

REGULAR MEETING, VILLAGE BOARD OF TRUSTEES
THURSDAY, JULY 14, 2011
7:30 P.M.

PRESENT: Mayor Marty Hubbard, Trustees Marc Angelillo, John Crompton, and Sue Jones, Police Chief Lloyd Perkins, Director of Municipal Operations (DMO) Bob Lotkowitz, Codes Enforcement Officer (CEO) Jorge Battle, Skaneateles Fire Dept. Chief Eric Sell, Village Historian Pat Blackler, Village Attorney Mike Byrne, Special Counsel Rick Galbato

OTHERS:	Carrie Chantler	Skaneateles JOURNAL
	Jason Emerson	Skaneateles PRESS
	Jim Lanning	12 Hannum Street
	Sue Dove	Skaneateles Chamber of Commerce Executive Director
	Bob Eggleston	1391 E. Genesee Street
	Jim Williams	13 Jordan Street
	Peter Wiles	13 Jordan Street
	Betsy McKinnell	88 West Lake Street
	Steve White	20 State Street
	Mike Worden	20 East Genesee Street #2
	Arnold & Libby Rubenstein	2 East Genesee Street
	Robert Kiltz	42 East Genesee Street
	Jackie Keady	4 Woodmere Terrace
	Denise Gambell	12 East Genesee Street
	Linda Roche	54-56 East Genesee Street
	Julie Sharpe	52 East Genesee Street
	Richard Schmidt	26 East Genesee Street
	Bill Mahood	60 West Lake Street

Public Hearing on Local Law #1 of 2011 – Reduce the off-street parking fee to \$1,500/space – At 7:30 p.m., Mayor Hubbard welcomed attendees to the meeting and the Public Hearing on Local Law #1 of 2011. He acknowledged previous receipt of correspondence (that will be attached to become part of the Minutes) from Architect Bob Eggleston, Alan Dolmatch, and Chamber of Commerce Executive Director Sue Dove. He announced that there will not be a decision tonight therefore providing an opportunity for additional comments until the first Village Board Meeting of next month, August 11, 2011. Before opening the hearing to the floor at 7:34 p.m., Mayor Hubbard asked everyone to sign-in and to identify themselves when speaking.

Peter Wiles said he thinks addressing the fee is missing the point as there are some issues overall. He encouraged the Board to continue the moratorium or drop the fee to zero or consider the entire parking issue. In response to Trustee Angelillo, Mr. Wiles said he doesn't think there is a basis for a fee of \$7,500 or \$1,500. Without intended plans for the "pot of money" how do you assign a value?

Robert Kiltz stated that he is in favor of eliminating the fee in whole as he deems it as a taxation of the businesses.

Arnold Rubenstein read aloud his written statement that suggested re-instituting a moratorium to allow the Village time to address all the issues and requested that a committee have representation from the Skaneateles Chamber of Commerce and the North Shore Property Owners Association.

Sue Dove distributed copies of the two petitions (one distributed by the Chamber, the other by the North Shore Property Owners) with 80 – 100 or so signatures in total. She read aloud the petition, "We, the undersigned, concerned with the vitality of our business district in the Village of Skaneateles, respectfully urge the Board of Trustees of the Village of Skaneateles to either (1) extend the moratorium of Chapter 225, Article XII, of the Village Code concerning the off-street parking space fee ("Parking Space Fee Ordinance") OR (2) reduce the Parking Space Fee to Zero Dollars AND (3) commit to working with local businesses to amend the Off Street Parking and Loading Sections 225-57 & 58." Mrs. Dove said she agrees with Mr. Rubenstein and wants representation on a committee. The Chamber wants to encourage economic development and thinks the fee discourages the same.

Bob Eggleston referred to his email that included a letter he wrote when the 2009 Parking Revisions were up for public hearing. Mr. Eggleston reviewed the history since that time concluding that although the current question is different, the problem is still the same. He said changing the parking fee from \$7,500

to \$1,500 is not a solution, but rather just a lousy band-aid. The problem is the fee relating to everyone. Mr. Wiles, for example, renovated his building and decreased the parking demand. Atty. Byrne noted that the fee in that instance was waived. Mr. Eggleston wrote, "It is unfair to existing property owners that are not increasing the parking demand of their property to be required to pay into the fund as if they were starting from scratch. Details of how parking is calculated for each property need to be corrected to allow alternate solutions where they are effective (tandem parking, time of overlapping uses). I feel the 2009 draft of the parking law amendment is a worthy place to pick up this issue and further refine it to make a better law that is fair to the business district property owners and tenants as well as the citizens of the Village and visitors who come to town and need a place to park." Mr. Eggleston said he thinks the fee is appropriate for property owners/tenants that are putting additional demand on downtown parking, but not for already established uses that have already indirectly paid for the Village to provide what is already here in terms of public parking. He said the Village has already taken on projects that have helped the parking situation. It cost money to do so and it's appropriate for businesses that increase the parking demand to be a part of that financial responsibility. That is why the parking fund was created. Mr. Eggleston concluded by saying, "fix the broken parking zoning law".

Alan Dolmatch noted that, as a former Village Trustee, he was the chairman of the parking committee formed in 2004 to investigate and address parking issues. He said he will address some of the points he wrote about in a recent memo. The parking fee is not to punish property owners, but rather to create enough resources to fix a parking problem that was deemed to exist by a general agreement amongst downtown merchants in 2004. He said the Village shouldn't have to fix problems resulting from private initiatives and shouldn't use public funds beyond the existing parking areas. Mr. Dolmatch said he doesn't believe a \$1,500 fee makes any sense, nor does he think the Village should jump ahead with converting the former fire station property into downtown parking before studying and considering Fennell Street objectives. If we don't still have a parking problem, eliminate the parking deficiency fee, get rid of parking requirements in the Downtown D District and let the property owners/developers re-use and redevelop their properties taking the risk that tenants and businesses will have to get by without additional available parking. Mr. Dolmatch suggested re-examining the parking zoning law.

Mike Worden said he sees a discrepancy in the discussion when the new owner of Krebs offered to provide 60 parking spaces and is now down to 10.

Steve White recalled an analysis that concluded that 1½% of the year (sidewalk sales and Dicken's) there is a parking problem. Skaneateles is a vibrant, active community and he doesn't hear any merchants complaining that customers can't get in to their establishments. He said the Village threw away an opportunity with the Krebs by listening to neighbors. Mr. White said he is in favor of no fee and no law – a solution to the wonderful situation of customers continuing to come to Skaneateles.

Richard Schmidt asked where the money goes that a person pays. Mayor Hubbard responded that there is a separate Parking Trust Fund and an accounting of the fund from its inception was done. The fund paid off the improvements, is not raided for any other expenses, and currently has a balance of \$74,000. Mr. Schmidt said he annually pays \$360 per parking pass for his residents so that they have a parking space. He feels he is doing his share as a building owner and it is working very well right now. He is not in favor of another "tax" to improve his building.

Arnold Rubenstein said he is pleased to hear that there is a separate fund that can't be raided.

Atty. Byrne, in response to Alan Dolmatch's request, read aloud a portion of the Local Law relative to the Parking Trust Fund. "F.(2) Establishment of Off-Street Parking Trust Fund. There is hereby established the Village of Skaneateles Off-Street Parking Trust Fund, (hereafter the "Parking Trust Fund" of "Fund") to be administered by the Board of Trustees exclusively for off-street parking and truck loading purposes, including the acquisition of land for such purposes, by purchase or lease, and the construction of improvements incidental to such purposes. The Fund may also be used, in the discretion of the Trustees, for such additional purposes as are reasonably intended to ease the shortage of public parking in the downtown area, to include the purchase or lease of remote lots and supporting improvements and the purchase, lease and/or operation of shuttle buses or other equipment reasonably related to that purpose. Expenditures from the Fund need not be confined to the immediate downtown area so long as such expenditures are likely to have a beneficial effect on public parking in the downtown area. The Fund may not be used for purposes that are not reasonably related to the establishment of public parking in the downtown area and may not be used for ordinary maintenance of parking facilities, enforcement activity or other municipal operations."

Richard Schmidt noted that there is some “wobble” room regarding using funds for perimeter parking areas. Atty. Byrne said the funds are intended to cover the downtown area, but agreed that there is some flexibility.

Bill Mahood said the merchants support the Village and surrounding area, parking serves the entire community and the Board ought to take that into consideration. The merchants are staunch supporters of non-profits and charitable organizations, so don't add additional financial constraints that might diminish their level of support.

Jim Lanning asked if the Austin Park pavilion parking area is included in the law. Atty. Byrne said it is not carved in stone, but funds could be used as it is conceivable that it could be used for public parking.

Alan Dolmatch advised that at the time of the ordinance, the Village negotiated with the school and the town for auxiliary parking spaces with locations at the head of Leitch Ave., the lot adjacent to the school headquarters, and on the west side of the Austin pavilion. No funds were spent on those lots, but could be.

Peter Wiles asked how many have paid into the fund for parking deficits. Mayor Hubbard said only one paid the \$7,500/space times a number of spaces fee. Mr. Wiles concluded that most of the funds are generated from the parking pay stations and parking passes.

Julie Sharpe said it is crazy to refuse parking spaces at the Krebs because of squeaky wheels. She doesn't think there should be a fee.

Steve White noted that not one of the nine (out of the 23-24) building owners that get involved, has expressed a problem with customers. If “meter stuffers” were even better patrolled we'd alleviate taking up spaces. He said he appreciates the Board taking the heat.

Linda Roche said she agrees with Julie. In this economic climate we hope to have a parking problem. We ought to be encouraging new businesses and the updating of buildings. Property values are dropping from assessed values and to add extra expense for parking when taxes are tough enough is detrimental. She added that the parking fee on Sundays is discouraging. We don't want to end up being a Cazenovia or Seneca Falls – we are on our way with people becoming more realistic in what they are spending.

Arnold Rubenstein said he has a personal issue as he has eight parking spaces with tandem parking that the Village lets him use but not count as spaces. Tandem parking needs to be addressed.

Mayor Hubbard reiterated that there won't be any action tonight. **Resolution #2011-119:** At 8:20 p.m., on the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (4-0 in favor) to hold open the Public Hearing until the Village Board Meeting of August 11, 2011 for further comments and hopefully close at that point. In discussing the motion, Trustee Angelillo confirmed with Atty. Byrne that after the Public Hearing is closed we have sixty days to make a decision. The Board confirmed for Dr. Kiltz that the old law is still in effect as the moratorium ended and a new law has not been adopted. Mayor Hubbard assured everyone that the Board is not going to drag its feet.

Minutes – Resolution #2011-120: On the motion of Trustee Crompt, seconded by Trustee Jones, it was resolved and unanimously carried (4-0 in favor) to approve the Minutes of the Regular Meeting of June 23, 2011 and the Operations Meeting of July 7, 2011 as presented.

Correspondence and Announcements – Mayor Hubbard announced the following:

- St. James Episcopal Church letter requesting permission to hold a public Community Service of Prayer & Remembrance on Sun., Sept. 11, 2011 from 6:30-7:00 p.m. in Shotwell Park. In response to Trustee Jones indicating that she is okay with this as long as it doesn't conflict with any other event already planned. CEO Batlle advised that this is entirely different. The other tribute planned is for everyone (churches in particular) to ring bells at 8:36 a.m. – the time when the first plane hit the first tower on September 11th. Bells will be rung in three separate peels reflecting the three tragic hits on that day. **Resolution #2011-121:** On the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (4-0 in favor) to grant permission to St. James Episcopal Church as recorded above.
- Receipt of the draft Comprehensive Plan documents and Notre Dame Report that are available for review at the Village Office. Committee Member Alan Dolmatch offered to meet with the Village Board, Planning Board, and ZBA for a summary session along with Kathryn Carlson, the other Village representative on the committee, to highlight points for the Village.

- Letter from NYS DEC regarding Wastewater Treatment Plant Operator Certification. DMO Lotkowitz explained that Rural Water is the new vendor for renewals.
- Onondaga County Planning Federation Annual Planning Symposium Aug. 18, 2011, 8:00 a.m – 4:15 p.m.
- Receipt of Treasurer's Reports for June, 2011
- Glens Falls National Bank LOSAP Account Summary for June, 2011
- Skaneateles Education Foundation Request for permission to participate in the 2011 Sidewalk Sale. **Resolution #2011-122:** On the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (4-0 in favor) to approve the non-profit Skaneateles Education Foundation request for permission to participate in the 2011 Sidewalk Sale setting up a table to sell their board game Skanopoly.
- Open Request for Quotes for Chapel Roof on Wednesday, July 20, 4:00 p.m.
- St. James' EARTHWORKS Request. **Resolution #2011-123:** On the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (4-0 in favor) to approve the St. James' EARTHWORKS request to set up tables/booths on the lawn at the east end of Austin Park, next to St. James' on September 24, 2011 from 9:00 a.m. to noon for a "Green Fair". Trustee Jones suggested that perhaps DMO Lotkowitz would want to attend if it seems like a good idea to represent the Village's environmental initiatives. DMO Lotkowitz said he might pass this along to Municipal Board Commissioner Peter Moffa.
- Cavaiolo Request for temporary storage container. Mayor Hubbard explained that Sue Dailey from Legg Hall inquired if it would be acceptable to place a temporary storage container (like a PODS) in the rear yard of the Legg Hall parking garage property. The container would be there until about November to be used Frank and Shirley Cavaiolo while they are reconstructing the Chestnut Cottage after the late winter fire in 2010. Atty. Byrne agreed with CEO Batlle that Section 225-27H(4) seems appropriate and would allow the Trustees to grant approval under the special circumstances. **Resolution #2011-124:** On the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (4-0 in favor) to allow placement of a temporary storage container with removal by the end of this year. In discussing the resolution, Atty. Byrne said the Legg Hall residents' letter of their approval is an adequate application.

Director of Municipal Operations – DMO Lotkowitz reported that a pre-construction meeting for the UV Project was held today and a Notice to Proceed was issued today to Henderson Brothers for Contract 1 and Beken Contracting for Contract 2. A projected March 9, 2012 completion date coincides with the mandated completion date. Mayor Hubbard noted that both contractors anticipate that they will have the work done by the end of 2011. DMO Lotkowitz said the sewer project is complete from the manhole we left off of to the crest of West Lake Street. The waterline work will commence next week and D. E. Tarolli estimates that it will take 5 to 6 days to complete. After that, survey work can begin. Trustee Crompt asked if we are doing all we can to keep the dust down with the dry forecast. Fire Department Chief Sell said the Fire Department hosed down the road once and may have to do so again. DMO Lotkowitz further reported that the DPW is working on Onondaga Street in preparation for Onondaga County paving the street. The DPW is on the east side of the street now – new manhole covers are in, they are preparing the foundations for curbing, etc. They are also working on narrowing the Onondaga and Genesee Streets intersection and met with Larry Hasard of the NYS DOT. In response to Trustee Jones asking if the curbing can be re-cycled, DMO Lotkowitz said the curbing is being replaced with granite. He also advised that the NYS DOT is repaving State Street from the Recreation Center to Academy and an email was received this morning relative to the State's microsurfacing project between Rt. 41 and 321 in early August. In response to Mr. Hasard asking about particular days in August to avoid doing the work, Mayor Hubbard said he thinks the work ought to be done the first part of August, in the first part of the week. DMO Lotkowitz said he will contact Shawna at FEMA to schedule a meeting for sometime next week.

Police Department – Police Chief Perkins verified that the Board received the June activity report via email. He advised that the speed sign will be going to West Elizabeth Street tomorrow; the new police car was ordered and delivery is expected by the end of the month. Mayor Hubbard recalled that we need

to adopt a Local Law relative to stop signs and ordinances in the Parkside sub-division. Chief Perkins said we should look at all areas in the Village for signs wanted and/or needed. He suggested residents E-mail the Police Department with suggestions for other areas of concern. Atty. Byrne confirmed that all areas can be established under one local law and any traffic control device can be incorporated. Trustee Angelillo said he receives daily complaints/comments from his family about the traffic backup at Kane Ave. and Rte. 20. Chief Sell said, on occasion, it has been problematic getting the fire trucks out as traffic extends at times almost to Prentiss Drive. Mayor Hubbard said it has to be monitored at the right time – requests have been previously sent to the NYS DOT for a traffic light but have been denied. DMO Lotkowitz said he thinks the NYS DOT is working on something now and agreed to follow-up as Mayor Hubbard requested. Atty. Byrne said the most potent request method is for the Mayor to write the DOT especially stating that the Fire Station is there now and the Board has increased concern that the backup of cars at the intersection will hamper the departure of emergency vehicles leaving the fire station. He asked SFD Chief Sell to also put something in writing. Alan Dolmatch, a former Trustee, recalled that prior objections were based on an inconvenience to motorists, but now the emphasis is on safety hazard of not getting the emergency vehicles out. He noted that traffic quantity has changed with the additional traffic from Orchard Road's extension in the new Parkside subdivision. Chief Perkins said the road should be widened another two feet also. Mayor Hubbard asked DMO Lotkowitz to discuss that with NYS DOT as well.

WWTP Report - Trustee Angelillo gave a WWTP report for the month of June, 2011, noting 3.54 inches of rain, monthly rolling average below permitted rolling average, no violations, and the plant met all requirements for BOD and suspended solids removal.

Codes Enforcement – Codes Enforcement Officer (CEO) Batlle reported:

- Having been reporting at past meeting that the Building Permit issuances were ahead of last year, now with issuing just 29 permits to date, we are a bit behind last year's pace. However, there are numerous projects waiting in the wings.
- Completed the fire/safety inspections round for now. Another batch will be undertaken in about 60 days.
- Continuing to enter building permit history into the computer. I have finished 2004.
- A lot of small projects are being completed. Issued the Certificate of Occupancy for the new Skaneateles Artisan's gallery in the Stone Mill building and for the sports store where the Artisans were originally.
- Have had a few unusual inquiries such as installing a 12 foot high fence to prevent kids from climbing onto a flat roof where apparently they skateboard. And how to handle a seasonal dock installation where the land mass is too small to meet the required set-backs. Also, if someone can take down a chimney and not replace it on a home in the historic district.

Skaneateles Fire Department – SFD Chief Sell reported:

- Total fire calls for 2011: 198 calls; an average of 13.92 personnel per call; 1,408.40 personnel hours were spent on fire calls only; currently 46 calls ahead of last year at the end of June.
- June fire calls: Fire 20; Rescue 4; EMS 5; Water Rescue 1; Mutual Aid 3.
- Training hours for June: 3 drills offered; 20 personnel average; 162 personnel hours; 7 personnel completed Truck Company Operations; 9 personnel currently in Firefighter II; the SFD is hosting a Farm Medic Class July 19th, 21st, & 23rd.

Chief Sell noted that the SFD has been added to the Elbridge box alarm as their manpower is down.

Village Historian – Relative to the Burrows Chapel roof replacement, Village Historian Blackler reported that another round of request for quotes were mailed and are scheduled to be opened on Wednesday, July 20 at 4:00 p.m. Tickets for the August 27, 2011 fundraiser are available.

Concerns - Mrs. Blackler commented that she is concerned that the number of sandwich board signs is going overboard and has noted temporary signs on street corners for businesses, not for non-profits as is

allowed. Trustee Jones said she shares the concern. CEO Battle said the realtors are the worst offenders and letters go out every year. Chief Perkins said the parking at the old fire station on weekends is out of

control and becoming a problem. Mayor Hubbard suggested that a more clearly defined configuration and a proper lay out would help. Alan Dolmatch said Gary Snyder did the original layout and we have adequate topographic maps. Mayor Hubbard asked DMO Lotkowitz to ask Mr. Snyder for a proposal.

Corrected Tax Roll – Clerk/Treasurer Couch explained that since it was created, Gateway Apartments has been wholly exempt with the Village (as is Village Landing) and no tax bill has been issued. However, Gateway Apartments is not exempt with the Town or County. Inasmuch as this year’s tax bills were based on the Town’s roll and printed by the County from the Town’s RPS computer program, there wasn’t a way to exempt the property from just the Village. Therefore, this year a Village tax bill was produced. After discussion with Town of Skaneateles Assessor Ron Miller, the application was submitted to the Onondaga County Department of Finance to correct the tax levied by the Village and now requires approval by the Village Board. Ron and I think this procedure accomplishes the correction with a properly documents paper trail. **Resolution #2011-125:** On the motion of Trustee Jones, seconded by Trustee Crompt, it was resolved and unanimously carried (4-0 in favor) to approve the application for corrected tax roll for the year 2011 relative to Gateway Apartments, 79 Fennell Street, with the parcel ID #003.-01-30.2.

Clerk to the Boards – Mayor Hubbard said the majority of the applicants are not certified as a Code Enforcement Officer, so for now the title will be Clerk to the Boards to do the administrative work. **Resolution #2011-126:** On the motion of Trustee Crompt, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) to appoint Elaine DuBois as Clerk to the Boards commencing July 18, 2011.

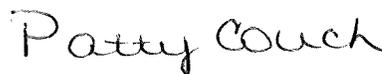
Five Minute Recess

Bills and Adjustments – **Resolution #2011-127:** On the motion of Trustee Jones, seconded by Trustee Angelillo, it was resolved and unanimously carried (4-0 in favor) that bills from Abstract #3 be audited and paid as follows:

General Fund	Vouchers #76 – 133	Checks 13045 - 13102	\$ 65,601.61
Sewer Fund	Vouchers #23 – 48	Checks 3864 - 3889	\$ 99,250.53
Water Fund	Vouchers #11 - 20	Checks 3184 - 3193	\$ 5,467.31
Electric Utility Fund	Vouchers #27 - 42	Checks 4440 - 4455	\$ 15,881.86

Parking – Discussion continued relative to parking including the lost opportunity for parking at the Krebs and the possibility of extending meters on both sides of West Genesee Street from Hannum to Orchard.

Adjourn – The meeting adjourned at 10:10 p.m.



Patty Couch
Village Clerk/Treasurer

July 14, 2011

Village of Skaneateles Board of Trustees
46 E. Genesee St.
Skaneateles, NY 13152

To Board of Trustees,

The attached document, although written a year and a half ago in 2009, is again being presented as the members of the board have changed and; therefore, some of you may not have seen this correspondence. The issues raised in the document still exist today as I do not believe they have been addressed.

Although the issue tonight is to vote on lowering the parking fee, I am requesting that the board reinstate the moratorium so that the parking issue can be reviewed in its entirety. The law, as it exists, has flaws that need addressing, beyond just the parking fee dollars.

Instituting a moratorium will allow the village to address all the issues that need to be addressed. I respectfully request that the Skaneateles Chamber of Commerce and the North Shore Property Owners Assoc. each have representation on the committee so that these concerned segments of the community can have input on creating our governing laws.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Arnold Rubenstein".

Arnold Rubenstein
President- North Shore Property Owners Assoc.

July 9, 2009
Village of Skaneateles Board of Trustees
46 E. Genesee St.
Skaneateles, N. Y. 13152

RE: DRAFT of proposed Skaneateles
Ch 225, Zoning

To Board of Trustees,

I have read the proposed DRAFT and respectfully suggest that it be tabled for further study before being voted on. My reasons for this suggestion are as follows:

1. Paragraph 225-58 A.(2) (a) The draft states that this parking regulation applies to the whole village, but a survey will be taken to grandfather parking spaces only in the "Downtown D District". I appreciate the reasoning behind doing the survey and I recognize how it will benefit me. I don't understand why this won't be done for the whole village as this proposal covers the whole village. I think a survey should be done for churches, schools, non-profit clubs, retail establishments, all residences, etc. Since parking requirements are spelled out in detail for all possible uses, shouldn't a schedule be created and maintained for all the current existing grandfathered spaces for all users any place in the village?

I recognize that paragraph D. (5) exempts state-chartered churches, libraries, and municipal buildings from paying into the Parking Trust Fund but these facilities are not exempt from any other requirements in this proposal. They, too, would benefit from a survey to grandfather current required spaces.

RECOMMENDATION: Every property in the village should be surveyed for parking spaces, and grandfathered where necessary, and the records maintained at the village hall to establish a base line for future reference to help evaluate future growth and needs.

2. Paragraph B.(8) (c) says "No entrance and exit drives connecting a parking area and the street shall be permitted within 25 feet of the intersection of two public rights-of-way." This means that the access to the downtown D historic-building parking at Jordon St. and Genesee St. can no longer be used as the entrance is at the traffic light at the intersection.

And the entrance to the downtown-municipal-parking area is directly across from the intersection of Fennel St. and Jordon St. Under this proposal, these entrances will have to be eliminated. I do not believe it is your intention to close these parking area entrances. If that is not your intention, this language should be eliminated.

RECOMMENDATION: This proposed DRAFT has to be rethought so that it applies to our village without causing harm.

3. Paragraph D. prohibits tandem parking. Paragraph B. (1) says that a single family dwelling requires two parking spaces. Paragraph B. (7) (a) says 400 square feet is required per space, and paragraph B. (7) (b) says every "such space shall have direct and usable driveway access to a street". To meet these requirements every single-family dwelling has to have a three lane driveway. I question the wisdom of this requirement and don't really believe it is the intent of this board to impose this burden on every home in the village. We can eliminate this burden by recognizing tandem parking. Tandem

parking should be recognized where the tandem spaces are assigned to, and therefore are controlled, by the same unit. Than a single-family home will only require a two lane driveway. Hopefully homes in the older parts of the village will have enough room to create a two lane driveway. For a two family house, a three-lane driveway or an 80 foot long two-lane driveway is required to meet the requirement to park four cars according to this proposal. These requirements will be a burden to most every home.

RECOMMENDATION: Tandem parking should be recognized as legal where the two *tandem* spots are controlled by the same unit, or all reference to tandem parking should be totally eliminated from this document.

4. Paragraph E. (1) Statement of Intent: The first sentence that states "In order to more equitably distribute the costs associated with providing public parking" is not being adhered to by this proposal. The public parking is for the whole community and should be equally supported by the whole community, not just the merchants. The merchants are a part of the community. If we weren't here, you wouldn't have the desirable village atmosphere that we all enjoy now.

RECOMMENDATION: Any financial costs associated with creating more public parking, should it be proven to be needed, should be a line item in the village budget. It should not be born solely by a few properties that are already the most heavily taxed in the village.

5. In regard to section 225-57. Intent.

Off-Street Parking is not the appropriate place to try to address demolition of existing structures. This should be addressed by Zoning and the Historic Commission.

6. Paragraph E. (4) \$7,500.00 per parking-space is a burden to the merchants or any residence that could be required to pay it. As previously stated, any future parking development costs should be a line item in the village budget. If it becomes the desire of the Board of Directors to demolish the old fire station on Fennel St. to create more parking, those costs should be paid for by all the people of the village. When the village needed to build a fire station, all the people paid for it. If it is now deemed desirous to tear down the fire station to create parking, everyone should again pay for it, not just the downtown-property owners.

I believe this proposed DRAFT creates more problems than it solves. Therefore I repeat my request that this DRAFT be tabled for further study. The committee to study these issues hopefully will have representation from the folks that own the properties and live here, and from the Skaneateles Chamber of Commerce.

Respectfully Submitted,



Arnold Rubenstein

Parking Law Hearing Comment - Public Hearing on Thursday, July 14, 2011

Respectfully submitted by Alan Dolmatch, 52 Academy Street, Skaneateles, NY 13152

In my opinion the proposed Local Law whereby a property owner, failing to meet parking requirements on his/her property for any change of use, would pay a nominal amount (\$1,500) into a Parking Fund makes no sense. I believe it will neither lead to the increase the availability of parking in the downtown nor deter property owners from doing what they perceive to be in their economic interests.

History may be instructive in that regard. In 2004, there was general agreement amongst downtown merchants that the Village had a “parking problem”. This was mentioned time and again to the Village Board. A Parking Committee (chaired by me as the “newbie Trustee” – let Dolmatch handle the parking issue) was set up to evaluate the situation and make recommendations that would mitigate if not solve the problem. The problem was evident on several levels. First, on street-meter hogs would park all day at convenient locations, feed the meters and effectively eliminate them from the inventory of parking needed to serve customers of downtown businesses and shops. They were not ticketed for overtime parking. Second, the long-term section of the municipal lot was a free and convenient place to park all day (or all season) for car-pooling, snow-bird vacations and employee parking, effectively removing those spaces from availability for customer turn-over. In addition, two-hour parking in the south section of the lot was minimally enforced so it became all-day parking. Third, ticketing, when done, was either ignored by the ticketed party or, if a court appearance occurred, an officer would not appear to support the \$5 fine and/or the magistrate would dismiss the ticket without a fine. Finally, downtown businesses and property owners wanting to expand or change uses were often granted exemptions to the zoning laws for on-premises parking by a mechanism whereby parking spaces in the municipal lot were deemed to be credited to the applicant’s property. In that manner, 287 of the municipal lot’s 207 spaces had been allocated.

To address the “parking problem” changes to local law and parking facilities were recommended and adopted by the Village Board. Together with a tightening of enforcement (which was key), a variety of charges were established, some to be paid by the parking public, some by a property owner who wanted to make the parking shortage more severe by adding square footage or changing use without providing the requisite parking spaces required by zoning law. That part of the law was flawed insofar as, in application, the amount of parking required was calculated as if the whole property was being newly permitted. For example, a property that was adding one apartment (but had a pre-existing deficiency of 10 spaces) was deemed to need to provide 12 spaces rather than the 2 spaces required for the new apartment unit. **It was the presumption of the law (and the Board at that time) that in the absence of the capacity of private property owners or developers to provide the required increment of parking, the public authority would eventually meet pent up demand by adding parking to the municipal inventory.** This would necessitate downtown land acquisition (most likely improved land), demolition and the creation of a parking lot there. Based on house prices

at that time and downtown residential parcel sizes, the likely cost of creating parking for the downtown was calculated to be in the range of \$7-10,000. (In today's economy, the cost is likely in the same range – see the calculation as a note to this statement).

Since that time, several important factors have changed:

- Enforcement has greatly improved – Scoff-laws no longer monopolize parking spaces in the downtown as ticketing will result and fines will become due and collected. (The Police Department has added a “Boot” to its enforcement arsenal.)
- All day parking costs money – not a lot (\$2.00/day) but enough to deter the casual daily parker from just leaving his/her car when the car can be parked at the fringes of the down-town on street or in peripheral lots all-day for free.
- Long-term parking is no longer available except by buying a monthly pass. Residents must move their vehicles during the week or risk being ticketed.
- More parking is available around the downtown fringe including more spaces at the post office and peripheral lots. Signage tells visitors about these areas.
- The courts and police cooperate and tracking of outstanding tickets is greatly improved, deterring scoff-law behavior by employees, residents and visitors.

Things had improved sufficiently so that in 2009, at a public hearing on parking laws, merchants, downtown property owners and citizens stated unequivocally that there is no longer a parking problem in the downtown, that the Parking Fund and the fees that were development-related were not needed and that the Village Board should rescind the provision requiring payment into the Parking Fund for shortages in on-property parking. (Evidence of that parking adequacy is the daily surplus of parking spaces in the pay-to-park lot. Once 6 p.m. rolls around on a summer weekend evening, parking in the lot becomes tight but that's because people want the convenience of proximity.)

If those advocates are correct, **no harm to the public** will come from redevelopment of private property in the downtown without compensating parking. If they are not correct it is the developers and property owners who will be at risk and may come to economic harm...self-inflicted wounds as it were. In my opinion as a former real estate consultant and planning official, the risks of not providing parking are borne by the property owners, not the Village. If sales lag in our shops, we are minimally affected, as we get no sales tax revenues anyway. Any property owner wanting to add expensive residential units in the downtown will have to find buyers who don't need secure or reliable parking, greatly limiting their pool of clients. Additionally, knowledgeable real estate lenders will reject projects consisting of units without adequate parking as not salable. Those projects will be non-starters for the lenders. In effect, the market will determine what is or is not adequate parking. The Village will not need the Parking Fund fee, whether \$1,500 or \$15,000, since it need not build parking facilities because there is no parking problem.

My recommendation to the Village Board is to eliminate the deficiency fee, get rid of parking requirements in the Downtown D District and let the owners use their properties as the free market and common sense would dictate. Those who over-step will find the market will not treat them kindly. So it goes.

FW: Parking, what else? Now is the time to put it to bed

From: **Bob Eggleston** (roeggleston@hotmail.com)
Sent: Thu 7/14/11 10:48 AM
To: Marty Hubbard (martyhubbard@verizon.net); Sue Jones (spfjones58@roadrunner.com); Marc Angelillo (marcange57@hotmail.com); John Cromp (jcromp@verizon.net); Mary Sennett (marysennett@gmail.com); clerk@villageofskaneateles.com; Mike Byrne (mjbyrne@bcplegal.com)

Mayor and Trustees

Attached is an Email I sent three years ago when the 2009 Parking Revisions were up for public hearing. A number of North Shore and business district property owners got up in arms about any payment at all and the whole deal got put on the shelf and the Moratorium was put in place to see how things go and give time to work out all the kinks. Three years later, the moratorium, extended several times has expired and we are back in the same place with a broken law. I want to resubmit and enter into the record my July 26, 2009 Email as it still applies. Although the current question is different, the problem is still the same and the Village citizens have elected you five people to lead the Village for the benefit of everyone; business people, residents, property owners, as well as visitors and general members of the community (Town).

Changing the parking fee from \$7,500 per space to \$1,500 IS NOT A SOLUTION. At best it is a lousy band-aide.

The problems of the current parking law remain. It is unfair to exiting property owners that are not increasing the parking demand of their property to be required to pay into the fund as if they were starting from scratch. Details of how parking is calculated for each property need to be corrected to allow alternate solutions where they are effective (tandem parking, time of day overlapping uses). I feel the 2009 draft of the parking law amendment is a worthy place to pick up this issue and further refine it to make a better law that is fair to both the business districts property owners and tenants as well as the citizens of the village and visitors who come to town and need a place to park. This is no different than the Sewer I&I charge imposed on village property owners when they substantially increase their water/sewer consumption.

As to the amount of the fee - Alan Dolmatch has researched the question both in the 2004+/- and raised the question currently. The \$7,500 fee has merit as to the actual cost of an individual or the Village to create a parking space. The solution is not tearing down every house on lower State Street or Fennell Street, destroying the Village of it's charm to create vast parking lots or enormous parking garages. It is much more effective for the Village Trustees to be responsible for finding parking solutions for the business district than individuals - separating out the property owners/tenants with vast resources from those without. The fee is appropriate for property owners/tenants that are putting additional demand on downtown parking, but not for already established uses who have already indirectly paid for the Village to provide what is already here it terms of public parking. Changing the fee to \$1,500 has no economic basis or rationale.

The Village has already taken on projects that while not creating a lot more spaces, has opened parking space for turnover that benefits the downtown businesses. It cost money to do this and it is appropriate for businesses that INCREASE the parking demand be a part of that financial responsibility. That is why the Parking Fund was created.

From a personal, self serving perspective, broken zoning laws benefit design professionals. We get to charge more fees to represent clients trying to get approval. The more unreasonable the law, the more I can charge, the better I look. As a member of this community I strongly feel the parking law needs to be fixed, made fair and reasonable, have the people who benefit from creating a greater parking

demand, help pay for creating the solution.

Bottom line: What should you do as a result of this public hearing? \$7,500? \$1,500? \$0? Another moratorium? Sorry, that is for you five members of the Village Board to figure out. What I know is important for the village as a whole is to FIX THE BROKEN PARKING ZONING LAW.

Respectfully,

Bob Eggleston

Robert O. Eggleston, Architect
The Trolley Bldg
1391 East Genesee Street
Skaneateles, NY 13152

315.685.8144
315.685.0548 *fax*

From: roeggleston@hotmail.com
To: mjbyrne@bcplegal.com; carlson.kam@gmail.com; marcange57@hotmail.com; ragreen11@msn.com; neighhse@verizon.net; tim@gslaw.com; rgalbato@ksgtlaw.com
Subject: RE: Parking, what else? Now is the time to put it to bed
Date: Sun, 26 Jul 2009 20:57:39 -0400

Mike and the Village Board of Trustees

This is America, and we allow the public to make comments and be heard on important issues such as changing zoning laws that may impact them. Just because a person speaks at a public hearing and may verbally express opposition, it doesn't mean they are informed on the issue or have to be satisfied that their apparent concerns are dealt with. This is an opportunity for the elected officials, the Trustees, to take any comments into consideration. It is the responsibility of the Trustees to decide if the comments have merit and if it effects the proposed law. Then it is 5 people that make the decision to approve as drafted, modify and approve or take it back to committee.

I feel a lot of thought and comment has gone into this law and it is in a much better place then it was when first drafted. It is not the responsibility of the Trustees to make sure every resident (informed or mis-informed) is happy. I feel the North Shore Property Owners are not totally aware of how much better this law is then the current one. Meanwhile, reasonable projects are on hold or have to fumble thru the current law wasting valuable time and resources.

I encourage the Trustees to close the Public Hearing make any final tweaks and get this law passed.

Should anyone have technical questions on the current draft that I can comment on, I will be pleased (and available) to do so.

Bob

Robert O. Eggleston, Architect
4361 Jordan Road
Skaneateles, NY 13152

315.685.8144

315.685.0548 *fax*

Subject: RE: Parking, what else?
Date: Sat, 25 Jul 2009 12:24:46 -0400
From: mjbyrne@bcplegal.com
To: roeggleston@hotmail.com

Bob,

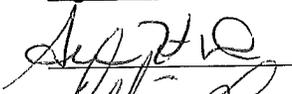
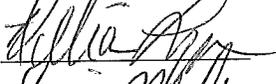
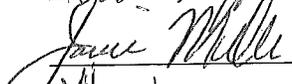
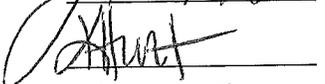
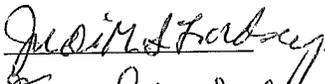
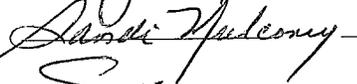
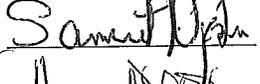
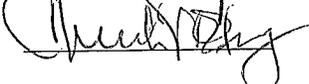
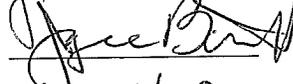
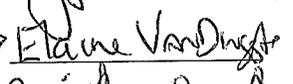
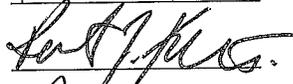
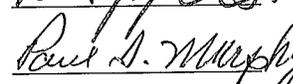
While you were away, this thing became very controversial and the whole process went sideways, after two heated public hearing sessions. The "North Shore Property Owners" in particular were very outspoken in their opposition to this local law. As a result, there is now a fracture between the Trustees as to how to proceed. They are divided on several elements of the draft law. Everyone seems to have lost sight of the fact that this is an effort to improve upon a bad law, and that if it not passed, that bad law will remain in place. My impression is that, at the Trustees meeting on Monday, the Mayor will suggest that the public hearing be closed and that the draft law be tabled for further study. Who knows how long that could drag on. Very frustrating.

Mike

PETITION TO THE VILLAGE OF SKANEATELES
BOARD OF TRUSTEES

LOCAL LAW TO AMEND CHAPTER 225, ARTICLE XII, SECTION 225-58F(5)
("OFF-STREET PARKING AND LOADING")
OF THE VILLAGE CODE OF THE VILLAGE OF SKANEATELES

We, the undersigned, concerned with the vitality of our business district in the Village of Skaneateles, respectfully urge the Board of Trustees of the Village of Skaneateles to either (1) extend the moratorium of Chapter 225, Article XII, of the Village Code concerning the off-street parking space fee ("Parking Space Fee Ordinance") OR (2) reduce the Parking Space Fee to Zero Dollars AND (3) commit to working with local businesses to amend the Off Street Parking and Loading Sections 225-57 & 58.

<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Date</u>
<u>SUSAN DONE</u>		<u>9 E Lake St SKAN</u>	<u>6/28/11</u>
<u>William Lynn</u>		<u>22 Jordan St. SKAN</u>	<u>6/28/11</u>
<u>Janice Miller</u>		<u>4357 Jordan Rd. Skan.</u>	<u>6-28-11</u>
<u>Kirstin Hunt</u>		<u>28 Jordan St</u>	<u>6/30/11</u>
<u>Anne Emperor</u>	<u>Anne E. Emperor</u>	<u>31 Lakeview Cir</u>	<u>7/1/11</u>
<u>Judith S. Lindsey</u>		<u>52 W. Genesee St</u>	<u>7/1/11</u> <u>6/30/11</u>
<u>MaryEllen Salinger</u>		<u>1824 Tomarock Trail</u>	<u>7/2/11</u>
<u>Sandi Mulcahy</u>		<u>3427 E. Lake Rd.</u>	<u>7/6/11</u>
<u>Sarah Wiles</u>		<u>11 mid-ages Jordan St</u>	<u>7/7/11</u>
<u>Nictra Sam</u>		<u>Paris FLEA</u>	<u>7-7-11</u>
<u>Charles McElroy</u>		<u>2707 Pine Grove Rd. - Skan</u>	<u>7-11-11</u>
<u>Robert Chip Berry</u>		<u>14 Meadow View Bluff Hwy</u>	<u>7-11-11</u>
<u>Joyce Barrett</u>		<u>29 Jordan, SKAN</u>	<u>7/11/11</u>
<u>Elaine VanDyke</u>		<u>31 Jordan St</u>	<u>7/11/11</u>
<u>Michael Drake</u>		<u>3657 Fisher RD</u>	<u>7/11/11</u>
<u>Robert Kiltz</u>		<u>42 E. Geneva St.</u>	<u>7/13/11</u>
<u>Paul D. Murphy</u>		<u>167 E Geneva St</u>	<u>7/14/11</u>

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<u>Krista Hunt</u>	<u>[Signature]</u>	<u>28 Jordan St</u>	<u>6/30/11</u>
<u>Anne Emperor</u>	<u>[Signature]</u>	<u>31 Lakeview Cir</u>	<u>7/1/11</u>
<u>Judith B. Lindsey</u>	<u>[Signature]</u>	<u>52 W Genesee St</u>	<u>6/30/11</u>
<u>May Ellen Salinger</u>	<u>[Signature]</u>	<u>1824 Tomarock Trail</u>	<u>7/2/11</u>
<u>Sandi Mulcahy</u>	<u>[Signature]</u>	<u>3427 E. Lake Rd.</u>	<u>7/6/11</u>
<u>Sarah Wiles</u>	<u>[Signature]</u>	<u>11 Jordan St Mid-ages</u>	<u>7/7/11</u>
<u>Nictna Sam</u>	<u>[Signature]</u>	<u>Paris FLEA</u>	<u>7/7/11</u>
<u>Charles McElroy</u>	<u>[Signature]</u>	<u>2707 Pine Grove Rd. - Skan</u>	<u>7-11-11</u>
<u>Robert Chip Berry</u>	<u>[Signature]</u>	<u>147 Meadow View Blvd #114</u>	<u>7-11-11</u>
<u>Joyce Barrett</u>	<u>[Signature]</u>	<u>29 JORDAN, SKAN</u>	<u>7/11/11</u>
<u>Elaine VanDyke</u>	<u>[Signature]</u>	<u>31 Fisher St</u>	<u>7/11/11</u>
<u>Michael Drake</u>	<u>[Signature]</u>	<u>3657 Fisher RD</u>	<u>7/11/11</u>
<u>Robert Kiltz</u>	<u>[Signature]</u>	<u>42 E. Genesee St.</u>	<u>7/13/11.</u>
<u>Paul D. Murphy</u>	<u>[Signature]</u>	<u>167 E Genesee St</u>	<u>7/14/11</u>

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Date</u>
Stephen Condie		14 E Genesee 20 E. Chenesee St # 2	7/1/11
MIKE WORDEN	Michael Worden	Skaneateles	7-1-11
Barb Worden-Cornor		2142 Westfall Rd Richville 14618	7-6-11
Lori Phillips	Lori Phillips	20 E. Genesee St. #1	7/10/11
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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Date</u>
Jackie Keady	<i>Jackie Keady</i>	40 Woodmere Terrace Skaneateles NY 13152 Trayer House #2	7-1-11
Joan Marzocchia	<i>Joan Marzocchia</i>	17 East Genesee St Skaneateles, NY 13152	7-1-11
Elizabeth Dreyfuss	<i>Elizabeth Dreyfuss</i>	100 E. Genesee, Skaneateles, NY 13152	7-2-11
EVAN DREYFUSS	<i>Evan Dreyfuss</i>	100 E Genesee, Skaneateles, NY 13152	7-2-11
Karlene Miller	<i>Karlene Miller</i>	67 W. Genesee St., Skaneateles, NY 13152	7-3-11
Sarah Holben	<i>Sarah Holben</i>	36 W Genesee St., Skaneateles, NY 13152	7-3-11
DAVID MILLER	<i>David Miller</i>	13 HANOVER ST SKANEATELES, NY 13152	7-3-11
Nonna Schmeck	<i>Nonna Schmeck</i>	86 State St. Skaneateles, NY 13152	7/3/11
Phyllis Hunt	<i>Phyllis Hunt</i>	15 Baker Rd. Marcellus, NY 13108	7/3/11
Bruce Keller	<i>Bruce Keller</i>	72 E. Genesee	NY 13152 7/3/11
Janet Goodoff	<i>Janet Goodoff</i>	30 Hanover	7/3/11
John Miller	<i>John Miller</i>	3981 Ctv. St. Rd.	7/4/11
Kathryn Sper-Miller	<i>Kathryn Sper-Miller</i>	" "	7/3/11
Subina Gist	<i>Subina Gist</i>	14 Griffin Street, Skaneateles, NY 13152	7/4/11
Grace Gist	<i>Grace Gist</i>	" " "	4 July 11
JOHN WATTI	<i>John Watti</i>	72 Jordan St	4 July 11

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Date</u>
<u>JULIE SHARPE</u>	<u>Julie Sharpe</u>	<u>52 E. Genesee St</u>	<u>6/30/11</u>
<u>PAO O'Connor</u>	<u>PAO O'Connor</u>	<u>18 W. Genesee St</u>	<u>6/30/11</u>
<u>Valerie Fitzpatrick</u>	<u>Valerie Fitzpatrick</u>	<u>44 E. Genesee St</u>	<u>6/30/11</u>
<u>Debbie M. Wiedor</u>	<u>Debbie M. Wiedor</u>	<u>2 Clift Lane Skaneateles</u>	<u>6/30/11</u>
<u>Edouard Luciani</u>	<u>Edouard Luciani</u>	<u>44 E. Genesee St</u>	<u>6/30/11</u>
<u>Steven M. Lane</u>	<u>Steven M. Lane</u>	<u>44 E. Genesee St, Skaneateles</u>	<u>6/30/11</u>
<u>ERIN SAMMUT</u>	<u>Erin Sammut</u>	<u>44 E. Genesee St</u>	<u>6/30/11</u>
<u>Sandra L. Schmidt</u>	<u>Sandra L. Schmidt</u>	<u>26 E. Genesee St</u>	<u>6/30/11</u>
<u>Suzanne S. Pittard</u>	<u>Suzanne S. Pittard</u>	<u>24 E. Genesee St</u>	<u>6/30/11</u>

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Date</u>
<u>Helen Ridgeway</u>	<u>Helen Ridgeway</u>	<u>51 W. Elizabeth St.</u>	<u>6/30/11</u>
<u>Karen Wilmot</u>	<u>Karen Wilmot</u>	<u>14 E. Genesee St</u>	<u>6/30/11</u>
<u>DAN RIZDAN</u>	<u>D Dan</u>	<u>101 E Genesee St</u>	<u>6/30/11</u>
<u>Donna Stockweather</u>	<u>Donna Stockweather</u>	<u>20 E Genesee St</u>	<u>6/30/11</u>
<u>RANNY STOCKWEATHER</u>	<u>RANNY STOCKWEATHER</u>	<u>20 EAST GENESSEE ST.</u>	<u>6/30/11</u>
<u>MARGIE GREENE</u>	<u>Margie Green</u>	<u>2 Bitter End</u>	<u>6/30/11</u>
<u>Heather Hennigan</u>	<u>Heather Hennigan</u>	<u>54 E. Genesee St</u>	<u>6/30/11</u>
<u>Barbara Schram</u>	<u>Barbara Schram</u>	<u>51 E Lake St</u>	<u>6/30/11</u>
<u>LIANA WHITING</u>	<u>Liana Whiting</u>	<u>92 E Genesee St</u>	<u>7/1/11</u>