kenan seconded the motion.** Upon the unanimous vote of the members present, the motion was carried 3-0. This matter was concluded at 8:52 pm. Mr. Eggleston thanked the Board.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards