

**Village of Skaneateles
Zoning Board of Appeals Public Hearing
July 23, 2013**

In the matter of the application of Valerie & Bill Hanbury to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, Side yard set-back left, and Both side yards combined; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to install a new stone paver patio at the property addressed as 49 Academy Street in the Village of Skaneateles.

Present: Lisa Banuski, Chairman
John Cromp, Member
Craig Phinney, Member
Larry Pardee, Member

Riccardo Galbato, Attorney for the ZBA
Dennis Dundon, Clerk to the ZBA

Bill Hanbury, Applicant
Valerie Hanbury, Applicant

Robert Kleckner, Skaneateles
Cathy Kleckner, Skaneateles
George Kocsis, Skaneateles
Dawn Kocsis, Skaneateles
Jane Teffar, Skaneateles
Alvin Poppen, Skaneateles
Carol Poppen, Skaneateles
Mary Sennett, Village Trustee
Adam D'Amico, CEO

Absent: Stephen Hartnett, Member

Chairman Banuski opened the Public Hearing at 8:25 pm announcing the application of Valerie & Bill Hanbury for 49 Academy Street. Mrs. Hanbury introduced herself and said, "Janice Miller our architect; did you end up receiving a copy of the plan after all? [the Board acknowledged receipt] I have some notes from our neighbors saying that they are in favor of it." Chairman Banuski said, "I am actually a neighbor of yours. I'm sorry I haven't met you before this. I'm Lisa Banuski, I live in the red house about 3 doors down from you. I actually think that this is an awful lot of coverage when the outside space that you had, you have chosen to roof in and close in. This is something we see over and over again. People close in to make a room over a patio or a deck and then they need a deck or a patio. There was plenty of outdoor space there – there was a deck, and now it is part of the house. So now it's this paver patio that comes almost to the property line – to the fence there by Dwyers. I know that he doesn't have any

objection. But it's a lot of coverage in our neighborhood to go from 85% to 76%. In this neighborhood, other than some of the smaller lots, we don't have that kind of coverage – just built up and built up. I do have some concerns about that. It goes from the driveway, to the fence line, to the front – it's an awful lot of coverage there. I'm not sure I object to it. It's not going to affect me and I'm going to abstain from voting. But I think it is a concern that we share just with a lot of coverage and build, build, build."

Mrs. Hanbury said, "Well, there already is a walkway between the garage and the house. It would just be; I mean there was grass coming through. We're just going to have a nicer walkway there; replace that." Chairman Banuski, "I get that. You want a place for the grill – I understand that." Mrs. Hanbury, "We really want some flowers there. This area next to the fence looks pretty narrow that they've shown for where we will plant things. My husband and I would prefer to have a lot of flowers and things planted there. You will have to have some pavers and all to come down the stairs and walk around, because right now it's just kind of muddy, where the grass was. It was pretty messy around what was originally the deck. The railings were very far apart and we were concerned about our nieces and children who come over, that they might get through them. And then we ended up closing that in to have it screened in there, instead of the way the deck was."

Chairman Banuski, "Do you still plan to screen it?" Mrs. Hanbury, "Yes, to use it as an outdoor room. We are not closing it in and heating it or anything, it is definitely going to be screened." Chairman Banuski, "Not windows." Mrs. Hanbury, "No, it's definitely going to be screened." Chairman Banuski, "I don't think it is a drainage issue and to tell you the truth I do think that since your immediate neighbors – and there's what, a 6 foot high fence there I know – and he has written this letter that I can read into the record. 'Renee and I are very pleased with all the improvements the Hanburys have done to their house, especially on the porch between our two properties. We feel the patio between our fence and their new porch is a wonderful use of the space, and the wrought iron fence will provide a classic appearance from the road. Janice Miller has developed a wonderful design and the work has always demonstrated a high level of craftsmanship. We are pleased to have Valerie and Bill investing so much time and resources into restoring their village home.' Signed by Bill Dwyer and he is at 47 Academy Street next door. And he and Renee are the neighbors definitely the most impacted by this. No one else is."

Member Crompt said, "I've got a question. You say that it is muddy there now. Where you are going to put the pavers in; it's muddy in there. It looks like it is pretty flat there. Does it slope much towards the house or towards the back yard?" Mrs. Hanbury, "I think it's pretty flat." Member Pardee, "What material are the pavers going to be? Are they a permeable or porous kind of a paver so water will drain through them?" Mrs. Hanbury, "Yes, they are stone with a little bit of space for drainage." Mr. Hanbury, "The intention is that the builder is going to put 18 inches of drainage underneath the pavers." Chairman Banuski, "The reason it is muddy is that it has been a construction site. It was grass – it is muddy, but it is not muddy because of a drainage issue."

Chairman Banuski opened the public comment portion of the hearing, asking, "Is there anyone who would like to speak in favor of this application?" Mr. Hanbury, "We're putting a lot of time and effort to restore the house to its original grace. This is part of that project." Chairman

Banuski, "And then are we done? I know it is a corner lot and corner lots are sensitive to work with. You really do not have a 'back yard' back yard. You have two front yards and two side yards. That does present its own problems. But what little green space that is left is now just on Academy Street and by the gazebo. That's all that's left." Mr. Hanbury said, "There is another project we are going to do; we are going to rebuild the front porch, exactly as it is today. We will come to you with another request. And the house is going to be repainted shortly." Chairman Banuski, "You won't need to for that. I just want to preserve not building it up anymore – no 3 car garage..." Mr. Hanbury, "No, we're done."

Chairman Banuski asked, "Any other comments or questions?" Hearing none, Chairman Banuski said, "There being no other comments I move that we close the Public Hearing." Member Phinney seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the Public Hearing was closed.

Member Crompt said, "I will move that we approve the application of Valerie and Bill Hanbury to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, Side yard set-back left, and Both side yards combined; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; to install a new stone paver patio at the property addressed as 49 Academy Street in the Village of Skaneateles. This is a Type 2 transaction under SEQRA and is based on 1 page of drawings dated 6/25/2013. The project is to be completed within 1 year." Member Pardee seconded the motion. Upon the vote of Members Crompt, Pardee and Phinney in favor of the motion, with Chairman Banuski abstaining, the Chairman announced that the motion was carried 3 - 0. The Hanburys thanked the Board. This matter was concluded at 8:35 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

