

Village of Skaneateles Planning Board Meeting

May 7, 2020

Pursuant to Executive Order 202.1 issued by Governor Cuomo, this meeting was conducted via video conference call.

Public Hearing in connection with Site Plan Review and Critical Impact Permit determination in the matter of the application of Helene Marie Gingras to change use from C(21) Retail to C(19) Restaurant for Good restaurant at the property addressed as 18 West Genesee Street, Suite 2 in the Village of Skaneateles.

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

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

Bob Eggleston, architect, representing the applicant
Marie Gingras, applicant
Melissa Zell, representing the building owner

Gregg Eriksen, Village Trustee
Andy Ramsgard, E Genesee St
Adrienne Drumm, E Genesee St
Polly Davis, Hannum Street

At 7:38 pm, Chairman Kenan called the roll of the Board members. Since public meetings are seldom conducted by conference call, he reviewed the protocol that would be used for the meeting. He then opened the public hearing on the Gingras application for 18 West Genesee Street.

Mr. Eggleston said that this application is for site plan review and a critical impact permit in connection with a proposed change of use at 18 West Genesee Street, Suite 2. The other tenants of the building are the Village Bottle Shop and Valentine's delicatessen. The property at issue is the former White Birch Vineyards Tasting Room that the applicant proposes to replace with Good restaurant. The restaurant will provide coffee and light meal service offering healthy food

choices. While principally envisioned to provide take-out service, it will offer dine-in options. Prior to the retail use as tasting room, it was a Chinese restaurant.

Mr. Eggleston continued that White Birch, while considered retail did have a food menu and was equipped with a full kitchen. The applicant will be changing the sign and making some limited internal reconfigurations to the space. He has provided comment on the various critical impact criteria in the narrative, and they looked at utility usage projections and believe there will be a minimal change in water usage compared to the tasting room and the previous restaurant. He said that the Municipal Board had reviewed the application and made a positive recommendation that it should have a minimal impact on the use of Village services.

Chairman Kenan asked and received confirmation that Good is the name. Member Carvalho recalled that there was a previous proposal to change the parking and asked about the current status? Mr. Eggleston said that is currently on hold, but that the permission to do so continues to be valid. There has been a slight ownership change and the owner is looking at the bigger picture of the building. Ms. Zell said that while the proposal had been approved, the approval was contentious, with a tenant being strongly opposed, though the Board approved it anyway. The matter became an unresolvable landlord/tenant issue as a result of the lease.

Chairman Kenan asked to be reminded what change had been considered? Ms. Zell said that it was proposed to eliminate three parking spaces directly in front of the building, to be replaced by parallel parking spots on Genesee Street. There will be a net loss of 2 or 3 parking spaces.

Chairman Kenan opened the public comment period. There was no one desiring to be heard either in favor of or in opposition to the application. **Member Hartnett, "I move to close the public hearing." Member Carvalho seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0.**

Chairman Kenan said that the action before the Board is site plan approval and granting the Critical Impact Permit. The Board has received a report from the Municipal Board and from the County Planning Board regarding this application. County Planning has suggested restricting access to West Genesee Street. Additionally, Counsel has prepared a resolution for the Board's consideration. Chairman Kenan said that the resolution as drafted is in favor of approval of the requested permit.

Member Carvalho, "I move the adoption of the resolution." Member Hartnett seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried on a vote of 5 – 0.

**Regarding the Application of Marie Helene Gingras
For Critical Impact Approval for change of use
At 18 West Genesee Street Suite 2
Tax Map No. 006.-06-20**

RESOLUTION
VILLAGE OF SKANEATELES PLANNING BOARD
5.7.20

WHEREAS, Marie Helene Gingras has proposed to change the use as defined by the Permitted Use Chart from C (21) Retail to C (19) Restaurant for Good restaurant at the property addressed as 18 West Genesee Street, Suite 2 in the Village of Skaneateles;

WHEREAS, this property has three (3) tenant spaces and the application at issue is for Suite 2 containing approximately 1,510 square feet;

WHEREAS, in the 3.3.20 application at issue CEO Crompton determined that the application requires Critical Impact Permit pursuant to Section 225-52 of the Village Code and issued a revised determination that per the Permitted Use Chart Site Plan Review was also required;

WHEREAS, on 4.16.20 the Clerk to the Boards administratively referred the critical impact permit application to the Village of Skaneateles Municipal Board ("Municipal Board") for its recommendation, pursuant to Section 225-54D of the Village Code;

WHEREAS, on 4.16.20 the Clerk to the Boards administratively referred the critical impact permit application for Public Hearing;

WHEREAS, on 4.22.20 notice of the Planning Board public hearing was published in the *Skaneateles Press*;

WHEREAS, on 4.28.20 the Municipal Board considered and approved the Critical Impact Review as follows:

The Board reviewed the application and the utility usage historical data and projections for the subject property. Of particular note is the fact that the property has most recently been used as a tasting room that incorporated food service. Previously the property had been used as a dine-in and take-out restaurant. Also, the adjacent suite is presently used as a restaurant.

The Board believed that the change of use would not have an unreasonably detrimental effect on the utility infrastructure within the Village. Based on the foregoing, the Municipal Board unanimously recommended that the Planning Board should consider granting the Critical Impact Permit with the further condition of requiring inspection as to the condition and adequacy of the grease trap;

WHEREAS, this application was referred to the Onondaga County Planning Board pursuant to General Municipal Law Section 239-m and on 4.29.20 the Onondaga County Planning issued a Resolution:

“...the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT(S) in regard to the above referral:

The Board encourages the applicant, or property owner, and Village to consider restricting access to West Genesee Street to eliminate potential conflict points and ensure safe vehicle and pedestrian access;” and

WHEREAS, on this date, 5.7.20, the Planning Board opened and then closed the public hearing on the Critical Impact Permit;

SEORA, SITE PLAN REVIEW AND CRITICAL IMPACT APPROVAL/REQUIRED FINDINGS

RESOLVED that the Planning Board declares itself lead agency under SEQRA and that the proposed project is an unlisted action under SEQRA which will not receive coordinated review. The Planning Board issues a Negative Declaration, in that the proposed action as proposed will not result in any significant adverse environmental impacts, and authorized the Chairman to sign the SEAF as completed by the applicant and now Part 2 by the Planning Board;

FURTHER RESOLVED that the Planning Board grants Site Plan Review pursuant to Village Code Section 225-30D and has considered the following:

D. Criteria for site plan review. The Planning Board shall review the site plan and supporting data before approval is given and take into consideration the following objectives:

- 1) Harmonious relationship between proposed uses and existing adjacent uses.
- 2) Protection of environmentally sensitive areas.
- 3) Preservation of historic and/ or architecturally significant structures and landscape features.
- 4) Compatibility of the scale, design, materials and detailing of the proposed use with existing adjacent and nearby uses.
- 5) Maximum safety of vehicular circulation between the site and the street network.
- 6) Maximum adequacy of interior circulation, parking and loading facilities with particular attention to vehicular and pedestrian safety.
- 7) Adequacy of landscaping and setbacks in regard to achieving maximum compatibility and protection of adjacent residential uses.
- 8) Applicable regulations of this chapter.

FURTHER RESOLVED pursuant to Village Zoning Law Section 225-54 (Critical Impact Permits), Subsection F (Basis for Determination) the Planning Board is required to take into consideration "...the public health, safety, morals and welfare..." and is required to make various findings with respect to a project. After full consideration of all information and materials presented in support of this application, the Planning Board finds as follows:

A. The plans submitted for the proposed improvements meet the prescribed requirements of Article XI (Critical Impact) and all applicable regulations and Code provisions.

B. The proposed improvements will not have an adverse impact upon the character or integrity of any land use within the immediate neighborhood having a unique cultural, historical, geographical, architectural or other special quality of similar magnitude.

C. The proposed improvements are in harmony with the visual and physical context of the immediate neighborhood.

D. The proposed improvements are in harmony with, and will not impede the orderly development or redevelopment of the general neighborhood and the location, nature and height of buildings, structures, walls, fences and parking areas and will not discourage the appropriate development and use of adjacent lands or adversely affect existing land use in close proximity to the subject site.

E. The proposed improvements will be developed in such a way as to insure maximum amenities will be available to the site and the structure will be reasonably accessible for police and fire protection, and the water supply, sewage disposal and surface drainage systems are adequate to serve the proposed structure.

F. The traffic controls for vehicular and pedestrian movements are adequate to protect the safety of the general public and the occupants of the proposed structure.

G. The proposed structure will comply with the provisions of Chapter 167, Article III (Use of Sewers).

NOW, THEREFORE BE IT RESOLVED, based upon all of the foregoing and the complete record, that the Planning Board hereby grants Critical Impact approval for a change of use from C (21) Retail to C (19) Restaurant at the property addressed as 18 West Genesee Street Suite 2 in the Village of Skaneateles with the condition that the applicant furnish evidence of design and functional adequacy of an operating grease trap to the Code Enforcement Officer.

Motion by _Brian Carvalho_____;

Second __Stephen Hartnett_____;

Brian Carvalho _____ Aye _____

Stephen Hartnett _____ Aye _____

Michael Perrone _____ Aye _____

Douglas Sutherland _____ Aye _____

Chairman Bruce Kenan _ Aye _____

This matter was concluded at 7:49 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Meeting
May 7, 2020

Pursuant to Executive Order 202.1 issued by Governor Cuomo, this meeting was conducted via video conference call.

Area Variance recommendation in the matter of the application of Polly Davis to vary the strict application of Section 225-A5 Density Control Schedule for front yard set-back; side yard set-back, left; both side yards combined; Minimum open area; Minimum lot area; and Percentage of structure width/lot width; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a second story addition with a new roof design, extend the existing garage, and construct a new front porch at the property addressed as 14 Hannum Street in the Village of Skaneateles.

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

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

Andy Ramsgard, architect, representing the applicant
Adrienne Drumm, architect, representing the applicant
Polly Davis, applicant

Gregg Eriksen, Village Trustee
Bob Eggleston, E Genesee St

At 7:50 pm, Chairman Kenan called for the Davis application for 14 Hannum Street.

Mr. Ramsgard presented and displayed several images from the application materials for the Board's convenience. He stated that the subject property is located on Hannum Street some 5 or 6 buildings from the corner of Genesee Street. From the photographs displayed, the property is in close proximity to the creek. The applicant is proposing to clean up the existing rooflines, to create a second floor addition, and to extend the existing single-car garage toward the rear in order to create tandem parking. Using the rendering, Mr. Ramsgard illustrated the proposed addition, the expanded master bedroom and closet, the new front porch and a new second floor

bedroom. He added that the existing one-story gable portion of the house is not being touched. The existing house is a nonconforming structure, as detailed on the site plan submitted with the application. Except for the garage expansion, there is no change proposed to the footprint of the house, and the new front porch wings to the side. He went on to explain the floor plan to the Board and then reviewed drawings that illustrate the changes in roof profile that are proposed.

Mr. Ramsgard said that Mr. Eggleston had submitted a letter expressing concerns of the Feldmanns, owners of the adjacent rental property. Additionally, the applicant has submitted letters of support from other nearby neighbors as part of the application. Mr. Ramsgard acknowledged that the creek bank has undergone substantial erosion, but displayed the survey saying that the Davis property is tangential to the creek and that Ms. Davis does not own the eroding bank. She is supportive of efforts to stabilize or repair it. The Davis and Feldmann houses are 38 feet apart and the Davis house is 130 feet from the property to the south.

Member Carvalho asked about the scope of the exterior renovations. Mr. Ramsgard said that while keeping it in the context with the neighborhood, the house would have new doors, windows, roofing, siding and bracket detailing. The applicant wants a home she can walk by and be very proud of.

Chairman Kenan asked for a recap of existing and newly-created variances. Mr. Ramsgard said that the existing garage is 5.5 feet off the side property line. The garage addition will not be any more nonconforming, although it does encroach into the rear yard. That location creates the least impact visually to the neighborhood. The front yard is a preexisting nonconforming condition; the porch set-back will be at the street average.

Member Sutherland, "I think it is a really good plan. I'd be happy to make a motion that the Planning Board recommends to the ZBA the approval of the variances required."
Member Carvalho seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried on a vote of 5 – 0.

This matter was concluded at 8:09 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Meeting
May 7, 2020

Pursuant to Executive Order 202.1 issued by Governor Cuomo, this meeting was conducted via video conference call.

Review of the current plans for providing water service to Mirbeau Inn & Spa and for relocation of an existing Town of Skaneateles water main in order to accommodate the approved Mirbeau Gateway development project. Also, consideration of establishment of an escrow account for various water service improvements in connection with water service to Mirbeau Inn & Spa and the Mirbeau Gateway development project, per the recommendation from the Village Engineer.

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

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

Gregg Eriksen, Village Trustee
Bob Eggleston, E Genesee St

At 8:10 pm, Chairman Kenan called for the consideration of the Mirbeau Gateway matter.

Mr. Dundon briefed the Board on how the current approach developed, in which the developer's contractor will be performing the work in connection with plans developed by GHD, the Village engineer. While the Board had approved an escrow amount of \$150,000 at its March 5, 2020 meeting, in the new arrangement the developer is paying the contractor directly which leads to a lower required escrow amount.

Accordingly, the Village Engineer has estimated and recommended that an escrow amount of \$53,000 is appropriate for the developer to place on deposit with the Village. The developer has expressed agreement. The Board is requested to acknowledge the revised plans for relocation of the Town water line that currently bisects the development property and for connection of the Mirbeau Inn & Spa water service line with work to be constructed by the developer's contractor in accordance with the Village engineers' plans. Further, that the Board establish a required escrow amount of \$53,000 in accordance with the Village engineers' recommendation.

Member Carvalho, “I move that we approve the revised construction concept and require that the developer make a deposit of \$53,000, in escrow, with the Village Treasurer for costs in connection with the Town water line work.” Member Sutherland seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried on a vote of 5 – 0.

This matter was concluded and on motion of Member Carvalho, seconded by Member Sutherland, the meeting was unanimously adjourned at 8:14 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards