

**Village of Skaneateles**  
**Planning Board Meeting**  
**October 7, 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

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

Andy Ramsgard, Architect for the applicant  
Rudy Zona, RZ Engineering

Clifford Abrams, State Street  
Ellen Leahy, *Skaneateles Press*  
Doug Clark, West Lake Street  
Mark Edwards, Auburn  
David Allyn West lake Street  
John Pidhirny, West Lake Street  
Joseph & Gregory Steencken, West Genesee Street  
D. Duggen, West Lake Street

Absent:       William Eberhardt, Member (Recused)  
                  Douglas Sutherland, Member

Chairman Kenan opened the meeting at 8:21pm. Noting the lack of a quorum a discussion followed regarding another meeting later in the week. The Chairman said, "we could get together Tuesday evening if Doug's available, if that will work." Andrew Ramsgard, Architect for the project said, "that's Ok." The Chairman said, "I apologize for the schedule disruption. While you are getting prepared I will just note that we have another letter from Brian and Bonnie Howell who are neighbors at 61 West Genesee, expressing concern about 65 parking spaces and the impact on the community. I will put that in the file."

Ramsgard said, "so as I understand correctly, this is basically just information, and there is no action that is going to be taken tonight on any of the issues." The Chairman said, "that's correct." Ramsgard said, "I just wanted to make sure when I represent this all Tuesday night. So, to give you the past history is up with drawings Z1A which you saw last time. It was a proposal for 32 cars, 2 handicap spots and the purpose of ...." The Chairman said, "at the present time

you are no longer requesting a subdivision recombination, or what ever the right term is, so there isn't any subdivision action at all?" Ramsgard said, "right." The Chairman said, "so it is action on variances." Ramsgard said, "area variances on the one parcel that's known as *The Krebs*." The Chairman asked for a description of those area variances. He also said, "I also understand the question of whether it's an area or a use variance is being sent on to the Zoning Board." Ramsgard said, "our opinion, interpretation of the Zoning Ordinance that it is strictly an area variance. It is not a use variance that we are asking. Jorge has referred it to the ZBA for a determination on that issue.

So the proposal is, all these are going to seem very similar. I'll run thru them quickly because we have to get up to 'J.' This came out of the meeting that Toby Millman and Steve Krause and I had which was the proposal for 32 spaces with a 16 foot wide driveway coming in. The first part was a circle that allowed the radius for straight box trucks to be able to turn around without entering any deeper into the lot. It also proposed several layers of buffers, starting with a hedge, a fence, 2 rows of Norway Spruce, a large area of green space and a parking area - a row of parking, a row of trees in between the break-up parking, another row of parking and then green space and then the same design on the other side - Norway Spruce, hedge and fence. This scheme Z1A we feel is the preferred scheme because it does a lot of things that some of the other schemes don't have. One of the comments that was pointed out in one of the earlier meetings was - why have a circle turn-around in the front and trucks being able to turn around in the back? I think the positive benefit of that is being able to have trucks turn around without entering deeper into the property. Currently they back up into - along that driveway that currently exists, on the west side of the property. Also, it was pointed out, the original scheme was for 60 cars. The Zoning Ordinance as you know calls for more than 60 cars based in the current existing regulations." The Chairman asked, "the original plan, wasn't it 60 some?" Ramsgard said, "we only proposed 60 cars which was still less that what the Ordinance required." The Chairman said, "I thought you had more than 60." Galbato asked, "are you counting the parking spots that you had for the multi-family too, as part of the 60?" Ramsgard said, "yes, there were 8 up in the front and then there was - trying to go back and remember - it was only 60 cars. The benefit is, you can come in and visually scan the parking to see if there are spots. So, if it is full, you can go out and not enter deeper into the lot.

Proposal for Scheme 'B' was then to take out the turn-around. Look at having double loaded corridor and parking the cars outside, eliminating some of the pavement in the back of the lot. It's slightly more efficient in terms of pavement versus cars parked, But, in my opinion, from a design standpoint, the downside of this versus Scheme 'A' is the car headlights are inverted and point out of the property versus always keeping them internally focused.

Then we are asked to look at Scheme 'C,' which was take that same number of spaces and turn that 90 degrees, to limit the amount of penetration into the back of the lot. It does limit the cars that can stay in front of the second tree line that's out there behind the back part of the lot. The difference is, in my opinion, it puts undue pressure on the side of the property. Where we could have 75 feet on one side and 57 feet of green area in between the parking lot, this one cuts it in half on both side. It has 32 feet on one side and 33 feet on the other side. In my opinion, it puts undue pressure on the side and you don't have to. If you keep it going the long way with the property you can get a maximum amount of buffers all the way around.

Scheme 'D' from the last formal Planning Board meeting that we were asked to look at was take the elements of Scheme 'A' and combine it with Scheme 'C' – which allows you to keep the car headlights focused in the long direction. It still brings you a little bit closer on the side yard. You get down to only 25 feet on one side and 26 feet on the other side. It's slightly less than the 32 feet on each side in Scheme 'C'. It's a far cry from the 75 feet and 57 on the other side for the applicant's preferred scheme.

Also, coming out of the comments – John Pidhirny asked us to look at, well why not try to park cars in as much as you can into the back part of the lot before you get into the large open space? So, I did a couple of schemes to look at. Pulling in as many cars as you can, and still providing the ability for straight trucks to turn around. The one part about loosening the front circle piece is trucks have to come in deeper to get around without doing a 3-point turn.”

Chairman Kenan asked, “why is that lot on a 45 degree or so angle?” Ramsgard said, “that was because that lets me get the radiuses - a box truck needs a 42 foot outside radius. It's got to come in, sweep around and come back. When you do that they kind of have to 'S' around.” The Chairman asked, “and you can't do that if your lot looks this?” Ramsgard said, “you can. A slightly tiny bit more efficient - this was all just based on get the truck in and get it to turn around and lay out the parking around it.” The Chairman asked, “ in that scheme, what's the closest the parking pavement comes to the side property lines?” Ramsgard said, “37 feet at the tip to the east side and 31 feet to the tip of the west side. To answer your question, you square it all off, what happens trying to get the maximum compaction of the parking area, it is a square lot. I don't think there's any saving grace to that scheme. It's a big difference when you look at 'E' & 'F' – when you compare it to even Scheme 'D' where it starts to get broken up. As well as Scheme 'A' where it's completely broken up into 3 zones.” The Chairman said, “all of these are somewhere in the neighborhood of 30 parking spaces.” Ramsgard said, “yes. The 30 spot idea was basically – Steve Krause said it the best – it was splitting the baby between what exists now versus what the Zoning Ordinance requires. From zero parking spaces for the public. There are parking spaces for the owners. There are actually 4 spaces back there but pretty much zero for the public to what the Zoning Ordinance requires. If you take the existing use, without touching it, it's 72 cars, is what's required, at the maximum capacity. Because the Zoning Ordinance says you have to run 2 simultaneous calculations. One you have to run a square footage calculation on one car for every 100 square feet. Or, one car for every 4 patrons. In this case, the square footage wins vs. the number of patrons. There's 269 patrons but, the square footage makes you go to 72 cars. So, the number 30, which is splitting the baby half-way in between. Tried to be sensitive to accommodate both.

Scheme 'G' was to look at if you remove all of the pavement on the west side of Krebs and all of the pavement on the 3-family house, and you come in only on – you make a new curb cut to the east side of Krebs in between Larry Loveless' house and the Krebs proper – and going back to John's earlier idea, maximizing the space in the back, you can get 12 cars back in that space and get enough room for the trucks to turn around and get the balance of the 30 on the back part of the lot. It makes a very large open space of asphalt. Not anything particularly attractive. I think it puts too much pressure on the Larry Loveless' house, the Presbyterian Manor and the other houses that tends to be more open along here back toward West Lake Street. Whereas, when ever we can focus the lot back, you have most of the houses along there until you

got to Lootens, and Sell's and Doug Clark's house, have another piece of property, a large piece. Amy and Dave Ally's triangular shape piece in between so, I don't think it's the right thing to put it back in there because it puts too much pressure of traffic in that spot.

So, onto 'H.' Scheme 'H' was Scheme 'D' and again taking all the pavement off the 3-family house, going on the east side of Krebs, coming in – one of the things that I forgot to mention in Scheme 'G' was that the only minor benefit in head to either of the schemes that enter on the east side is you do get access off to provide parking for Larry Loveless' house directly off the driveway, which that house do not have any driveway or any chance of ever having a driveway of its own. Either it has nothing or it gains some easement from somewhere, from somebody which considering that all 3 properties are in control of the same owner now, you have an opportunity to maybe create parking Larry Loveless' house here or here.

