

**Village of Skaneateles
Planning Board Meeting
December 6, 2018**

Site Plan Review; Critical Impact Permit determination; Demolition Permit recommendation; Special Use Permit recommendation (permanent dock) and Area Variance recommendation to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back, Sideyard set-back, right, Rear yard set-back, and Minimum open area; Section 225-14C(2)(c) & 225-58B(8)(a) for front yard driveway/parking; Section 225-15A(2) for multiple dwelling units; Section 225-19.1C(1,2)&D(4)&E for Lake Watershed Overzone development; and Section 225-20 D&E(2) for development within 50 feet of Skaneateles Lake; in the matter of the application of Adam Weitsman to merge two lots, demolish an existing single-family residential dwelling unit and to construct a swimming pool, 2,376 SF pool house with cabana, 1,575 SF pool patio plus appurtenances (temple w/ roof, trellis and fence), driveways, walkways and retaining walls at the properties addressed as 61 West Lake Street and 45 West Lake 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
Beth O'Sullivan, Deputy Zoning Inspector
Dennis Dundon, Clerk to the Boards

John Meyer, architect, on behalf of the applicant
Terri Roney, Esq., on behalf of the applicant
Doreen Simmons, Esq., on behalf of the applicant

Susan Dove, Village Trustee
Kirsten Ehrich, 63 W Lake St
Peter Ehrich, 63 W Lake St
Patrick Reagan, Marcellus
John Langey, Esq., Syracuse
Richard Andino, Esq., Syracuse
Emily McNeil, 76 Fennell St
Kevin Cooper, 32 E Austin St
Julie Moore, 95 E Lake St
Jim Moore, 95 E Lake St
Alan Johnson, 59 W Genesee St
Holland Gregg, 3872 Jordan Rd

Kathie Dyson, 1 Teasel Ln
Bill & Miki Mahood, 60 W Lake St
Constance Brace, 15 Kane Ave
Linda Roche, 39 W Lake St
Bob Eggleston, 1391 E Genesee St

At 7:59 pm, Chairman Kenan opened the discussion in the matter of the application of Adam Weitsman for 45/61 W Lake St.

[Staff and Mr. Meyer were unable to get his presentation to be projectable on the screen. He showed some slides on a portable device to the audience; Board members could see similar portions on a laptop computer.]

Mr. Meyer said that a few years ago he had done the house design for Mr. Weitsman, who has now picked up a small piece of property next to him; a narrow wedge with a little lake frontage. This was all part of the same parcel in the past. There is a house on the property – if you are standing in front of Adam’s house, the views open to the left. He plans to take down the house and construct a pool and pool house to complete his property and make it feel like one estate. The pool house will be a miniature version of the main house – same shapes, same materials.

Mr. Meyer said the important view was from the town park in which the proposed improvements appear to be a little piece that’s built into the side yard. From the water, one would be able to see the new structures; “the whole property hangs together as one piece.” He said the Mr. Weitsman had given instructions to “watch out for our neighbors; make sure we are not doing something that wrecks their lives”, adding that the view from the adjacent neighbor, 63 West Lake Street, would be mainly of the trellis which is now 25 feet from the property line. A neighbor across the street had asked for a simulation; after the project they will have a permanent lake view.

In describing the pool house, Mr. Meyer said that it is a small space in which the doors open completely. There is an open pavilion in the center, with 2 changing rooms, mechanical and storage on one side. What had been planned as a small kitchen, is now being outfitted with only a microwave and refrigerator. They intend to use the same team of contractors as before and to employ the finest, longest-lasting materials they can find.

Mr. Meyer said that there are 3 variances being requested:

- (1) overall open space is required to be 90%. The existing condition is 80% and a reduction to 79% is proposed.
- (2) front yard coverage cannot exceed 75%. The existing condition is 67% and is proposed to increase to 71%.
- (3) the trellis is proposed to be constructed within 50 feet of the lake.

While the yards meet all set-back requirements, there are additional permits that are required:

- Critical Impact Permit since the total floor space of all existing and proposed structures exceeds 20,000 SF

- Demolition Permit is needed for the removal of the existing house at 61 West Lake Street
- Special Use Permit is required for the permanent dock

Mr. Meyer said they will not be adding any parking, Mr. Weitsman will agree to stipulate that the pool house is not a dwelling unit, they are using the existing curb cut, and there will be a 4 foot iron fence extending around the catch basin and pool. He said that they listened to all restrictions and are trying to play by the rules.

CEO Crompton told the Board members that they will need to use the calculated numbers shown on page 2 when considering this application. Mr. Meyer noted that the building has been redrawn and moved 4 times.

CEO Crompton explained that the front yard parking according to Code cannot be more than 25% of the lot area. He stated that the existing utilization is 32% and that 27% is proposed for the combined lots. He noted that multiple dwelling units are prohibited on lots in the A-1 District. He explained that his determination is that the pool house creates a second dwelling unit on the lot. The Board can conclude for itself if that structure, with any restrictions agreed to by the applicant, does constitute a second dwelling unit. The CEO informed the Board that the Village has employed TDK to verify the dimensions, coverages and variances.

DZI O'Sullivan noted that required parking is not permitted to encroach on required front yards, and that the minimum open space calculation showed coverage at 76.8% in the plan proposed. The pillars in the front yard are too close to lot lines and may occupy part of the street right-of-way. The right side yard has a pillar less than 25 feet from the lot line. Additionally, the trellis is 35 feet from the rear lot line.

Chairman Kenan asked if the applicant had submitted an environmental assessment form? Attorney Galbato said that there was a short form EAF dated 11.15.18 with one page dated 11.13.18. He said that the Board has a proposed prepared resolution designating the Planning Board as lead agency to conduct a coordinated review.

Chairman Kenan said that the Board would permit comments from the public, even though it is not currently conducting a public hearing.

Mr. Langey introduced himself and said he is representing the Ehrichs. He asserted that the project is too large and too close -- in his clients' minds. The revised project shows little or no changes from the previous version that was shared with the public, and represents a detraction to the other properties in this part of the West Lake Street corridor. He continued that the applicant says he wishes to stay within the rules, yet the improvements could be located elsewhere and not require any variances. They will be carefully tracking this application.

Mr. Meyer replied stating that the proposed building is 36 feet from the side yard lot line and that the trellis is 25 feet from the side yard lot line.

Mr. Moore said that the application represents the demolition of another historic building. He recalled that there was once a proposal to demolish the Sherwood Inn in favor of a modern motel. Instead, it was purchased and restored by Bill Eberhardt who has been a good steward of the property. He said he lives in an 1810 house and likes to think that he also has been a good steward of the property. Mr. Moore continued that Mr. Weitsman had torn down the Ginley cottage to make his estate larger and now is talking about the Parcell cottage. There is intrinsic value associated with that property.

Ms. Dyson said that she is a member of the Village's Historical Landmarks Preservation Commission and is concerned that if the current teardown trend continues that "we will lose our Village as we know it." She is in favor of expanding the Village's Historic District, and losing that house is very sad. She believes the community must be more responsible for how we treat our treasures.

Ms. Simmons responded that Mr. Weitsman has said publicly that the house is available to be relocated. Further, she said that Mr. Weitsman is prepared to accept the same restrictive language prohibiting an additional dwelling as was signed by the Ehrichs recently.

Ms. Brace said that the house in its location is part of the fabric of the community. A house of that age doesn't retain that same importance if it is relocated. She understands the existing conditions, but there is plenty of property – there is no need for variances.

Mr. Langey displayed a copy of the Historical Significance & Integrity Report for the existing house at 61 West Lake Street that he has provided to the Board in connection with the requested demolition permit, and which supports the continued retention of the structure. Removal of the house destroys the character of the neighborhood.

Mr. Meyer said that his firm has received the Bullfinch award in Boston for its work in historic preservation. Given the condition of the structure, it is a tough chore to bring it back to something of significance. When the Cornell team was in the Village evaluating neighborhoods, it believed that the house had no historical significance. The property is in poor shape and is poorly located on the lot. After redevelopment, there will be something that is better for the neighborhood.

Mr. Gregg said that this is the crossroads of what we expect as a community. Recent replacement actions are changing the flavor of the street. 61 West Lake Street is a lovely old house that may not be in great shape – but it adds character to the street. Demolitions change the fabric of their neighborhoods. Why are we not trying to save these two houses – 61 West Lake Street and 71 West Genesee Street? Mr. Gregg recounted that the Village of Aurora had a choice. Through fortunate circumstances it was able to retain many of the old properties and to preserve the character of that Village. He said that since Skaneateles was 'discovered', people want to come here and to be part of what this place is – but when they get here, they want to begin changing it; knock it down and make it their own. Thus, it is at risk of becoming something else.

Mr. Langey said that the Ehrichs have submitted a letter offering to purchase and restore that adjacent property.

Ms. Roney said that because a house is old, it is not necessarily historic. The character of West Lake Street has already been changed by other redevelopment further south on the street.

Chairman Kenan thanked the public for its input and said that the Board has before it a draft resolution declaring itself lead agency under SEQRA.

[Member Sutherland read portions of the resolution aloud for the benefit of the public, including the list of agencies expected to be part of coordinated review.]

**RESOLUTION
INTENT TO ACT AS LEAD AGENCY UNDER SEQRA
VILLAGE OF SKANEATELES PLANNING BOARD
12.6.18**

WHEREAS, Adam Weitsman, the Applicant, has proposed merging two lots (45 West Lake Street and 61 West Lake Street) into merge lot, removing the existing house at 61 West Lake Street and constructing a new pool, pool house, temple with roof, cabana, patio, trellis and fence;

WHEREAS, the application indicates that the square footage of the new work (proposed project) is 6,646 SF and accompanying the application are drawings labeled “Private Pool House” dated 11.15.18 containing 30 pages from Meyer & Meyer, Inc.;

WHEREAS, the Village of Skaneateles Planning Board (Planning Board) has determined that the proposed action is an Unlisted Action under the State Environmental Quality Review (SEQRA) Regulations;

WHEREAS, it is the intent of the Planning Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA review of the Project;

WHEREAS, the applicant has completed the Short Environmental Assessment Form Part 1 dated “REVISED 11.13.18” and signed by the applicant Adam Weitsman dated 11.15.18. The Short Environmental Assessment Form indicates that the site is 2.9 acres, of which .96 acres will be physically disturbed;

WHEREAS, the Short Environmental Assessment Form must be completed and circulated to all Involved Agencies for purposes of establishing the Planning Board as “Lead Agency” for the purpose of conducting a SEQRA review of the Project;

WHEREAS, the proposed project is in the Residential A1 District; and

WHEREAS, the Code Enforcement Officer has determined that the following approvals are required from the Planning Board and/or the Zoning Board of Appeals:

- 1. Site Plan Approval Section 225-29 and 225-19.1 (C)**
- 2. Critical Impact Permit Section 225-52;**
- 3. Variances for Density Control Schedule: Front yard setback; rear yard setback, percentage of open area and side yard setback, right;**
- 4. Variance from 225-14 C (2) (C) – “No more than 25% of any front yard may be paved or used for driveways. Off-street parking in a Residential A, Residential B or Commercial Mixed-Use C District may not be located in the front yard, except on driveways. Off-street parking in the Downtown D District may be located in the front yard, not to exceed 25% of the front yard”;**
- 5. Variance from 225-58 B 8 (a) – “Front yards in residential districts. In a Residential A or Residential B District, no open or enclosed parking area shall encroach on any required front yard. However, parking is allowed on driveways in front of garages. Driveways and open parking areas may encroach on a required side or rear yard within three feet of a property line”;**
- 6. Variance 225-15A(2) – “Except as provided in § 225-23, Supplemental apartments, § 225-24, Two-family dwellings, and Article IX, Open Space Subdivisions and Cluster Housing, of this chapter (all of which sections contain guidelines concerning minimum livable floor area, minimum lot area and minimum lot width required for each additional dwelling unit), only one dwelling unit per lot is permitted in a Residential A1, A2, A3, and A4 District”;**
- 7. Variance from 225-20 D (2) – “Lakeshore setback zone. No structure shall be built or expanded within 50 feet of the lake line, except the following, subject to the restrictions and conditions in Subsection E below: ...
(2) Gazebos, patios and decks, which shall be considered structures for the purpose of calculating open space percentage;”**
- 8. Variance from 225-20 E(2) – “Height. No structure, other than a boathouse or similar lakeshore accessory building located within 50 feet of the lake line, shall exceed 12 feet in height at the lowest horizontal eave line, measured from the average elevation of all finished grade elevations around the periphery of the building”;**
- 9. Special Use Permit for the permanent dock - pursuant to Permitted Use Chart B (3).**

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Planning Board will circulate said Part 1 of the Short Environmental Assessment Form to the following list of “Interested and Involved Agencies” (Village of Skaneateles Board of Trustees, Village of Skaneateles Zoning Board of Appeals, Village of Skaneateles Municipal Board, Village of Skaneateles Director of Municipal Operations, Village of Skaneateles Code Enforcement Office, Village Planning Board Engineer TDK, Village of Skaneateles Historical Landmarks Preservation Commission, New York State DEC, New York State Office of General Services, Onondaga

County Department of Health, United States Army Corps of Engineers and the City of Syracuse) for purposes of establishing Lead Agency status under the SEQRA; and it is

FURTHER RESOLVED, that the Chairman, Clerk of the Planning Board and Special Counsel are hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this determination.

Member Sutherland moved the adoption of the resolution. Member Carvalho seconded the motion. Upon the unanimous votes of the members in favor of the motion, that motion was carried and the resolution adopted 5 – 0.

