

**REGULAR MEETING, VILLAGE BOARD OF TRUSTEES  
MONDAY, JULY 13, 2009  
7:00 P.M.**

PRESENT: Mayor Bob Green, Trustees Kathryn Carlson, Sue Jones, and Tim Lynn, Codes Enforcement Officer (CEO) Jorge Batlle, Municipal Board Commissioner Alan Dolmatch, Village Historian Pat Blackler, Village Attorney Mike Byrne

ABSENT: Trustee Marc Angelillo

OTHERS	Nate Robson	Skaneateles JOURNAL (Auburn CITIZEN)
PRESENT:	Cliff Abrams	37 State Street
	Wayne Clark	2487 Giles Road
	Sue Dove	Executive Director, Skaneateles Chamber of Commerce
	William Dwyer	36 East Genesee Street
	Katharine Dyson	3 Shotwell Lane
	Christine Hunt	28 Jordan Street
	Victor Ianno	29 Fennell Street
	Jackie Keady	4 East Genesee Street
	Rob Kiltz	42 East Genesee Street
	Bill Mahood	60 West Lake Street
	Linda Roche	54-56 East Genesee Street
	Arnold Rubenstein	2 East Genesee (President, N. Shore Property Owners)
	Richard Schmidt	26 East Genesee Street
	Julie Sharpe	52 East Genesee Street
	Diana Whiting	92 East Genesee Street
	Peter Wiles, Jr.	13 Jordan Street
	Susan Winters	14 East Genesee Street
	Steve White	18 East Genesee Street
	Michael Worden	20 East Genesee Street, #2
	John & Carol Young	46 West Lake Street

**Continuation of Public Hearing, Local Law #1 of 2009, Modify Off-Street Parking Requirements**

Mayor Green noted that the Village Board received numerous comments at the public hearing on June 22<sup>nd</sup> which were then reviewed at a special meeting on June 30<sup>th</sup>, resulting in a number of revisions to the proposed local law. Mayor Green read through the significant changes and referenced recent correspondence as follows:

- 1) An e-mail from Codes Enforcement Officer Batlle seeking clarification on several points, including the correct measurement of tenancy, the appropriate size of a parking space, allowing tandem parking for office occupancy as well as residential use, and issues with calculating the “required spaces” versus “provided spaces”.
- 2) A letter from the North Shore Property Owners Association, requesting that the “grandfathering” of spaces be tallied under the old law, teardowns and rebuilds not be addressed in the parking law, tandem parking be allowed, and that a new committee be formed with representatives of their organization and the Chamber of Commerce.
- 3) A letter from Arnold Rubenstein (2 East Genesee Street), also asking that the proposal be tabled for further study by a committee with representation from the Chamber and property owners because the parking survey should encompass the whole village, the prohibition on entrance and exit drives within 25’ of the intersection of two public ROW’s should be re-examined as it might eliminate entrances to the central municipal lot, tandem parking should be legal and reference to it eliminated from the proposal, the costs associated with creating public parking should be borne by the whole community as a line item in the village budget, demolition of existing structures should not be addressed in the requirements for off-street parking, the \$7,500 fee is burdensome and costs to create parking should be paid for by all the people of the village.

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- 4) A letter from Carmen Logan (60 East Genesee Street) questioning the fairness of the Parking Trust Fund and advocating that a committee with representation of select property owners seek an equitable solution.
- 5) A letter from Diana Whiting (92 East Genesee Street) objecting to the \$7,500 fee per space and endorsing input from downtown businesses.

(Insert Copies of the 5 above-referenced Letters)

Mayor Green opened the floor for comments in favor of the proposed local law and Arnold Rubenstein (2 East Genesee Street) asked what the term "rebuttable presumption" means. Village Attorney Byrne responded that architects and design professionals would often make the case that a required standard was not applicable or appropriate to the application being considered and the ZBA could waive the provisions of the zoning. The ZBA was uncomfortable with this practice and the trade-off was to say that every building is in compliance, credited with whatever number of parking spaces is required for their existing uses. No one spoke in favor.

Mayor Green then asked for comments in opposition and Arnold Rubenstein questioned the prohibition on access drives within 25' of the intersection of two public rights-of-way, noting the driveways to the Central Municipal Lot by Jordan and Fennell Streets and Mayor Green said they are entrance drives only and the big issue is exiting. Mr. Rubenstein reiterated that all taxpayers should pay for public parking. The old fire station was constructed with public money and the cost for its conversion to a parking lot should be paid by all taxpayers.

Steve White (20 State Street and 18 East Genesee Street) read the paragraphs preceding their three specific suggestions and presented his calculations to demonstrate that parking is only a problem for 2% of the entire year (figuring 6 hours per day for 2.5 days for 9 summer weeks and the Dickens weekends). He said our times of parking problems are the same as experienced at the Carousel or Auburn Malls and people have to walk further to get to their destinations at the malls. He said all the North Shore Property Association owners are against these regulations and Mr. White agreed that there should be a committee to review this which is composed of the people most impacted. He said the Village has created a complex and burdensome law to address a problem that's miniscule. He also suggested that consideration be given to restricting the parking at the old fire station to downtown or Village residents.

Peter Wiles (13 Jordan Street) clarified that tandem parking is only to be allowed for single dwelling units. Arnie Rubenstein asked if it applies to a store and Mayor Green answered, only to a single dwelling unit.

Diana Whiting (92 East Genesee Street) clarified that for a retail business, one parking space is required for each 300' square feet of gross floor area.

Mike Worden (20 East Genesee Street) said he took an informal survey of available parking in the Central Municipal Lot and on East Genesee Street up to Thayer Park. He checked once in the late morning and again during the late afternoon during the period of July 2<sup>nd</sup> to July 12<sup>th</sup> and he doesn't feel we even have a parking problem. Mayor Green said his was an on-street survey and this is an off-street parking law.

(Insert Copy of Mike Worden's Parking Survey)

Chamber Director Sue Dove said she feels that since the original parking laws were changed 3 or 4 years ago and changes made in the municipal lot, we haven't had a parking deficit. She also noted that the

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parking pay stations produce \$28,000 a year for the Parking Trust Fund and she suggested that money be used to improve parking at the old fire station. She said she understands how Alan Dolmatch arrived at the \$7,500 per space, but feels it is a burden to the downtown business.

Rob Kiltz, 42 East Genesee Street, said he feels the ordinance should be rescinded.

Richard Schmidt, 26 East Genesee Street, read his letter to the Board, supporting the position of the North Shore Property Association and recommending that "grandfathering" be done before July 31 (under the old regulations) or he and others will lose parking credits.

(Insert Copy of Richard Schmidt's Letter)

Linda Roche, 54 East Genesee Street, asked how many apartments Mr. Schmidt has and he answered, 7. She noted that under the old system of credits, he has two credits for each apartment or 14 credited spaces. Now with the rules set by square footage, he'll lose credits and Mr. Schmidt said he thinks he'd drop to 9 credited parking spaces. He said whenever there's been a change of use, he's come back to CEO Batlle. He has a certain number of credits now and he'll be darned if he's going to give them up. Mayor Green reminded Mr. Schmidt that he's being grandfathered with sufficient credits to be in compliance when he actually has no on-site parking. Mr. Schmidt countered that the Village is not grandfathering in; it's a new law. CEO Batlle said if a dwelling unit changes to office use, the need for parking will go up. Mr. Schmidt said he agrees with the North Shore Association that they should have representation on a committee to review the proposed local law. Alan Dolmatch said the parking credit is linked to use; you can't cherry-pick the system. Sue Dove said the \$7,500 fee discourages local property owners versus outside developers from undertaking a rehabilitation of the property. We risk losing long-time residents and business owners who've made a real contribution to the community. Mayor Green said with the grandfathering to make all the properties compliant, there will be less of a deficit. Steve White said they've empirically and graphically demonstrated that Skaneateles doesn't have a parking problem. They've shown that we're making a big deal out of an issue that we only confront 2% of the year.

Julie Sharpe, 52 East Genesee Street, said she finds the law to be burdensome to the Downtown D District owners. She said when they got their property, the sidewalks were asphalt. She currently has parking for her tenant, but if there's a future change of use, she may have a deficit and she feels the fee is very high. Ms. Sharpe asked what is being done with the parking fund money and Mayor Green said for now we are retiring the bond debt taken on to improve the central municipal lot and buy the parking pay stations.

Christine Hunt, 28 Jordan Street, said she virtually lives in the municipal parking lot and day-to-day, there is always parking available. There are few days, even with the sidewalk sales, boat show and Dickens, when parking is an issue. She said she feels this proposal is a tremendous disservice to businesses which are competing with the malls and she encouraged the Board to really look into this. She said \$7,500 is an astronomical fee.

CEO Batlle confirmed that tandem parking for commercial space is not included. He said it's extremely optimistic to think he can survey the properties by August 1<sup>st</sup>, noting that there are 80 properties and he only has files on some. He questioned how the Village could enforce the tandem parking when it's on private property and Trustee Jones said we're not interested in enforcement. The tandem parking is being recognized for purposes of giving parking credit. Arnie Rubenstein questioned why the Board isn't allowing for tandem parking for retail use. CEO Batlle recommended that any reference to "village-wide" be eliminated from the proposed local law.

Trustee Lynn said he served on the parking committee before becoming a Trustee and he feels the committee did a good job on regulation for the central municipal lot, but not so well on the private side.

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Trustee Lynn said only one project has actually paid the parking fee. He said the \$7,500 fee is too high, adding \$25 per square foot to the cost of rehabbing retail/office space and \$75 per square foot for a restaurant. For a 1,000 square foot apartment, he thinks it would add over \$11 per square foot. Trustee Lynn said we need to have the fee be extremely flexible and that's not what the Village has recommended to the ZBA, so the only solution he sees would be a reasonable cap, such as \$5 per square foot for non-residential and \$1 per square foot for residential. Trustee Carlson agreed that the fee probably is too large, even if it does represent the cost to create a parking space, but that cost probably should be spread beyond the developer. Trustee Jones said she hadn't really considered the date questions and doesn't understand where Richard Schmidt would lose credited spaces, so she'd like to discuss that with Village Attorney Byrne and others. She said she does feel that if a project increases parking demand, it should be assessed a fee and she doesn't want to lose sight of that premise. Trustee Lynn said Fennell Street will be the next area to be developed and it will be difficult to create parking behind the buildings on the creek side of the street. He said at \$7,500 per spot, this will hurt the development that we want to encourage. Mayor Green suggested that we keep the hearing open and schedule another Operational Meeting to discuss the issues further. A date and time were suggested and were later modified to Monday, July 20<sup>th</sup> at 7 p.m. Mayor green indicated that copies of agreed-upon changes will be available at the Village Office and on the Village website on July 23<sup>rd</sup>.

**Minutes**

On the motion of Trustee Jones, seconded by Trustee Lynn, it was resolved and unanimously carried (4-0 in favor) to approve the minutes of the Regular Meeting of June 22 and Operational Meeting of June 30, 2009, as presented.

**Bills**

On the motion of Trustee Carlson, seconded by Trustee Lynn, it was resolved and unanimously carried (4-0 in favor) that bills from Abstract #3 be audited and paid as follows:

General Fund	Vouchers	113 - 144	Checks	11124 - 11155	\$29,662.28
Sewer Fund	Vouchers	19 - 36	Checks	3324 - 3341	23,906.89
Water Fund	Vouchers	16 - 25	Checks	2824 - 2833	2,370.11
Electric Utility Fund	Vouchers	27 - 39	Checks	3842 - 3854	56,339.91

It was noted that General Fund Check #11082, approved at the meeting of June 22<sup>nd</sup> was voided out and replaced by Checks #11122 and #11123, for the same amounts and purposes, but to two separate vendors. It was further resolved to authorize payment of \$226.50 from the Parking Trust (CM 24) to Ber-National Controls, Inc. (T&A #48868).

**Zoning Review**

Katharine Dyson of 3 Shotwell Lane presented a letter from three West Lake Street families, asking the Village Board to re-evaluate the density control schedule in A-1, to extend the Village's historic district to include West Lake Street and other significant streets, and to look at our zoning since variances are so routinely granted.

(Insert Copy of the Dyson, Mahood and Young Letter)

Mrs. Dyson reported that it is her understanding that Adam Weitsman has acquired the Bennett property and she and others are concerned that with the 35' height measured from the middle of the hill which is permitted under our zoning, another large structure could be built creating a tunnel effect. She feels this would change the character of the neighborhood and the same could occur on other Village streets. She feels that establishing a percentage of land use does not take into effect the mass of a structure, so she'd recommend that the density control schedule for A-1 be reviewed. She'd also like to have the Board re-visit extension of the historic district. Trustee Jones said that request would have to come from the

**Zoning Review (Cont'd)**

residents, as the Board and especially HLPC member Pat Blackler were really beat up the last time it was proposed. She'd be a fervent supporter, but won't lead the charge. Mrs. Dyson also suggested that the zoning laws be re-visited as variances are so routinely granted by the ZBA and Trustee Jones observed that nearly all lots in the Village are non-conforming. Bill Mahood of 60 West Lake Street reiterated that Weitsman is reported to have purchased Bennett's when the for sale sign was out 4 hours. He's increased the height of his home by 7' by right and if he creates another structure 35' above average grade, it will create a canyon effect. He doesn't feel this flood of money will be limited to this individual, but will attract others and destroy the character of the street. He, too, feels that creating a historic district might help. John Young of 46 West Lake Street said we should build on the survey conducted by the Cornell students and legitimize the historic district. Carol Young said in her experience, people sometimes feel they are losing control when their property is included in a historic district, but really it simply protects what they have. Carol Young said when a structure is torn down, they are concerned with what replaces it. Mrs. Dyson said the concern is not just for West Lake Street, but for the Village. Village Historian and HLPC Member Pat Blackler said she recalled at the February, 2009, joint meeting of the boards, a committee was formed to look at zoning and the committee has never met. Mayor Green said we'll check the minutes and get that committee going.

**Art Show/Concert**

On the motion of Trustee Lynn, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to authorize Wayne Clark to arrange for four artists to display publicly-appropriate work and for local musicians to perform from 4-5 p.m. on Saturday, August 1<sup>st</sup>, at the gazebo in Clift Park. There are to be no sales. A copy of the park rules will be provided to Mr. Clark and the police will be notified to strictly enforce the rules.

**Thanking Police for Assistance**

Mayor Green referenced letters of thanks from Meghan Crough to Officer James Taber and from Steven King to Officer Dave Wawro.

**Busking**

Lindsay Groves e-mailed a proposal for chamber music performances by young people with music cases open near the sidewalks to receive contributions. The Board felt that this would not be appropriate on the public walks and would open the practice to other forms of entertainment which might not be so desirable. Sue Dove, Executive Director of the Chamber of Commerce, said she'd spoken with Mrs. Groves and suggested she explore options for performing on private property, such as the deck of the Skaneateles Artisans, Library, or Creekside Coffee Shop.

**Mayor's Dinner Meeting**

Mayor Green and Trustee Lynn will attend the County Mayors' Association dinner on July 22<sup>nd</sup>.

**East Lake Street Sidewalk**

Mayor Green referenced the letter from John and Sue Moran asking that sidewalks be extended along the east side of East Lake Road to Sachem Drive. He said he thinks it would be good and he'll talk with Director of Municipal Operations Bob Lotkowitz. Village forces would provide the labor, but the property owners would be responsible for the cost of materials.

**Reported Violation of Local Law #3 of 1995**

CEO Batlle referred to a letter reporting the violation of Local Law #3 of 1995, the control of brush, grass, rubbish and weeds at 14 Onondaga Street. The Board directed CEO Batlle to inspect the property and provide a full report with pictures for the Board to consider at their Operational Meeting of July 20<sup>th</sup>.

**Historian's Report**

Pat Blackler reported that the Cornell students will not be conducting a survey program this year, noting that we were very lucky to have had them survey West Lake Street, Academy, Leitch and West Genesee. She also reported that she has ordered the street signs from the cemetery roads, work is continuing to put Lake View Cemetery on the historic register, and the DPW is power washing and sealing the west wall of Burrows Chapel.

**Status of UV Proposal**

Mayor Green reported that DMO Bob Lotkowitz and Municipal Board Commissioner Peter Moffa are reviewing the Stearns & Wheler UV Proposal to see what portions we can perform in-house.

**Police/Dispatch Activity Reports**

Mayor Green noted receipt by the Board of the June Activity Reports for Police and Dispatch Offices.

**WWTP Activity Report**

Mayor Green reported the June monthly flow average of 559,000 gpd, BOD removals at 98% and suspended solids removal at 99%. He commented that this is another excellent report and Village Attorney Byrne observed that there were no overflows in spite of nearly 6" of rain and two days pegged at flow exceeding 2 million gallons.

**Burt Lipe Way**

Peter Wiles, Jr., referenced the e-mail he sent to Paul Jones, asking that the fire lane adjacent to the Seitz Building be named Burt Lipe Way. Mr. Wiles expressed concern because the fire lane is not a public thoroughfare and every effort should be made to reduce the number of vehicles using it. Mr. Wiles suggested to Mr. Jones in his e-mail that perhaps the outlet bridge could be named for Burt Lipe or the sidewalk in front of the former Morris'. The Village Board felt that naming the bridge or portions of sidewalks would lead to many more requests and Village Historian Blackler pointed out that the area is in the Historic District.

**Route of Labor Day Weekend Road Race**

On the motion of Trustee Jones, seconded by Trustee Lynn, it was resolved and unanimously carried (4-0 in favor) to approve the Sunday, September 6<sup>th</sup>, road race course following the parade route in the Village, subject to approval by Police Chief Lloyd Perkins.

**Treasurer's Reports**

On the motion of Trustee Lynn, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to acknowledge receipt of the Treasurer's Reports for June. Clerk/Treasurer Sheehan noted that nearly 90% of the Village taxes have been collected. She also mentioned that our second quarter County Sales Tax was even less than the budgeted 85% of the FYE 2008. Last year we got \$156,211 and this year was \$37,258 less (at \$118,953). Trustee Lynn confirmed that the balance of the Parking Trust Fund is \$72,000 (representing pay station revenue and the \$30,000 parking deficit fee for the Seitz Building project). A \$40,000 B.A.N. for the pay stations and improvements to the Central Municipal Lot remains to be paid. Cliff Abrams asked what it will cost to remove the old fire station and Mayor Green said the expensive part will be asbestos abatement. Village Attorney Byrne said he wasn't sure it would be appropriate to use the Parking Trust Fund to demolish the building. Mr. Abrams commented that he doesn't think the \$7,500 fee is outlandish.

**Water and Sewer Service for the Legg Subdivision**

We have received notification that County Code prohibits two residences from sharing a sewer or water lateral. Either two separate private services or single extension of the public water and sewer lines will be needed. Mayor Green said he favors the private lines since the extension of our public services would require our getting easements and being responsible for maintenance. He said the County would have the specifications and would be making inspection of the installation. Since this was not an issue when the

**Water and Sewer Service for the Legg Subdivision (Cont'd)**

Critical Impact Permit was granted to Andy Legg on June 8<sup>th</sup>, it will be necessary to amend that permit. The Board agreed to advertise for a public hearing on Monday, August 10<sup>th</sup>, at 7 p.m. to consider amending the Critical Impact Permit.

**Adjust Sewer Bill Account #81200**

On the motion of Trustee Jones, seconded by Trustee Lynn, it was resolved and unanimously carried (4-0 in favor) to adjust out the sewer charge of Account #81200 by \$191.25 for water used to fill a swimming pool as has been the Board's past practice.

**Executive Meeting**

At 9:50 p.m., on the motion of Trustee Carlson, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to enter into an Executive Session to discuss a personnel matter and for an attorney/client meeting. The Executive Session ended at 10:40 p.m.

**Settlement Related to Bankruptcy Filing**

On the motion of Trustee Jones, seconded by Trustee Carlson, it was resolved and unanimously carried (4-0 in favor) to authorize Village Attorney Byrne to pay up to \$1,500 in attorney fees to James Selbach settle the Motion in Bankruptcy Court seeking an Order finding the Village had engaged in a willful violation of the bankruptcy stay when it sent out its monthly utility bill which included arrears.

**Firemen's Labor Day Celebration**

On the motion of Trustee Carlson, seconded by Trustee Lynn, it was resolved and unanimously carried (4-0 in favor) to authorize the Skaneateles Fire Department to host its annual Labor Day Celebration with its "Sink-the-Boat", parade and field days on Saturday and Sunday, September 5<sup>th</sup> and 6<sup>th</sup>, contingent on their providing the required insurance.

The meeting was adjourned at 10:50 p.m.

  
Sally L. Sheehan  
Village Clerk

TO: Village Trustees, Mayor, MJB  
From: Jorge Battle regarding the Parking Ordinance

**July 13, 2009** Since I am on ambulance duty until 6pm, I may not be able to get to the public hearing continuation at 7pm.

I have not been following the vast volumes of e-mails regarding the parking trust fund issue. When I see that they are 9 pages long, I by-pass them. Also, I do not regularly look at the e-mails.

I did however print out the most recent correspondence from Dolmatch and Byrne. I really think that this is getting way out of hand. There seems to be much gnashing of teeth on how one measures the area devoted to a tenancy. Our present Code says GROSS area. That would include everything that is related to the occupancy – toilet rooms, closets, stairs, mechanical rooms and the main floor areas devoted to that occupancy. So, if a storage room was subsequently converted to retail sales area or more office, that would not matter as the space was already counted.

How does one measure that? Inside finished wall surfaces is the most logical. However, it makes very little difference in Skaneateles if the exterior wall is 8 inches thick or 3 feet thick. So lets keep it simple and use general measurements, the kind that are usually furnished by architects when they do renovations.

Keep the parking spaces our regulation 9 feet by 20 feet. It has been used and never challenged. One might think that cars are getting smaller. Maybe. However a 9 foot wide space gives one room to actually open car doors. Try fitting an SUV into a 7 foot wide space. No credit should be given for any fractions. It's either 9 foot wide or it is not counted.

Lets get rid of this term "phantom spaces." A property will have "required spaces" and "provided spaces." The difference is the deficit. They are not spaces. They do not exist so we should not call them spaces of any name. When there is a change we adjust the "required spaces" number to correspond with the new use or the addition to the structure. Then again look at the "provided spaces" (which may diminish if an addition is proposed) and a new deficit number evolves.

At this point, trying to extend this parking regulation to single family and two family stand alone structures is not a good idea. People are converting their garages to play rooms, work shops and stuff all the time. Trying to regulate that is a fool's journey. We do not deal with impermeable surfaces as part of the lot coverage. Lot coverage is mainly structure based – pools, decks, garages, accessory buildings. I really see no problem with this type of residential parking.

Tandem parking should only be allowed for apartments over the one car only square footage threshold, provided the spaces are so signed. The space would be **9 feet wide and 40 feet long**. Tandem parking could also be allowed for general business office occupancies for employee parking only. The type of employee that would come in in the morning and stay the day. Again,

if tandem is allowed that space should be 9 feet wide and **40 feet long**. They also should be signed.

Now this brings up the problem of calculating “required spaces” and “provided spaces” for: Stella Maris, Sherwood Inn, Valentine’s, Doug’s, Johnny Angel’s, Town and Village offices, all the churches, Kreb’s, Joe’s Pasta Garage with a leased lot, Masonic Temple, Byrne Diary building, the proposed second ice rink at the Rec. Center, funeral home, Post Office, P&C, The Library, Rhubarb, Dr. Carlile’s office/residence, CVS, ACE, Kinney, Yankee Clipper, Trabold’s, Allyn Pavilion, Banks, Sate Residence, Gateway, Village Landing. Gateway and Village Landing have small apartments, probably under the one car/2 car threshold. Do you also figure in the community rooms as part of the “required spaces?”

So, now getting all these numbers “required” and “provided” will be a very long and difficult task. Are there any suggestions on how this task can be done? I think that even August 1<sup>st</sup> will be almost impossible to accomplish. We just can’t storm into a building with tape measures and have at it. I may have some information in the Village Zoning/Planning Board files. However it might not express the conditions present today.

Jorge Batlle

RECEIVED

JUL 10 2009

VILLAGE OF SKANEATELES

✓cc: To the Village Trustees, *Sheehan, Byrne*  
From North Shore Property Owners Assoc

July 8, 2009

At our July 1, 2008 meeting, attended by almost all our members, we came to a general consensus on several issues related to Ch.225 Zoning: Article XII, off-street Parking laws and/or regulations.

We gratefully recognize the boards attention to problems with this "parking law" and your indicated willingness to hear our concerns and make changes to the law.

We believe we have the best parking problem of all New York State Route 20 communities stretching from the Pennsylvania border to the Massachusetts line. We have customers coming to buy in our stores in such numbers that occasionally they have to walk a ways from their cars to our doors. Fortunately, they keep coming in spite of competition from malls, Wall-marts, etc. and the present slow economy. Our so-called parking problem is insignificant except 3-5 days per week in July and August and four weekends between Thanksgiving and Christmas.

It may not be intentional but present and proposed laws (including discussed and proposed changes-some of which we gratefully endorse) are written in such a manner as to penalize owners of our commercial buildings for adapting to and keeping pace with a changing business climate. We believe it incumbent on our village government to encourage commercial activity in our locations as well as other areas in the village.

We pay the most taxes per square foot, acre, storefront, residential unit or individual resident of any neighborhood in the village. We also provide the most year- round jobs for village residents, put sales- tax money into the village coffers and seldom send any children to our schools. We police and maintain our own parking behind our buildings and face on a street maintained at New York State expense even though village crews are contracted to do the work. Adding burdensome monetary penalties to the cost of keeping our buildings attractive and financially viable is counter-productive to the long-term magnetic charm of the most visible and important section of real estate in the village. Our storefronts are what impress visitors first and most when they arrive in Skaneateles. Many real estate transactions, both in and out of the village, have begun after a first look at our downtown community of stores and restaurants. Balancing most of the village's parking problems financially on the backs of commercial buildings in the downtown "D DISTRICT" is not the way to encourage business in Skaneateles.

The parking-space penalties paid into the parking fund are highly unlikely to ever amount to enough to obtain any village property large enough to provide parking relief. We see no property available even through eminent domain proceedings that could be obtained without tremendous neighborhood resistance.

Please take note of the succeeding three points regarding the proposed "DRAFT".

- 1.) The "DRAFT" sets the "grandfathering" date on August 1, 2009. We assume that you meant that date to be July 30, 2009. All of us would loose credited spaces if our tally is done under the newly proposed system. Naturally, we oppose that occurrence.
- 2.) We don't think that the issue of teardowns should be addressed by parking space penalties. We have zoning, appeals, and historic boards to oversee any teardown and rebuild proposals.

3.) We see no significant problems with tandem parking as long as the front and rear spaces are controlled by a single dwelling or commercial unit.

We respectfully request that the entire "Article XII, Off-Street Parking" law and/or regulation be rescinded (at least temporarily) and a new committee, which includes members from our organization and the Skaneateles Area Chamber of Commerce be appointed to assess the parking situation in the village and propose any new parking laws and/or regulations which may be deemed necessary.

We request and assume that this letter will be entered into the minutes of the next open meeting/hearing regarding the parking law presently scheduled for July 13, 2009.

We also respectfully request that this letter be read aloud during that meeting.

Respectfully Submitted,  
The North Shore Property Owners Assoc.

Association Members:

Steve Condie  
Denise Manrow Gamble  
Rob Gregory  
Jackie Keady  
Marian Loftus  
Carmen Logan  
Eloise Luchsinger  
Bill McCauley  
Linda and Dan Roche  
Arnold Rubenstein  
Richard Schmidt  
Carol and John Shannon  
Julie Sharpe  
Beverly and Steve White  
Mike Worden  
Dr Robert Kiltz  
Bill Dwyer  
David Simmons

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JUL 10 2009

VILLAGE OF SKANEATELES

July 9, 2009  
✓ cc: Village of Skaneateles Board of Trustees, *Sheehan, Byrne*  
46 E. Genesee St.  
Skaneateles, N.Y. 13152

RE: DRAFT of proposed Skaneateles  
Ch 225, Zoning

To Board of Trustees,

I have read the proposed DRAFT and respectfully suggest that it be tabled for further study before being voted on. My reasons for this suggestion are as follows:

1. Paragraph 225-58 A.(2) (a) The draft states that this parking regulation applies to the whole village, but a survey will be taken to grandfather parking spaces only in the "Downtown D District". I appreciate the reasoning behind doing the survey and I recognize how it will benefit me. I don't understand why this won't be done for the whole village as this proposal covers the whole village. I think a survey should be done for churches, schools, non-profit clubs, retail establishments, all residences, etc. Since parking requirements are spelled out in detail for all possible uses, shouldn't a schedule be created and maintained for all the current existing grandfathered spaces for all users any place in the village?

I recognize that paragraph D. (5) exempts state-chartered churches, libraries, and municipal buildings from paying into the Parking Trust Fund but these facilities are not exempt from any other requirements in this proposal. They, too, would benefit from a survey to grandfather current required spaces.

**RECOMMENDATION:** Every property in the village should be surveyed for parking spaces, and grandfathered where necessary, and the records maintained at the village hall to establish a base line for future reference to help evaluate future growth and needs.

2. Paragraph B.(8) (c) says "No entrance and exit drives connecting a parking area and the street shall be permitted within 25 feet of the intersection of two public rights-of-way." This means that the access to the downtown D historic-building parking at Jordon St. and Genesee St. can no longer be used as the entrance is at the traffic light at the intersection.

And the entrance to the downtown-municipal-parking area is directly across from the intersection of Fennel St. and Jordon St. Under this proposal, these entrances will have to be eliminated. I do not believe it is your intention to close these parking area entrances. If that is not your intention, this language should be eliminated.

**RECOMMENDATION:** This proposed DRAFT has to be rethought so that it applies to our village without causing harm.

3. Paragraph D. prohibits tandem parking. Paragraph B. (1) says that a single family dwelling requires two parking spaces. Paragraph B. (7) (a) says 400 square feet is required per space, and paragraph B. (7) (b) says every "such space shall have direct and usable driveway access to a street". To meet these requirements every single-family dwelling has to have a three lane driveway. I question the wisdom of this requirement and don't really believe it is the intent of this board to impose this burden on every home in the village. We can eliminate this burden by recognizing tandem parking. Tandem

parking should be recognized where the tandem spaces are assigned to, and therefore are controlled, by the same unit. Than a single-family home will only require a two lane driveway. Hopefully homes in the older parts of the village will have enough room to create a two lane driveway. For a two family house, a three-lane driveway or an 80 foot long two-lane driveway is required to meet the requirement to park four cars according to this proposal. These requirements will be a burden to most every home.

RECOMMENDATION: Tandem parking should be recognized as legal where the two spots are controlled by the same unit, or all reference to tandem parking should be totally eliminated from this document.

4. Paragraph E. (1) Statement of Intent: The first sentence that states "In order to more equitably distribute the costs associated with providing public parking ....." is not being adhered to by this proposal. The public parking is for the whole community and should be equally supported by the whole community, not just the merchants. The merchants are a part of the community. If we weren't here, you wouldn't have the desirable village atmosphere that we all enjoy now.

RECOMMENDATION: Any financial costs associated with creating more public parking, should it be proven to be needed, should be a line item in the village budget. It should not be born solely by a few properties that are already the most heavily taxed in the village.

5. In regard to section 225-57. Intent.

Off-Street Parking is not the appropriate place to try to address demolition of existing structures. This should be addressed by Zoning and the Historic Commission.

6. Paragraph E. (4) \$7,500.00 per parking-space is a burden to the merchants or any residence that could be required to pay it. As previously stated, any future parking development costs should be a line item in the village budget. If it becomes the desire of the Board of Directors to demolish the old fire station on Fennel St. to create more parking, those costs should be paid for by all the people of the village. When the village needed to build a fire station, all the people paid for it. If it is now deemed desirable to tear down the fire station to create parking, everyone should again pay for it, not just the downtown-property owners.

I believe this proposed DRAFT creates more problems than it solves. Therefore I repeat my request that this DRAFT be tabled for further study. The committee to study these issues hopefully will have representation from the folks that own the properties and live here, and from the Skaneateles Chamber of Commerce.

Respectfully Submitted,



Arnold Rubenstein

RECEIVED

Vcc: Sheehan  
Byrne

JUL - 9 2009

Carmen P. Logan Jr.  
60 E. Genesee Street  
Skaneateles, N.Y. 13152

VILLAGE OF SKANEATELES

THE VILLAGE BOARD OF SKANEATELES

Dear Board Members:

A while ago the Village Board initiated a Parking Trust Fund (PTF) for the purpose of addressing and resolving the existing parking problem in our village. It is my understanding that the monies generated from "change of use" was supposed to enable the village to purchase or lease more land to increase parking availability. This could be an understandable remedy for the parking problem. In my opinion, this program is totally unfair, unnecessary, over reaching and should be undone.

This program is unfair because it targeted only a certain area of property owners in the village and in doing so it has created many concerns and questions that need to be answered. They are, as follows:

- To my knowledge this program doesn't exist anywhere else-why here? There must be a better solution
- How much money has the PTF collected so far?
- What has the PTF accomplished?
- What happens if some property owners don't use their parking credits?
- Do they get reimbursed ?
- When the selected property owners are willing to invest money to improve their building and are imposed a "change of use" fee would that be considered fair and reasonable?
- Doesn't this fee impede progress?
- Why should only this selected group of property owners be charged the PTF fee when approximately 99% of all the village property owners use the village parking system?

Personally, I think the PTF program should either be revised, recinded or revisited to create an equitable situation for all concerned and effected.

Here are some of my sugesestions for resolution:

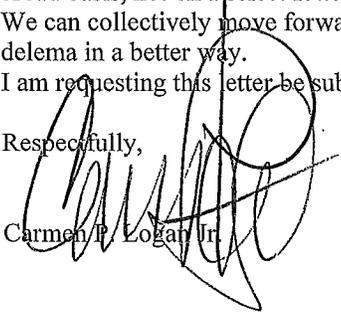
- Maybe there should be a committee comprised of both village board members and select property owvvers for the purpose of resolution.
- Maybe an arbitrary committee created to listen to both sides for the purpose of equitable solution.
- Maybe there should be a Village Parking Fund Tax to all village property owners.

The only way to achieve fairness and harmony is reasonable compromise when shareing this burden on a broad basis, not on a select few.

We can collectively move forward with a positive attitude to accomplish the proper answers to this parking delema in a better way.

I am requesting this letter be submitted in the next village board meeting.

Respectfully,

  
Carmen P. Logan Jr.

RECEIVED

JUL 13 2009

VILLAGE OF SKANEATELES

cc: Trustees  
Byrne

Diana Whiting

92 E. Genesee St.

Skaneateles, NY 13152

*Sheehan*

Dear People,

I am writing to thank you for re-looking at the parking laws passed a couple of years ago. I am however concerned about the usage stipulations and any future plans to lease my space

The language seems vague or at least open to how a future tenant may be viewed. Is it based on square footage or number of employees that a parking fee may be imposed? As it's written, would a change of business incur a parking fee, and could this happen each time you have a different tenant? This would be a financial hardship that would effect many of us to find a viable tenant. It would seem that only a usage change to a restaurant or hotel would really impact parking. At the current charge of \$7500 per space, it would mean 3 to 4 years of actual rent collected to pay for parking if you increased my usage with a tenant change. Most new businesses starting up would not have that money either and it could mean empty store fronts. And when that tenant moves out, then what?

Most days parking is not a real problem for my clients with the exception of promoted events. Would it not be more reasonable to have satellite parking for those special events when it is needed?

When this law was being put forth a couple years ago I had these same concerns and had a discussion with a client familiar with the subject. I was assured that the intent of the law was not for business spaces already in existence, but for the growing number of converted homes and such that were increasing traffic and parking problems. It would seem more reasonable that new business spaces that add to the tight parking should bare the burden, not the spaces that have been here for years. Perhaps at this point, new business footprints outside of what exists now should have actual parking. That could allow for growth without growing pains.

At best, I believe this proposal needs more clarification and input from downtown businesses. Therefore, it should be tabled.

Diana Whiting

July 13, 2009

MICHAEL WORDEN  
 20 E. GENESEE ST #2  
 STANFORD, NY 13152  
 E. GENESEE TO  
 THAYER PK

DATE	TIME	WEATHER	N. END (W) MUNICIPAL	S. END (Y) MUNICIPAL	E. GENESEE TO THAYER PK
7-2	2:15 PM	OVERCAST	49	4	8
7-3	11:47 AM	OVERCAST	58	1	5
7-3	3:30 PM	OVER/BROKEN	38	3	3
7-4	12:10 PM	BROKEN	82	6	7
7-4	4:05 PM	SUNNY	89	5	3
7-4					5
7-5	11:50 AM	SUNNY	103	13	
7-5	3:30 PM	SUNNY	24	2	1
7-6	12:30 PM	SUNNY	51	1	3
7-6	4:15 PM	SUNNY	111	2	6
7-7	11:10 AM	SUN/BROKEN	87	4	8
7-7	3:40 PM	SUN	88	6	7
7-8	11:30 AM	OVERCAST	92	0	6
7-8	4:00 PM	SUNNY/BROKE	94	1	8
7-9	11:30 AM	SUNNY	80	2	8
7-9	4:30 PM	SUNNY	91	4	6
7-10*	11:20 AM	SUNNY	86	2	4
7-10*	3:45 PM	SUNNY	20	1	4
7-11*	11:10 AM	OVERCAST	95	5	1
7-11*	PM	THUNDERSTORM	—	—	—
7-12	12:30 PM	SUNNY	71	6	3
7-12	4:00 PM	BROKEN	54	0	4

DOES NOT INCLUDE HANDICAP SPOTS, BEHIND RIDDLER'S, DOUGS FISH FRY,  
 FROG ALLEY, JOHNNY ANGELS, TOWN HALL  
 Michael Worden

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**Village of Skaneateles, Ch. 225, Zoning:**

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**ARTICLE XII, Off-Street Parking**

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**§ 225-57. Intent.**

The legislative intent of this article and the following regulations is to ensure the provision of appropriate off-street parking in order to facilitate the movement of traffic and avoid congestion in the streets while maintaining the pedestrian-oriented character of the Village. The 2009 amendments to this article are intended to accomplish the following goals:

(1) To eliminate the use of a “rebuttable presumption” as a means of determining the appropriate parking space requirement for a given property, and substitute requirements which are fair, but firm and objective, and to be applied uniformly.

(2) To grant lawful, non-conforming status to all structures in the Village which, on the effective date, do not possess the required number of off-street parking spaces, by crediting each structure with the required number of spaces which results from its current use or combination of uses.

(3) To impose on each owner seeking permission to construct a new structure (including some demolition and replacement construction), or seeking to add occupiable space, or seeking to convert a structure or portion of a structure to a new use, the requirement to provide such number of actual off-street parking spaces as is required for said purpose.

(4) To assign the responsibility for determining compliance with this article to the Code Enforcement Officer.

(5) To discourage the granting of variances except in cases of extreme hardship, which are not self-created, and so long as the number of actual parking spaces is not reduced by the owner.

**§ 225-58. Requirements for off-street parking spaces and loading berths; Parking Trust Fund.**

A. General.

(1) In all districts, the off-street automobile parking spaces required by this ~~Article~~ article for the various uses permitted in such district shall be required at the time:

(a) Such buildings or structures shall be constructed; or

(b) Existing buildings or structures shall be converted to a new use, or added to by alteration.

(2) Parking Space Credit.

(a) Effective as of August 1, 2009, all existing structures and their attendant uses

within the Village are deemed to be in compliance with the parking space requirements of this Article. Each structure shall be credited with the number of parking spaces required for its use, or combination of uses, existing on that date. For structures located within the "Downtown D District", a survey shall be undertaken by the Village to determine the number of actual parking spaces present at each structure and the total number of spaces credited to each structure based upon its current use(s). The owner of each property in the "Downtown D District" shall be notified of the number of actual and credited spaces determined by said survey.

(i) A subsequent reduction in the number of actual spaces at a given property shall reduce the total parking space credit.

(b) On and after such date, applications for new construction (including demolition and re-construction), and applications for change of use, or alteration which adds occupiable space to an existing structure shall conform to the requirements of this Article. In cases of applications for a change of use, or alteration and addition of occupiable space, the applicant shall be required to provide only such number of actual parking spaces as is required for the change of use, or the alteration and addition of new occupiable space

(c) A demolition and reconstruction which results from (1) a necessary demolition of an unsafe structure, or (2) physical deterioration which makes it financially unfeasible or impractical to repair the structure, as evidenced by the written certification of a licensed professional engineer, shall not be treated as new construction requiring full compliance with this section. If the Code Enforcement Officer shall determine that the demolition and reconstruction of a structure was necessary, said structure shall continue to enjoy the number of parking spaces for which it was credited as of August 1, 2009, unless such reconstruction results in a reduction in the number of actual parking spaces. In such event, the parking space credit for such structure shall be reduced accordingly.

(3) The number of parking spaces for which a structure in the "Downtown D District" is initially credited, as of August 1, 2009, shall not thereafter be reduced by reason of a change(s) of use(s) which results in fewer required spaces.

(4) The number of parking spaces for which a structure in the "Downtown D District" is initially credited, as of August 1, 2009, shall be increased if, and to the extent that, the owner is thereafter determined to have a parking space deficit and is required to pay an off-street parking space fee, as defined herein.

B. Required off-street automobile parking spaces. The minimum cumulative number of off-street automobile parking spaces required to be provided pursuant to the provisions of this article shall be determined by the amount of dwelling units, bedrooms, gross floor area, equipment, employees or seats contained in all new buildings or structures, or existing buildings or structures converted to a new use or added to by alteration, as follows:

(1) Residential uses.

- (a) One- and two-family dwellings, ~~conversion of existing dwellings~~, townhouse dwellings and cluster housing: two spaces for each dwelling unit. Such spaces may be provided in garages, carports and driveways.
  - (b) Multifamily dwellings: ~~two spaces for each dwelling unit~~. 1 space per each dwelling unit of less than 1,000 square feet of gross floor area, 1 1/2 ~~one and one-half~~ spaces for each dwelling unit of less than 1,500 square feet, and two spaces for each dwelling unit greater than 1,500 square feet of gross floor area,
  - (c) Rooming house: 1 1/4 spaces for each bedroom available for rent.
- (2) General uses.
- (a) Places of public assembly, including but not limited to churches, theaters, concert halls, auditoriums and similar uses: one space for each five persons to be accommodated.
  - (b) Other cultural facilities or philanthropic use: one space for each 800 square feet of gross floor area.
  - (c) Elementary school or day nursery: two spaces for each classroom.
  - (d) High school or college: five spaces for each classroom.
  - (e) Care home: one space for each two beds.
  - (f) Hospital, sanitarium or other such building or institution: one space for each bed.
  - (g) Nonprofit club or recreation use: one space for each 100 square feet of gross floor area or every four seats, whichever is greater.
  - (h) Commercial recreation use: one space for each 200 square feet of space enclosed for indoor facilities plus one space for each 5,000 square feet, or major fraction thereof, of outdoor facilities, up to 10 spaces, and thereafter one space for every 20,000 square feet, or major fraction thereof, of outdoor facilities.
- (3) Accessory uses.
- (a) One supplemental apartment in compliance with § 225-23 of Article V: one space for such apartment plus the required space for the primary dwelling unit. Such space may be provided in garages, carports and driveways.
  - (b) Home occupation: for a customary home occupation ~~or professional office in a dwelling unit~~, one space for each 200 square feet devoted to such customary home occupation ~~or professional office~~ plus one space for each employee, plus the required spaces for the primary dwelling.
- (4) Commercial uses.
- (a) Retail business, bank or post office use: one space for each 300 square feet of gross floor area. [Amended 3-22-1999 by L.L. No. 1-1999]

- (b) Office, professional office, personal service, and public utility use: one space for each 300 square feet of gross office floor area.
  - (c) Restaurant, bar or nightclub: one space for each 100 square feet of gross floor area or for every four seats, whichever is greater.
  - (d) Funeral home: one space for each five seats in the chapel or for each five persons of the chapel's capacity.
  - (e) Hotel, motel and tourist home: 1 1/4 space for each bedroom available for rent.
  - (f) Wholesale, warehouse or storage uses, or commercial assembly and other similar uses: one space for each two employees.
  - (g) Lumber, building materials and similar yards and printing, plumbing, heating, electrical, and similar service establishments: two spaces for each three employees.
  - (h) Additional required spaces. In addition to the foregoing, all commercial uses shall provide one additional parking space for each company vehicle when such vehicle is parked on site when not in use. [Amended 3-22-1999 by L.L. No. 1-1999]
- (5) Requirements for other uses not listed in this subsection. For uses not listed in this subsection, the required number of off-street automobile parking spaces shall be that number determined by the Code Enforcement Officer upon interpretation of the proposed use's similarity to a specified use ~~use similar to the specified uses~~ under residential, general, accessory and commercial. [Amended 6-24-2002 by L. L. No. 4-2002]
- (6) Calculation of required off-street parking spaces. [Amended 6-24-2002 by L. L. No. 4-2002; 10-10-2005 by L.L. No. 3-2005]
- (a) Combination of uses. In case of a combination of uses on a single lot, the total requirements for off-street automobile parking spaces shall be the sum of the requirements for the various uses.
  - (b) Fractions. Whenever a fraction of a space greater than 0.75 is required, a full space shall be provided, with a minimum of one space.
  - (c) Spaces in other parking lots.
    - [1] Spaces in private parking lots owned by or leased to the applicant for required parking may be credited toward the parking requirements for nonresidential and multifamily residential uses in the Commercial C and Downtown D Districts, provided that:
      - [a] The spaces are within 500 feet of the uses to be served.
      - [b] If the spaces are leased, the applicant demonstrates the existence of a valid, renewable lease for at least three years.

- [c] The number of any spaces to be provided by lease shall be excess spaces of the lessor, over and above those needed to satisfy the lessor's parking requirement under this article (i.e., surplus spaces) and such surplus spaces shall not be credited to the lessor to satisfy its parking space requirement and shall not be leased to others during the term of the lease to the lessee/zoning applicant.
  - [d] Any such lease arrangement shall be reflected in a written lease agreement, with an attached map reflecting the exact location of the leased parking spaces and a narrative legal description of the lessor's property. Said lease agreement shall be presented to the Code Enforcement Officer for review and, as a condition of the granting of a parking space variance, shall be recorded in the County Clerk's office.
- [2] Upon the expiration or other termination of said lease, such expiration shall be promptly reported to the Code Enforcement Officer by the lessee/zoning applicant. The Code Enforcement Officer shall require the applicant to present satisfactory proof of replacement parking spaces to replace his/her parking space shortfall or, in the alternative, to pay into the Parking Trust Fund, at the then applicable rate, the parking space fee for the number of spaces established by the prior variance. A failure of a variance holder to report the expiration of a parking space lease, or to otherwise comply with this section, shall constitute a violation of the variance and may, at the discretion of the, Code Enforcement Officer, result in the termination of the variance.
- (7) Dimensions of required off-street parking spaces.
- (a) General. Unless specified elsewhere in this article, off-street parking areas shall be calculated on the basis of a minimum of 400 square feet per space, including circulation and access drives.
  - (b) Dimensions for off-street automobile parking spaces. Every space required by this article shall be at least nine feet wide and 20 feet long, and every such space shall have direct and usable driveway access to a street or alley with minimum maneuver area between spaces as follows:
    - [1] Parallel curb parking: five feet end to end with a twelve-foot aisle width for one-directional flow and twenty-four-foot aisle width for two-directional flow.
    - [2] Thirty-degree parking: thirteen-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.
    - [3] Forty-five-degree parking: sixteen-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.
    - [4] Sixty-degree parking: twenty-one-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.

[5] Perpendicular parking: twenty-six-foot aisle width for both one-directional and two-directional flow.

(8) Location of required spaces.

- (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. [Amended 3-22-1999 by L.L. No. 1-1999]
- (b) General requirements. Except as provided in Subsection B(6)(c), all such off-street automobile parking spaces shall be provided on the same lot as the use which requires said spaces and shall not thereafter be encroached upon in any manner. Such parking spaces shall be provided, to the extent feasible, behind the principal structure(s). Parking to the side shall be permitted, provided that it is screened by trees or a hedge. No parking shall be permitted in front of the principal structure, except for on-street parallel parking.
- (c) Location of access drives. No entrance and exit drives connecting a parking area and the street shall be permitted within 25 feet of the intersection of two public rights-of-way.

C. Design requirements for required off-street automobile parking. Areas containing required off-street parking spaces for more than five automobiles shall conform to the following regulations:

- (1) Construction. All such areas shall be paved with all-weather surface of asphalt, concrete or shale or gravel penetrated with oil. All such areas shall be properly drained.
- (2) Marking. The individual spaces shall be visibly marked with paint or other durable material.
- (3) Lighting. All such areas to be used at night shall be lighted. All lights shall be shaded or so directed as not to cause glare on adjoining residential properties and shall be so directed as not to cause a traffic hazard due to glare or color.
- (4) Landscaping. At least 8% of the area of the lot usable for such areas shall be devoted to landscaping, and parking areas of five or more spaces that abut a residential lot line, and any parking lot for more than 20 cars, shall be screened by a six-foot-high solid masonry wall or compact evergreen hedge or a landscaped strip of trees and shrubs so designed as to form a visual screen from the adjoining property.
- (5) Pedestrians. An adequate, safe and convenient vehicular and pedestrian circulation system shall be provided. Walkways shall be located so as to minimize contacts with normal automotive traffic.
- (6) Size of access drives. No more than two driveway access points shall be provided from the street or highway from which the development derives its

principal access, and such driveway access points shall not be more than 40 feet wide and shall be designed in a manner which will minimize their interference with any traffic movements on the street or highway.

- (7) Open space strip adjacent to streets. A strip of open space not less than five feet in width shall be provided adjacent to all public street rights-of-way and such open space shall extend the entire width of the lot except at permitted driveway access points. Such strip of open space shall be designed to prevent the unchannelled movement of motor vehicles and shall include appropriate planting of grass, shrubs and trees as determined by the Planning Board.
- (8) Maintenance. All parking areas, open space strips and landscaping shall be properly maintained at all times in a sightly and well-kept condition and shall be kept clean and free from rubbish and litter.
- (9) Adjacent premises. Where a nonresidential use is being developed on premises adjacent to another nonresidential use, consideration shall be given to the following:
  - (a) The location and planning of driveway access points to permit their joint use by the adjoining premises so as to minimize the number of intersections with the street or highway from which they derive their access.
  - (b) The development of parking and loading areas which permit convenient traffic circulation between adjoining premises.
  - (c) The development of pedestrian walkways between adjoining parking areas and buildings.
  - (d) The provision of landscaping and other features which will enhance the usability, character and attractiveness of the area.

#### D Prohibition.

(1) Except as otherwise provided in this chapter, no off-street automobile parking space provided for a specific premises or use of premises, to comply with the requirements of this chapter, shall be so reduced in area that it does not meet the requirements of this chapter, nor shall such space be considered as meeting, in whole or in part, the off-street automobile parking spaces similarly required for any other building or use. All off-street automobile parking spaces required to be provided by this chapter shall be considered to be required space on the lot on which they are located and shall not thereafter be encroached upon in any manner. ~~Tandem parking is prohibited.~~ [Amended 6-24-2002 by L.L. No. 4-2002]

(2) Tandem parking is prohibited except for automobiles owned by the occupants of a single dwelling unit.

#### FF. Parking Trust Fund [Added 10-10-2005 by L.L. No. 3-2005]

- (1) Statement of intent. In order to more equitably distribute the costs associated with providing public parking to meet existing uses as well as new development or redevelopment of downtown properties, the Village of Skaneateles hereby

establishes a Parking Trust Fund. The Parking Trust Fund shall be dedicated to the uses established herein.

- (2) Establishment of Off-Street Parking Trust Fund. There is hereby established the Village of Skaneateles Off-Street Parking Trust Fund, (hereafter the "Parking Trust Fund" or "Fund") to be administered by the Board of Trustees exclusively for off-street parking purposes, including the acquisition of land for such purposes, by purchase or lease, and the construction of improvements incidental to such purposes. The Fund may also be used, in the discretion of the Trustees, for such additional purposes as are reasonably intended to ease the shortage of public parking in the downtown area, to include the purchase or lease of remote lots and supporting improvements and the purchase, lease and/or operation of shuttle buses or other equipment reasonably related to that purpose. Expenditures from the Fund need not be confined to the immediate downtown area so long as such expenditures are likely to have a beneficial effect on public parking in the downtown area. The Fund may not be used for purposes that are not reasonably related to the establishment of public parking in the downtown area and may not be used for ordinary maintenance of parking facilities, enforcement activity or other municipal operations.
- (3) Parking Space Deficit. ~~To the extent that~~ The number of parking spaces required by this Article ~~article~~ for off-street parking that cannot be supplied by an applicant, the number of such spaces shall be referred to as the "parking space deficit" for the subject property. The parking space deficit shall be determined by the Code Enforcement Officer. For each parking space that an applicant is unable to provide, the applicant shall be required to pay an "off-street parking space fee" to the Village of Skaneateles. The amount of the fee shall be as set forth below and shall be subject to change, from time to time, by the Board of Trustees. Said fee shall be paid for each and every space included in the parking space deficit, as determined by the Code Enforcement Officer. Said fees to be paid to the Village shall be deposited into the Off-Street Parking Trust Fund, to be used solely for the purposes set forth herein. The payment of the off-street parking space fee shall be made a condition for approval by the C.E.O. Code Enforcement Officer.
- (4) Amount of off-street parking space fee. The amount of the off-street parking space fee to be paid to the Village for each parking space deficit ~~for which a variance is granted~~ shall be \$7,500 per space.
- (5) Exemptions. State-chartered churches, libraries, and municipal buildings ~~within the Downtown D-District~~ shall be exempt from any obligation under this section to contribute monies to the Parking Trust Fund ~~upon the granting of variances or waivers related to off-street parking requirements.~~
- (6) Additional funding sources. In addition to off-street parking space fees paid to the Village ~~by applicants obtaining a variance or waiver~~, the Village shall apply the gross receipts of parking meter revenue and/or parking pay stations, derived in the Central Municipal Lot, to the Parking Trust Fund. The Village shall also be authorized to receive contributions from other parties, either of funds or in-kind contributions of land. Additionally, the Village may, from time to time, in

the discretion of the Board of Trustees, allocate funds to the Off-Street Parking Trust Fund, which Fund shall be administered in accordance with the provisions of this article.

F. Administration.

- (1) The provisions of this section shall be administered by the Code Enforcement Officer.
- (2) Where an activity is subject to the requirements of this section and also subject to the review or approval of the Board of Trustees, Planning Board, Zoning Board of Appeals or other board or official of the Village of Skaneateles (the “reviewing board or official”), the reviewing board or official shall consider the requirements of this section in making its decision. Where an activity regulated by this section is granted an approval by a reviewing board or official, the approval shall include such conditions as may be necessary to insure compliance with the requirements of this section.

G. Variances. Applications for a variance from the requirements of this section shall be treated as requesting an area variance pursuant to Code Section 225-75.

Village Trustees  
Skaneateles, New York

I concur with the North Lake Property Assn. requiring representation by building owners on the Parking Committee for the Village for new Parking Laws in that it impacts we building owners, the businesses, and residents in our buildings the most .

Grandfathering parking credits under the existing Off Street Parking Law should be credited to the building owners on or before July 31, 2009. We would lose parking credits under the proposed new parking law and I am totally opposed to that happening.

I am not going to reiterate what has been presented by the North Lake Property Owners Assn. letter but fully support what it presents to the board.

Thank you for reading my letter at the July 13 meeting.

Sincerely Richard Schmidt

A handwritten signature in black ink, appearing to read "Richard Schmidt", with a stylized flourish at the end.A handwritten date "7/12/09" in black ink, written vertically.

7/14 ✓ cc: Trustees  
Byrne

July 13, 2019

To the Village Board of Trustees

In light of our rapidly changing neighborhoods and landscape, we would like the Village Board of Trustees to consider the following to preserve the character of our town.

1. Reevaluate the effectiveness of the density control schedule in A-1 areas in reference to height restrictions, land mass vs. structure and open space.
2. Consider limiting height of lakeside properties using another measure instead of taking that measure from halfway up the hill. i.e. using height of existing structure and/or for new construction, measuring from the lowest ground point to peak.
3. Reconsider extending the historic district to West Lake Street and other historically significant streets such as Academy and West Genesee.
4. A number of variances have been granted by the Zoning Board of Appeals over the years. Not all have made sense i.e. met the "extreme hardship" requirements. Should these zoning rules be reevaluated or should the ZBA tighten up on granting variances which are in clear violation of the laws and where there is existing opposition from neighbors?

Attached is the first part of a proposal a number of people on West Lake Street have put together to get the ball rolling on having this street added to the Historic District.

Concerned residents,

John and Katharine Dyson  
Bill and Miki Mahood  
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P R E S E R V I N G O U R  
N E I G H B O R H O O D

*Keep The Unique Skaneateles Character of West Lake Street*

**A proposal for extending the Skaneateles Village Historical District to West Lake Street (and beyond)**

Sponsored by Concerned West Lake Street Homeowners

2009

**WHY ACTION IS REQUIRED**

**Why We Want to Live in Skaneateles**

Our Village of Skaneateles is one of the most desirable residential destinations in the Northeast. The natural beauty of Skaneateles Lake, the historic and charming tree-shaded streets, distinctive homes representing a variety of architectural styles, and a high level of citizen involvement, create a special place to live that is rare and to be treasured.

**Why We Love West Lake Street**

West Lake Street's proximity to the lake, the "downtown" and parks as well as its exceptional collection of homes representing a mix of architectural styles-- Italianate, Second Empire, Greek Revival, Colonial, Gothic Revival, New York Foursquare, Craftsman, bungalow and ranch – make it one of the most coveted addresses in the country.

**Protecting the Special Character of West Lake Street**

As residents of neighborhoods like Manhattan, Marblehead, MA, and Rochester have learned, preserving the architectural character and heritage of unique buildings in a neighborhood, is too important to be left to the discretion of individual economic interests, whether they be developers, builders or individual homeowners.

Ill conceived, even if well intentioned, decisions about construction, alteration or demolition of significant buildings can destroy forever the unique historical and aesthetic makeup of a place; it can change the very character of a neighborhood that originally made it so appealing.

Such dramatic changes typically result in a negative effect on neighborhood property values.

**Once Neighborhood Character is Destroyed, It Can Be Lost Forever**

Events on West Lake Street over the past few years have driven home -- in the noisiest and most jarring possible manner -- what can happen to a neighborhood when the community lacks the authority to review and approve proposed construction and remodeling projects for architectural appropriateness within the neighborhood. Relying solely on zoning and building department approvals is not enough.

**The Existing Skaneateles Historical District Has Been Highly Beneficial to Our Village**

This is not a new idea. For more than 30 years, Village Trustees have administered the existing Historic District on East Genesee Street responsibly and for the benefit of the Village. With help from the existing Skaneateles Historic Commission, this district has been saved from random development, and property values have been greatly enhanced by the architectural harmony that district status has produced. Extending the current Historic District to West Lake Street and other historic areas in Skaneateles will bring these same benefits to our neighborhoods without adding unnecessary regulatory burdens on property owners maintaining, renovating or constructing homes on the street.

This could be one of the most important steps ever taken to protect the character of our neighborhoods.