The last, Scheme 'I' was back to earlier comments. Don't change the square footage. A square foot of pavement that's on the 3-family house, remove the circle around the black walnut tree. All of the schemes – forgot to mention - all of the schemes previous Board meeting come back in and show, as suggested by Member Krause, the screening that was part of our original scheme, they all have a new arborvitae hedge, completely surrounding the back parking area of the 3-family house as well as the double row of Norway Spruce along the side entry of Krebs and a new row of deciduous trees across there. So, Scheme 'I' was basically to keep the square foot age of the pavement exactly the same along the 3-family house, remove the circle. Bulb out the parking area slightly so that a box truck could come in – a road portion of the center planting area so the truck doesn't have to penetrate in deeper into the lot without cars here, can turn around and exit back out. With parking inward, it's one-way traffic, so you still need a turn-around on the back side. So, that's it..... Yes, there is a 'J' – I forgot.

So, Scheme 'J' was going back to the 'D' Scheme with removing the circle off of the center piece. It erodes 2 portions of the center aisle so the truck can circle around as long as there are no cars parked.”

Chairman Kenan said, “I asked you to bring tracing paper because I had some thoughts on these. Do you have any comments?”

Member Millman said, “I think from a planning perspective, from a design perspective, I think that the plans with the driveway coming in from the west side is preferable to the ones coming in from the east side. My concerns is that, I know there has been some discussion as to whether or not having a driveway on the west side would somehow trigger the need for a use variance for the multi-family property. I would hate to be asking the applicant to pursue plans under that premise that would somehow then create a road block or obstacle for implementing that plan down the road. So, I'm at a little bit of a loss without having that legal interpretation, which I guess were are delegating to the ZBA.” The Chairman said, “one of the ZBA's functions is to do interpretations for this question. That question has been referred to them.” Ramsgard said, “they are meeting on 26<sup>th</sup> of October, and that is currently on their agenda. So before your November meeting we would have that question settled.”

Chairman Kenan said, “let me give you my thoughts on the plan. I agree with what Toby just said. I think bringing the driveway in on the west side, between Krebs and the former 3-family home is preferable to squeezing it in on the other side. I would prefer a scheme that avoids the big circle because, avoid the tree, yes, but I think the big circle further impacts that residential lot more than is necessary if you handle that truck movement differently. In my mind, the schemes that run linearly north to south are more impactful on everything around them than if the parking is compacted more to the north. I tried to draw with a ball point pen on some tracing paper tonight. I didn’t do very well. But I think – 2 things - in the parking is perpendicular parking, rather than diagonal parking, yes, there’s less landscaping – maybe none - within the parking field itself, but it takes up less area. And I think therefore it impacts less of the surrounding neighborhood. Take a look at this – what I tried to do is put in a compact 2-row parking field as much to the north of that rear parking as possible - supplemented by some parking in the in the area immediately behind the restaurant. But not covering the entire back yard. I think that would be very detrimental. What I’d like to suggest, rather than a particular plan, I think if you follow an approach like this... as much parking as you can fit in the first 80 feet, measured from the back line of the former 3-family home. If you draw a line parallel to Genesee Street 80 feet back (drawing) from the rear line of the 3-family, now go 80 feet and no closer to the east and west property lines than 35 feet which I think allows you to put in all those rows of buffer.” Member Millman said, “I just want to make sure that Andy understood that 80 feet if from the rear property line...” “...no more than 80 feet,” Ramsgard said. The Chairman goes to the drawing on the bulletin board with Ramsgard and explains further. Ramsgard said, “you can get the 80 feet. The downside of that is you can’t get cars to turn around. They are going to have to do a 3-point to get around which means back-up alarms.” More discussion of turning radius for trucks.

The Chairman said, “I encourage you to try something like that. If it’s 85 feet it’s 85 feet. I think the amount of land it covers is what impacts everything around it. Keep it compact like that, I think you can get some parking and have a minimal impact. I think the buffering you’re showing can be effective” Ramsgard said, “the last time, I know it’s not a public hearing, but last time you were here you opened the floor for outside comments. There are some people here tonight that weren’t here last time. I know that Doug (Clark) is here. I met with Doug a lot over the parking. Dave Allyn is here as well. I’d like comment from those 2 guys a little bit about – we did talk about exactly your scheme which is trying to keep stuff up. I understand why you are trying to do that – not penetrate the back of the lot. From a strictly plan standpoint, it does appear that it looks like it’s less disturbance but, I would respectfully disagree that if you could turn it, and can thicken the buffers and it puts the parking that much away from – the 2 longer sides which may effect the neighbors. I am trying to get as much distance away from those 2 sides as possible.”

Rudy Zona, with RZ Engineering, “the one thing I would offer from a storm water standpoint is that the way he’s got the parking broken up here on this plan is number ‘D’ presents better opportunities for the Green Storm Water Practice – like bioswales and things like that which would aid in reducing the size of a pond that would have to go in the back to treat storm water.” The Chairman asked, “if you have the same amount of impervious area?” Zona said, “yes. You can reduce the water quality volume by treating it within a green space between the parking or in the middle of that island where the black walnut tree is.” Ramsgard said,

“whenever you can break it up versus having a massive sheet of water. You have an opportunity to pre-treat it which is a major impact on the overall storm water management plan. That’s why we push for as many green spaces in the middle of the lot as we possibly can because that reduces the overall impact.” Zona said, “the DEC prefers grass islands and things of that nature. If you depress them you can use them as biotreatment areas which reduces the water quality volume you have to contain in the pond, depending on the site soils obviously. I’m anticipating the soils there probably aren’t very good.”

Ramsgard said, “so anytime we can get green chunks in between surrounding by pavement and it lets us run everything into the center, which allows for the pretreatment.” Zona said, “pretreatment would occur there as opposed to in a pond setting. You are going to have to put something in there for best management and practices. You could make the pond area smaller by treating it in other places. (Explanation of ‘pretreatment’): there’s 2 different volumes that you have to worry about. One is the comparison of quantity, which is the amount of water generated. You have a bunch of grass and you put pavement down and you increase the amount of water leaving the site – that’s the quantity part. That you really can’t do anything about with the areas that we are talking about. You just have to detain it and release it over a period of time. The quality part is based on the amount of impervious you have. It’s treatable in a bunch of different ways. DEC has *Rain Gardens*. There’s one right across the street at the Syracuse Water Authority, right out in front. That treats the roof run-off. You can have bioswales or depressed vegetated swales. They call them bioswales where you plant certain vegetation in them that absorbs the water and treats it before it leaves. You can do that and those are called *Green Practices*. Basically, you have to have a basin, something to detain the water for quantity. As part of that you usually treat the quality in there as well by leaving it in there for a certain period of time. It’s a settling thing and it treats it before it leaves. You can reduce the amount of water you have to detain in that basin for that purpose by treating it in other places with these green practices. The DEC in March is coming out with a new regulation that you actually have to treat, depending on your soils, a certain percentage of the site water in that fashion.”

The Chairman asked, “anything else Andy? Any other thoughts from you, Toby?” Member Millman said, “I will reiterate what I said last time which is I think it would be helpful to know from the neighbors, given that we are moving toward a scheme that has parking in the rear of this lot – to get a sense from the neighbors of which approach is preferable. I see the merits in each one of these. So, it’s very hard and we will do the best we can to try to mitigate impacts on everyone, not only the immediate neighbors but on the larger community – to the extent that we can get some feedback on that would be helpful.”

The Chairman said, “we have some neighbors. Anyone want to speak to the subject while we are here?”

Doug Clark said, “number one, everywhere I look in this town there is restaurants surviving and opening and they have no parking at all. I just don’t understand how that happened over the years. Kabuki, Blue Water, Creekside, Pasta Garage - I think they have a lease with the church which could probably be cancelled next year, next month. I don’t know. Number 2, water – my house is right behind here and we have a lot of water there all the time. We are the only house on West Lake Street without a cellar – no basement. That seems to be all right. But, last

week we had a couple of inches of rain and it's a problem. When ever you put blacktop instead of grass, you've got a lot of water as this gentleman explained, but I really don't understand it. I get nervous when I see cars in my back yard, which isn't really my back yard. My wife is an animal person. She has ducks, she has chipmunks and squirrels and rabbits and everything. To see cars there also scares me but also at night when the close, you've got people coming out of restaurant or a bar or what ever atmosphere, and they are hanging out at their cars and talking. And if you lean on the car wrong or in a certain way it could squeal or scream because I don't understand these things – but that's noise and that's problems. Trucks are going to come in here and make deliveries. I used to work in a restaurant in town. We have a lot of trucks coming in and out of there too. It's a little different. This is a neighborhood restaurant. If he's been there that long without parking maybe that should continue. Another thing that if this is approved by a Village Board or which group makes the final deal, I would hate to hear music, outside music or bands or noise. I like my peaceful little street and my wife's little animal garden. Other than that, I'm for Capitalism and jobs and all that stuff. I'm done.”

David Duggen said, “...I live at 10 West Lake Street. It's close enough that the Secret Service posted a guard there when the Clintons ate the Krebs but not close enough to do something about this. I welcome the opportunity to say something. From my perspective, the most important issue here is preserving the residential quality of this neighborhood. That's what the homeowner's bought when they moved in. I see this project as expanding a business. It's amalgamating 3 properties, one of which was allowed through a variance, I'm not sure what the term is, I'm not an attorney – to persist in a business. But this is supporting an expansion of a business. Business have a natural tendency to want to get bigger and attract more business. I have the same concerns that Mr. Clark has about noise, about music. I have a nightmare about hearing the Chicken Song with weddings in my back yard. We are just to the north. We have no buffers proposed between this new amalgamation and ??? So noise is specially of concern to me. We are just this side of Dave Allyn. We are at number 10. I think those are my concerns. This is really a residential neighborhood. Interest should be in preserving the neighborhood not expanding The Krebs.”

Ramsgard shows the location of the Duggen lot on the site map. He said, “we didn't plan on any buffer between you and the property because there's 2 properties in between and with the garage in there, there's no way to see anything.” Duggen said, “we have a garden behind that garage. We've landscaped it. There is one large maple tree that obscures that. We landscaped that years ago behind the garage, and hope to enjoy it.”

Joseph Steencken of 45 West Genesee Street said, “I'm right next to the Presbyterian Manor so as it is I hear the contents of the bar bottles dumped in the trash when that occurs. Been good neighbors with the Lovelesses and my dog got along very well with the Chef because of his generosity. I too see this as a residential neighborhood. It's a non-conforming business in a residential neighborhood. The trend on Genesee Street over the years is been to go less commercial and trend towards residential. There used to be s nursery up near the Fire Station which is no longer there. There used to be a gas station when the Fire Station is. There used to be s motel which is now a residential but not quite as busy as a motel would be. There is a gas station that is part of the Mirbeau's property. I'm not sure. They seem to be toning down the trend – getting rid of a mobile home park and any number of things that have gone away from

parking places – they do start at 4 and the restaurants turn over the tables 4 times you are talking 120 cars. Each car has to come in and go out. 240 vehicle moving. I spent a lot of time in my back yard Sunday. I can hear Allyn's on one side and Lootens on the other starting their cars, closing their car doors. I can hear Dave Duggen another lot away and also Sells another lot away in the other direction opening and closing car doors. Those 2 lots are farther away from me than the parking lot that we are talking about. You have 240 cars going in and out of there every day, and people are doing 1, 2, 3, 4 car doors at a time. You have the alarms going off. I feel like I've got something that is very valuable to me and that's a back yard that's very personal, very quiet. I can sit out there. I can read. I can listen to the Doug's animals running around. I feel that's all going to be lost. I might as well be next to a K-Mart. It's just going to be noise, noise, noise. If it's 10 cars you put up with it. Sometimes your neighbors have 10 cars there. 240 cars coming and going, that's a lot. Way more than a residential area and for someone's back yard. You are talking about a lot of different people here who say, no parking. Look at valet parking. It's done all over the world in cities and towns and successfully."

Gregory Steencken said, "I grew up on 45 West Genesee Street and came back ???to expand on that, has there been any evaluation of traffic flow in and out of this parking lot in terms of safety, street safety? I find that even as being almost exclusive residential, in the Summertime it can be pretty tricky getting in and out onto West Genesee Street. Then multiply that by 240 times in a 4 hour period, seems like that might be a safety issue as well as all the other issues that have been brought up here."

The Chairman asked, "Andy, has any kind of a traffic study?" Galbato responded, "The New York State DOT is going to be part of this Board's Environmental Review of the project which will include your comments as to the curb cut, expansion of the curb cut onto Genesee Street and any other issues they feel that are appropriate." Zona said, "I can add to that. Usually, DOT will request a traffic study if you generate more than 100 cars per hour. If you don't generate more than 100 cars per hour they typically don't ask for one." Galbato said, "this Board will receive comments from the DOT and then make a determination after that for the entire project's SEQR Review, which would include traffic."

David Allyn said, "just one minor point. You guys got my letter 3 or 4 weeks ago. I maintain what I said in the letter. This restaurant has been around for 100 plus years, good times and bad, sickness and health. People have figured out a way to get there. The one thing I will just mention, as my neighbor mentioned me, which concerns me is the notion of weddings and such. If that property, say Adam doesn't want to have weddings and gives us that in writing, 5 years, 10 years whatever he sells that piece of property, somebody goes in there and has to make money. It's a for profit institution. All of a sudden they are going to look at things like wedding receptions and stuff like that. How can we address that if there's a proposal? The only way I can see addressing that is by having a long strip of parking down there. My point here is if we have to go with parking back there, I' an for that long thin strip. (north-south) It kind of eats up that land in there and put the maximum amount of buffer and will preclude people from being able to set up a tent."

The Chairman said, "we don't have enough people to vote tonight, which is strictly procedural. We will check with Doug for tentatively Tuesday evening. The Village Clerk will post a notice.

The meeting was closed at 9:10pm.

*email to: ZBA, PB, Ramsford, Galbato*