This matter was concluded at 8:54 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Meeting
December 6, 2018

Recommendation to the Code Enforcement Officer on the matter of the license application submitted by Skaneateles Suites for continued operation of a hotel at the property addressed as 12 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 Cromp, Code Enforcement Officer
Beth O’Sullivan, Deputy Zoning Inspector
Dennis Dundon, Clerk to the Boards

Bob Eggleston, architect, on behalf of the applicant

Susan Dove, Village Trustee

At 8:55 pm, Chairman Kenan opened the discussion in the matter of the licensing recommendation for Skaneateles Suites.

CEO Cromp reported to the Board that he has completed a fire inspection at the site finding no substantial infractions. Additionally, he has reviewed the submissions made and determined that the applicant meets the criteria in the local Code for its 5 rooms.

Mr. Eggleston stated that as a grandfathered hotel, the boutique hotel is under the supervision of a qualified professional management company, as provided for in the Code.

Member Hartnett, “I move that the Planning Board recommends that the annual license be issued to the hotel operating at 12 Fennell Street.” Member Perrone seconded the motion. Upon the unanimous votes of the members in favor of the motion, that motion was carried 5 – 0.

This matter was concluded at 8:59 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting December 6, 2018

Recommendation to the Code Enforcement Officer on the matter of the license application submitted by Katherine Burke for continued operation of a bed & breakfast homestay at the property addressed as 10 State 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
 Beth O'Sullivan, Deputy Zoning Inspector
 Dennis Dundon, Clerk to the Boards

 Susan Dove, Village Trustee
 Bob Eggleston, 1391 E Genesee St

At 8:59 pm, Chairman Kenan opened the discussion in the matter of the B&B licensing recommendation for Katherine Burke.

CEO Crompton reported to the Board that he has completed a fire inspection at the site finding no substantial infractions. While on-site he asked to see the two rooms which are available for guest use. He informed the Board that the property is being actively advertised as having 3 rooms for rent. Under the terms of the Village Code, a bed and breakfast homestay is limited to two rooms, so it may not have more than two rooms available. Member Carvalho noted that the property's website shows 4 rooms. CEO Crompton continued that those facts preclude his finding that the property is meeting the criteria in the local Code.

The Board then thoroughly discussed the implications of denying the license and what effect that might have on the owner/applicant or on other potential B&B operators who might be waiting for an open slot, since the number of authorized B&B operations in the A-2 District is limited to three at any one time.

Member Sutherland, "I move that it is the recommendation of the Planning Board that the property owner and B&B homestay operator at 10 State Street have until December 31, 2018 to bring the operation into full compliance with the Code as determined by the Code Enforcement Officer. Failure to do so shall be construed as a negative recommendation by this Board for issuance of the annual license. Further, should a license be issued and the

property subsequently fall out of compliance, the Planning Board recommends that the license be immediately revoked. Member Carvalho seconded the motion. Upon the unanimous votes of the members in favor of the motion, that motion was carried 5 – 0.

This matter was concluded at 9:06 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting December 6, 2018

Consideration of recommendation to the Board of Trustees of actions to accomplish the sale, transfer and dedication between Eminence Hill, Inc. and the Village of Skaneateles of roadway and utility infrastructure in the Whitegate Subdivision at Kane Avenue 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
Beth O'Sullivan, Deputy Zoning Inspector
Dennis Dundon, Clerk to the Boards

Susan Dove, Village Trustee
Bob Eggleston, 1391 E Genesee St

At 9:07 pm, Chairman Kenan opened the discussion of a recommendation to the Village Trustees in the matter of infrastructure dedication for the Whitegate subdivision. He noted that at the time of Planning Board approval of the subdivision, the plat included a network of interior sidewalks and extension of sidewalks along Kane Avenue. During the construction, a number of trees were planted along the interior roadways. When the late developer was queried by the Board as to the installation of the sidewalks, he told the Board that the trees were in the way. Likewise, while a sidewalk was installed northerly of the entrance road, the planned extension to the south was never accomplished. Chairman Kenan said that he thought the developer's partner had an obligation. Member Hartnett agreed.

Chairman Kenan spoke to the realities -- that as the subdivision was progressing the lack of sidewalks was not noticed nor enforced and the performance bond was released. Consequently, the Village has no enforcement mechanism other than to stop plowing the private roads that it never should have been plowing to begin with. Member Sutherland likened it to "leaving the porch light on for Jimmy Hoffa." The Board further discussed possible actions and background.

Chairman Kenan, "I move that it is the recommendation of the Planning Board that there are significant work items required by the original subdivision approval that have not been completed. In the absence of any financial security or demonstrated effort by the developers, the Board leaves the acceptance of infrastructure dedication to the judgement

of the Village Trustees.” Member Sutherland seconded the motion. Upon the unanimous votes of the members in favor of the motion, that motion was carried 5 – 0.

This matter was concluded and the meeting adjourned by acclamation at 9:17 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards