

**Village of Skaneateles  
Planning Board Meeting  
November 7, 2013**

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In the matter of the application of **Jason Slottje** for Site Plan Approval and Critical Impact Permit recommendation to the Village Board in connection with a proposed change of use from Retail Sales to Restaurant at the property addressed as **25 Jordan Street** in the Village of Skaneateles.

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Present:       **Bruce Kenan, Chairman**  
                  **William Eberhardt, Member**  
                  **Douglas Sutherland, Member**  
                  **Carol Stokes-Cawley, Member**

**Riccardo Galbato, Attorney for the Planning Board**  
                  **Dennis Dundon, Clerk to the Planning Board**

**Jason Slottje, Applicant**

**Robert Eggleston, Skaneateles**

Chairman Kenan called the meeting to order at 7:30 pm, saying, “We have one housekeeping thing, just to put it on the record. We have a vacancy on the Planning Board, because Mark Roney has resigned. I contacted the Mayor when I learned of that to see if he was interested in us putting together a committee to log people who were interested in it and to interview. He indicated that the Trustees had decided to move Stephen Hartnett from the Zoning Board of Appeals to the Planning Board. I told him that I thought Steve would be a very good member of this Board. They had not formally acted on it. The Mayor asked me if I would contact Steve and see if he was agreeable to the shift. I did that; Steve is. To my knowledge I don’t believe they have made the formal appointment yet. In any event, Steve is a pilot – his schedule is set a month in advance – he could not be here tonight anyway because he must be in the air somewhere at this moment. Presumably the Trustees will act on that before the next Board meeting. Presuming they do, Steve will join us here on the Planning Board.”

Chairman Kenan continued, “Having said that, we have an application from Jason Slottje. Are you representing yourself on the application?” Mr. Slottje, “I’m representing the owners which are my sons.” Chairman Kenan, “Would you like to do a brief explanation to the Board on what the application is all about?” Mr. Slottje identified himself and presented, “I am here on behalf of the owners of the property that formerly housed Paris Flea. The Village Inn is on the second and third floors and the first floor, for the past 12 or 13 years has been a retail store; antiques and gifts and home decorating shop. The operator decided to get out of that part of her business and vacated the property on September 15<sup>th</sup>. Since then we have been working with potential tenants

and we have come to an agreement with the young couple that operate the Bakery next door. What they are interested in doing is expanding their existing business and adding things. There is no way to connect the two spaces, unfortunately, because the structures are not conducive to it. They envision taking the Paris Flea space and putting in an expanded coffee/cappuccino/espresso menu, possibly some desserts – and evening menu compared to where they are today. They took over about 1 ½ years ago from Sam Mason and they live in the Village and they run a terrific operation and have really burst at the seams. Most days whether in the summer, during Dickens or even off-season, the place is standing-room-only. They feel that they are missing a lot of opportunities to do catering, to do functions and to expand their existing menu – because they just don't have room. So what they envision is nothing heavy as far as restaurant cooking; no fryers or anything that's a heavy influx of traffic, but something that complements what they are doing now."

Chairman Kenan, "The issue for this Board is site plan approval, which may seem a little odd on a building that really doesn't have a site. The issue basically is change of use from what was there to what will be there – from retail to food. The application says 'redo bathroom'. Are you eliminating a bathroom to put this in? Are they?" Mr. Slottje, "No. We are going to expand the existing bathroom to try to accomplish handicapped accessible. The space has an elevator that makes all 3 levels handicapped accessible. The bathroom is in that bottom space and needs to have some wider doors, change of fixtures and grab-bars added. That's the only really major change as far as the structure inside. They'll be adding sales counters and service counters."

Chairman Kenan, "Actually there's two things we have to do – the site plan approval but also the Trustees are responsible for issuing, if appropriate, a Critical Impact Permit, which has to do with the compatibility of the use with the other nearby downtown uses. Does anyone have any questions?" Member Stokes-Cawley asked, "Is there a concern at all about parking when you go from retail to restaurant?" Chairman Kenan, "I don't recall what the relative parking requirements are in the zoning." Attorney Galbato said, "Under site plan review on page 1 of your memo, #3 allows the Board to look at parking." Chairman Kenan said "In the ordinance, regardless of the momentary position we are in where there isn't any direct requirement for parking, what would the requirements be – retail compared with dining? I'm going to guess they are not a lot different." Mr. Eggleston said, "Restaurant is one per 100 SF and retail is 1 per 300 SF. Or you can use number of seats. Usually square footage trumps seats."

Attorney Galbato, "Does that building have any parking?" Mr. Slottje, "It has 3 spaces that are assigned to it behind the building. There are 4 for the Village Inn and then an additional 3 on the other side of that, tagged for the Paris Flea now. They will be tagged for this." Member Stokes-Cawley, "Is there a back door to get supplies in?" Mr. Slottje, "Yes there is. There is a back receiving door that's a few steps down into the basement." Chairman Kenan asked, "Anything else?"

Member Eberhardt said, "Not from me. I am going to recuse myself since I am involved with Jason on business development and we operate the Inn upstairs." Chairman Kenan said, "If there are no other questions, does anyone have a motion to suggest? The issues are site plan approval and advisory opinion to the Trustees on Critical Impact."

Attorney Galbato suggested there is an issue preliminarily of SEQRA because we are dealing with a critical impact permit. "Historically this Board, on my recommendation has treated them as unlisted actions receiving un-coordinated review."

**Member Sutherland said, "I make a motion that with regard to SEQRA that we describe this as an unlisted action without coordinated review and we issue a negative declaration recognizing that the project is not going to have a negative environmental impact. I also move that we issue site plan approval on the project and that we make an advisory recommendation to the Board of Trustees that they approve the Critical Impact Permit that is necessary." Member Stokes-Cawley seconded the motion. Members Sutherland, Stokes-Cawley and Chairman Kenan voted "Aye" with Member Eberhardt abstaining. Chairman Kenan declared the motion passed at 3 votes to zero. Attorney Galbato speculated that this matter would most likely come before the Trustees on November 14 or 26, since the matter has to be advertised.**

This portion of the meeting was concluded at 7:44 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



Village of Skaneateles  
Planning Board Meeting  
November 7, 2013

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In the matter of the application of **Katherine Burke** for Special Use Permit and to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Rear yard set-back; and Percentage of open area; and Section 225-23 c (1) Minimum lot dimension for supplemental apartment; to remove a 1-story wing, rebuild a 14 foot by 19 foot 2-story wing, add a 17 foot dormer to house, remove a 2-car garage and construct a 24 foot by 34 foot 2-car garage with a 741 SF supplemental apartment above at the property addressed as **10 State Street** in the Village of Skaneateles.

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Present: Bruce Kenan, Chairman  
William Eberhardt, Member  
Douglas Sutherland, Member  
Carol Stokes-Cawley, Member

Riccardo Galbato, Attorney for the Planning Board  
Dennis Dundon, Clerk to the Planning Board

Robert Eggleston, Architect, on behalf of the Applicant

Tim McNally, Skaneateles

Chairman Kenan called this portion of the meeting to order at 7:45 pm, announcing the application of Katherine Burke. Mr. Eggleston introduced himself and presented, "What we are asking for is a variance and also a Special Use Permit to allow a supplemental apartment. What we have proposed to do is to remove a small one-story part of the house and build a slightly larger footprint for a two-story. That is the portion of the building right here which is just a small little shed which is away from the street. This house is a conforming house and to do this work, and this work alone we would need no variance. What we plan on doing is redoing a mud room and making it a little bigger and making it work better for her as laundry functions, mud room functions and pantry functions and a little half-bath. Upstairs, right now this is a bedroom and she wants to make this a bedroom and this a bathroom, so it has an *en-suite* bathroom. This would be used for the family use."

Mr. Eggleston continued, "The house already has a Special Use Permit for a bed and breakfast. The bed and breakfast portion is in the main second floor – there are two suites that are used." Chairman Kenan, "It is in use now?" Mr. Eggleston, "It is in use. But she does have 3 kids, they do come home and she wanted to have a place for the kids; she can't charge the kids." Chairman Kenan, "How do you get to that apartment?" Mr. Eggleston, "There is a back stairway. Also you can walk through the house." Chairman Kenan, "But through the house; there's no outside

entrance?” Mr. Eggleston, “Correct. It is only through the house. So that, technically, we can just go in and do. There is no variance. There is a two-car garage which is a non-historic garage in the back. What we would like to do is take that down and put up a two-car garage which is 24 by 34, and put an accessory apartment which is 741 SF in the second level. This is for Aunt Ginny. We will have a stairway entrance coming in from the outside or go through the garage and up. Also there will be an elevator inside so that she can go from the garage...” Chairman Kenan, “So the door is all the way in the very back of the building?” Mr. Eggleston, “Correct. Yes. But also the elevator is internal to the garage. One can come down the elevator, though the garage and out. One of the reasons they wanted this in back is this is open to the side yard, so people coming to the apartment would just come around the garage and up. She didn’t want to take away from the end façade, she wanted to give it a carriage house/barn look with the vertical siding, the barn doors.”

Chairman Kenan asked, “Would this be part of the bed & breakfast?” Mr. Eggleston, “No. No. This is for her aunt to live in and her aunt is paying for this. She has sold her other home and wants to come and live in Skaneateles.” Member Sutherland, “You’ve got doors on 2 sides?” Mr. Eggleston, “Yes. These are the functional garage doors. She wanted to open up the doors so she can open up and have it come out to the garden area. From an esthetic standpoint she wanted that. So if she wants to have a little garden party, she can open up the doors and have this as a space when you come in and out of.” Chairman Kenan, “Do the doors miss each other?” Mr. Eggleston, “These are sliding doors – barn sliding doors.” Member Sutherland, “And the ones in the front?” Mr. Eggleston, “Are overhead doors which would be used all the time. Down here this is more for in the summer just open up; kind of like a loggia type feeling.”

Chairman Kenan asked, “Do you satisfy the code if your access to the apartment is through the garage?” Mr. Eggleston, “We satisfy the building code because we have a direct access outside without going through the garage.” Chairman Kenan, “But not for the handicapped.” Mr. Eggleston, “The handicapped is through the garage. It is a fire-rated elevator.” Chairman Kenan, “But the fact that you access it through an area of greater hazard, which is the garage?” Mr. Eggleston, “The elevator is not a required exit, by code, and it is fire-rated so it is protected from the garage.” Chairman Kenan, “So you don’t need it for exiting, but if you need it to satisfy ADA...” Mr. Eggleston, “We don’t have to satisfy ADA because it’s just a single-family dwelling; it’s not a public use.” Member Sutherland observed, “It’s just a convenience not a requirement.” Mr. Eggleston, “We have satisfied the requirement if she needs it. At this point she doesn’t need an elevator.”

Member Eberhardt asked, “When Aunt Ginny doesn’t use it anymore and it becomes transient, how’s the parking going to work?” Mr. Eggleston, “Well it can’t be transient; well it could theoretically be rented. Katherine’s vision for the space is that she is an artist and once Aunt Ginny is no longer using it she sees it as being a painting studio for herself. That’s her intent. Could someone else use it for a rental? Legally, yes. It is a supplemental apartment and I don’t think the Zoning Law...” Member Eberhardt, “When it becomes a hotel.” Mr. Eggleston, “It can’t become a hotel...” Member Eberhardt, “No, when it does.” Mr. Eggleston, “When it does; well I guess we’ll have you do reservations...” Member Eberhardt, “Does the parking work?” Mr. Eggleston, “Yes.” Member Eberhardt, “Can they get in and out and get onto State Street, which is tricky?” Mr. Eggleston, “Right now we have to have 2 parking spaces for the dwelling,

we need 2 parking spaces for the Bed & Breakfast and we need 1 additional parking space. Right now the driveway kind of has gravel and I know you can actually park also on the gravel driveway...” Member Eberhardt, “So you can actually turn around and get back out on the street?” Mr. Eggleston, “Yeah, you can turn around; it’s fairly spacious.” Member Eberhardt, “So you are not backing into State Street.” Chairman Kenan, “I would guess that there is a way that you could create more parking spaces given all the land that’s there, if you had to.” Mr. Eggleston, “I believe the reality is there’s some gravel that comes over and sometimes you’ll find some cars parked over here because they want to just run it there.”

Mr. Eggleston continued, “Relative to satisfying the requirements for special supplemental apartment, we do have the parking issue and are required 5 parking spaces. It is under 800 SF and the only thing that we don’t have is the lot size – where we are required to have minimum required lot is 30,000 SF; we need an additional 2,000 SF of lot area.” Chairman Kenan, “For what? For the supplemental apartment?” Mr. Eggleston, “To have the supplemental apartment. We have 27,451 SF, so we are short by 4,500 SF[sic]. Lot width we are required to have 110, but we have 178 so we exceed that. So it is only a lot area. This is actually one of the biggest lots on lower State Street. A two-car garage can be 3 feet off the property line; we are proposing 5 feet from the side and rear. But since this is more than a two-car garage, it is required to have a 35 foot rear-yard set-back and a 15 foot side yard set-back – so we are asking for the variance for allowing us a 5 foot. We chose 5 foot because that’s how it works best for the garage doors lining up with the existing drive, but also 5 feet is a fire code; you don’t need to have a fire-rated siding if you are 5 feet. So we used the building code set-back as our minimum. We could place this building with all the set-backs in the side lawn, but I think that would be totally inappropriate to have a structure in this beautiful side lawn. We felt that putting it in this location was the best place. We need a variance for side yard and rear yard and our open space we dipped below at 84.03%.” Chairman Kenan, “And what’s required for the supplemental apartment? You need a variance for the lot size; you don’t need a Special Use Permit?” Mr. Eggleston, “We need a variance to the lot size, we need a Special Use Permit, yes, but we meet all the criteria.” Chairman Kenan said, “If there are no questions, is there a motion?”

**Member Sutherland said, “I’d like to make a motion that we recommend approval of the requested variances; side yard, rear yard, open area and minimum lot size to the ZBA for their action. With regard to the Special Use Permit, we recommend to the ZBA that the Special Use Permit be approved.” Member Stokes-Cawley seconded the motion. Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan declared it carried.**

This portion of the meeting was concluded at 7:59 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



# Village of Skaneateles Planning Board Meeting November 7, 2013

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In the matter of the application of **David & Amy Allyn** to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, right; Rear yard set-back; and Percentage of open area; to remove a play area, relocate shed & gazebo, add 20 foot by 24 foot recreation room on the back of garage and add 11 foot by 34 foot storage area on the side of the garage the property addressed as **14 West Lake Street** in the Village of Skaneateles.

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Present:        Bruce Kenan, Chairman  
                  William Eberhardt, Member  
                  Douglas Sutherland, Member  
                  Carol Stokes-Cawley, Member

                  Riccardo Galbato, Attorney for the Planning Board  
                  Dennis Dundon, Clerk to the Planning Board

                  Robert Eggleston, Architect, on behalf of the Applicant

                  Tim McNally, Skaneateles

Chairman Kenan called this portion of the meeting to order at 7:45 pm, announcing the application of David & Amy Allyn. Mr. Eggleston introduced himself and presented, “The Allyn’s are 3<sup>rd</sup> generation owners of this property on West Lake Street and they have made some improvements to the house over the years. Currently what they would like to do is enlarge the garage. Right now the garage is a two-car garage that they actually use as a garage. They have the second floor; it is the official practice site of the Mere Mortals; they have their band equipment set up on the second floor. What they would like since they have 4 kids and the kids are beginning to get a little older, is they would like to create a recreation room in the back side by expanding the garage 24 by not quite 19 feet. It’s not quite 19 feet because what I wanted to do is bring the side of the addition in 6 inches for a more appropriate add-on appearance, and preserve the corner boards, What that space will have; it’s just an open space – they have a bowling machine, a small pool table, a little bar area, darts. There will be a loft which is accessed from the Mere Mortals practice area. Just kind of have it a space that they can use for recreation.”

Mr. Eggleston continued, “They also have a very historic, period-appropriate little garage, which is too small to really be functional. What they would like to do is relocate that over into the back corner of the property, and that needs no variance. They are just going to relocate it as is. There is this gazebo, they want to relocate that into the back corner, which actually will be very nice to have—it connects visually the L-shaped property. What they want is an 11 by 30-something

storage area, which is for the bikes, the cookers and all the other kinds of things that they have a need for storing that are currently stored in the little shed area. There's a small little shed area under the deck that's being removed. Plus he also has a sports car that could fit in here for winter storage. In that this has grown to more than a 2-car garage, instead of the required 3 foot side and 15 foot rear yard setbacks, it is required to have a 25 foot side yard set-back and a 35 foot rear yard setback. It is debatable whether this is a rear yard or a jog in the side yard. We are proposing to have 5 feet from the side yard and 5.2 feet from this back corner. We do meet the required 10 foot set-back to the Duggen's garage, which is right over here, so we are in compliance with that. The coverage; we go under the 90% open space by .4%, so we will be at 89.6% open space. So the variances are open area, side yard and rear yard set-backs for this barn addition. The barn will be built by Tim McNally and it will be in keeping with the style of the existing garage. Are there any questions that you have?"

Chairman Kenan said, "Could I make a suggestion? If you could find another place for the boiler room, this northern addition would be able to carry a car someday in the future. You see what I mean, it pinches it before you hit the full depth of a car there." Mr. Eggleston, "That's an excellent observation; spoken like a true architect. I think what happened was as this thing grew, we expanded this. So you are right; we could put this in the back and make that..." Chairman Kenan asked, "Any questions or any other architectural suggestions?" Member Stokes-Cawley asked, "This property goes behind this house?" Mr. Eggleston, "Correct." Member Eberhardt, "And there's a big open space back here." Chairman Kenan, "And this is Krebs property over here?" Mr. Eggleston, "Yes, it's up against Krebs." Member Eberhardt, "And it's like a park back there." Mr. Eggleston, "We actually had the landscaping shown by the surveyor, because the landscaping is very important and we wanted to put these accessory structures appropriately on the edge of it. In fact, this huge tree is awesome; it has a branch 50 years ago that hit the ground, rooted, and created another tree."

**Member Eberhardt said, "I'll make a motion -- I am assuming that Duggens and Pidhirnys know all about this -- that we recommend that the Zoning Board of Appeals approve the variances as requested on the application for Dave & Amy Allyn dated October 28, 2013." Member Sutherland seconded the motion.**

Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan declared it carried.

This portion of the meeting was concluded at 8:06 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Planning Board Meeting  
November 7, 2013**

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In the matter of a referral from the Code Enforcement Officer regarding an opinion regarding a modification to the construction at the Krebs.

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Present:        Bruce Kenan, Chairman  
                  William Eberhardt, Member  
                  Douglas Sutherland, Member  
                  Carol Stokes-Cawley, Member

Riccardo Galbato, Attorney for the Planning Board  
Dennis Dundon, Clerk to the Planning Board

Robert Eggleston, Architect, on behalf of the Applicant

James Lanning, Village Trustee

Chairman Kenan called this portion of the meeting to order at 8:18 pm, saying that Adam D'Amico had asked for an opinion by the Planning Board as to whether a departure from the original planned location for trash containers was a concern for the Planning Board. Chairman Kenan suggested to him that the Board should review the situation. The trash area was originally shown to be directly in line with the driveway, but the slab was actually poured further east in what was to be the required flower garden. Mr. Eggleston characterized it as a design by the former architect that was part of the original approvals in 2010. He suggested that there is a sidewalk that would allow employees to walk straight across to put things into the trash containers. The containers are "dumpsters on wheels", they are not stationary dumpsters that require a lift. When they are to be picked up, they are just wheeled over, picked up, emptied and then wheeled back. The change was made because the property owner didn't want to see the dumpsters from the street.

Mr. Eggleston went on to explain that the gardens were part of original architect Ramsgard's plans, but never showed up on any subsequent plans. Chairman Kenan read from the December 2, 2010 resolution as follows:

- "Whereas the applicant is proposing major renovations and addition to Krebs restaurant building and parcel which include the following..."
- "#7 The site plan shows removal of a hedge in the back yard and installation of new landscaping and lighting surrounding the proposed parking area, new screening hedge surrounding the parking area and a formal flower cutting garden behind the parking area..."

continuing, "So I read that as, that garden is a requirement of the site plan approval."

Attorney Galbato said his recollection was that when Bob Eggleston came in with a request to modify the building with regard to the ramp, "I believe your resolution was modifying the site plan solely for the building portion; it provided that all other conditions remain in place."

Mr. Eggleston recommended that the Board not require the arborvitae that boxes in the parking of #57 West Genesee St. stating that he sees no use to it as it denies 57 the enjoyment of their back yard. Even though Adam Weitsman owns all 3 properties, they are separate properties that won't necessarily always be owned by the same person that owns the Krebs.

Chairman Kenan said that the Board can consider that. He went on to state, "I think in this case we have to advise Adam that he should not accept the relocation, because it conflicts with the installation of something that was required under the site plan approval. There are probably other places that it could be that would not interfere, or if the applicant is intent that that is where it needs to be, he needs to come back with a modified site plan. But it is specifically in conflict with the required garden."

Member Sutherland, in response to a question, determined that the pad is poured and the fence is up. Attorney Galbato stated that it seems to be in conflict with the approved site plan. While it was modified subsequently, it was only for changes to the building.

Mr. Eggleston asked if there were a way to do that which would still allow him to give a Certificate of Occupancy on the building by itself? He observed that technically the Variance was only extended to October 31, 2013; but the building is complete and functional. Chairman Kenan suggested that perhaps a conditional certificate might be considered, but "right now the building does not comply. So the remedies are to undo the part that doesn't comply or get another approval of something different from that."

Upon motion of Member Stokes-Cawley seconded by Member Eberhardt, the meeting was adjourned at 8:27 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards