

Village of Skaneateles Planning Board Meeting February 1, 2018

Critical Impact Permit recommendation in the matter of the application of Michael & Karen Dudden for change of use from Commercial – Office, general business C(13) and Commercial – Retail sales C(21) to Residential – Dwelling, one-family A(1) in the Downtown D District; at the property addressed as 37 Fennell Street in the Village of Skaneateles.

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

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

Mike Dudden, applicant

Carol Stokes-Cawley, Village Trustee
Gregg Eriksen, Village Trustee
Bill Murphy, 3 Fennell Street
Bob Eggleston, 1391 E Genesee St
John & Michelle Mashia, 31 Academy St
Stacey Albunio, Syracuse

At 7:30 pm, Chairman Kenan called for the matter of Michael Dudden for 37 Fennell Street. Attorney Galbato briefed the Board that this is a change of use from Commercial to Residential and therefore it is redevelopment. Any redevelopment within the Downtown D District requires a Critical Impact Permit. Therefore, the Board will be making a recommendation to the Trustees on that matter and should also consider the applicability of Downtown D Design Standards, should there be any exterior changes proposed.

Mr. Dudden introduced himself and explained that this has been a rental property for the last several years. He and his wife have decided to downsize and move back to the Village and intend to occupy the structure as their primary residence. Chairman Kenan said that the drawings appear to show the parcel as two lots; Mr. Dudden explained that it is just one lot with a single tax map number. Attorney Galbato verified that this is a single parcel.

Member Carvalho satisfied himself that there are no drainage issues. Member Sutherland recalled that the Board had approved a garage addition previously that still showed on the

survey. Mr. Dudden confirmed that the garage addition had been completed last year. The Board determined that the existing commercial uses are solely within the house. Chairman Kenan asked if the change of use is intended to apply to the whole parcel and the house which is on it? Mr. Dudden confirmed that is correct.

The Board asked if exterior changes are planned? Mr. Dudden said that at some point he would like to change the siding to replace the existing asbestos siding. CEO Crompt said that he has had conversations with Mr. Dudden and it is his understanding that the applicant only wishes to pursue the change of use for now. If an addition or some other exterior changes are desired, it will be a separate application and subject to the Downtown D District Design Standards.

Member Sutherland, "I move that the Planning Board recommends approval of the requested Critical Impact Permit by the Board of Trustees for the change of use from commercial to residential. The Board recognizes that 37 Fennell Street is a single lot, tax map number 006.-04-14.0." 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 7:34 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting February 1, 2018

Area variance recommendation in the matter of the application of Michelle Mashia to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Side yard set-back, right; Both side yards combined; Percentage of structure width/lot width; Percentage of open area; Minimum lot width; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 529 SF one-story building addition and to construct a 911 SF addition to an existing patio; at the property addressed as 31 Academy Street in the Village of Skaneateles.

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

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

Bill Murphy, Architect, on behalf of the applicant
Michelle Mashia, applicant
John Mashia, on behalf of the applicant

Carol Stokes-Cawley, Village Trustee
Gregg Eriksen, Village Trustee
Bob Eggleston, 1391 E Genesee St
Stacey Albunio, Syracuse

At 7:35 pm, Chairman Kenan called for the matter of Michelle Mashia for 31 Academy Street. Mr. Murphy read his narrative to the Board, already in the record, which noted the requested 17.5 lineal foot deficiency in required lot width, a deficiency of 8.3% in required open area (which is being increased by 6.6% by the proposed work), and a 2.9 lineal foot deficiency in side yard set-back. He also noted that the elevations do not appear markedly different, since the addition is infilling space between two existing walls. Mr. Murphy noted that the application includes letters from several neighbors in support of the requested changes.

Attorney Galbato noted that the Board is being asked to make a recommendation to the Zoning Board of Appeals regarding the requested variances. Member Carvalho asked if the neighbor to the rear was aware of the requested changes? Mrs. Mashia said that she had spoken with the

Robinsons by phone to describe the proposed changes. They did not feel it necessary to review the drawings or other application materials.

Member Sutherland, "I move that the Planning Board recommends that the ZBA approve the variances requested in this application." 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 7:41 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting February 1, 2018

Preliminary subdivision approval, Special Use Permit recommendation, and Critical Impact Permit recommendation in the matter of the application of Gary Dower for a 7 lot open space subdivision, lot line adjustment, and development of new lodging structures comprising 21 bedrooms in 3 buildings as part of the proposed Mirbeau Gateway development project at the corner of Fuller and West Genesee Streets in the Village of Skaneateles.

