

**Village of Skaneateles
Planning Board Meeting
March 3, 2016**

Area Variance recommendation in the matter of the Application of **Thomas & Karen Lunde** to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area; and Section 225-14 (d) Swimming Pools, 25 ft. distance to lot lines; to construct 18 by 36 foot inground swimming pool with concrete surround and fencing at the property addressed as **5 East Lake Street** in the Village of Skaneateles.

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

Riccardo Galbato, Attorney for the Planning Board
Shannon Harty, Director of Municipal Operations
John Crompt, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Gregg Erikson, Village Trustee
Michael J. Byrne, Village Attorney
Jorge Battle, Village Historian
Bill Murphy, 2996 County Line Rd
Bill Lynn, 22 Jordan St
Carol Young, 46 W Lake St
John Young, 46 W Lake St
Bob Eggleston, 1391 E Genesee St
Craig & Barb Froelich, 100 W Lake St
Mark Edwards, 12 Calemard Dr
Jeff Davis, Highland Ave
Paul Olszewski, Syracuse
Courtney Alexander, 24 Leitch Ave
Kristie Clancy, 42 Onondaga St
Kerry Porter, 28 E Austin St
Jane Chapman, Elbridge
Andy Ramsgard, 181 E Genesee St
Doreen Simmons, 38 W Lake St
Dessa Bergan, Skaneateles

Chairman Kenan called the matter of Thomas Lunde for 5 East Lake Street at 8:30 pm. CEO Cromp explained that the Lundes were not present, but that he would present the revised calculations on their behalf.

Cromp – What they did was they shortened up the pool and the amount of concrete around the pool, so they no longer need the variance for the 25 feet side yard set-back on the north and south sides. The new calculation for the percentage of open area is down to 82.6%, so the only variance they are asking for is the 2.4% off the required 85% open area. I believe they also offered up new areas of planting on both sides of the pool to shade it a little bit more.

Kenan – We have a big thick package with all of that in it. So the only issue really; the planting of course supports the site plan approval discussion, but the only issue really is the variance on the open area. 2.4%?

Cromp – 2.4%.

Kenan – Any questions?

Carvalho – I think we asked him to go back and give us details on the fence and what kind of landscaping and screening they were going to do for the neighbors, and it seems like they have done a pretty good job with that. So those were my concerns.

Hartnett – No. My concern was with the size of pool and they corrected that.

Member Carvalho, “I’ll make a motion that we recommend to the Zoning Board to approve to variance of 2.4% on coverage. This recommendation is contingent on the site plan with the new location and the new landscaping and the fence locations dated today 3/3/2016. Member Hartnett seconded the motion. Upon the unanimous vote of the members in favor of the motion it was carried 5-0.

This matter was concluded at 7:33 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting March 3, 2016

Consideration of a recommendation to the Trustees on the matter of Zoning changes to the Permitted Use Chart for the Public Lands PL District. This recommendation was requested at the February 25, 2016 meeting of the Board of Trustees.

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

Riccardo Galbato, Attorney for the Planning Board
Shannon Harty, Director of Municipal Operations
John Crompt, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Gregg Erikson, Village Trustee
Michael J. Byrne, Village Attorney
Jorge Battle, Village Historian
Courtney Alexander, 24 Leitch Ave
Kristie Clancy, 42 Onondaga St
Kerry Porter, 28 E Austin St
Jane Chapman, Elbridge
Andy Ramsgard, 181 E Genesee St
Dessa Bergan, Skaneateles
Bob Eggleston, 1391 E Genesee St

Chairman Kenan called the matter of the PL District at 8:45 pm, stating that this request relates in part to the wishes of the Skaneateles Nursery School to locate in the former Allyn Arena building in Austin Park.

Kenan – We do have a draft for the Board to consider on this issue.

Galbato – There is a draft Local Law in your packet with the additions highlighted in yellow.

Eberhardt – Bruce, can I hear the counselors' overview of this; what we are actually confronted with?

Byrne – I'll take a stab at it. What you have in front of you is a draft local law. We thought we'd approach it from that perspective so you would see what it would look like formally. It

would do two things. First, it would slightly expand or revise the definition of Public Lands. The definition of Public Lands already includes what are termed municipal uses and non-municipal uses that are public in nature. We thought that could be clarified slightly to make it easier for everybody to understand. So the definition would be revised to add the phrase 'community benefit activities including not-for-profit organizations'. That is something that is done by a non-municipal, non-profit entity but for a public purpose. We also thought that that definition should be expanded to include reference to public schools and their related properties. The second thing that the proposal would do; I'm sorry I neglected in the list of public properties that are designated in the Public Lands District, there are a couple that needed to be changed. As you know the Village no longer owns the building at 46 East Genesee Street. That should be deleted from the list of so called Public Lands. This building is listed in there, but it is no longer a fire station, it should now be designated as a Village office building. The second part of the proposal would make certain changes to the Permitted Use Chart. For example, it would move Day Nursery School from its existing location, over into the Day Care Center grouping in C.3. It would make Day Nursery School a permitted use with Site Plan Review by you. We included a new permitted use for a feature known as a 'transient dock facility under license by the Village'. Why? Because as you all know for a long time we have had community docks sponsored by the Chamber licensed by the Village. That ought to be listed in the Permitted use Chart. We noticed a couple of other things. These are what I would call 'clean-ups'. Believe it or not there is an item in the Permitted Use Chart for a golf course. Well there aren't any golf courses in the Village and there's never going to be. There is no country club in the Village and there's never going to be. But that's basically it – expanding the definition of Public Lands slightly, moving nursery school and making it a permitted use subject to Site Plan Review. Having said that, if you, based on your experience and your discussions, feel that other changes are necessary or appropriate for the Permitted Use Chart, this would be the time to suggest them.

Kenan – So one of the items, Mike, under D. General Principal Uses D.10. Senior Citizen Center non-residential, you are changing it from Special Use Permit to not permitted in B?

Byrne – In B. It really isn't an appropriate use in B. B is Parkside. I suspect it was there before Parkside was there.

Kenan – But it could be in C, D or PL.

Byrne – I thought it was appropriate there, but it seemed entirely inappropriate to put it in Parkside given what it looks like today.

Kenan – C. 12. Where you inserted transient dock facility. What is marine service? Is that defined?

Byrne – It has been there forever. Marine services could be a boat bulding or boat repair facility as we have had in the village previously. Not necessarily a gas dock.

Kenan – And that would be permitted only in C and D. So this clean up would make clear something that I am not sure is unclear now, but it would clear up a nursery school being in the Allyn Arena building on Public Lands.

Byrne – As a permitted use subject to Site Plan Review.

Carvalho – And what is the public school properties have to do with a nursery school?

Byrne – We think the school properties should just be listed along with all of these others and be Public Lands. Now understand, by state law, Planning Boards have no control over what goes on on a school property. If they want to build something, they can basically build it. They have to have State approval; they don't require your approval. But we think it's appropriate that the land on which they sit out to be designated as Public Lands. What I think ought to happen is that our code ought to list those properties just as it lists this building.

Hartnett – Instead of just a permitted use, was there any consideration to a Special Use Permit on that?

Byrne – I think that's entirely up to you; whatever you think is the right scope of review. I really didn't think about it to be honest.

Hartnett – I think it seems like a Special Permit would be a little more appropriate, so it would be looked at on a case-by-case basis.

Byrne – So that would be X rather than S.

Eberhardt – I think you are right Stephen.

Byrne – Is there a consensus on that?

Kenan – So C.3. under Public Lands

Byrne – It is now N, not permitted. It becomes X which would require a Special Permit. Would you do the same in D?

Kenan – So under C and D you'd put an X.

Member Eberhardt, "I'll make the motion that we recommend that the Village Trustees adopt the draft Local Law as proposed and modified at the March 3, 2016 meeting of the Planning Board." Member Hartnett seconded the motion. Upon the unanimous vote of the members in favor of the motion, it was carried 5-0.

This matter was concluded at 8:54 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Meeting
March 3, 2016

Discussion on the matter of selecting a Deputy Chairman.

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

Riccardo Galbato, Attorney for the Planning Board
Shannon Harty, Director of Municipal Operations
John Crompt, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Gregg Erikson, Village Trustee
Michael J. Byrne, Village Attorney
Jorge Batlle, Village Historian
Andy Ramsgard, 181 E Genesee St
Dessa Bergan, Skaneateles
Bob Eggleston, 1391 E Genesee St

Chairman Kenan called the matter of deputy chairman at 9:10 pm. Chairman Kenan recounted that the Board was asked to name a Deputy Chairman. **Chairman Kenan, "I am going to make a recommendation for the Board to consider that Doug Sutherland be appointed Deputy Chairman."** Member Eberhardt said **"I second that."** Upon the affirmative votes of Members Kenan, Carvalho, Eberhardt and Hartnett in favor, the motion was carried 4-0. Member Sutherland abstained.

This matter was concluded at 9:10 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting March 3, 2016

Area Variance recommendation in the matter of the Application of William Lynn to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of structure width/lot width; and Section 225-14C(5)(a/b) Accessory Buildings, distance to lot lines or structures; to construct a 73.3 SF concrete planter and wood pergola for outdoor seating and to install a 48.6 SF storage shed with relocated parking stalls at the property addressed as 22 Jordan Street in the Village of Skaneateles.

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

Riccardo Galbato, Attorney for the Planning Board
Shannon Harty, Director of Municipal Operations
John Crompt, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Bill Murphy, Architect, on behalf of the applicant
Bill Lynn, applicant

Gregg Erikson, Village Trustee
Michael J. Byrne, Village Attorney
Jorge Battle, Village Historian
Carol Young, 46 W Lake St
John Young, 46 W Lake St
Bob Eggleston, 1391 E Genesee St
Craig & Barb Froelich, 100 W Lake St
Mark Edwards, 12 Calamad Dr
Jeff Davis, Highland Ave
Paul Olszewski, Syracuse
Courtney Alexander, 24 Leitch Ave
Kristie Clancy, 42 Onondaga St
Kerry Porter, 28 E Austin St
Jane Chapman, Elbridge
Andy Ramsgard, 181 E Genesee St
Doreen Simmons, 38 W Lake St
Dessa Bergan, Skaneateles

Chairman Kenan called the matter of William Lynn for 22 Jordan Street at 8:34 pm.

Murphy – We have received the parking plan and created a diagram that illustrates that we are not really asking for any change in the flow. We are keeping the amount of parking spots.

Kenan – You have just one copy of this?

Murphy – Yes. I can make additional ones, but that's what I got. That's what we have been working off. We kind of blew it up; it's underneath this trace and I left underneath there so you can be certain of everything.

Lynn – You needed the traffic flow, right? That's what the arrows are?

Kenan – When you were here in January, all that we saw was just the property. And the property sits with all of this parking adjacent to it. So obviously the way it interacts with the rest of the parking field is critical to understanding what's happening.

Murphy – The big change in the parking field is this here as indicated on our drawings – where we are shifting that over to allow the door of the building a little more protection. No change happens to these spaces; it's these 3 are spaces sliding in that direction.

Sutherland – How much sliding? Is that about 4 feet?

Murphy – It's closer to 6. It's about 2/3 of a parking space which typically is about 9 feet.

Lynn – There's an overhang right here. Off the overhang here it's only a few feet.

Sutherland – Does the overhang have columns?

Lynn – Yes.

Sutherland – So effectively does...

Lynn – It's already blocked off, and it will stick out a couple of feet right here. If you wanted to draw a straight line down there. It's the same amount of parking spaces.

Murphy – It is illustrated here on the site plan pretty well. It's one-way traffic in and down here we've got roughly 11 feet. You can see down here where it is significantly wider.

Lynn – Now this, also Rick, is the letter part of this? Consent? Should I answer questions on that letter? I think everybody's get it, right? Part of the request, or the letter that I don't have in front of me; it's probably part of the packet, right?

Murphy – It's right here.

Lynn – Are there more copies of that?

Murphy – We have one copy of the email.

Lynn – So Rick sent us a letter, or an email that went out to everybody. There's a couple of items on there. It's not part of the package? Your proposal, yes that's a proposal; the lease...

Murphy – You all should have been copied on this email from Rick Galbato...

Lynn – Well to break it down, the area leased to the; first off the lease is a little old. It should probably be looked at but that's what we are dealing with right now, the both of us. The first issue is that I intend to use part of the leased area for storage. The lease does provide that there can be loading and unloading of trucks in any area of the leased space and unlimited privileges with regard to that which is in the letter of the lease. But we are leaving the same amount of spots there. Secondly, I am committed to making this alley a walkway – have been from day 1 – for years. But the Village leases the property so until that ends or the Village changes it, then all I can do is consent. What I wasn't going to consent to is a law to prevent vehicular traffic. If there's a law passed to prevent vehicular traffic down that alley, there's no public access on a truck to that building. It's not landlocked technically, because this borders Jordan St., but it is private land out back. If the Town Hall sells that takes care of that corner. The lots that we had bought for the parking spots that abut the rest of the property; I think it's Village, it might be shared. But I don't see why I just can't consent to it. I don't see why we need a law. A couple of bollards are a little stronger than a law. So anyways, that's in the letter – my consent – I don't know if you need it in writing? Probably. But where we got held up is the Village needed a law passed. So that sort of stonewalled me a little. And then Rick; I think I've answered most of it. The lease does need to be amended. With the increased; because there's a storage space there then that reduces the lease space but it doesn't change any property tax calculations, because I'm responsible for all the taxes anyways. I've always paid taxes on that property. And I don't know if you have it in front of you, he recommends that it be based on adjustment of the lease to redraw the boundary and for me to consent to the Village placing new bollards at the entrance. So I guess we have the traffic flow laid out and that's for you guys to decide; I don't know if it's that big of a change. And then I consent to the driveway being a pedestrian walkway – I think it's a great idea. It's a hazard there; I'm surprised we don't have a record of accidents. It's really hard to walk across to the corner and the bakery out front and there's an apartment here with a walk out onto the road. In the wintertime they walk right down the middle because of the snow.

Kenan – I have a question for Mike Byrne. We were discussing if this site plan is approved, modifying the lease. Is it a lease not an easement?

Byrne – It is a lease; a lease with a former owner, that the current owner sort of inherited. Well that's the language of the lease. But what was the suggested...

Galbato – The suggestion was if the Board chooses, when the Board chooses to act on a motion of this regarding the site plan and recommendation on Critical Impact, that it be conditioned upon the lease being amended to redraw the boundary of the leased premises so that the area

devoted to storage and outdoor dining is not part of the leased parcel and number two that the owner consent to the Village placing bollards at the entrance to the alley in order to prevent its use by vehicles.

Byrne – Shannon has a concern about something but those were my concerns and I'd be very comfortable with that as conditions.

Harty – And I think from my position as Director of Municipal Operations, the only condition that I ask the Board to place on this is that we have had an ongoing grease issue within the Village, particularly in this area, with this building. I would like to have that issue properly resolved to the satisfaction of myself and the wastewater treatment plant operators; that we go in, we have the proper grease traps installed and that those are maintained properly.

Kenan – So an on-premises grease trap? It doesn't exist today?

Harty – Correct.

Lynn – We have the required grease trap underneath the pavement between the Town and the restaurant.

Harty – I think what we are looking for is proper maintenance of that.

Kenan – Why isn't the grease trap one that doesn't function if it's not properly maintained? It becomes the user's problem automatically.

Harty – Well if the grease trap is not properly maintained on the property it ends up in our sewer system, and we end up with plugs.

Kenan – I thought they were designed such that non-maintenance causes a problem for the property owner, not the municipality.

Harty – Then maybe we don't have the right grease trap. It's causing a problem.

Kenan – That would be preferable. That way you know it gets maintained.

Harty – I would agree. I'd like the problem to stay on their property, not ours.

Kenan – OK. Any other questions up here?

Hartnett – There are several items that look like they need to get cleaned up before -- Shannon's issue in particular. Mike are you OK on language?

Byrne – I am.

Carvalho – The parking spaces with the planters; is that an area that's carved out of the lease?

Murphy – On this plan here from the Village it labels them as private. I don't know if that has; it's unclear exactly where; the lease is not very prescriptive, there's not a metes and bounds that calls out the area of the lease.

Byrne – No, but there's a survey map attached to the lease; it's pretty clear. What you see that's written on in color is my...

Lynn – This was attached to it. This I believe is the leased property so it goes right up to the edge of the building. If we're losing all that...

Kenan – So what you would require is that the area that is shown as leased to the Village, which is everything other than the footprint of the building, be amended, so the only thing that's being leased to the Village is the area that's not occupied by the planter and the outdoor seating.

Byrne – To the extent that some portion of the leased parcel was going to be carved out with your permission to be used by the owner for its operations...

Kenan – And you'd work with whoever to get that language, which presumably would affect the taxes paid by the property now that they are occupying more of it.

Byrne – Probably.

Eberhardt – Not until they have some of these things wrapped up.

Hartnett – I think I'd rather see the legal end of it and Shannon's concerns before we went and voted on this, instead of making it conditional on our approval.

Sutherland – Just a quick question; how do you sort out the grease trap issue?

Byrne – My vision of it is that's going to be a critical impact consideration. If I understand it correctly, this proposal would next go to the Trustees for Critical Impact approval. And the grease trap is what I would consider a critical impact, because it impacts the public sewer system in that area and the problem needs to be remedied. So I think what we do is have Shannon propose what she sees as a solution, and if your motion simply said you are going to recommend critical impact that would take into account an existing problem with the grease trap.

Sutherland – I guess my only question was do we have a good sense of what that would be today or do you need some more time?

Harty – I think what we'd have to do is they would have to get it opened up, get it inspected so we can be sure it is a proper grease trap and that there are not any structural issues inside that are allowing the grease to enter into our collection system. If there is, then it needs to be replaced. We will then need some sort of agreement ensuring that it is properly maintained. That's what I would envision.

Eberhardt – Did you put it in?

Lynn – No.

Eberhardt – It's going to be a problem.

Lynn – I'm pretty sure it's big enough, but we've got to look at what's going in there and where it is going.

Harty – I think it needs to be replaced.

Kenan – Well I recommend, and I believe there are grease traps that do not put the problem on the municipality.

Harty – I know Bluewater recently replaced theirs and they know when they have a problem.

Kenan – That's what I would recommend the solution be; a new grease trap.

Galbato – There is a variance needed for the shed, so this would go to the ZBA before it goes to the Trustees. So if the Board is willing to look at that I would just point out that I would have the ZBA do the SEQR review, because I don't believe the applicant provided us a Part 1 for SEQR. So if we don't have that we will just have the ZBA act on SEQR when the project goes before them.

Kenan – You would have them do the SEQR review?

Galbato – Yes, because we don't have the form.

Lynn – We need to go there?

Galbato – Yes; there's a variance.

Kenan – With your 'as-built'.

Carvalho – If this alleyway has bollards at the end, will there be parking in there?

Lynn – I think the bollards that everybody has been talking about are at both ends. Two here, which picks up two more spaces right here. This would also add a few more spots.

Carvalho – So bollards here and then they could actually extend the parking over.

Lynn – It is not a fire lane, but we want to be able to run hoses down there to the Stone Mill to pull water out.

Kenan – It's Doug's and the little out building that's adjacent. Do they use any of that for service to those two adjoining buildings?

Edwards – Yes. My question is you are putting bollards on both ends. I do park my car behind there. Right in here.

Kenan – So the bollards out to be west of the opening between the two buildings.

Edwards – I also have the grease catching system; we sell our used oil back to. They come with a pumping truck – biodiesel – and they pump it out with a hose. I'd like to have them have access.

Kenan – So it would be necessary to keep access, but you could close off the tight space between the two buildings with bollards. [Multiple conversations]

Murphy – The additional parking spaces would not be able to happen there, but the bollards at both ends of the first structure would prevent vehicular traffic from passing through the alleyway.

Kenan – Why don't we make some findings now but hold, if you want, hold the final action until you hear the language on the easement and the grease trap. If you make some findings now, they don't get forgotten about before the next meeting.

Hartnett – I was just going to suggest that we hold this over 'til the next month until they can come in with a full site plan on how they are going to block that off.

Kenan – That's what I'm suggesting; we make some findings now that don't get forgotten about before the next meeting.

Lynn – this, because it is leased property, all I'm probably going to do is consent or not consent, to whatever plan is devised. So whatever happens here, the village should come up with a plan.

Sutherland – I think Bruce's idea of, while it's clear, getting as many things done and note the 3 or 4 things that still need to be fine-tuned is kind of good to queue it up. There's so many complications with this and it's time to move it on.

Hartnett – So what do you want to sign off on.

Galbato – So you are looking to adjourn the application to our meeting next month, for the applicant to present Part 1 of SEQR, to work with the Village's Director of Municipal Operations on the issue of the grease traps...

Kenan -- To work out the language of the lease amendment with the Village Attorney. It is the opinion of the Board that the alleyway be closed off with bollards at a point roughly in line with the front of Doug's and the back of Doug's so it retains access to the space between Doug's and the adjoining small building.

Member Hartnett, "I move that we adjourn the application to our meeting next month, so that the applicant can present Part 1 of SEQR, can work with the Village's Director of

Municipal Operations on the issue of the grease traps, and can work out the language of the lease amendment with the Village Attorney. Further, it is the opinion of the Board that the alleyway be closed off with bollards at a point roughly in line with the front of Doug's and the back of Doug's so access is retained to the space between Doug's and the adjoining small building." Member Carvalho seconded the motion. Upon the unanimous vote of the members in favor of the motion it was carried 5-0.

This matter was concluded at 7:54 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Meeting
March 3, 2016

Consideration of a recommendation to the Trustees on the matter of Zoning changes to the Permitted Use Chart for the Historic District portion of the Downtown D District.

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

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

Gregg Erikson, Village Trustee
Michael J. Byrne, Village Attorney
Jorge Batlle, Village Historian
Andy Ramsgard, 181 E Genesee St
Dessa Bergan, Skaneateles
Bob Eggleston, 1391 E Genesee St

Chairman Kenan called the matter of the Historic District at 8:55 pm. Chairman Kenan suggested that the Board take this matter under advisement and plan to take up this matter at a later meeting. The Board concurred.

This matter was concluded at 8:55 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

