

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

Review and discussion of the proposed *Skaneateles Lake Uniform Shoreline Structure and Mooring Regulations* which has been referred to this Board by the Board of Trustees of the Village of Skaneateles.

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, Skaneateles
 Roy Lootens, Skaneateles
 Paul Dunham
 Leif Kallquist, Syracuse

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

Chairman Kenan called for consideration of the Shoreline Structures proposed regulations at 9:19 pm. Mr. Dundon described some prior issues of construction of structures below the lake line, an area which is subject to state jurisdiction but not municipal zoning regulation. It is possible for the Village to reassert jurisdiction if neighboring municipalities adopt uniform zoning regulations and if the State legislature approves their adoption under home rule. Should all that take place, each municipality would have jurisdiction up to 1,500 feet from the shore. While it is possible to accomplish that result without all municipalities participating, it is more likely for success if they do. The State owns the land under the lake from the mean high water line.

Chairman Kenan, "I did some research into this, which is why I don't believe you have to get everybody around any body of water to agree on a set of rules. The basis for this is the New York Navigation Law, which is drafted to regulate moorings and docks and all related to navigation. Not a lot of places have done it, but there are a handful who have – Canandaigua, Keuka and Hudson River. Many of them have adopted the state language on moorings and docks and navigation -- that's it. They didn't attempt to do any zoning legislation. And then some others have extended their zoning. The way this is drafted, it goes way beyond regulating things related to navigation, and extends zoning requirements into the lake to 1,500 feet. And it

does so, to my mind, way beyond anything that's called for by the circumstances you have talked about here. It does literally prohibit boathouses (by the way I have a boathouse) and it's got a provision that therefore any boathouse on the entire lake would become nonconforming. And if it were to be damaged by 50% or greater of its total footprint or cubic volume, you may not have the ability to reconstruct it. Period. In which case, I don't know how you would mortgage such a property. My take on this is, I don't think we should do it. I think it's a big reach beyond the original intention, and there's a lot of stuff in here that just isn't necessary. It goes way beyond what I think you might want to do if you were to do this. If the Village wanted to seek State authorization to merely extend the existing zoning into the lake and apply its rules further into the lake it might be reasonable. This goes way beyond that. Plus you are adopting something with 5 other municipalities, and I don't know how you change it without getting them all to agree to it at some point in time. I would recommend at this point that we recommend to the Trustees to pass on this. I don't think it is a necessary thing for the Village to do it."

Member carvalho, "Who came up with these requirements? Who decided these were right?" Mr. Kallquist, "I run into this a lot. I do a lot of work in the Adirondack Park Agency and I'm involved in a lot of stuff up there. You look at the Village of Skaneateles – its character, charm and quality – all the stuff that people talk about to maintain what's the big draw here. Up in the Adirondacks in the park agency up there, they have gone down this road strongly and they have mandated terrible design. So what once was elegant and sometimes high budget, using overhangs, brackets, pitch and spatial time; and it's been all mandated out. We work very hard to get the simplest little boathouse up there now to meet the APA rules & regulations. There are only a couple that look good now. What happens is that very few people hire people like us to really study it and get it right. They go out and do what they think is the letter of the law, and there are these literally, shoeboxes that sit on the water. And that's where things go to if you control how people can go after the design of these things." Member Carvalho, "And this does state that there is a maximum 12 inch overhang." Mr. Kallquist, "Yeah, and you talk about railings and what the pitch is because they want to minimize livable space, because someone might come it to sneak something in under the peaked roof 10 years down the road. Yes there is a risk there, that's an enforcement action, but controlling space by not allowing building design intent is very short sighted."

Mr. Eggleston, "I think it's a problem also because it so follows the Town of Skaneateles and it exacerbates the mistakes of the Town of Skaneateles zoning. It doesn't take into account that you have two very different geological communities. You have rolling hills at the north end and at the south end you have steep cliffs. You can't even have a shed after you go down your 30 – 40 feet to get to the lake and you have to have a platform just to be able to stage things on. I think it's extremely short sighted. Also in the Village code it recognizes that not every property should have a boathouse, but these unique boathouses is the charm and the character. Like Leif was saying, it is zoning out everything that makes Skaneateles what it is. While it is not a bad idea, it is extremely ill conceived."

Chairman Kenan, "I just can't see any rationale for all the things that are built into this thing." Mr. Kallquist, "To me that's what the Planning Board is for, to have the control and a line of defense for quality and direction." **Chairman Kenan, "OK, what's your desire? We are being asked to review and make a recommendation to the Trustees. My desire is that we**

recommend that they not pursue this any further.” Member Carvalho, “To not adopt this plan...” Chairman Kenan, “Because we don’t think it is necessary or fits the needs of the Village. I’ll make that motion.” Member Carvalho seconded the motion.
Upon the unanimous vote of the members present, the motion was carried 3-0.

This matter was concluded and upon motion of Chairman Kenan, seconded by Member Carvalho, the meeting was adjourned at 9:38 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