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

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

Bob Eggleston, Architect, on behalf of the applicant
Stacey Alburnio, on behalf of the applicant

Carol Stokes-Cawley, Village Trustee
Gregg Eriksen, Village Trustee

At 7:43 pm, Chairman Kenan called for the matter of Mirbeau Gateway. Attorney Galbato highlighted that the Mirbeau Gateway matter is back before the Board for a 7-lot open space subdivision under rules that were recently amended by the Board of Trustees by local law. The matter includes a minor lot line relocation as well as construction of new lodging buildings close to the existing Mirbeau operations. What is before the Board tonight is to determine if there is enough information for the Board to schedule a public hearing under section 225-35J of the code.

Mr. Eggleston said that before the Planning Board could approve the final plat for the proposed open space subdivision, the Board of Trustees would have to issue a Critical Impact Permit. He continued to say that the lot involved in the lot line relocation is the proposed lot 7, which is to be used for lodging and which is, after rezoning by the Board of Trustees, now entirely within the A-3 District.

Mr. Eggleston explained that the remaining parcels within the A-2 District will be the subject of the open space subdivision, with the Planning Board having latitude under the new statute to relax some requirements in the case of unique parcels and circumstances. He noted that the proposed 5 residential lots are a minimum of 7,500 SF each and each has a minimum width of 50

feet. There will be a considerable amount of open space that will serve as a buffer between the A-2 housing and the A-3 lodging. Member Hartnett asked how Mr. Eggleston can assert that they are comparable to the neighboring residential lots on Fuller Street? Mr. Eggleston responded that they are smaller than the Fuller Street lots, but are comparable in size to 50% of lots in the adjacent 3 block area, so not out of character to the A-2 District, saying that these conditions have been discussed for a year already. Mr. Eggleston agreed to provide the Board with his study showing those results. In response to a question from Mr. Hartnett, Mr. Eggleston continued that the decision to use a shared driveway for access and the location of the garages behind the buildings allows them to have a 50 foot wide lot, yet to allow for 20 feet of separation between the homes. The intention is for the developer to build all the homes and sell them completed to the new residents, such that control can be maintained over the design and finishes. There are three different home styles designed to match the character of the Village – an American 4-square style, a cottage style and a bungalow style; all will be subject to design review.

The developer will be providing a construction sequence for the housing so that the entire range is completed in a reasonable time; completing the first foundation, then doing the second foundation as the first house is being completed, the doing the third foundation as the second house is being completed and so on. Member Sutherland commented on the sequence which will have excavation for the detention basin occurring first then grading up for the lodging units and grading up for the housing units. Mr. Eggleston noted that the site will be raised for every house, allowing for the excavation of the basement area to be shallower, since the houses will be raised on the lots. Ms. Albinio estimated that the houses would each be 3 feet higher, on average. The developer has not yet decided whether the grading for the lodging or for the housing would be done first.

Mr. Eggleston noted that the Board has been provided with a grading plan and with a planting plan. Member Sutherland asked Ms. Albinio to walk the Board through the basin planting plan. She responded that the trees and shrubs will be native to the area and that a wetland detention seed mix will be used to help them establish. The goal is to have a natural feel with a minimal amount of mowing. Member Sutherland pressed for more detail; Ms. Albinio explained that the top of the basin would have a meadow feel to it, being mowed two times per year. The basin itself would be left natural. Along the shared driveway, the first 5 feet off the drive would be lawn, and would then transition to a more natural appearance.

Mr. Eggleston noted that at the Board's suggestions, the developer is keeping the natural vegetation in the old trailer park area and filling in on the perimeter with deciduous and evergreen trees. Member Hartnett asked who would be maintaining those features? Mr. Eggleston replied that the common land and the basin would be maintained by Mirbeau. There will be a HOA to handle outside maintenance, grass, snow removal and the like. Attorney Galbato asked is there are restrictive covenants? Mr. Eggleston replied that the developer wants to preserve a common language for the architectural exterior design and restrict exterior maintenance issues. Attorney Galbato asked for a draft of such covenants to review.

Mr. Eggleston requested that the Board quickly proceed to schedule a public hearing on the subdivision, recommend to the Trustees that they approve the Critical Impact Permit and

schedule the necessary public hearing, and make its recommendation to the ZBA for approval of the Special Use Permit. Attorney Galbato felt that it was premature; that a complete package was needed for the Trustees. Mr. Eggleston cited Section 225-35 or 36 that requires a critical impact permit from the Trustees before the Planning Board can approve the final plat. He spoke at length about the amount of time that is required to schedule and approve these matters and the desire to be ready for construction. Member Sutherland asked if the objective was to get the project built this year? Mr. Eggleston said it definitely is. Member Sutherland continued noting that it would be desirable to have all such work done in a single construction season. Attorney Galbato said that the project should be referred again to the Village Engineer, but allowed that the Board could schedule a public hearing subject to that being done. Chairman Kenan said he believed the Board should schedule the public hearing tonight. Member Sutherland suggested that before any such Village Board hearing, the Planning Board will have its own public hearing and a chance to review the matter again, and the Village Engineer has seen it before, with the critical impact most focused on drainage. The project has not materially changed in more than a year. Mr. Eggleston agreed to have a new application for open space subdivision to the Board next week.

Member Sutherland, "I move that the Planning Board recommends that the Board of Trustees approve the Critical Impact Permit for open space subdivision for the Mirbeau Gateway project. This motion is subject to (1) the Board's receiving an updated subdivision application within one week, and (2) reconfirmation by the Village Engineer that conditions are still in order." Member Carvalho seconded the motion. Upon the unanimous vote of the members in favor of the motion, it was carried 5 – 0.

Member Sutherland, "I move that the Planning Board schedule a public hearing on the matter of the proposed open space subdivision for the Mirbeau Gateway project on Thursday, March 1, 2018 at 7:30 pm. This motion is subject to (1) the Board's receiving an updated subdivision application within one week, and (2) reconfirmation by the Village Engineer that conditions are still in order." Member Carvalho seconded the motion. Upon the unanimous vote of the members in favor of the motion, it was carried 5 – 0.

Mr. Eggleston noted that his narrative addressed the criteria for issuance of a Special Use Permit. Attorney Galbato noted that he is suggesting approval of a special use permit for a lot that has not yet been created.

Chairman Kenan, "I move that the Planning Board recommends that the Zoning Board of Appeals approve the Special Use Permit for three additional lodging buildings units A, B & C of the plans dated 11/17/2017 having a total of 21 bedrooms for the Mirbeau Gateway project. This motion is subject to (1) the Board's receiving an updated subdivision application within one week, (2) reconfirmation by the Village Engineer that conditions are still in order, (3) issuance of a Critical Impact Permit for the subdivision by the Board of Trustees, and (4) the Planning Board's approval of the final subdivision and developer's filing of the plat with Onondaga County." 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 8:21 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting February 1, 2018

Discussion by the Board of potential amendments to the joint Comprehensive Plan desired by the Town of Skaneateles.

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

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

 Carol Stokes-Cawley, Village Trustee
 Gregg Eriksen, Village Trustee

At 8:26 pm, Chairman Kenan called for discussion regarding the Comprehensive Plan ("CP"). Chairman Kenan reported that the Town has recently developed yet another version of the revisions, which appear to have removed the most offensive suggested changes, including those that had been driven by an Article 78 proceeding that was withdrawn prior to any settlement. The Board established that the Village and Town have an agreed-to CP that was adopted by both entities in 2015. The Town has since proposed a series of rewrites that the Planning Board felt were unnecessary. Member Sutherland acknowledged that there is a benefit to having a joint CP in place between the Town and the Village.

The Board noted that the most recent version has been red-lined against the previous draft, and not against the adopted version of the plan. Chairman Kenan said that he had produced that version for himself, and offered to send it to all parties, cautioning that it looks as if the entire plan has been changed – though more so in form than in substance.

After more discussion, Member Sutherland and Trustee Eriksen agreed to reread the newer version before the next meeting to verify that the words are different but in spirit it is what was there before. Trustee Eriksen said that there was probably no way to adopt a revised version without holding a public hearing. Trustee Stokes-Cawley felt that it is important to verify that it is the Town's intent to adopt a revised CP. She will pursue that. Chairman Kenan will circulate the new draft.

Upon motion of Chairman Kenan, seconded by Member Hartnett, this matter was concluded and the meeting adjourned at 8:43 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards