

**Village of Skaneateles
Planning Board Special Meeting
July 14, 2016**

Consideration of High School State Champions sign.

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

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

Marty Hubbard, Village Mayor

Gregg Eriksen, Village Trustee
Susan Dove, Village Trustee
Jordan Pavlus, Village Attorney
Shannon Harty, Director of Municipal Operations
Doc Huston, Skaneateles
Michael Fogel, Esq., Syracuse
William Lynn, 22 Jordan Street
Jerry Morissey, 42 East Street
Andy Ramsgard, East Genesee Street
Jorge Batlle, Franklin Street
Bob Eggleston, 1391 East Genesee Street
Gary Dower, 102 East Genesee Street
Peter Osborne, Syracuse
Doug Clark, West Lake Street

Absent: William Eberhardt, Member

Chairman Kenan called the meeting to order at 7:30 pm, noting that the first item on the agenda was going to be presented by the Mayor. Mayor Hubbard stated that upon its dissolution, Skan Races had some remaining funds and seeded some money to investigate the interest in and feasibility of a sign listing state championship high school sports teams that might be erected in some central Village location. He continued by saying that there are 20 such teams, and that while some have been listed on various signs near the Village entrance routes, not all have been recognized. He displayed a photo rendering of such a sign, showing its placement between the outlet and the Packwood House hotel. That location was considered because it is a central

location but with no significant views to be blocked. That location is on private property and has received the owner's permission to be used. The design was done by Mack Studios of Auburn, on the recommendation of Chase Design. The design uses an exposed steel structure for support of the sign, rather than employing a large masonry structure surrounding the sign to keep the sign as the focus of attention. Mayor Hubbard had earlier shown the concept to the Trustees. The Mayor is looking for feedback from both Boards as to whether this is an idea worth pursuing and spending additional development time on.

Member Sutherland asked about the dimensions. The Mayor stated it's about 9 feet wide and 5 feet high. Chairman Kenan recollected the sign at 5 foot 6 and about 1.5 feet off the ground, so about 7 foot to the top. In response to a question from Member Hartnett, Mayor Hubbard said that he is not sure that the proportions of the sign are consistent with the background in the rendering. Member Carvalho said "It looks really big." Member Sutherland thought that the scale is more appropriate for Austin Park or some other wide open location; here it seems "too big and too dominant."

Mayor Hubbard asked that while there are details like the scale, did the Board have any comments about the location or site. Member Carvalho said "it's a nice concept; it's a huge accomplishment to have achieved by these kids. It's nice to recognize it." Mayor Hubbard said that he liked the central location for picture taking or reunions. He said that the alumni take interest in returning. Member Carvalho agreed with Member Sutherland "that the scale is pretty large for that location." Member Hartnett said "the scale looks off; the bridge to the right is about 4 foot and this looks 3 times it. It's a great concept; it's a great idea."

Chairman Kenan asked what scale does fit? Member Sutherland said that if we went back to designer with the comment that the idea is nice, it seems overwhelming for the site, asking them to do some more superimposing of scaled-down versions. "It requires thought and some design work." Chairman Kenan noted that he had taken the photo; notable that there was no car parked in front of that location. Most of the time you won't see the bottom of it anyway; "It's probably meant to be read from the near sidewalk. That might have an impact on the scale of it."

Mayor Hubbard said that Peter [Mack] should be able to put together some different sizes and asked if the Board considered it worthy of spending a little more time on it? It was the sense of the Board that the concept is worth pursuing. This matter was closed at 7:40 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Special Meeting
July 14, 2016**

Area Variance recommendation in the matter of the application of Jerry Morrissey & Finger Lakes Realty to vary the strict application of Section 225-64 B (2) for size of signage at the property addressed as 42 East Genesee Street in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
Brian Carvalho, 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

Jerry Morrissey, Applicant

Gregg Eriksen, Village Trustee
Susan Dove, Village Trustee
Jordan Pavlus, Village Attorney
Doc Huston, Skaneateles
Michael Fogel, Esq., Syracuse
William Lynn, 22 Jordan Street
Andy Ramsgard, East Genesee Street
Jorge Battle, Franklin Street
Bob Eggleston, 1391 East Genesee Street
Gary Dower, 102 East Genesee Street
Peter Osborne, Syracuse
Doug Clark, West Lake Street

Absent: William Eberhardt, Member

Chairman Kenan called for the matter of the Morrissey application at 7:40 pm.

Morrissey – John Crompt had stopped at our office a couple of months ago and had taken some photos. He informed us that we were not in line with the specifications or the rules of signage in the Village. As most of you know, Finger Lakes has been in town for about 6.5 years at that same location. When we took over the jewelry store we did a great deal of work inside to bring it up to current conditions and had an interior designer. The designer contracted with a company out of Pennsylvania; they brought cables that came from the ceiling and down to the floor. We

thought it was a great idea and we put them in. So we were surprised when John said we were in violation of what's allowed – I guess it's closeness to the window. So I'm here to ask if it's possible to keep it the way it is. I think esthetically it is very pleasing; we have so many people comment on it, tap on our window. We feel it fits with the Village, so I'm hoping we don't have to do anything; it's actually a very expensive piece of decorating.

Kenan – So what's the nature of the violation and what's the request?

Morrissey—The nature of the violation is I guess that we are taking up too much space in the window and too close, within 12 inches of the glass.

Sutherland – If you were 13 inches away from the window, would everything be fine?

Crompt – That's the way the law reads now. And that's exactly what they did at ReMax. It was the same way. Their cables were all the way from the ceiling to the floor. They were able to move them back a little bit and they were more than 12 inches away and they meet what the law says.

Sutherland – Jerry, how many inches are you back now?

Morrissey – I don't know, six?

Crompt – I'd say 2 to 3 inches at the most.

Carvalho – Are these signs or is this a display of product?

Crompt – It's not a display, it's a sign of what they do; what their business is.

Carvalho – But Roland's has got sweatshirts in the window.

Crompt – That's a display. I look at it that it's a display.

Carvalho – I'm not sure what the problem is here

Galbato – There's a definition of sign

Hartnett – We're off by 2 or 3 inches in depth from the window? Is that the problem?

Galbato – Because they are within 12 inches the law says that the Code Enforcement Officer has to count that as signage.

Morrissey – I'd say it's 2 to 3 inches from the window.

Hartnett – I'm just looking to clarify what the issue was and if there is a way to mitigate it without getting crazy.

Crompt – The issue is the square footage; take the frontage and any signage that's within 12 inches of the window is considered a sign and the signage on the front of the building, add that square footage up and 1.5 times the amount of the frontage and they are over the allowable.

Hartnett – Could this be resolved by smaller pictures?

Morrissey – I guess we'd have to take out...

Kenan – You'd have to cut it down to 1/3 of what they are now.

Morrissey – What would be allowed if they weren't photos of the properties?

Kenan – How difficult is it to move them 9 inches into the store?

Morrissey – Very difficult. Right now they are on the window; you'd have to go up to the ceiling. It would be in our seating area. It's a pretty small space. Right now they attach to the window sill, and they'd have to come back and go up to the ceiling, about 9 feet.

Carvalho – You could extend the sill.

Morrissey – If the pictures were not of properties, is that the issue?

Carvalho – No. the definition of a sign and this would meet it.

Hartnett – Going by what they say it is a sign.

Crompt – If you look at the definition of sign...

Carvalho – Letter, pictorial or other manner for visual communication.

Hartnett – So to conform, you'd have to make the pictures smaller and probably lose one row on each side.

Kenan – The limit is 30 and with the Finger Lakes Realty sign you are at 49.

Sutherland – What are the other Board member's reactions – if the law didn't say what it says, how do you feel about it? Visually as you walk by and look at that storefront, are you OK with it; is this a technical problem?

Kenan – This is a very standard way of selling real estate. Everybody displays a series of pictures and people stop and look at it and find one they are interested in. And effective, I'd guess.

Dove – As a suggestion, I know Gregg has a sign committee, add this too looking at it. "It seems a little bit crazy to me. Maybe we need to adjust it and bring our sign law into the 21st century."

Kenan – on the other hand other than a use like this, if you have a store and the windows are plastered full of paper signs, it may be the same square footage, but you have to be careful about how you ease the requirements.

Hartnett – Which goes along with Brian’s point are you displaying product or is this truly a sign. I look at it like displaying a product.

Sutherland – You can imagine this as a Chinese restaurant where you are displaying every meal. There is appropriate and inappropriate. This seems fine to me, but you want to be careful.

Hartnett – would this be addressed in a reasonable time?

Eriksen – We have only been addressing exterior signs. This would considerably increase the scope. We’d like to restrict the work to areas where we can achieve consensus. I think this might...

Hartnett – What I was looking for is whether there was a way to give a waiver to this until the sign board review?

Carvalho – If we want to be able to view things that we think may be inappropriate then issuing a variance for this one would be one way to go.

Kenan – I think we could recommend a variance in this case, interpreting it to be product and suggest that it be limited to product. Maybe it doesn’t include pancake breakfast and some of the paper signs that are there.

Eriksen – You might be able to narrow it further and state that this is a standard method of advertising real estate, that this is specific to this application.

Hartnett – I want to make it an individual variance rather than the next person to come in.

Kenan – And narrow it down as Gregg suggested specifically that this is a typical way of merchandising real estate. In this instance we clearly think it is product and an appropriate way to do it. If it is restricted to product; technically you wouldn’t need a variance if it is restricted to product, but I think the simple thing is to grant a variance because we interpret it as being product.

Carvalho – If the whole thing was filled with pictures of houses....

Hartnett – Yes, a variance on this amount.

Kenan – And limit it to whatever square footage is represented here.

Member Hartnett said, “I move that we recommend that the ZBA grant a variance limited to the existing square footage of space currently displayed in the two windows in question, that it is the board’s opinion that these are typical real estate product placement techniques

which we don't consider to be exterior signage. Further that it be limited to product placement, not be moved closer to the window, nor increased in size. Member Sutherland seconded the motion. Upon the unanimous vote of the members present in favor of the motion, it was carried 4 – 0.

This matter was concluded at 7:55 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Special Meeting
July 14, 2016**

Revisit conditions of approval 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. The requested Variances were granted by the Zoning Board of Appeals at its meeting of April 26, 2016.

Present: Bruce Kenan, Chairman
 Brian Carvalho, 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

 Michael Fogel, Esq., on behalf of the Applicant
 William Lynn, 22 Jordan Street, Applicant

 Gregg Eriksen, Village Trustee
 Susan Dove, Village Trustee
 Jordan Pavlus, Village Attorney
 Doc Huston, Skaneateles
 Andy Ramsgard, East Genesee Street
 Jorge Battle, Franklin Street
 Bob Eggleston, 1391 East Genesee Street
 Gary Dower, 102 East Genesee Street
 Peter Osborne, Syracuse
 Doug Clark, West Lake Street

Absent: William Eberhardt, Member

Chairman Kenan called for the matter of the Lynn matter at 7:56 pm.

Fogel – I sent an email earlier this week to Mr. Galbato and Mr. Pavlus. What we are looking to do is have the Planning Board revisit the conditions that were approved by the Planning Board and, I guess, the Zoning Board in connection with their approval of the variance. There were

three conditions: first being that the existing lease between 22 Jordan Street and the Village be modified to exclude those portions planned to be used for outdoor dining and seating; second, that the owner consent in writing to the placement of bollards in the alleyway; and further that the grease trap be maintained in good operating condition for as long as the restaurant is in operation. The first condition has to relate, I think, to Mr. Lynn's intent with the lease that's currently in place with the Village. Initially, the condition just included carving out the area for outdoor dining and seating. Mr. Lynn's intent currently, and I have had preliminary discussions with Mr. Pavlus about this, is to also carve out the alleyway along his property but the intent is that the Village would still have access to the same parking spaces that it has now under the current lease.

Dundon – Actually he is carving out 5 parking spaces also. It was outdoor dining and seating and now you are including the 5 spaces adjacent to the building and the alleyway.

Fogel – The same parking spaces that are currently provided to the Village would continue to be leased to the Village under the proposal that Mr. Lynn would like to proceed with. We see it as the first condition really just being a pretty simple administrative change to just include that the intent is to not include the alleyway in the lease, and then assuming that condition is approved we would proceed with negotiations with the Village Board to modify the lease to comply with that condition. The second condition relating to the bollards – because at the time or currently that the lease includes the alleyway, you asked that Mr. Lynn consent in writing to the Village placing bollards in the alleyway. Because the proposal is to carve out the alleyway from the lease, that condition doesn't necessarily still work but Mr. Lynn is committed to placing bollards or the equivalent in the alleyway; and as you know they are already there because of the concern for pedestrian safety in the alleyway, which I think both Boards seemed to be in support of at the time they issued the approval. So we respectfully request that the Board consider just adjusting that condition just to provide that we continue to maintain those bollards in the alleyway. And the third condition relating to the grease trap continues; it doesn't require any change.

Sutherland – Are they bollards; there's a planter that's there now. Is that in lieu of bollards? Is that just temporary?

Fogel – That's what he is proposing to place there. I think they look nice. I think it's equivalent to a bollard; they can be moved with two strong people. But that would be the proposal.

Sutherland – Was there any discussion at the Village level about maintaining some sort of emergency access ability or is that served by other ways of getting into and out of the lot so it is not required?

Fogel – I think it can be served alternatively, but the bollards are, in the event of emergency they can be moved. They are on skids.

Lynn – I had polyurethane heavy plastic skids put on all four legs, so 2 guys can move them. Doug had some work done on his building and me and a workman slid them out of the way so they could drive a truck in. So it can be quickly done. And the fire department doesn't have to take a truck out of service. Even when they hit a breakaway bollard, they have to take that truck

out of service until it is checked out. If you watch the alley; there's way too many people on that alley, way too many kids.

Sutherland – I was just trying to get a sense for was that a requirement or just an extra that if it could be accommodated, fine, but it wasn't necessary to accommodate the need for a fire truck to get in there quickly.

Fogel – I don't know that it's a requirement but it is a reasonable accommodation. No one wants to prevent emergency access if it's necessary and these flower boxes, bollards that are on skids provide that accommodation.

Lynn – there is no fire requirement, there's a request. There is no fire lane, there is nothing in writing, no discussion that says you can't do this. But that's not my intent. Trying to make sure that we can get emergency vehicles in there, work on the building in there.

Carvalho – Jordan, is the Village interested in continuing to lease the alley?

Pavlus – I think they are looking for a recommendation from the Planning Board. We discussed it before and they are not going to make a decision before the Planning board has input.

Carvalho – But if they aren't going to use the alley why would they want to lease it?

Lynn – The Village maintains the revenue stream and the access lane to it. I think that's pretty fair. All the Village has to do is maintain it and they keep the revenue stream; the rest of it you're released from liability, you don't have to maintain it, there's no concern with it.

Sutherland – Aren't there two questions here? There is a need on the east end to have some amount of that land so the parking lot functions correctly. But the piece that's closer to Jordan Street, we were wondering earlier why would the Village want to continue to have it? If there is no fire requirement to get in or any public purpose for the Village having involvement in it in some way, why would the Village still want it?

Pavlus – If it is blocked off and the Village isn't making use of it, it makes sense.

Sutherland – Would it make sense with this lease modification to redraw the line so you keep the piece that's closer to Jordan Street and the Village leases whatever land the need to maintain a logical flow for the parking lot? Is that what makes sense?

Lynn – I think we submitted that.

Fogel – I think that's consistent with the drawing that has already been submitted.

Sutherland – So with that, are you asking for us to make a modification to our previous recommended approval just noting that it is the back area, the cross-hatch area that would be part of the lease? Everything else in the previous approval would remain in effect?

Fogel – Yes. And I think that's the Village Board to move forward with the lease negotiations, they are asking for the recommendation of the Planning Board. We would ask that the first condition be changed slightly to state that the modification would exclude those portions for outdoor seating, dining and the alley consistent with that figure.

Galbato – The applicant in April received site plan approval from this Board and it had the conditions that Mr. Fogel represented. It also received a variance from the ZBA later that month with basically the identical same conditions, in particular the variance related to the shed. So as we sit here there is no valid and legal site plan or variance for the application because the conditions have not been satisfied.

Fogel – It's a little bit of a Catch-22 because we can't get into real negotiations with the Village to modify the lease because they are asking for the Planning Board to recommend it, and we are asking for this condition to be brought in line with Mr. Lynn's current intent with respect to the lease so we can continue our negotiations with the village which should move very quickly once we get past this point.

Kenan – So there's a drawing here called Attachment A that has no date on it. You would ask that we amend our site plan approval – I don't think anything is changed.

Fogel – The only thing that's changed is what's covered by the lease.

Kenan – So we don't need to amend the site plan approval. But if we were to amend the conditions in the previous approval, such that the lease between the property owner and the Village be redrawn so that the area to be leased matches the cross-hatched area on the drawing titled Attachment A dated July 14, 2016. Do we care about the other conditions?

Fogel – Condition 2 related to bollards or equivalent. It was tied to Condition 1 in the sense that the lease would still include the alleyway. So because it was still controlled by the Village through the lease, the Village asked for Mr. Lynn to consent to the Village placing bollards.

Kenan – So Condition 2 then would be changed then to state that the applicant would place bollards or functional equivalents at both ends of the alley to prevent its use by vehicles.

Lynn – Can we eliminate that whole condition because that will restrict me for life?

Kenan – For what?

Lynn – That kind of sets an unending guideline for the alley.

Kenan – I thought that was the intent? That you didn't want vehicles in the alley?

Lynn – I don't want vehicles in the alley. We can do that.

Kenan – And Conditions 3 and 4 remain the same.

Hartnett – Looking at what is there in lieu of bollards in my opinion work just as well, if not better than what was suggested, so I don't have a problem with changing that so long as we do keep the restriction that there needs to be one at each end to prevent any vehicle use in that area.

Chairman Kenan, “So why don't I restate that as a motion. I'll move that we repeat and recite or April 7 motion, to wit: that the Planning Board recommends that the Zoning Board grant variances required by this application. Further, that we perform site plan review and approve the site plan subject to conditions to be recited. Further that we advise the Board of Trustees that we recommend that they issue the Critical Impact Permit subject to the same conditions. Further that we recommend that the ZBA perform the SEQR review. Further, that among the conditions be (1) the lease between the property owner and the Village be redrawn so that the area devoted to storage and outdoor dining is not part of the leased parcel; (2) that the owner consent, in writing, to the Village placing bollards at one or both ends of the alley to prevent its use by vehicles, with our recommendation being that they be placed at both ends for that purpose; (3) that the owner of the property keep the grease trap in good operating condition forevermore; and (4) the Planning Board observes that unfortunately the improvements being reviewed have already been put in place. In light of that a review of the Downtown D standards with regard to that shed would be a useless exercise. We encourage the Village and the applicant not to take this as any kind of precedent. We further note at this proceeding that there are two revisions to the foregoing; that Condition 1 be modified to read that the lease between the property owner and the Village be redrawn so that the area to be leased by the Village matches the cross-hatched area that appears on drawing entitled Attachment A dated 7/14/2016, and that Condition 2 be restated to indicate that the owner will place and maintain bollards or the functional equivalent at each end of the alley to prevent its use by vehicles.” Member Carvalho seconded the motion. Upon the unanimous vote of the members present in favor of the motion it was carried 4 – 0.

This matter was concluded at 8:12 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Special Meeting
July 14, 2016**

In the matter of the application of Gary Dower for Site Plan Review, 7 lot subdivision, lot line relocation and recommendation to the Trustees on Zoning Amendment and Critical Impact Permit to construct 4 professional/medical office buildings, add 31 parking spaces, establish new commercial driveway entrance, construct 6 detached dwellings, provide a pocket park, redesign and engineer the storm water management system at the Mirbeau Gateway properties at the corner of Fuller and West Genesee Streets in the Village of Skaneateles.

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

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

 Bob Eggleston, Architect, on behalf of the Applicant
 Gary Dower, Applicant
 Peter Osborne, on behalf of the Applicant

 Gregg Eriksen, Village Trustee
 Jordan Pavlus, Village Attorney
 Doc Huston, Skaneateles
 Andy Ramsgard, East Genesee Street
 Jorge Battle, Franklin Street
 Doug Clark, West Lake Street

Absent: William Eberhardt, Member

Chairman Kenan called for the matter of the Dower application at 8:13 pm.

Eggleston – This property was non-productive. In discussions with both the Village and the Town it was in the best interests of the Town and the Village to annex this property right here that was in the Town into the Village. That has been accomplished, so we now have assembled all into what we are calling the Gateway property. At the time of the annexation, we represented a potential use for the property which included both residential and commercial uses. There was a great concern for storm water so we went through the engineering for storm water, resolved existing storm water questions and to accommodate potential development of this property. Because this portion of the Village was already A-2, they would continue the annexed property

as A-2. So what we have today is exactly this. We have A-2 which consists of three different deeded properties. This parcel contains two tax map numbers, the old Village property and the new Village property; the former BP gas station which contains the new Village number and the old Village number; and then the Mobil station property which has its own tax number. To keep it consistent with what we talked about; this plan you have seen a number of times. What we are proposing is that we maintain a high density residential units here; something similar to lower State Street where we have smaller houses up to 2,000 SF that would be intended for entry level or empty-nesters on easy to maintain lots. These individual houses would take on the village architecture and character. These 6 lots would have a shared driveway that lines up with Highland Street and would have garage access from the back similar to an alleyway. We would propose on-street parking for visitors and sidewalks that would tie into the existing gateway sidewalk system. The remainder of the property is more of a commercial nature. What you saw before was rehabilitating this existing building on Route 20 and a 7,500 SF one story building here. We reconsidered that and are proposing the same 7,500 SF, but in smaller buildings of 1500 to 2,000 SF. They would be built as leased; architecture complements Mirbeau which has small cottages on that property. We see this as office space – general office, professional office or medical office.

Eggleston -- Because we are talking about a 5,000 SF lot with a 40 foot width, it is quite different from 30,000 SF lot with 100 foot width of the A-2 District. Rather than modifying the A-2 Zoning to allow 5,000 SF lots, 40 feet wide, we thought it would be appropriate within the A-3 District to have a residential Density Control chart that would allow this type of lot within the A-3 district. This is a very limited area; the only A-3 district before the annexation was the Mirbeau property. The commercial portion of the property would still meet the current A-3 District. This chart shows the proposed changes to the zoning amendment would be. Right now, the A-3 District has both residential and non-residential. What we suggest is as done in the D and C Districts; there's a different lot requirement for residential consistent with the proposed 5,000 SF lot minimum and 40 foot minimum lot width for residential lots. The minimum open area for residential we would suggest be 60% minimum. Minimum yard dimensions we would propose at 15 foot front yard, 5 foot one side, 10 foot both yards and 35 foot rear yard. Non-residential would not be changed. The other amendment we are proposing would be in the Permitted Use Chart. Right now it allows single family houses and lodging as the only uses. We would suggest that Healthcare Service for Humans with site plan review; Office – General Business with site plan review; Office – Licensed Professional with site plan review. Site plan review for these uses is consistent with the C and D Districts. These zoning amendments then would allow us to proceed with the build-out that has been proposed during the annexation process.

Eggleston -- What I have is what the proposed parcels would be. The residential lots would be 1 through 6. Open area would be in the 60.9%. The Commercial buildings would be on Lot 7; well over 30,000 SF. We have 65 feet on Fuller Street and 318 feet on Genesee Street. The other thing we are talking about is that there would be a lot line relocation; taking some excess land from the Mirbeau property and giving it to the Gateway. The existing Gateway properties end right here and this is all Mirbeau. This is where the detention pond is currently. Our suggestion is to take this land which has the detention pond – so that the bigger detention pond is all on one lot in the Gateway. So we would take about 28,000 SF from the Mirbeau property;

still keeping Mirbeau as a conforming lot with conforming coverages. From a practical management standpoint it makes sense to have this drainage easement on one property.

Eggleston -- The other drawings that we had included in this submission are drawings that you have seen in the past – the type of houses; turn of the century bungalows/cottages that you see in the Village. All would be no more than 2,000 SF and include a first floor bedroom, with 2 bedrooms on the second floor. What you haven't seen before are these detached smaller commercial buildings. We would carry on the flavor of the Mirbeau buildings to tie them in. I took a look at lower State Street and actually measured the first 3 or 4 buildings. This is an image of what we are trying to accomplish in the transitional area between the A-2 and A-3 Districts. Small houses, 1.5 story, front porches. There is actually 10 feet between these buildings; we would have 12 – 13 feet between the buildings. These have the driveway; this would be grass and landscaped area between the houses. That's the image that we are trying to do. We totally agree with your comment that Fuller Street should have residential across from residential. With the 175 feet A-3 you'd only fit one house in there because of the 30,000 SF lot, which wouldn't accomplish the idea of getting an alternative housing type available for empty nesters or starting homes for the area.

Eggleston --I guess what I'd like to do is suggest that the first step is we need to come up with appropriate zoning amendments that you'd feel comfortable with. That will then begin to shape the subdivision sketch plan in that we don't want to proceed with the subdivision which would require variances under the current law, but rather to have a zoning law that would make these conforming. So we see working on what an appropriate zoning amendment would be and then the subdivision. Once that's taken care of we can do the site plan review for the commercial buildings. Are there any comments that you have or questions at this point?

Carvalho – Across Genesee Street, that's residential and then the cemetery, correct?

Eggleston – Correct; that's RF District. It's residential. The zoning requirement is 2 acre lots and 300 feet of frontage. They are all nonconforming; they're quarter-acre or smaller. They tend to be very deep lots. They also have septic systems. It is residential here. One of the things that we feel very strongly about is that the residential would access Fuller Street but that the commercial would access Genesee Street. It would be good separation. Because we are suggesting that these businesses would be complementary to Mirbeau, the Comprehensive Plan suggests that the ability to pass from one commercial property to another commercial property without going back onto the main road; that's why we have this connector piece in here so it can be done internally.

Carvalho – Since it is zoned A-2, why wouldn't you make that all residential?

Dower – Of course we would follow whatever the requirements of the Planning Board are, just as a matter of development this is a small site that is complicated because it is in that transition zone between the commercial areas on the west and residential areas which are to the east. The question is would somebody want their residential home in that location. My guess is probably not.

Eggleston – At best you could get three lots. To put 3 lots here at 30,000 SF under the A-2 zone you are going to have 3 lots like on Prentiss Drive and they would have to be million-dollar homes in order to get the tax revenue that was represented in the annexation. I don't think you could put million-dollar homes in this location.

Hartnett – Gary, part of your plan, by separating those into individual buildings, is to allow it to be phase 1, phase 2?

Dower – The application right now is being made by the two LLCs that own the property. This really has nothing to do with Mirbeau. But you are correct. When we looked at the plan that was originally discussed with the community and was put forward during the annexation process, it contained a large single level building. We just thought it was out of proportion in many ways – physically with regard to the site requirements and the site geography and we also thought it was complicated in terms of development and leasing. We think this plan is superior and breaks that square footage down into smaller units that are more in keeping with what the Village perspective wants to be for this area but also from a developers as you suggest it makes it easier for us to lease one building at a time as opposed to leasing everything at once. So it's likely to be built in phases over a period of time.

Eggleston -- A concern that I think Brian has, that there are residential single-family dwellings across the road on the south side of Genesee, one of the unique things about this and why it doesn't make a 3 lot subdivision realistic is that there is quite a bit of grade transition – topography – in this area here. What makes this work is that this is kind of tucked down low from the road; the parking is put behind these buildings here – so I think it works better, you can keep this heavily treed to have a nice buffer and you come down into this little enclave of commercial buildings that would connect to the enclave of lodging buildings.

Sutherland – Gary, is there a lodging function that might be there instead of the offices?

Dower – No; we don't think that works for our particular use. I think it's important for the Board to maintain control over the lodging use through a special permit application that would be necessary. We have no intent for this to be a lodging facility.

Hartnett – Are you planning on selling off those lots?

Dower – The individual houses would be individually owned lots similar to the rest of the Village. The only thing that we are going to be suggesting is that because they are so close together, we are going to be developing a Home Owners Association who would be responsible for the exterior painting, the exterior lighting, snow plowing, landscaping, and the other maintenance features that go along with each lot – so every owner would feel comfortable that their property's value would be protected by the adjacent owner.

Eggleston – The other thing is that we would have one builder that will build all the houses and we will control the style of the house.

Hartnett – My question is was is this going to be used as a secondary function of Mirbeau?

Eggleston – No.

Dower – No; the hope is that we will have contracts for all these properties during the next year or so, so we can build all 6 at the same time. This is an interesting project to put together. It's in that transition zone, its relatively small, it's got some geographic challenges, we had both the Village and the Town looking at developing it. In fact the area of commercial property was approved for a commercial development years ago, but the Village recommended that there be an annexation discussion before development. This whole property is kind of interesting in terms of developing a use that's acceptable and appropriate for its location, but also fits into the whole Village context but at the same time is something that the Town is comfortable with. We have gone through that discussion with both the Village and Town as part of the annexation process, so tonight what we are really looking for are some thoughts and recommendations and direction from the Board members here as to whether this particular program was suitable for the area, compatible with what had been discussed with the Village previously and whether we should move forward with a formal application for the zoning amendment that we are talking about. The big issue that the Board needs to be thoughtful about is will this would be zoned A-3 and the modifications applied to it or whether you continue to want it to be A-2 in which case we'd be looking for some sort of a variance which probably isn't appropriate.

Kenan – So Gary, what I would suggest, this is a departure from our earlier recommendation to the Trustees that it be A-2. You have suggested the A-3, but then you have suggested a series of specific criteria for that A-3.

Dower – The A-3 right now does not contain the residential criteria for this type of unit.

Kenan – Or for the office building, is that right?

Dower – Well it contains it for the buildings but not for the use.

Kenan – As far as the uses go, in my opinion, I have no problem with the uses that are proposed. What I would suggest is I'd like some time to reflect on the zoning category itself and the conditions that go with it.

Dower – That's really the big issue the Board needs to be thoughtful about and give us some direction on.

Kenan – I don't know how the other Board members feel. It is more than just saying is it A-2 or A-3? I think there's a series of criteria that go with it.

Dower – We thought it was easier to control the thoughtful development of this difficult site as an A-3 zone, than it would be to add the A-2 into the mix, unless you'd rather not have the property developed in the way that it is located now.

Kenan – Your thought is to start out with the zoning classification issue; you'd be modifying one or the other if you were to do this plan. And then go for the subdivision?

Dower – We would probably start everything at once so it could be analyzed all at the same time, but we just didn't want to pick a direction without counsel and advice from the Board as to whether this direction that we are on now is proper or whether you would prefer something different.

Eggleston – The advantage to doing the subdivision and the amendment to the zoning at the same time is that you get that guarantee that we have the residential A-3 doing the effective job of an A-2 here. If we were to change the zoning with no subdivision attached to it who's to say that someone...

Kenan – I think it works both ways.

Galbato – You could still do that, you could unsubdivide.

Dower – I think the suggestion of doing it all at once is the proper way.

Kenan – I think it works both ways. From your point of view you want to know that you've got all the pieces and the Village probably wants to know they are all tied together.

Sutherland – I think you would want to include some sort of design standard, probably a 'son of Parkside' that would need a little bit of adjustment. Especially houses that tight together, they need to ...

Eggleston – The beauty of this is that in Parkside you have that first floor is 3 foot above the street level or sidewalk. There you ran into problems where you had disabled people; it was practically difficult to have that accommodation. Here you've got that slope; we've got a grade change and then we've got the 3 feet up, so you've got that really nice above the ground first floor, but because the grade rises back here you've got one step in from the garage to the house. So it accommodates it without taking away that Village appearance. There are some real attractions to this application on this site.

Hartnett – I have an issue with only having 5 feet to the property line. I think that's too tight. Looking at what was on State Street; that was built a long time ago with different needs and uses. I think it is too tight in that area.

Dower – That comment has been one of the comments that we have heard. The effort here is to trade relatively high density for the purpose of providing a purchase price opportunity that's at the lower end of the spectrum. But it is just an economic issue obviously. The question is whether this is appropriate and works for what it is proposing to do? We think it does but we understand the concern about the closeness of the units.

Eggleston – I know that the discussion last time was about the distance between the houses, and while 5 feet is the minimum lot line set-back, which is based on fire code, what is the actual

space between the houses? On State Street it is 12 feet; we are proposing 12 and 13 feet as the closest, and there will be no driveway like on State Street.

Hartnett – I know what you are saying but that’s a little bit apples and oranges – preexisting versus something new.

Dower – That point obviously would be something for us to have a good discussion with the Board on. We have heard that, we are sensitive to that. We would love to engage in that conversation. That would be the next step. If you feel this is an appropriate way to proceed that would be the next step – to have that discussion and decide how this actually works.

Hartnett – I do like that the traffic is separated between the residential and the commercial use, and to have the commercial not come out onto Fuller.

Dower – we have had preliminary discussion with NYS Dept. of Transportation. Obviously to accomplish this plan with a curb cut on Genesee we would need to get a DOT highway work permit. They felt there was probably no reason why that would not be accomplished; we just have to prove out the sight lines and provide the other technical detail that they need, but they recognize that we are going from what is essentially 3 curb cuts within 100 feet to one simple curb cut, so they look at this as a potential improvement.

Chairman Kenan, “Anything else from the Planning Board? Should we take it under advisement and discuss it next month?” Mr. Dower, “We’ll come back next month and get your thoughts and be prepared to move forward.” Chairman Kenan, “OK.” This matter is tabled and continued to the August 4, 2016 meeting of the Board. This matter was concluded at 8:47 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Special Meeting
July 14, 2016

Consideration of a recommendation to the Trustees on adoption of a new Local Law incorporating the NYSDEC Model Local Law format to replace most sections of Chapter 115 [Flood Damage Prevention] of the Village of Skaneateles Codes.

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

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

Gregg Eriksen, Village Trustee
Jordan Pavlus, Village Attorney
Doc Huston, Skaneateles
Andy Ramsgard, East Genesee Street
Bob Eggleston, 1391 East Genesee Street

Absent: William Eberhardt, Member

Chairman Kenan called for the matter of DEC at 8:48 pm.

Carvalho – What I got out of this is that it is mandated.

Galbato – The village Attorney is here too.

Kenan – I spent a lot of time poring over this too. At some point in here I figured out that the flood level elevation is 853.9 feet. That's just a number that I can't tie to any particular point of land. Then there is a set of requirements that says for a certain building, your floor level must be 24 inches above that defined level and for another kind of building it's got to be 3 feet above that defined level. But I still don't know what that means in practical terms. If that is saying that anything that's built within the flood zone has to be built 3 feet above the flood level. We need to understand that simple concept before we can say that's fine, approve it. I understand that we've got 'til August 1st or something like that?

Pavlus – That's correct.

Sutherland – What if you don't approve it? Is there an option or is it one of those things that's going to happen anyways?

Kenan – I think you are not covered by flood insurance, federally subsidized flood insurance.

Pavlus – It's take it or leave it. They have given us a model local law and if you don't enact the local law, your residents can't get flood insurance.

Sutherland – Somewhere is there a drawing that shows where the flood plain is? The flood plain has been moving. It seems like there are some flaws in the way it is being defined.

Kenan – There are maps that look like this.

Pavlus – The Town is passing a similar law and all municipalities are getting a similar model local law for consideration.

Sutherland – Is there a second step though of an opportunity to carefully look at what's been defined, because there are clearly lots of errors in the definition of what's in and out of the flood plain.

Pavlus – The information that we have been given is that there is a model local law and there are optional additional provisions that can be put into your local law to add additional protections. That's all we have.

Sutherland – One thing that might be good is something that deals with a dispute over where the flood plain actually starts and stops. Because I know there are huge mistakes.

Kenan – For example wetland maps, they've got very large scale wetland maps that spell out with good accuracy where the perimeter of the wetland is. Then you measure 100 feet from there and that's the buffer. These maps, you couldn't tell anything from this. And that elevation 854.9 or whatever the number is, I don't know how it relates to anything in the real world. There are a couple of different datum that it relates to. A surveyor could answer that for us. For instance when we rebuilt our boathouse a number of years ago, it had flooded. So we raised the floor about 3 feet above, which is a foot and a half above the dam.

Sutherland – I think one of the other implications is that the way that it is drawn, there are some people aren't really in the flood plain but the way that it is drawn they are, and the insurance can become costly. So that second step is important.

Dundon – There is an appeals process that somebody can use to demonstrate that they are not in fact within the district. There is a process that a surveyor can follow.

Hartnett – Jordan, if the Trustees do not adopt the model local law, then people who have flood insurance now are not covered?

Pavlus – That's the bottom line.

Hartnett -- And there's nothing that we can change in that document?

Pavlus – The last time this was tackled was 1987 and FEMA and the DEC have taken that long to get back to this issue. I don't believe there's any back and forth. I just think that the Trustees wanted your recommendation.

Sutherland – And the only issue is whether there is something that is so egregious that you want to get some additional language in.

Pavlus – They have given us suggested additional language; they have not left it up to us to insert whatever provisions we want.

Kenan – They have a table here 864.7 is the number and that's the 10% annual chance recurrence intervals still water elevation for Oneida (assume that's a typo) Lake. That is the Nav D88 datum.

Chairman Kenan, "I move that the Planning Board recommends to the Trustees that if you have a deadline, don't miss it. The Board cannot advise on what this really means and its real implications." Member Hartnett seconded the motion. Upon the unanimous vote of the members present in favor of the motion, it was carried 4 – 0.

This matter was concluded at 8:59 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Special Meeting
July 14, 2016

Consideration of comments to the Town Board regarding its referral of proposed revisions to the Joint Comprehensive Plan.

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

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

Gregg Eriksen, Village Trustee
Jordan Pavlus, Village Attorney
Doc Huston, Skaneateles
Andy Ramsgard, East Genesee Street
Bob Eggleston, 1391 East Genesee Street

Absent: William Eberhardt, Member

Chairman Kenan called for the matter of the Comprehensive Plan at 9:00 pm.

Kenan – I spent a lot of time on that and made extensive notes on this redraft that the Town did. I sat down to type it in and discovered that all we had was a pdf. I don't know if anyone else has comments you'd like to discuss on it, but frankly I'd like to put mine in writing and discuss it with everybody else's.

Carvalho – A general comment is that I think it is much worse. It is not reader-friendly, it sounds like it is written by a lawyer; I think they took a good document and made a mess of it.

Kenan – What we ought to do is give a comprehensive list of comments back to them or to the Trustees – whoever is going to take this and run with it. Maybe if we can get a word document everybody can type in their own comments and send them on. Jim Lanning has requested a joint meeting of the two Planning Boards, the Village and the Town. We have done it once in my memory.

Galbato – Is the lawsuit still pending?

Carvalho and Hartnett – I believe so.

Pavlus – That’s why you are looking at that now.

Kenan – Let’s try to get our comments together by cross-correspondence, and let’s see how it goes.

This item was concluded and the meeting adjourned by acclamation at 9:02 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards