

Village of Skaneateles
Planning Board Meeting
October 1, 2009

In the matter of the application for Preliminary and Final Subdivision Approval submitted by Bob King for a 4 lot subdivision called "Queen's Way Subdivision" for the parcel of land located at 84 West Elizabeth Street in the Village of Skaneateles.

Present: Lauren Waite, Acting Chairman
 William Eberhardt, Member
 Douglas Sutherland, Member

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

M/M Robert King, Applicant

Gregg Sgromo, Syracuse
Mitch Major, West Elizabeth Street
Robert Lotkowitz, DPW

Absent: Bruce Kenan, Chairman
 Steve Krause, Member

Acting Chairman Waite opened the meeting at 8:35pm announcing the continuation of the application of Robert King for the Queensway Subdivision off West Elizabeth Street.

Robert King, the owner of the property for Queensway Subdivision said, "I am here on behalf of Schultz Associates. They couldn't make it and I am here to answer questions. Some of you are familiar with the project."

The Acting Chairman asked, "I'd like to know what is added on? Please point out the things that are different." King said, "the few issues that I've been made aware of..." "...I don't think we are looking for any Planning Board action tonight. There was an issue regarding a tree that may be taken down, There was talk it to make the curb cut at the right-of-way. There were some e-mails from some of the Board members, at least 2 of you, who did not want to see this particular tree removed. And at that time we looked at maybe getting this to the Board to maybe give some direction to Bob Lotkowitz. The map is not finalized. Before the map can be signed I have to review the Final Plat Map, which has to concur with and consistent with the conditions set forth on your May 1, 2008 Planning Board Conditional Subdivision Approval Resolution. And Mr. King's attorney would have to send me an easement agreement, which include the utilities and the ingress and egress for the right-of-way for the lots in the subdivision. I would have to sign-off with that and see if Mike Byrne has any comments before the Chairman will be

signing the map. There was an issue regarding a tree that 2 Planning Board members raised. They do not want to see it removed,” said Attorney Galbato.

The Acting Chairman asked, “so how does it look for the tree?” King said, “I don’t have any attachment for the tree, to tell you the truth. (holds drawing) It’s a maple that sits approximately at this corner – this circle right here. It is a *41 inch maple to be removed* in the Notes. I know that we were going to have to have a tree removed in this area here where the drive’s proposed curb cut was. I have no problem with the tree staying, to tell you the truth.”

Member Sutherland said, “I recall that we had conversation about the tree years ago. There was something having to do with sight lines and I thought we ended up with the tree staying. Again, that was my recollection, and it was a long time ago.” Member Eberhardt said, “I agree with your recollection. I think the initiation was Mitch (Major).” –Paper noise- Major said, “I live right next door at 88 west Elizabeth. I asked Bob which one was going? There’s a smaller one and then there’s a very beautiful large one close to my property. Obviously, I was concerned about that. Bob said actually it is this one. The smaller one closer to his home at 84. Then I got the map from Jorge. I’m trying to sell my house next door, and people are asking me what’s going on? I was trying to educate myself a little bit. This is how this all came about. So, I got the map from Jorge and then I looked and realized that it was right where the larger maple was on the sketch. So, obviously I was really confused. I called Bob. We went back and forth. I called Bruce. Bob came over and took a look at it. I talked to Rick. So, I talked to a lot of people. Just trying to get to the bottom of what’s going on. I have to educate the people looking my home and give them the right information. So, the tree was one of the issues that I had, along with another issue, which I won’t bring up right now. So, we were really confused about which tree was it going to be. I really didn’t want the nice maple to go. So, I think I contacted everybody involved in just trying to get to the bottom of it.”

Acting Chairman Waite asked, “could you point out on this (map)?” King, pointing on the map said, “this is the canopy of the tree here and then there’s a spruce tree right here.” The Acting Chairman asked, “where’s the trunk of that tree?” King said, “it’s pretty much where your sidewalk ends there.” Major said, “the maple is on Village property. It’s inside the sidewalk just a little bit. ...you can almost see it better on the old map. I don’t know if you want to see the one you had before.” (all look at the map) Major using the older map said, “this would be my property here. They have a note here that there’s a tree right here that’s going to be taken down. To re??? with a silver maple. The silver maple is really right there.” Acting Chairman Waite asked, “is that the 41 inch tree?” Major said, “it would be somewhere between my property line and this road. I don’t know what the size of it is.” The Acting Chairman asked, “isn’t there a tree here ??? out because of sight line problems?” Major said, “this is the one. That’s where I got confused. Bob told me he said, yes, this is the one. The last thing that I wanted to see was someone show up and take the wrong tree down.” The Acting Chairman asked, “so this is the tree that Bob thought was going to come down?” King said, “it looks like a palm tree.” (multiple conversations) The Acting Chairman said, “and this is the tree that’s right in the way when you are trying to.” Member Sutherland pointing on the map said, “so that one comes out and that one stays. Where the curb is proposed, is there a collision that happens with that tree?” King said, “my guess would be yes.”

Bob Lotkowitz said, using the site map said, "I went over to take a look at this with Mitch a couple of weeks ago and (paper noise) it's still fairly close to the roadway and the proposed Village right-of-way does show this outline of the road. What I've asked is if they could move this roadway closer to this dotted line so that if at some point in time the Village – it's still within the proposed right-of-way for the road, it would pick up that much distance to protect the roots of that tree." Member Eberhardt said, "I agree with that." King asked, "you want the actual roadway moved?" Member Sutherland said, "by keeping the right-of-way the same, it is just off-set." Lotkowitz said, "the roadway would move to the edge of the proposed roadway scheme."

Acting Chairman Waite said, "I think that's a mistake." (multiple conversations) King said, "I was blind sided tonight when I heard about that." (multiple conversations) Major said, "when I got the map, and what I didn't want to see is taking out the wrong tree." (multiple conversations) Member Eberhardt asked, "why would you after all this not know something was going to come up?" "It is one of the most beautiful trees on the street," said King, and you are asking us to put in sidewalks too. The root system on this tree is pretty extensive." Major said, "what I was thinking, this is not my field of expertise, I'm a teacher, it goes up. West Elizabeth, there are mounds on both sides right there. So, for you to put in your driveway and ultimately one day maybe a road, which I would like to bring up, if you don't mind, that's going to have to cut through those roots pretty good. That tree is hovering over my home. So, that makes me a little bit nervous. But I don't want to see that tree taken down either because if you take that down that is really a beautiful tree. The tree in front of my home is like a half tree now because of that tree. It would make it look silly. So, that's for you guys obviously to think about." Mrs. King said, "so moving the driveway closer to out house..." "...would definitely help. If you were to go and visually stand there – you'd have it come up probably this high off the – and there's a sidewalk that used to be there. Then it goes up again. So you are going to have to cut right up through to build that driveway. I don't know how that works, I'm not into that field. But definitely moving it over towards your house would help the situation," said Major.

Lotkowitz said, "the screening is kind of spotty, and was at the entrances to the driveways." Galbato said, "in their resolution there was a condition." Lotkowitz said, "I would thought that there would have been more screening along that roadway." Galbato said, "the Planning Board required screening shrubbery on the opposite side of each driveway, the west side." King said, "mostly for headlights and that sort of thing, right? The other thing is in grading this property, there's a hump there coming up from the sidewalk, or what would be the sidewalk. I'm assuming that when we start grading for the curb cuts and that, there's going to be probably a bank of some sort. Probably on Mitch's side there." The Acting Chairman asked, "so the shrubbery might not be necessary?" King said, "no, I'm saying that the shrubbery would be nice. But when you pull in that road or driveway, you are going to be sort of down below what the grade of Mitch's yard is. So, we can contour that and get it contoured and with the shrubbery."

Major said, "moving it over towards your house can obviously help. It is 9 feet from the property line, which was really uncomfortable when it was toward my house. So, moving it over that way definitely going to help that. What ever you can do to make that look nice, would be helpful." King said, "I have no problem moving the proposed driveway. So we can redraw this." Mrs. King asked, "we have to do that and then it goes to you?" Galbato said, "your surveyor

would move it in accordance with the discussion tonight. You can e-mail it to me and I will go over it to see if it complies with the resolution. I will also have Bob (L.) look at it and have a discussion with him- a driveway discussion.”

King said, “if we shift it over you also have the proposed passing area too. So, if we shift that over then that passing area gets a little closer to the home at 84 also. So, I’m dealing with the same thing that he’s dealing with at 84. But we can shift it a bit. I don’t know how much more. So, we should have them propose a new curb cut and drive and shift it over.” Galbato said, “don’t have it finalized like on Mylar.”

The Acting Chairman said, “and remove that note that says to remove the tree.” Member Sutherland said, “get it shifted over to the other tree that is to be removed.” Mrs. King said, “the other thing is the fence is right there, that give a funny feel to it to make it seem closer. Once that fence is down, it is really quite open there.”

Galbato said, “and your lawyer is working on the easement?” King said, “that should be easy as I know that he has worked on that before. But that was prior to this map, I think.”

The meeting was closed at 8:49pm.

emailed to: PB, Galbato, Lotkow.