

Village of Skaneateles
Planning Board Meeting
September 3, 2009

Update and continuing the Parkside Subdivision approvals

Present: Bruce Kenan, Chairman
William Eberhardt, Member
Douglas Sutherland, Member

Jorge Battle, Clerk to the Planning Board
Riccardo Galbato, Attorney for the Planning Board

Greg Sgromo, Engineer for the applicant
Joy Richmond, Representing Dr. Elstein

Andrew Ramsgard, East Genesee Street
M/M Steve Morgan, Future property owners in the subdivision

Absent: Steve Krause, Member
Lauren Waite, Member

Chairman Kenan opened the meeting at 7:51pm. Gregg Sgromo, Engineer for the subdivision said, "we are here for a couple of reasons. One is we'd like an extension on the filing deadlines for Section 2 and Section 3. And we are here to talk a little about the trees. (cell phone interference). We'd like another 90 day extension." The Chairman asked, "what's the deadline right now (cell phone interference)so right now you've got to November (cell phone interference) ... you've already had a 90 day extension. (cell phone interference) ... act on that request. This would be the second 90 day extension?" Sgromo said, "yes."

Member Sutherland asked, "did you get your bids in for the creek walk?" Sgromo said, "no. The plans are out. We've got 3 contractors bidding on them. We have not gotten any of them back yet." Member Sutherland asked, "when do you get them back? What's the due date?" Sgromo said, "we were not date specific on there. But I'm going to call up and just tell them to wrap it up next week. By next meeting we'll have had enough time to see." Member Sutherland said, "what we've been hoping to do is to get the thing installed before Winter and puts in a position where the first plantable day ... in the not to distant future we are going to be beyond that." Sgromo said, "... in the complete trail installed before Winter might be a little difficult because the road design and installed is not going to be completed until late October or November." Member Sutherland asked, "why couldn't you do it in tandem?" Sgromo said, "you can but then you still have that one section in there. I'm not saying it can't be done." Member Sutherland said, "I think you need to figure out a way to get it done." Sgromo said, "I will make sure that we get those bids in in the next week or so, so we can pick a contractor and meet out there." Member Sutherland said, "we said that last month and it didn't happen."

The Chairman asked, "do you want to act on the extension?" Member Eberhardt said, **"I make a motion that we authorize a 90 day extension that's requested by the Parkside Subdivision starting from August 6, 2009 to complete the conditions set forth in the Conditional Final Subdivision Approval of November 6, 2008."**

Seconded by Member Sutherland. The vote was 3-0 in favor of the motion.

Sgromo said, "now we have pear trees. We have some letters and correspondence relative to some of the scenarios that we've been talking about. How we got to where we are today with the 4 trees there. I did bring in some pictures to see that the trees are essentially 2 ½ inch caliper. The picture, the caliper is set at 3 ½ so you can kind of gauge it where they are size-wise. There's a letter here from the landscaper who planted them. And a letter from Dr. Elstein's office of further correspondence that she's had verbally with people. I think what we'd like to do is review those. I think there is a case there for leaving the trees as they are today. The effort was there the way the Village wanted it. We will try a little harder next time to make sure everybody is happy with the species, and the size requested."

Joy Richmond from Dr. Elstein's office said, "I also spoke with Ann Neibert. We have been in communication this week, and she told me today that she thinks those trees should stay that are there. And for Victoria Ackerman's, because we are ready to go and do those for her, that her committee went out and looked at it and she said that they would like to put in *Acer Saccharum Fall Fiesta* or some type of a Maple, something like the trees that are there already." The Chairman asked, "and this is for how many additional trees?" Richmond said, "2 trees at Ackerman's lot, Victoria Ackerman." The Chairman said, "so it's the very first house on the right as you come in. Apparently you have to look at 2 different places in the Code to understand how big the trees are and what their spacing is. (cell phone interference) ... elsewhere however which also implies that they are 3 ½ inches and (cell phone interference) So aside from that (cell phone interference) to be planted?" Richmond said, "we have to work with the Committee and with Ann Neibert to do what they want us to do."

Member Sutherland said, "she has proposed a Maple tree that has roughly similar growing habit to what these are but a different tree, so we are getting some variety so that if a new version of Dutch Elm takes out some." The Chairman asked, "have you spoken with Ann?" Member Sutherland said, "I haven't talked to her in the last few days." Member Eberhardt asked, "who are you with?" Richmond said, "I'm with Dr. Elstein. I'm with the Parkside Subdivision." Member Eberhardt said, "why don't we take those trees out and put them in people's lawns or give them to people and put the right trees in to start with? What is the tree that we are going to start over with?" Richmond said, "the one she wants to put in, Ackerman? She says the *Acer Saccarum Fall Fiesta* a Maple." The Chairman asked, "is that one of the trees that's listed in the Subdivision Regulations?" Richmond said, "I'm not sure."

Attorney Galbato said, "Mr. Chairman on page 2 of my Memo it's underlined." The Chairman said, "*shall be a varieties of oak, maple, linden, ash and thorn less varieties of honey locust or as approved by the Planning Board.* A variety of Maple would technically fit that." Member Sutherland asked, "could you say that variety once again, please?" Richmond said, "I wrote it. She spelled it to me. It's an *Acer Saccharum Fall Fiesta* (sugar maple). Member

Sutherland said, "that's what I was hearing. So, what that will do it will have a yellow leaf, I'm guessing come Fall vs. a reddish coppery, copper red leaf of the other trees. So, you are getting some variety." Richmond said, "yes, and that's what she said. She told me today that the trees that they planted should stay there and then the new trees that go in will be a different varieties so there will be a variety of trees on the street."

Member Eberhardt asked, "they are not the same size? They won't grow to be the same size?" The Chairman said, "if they go in at 3 ½ inches they will be way ahead of these that are already planted." Member Eberhardt asked, "they grow different sizes?" Member Sutherland said, "I think what Ann was telling me the last time we spoke with her was that this particular Maple, it doesn't grow as large as other and it has a similar sort of a cone shape. I think there's a logic to it. I think I', OK with that, with the understanding that there won't be any more Pears planted. That going to these other trees and there's going to be a consultation with the Tree Committee." Richmond said, "that's what I told her too. I didn't even know the Tree Committee existed. I told her today now that we know it is something where every time we are ready to plant trees, then we can work with her and then in turn work with the Committee and the Planning Board."

Chairman Kenan said, "so understand this. There are requirements that are written into the Subdivision Regulations in the Zoning Code. Regardless of what the Tree Committee says, those requirements need to be met unless the Planning Board decides otherwise. We are eager to hear the Tree Committee's advice on such issues because they know trees better than we do, I assume. It would be very helpful if they have made a suggestion to you, if you could get it in writing, and present it to the Planning Board. Then we know that that's what they had to say." Richmond said, "ok. I just talked with her on the phone this afternoon, and I said the meeting is tonight. She said, "didn't know that, I'm sorry."

The Chairman said, "setting aside the trees that have been planted for the moment, the trees that you are talking about planting will be, this is a question - 3 ½ inch caliper, and one for every 30 feet of frontage? Is that right?" Richmond said, "yes." The Chairman said, "I heard you say 2 trees. I don't know if that's the same thing as one for every 30 feet of frontage." Richmond said, "no, two trees and because when our landscaper went out with Mr. Lotkowitz, that is who told him that they are OK." The Chairman said, "by the way. He has a different recollection of that conversation. He wasn't out there to approve tree species, but to help find locations that wouldn't interfere with other things."

Greg Sgromo asked, "3 trees on a lot? That's an awful lot of trees for an 85 foot lot. If it is every 30 feet, that's an awful lot of trees." The Chairman said, "that's what the requirement is, for some reason. By the way, if every lot was 62 feet, making up a number, technically that would require – maybe I'm using the wrong number, I'm trying to come up with an example that suggests that rather than treating it lot by lot by lot, you'd look at a length of street and threw would be one for every 30 feet." Sgromo said, "in the other code portion was every 50 feet or portion thereof." Member Sutherland said, "I think the intention of this is like that. It isn't you just measure this lot. But you look at the rhythm of the street and you pick that up. So, depending on where the last tree is, either side of this lot, that would determine ..." "...if there was 300 feet of street, you'd have ten trees, rather than so many per lot," said the Chairman. (Multiple

conversations) talks about frontage, but the 30 feet specifically says one native tree of at least 3.5 inch caliper shall be planted at least every 30 feet within the planting strips. And that's in 225-17," said Galbato. The Chairman said, "you have to deal with what's already been planted... it may be 2 or it may be 3 for that lot. It has to be laid out appropriately."

Sgromo said, "maybe we should come up with a plan and get it to you guys." The Chairman said, "and there will be some, hopefully obvious answers." Member Sutherland said, "and it needs to happen by October 1st so that you can plant the trees, 2 or 3, whatever it is, yet this Fall. You want to get the tree in at that point so that you are not taking out a dead tree next year." The Chairman asked, "are you saying that October 8th is too late to plant trees?" Member Sutherland said, "you can plant them up through December. But I don't want to have it drag on and then someone is planting a tree in the Spring." The Chairman said, "and by the same token, August was the wrong time to plant trees."

Sgromo said, "I think Ackerman's house is pretty much ready." Richmond said, "yes, she's ready." Member Sutherland said, "yes, the landscapers were in there cleaning up."

Attorney Galbato asked, "Mr. Chairman, do you want the trees proposed shown on ...?" "... a plan and submit to the Planning Board. It would be very helpful if you had, if you have advice from the Tree Committee that that be in writing." Richmond said, "we can't plant until the houses are built." Member Sutherland said, "or the alternative to a letter, if Ann signs off on your plan. That way it is specific to that. It's easy to follow. It doesn't put her in a position where she's got to" "... I'll get Jorge a few copies for the Planning Board to look at and the Tree Committee. If they want to move it around just mark it up for us," said Sgromo. The Chairman said, "so let's have something next month and we'll put that behind us."

The Chairman continued, "now what about the variance for the 4 trees that were planted, 4 pears?" Member Eberhardt said, "that's with the letter with Ann." Richmond said, "he wants a letter from Ann saying that she said that she wants the trees. She thinks the trees should stay. And I can call her." The Chairman said, "that makes sense. What does this picture tell me?" Sgromo said, "that caliper is set at 3 ½ inches, so it shows what the tree is to the caliper. You can see it's below 3 ½. It's growing now." The Chairman said, "Ok, so we want to defer until next month on that? Anything else on Parkside?"

Sgromo said, "no. I don't know if you had any comments from looking at the site." The Chairman said, "let me take up another subject. You are proceeding with the road construction and the sewer construction within the subdivision? (yes) And all of the construction traffic is coming over the bridge?" Sgromo said, "as far as I know. I have informed everybody. I haven't heard anything to the contrary." The Chairman asked, "is the public able to use the bridge?" Sgromo said, "no. There's no road there." (cell phone interference) The Chairman said, "there have been questions raised about railings for the bridge and something about a joint and then concrete." Member Sutherland said, "it looks like the bridge needs some work yet." (cell phone interference) Sgromo said, "... and the bridge will have a timber railing which I think is a pretty good height. The guide rail is pretty heavy duty. It is a guard rail for vehicles and also for pedestrian traffic. It's 36 inches high."

The Chairman asked, "when do you anticipate that being complete. The railings and so on? I assume the same time the road work is done." Sgromo said, "yes. Very shortly there afterward." Member Sutherland said, "it is probably going to be one of those circumstances where you want to get that done even though you are not going to top coat the road for some period of time because of construction in the area. So, the road being done, means getting the base asphalt in but not waiting until the top coat is ready."

Member Eberhardt asked, "have we been presented a picture of the railings or diagrams or specs of the railings?" Sgromo said, "it's in the plan. Not a picture but it's in the plans. They are like 8 by 8 pressure treated wood, 8 by 8 rails. I think they are 8 by posts, timber rails." Member Sutherland said, "we approved actual bridge specs at least 2 years ago now. Is the bridge that you are building now still consistent with the approved specs from before?" Sgromo said, "yes. As far as I know it needs to be stained also. There was no real railings agreed upon or spec'd. We didn't want to put like a metal 'W' railings or something like that. We want to put what was more residential. You can put heavy duty highway on there. It will look horrible. We looked to try to find some decorative railings and stuff like that. There is a sidewalk in between them so it is off the road... low speed road, so it doesn't have to be a 55 mile per hour type railing. So what we did is we use them a lot in shopping centers." Member Sutherland said, "you had showed us some bridges you had some involvement in Fayetteville area. Was this detail like that? Maybe next month if you bring that stuff back in just to refresh us because it's been so long."

Galbato said, "there was a concern on the alignment of the bridge that may not line up with the proposed or existing road. Are you familiar with that concern?" Sgromo said, "the bridge had to – the road has a little 'S' to it so the bridge lines up better with the Creek. That was not only with FEMA but also with DEC as far as stream disturbance." Member Sutherland said, "I recall that from back a few years ago. There is that little 'S' curve in there and you are hitting the Creek exactly right rather than a longer bridge that's stretching at an angle against the Creek." The Chairman asked, "why would you want to do that?" Member Sutherland said, "less bridge for one thing, but also the abutments to get a squared off condition." The Chairman said, "so it has been built in accordance with an approved plan... (side B) for ever and ever you drive through a 'S' shaped road." Member Sutherland said, "but it's a minor 'S' and it's residential character."

The Chairman closed the meeting at 8:13pm.

cc: via email: Plan. Board, Galbato, Elstein
MJB, Mayor, Lotz