

# Village of Skaneateles Planning Board Meeting November 5, 2015

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Further discussion 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  
Bill Eberhardt, Member (recused)  
Stephen Hartnett, Member  
Douglas Sutherland, Member

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

Bob Eggleston, Architect, on behalf of the applicant

Mike Mooney 24 Griffin  
Alan Johnson, 59 W. Genesee  
John Pidhirny, 16 W. Lake  
Paul Higman, 15 Kane  
Nancy Cihon, 11 E. Elizabeth  
Patricia Carroll, 7 E. Elizabeth  
Peter Wiles, 13 Jordan St.  
Jim Williams, 13 Jordan St.  
Diana Whiting, 33 Griffin  
Joe Whiting, 33 Griffin  
Jackie Keady, 4 E. Genesee  
Beth O'Sullivan, 10 Leitch

At 7:30 pm Chairman Kenan called the regular meeting of the Planning Board to order calling the application of Kim Weitsman for Krebs. Attorney Galbato, "I have been working with counsel for the Weitsmans and Krebs since your last meeting. In recent correspondence by email, including the one yesterday, Counsel Simmons has agreed to consent to adjourn the Planning Board's acting on the application until our December meeting, scheduled for December 3, 2015. If her consent is agreeable to the Board you might entertain a motion as we did last month."

Chairman Kenan, "So we need a motion to adjourn the matter until December 3, 2015 at 7:30 pm, as consented to by the applicant." **Member Sutherland, "I so move." Member Carvalho seconded the motion.** Attorney Galbato, "Before the vote, the purpose as you all know, is that we are working through language for the proposed declaration of covenants. We are trying to

find language acceptable to the applicant and the Board for a restrictive covenant before the applicant approaches the neighbors.”

Chairman Kenan and Members Carvalho, Hartnett and Sutherland voted ‘Aye’ and the motion was carried 4 -0. Member Eberhardt recused. This matter was concluded at 7:33 pm.

Respectfully submitted,  
Dennis Dundon, Clerk to the Boards

Village of Skaneateles  
Planning Board Meeting  
November 5, 2015

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Discussion of concerns expressed by both Parkside residents and Director of Municipal Operations Harty as to the adequacy of the drainage plans in Section 4 of the **Parkside Village Subdivision** in the Village of Skaneateles.

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

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

Bob Eggleston, Skaneateles  
Mike Mooney 24 Griffin  
Beth O'Sullivan, 10 Leitch  
Nancy Cihon, 11 E. Elizabeth  
Patricia Carroll, 7 E. Elizabeth  
Peter Wiles, 13 Jordan St.  
Jim Williams, 13 Jordan St.  
Diana Whiting, 33 Griffin  
Joe Whiting, 33 Griffin  
Jackie Keady, 4 E. Genesee

At 7:35 pm Chairman Kenan called for the matter of Parkside. Mr. Dundon explained that DMO Harty did not have anything new to report for this meeting, but wanted to keep the matter before the Planning Board in anticipation of future action. Attorney Galbato, "She discussed it with the Board at our last meeting at the fire hall." This matter was concluded at 7:37 pm.

Respectfully submitted,  
Dennis Dundon, Clerk to the Boards



# Village of Skaneateles Planning Board Meeting November 5, 2015

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In the matter of the application of Mike Mooney to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; to construct a 3 car detached garage at the property addressed as 24 Griffin Street in the Village of Skaneateles.

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

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

Mike Mooney, Applicant

Bob Eggleston, Skaneateles  
Nancy Cihon, 11 E. Elizabeth  
Patricia Carroll, 7 E. Elizabeth  
Diana Whiting, 33 Griffin  
Joe Whiting, 33 Griffin  
Jackie Keady, 4 E. Genesee  
Beth O'Sullivan, 10 Leitch

At 7:37 pm Chairman Kenan called for the matter of Mike Mooney for 24 Griffin Street. Mr. Mooney introduced himself and presented, "I live at 24 Griffin which is on the left hand side as you come off of Hannum. It is a fairly large lot for the Village and I'm questioning the variance because the house, on the left side as I face it is only 12.5 feet with a driveway between my house and the house next to me at the corner. So if you go down the driveway the garage will be in the back yard with plenty of set-backs all around it. I think there's 40 feet on one side, 28 on the other and 20 some feet. I have the plan that was drawn up for the footers under, but I believe it meets all that requirement. I guess the set-back is 15 feet instead of 12.5, so I'm looking for a 2.5 foot variance. It is my driveway; it came with the house. From the drawing the garage is going to be way in the middle of the yard, so it's away from everyone's property."

Chairman Kenan, "And where will the driveway be?" Mr. Mooney, "The driveway is; you come up along that property line, you take a right into the back yard and the garage will be in the middle of the property. You enter the garage doors from the north." Member Sutherland, "Do you have something that shows where the paving would be for the garage itself?" Mr. Mooney, "OK. The paving area for the garage; it's already paved all the way back until 10 feet in front of the garage is not paved. And another 10 feet going east. Because it is a 3 bay garage, that third

bay does not have asphalt, it has gravel right now. So we'd need to add additional 10 feet going towards the fence and then we'd need along the front of the garage; the garage is 10 feet into the back yard. That would be eventually paved; right now it's got gravel in it."

Member Sutherland, "What's the material in the garage?" Mr. Mooney, "The garage is going to be ; we are toying back and forth. I have 2 choices, vinyl siding that would be a 5 inch wide vinyl that would look like my lap house, or I could go with textured T-11 with batten strips – wood versus vinyl." Member Sutherland, "What is the house material now?" Mr. Mooney, "Lap; I believe it's, it is an 1870 house so I'm assuming it's a cedar clapboard." Member Sutherland, "Is there a way of doing a clapboard that matches the house so that you've got a unity between the two?" Mr. Mooney, "There would be at about \$2,800 difference, and that's quite a big break in the bank as far as I'm concerned. The house is a strange mix; the back of the house is batten strips over wide planked vertical material. That's on the back side of the high part of the house and it's on the back side of the lower part of the house. So I could go with board and batten to match that, I could do the lap. If that's the only way I can go, then I guess I'd have to figure out the amount of money. But I know that lap siding wood is a lot more than..."

Member Carvalho, "Bruce is about ready to do this; there's a nice picture on Google Earth. His is the house that has all the gingerbread. I am concerned about the vinyl siding." Member Sutherland, "I think that would be a mistake." Chairman Kenan, "So that's the house with your white car in the driveway? So the garage is pretty much going to be..." Mr. Mooney, "See the paving; right there, that's the end of the paving. The garage starts 10 feet off the house, so the first two bays are going to be on this existing pavement. Then the third bay is in gravel right in there." Chairman Kenan, "That image or something showing the paving would be very interesting to the Zoning Board when they consider this as well. I think I understand that part of it. Now what about the building?" Member Sutherland, "I think that the garage material ought to batch at least part of the building. if the back section is a board & batten – maybe that's the right approach to go. Ideally, it would match the front elevation. It is a nice house; to the extent that the two worked in tandem that would be good." Member Carvalho, "It's a big building and from this picture it looks like it is going to be a suburban garage; in a nice neighborhood it won't look..." Mr. Mooney, "There's two 3 car garages right across from me. Each neighbor on either side has 3 cars in the back."

Member Sutherland, "Part of it is size, but part of it is getting the details right. A big building that is well detailed can be more desirable than a smaller building that's not well detailed. This one, because of what goes on around it, you'd really like to see that the garage has as distinctive a character as the house does." Member Eberhardt, "I know the site pretty well and it's going to be very visible. It's a great lot that you have; and a great old house." Member Carvalho, "I think there should be some way for us to see what this building is going to look like. Elevation, trim."

Mr. Mooney, "It's going to be a 12-5 pitch on the roof. The vee part of the garage will be facing the road, the doors are on the driveway." Chairman Kenan, "The drawings say 4 on 12." Mr. Mooney, "I know. I changed it because of snow load. I wasn't convinced that 4-12 was enough in this area with the snow that we get. He offered that option if I was concerned about the snow load. I'm not here in the winter, so I don't have the ability to take care of a roof unless I hire a

property manager to go in there.” Member Carvalho, “Is this a shingle roof?” Mr. Mooney, “Shingle roof to match the existing roof I have on the house. There will be two windows facing the street side on the garage.”

Chairman Kenan, “What’s your pleasure?” Member Carvalho, “I guess I’d like to see an elevation with the materials called out.” Member Hartnett suggested holding it until the December meeting which is scheduled early, on the 3<sup>rd</sup>. Member Sutherland, “I agree Brian.” Chairman Kenan, “We think that given the importance and the location of the structure, it is important to see what it will look like and make every effort to conform to the character of the house and the neighborhood.” Mr. Mooney, “So for the next meeting so you can see how it will look, what would you want?” Member Carvalho, “Some elevations with the materials you are going to use detailed on it.” Mr. Mooney, “Like a 12-5 pitch on the roof and 8 foot walls...” Chairman Kenan, “A drawing of what the building looks like in elevation.” Mr. Mooney, “So I should hire this gentleman right here?” Chairman Kenan, “Anyone who is capable of doing it.”

Mr. Mooney, “I can get hold of somebody to draw a set of plans.” Chairman Kenan, “I think that’s important. It is an important structure.” Member Sutherland, “And to the extent that the garage can pick up some of the character of the house so they feel like they are a package.” Mr. Mooney, “I understand that. I understand the vinyl versus lap. You’re not going to see board & Batten on the front of the house at all, you’ll only see the garage as board & batten. So if you are looking for continuity, if I went with lap you’d see it. All the house, with the exception of the back side upstairs is lap. I thought looking at the garage, I thought that by looking with the eye, from 100 feet that the vinyl would look better with the rest of the house.” Member Sutherland, “We shouldn’t be designing it for you. There are two approaches; one is to make it seem like it is part of the house, the second is to make it look like one of those classic old carriage house type barns. Not necessarily matching the house, but having good detail to it and looking like it has been there for 100 years or 120 years.” Member Eberhardt, “It is a unique lot on that street; it’s very different from the other lots. And the house has character.” Mr. Mooney, “It didn’t have character, now it does.” Member Sutherland, “You have done a wonderful job. From what it was to what it is now is really great.” Chairman Kenan, “But it would be unfortunate if the garage just looked like a great big shed, instead of going with the house.” Mr. Mooney, “That’s one of the reasons that I went with the 5-12 pitch. I thought the lower pitch would look funny, because I have a higher pitch on my house.” [Multiple conversations] Mr. Mooney, “You are telling me to bring some kind of a drawing of what it’s going to look like to the meeting.” Member Carvalho, “While you are at it, showing where the asphalt is going to go, too.” Mr. Mooney, “OK. I’ll show you where the existing asphalt is and dot out where the new asphalt will be. OK.”

**Member Sutherland, “I move that we adjourn the application to the next meeting on December 3, 2015 to give the gentleman time to put together the missing pieces.” Member Eberhardt seconded the motion. Upon the unanimous vote of the members in favor of the motion at 7:47 pm this application was adjourned to December 3, 2015.**

Respectfully submitted,  
Dennis Dundon, Clerk to the Boards



# Village of Skaneateles Planning Board Meeting November 5, 2015

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Downtown D District design standards review in the matter of the Application of Robert Hood to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of structure width/lot width; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to add multifamily dwelling to the approved uses and to construct four (4) 1-bedroom dwelling units in the rear at the property addressed as 11 Fennell Street in the Village of Skaneateles.

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

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

Bob Eggleston, Architect, on behalf of the applicant

Nancy Cihon, 11 E. Elizabeth  
Patricia Carroll, 7 E. Elizabeth  
Diana Whiting, 33 Griffin  
Joe Whiting, 33 Griffin  
Jackie Keady, 4 E. Genesee  
Beth O'Sullivan, 10 Leitch

At 7:48 pm Chairman Kenan called for the matter of Robert Hood for 11 Fennell Street. Mr. Eggleston introduced himself and presented, "You have previously made a recommendation to the ZBA for the change of use. You have also made a recommendation to the Trustees for Critical Impact. The only thing we are back here for is to review the Downtown D standards. In addition to the drawings that I supplied previously, I updated the 12<sup>th</sup> October with a few more additional pieces of information, And I also put together a narrative, a 2 page narrative dated October 26, 2015 where I went through the Downtown D; well I went through the history of the property and also the Downtown D district. So basically in February 2015 we made application for the front of the building – for the whole building – at which point we proposed redoing the front façade. This was a two story barn that had a metal building put on, then became a store, then a physical fitness use and now we received in 2015 approval for 5 different uses over the next 5 years that are all very similar in the impact on the Village. At that time we proposed to add the large square posts, put in a combination of windows and doors on the front. Have a canopy that could possibly have the signage on it. We also created a 20 foot wide fire lane. We also created a five foot or 6 foot creekpath right-of-way on the back of the property, and you

approved that project for the Downtown D design standards. That was at the February 5 Planning Board meeting. That work has been done; we have done a lot of major improvements to the building, fixed a lot of insulation problems so we don't have huge icicles. We put cement board siding and trim and windows and doors on the building. Then on June 12 we took out a building permit to do some additional façade work; to do that façade work, and then September 15 we took out a building permit to modify and extend the project of the façade work around to the back, which is basically what you have seen here in this application. At the time we; there's just an eyebrow roof that's across the back, we relocated the center to a common entrance in the center to work out with the apartment layout – where we can have 2 lower apartments and two upper apartments, a common stairway and a common entrance. A nice entrance on the back and again this faces the creek on the back side of the building. At the time there was no change of use anticipated; this could work for offices or it could be used for apartments. We went to the CEO, got the building permit – John Crompton reviewed the Downtown D standards for that application – wrote a note for the file stating that he had reviewed it. Because we are using all the same materials, similar double-hung windows, all that kind of stuff, he had no problem approving the Downtown D standards for that work in that it was just a continuation of what had been approved in February. On October 15, Hood decided to make application for the multi-family, so that's what brought us to the board here."

Mr. Eggleston continued, "I have gone through the Downtown D standards which are a preferred pattern for design and development within the Downtown D area. These are all very important items. I started going through first building layout – it's an existing building that's just being repurposed. It's not like we are building a new building where we have a lot of flexibility with the building layout. Streetscape – we are on the back of the building, so I don't think that any of the streetscape provisions apply." Member Sutherland, "In a sense they do, because you do see it from the other side and you also see it from the creekwalk. This is one of those cases where all 4 sides have importance." Mr. Eggleston, "Sure, I understand. But, in other words, I'm not sure it's appropriate for us to be talking about sidewalks, park benches – in other words I'm saying there's no work proposed up here, the work is proposed here. I'm saying we're not going to be talking about streetscape as on Fennell Street streetscape. We can talk about alley streetscape. In other words we are limited to the scope of what the work is. The parking lot..." Member Sutherland, "Although because it is an entrance, a residential entry coming in, there is more that 'no responsibility' to think about." Mr. Eggleston, "Totally understand. Yep, yeah. And the fact that it is now residential entry I totally get that. The parking lot, that had been established in the prior approvals and again we do have 4 lots immediately adjacent to the building including a handicapped spot, because one of the dwelling units, by code, is required to be handicap accessible, so it's appropriate that it is right near that entrance. Then the alley's shared driveway – I think that this is kind of one of those examples where this is; whether it's a fire lane, whether it's a shared driveway, an alley it's that kind of thing. These are encouraged and it is just what we happen to have is this alley that has been set up to the back here. Building materials..."

Chairman Kenan, "Is Bob Hood the client?" Mr. Eggleston, "Bob Hood is the client." Chairman Kenan, "He is the owner of this?" Mr. Eggleston, "He is the owner." Chairman Kenan, "Did he tell you not to spend any money?" Mr. Eggleston, "No." Chairman Kenan, "Could you have designed a less; more featureless building than this? It looks unfortunate like the one right nearby, the barn that got rebuilt with no surface features whatever to it – just a big box." Mr.

Eggleston, "Um, I'm not quite sure how to take that comment." Chairman Kenan, "It's not a critique of your abilities, it's a critique of what's being applied to the building." Mr. Eggleston, "Sure." Chairman Kenan, "It would be a shame really, to have the building be so totally featureless as this and have no trim or character or anything to it." Mr. Eggleston, "Well again, the question is there no trim..." Chairman Kenan, "I know you can do great work, believe me. This is not going to win and award, I guess that's what I'm saying." Mr. Eggleston, "And I'm not sure he was looking to make the Skaneateles architectural award that the Planning Board is now offering for new buildings in the Downtown D area. Obviously compared to what we went from; it was a mess of vertical siding and that type of thing. Yes we were; we have some of the windows; for instance the windows up above had already been put in on a previous application and approval process, and those remain, and then we did the third. I think that when we get into some of the questions of façade and treatment, yeah, this is a balanced and in fact it's a symmetrical façade which I think is appropriate. The scale, the proportions, I have run through the window proportions are correct. The amount of glass, even though maybe that's more meant for street formal facades and stuff, it meets those criteria. So we have met the criterias of the Downtown D district and we understand these are suggestions on how to proceed with it. We have used the cement board bevel siding, which was the same as approved on the front. I think what we are trying to do is help enhance the character, yeah this is a two-story barn in the back there's a one-story thing in the front and we kind of, with some trim, tried to express that. Yeah we did get caught in codes, because code wants huge windows for egress that we had to put in wider..." Chairman Kenan, "Is that why they are casements?" Mr. Eggleston, "Yeah, we had to put that in for egress purposes, because you can't get out of a window that small. You have to have a 5 foot high, 3 feet wide window." Chairman Kenan, "Is that in lieu of..." Mr. Eggleston, "That's required period." Chairman Kenan, "It's not in lieu of another stair exit?" Mr. Eggleston, "No. It's required. Bedrooms have to have egress. Actually, they don't have to have windows big enough for people to get out, they have to have windows big enough for firemen with air packs to get in without scratching the wood work. It's an architectural problem; when you have 8 foot high ceilings you have baby traps with 18 inch sills that people are going to fall out."

Mr. Eggleston continued, "I have gone through the roof, we have used the asphalt shingles the same as what was approved previously; it is a dark and neutral color. Façade height 2 stories which is preferred. One of the things that we have talked about is we actually have a planted area that was unkempt over the years. Rather than have a little piece of lawn, what we are going to look for is putting in some landscaping or some vegetation that would green that up. That's on this façade here." Chairman Kenan, "That's the west face?" Mr. Eggleston, "That's the west face. So we'll put in some plantings there that would soften that and enhance that. We are anticipating that we will not be destroyed by ice. We could get a planting area in this corner here; we have to be careful to stay out of the required fire exit here. The other building does have some plantings around the perimeter.

Member Sutherland, "One of the things that's happened here and maybe we have aided and abetted it, is that we have created back in there a residential enclave off of Fennell street. We may have the parking count correct, but we seem to be falling short in terms of creating a good place. To the extent that there are limitations with fire truck turning lanes and number of cars, it may mean that the architecture has to get a bit better. Sometimes ivy can fix all architectural

wounds, but in this case I don't think that's the case. There is some combination of things back there that are unattractive and in the long haul, probably not very good from a leasing perspective. If it was a more attractive area, I think we'd be better off. As we work at getting creekwalk extensions and people who look across the creek this way, it would be a shame if when it was all done it looked like it needed to be redone; kind of my general thought. And it's a principal that we ought to think about with each and everything that's along there. When there are opportunities to improve, and maybe it's the backs of some of the; maybe it's the drug store, the office building; there are a lot of opportunities to improve. But I think we have a little less than the minimum right now." Mr. Eggleston, "Obviously this project doesn't have the budget or the location or the significance of the Krebs, but yes – the Krebs was done to a fault – perfect. And again, I appreciate the concept this is the back alley. I took a look at the Teasel Barn. Again, I had nothing to do with that. I personally find the source for that building to be a wonderful Connecticut River mill kind of thing. I thought that right from the beginning when it was first presented by the architect who happens to be the Chairman of the Historic landmark Commission. So step aside from the source where I think it fits better in Connecticut than it fits in Skaneateles. While the detail is there – it's got the cornerboards, it's got the trim; yes, it's done with a J trim around the windows which may be less desirable. But it is cement board and that type of thing. I don't think it is as horrible as you were making it out to be when you were looking at it. It is a B building which went from nothing to not an A+ building."

Chairman Kenan, "I don't think it's a B, I think it is far short of a B. It is featureless. It's just a box with little tiny pieces of wood where you had to put wood. It's unfortunate that anybody does anything like that in a community that is otherwise as attractive as Skaneateles is. That's my concern here. This looks like it is going to look the same way, and I just think that's a big mistake to do that. I can see what the roof overhang is now, but to not add cove moldings and trim to make it look like something – for what the cost is to do that it would make a big difference. Are you going to put the new cement board over the existing siding?" Mr. Eggleston, "The existing siding is a flat board & batten." Chairman Kenan, "Well, not board & batten – texture 111 or whatever it is." Mr. Eggleston, "There is no reason not to." Chairman Kenan, "You're going to put it over?" Mr. Eggleston, "I'm not sure where you are going with this question." Chairman Kenan, "I don't want you to know until you answer it. No, I'm kidding you. My concern is this. You put new siding over this and then that existing trim gets buried by the new siding. And you don't want that. I mean, you don't. The trim has to have depth to it." Mr. Eggleston, "Sure. And the other thing is the; this building does not have the j trim built into the window. It actually has trim as you saw in the front. They are going to do it the exact same way that the front was done; where it's a solid trim with the cement board butted up to it and it is caulked."

Member Hartnett, "The idea of referring to it as just 'a building in an alley tucked behind.' The whole idea is we want to make this creekwalk area a very positive thing." Chairman Kenan, "And the owner of the building in Skaneateles ought to want to make it that too. We are not talking about big money to give the building some trim and some features so that it has a little character." Mr. Eggleston, "Sure. Sure. So the question is whether some cove moldings can be added." Chairman Kenan, "You really need to add window trim over the window trim if you are going to have any kind of reveal of that trim over the new siding. Otherwise it's buried by it..." Mr. Eggleston, "The trim be flush with or in front of the..." Chairman Kenan, "In front of, not

flush with.” Mr. Eggleston, “The; well be careful what you ask for because that’s exactly what happened over at the Teasel Barn, ok. It is in front of, but it is not caulked in. But the trim will be forward of the edge of the beveled siding.” Chairman Kenan, “I think you understand my point. You can either poor-boy it or you can make an effort to make the building looks like it belongs in Skaneateles.” Mr. Eggleston, “Sure. And I think in that the porch portion, I know the windows have been installed, has not been built...” Chairman Kenan, “Are those new windows?” Mr. Eggleston, “No those were there before. We are adding the 4<sup>th</sup> one; we are adding the ones down below. What I can do is look at, I’ve got the frieze board but let’s get a little more detail on this entry porch which is probably what’s the most important. We’ll make sure we’ve got a heavy like the back 8 inch on the posts. We did put in a stone base pillar because we are close to cars and it gives a little more durability to the posts as opposed to...” Chairman Kenan, “It is unfortunate the way that this Board has participated in the shoehorning in of all the parking behind, because that wasn’t a residential area at that time. Now you are making it a residential area. If you want to rent the apartments, a little bit of money spent on the building probably shows up in the rental or the lack of vacancy.”

Chairman Kenan, “This is supposed to be, tonight, just a review of the Downtown D standards.” Mr. Eggleston, “Is this something that I can bring some further details back to Doug.” Chairman Kenan, “I’d be happy to deputize Doug to review it.” Member Sutherland, “On this one I think you should join me. It’s a partner of mine is the contractor doing the building; it’s an uncomfortable situation. I’d just as soon somebody else do this one. Maybe it’s you and Brian?” Chairman Kenan, “I think it’s good if you do it. You’ve had a lot of experience doing this with Parkside.” Member Eberhardt, “I would just like to add that the landscaping can soften it and improve it and some of the money that might go somewhere else needs to go to that.” Chairman Kenan, “Is there a motion to that effect?” **Member Eberhardt, “I’ll make the motion that based on the applicant’s request to move it along that we delegate the approval of the Downtown D design standards to a committee of Chairman Kenan and Member Sutherland and it will be focusing on the features of the building and the appearance. If there cannot be an agreement by the committee than it will be considered again by the Planning Board at its December meeting.”** Member Carvalho seconded the motion. Upon the unanimous vote of the members in favor of the motion at 8:08 pm the motion was carried.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



# Village of Skaneateles Planning Board Meeting November 5, 2015

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Site Plan Review in the matter of the application of Richard Charles & David Kerr to change the use of a property in the Downtown D District from (Commercial Uses) Vehicular Services to (Commercial Uses) Physical Fitness at the property addressed as 37 Jordan Street in the Village of Skaneateles.

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

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

Bob Eggleston, Architect, on behalf of the applicant

Nancy Cihon, 11 E. Elizabeth  
Patricia Carroll, 7 E. Elizabeth  
Beth O'Sullivan, 10 Leitch

At 8:09 pm Chairman Kenan called for the matter of Richard Charles for 37 Jordan Street. Mr. Eggleston introduced himself, and presented, "The original application was for 5 potential uses for Critical Impact. At the Planning Board meeting you decided that 3 were appropriate – Office, Professional office and Physical fitness – but not the other 2. And also the Planning Board decided that they wanted to review the site plan for any specific use once a tenant was found. So we then made application to come back specifically for the Physical fitness use which Richard Charles has a tentative lease arrangement with Dave Kerr to move Salt Fit into that property. Meanwhile the Trustees have approved the 3 possible Critical Impact. There has been some dialogue with neighbors regarding some of the concerns that they had relative to the Physical fitness use based on his tenancy at Fennell Street. The Trustees in their motion to approve the 3 Critical Impact uses, made a condition for any and all of the uses that there would be no outside business activity and that there would be no music outside. Richard Charles had anticipated some of the potential problems with the Salt Fit tenant and had already put some of those conditions into the lease. This I think strengthens it. The lease said there will be no loud music and it's much simpler to say no music. So Richard Charles is amenable to the restriction that there be no outside music and there will be no outside business activities. All the physical fitness activities will occur inside with the door closed. There will not be any of the earlier actions that had occurred at the 11 Fennell Street property."

Mr. Eggleston and Member Carvalho reported that Member Carvalho had been present at the Critical Impact hearing and had answered the Trustees' questions at that meeting, and that the Trustees conveyed that the Board "could make whatever restrictions it felt were necessary to this application in protection of the neighbors, including the no music outside and the outside activities." Attorney Galbato, "In regards to the lease, there's some nice language for protection, but we are not a party to that so we cannot enforce it. So I would recommend, if the Planning Board has concerns similar to the Trustees, that we can impose reasonable conditions to any type of site plan approval. In that way our Code Enforcement Officer could enforce those."

Chairman Kenan, "So the only condition that has been imposed is no music outside?" Mr. Eggleston, "No, two. No music outside, no business activity outside." Member Carvalho, "My question on the no music outside, does that mean you can't hear music outside or he doesn't have a speaker outside?" Mr. Eggleston, "For sure there is no speaker outside..." Attorney Galbato, "Actually the lease has some good language it says 'no music outside and music only in the building with the doors down'." Member Carvalho, "You can still crank it up pretty loud to be heard outside..." Mr. Eggleston, "And also..." Attorney Galbato, "At least the doors..." Mr. Eggleston, "I think the real measure is the not produce noise above the ambient level of the neighborhood. There are different ambient noise levels during the day and during the evening. And again the whole point is you don't want to be a nuisance, you don't want to be above the ambient noise level of the neighborhood."

Member Sutherland, "It probably says here but what are the hours?" Mr. Eggleston, "The hours in the narrative..." Member Sutherland, "How about the hours in the lease?" Attorney Galbato, "I don't think there is." Chairman Kenan, "The lease doesn't say what Bob is saying – it says no loud music rather than no music. I don't think we can consider what the lease says, we just have to put whatever conditions make sense." Mr. Eggleston, "The narrative is 6 am to 8 pm. Typically of many of the personal trainers – a lot of people like to come in early before work so 6 am is a common time that people would start and I can totally understand that you really don't want; the ambient noise of the neighborhood is very quiet at that point. Of course during the day; again this is a mixed use area, but it shouldn't be any louder than the ambient noise. And again in the lease if you want to specify that the windows and doors be closed, you know if there's music inside; you have to be careful how specific you get, but I think having some reasonable condition in there, and Richard Charles has no problem with that."

Chairman Kenan, "So what is the subject that we are considering right now? The Trustees have acted on our recommendation. They have established some conditions. What is the Planning Board to do?" Attorney Galbato, "Site plan." Chairman Kenan, "We withheld the site plan approval until that was done." Mr. Eggleston, "For a specific applicant and this is the specific applicant." Chairman Kenan, "OK; any suggestions?" Member Carvalho, "I guess one of my concerns is that we need to further hone down that no music outside, and state that you don't hear the music outside. If there is no music outside it just means that he doesn't bring out his boom box when they are all running around." Mr. Eggleston, "There can't be any running outside because there is no business activity outside. I think that's something very clear that Richard Charles wants as well. He doesn't want steel drums rolling down the street and there will be no marathons that are scheduled from that. I think this will be a much smaller operation than what he had at Monster Sports."

Chairman Kenan, "So this is strictly an indoor recreational facility." Mr. Eggleston, "Indoor physical fitness for which will be personal training and small classes." Chairman Kenan, "So is it necessary to go beyond the stipulations that the Trustees put on it? If you have some in mind, what would they be to contain the activities to the inside of the building and be a good neighbor?" Member Carvalho, "6 to 8; is that weekends too?" Mr. Eggleston. "Let's see what I stated in here, 'up to 7 days per week.' Yeah. He's not going to be running 6 to 8 seven days a week." Member Sutherland, "This stuff's all laid out but there are operational problems that come up. Just as we were talking earlier about the short term occupancies, if there is an approval that occurs every year, if a license gets renewed – if there's a place that has a history of bad experiences there is nothing that requires you to renew. There is sort of an opportunity to deal with a continual problem if it becomes a continual problem. I think there's concern here that given the history of the owner that there could be some issues." Member Eberhardt, "There are similarities; we are talking about an absentee owner and tenant situations with residents nearby." Mr. Eggleston, "I think that what you have to differentiate is between complaints and substantiated complaints." Member Sutherland, "And that's reasonable too." Chairman Kenan, "Is there on site management at any time when this is in operation?" Mr. Eggleston, "Richard Charles has the tenant of his dwelling unit has historically taken care of business for him. Chairman Kenan, "In this case the operator is Kerr, isn't that right?" Mr. Eggleston, "Right now the adjacent building that Richard Charles has; he has a dwelling unit that's occupied by Joan Thompson – she has been a long term resident there and he has used her for tending to some of the local business – collect the rent, various things like that. He has Delmonico downstairs and a hotel room also approved in that building. So that; she has been the person who is on-site and reports back to him and all that stuff. I'm not sure what exactly formal arrangement they have but that's been his conduit for knowing what's going on at the property."

Chairman Kenan, "Who is the operator of the..." Mr. Eggleston, "Salt Fit is David Kerr. It is a month-to-month lease." Chairman Kenan, "Does anything take place when David Kerr or a responsible employee is not present?" Mr. Eggleston, "No. David Kerr or he has up to 2 other people working with him." Chairman Kenan, "Isn't that the control you are looking for?" Member Sutherland, "I think that probably is." Chairman Kenan, "His name is on the application." Mr. Eggleston, "Correct." Chairman Kenan, "And the landlord is obviously responsible as well."

**Member Carvalho, "I make a motion that we approve the site plan with the conditions that music cannot be heard outside, that there are no outdoor activities, activities only take place when David Kerr or a responsible employee are present, and that the hours are no longer than 6 am to 8 pm." Member Sutherland seconded the motion. Upon the unanimous vote of the members in favor of the motion, the approval was granted with conditions.**

Upon motion of Member Eberhardt, seconded by Member Sutherland, the meeting was adjourned at 8:38 pm

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



# Village of Skaneateles Planning Board Meeting November 5, 2015

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Site Plan Review and Critical Impact Permit recommendations in the matter of the application of Michael J. Falcone to change the use of a section of a property in the Downtown D District from Parking to Outdoor Dining at the property addressed as 18 West Genesee Street in the Village of Skaneateles.

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

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

Bob Eggleston, Architect, on behalf of the applicant

Nancy Cihon, 11 E. Elizabeth  
Patricia Carroll, 7 E. Elizabeth  
Diana Whiting, 33 Griffin  
Joe Whiting, 33 Griffin  
Jackie Keady, 4 E. Genesee  
Beth O'Sullivan, 10 Leitch

At 8:09 pm Chairman Kenan called for the matter of Michael Falcone for 18 West Genesee Street. Mr. Eggleston introduced himself. Mr. Dundon explained that Mr. Eggleston had submitted a revised site plan for the Trustees' Critical Impact Hearing on this matter subsequent to the Planning Board's approval of the site plan on October 8, 2015. He also noted that the remarks of the Onondaga County Planning Board had not yet been received, but were expected shortly. The referral was made because the property is adjacent to the City of Syracuse owned parcel and in proximity to Route 20. Mr. Eggleston, "The Board had recommended that we clean up the patio area, so we made more sense of it by having an 8 foot concrete sidewalk come to the center front door. The prior plan had a continuous patio without any definition of getting to the main door. It had 3 planters that related more to the trees than it did to the entrance of the building. We wanted planters to define the handicapped space #1 and parking space #2. So what we did was we organized it better by having an 8 foot concrete sidewalk with a planter on each side. We still have the planters defining the parking area. This way it gives a better cue for people walking down. This defined patio area will have seasonally some seats or benches out here. It is not uncommon to the Packwood House which had planters between the sidewalk and their little patio in front."

Chairman Kenan, "Did the Trustees take any action on this?" Mr. Eggleston, "No. The Trustees have to make a motion to put it to public hearing. For some reason they didn't set the date and the Planning Board [SOCPA] would have their recommendation back." Chairman Kenan, "So the site plan has been amended. Other than that the prior action, including conditions, remains." Member Carvalho, "What happened with the Fire Lane with 16 feet or 20 feet?" Mr. Eggleston, "That has been a discussion we are waiting to have with the Village Trustees." Member Hartnett, "So these 3 parking spots are in play at this moment?" Mr. Eggleston, "They are in play until we hear something different from the Trustees." Member Carvalho, "I thought you were discussing with the Fire Department?" Mr. Eggleston, "Sure. And again you know..."

Chairman Kenan asked Mr. Dundon to read the approved motion from October 8, 2015. Mr. Dundon, "**Member Sutherland, "I move that the Planning Board declare itself lead agency for an unlisted action and that we find for a negative declaration and authorize the Chairman to sign Part 2 of the short form EAF. Further that the Planning Board approves the site plan as proposed in the application, subject to (1) the Trustees agreeing to reconfigure the fire lane through there and (2) the fire department signing off on the amount of space proposed for the fire lane and (3) that brick pavers will be installed where asphalt now exists. Further, that we recommend to the Trustees that they approve the Critical Impact Permit. Further that we recommend to the Trustees that the 3 new on-street parking spaces be limited to 15 minute parking."** Motion was seconded by Member Carvalho."

Chairman Kenan, "I would assume that if we are happy with the reconfiguration, that we would reapprove it with all the same conditions attached." **Member Carvalho, "I make a motion that we approve the amended site plan dated 10/9/15 with the previous conditions included."** **Member Sutherland seconded the motion.** Chairman Kenan and Members Carvalho and Sutherland voted 'Aye'. Members Eberhardt and Hartnett abstained. The motion was carried on a vote of 3 – 0. This matter was concluded at 8:17 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards