

**Village of Skaneateles  
Planning Board Meeting  
August 31, 2010**

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In the matter of the application submitted by Kim Weitsman to vary the strict application of Section 225-A5, Density Control Schedule for Percentage of open area and; Section 225-69d, Non-conforming buildings structures and uses, extension or expansion for (#1) renovations to the structure (known as The Kreb's Restaurant) and (#2) the application of Larry Loveless for the combining of 2 parcels of land at 53 and 57 West Genesee Street in the Village of Skaneateles

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

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

Andy Ramsgard, Architect for the applicant

Clifford Abrams, State Street  
Ellen Leahy, Skaneateles Press  
Linda Roche, West Lake Street  
Gary Robinson, Skaneateles  
Kirk Wright, Ontario, NY  
John Pidhirny, West Lake Street

Absent:        Steve Krause, Member

Chairman Kenan opened the meeting at 8:41pm announcing the application for modifications to the existing structure and a requested subdivision.

Andrew Ramsgard, Architect for the project said, "there are 5 things for us to do tonight. There's the approval of the Sketch Plan Phase of the subdivision which is actually a lot assemblage of 2 lots - Lot #010-02-11.0 & Lot # 010-02-12. There is also #2 is the Site Plan Approval. #3 would be a recommendation to the ZBA for the 2 variances that we will go into tonight. The fourth is a recommendation to the Village Board for review and approval of the project , for Critical Impact. And 5 is to schedule the public hearing for the subdivision approval. As you are aware this project will have – tonight is not a public hearing – but this project will have 3 public hearings. The first public hearing will be at the ZBA. The second public hearing will be at the Village Board for the Critical Impact. The 3<sup>rd</sup> public hearing will come back to the Planning Board. The Planning Board has last looks over this project for the public hearing at the subdivision level for the assemblage

To get into the project - the proposed project is to architecturally restore the Kreb's dining room, the Kreb's upstairs and completely remodel the Kreb's kitchen, the infrastructure and the grounds. The first portion of the project will be a consolidation of all the kitchen and restaurant services into the existing first floor. Currently they are scattered in the first floor and the basement and the sheds and the previous additions to the restaurant. All the cooking and the food prep would be removed from the basement and relocated directly adjacent to the existing dining room. The consolidation would not only result in better service to the Kreb's guests but will overall reduce the square footage of the restaurant by 309 square feet, and accommodate all handicap guests with a new elevator and accessible bathrooms.

We will be reducing the number of seats at Kreb's from the current total of 269 seats to 225 seats. The second portion of the project is to restore Kreb's formal gardens, to create the appropriate amount of on-site parking as prescribed by the Village Ordinance and requirements and to exceed the design requirements for the off-street parking and landscaping as clearly defined in Article 7 of the Village Code.

To serve our guests better ??? of the adjacent neighbors, we are proposing to provide 2 ½ times the buffer along the parking where 10 feet is required, we are proposing to provide 25 feet or more provided everywhere, from any parking to any of the property lines. Where in the Ordinance it says that 8% of the usable area that could possibly be used for parking be required for a visual screen. We'll be providing more than 36.4% - more than 4 times what is required. All the infrastructure of this historical establishment will be brought into compliance with the Building Code, the Health Code, and the Fire Code. The renovation and remodeling of Kreb's will restore the name, the sign and all the quaint features that made Kreb's a vital component of the traditional patterns of Village development since its inception in 1899.

To take you through and familiarize you with Kreb's – what we are proposing to do is to restore the porch and preserve and restore the original structure. Restore the formal gardens. Preserve the patio. Remove the sheds that contain coolers. Remove the laundry area and rebuild the kitchen area. So, this is the proposed north elevation of Kreb's which is the Genesee Street side. You can see that it looks exactly as it looks now. We are proposing to remove the aluminum siding – restore all the siding. We will be putting in new windows, SDL windows, simulated divided lights to create an energy efficient structure." The Chairman asked, "what is SDL?" Ramsgard said, "simulated divided lights. The same windows you have in your boat house."

Ramsgard continued, "the proposed south elevation, which is the back end of the kitchen and this is the proposed west elevation. Currently the existing structure of what people consider as the Kreb's to be is here. What a lot of people don't ever see is this piece. So, what we are proposing to do is to remove this stuff. Build a side entry and create an elevator so we have handicap accessibility. Bathrooms on the first floor. Currently there are no public bathrooms – restrooms on the first floor. There are only restrooms upstairs, which are not accessible. We are proposing to build an accessible restroom and renovate the 2 men's and women's that are upstairs. Then build a kitchen on to the back of the property which is that piece that faces the south elevation.

This is the east elevation that faces the formal gardens. What everybody knows as the Kreb's upstairs is this portion. And the outside access would remain to that – to the patio on the side. So from a building standpoint, this is the existing first floor (showing on the plans), the existing porch, the existing Kreb's dining room. The area in red is the portion of the building that will be removed and rebuilt. The side entry at grade and an elevator that makes it possible – the first floor is elevated off the ground by about 3 feet. That will allow them to get up to and have accessibility to the main dining room which they never had before, as well as get accessibility – the elevator will continue up to the second floor of Kreb's upstairs. The cupola is actually concealing the fact that the elevator is required to terminate it's top 12 feet above the final floor. That allows us to have the elevator come up and then maintain the height of the existing structures, so we are not making the building any higher than it currently is.

On the second floor we are reconfiguring the bar area, also providing a fire exit off of the second floor which doesn't exist at this point. From the Site Plan standpoint..." "...Andy, can I ask a question right there on the building plans," asked the Chairman, "so the pink is the first floor construction that you are removing." Ramsgard said, "yes. First floor and second floor." The Chairman said, "on the upper floor plan you do not show that part that's being removed, but it's something smaller than what's below it?" Ramsgard said, "yes." The Chairman said, "so everything from the bottom of the pink back is new restaurant." Ramsgard said, "the staircase and elevator obviously don't exist. The Kreb's dining room is this room here, stairs and the bar is over here. So, we have basically taken and created out of that side room, the handicap accessible bathroom and then we have taken the tables and turned the corner. So, it's the same size as the existing facility, but it's a different configuration."

Member Sutherland asked, "when you say it's 309 feet smaller. Is that counting the out buildings that you take away?" Ramsgard said, "yes, the out buildings right now are the coolers which will all be inside. The laundry and – this photograph was taken from the women's changing area and bathroom in the first structure off of there. So, all of that is done. All those restaurant functions that are in there currently will come into the main building. Actually it is quite a bit more of a decrease because I didn't count the fact that those structures are 2 stories. I went foot print to foot print. So, it is 309 square feet of foot print smaller than all the structures that are there. If you consider the first 2 buildings have second stories in them, the cooler in between sort of connects them into the laundry. It would probably be another 600 square feet on top of that."

Ramsgard continued, "what we are proposing to do is assemble these 2 lots. On the advice of Jorge and having discussions with Rick Galbato, we've decided not to assemble all 3 properties because of one exception in the Village Ordinance that says you may have a residence and one other structure on the property. So, rather than assemble all three, and ask for a variance of that section, we decided to assemble only the two lots – the western lot which is the 3 family house and then the Kreb's proper. So, what we are proposing to do on a site plan standpoint is remove the driveway from the west side of the existing 3 family house and put a doublewide driveway from the current Kreb's. We'll remove the one telephone pole that's there which only serves the Kreb's property. It comes in and comes to a second pole. We would be removing that and widening the driveway so we can have an in and an out. That will allow us to pull the use away from Allen Jackson and Linda Kroger's house. Then provide the handicap parking directly

closest to side entry the side accessible entry. Then provide the required parking for both the single family houses that are there – single family and 3 family. Larry Loveless' house currently does not have a driveway. It doesn't have any parking. Larry has always parked here at the restaurant. So we are going to have to provide the parking for those two places. Then the driveway would continue back toward the back of the property. There's a beautiful large black walnut tree that we would circle around. It allows us to keep all but one of the black walnuts on the side here. The green circles that are hollow are existing trees. You can see that around the property and the shaded ones are new trees.

Then we'll be providing the balance of the parking required for the restaurant on the Village's ratio of 4 to 1. As you know, the Village requires – for every 4 seats you should have one car parking space. So, you take 225 and add in the parking for the adjacent houses, it comes up with a total of 62 parking spaces provided on-site. 8 of which are in the first lot, which was 4 for the handicap and then 4 for the residences. So, that means that the parking required for the entire restaurant is 52 plus four which is 56. That is the essence of the main variance that we have to ask from the ZBA, which is relative to lot coverage for providing required parking. So, you have a 2-headed coin. Either you provide for the required parking on-site and you get it all done, and you don't far any variance on the required number of cars. Or, you ask for a variance for some of the cars, and provide – well you can't provide parking on the street – somehow you count parking on the street as part of the need." The Chairman asked, "again, what's the variance you described?" Ramsgard said, "the variance is – right now the lot exists in A1. In A-1 you are allowed 10% coverage or 90% open area. As part of A1, when you provide required parking, you have to consider each car at 180 square feet for those cars. So, if you calculate out cars that are required to park based on the seats in the restaurant, after you reduce the number of seats, you have to ask for a variance of lot coverage of 8.6%." The Chairman asked, "so the variance you are talking about is lot coverage?" Ramsgard said, "lot coverage relative to providing the required cars."

Ramsgard continued, "there is a side yard, a pre-existing non-conformity on the side yard. In A1 you are required to have 25 feet off the side yard. Currently the restaurant exists at 23 feet off the side yard. We are not proposing to change that. That's usually considered (Section 225) 130d. It's an insignificant issue relative to the restaurant as there really aren't any changes. The issue comes down to – is it the right thing to do to provide the required cars for the restaurant that's always been there? Or is it the right thing to do to ask for a variance for the number of cars that should be there? Our opinion is, you have an opportunity here with 2.24 acres of land to provide the required number parking. To alleviate parking at the street. That doesn't mean that people aren't still going to park on the street. This aerial photograph was taken on April 11<sup>th</sup> at 10 o'clock in the morning and people are already parking along the street. It won't alleviate the parking on the street. But, these aren't people that are parking for Krebs' right now anyway. The plan for the restaurant, and Gary Robinson is here tonight, is going to be the operating manager of the restaurant. He'll talk about what the proposal is for Krebs' and the hours of operation."

The Chairman asked, "the variance you are describing isn't for parking, it's for coverage?" Ramsgard said ... (Interference) "accessory use to an existing function. So, it's not can you put cars back here. It's how many cars should you put back here relative to how many

seats are currently in the restaurant and reduce there, versus the amount of coverage that's required – the amount of open space that's allowed in A1. It's not can you put cars back there. Because without a variance we can put cars back there. Without Site Plan Approval we can put cars back there. We can't provide all the one's for the restaurant. We can get – without a variance we can get probably half of the cars back there.” The Chairman asked, “based on coverage?” Ramsgard said, “based on coverage, right. So, it's not a matter of is there going to be cars back there. It's should you do the right thing and provide the amount of cars that could be back there. And, I think, and personally talked to every adjacent neighbor around the property. I went thru and met with every single one. Everybody has been completely supportive of the project. There has been reservations about parking. Primarily from Amy and David Allyn and John and Pam Pidhirny. Rightfully so. If you have an open field in your back yard right now, why would you want any cars back there? That's a reasonable consideration. It's a reasonable idea to want that. But, it's also a reasonable use of the property to have associated use of the parking with the restaurant and get them off of the street. I can tell you the Lootens, the Sells, Clarks, Judith Kaspar, Lindsey and Sue Jones have all been very positive supportive of parking in the back. Allan Jackson and Ellen Kroger well they were a little bit skeptical about it. They have vacillated back and forth relative to the cars back there. They have enjoyed a nice park-like setting for a long time. Allan expressed – he said if he had the money he would do it. He would have given the restaurant a go. It's a reasonable use. I thought it was a vary fair statement.

What I reviewed with everybody around the property was that this is a photograph of the actual tree line that borders the Allyn's property which is about 50% of the use along the east side. Presbyterian Manor is probably the other 50%. So, they are a border of 216 feet. This is the actual tree line against the property. The pine trees there are about 60 feet tall. It's a very dense hedge. There a small very thin wire fence on the property line that borders the 2 properties, that's very transparent. You have to look hard to see it. What we are proposing to do is to come in and provide at the 10 foot line, which is the maximum required buffer, a 6 foot cedar hedge. Come in 5 more feet and the 15 foot line and provide a 6 foot high solid fence. From the 15 foot line thru the 21 foot line, we are proposing to provide a bermed landscaped area. Then another 4 feet before the parking starts. So there is a 25 foot zone in between the closest spot of any adjacent neighbor. Then as you start to look at the distances across – the closest house at the closest spot which is Doug Clark, from the curve area of the parking turn-around – he's 105 feet just to that spot.

The reason for providing a doubly redundant hedge and a fence is to control light. To control head lights so there wouldn't be any head light cast off of the property. It gets caught by a fence. If for some reason it got thru the fence, it gets caught by a hedge. That hedge goes continuously along the border of both the east side and the west side of the parking. It goes across the back. We pulled the hedge in from the back area so we can allow plowing, so we can plow all the snow to the back of the property to the storm water management area. Currently, as you know, in New York State, post-development requirements and pre-development requirements have to be equal for storm water management. We are proposing to do a SWPPP plan that would provide for initial calculations of 18,000 cubic feet of water that would provide for the entire site plus residual water to come and be collected and then allowed to exit over a period of time out to the existing – right here on the Site Plan across the back of Looten's property is a 12 inch culvert that catches the water from the seasonal creek that goes back up all

the way to the fire station and dovetails in with their storm water management pond. It all comes out here and exits into the Village system.”

Member Sutherland asked, “is that a dry area but not right after storms?” Ramsgard said, “I went Monday after the big rain and it was – there was no running water in it. There was still a residual puddle. But there was no running water coming down through.” Member Sutherland asked, “is it an area that essentially grass that gets mowed?” Ramsgard said, “no. It a heavy treed swale kind of deep in a heavy tree line. It’s continues all the way back to Kane Avenue.” Member Sutherland said, “OK, that’s a swale. But you’ve also got the ponding area.” Ramsgard said, “yes and we’ll catch the edge of that. It we’ll come in and gets caught in our pond and then exits out the storm drain where it goes now, that 12 inch drain.” Member Sutherland asked, “and the pond that you are developing, is it grass?” Ramsgard said, “it’s going to be a wet pond. We’d like to have a wet pond because esthetically it’s going to look a lot better. It always looks better to have a wet pond than have a dry one with cattails.”

Ramsgard said, “to go back to the list of 5 things that we need to do tonight. The one thing and I hope not to step out of bounds, to remind you that you have last looks on this with the public hearing at the subdivision level of the assemblage of the property. Because all things contingent upon the assemblage of the property to go forward – to make everything work. *Kreb’s* normally closes down October 15<sup>th</sup>. It reopens on Mother’s Day. We had hoped that we could be open for Mother’s Day. It’s highly unlikely. But, our goal is not to let *Kreb’s* loose a season and it would be open by July. It’s realistically feasible to do this project over the wintertime. The process of the construction sequence would be in October, after *Kreb’s* closes, would be first to immediately remove the sheds on the back of the property. Number 2 would be to completely prepare the site, parking and the storm water management because that is required to be in place first before any of the work is done. And, then immediately go at the building and the addition. That would also give the opportunity so all of the construction vehicles could be off of Genesee Street during the construction, and allow is to be good neighbors.

Back to the sequence – tonight we have to do is the Sketch Plan. It’s an assemblage of 2 lots which is a dissolving of 2 property lines for an assemblage of one parcel known as *The Kreb’s* to be a lot area of 2.24 acres, 97,701.76 square feet. The Sketch Plan phase comes back after that’s approved we can then start our SWPPP, our storm water management plan. We can start to meet with the ZBA over the variance. We can also meet with the Village Board for Critical Impact which will take the whole month of September. I would anticipate that there would be 2 public hearings in September. Then we would probably be back, because you don’t have a September meeting, we would be back we would be back on your agenda for a public hearing. We’d like you to schedule a public hearing for the October agenda.” The Chairman said, “this is our September meeting, in August.” Ramsgard said, “that’s exactly what I’m saying, you don’t have a September meeting. So that puts us into October.”

The Chairman asked, “that’s it. That’s all you want?” Ramsgard said, “that’s all.” The Chairman asked, “any comments, thoughts or suggestions? I have some thoughts. I think the subdivision is so you can have the room for the parking? Is that right?” Ramsgard said, “the subdivision allows us to have very close to the required number of cars. So, the assemblage of the property allows you to count both areas. So, if you don’t assemble it then you provide less

cars.” The Chairman said, “Ok. I think the whole idea of saving this restaurant and making it a viable long term going enterprise is a wonderful idea and I’m glad somebody is willing to step up and invest money and do it. It’s an institution that’s valuable to this community. If you go anyplace and you tell them you are from Skaneateles, and if you are talking to somebody that’s over 50 at least, maybe over 60, they always tell you about the Kreb’s. I think we have a very fine line that we have to walk. Because it is a non-conforming use in a residential neighborhood and it was there obviously long before there was Zoning. It was there long before much – no actually much of the Village was there 111 years ago. But, it is in a residential neighborhood. I’ll express my view. I don’t agree with your view that you can have the parking anyway. People that have looked at an empty lot back there don’t have a right to expect that it will stay an empty lot. They are in an A1 zone and they have the right to expect that it’s going to stay a use compatible to the neighborhood.”

Ramsgard said, “it’s not a non-conforming use.” The Chairman said, “it is.” Ramsgard said, “no it’s not .” The Chairman said, “it is. The restaurant is a non-conforming use.” Ramsgard said, “it’s allowed to be there as a pre-existing, non-conforming.” The Chairman continued, “if I may, I’m talking at the philosophical level. We can get to the technical level. But, this Board has long been concerned about maintaining the residential viability of those residential neighborhoods that are near the downtown business district.. And, this community enjoys a healthy economy, which has a lot to do with those neighborhoods maintaining the style that they are maintaining. But, you can see a lot of communities where that doesn’t happen – where residential properties become downgraded in value because of the commercial next to them. It’s driven by the economy as much as a lot of other things. I think that this Board is very concerned, I’m speaking for myself but also the history of the way the Board has reacted. To applications, it’s concern about protecting those residential neighborhoods. So, how do you walk a fine line that preserves and maintains an improved Kreb’s and at the same time doesn’t put undue burden or change the character of the residential neighborhood that the neighbors that live there have the right to expect to continue? I don’t think you read the Ordinance correctly. If you don’t read that you don’t need a – that an extension of a non-conforming use, extending the building and extending parking, extending it onto another site – any of those extensions of a non-conforming use requires a Special Use Permit.” Ramsgard said, “we have applied for a Special Use Permit.” The Chairman said, “Ok, you didn’t mention that.” The Chairman continued, “Ok, it’s on the application, but the Special Use Permit is for the expansion of a non-conforming use, which covers the parking, which covers the expansion onto the adjoining lot. I would just recommend that that this Board and the Zoning Board look very carefully at the impacts of this parking, because I think it’s a significant departure from the character of the neighborhood. As you observed earlier, there’s cars parked on Genesee Street long before the restaurant opens, in the season and in the day. I think that the parking issue is as much a Village-wide issue as it is an immediate issue for this lot right here. I would hope that the Village would take a step back and take a look at a way to resolve that, so that in fact this restaurant had parking spaces along the street that it could count on, which right now that really only has availability of a few, because people who work downtown, people who are visiting...” “...other restaurants,” said Ramsgard.

The Chairman continued, “so I’m concerned about it, expressing my feeling about it. I think we need to take a careful look at it. It’s somewhat a chicken and egg issue. If the subdivision is dependent upon the Special Use Permit from the ZBA, you could wait for the

ZBA to act. But by the same token..." "...the have to have a recommendation from the Planning Board when it is sent on," said Ramsgard. The Chairman said, "yes, the Planning Board has to do something on it, that's right. But, if there was no subdivision, by the same token..." "...you would still have to make a recommendation to have it go on to the ZBA, and Site Plan Review and it has variances," said Ramsgard. The Chairman said, "I'm just trying to express what the chickens and the eggs are in this case. The two really have to act in concert. I don't mean that they act the same night. But if anyone acts before the other it has to be done conditioned upon the other acting, or the action doesn't make any sense."

Ramsgard said, "my point is respectfully, that if there is any hope of opening for the Summer season, or for the season of 2011, we can't delay the project with this Board not meeting until October, we come back to this Board, we won't meet with the ZBA until maybe October and maybe we get to meet with the Village Board in November, we won't be back to the Planning Board certainly until November." The Chairman said, "you'd be paving in the Spring, if you are paving at all." Ramsgard said, "yes. We won't have a chance to create the construction documents, and do anything that we need to do to prepare for the construction season, to have any hope of staying open."

Chairman Kenan asked, "so are you saying that they building construction is conditioned upon the approval of the parking?" Ramsgard replied, "yes." The Chairman said, "that's different than I heard a couple of weeks ago." Ramsgard said, "no, I didn't mean to ever give you that impression. To do the right thing, to make the kind of investment that they need to do and get the parking off the street - yes, there's certainly concerns. And there are concerns from the Allyns and from the Pidhirnys. I can tell you that everybody else expressed positive, and I think on Genesee Street, elation for the idea of getting the parking for Kreb's off the street. It's going to be very different. It will be interesting - everybody will have a chance..." "...that won't chase the rest of the cars away," said the Chairman. Ramsgard said, "no it won't. But Kreb's has been, like any restaurant, as you so aptly put, it is the function of the economy. It has ups and downs. When this restaurant started, cars as we know it didn't exist. So, in the process - it's had a maybe level period, maybe a flat period for the last 10 years or so. It's had points where it was at peak capacity. Well before then it's had times when the Clintons were here. It was crazy. It's an active restaurant. It should be an active restaurant. It is part of the history of the community. Do you provide appropriately for the realistic use, if it does become with the investment proposed to go into it, a viable restaurant? Again, do you provide what the restaurant needs and consider and make a very reasonable consideration to all the adjacent neighbors, or not? I looked at this for a lot of restaurateurs over the last 10 years. And as Bill knows, he just added to his parking lot. He just rented space from the City?" Member Eberhardt said, "yes." Ramsgard said, "because you needed it. Because that makes it viable, right?" Member Eberhardt said, "well, I agree with you essentially.. Go ahead." Ramsgard said, "you need parking."

Chairman Kenan said, "this lot in area is approximately the size of the Sherwood's basic lot, not that additional space." Ramsgard said, "no. The Sherwood is actually half the size. I don't know what that is. Sherwood's area is 1.13 acres, half the size of this lot. And it has more cars on it." The Chairman asked, "so this is double the size of the Sherwood's parking lot? What you see visibly when you stand back there?" Ramsgard said, "with half as many cars. The Sherwood parking lot does not conform to the 8% rule." The Chairman asked, "8% of what?"

Ramsgard said, "eight percent of the available area that's required for parking, that could be possibly parked on, on the site has to be green space. In the Village ordinance. And, it doesn't have the storm water management plan."

The Chairman said, "the observation that I was just making was that I thought they were comparable in size. You tell me this is double that size." Ramsgard said, "this is double the size. The lot is double, but the parking is smaller." The Chairman said, "and you are suggesting putting that in an A1 zone." Ramsgard said, "the parking is less parking than the Sherwood." Member Eberhardt said, "the Sherwood is in a commercial zone." Ramsgard said, "I want to make that clear. What I'm saying is the lot is twice as big, with less parking, is what I'm saying." Ellen Leahy asked, "the entire lot?" Ramsgard said, "the entire lot. The Kreb's lot is 2.24 acres and the Sherwood is 1.13."

Chairman Kenan said, "you are talking about land coverage. But I'm talking about the visual impact of the area parking." Ramsgard said, "right. The Sherwood is completely exposed. And this is completely hidden. It's a great example of what should be done." The Chairman said, "in the proper place." Member Eberhardt said, "the Sherwood is not completely exposed." Multiple conversations. The Chairman said, "I'm talking about the visual impact of a large area of parking in a residential neighborhood." Ramsgard said, "it is very important to separate it out and have large buffers. The Village required 10 feet of buffer. This is 2 and half times what the Village requires. Yes, it has been addressed in the Ordinance."

The Chairman said, "well, lastly, we have a single family home, which I guess right now is a multi-family homes. This lot here has 3 apartments in it right now? It's going from residential to commercial use." Ramsgard said, "it is still a residence." The Chairman said, "I know it's a residence. More than half the site is occupied by parking for the adjoining commercial use. You are taking a residential piece of land and turning it into a commercial use. OK, that's my concern. I think it's a concern for the Village. Our parking is a concern. I'm not diminishing that at all. I think that needs to be addressed – as a Village issue. I'm very concerned about any encroachment into the residential neighborhoods. I think we need like Solomon in here to help figure this out. Does anybody know how to get him?"

Member Millman said, "you spoke earlier about meeting the zoning requirement for parking, and not wanting to go for a variance on the parking. Do you feel like you really need this much parking? Or was this was the parking that the Zoning required?" Ramsgard asked Member Eberhardt, "Bill, how many cars do you think you need per patron?" Member Eberhardt said, "I don't – I don't think it relevant because people park all over the Village. It's a walking Village." I can't apply that." The Chairman asked, "how many does the Bluewater have?" Member Eberhardt asked, "how many MidLakes people park in the Sherwood? Or for Doug's Fish Fry? I know what the code is." Ramsgard asked, "do you think the code is right, or no?" Member Eberhardt said, "I don't think..." "if I could just add my 2 cents to this," said Member Millman, "I agree that some additional parking for this use is probably appropriate. I don't know what that number is. I think this is probably too much parking, just looking at it on the Site Plan. I think that the, and I recognize what you did here and I give you credit for it in terms of trying to green the parking. But the greening of the parking area, I think, has a result of pushing it to edges of the lot. I wonder if there is a more consolidated approach where the parking is more

concentrated toward the center of the site. You have a big green swath and I recognize there is a tree there. I wonder if you are able to squeeze it down? I'm curious as to why you have that little drive area on the east side? It seems like kind of extraneous pavement." Ramsgard said, "you could get rid of that. You could come down here and turn back around." Member Millman suggested, "or cut or took 4 spaces out of there you could cut right through."

Member Eberhardt said, "Andy, if you are asking if we need more parking, I think we do as a Village. I think the Village should be addressing that as Bruce stated. It's a walking Village. People come here from many, many other areas, particularly to get out of that darn walk. Then they just go from one block to the other and up and down and all around. Whether it's Dickens or Summer or Fall. That's how they use it." Ramsgard said, "right and that's a great point." Member Eberhardt said, "by doing it in residential, I'm not sure." Ramsgard said, "well, that's curious because the only place you could add additional parking in the Village without building a parking garage in Downtown D, would be in A1 or A2." The Chairman said, "I don't think that's the case. There are places you could add parking." Ramsgard asked, "where?" The Chairman said, "as Bill started to do behind the Water Department, and the other side of the Creek as well. That barn is going to fall down tomorrow at noon or soon thereafter." Ramsgard said, "it's all pavement now, with the exception of just the barn, and Bob Hood's property with the barn, with the exception of probably the 8 spaces you could get out of the barn." Chairman Kenan said, "but it is not utilized as parking. There are areas like that where it can be developed. Spend time studying it in the past, and never acted on. And that would take a lot – doing things like that would take a lot of the pressure off this stretch of Genesee, which is occupied by people who work on Genesee further downtown. We won't solve that issue tonight but the Village does need to address it. Does anyone else have some thoughts? What would the Board like to do?"

Chairman Kenan continued, "well, I see the extent of the parking you are proposing as being intrusive into a residential neighborhood. I think it's necessary to respect that presence as much as possible. I will repeat myself by saying that swallowing up a residence and turning this much land into parking is probably not to the best interest of the Village."

Ramsgard said, "the residence already has a big parking area there. You can see in the aerial photograph a couple cars that are parked there. If you go back there now, there's a boat trailer and RV camper and some other things." Member Sutherland said, "there are 5 or 6 spaces just in that spot, and a couple of other spots where you have them." The Chairman said, "but still, it's a residential lot. It may suffer from the overflow from next door, if that's what's going on, since it's under common ownership. Well, I'd like somebody to speak and see if anybody on the Board has any other thoughts."

Member Sutherland said, "this really is an extraordinary application. I wonder if there isn't some way that in some sort of work session the Planning Board, the ZBA, and those who would want to participate from the Village Board itself might in one setting – kind of all get together – I understand Andy's time concerns – and I share them. I think losing an extra season would be a very regrettable thing. To the extent that the Boards together with Andy participating, a public session where people can express themselves – something out of the norm that allows for issues to be addressed and not going from one meeting to another, to a 3<sup>rd</sup>, and not being able

to get all the folks together to talk at one time. I think it might be good to see what we could do to accelerate the review by having at least some work of a work session.”

The Chairman said, “we can – all 3 of the Boards have a role in reviewing this. I think we could if schedules permit, probably get all 3 Boards to meet together – not to necessarily take action together. Because I think they have to have their own meetings to act. I don’t know if that’s necessary or not. Obviously it would have to be held in a public meeting, if you get anymore that 3 people together. That might be a good approach – set up a work session. I think that everybody wants to see this improvement done to the restaurant. I don’t think I’m alone in expressing my concerns. I may discover that I am.”

Ramsgard said, “everybody that I talked to wants to see the restaurant improved from all levels. The only reservation, and I talked to every single one of the neighbors, the only reservations has to do with parking. I talked to every single one of them. I talked to Amy and David who were against the parking. Pidhernys were against the parking. Everybody else was for it. They will have a chance to come and talk, and they should. If there’s reasonable considerations to be made, and I’m hoping that we can make it. It’s important for the institution to remain. It’s important to be good neighbors all the way around. I think there’s a compromise that everyone can reach to make it work for everybody. I hope that happens before October.”

Chairman Kenan asked, “before October? Is that your proposal?” Member Sutherland said, “that would be my proposal.” The Chairman said, “and if we only get 2 or 3 from each Board, I still think that’s a worthwhile thing to do – rather than get hung up on trying to get a majority together.”

Ramsgard said, “the Village Board has meeting every other Monday. So, I would request that we ask them if we could be on the agenda for then.” The Chairman said, “oh, I think you need to have it a meeting, not their regular meeting.” Member Sutherlin said, “my thought was maybe a Saturday morning or some other evening.” Ramsgard said, “that’s fine.” The Chairman said, “I’ll call Mayor Green when we are done tonight, depending on the hour and try to get something set up as quick as possible.”

Attorney Galbato said, “Andy, before that all 3 Board meetings, I’m recommending that you provide us with a Long Form EAF. It is possible that this Board might have DOT as in interested agency under SEQR.” The Chairman asked, “should we declare ourselves as Lead Agency to get that moving? Does that make sense?” **The Chairman moved to declare the Planning Board as Lead Agency under SEQR.** Seconded by Member Sutherland. The vote was 4-0 in favor of the motion.

The meeting was closed at 9:36pm.