

**SPECIAL MEETING OF THE VILLAGE BOARD OF TRUSTEES,
PLANNING BOARD AND ZONING BOARD OF APPEALS
SATURDAY, DECEMBER 4, 2010
9:00 A.M.**

PRESENT: For the Trustees - Mayor Bob Green, Trustees Marc Angelillo, Marty Hubbard and Sue Jones.

For the Planning Board – Members Toby Millman, Doug Sutherland, and Bill Eberhardt.

For the Zoning Board of Appeals – Chair Lisa Banuski, and Members Larry Pardee and Craig Phinney.

OTHERS

PRESENT:	Michael Byrne	Village Attorney
	Rick Galbato	Zoning and Planning Counsel

Mayor Green opened the meeting at 9:00 a.m. and thanked everyone for attending this special meeting, which was called for the purpose of discussing the moratorium that is now in place with regard to the enforcement of the on-site parking regulations, and the parking-space variance fee, under Chapter 225 of the Village Code.

Mayor Green stated that the Board of Trustees had established the moratorium in September 2009, by the adoption of a Local Law. The intended purpose of the moratorium, which was to last for 15 months, was to study the effect of the absence of the parking regulations contained in the Code. The moratorium is scheduled to expire on December 31.

The Mayor felt that it was unlikely that much useful information had been obtained over the past 15 months because of the lingering effects of the recession and the significant slow down in the real estate market and development activity in general, which has persisted for the past two years. Several large scale re-development projects in the Village, which began prior to the enactment of the moratorium, have been suspended, and several are in bankruptcy or foreclosure. With the exception of the demolition and reconstruction of the Keady Building, there have been no new re-development proposals during the past year.

Mayor Green stated that the options available to the Trustees with respect to the on-site parking regulations are these:

- Extend the moratorium for an additional period of time, in the hope of receiving information or experience which would provide a guide to the question of whether such regulations are effective.
- Allow the moratorium to expire, with the parking requirements, variance fee, etc. remaining in effect.
- Allow the moratorium to expire but revise or eliminate the parking requirements and/or the variance fee (which is \$7,500 for each parking space which cannot be provided on-site).

Mayor Green opened the floor for discussion and solicited input from the members of the Board of Trustees, Planning Board and Zoning Board who were present.

Lisa Banuski, Chair of the ZBA, referred to a letter dated December 14, 2009, signed by every member of the ZBA, in which they expressed their opposition to a moratorium. It was, and remains, the consensus of the ZBA that the current law regarding parking requirements, while not perfect, is not bad either. It was intended to address serious concerns with regard to parking problems in the Village and the parking space variance fee was intended to require that those who benefit most by new development or re-development bear some of the burden of that development, rather than passing the burden (inadequate parking spaces) on to the public or village officials. The ZBA would not be opposed to reducing the parking space variance fee but believes that the parking regulations and required variance fee serve a legitimate purpose. (A copy of the ZBA record is attached.)

Mayor Green expressed his view that the Village ought not to be in the business of requiring a minimum number of parking spaces associated with development or redevelopment. He felt that the realities of the market place would dictate to developers that there is a need to provide some level of parking for tenants or purchasers. He also expressed the view that the parking space variance fee is too high and is therefore an obstacle to redevelopment and revitalization of downtown buildings.

Trustee Marc Angelillo stated that he favors keeping the moratorium in place, in order to gain more information and experience before making final decisions with regard to the parking requirements and variance fee.

Planning Board Member Doug Sutherland stated that the real question is what can and should the Village do, going forward, to provide public parking that would facilitate the redevelopment of historic buildings and address any shortage of parking which now exists. He stated that rather than simply collect a parking space variance fee, or other parking related revenues, and hold those funds on deposit for some unspecified purpose, the Village should actively look at a project which would address the parking needs of the community. With a specific project in mind, the parking requirements and variance fee imposed by the Code would be more rationale.

Village Attorney Mike Byrne stated that Village officials had previously undertaken an effort to redevelop the old fire station site on Fennell Street and the project was to have included the creation of approximately 90 new public parking spaces. That project had been abandoned, following the global financial crises in 2008. However, a lot of work was done and it would not be terribly difficult to reactivate the project with a view toward establishing new parking.

Every representative of the three Boards expressed a view with regard to the parking requirements, variance fee and public parking in general. There was a wide variety of views expressed.

The group was asked whether there was a consensus that developers who undertake a commercial project should be required to provide some minimum number of parking spaces and pay some fee for spaces which cannot be provided, in lieu of shifting that burden to the public? Many of those present said they shared that view, while some expressed the view that such requirements should not be imposed.

After a lengthy discussion, Mayor Green suggested the formation of a committee which would be charged with examining the feasibility of making improvements at the Village's Fennell Street property (former fire station) in order to provide additional public parking. The idea was agreed to by all those present and the Mayor indicated he would form a committee consisting of two representatives of each Board. The initial make up of the committee will be as follows:

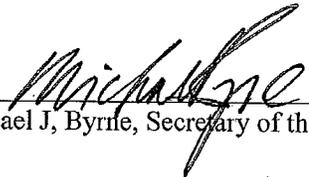
Board of Trustees:	Trustees Jones and Hubbard
Planning Board:	Doug Sutherland (with assistance from Toby Millman) and Bill Eberhardt
Zoning Board of Appeals:	Craig Phinney and Larry Pardee

Doug and Toby will serve as the Chair or Co-Chairs of the Committee.

Village Attorney Mike Byrne will circulate materials and information pertaining to the Village's 2008 inquiry into redeveloping the site.

The Mayor then said that he felt the most appropriate thing to do, with respect to the parking space moratorium, would be to continue the moratorium for six months. A public hearing is scheduled for December 13 regarding a proposed local law, which would have extended the moratorium for 12 months. That proposal will be provided to provide for a six month moratorium.

The meeting was adjourned at 10:30 a.m.



Michael J. Byrne, Secretary of the Meeting

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SEP 25 2009

Village of Skaneateles
Zoning Board of Appeals

VILLAGE OF SKANEATELES

September 14, 2009

✓ scanned & e-mailed to
Village Board
Byrne
Calbato

To the Trustees:

The Zoning Board of Appeals opposes a moratorium on enforcement of the current parking law.

While not perfect, the current law is not a bad one. It was instituted to address serious concerns with parking problems in the Village. Though mitigated by the re-design of the main municipal lot and the addition of the lot behind the post office, those problems have not been solved, and further development will only contribute to the problems.

The parking fund fees were intended to have those who benefit most by development bear the burden of that development. It is unfair to expect taxpayers to pay the parking costs associated with such growth - such as additional lots, a garage, shuttles or the like. Commercial developments (Seitz building, the bakery, Kiltz) *should* bear the burden of their own parking requirements. In these cases, the law is working just fine, and fees have been levied.

It *is* a problem to require substantial parking fees on buildings whose improvements or changes actually reduce parking requirements from existing levels. It would seem a relatively simple matter to amend the current law in this regard without abandoning the law or the thinking behind it altogether.

In a couple recent cases, the parking fee has been resolved to the satisfaction of most parties through the Planning Board, ZBA and Village Board working together via the variance process. While it may seem cumbersome, this process allows great input from all parties and the public. Working the kinks out of the current law will only improve this process.

The fallout of a moratorium could be disastrous - will every property owner rush to expand or add on? Or build up? Will this be the time to go from 4 apartments to 6? Will Blue Water add 50 seats? Will retail all convert to offices? (*Then* where will everyone park?) And what of those who have paid already? Do we pay them back? With interest? Defend a lawsuit?

A moratorium seems like an overreaction to some very vocal merchants and some glitches in the current law that can be addressed by modifying that law - and in the meantime, continuing the process of review by the Planning Board, ZBA and Board of Trustees.

Respectfully submitted,

Ken Banel,
Chair
SB

Paul B. Phinney
Larry Pardee