

**Village of Skaneateles
Planning Board Meeting
April 2, 2015**

Variance Recommendation in the matter of the application of Virginia Bryce to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Rear yard setback; Both side yards combined; and Percentage of open area; to remove an existing one-car garage and construct a new 16 foot by 28 foot garage at the property addressed as 8 Orchard Road in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
Brian Carvalho, Member
William Eberhardt, Member
Douglas Sutherland, Member

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

Guy Donahoe, Architect, on behalf of the Applicant

Corinne Knupp, Skaneateles
Chris Kozub, Skaneateles
Chris Pinckney, Skaneateles
Patricia Carroll, Skaneateles
Gerald Carroll, Skaneateles
Jack Severance, Skaneateles
Katie Severance, Skaneateles
Robert Eggleston, Skaneateles

Absent: Stephen Hartnett, Member

Chairman Kenan at 7:28 pm announced the application of Virginia Bryce for 8 Orchard Road. Mr. Donahoe introduced himself and presented, "We actually had this application before the Board and the ZBA two years ago in 2012 and it was passed. Unfortunately Virginia was not able to do that project in that time. So we are back before the Board with the very same project. I know that John had helped her file that. On the property there is currently a structure there that is 12 feet by 18 feet. She uses that building for storage; it is not large enough to accommodate a car. She doesn't park in the building; it doesn't even fit the description of parking space as far as size goes. So in our proposal, we are proposing to tear that building down and rebuild it with a new garage. That building will be 16 by 28, so it will still be a single-stall garage that will provide for a little bit of storage. In rebuilding the building what we will do is to move the building to be 3 feet from the property line, so that will be more consistent with the Zoning for a detached garage building. It will also make the building compliant with the NYS Building Code

by moving that wood-frame building 3 feet from the property line. We are pushing the building back toward the rear property line to about 15 feet, again consistent with the minimum required for a detached garage. This will also align our single-car garage with the neighbor's to the north. We could not go any further to the east without making that less than the Zoning would desire for the location of the single car garage and yet it still doesn't allow us to remove the one non-compliant aspect of how close this building is to the other structures. So that piece remains. As far as coverage or open space is concerned – because this building does not fit the description of a parking stall, by constructing this building we create one parking space within the building eliminating a required space outside. So we are actually increasing the open space.”

Member Sutherland, “What’s the material on the garage?” Mr. Donahoe, “Doug, I’m not sure but my guess would be either a concrete siding or a vinyl siding. The building, I believe is a wood sided building.” Member Sutherland, “Could we get either a concrete siding or wood siding to match the house?” Mr. Donahoe, “It says siding to match, so yes. We will match the existing siding.” Member Sutherland, “Whether it’s wood or concrete siding that’s fine. If you are doing the concrete siding, if you could turn it so that the smooth side is out rather than the more rustic look that doesn’t look like real siding.”

Member Carvalho, “The 10 foot requirement; is that a fire code issue?” Mr. Donahoe, “I don’t think that’s a fire code issue, I think that’s just a Zoning Code issue.” Chairman Kenan, “And how close is the other garage, or how close will it be?” Mr. Donahoe, “It will be 11.5 feet from the main structure, that makes it a foot and a half from the deck.” Chairman Kenan, “No this proposed garage will be how far from the other garage.” Mr. Donahoe, “I think it is about ten and a half feet. Attorney Galbato, “The denial says it is within 10 feet.” Chairman Kenan, “That should be verified to Zoning Board takes this up – what is the dimension and if it doesn’t meet the code then you are requesting a variance from that. You should also investigate if there is a fire code issue with the buildings being too close together. I think there’s a requirement that if they are closer than some dimension then fire resistant construction is required. Those things should be verified.” Mr. Donahoe, “Thank you.”

Member Eberhardt said, “I’ll make a motion that we recommend that the Zoning Board of Appeals approve the variances as requested on the Bryce application dated 3/19/15, contingent on two points: (1) that the siding be either concrete or wood, and if concrete applied appropriately, and (2) that the 10 foot dimension be verified and be appropriate per code.” Member Sutherland seconded the motion. Upon the unanimous vote of the members present in favor of the motion Chairman Kenan announced, “The motion is passed.” Mr. Donahoe thanked the Board. This matter was concluded at 7:34 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Meeting
April 2, 2015**

Variance Recommendation in the matter of the application of Jack & Katie Severance to vary the strict application of Section 225-24 B (1) (a) for minimum lot size to convert a single family home to a two-family home at the property addressed as 34 State Street in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
Brian Carvalho, Member
William Eberhardt, Member
Douglas Sutherland, Member

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

Robert Eggleston, Architect, on behalf of the Applicant
Jack Severance, Applicant
Katie Severance, Applicant

Corinne Knupp, Skaneateles
Chris Kozub, Skaneateles
Chris Pinckney, Skaneateles
Patricia Carroll, Skaneateles
Gerald Carroll, Skaneateles

Absent: Stephen Hartnett, Member

Chairman Kenan at 7:35 pm announced the application of Jack & Katie Severance for 34 State Street. Mr. Eggleston introduced himself and presented, "They came to me the other day and asked for assistance; they had made application. In taking a closer look, I got an electronic copy of the survey and found that some of the information provided originally was not as accurate as it should be. So I will review with you what we have come up with. This is a rather large house; it is over 4,500 SF. It had been on the market for a number of years. The Severances had looked at it and they had done some initial due diligence to enquire to see if it could be turned into a 2 family, because it would work for them if they were able to split it into two. They could maintain the exterior appearance; there would be no physical changes to the exterior. They had pretty much gotten the green light that it was OK, but after they bought it and they came in to make application, it was discovered that the lot was less than 30,000 SF. They would need a variance because the section on 2 family houses requires that you have the minimum required lot which is 30,000 SF. They were actually just a couple thousand below the required 30,000 SF except that included the right of way. So once I got the electronic survey, I calculated everything

exact. What we discovered is the lot is 23,127 SF, so it just over one-half acre where $\frac{3}{4}$ of an acre is required. So we are asking for a variance of just under 7,000 SF on the lot size.”

Mr. Eggleston continued, “The other thing is because the lot area was miscalculated originally, I recalculated the lot coverage. I took it with a one-car garage. In that both dwelling units will be over 1,500 SF, both are required to have two cars for each or 4 cars total, or 3 cars outside. There is plenty of room to park in the driveways; there happens to be a driveway both on State and Academy. So adding the lot coverage 85.1% now is conforming. It gets reduced to 83.6% open space so that is the second variance that we are requesting. For your benefit, I did a quick diagram showing how the house would be split up. The first floor the A unit will receive the majority of it; the B unit will receive a small portion of it. Upstairs, the A unit has a small portion and the B unit has a larger portion. This is based on the existing room configuration; there happens to be a stair in the front, stair in the back. So it’s very simple, just putting doors or closing off existing openings between the two and they are able to convert that into a 2 family with no external changes. Each apartment; the front unit will have 2,585 SF and the B unit will have 2,185 SF. The interesting history for this house – as you look at it, it looks like 2 houses put together. In the 1970s it actually was a two-family house. But then the Wanamakers, who owned it for a number of years, converted it back to a single family. I have a statement from Molly Elliott of Williams Real Estate who had the listing on this property. The house had been on the market for three years. They were having a problem finding a buyer for the property due to its size and value. It had been rented for some portion of that time. The Severances had anticipated that it worked for them if they could divide it into a two family house. They bought it not being aware that they needed a variance. We pulled up multiple family properties in the Village and it is information I will process for the Zoning Board of Appeals. I have two pages of properties in the Village that are two-family or three-family in various districts. The interesting thing is the majority of the houses that have two families in them do have nonconforming lots. So there are about 4 houses on State Street in this block that are multiple family that do have small lots. So I’d like to make the premise that this is not out of character with the Village; we are not asking for something totally unusual. Are there any questions you have relative to this application?”

Member Sutherland, “This is the old Barrow house isn’t it?” Mr. Eggleston, “Yes.” Member Sutherland, “The way this is set up is for two rentals?” Mr. Eggleston, “They will actually occupy one side and rent the other. This is your primary home?” Mr. Severance, “Yes.” Member Sutherland, “I guess it is my experience from Syracuse, but watching as larger houses get broken into smaller pieces – I think it is not helpful to the surrounding neighborhood. One of the things that strikes me about maintaining larger houses adjacent to downtown is that there is a stability that happens with that. As larger places are broken into multiple properties, it may start out with someone living and owning and having a renter in the back. But over time it seems to go to pure rentals. It just seems like it is a destabilizing effect.” Mr. Eggleston, “I think an equal thing can be said for single family houses that become rentals. Obviously one cannot control the diligence in which a property owner maintains a property, but I see no difference here other than obviously for the immediate future and the long term they do plan on using it as their own home. So I think that possibly helps to maintain and keep the house. One of the things with the house and there have been a lot of improvements made inside and it is very nice, but there are a lot of improvements that haven’t been made on the outside. For instance this porch in the back, on

close inspection, is very much in disrepair. So there are things that have to be done to the house and obviously if they are not able to proceed on the original plan, they will not have the funds to continue to maintain and restore the house.”

Chairman Kenan, “I’m going to echo what Doug had to say. I think one of the things that this Board has been concerned with for years is the residential neighborhoods that abut the commercial neighborhood in the center of town. Unlike many communities – maybe most communities – they are good. They are healthy. It’s a healthy, even prosperous, residential area surrounding our downtown. I think we have always been very concerned about heading down the road where it deteriorates. Does changing a one family house into a two family house pull the plug and everything falls apart? No, but it concerns me that it is a step in that direction. For whatever reason the Zoning was written around 30,000 SF, I don’t have a clue, but this turns out to be not particularly close to that. It concerns me.” Mr. Eggleston, “It is probably one of the larger lots that a two family is, if you look through the list. Many of them are less than half an acre, a lot of them a quarter acre.”

Member Sutherland, “If we don’t make a motion, what happens?” Chairman Kenan, “The Board could, by motion, pass it on without recommendation. That’s a choice.” **Member Sutherland, “I will make a motion that we recommend that the ZBA not approve the variance here. And the reason for that is primarily a concern that breaking larger houses into smaller pieces has an eroding effect over time on the stability of the surrounding neighborhoods. Member Carvalho seconded the motion.** Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan stated, “That’s our recommendation.”

Mr. Eggleston thanked the Board. This matter was concluded at 7:48 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Meeting
April 2, 2015**

Variance Recommendation in the matter of the application of Pat Carroll to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, right; Percentage of open area; Percentage of structure width/lot width; and minimum lot area; to construct an addition on the south side of the existing residence and a set of stairs on the east side at the property addressed as 7 East Elizabeth Street in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
Brian Carvalho, Member
William Eberhardt, Member
Douglas Sutherland, Member

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

Chris Kozub, Architect, on behalf of the Applicant
Patricia Carroll, Applicant
Gerald Carroll, Applicant

Corinne Knupp, Skaneateles
Chris Pinckney, Skaneateles

Absent: Stephen Hartnett, Member

Chairman Kenan at 7:49 pm announced the application of Pat Carroll for 7 East Elizabeth Street. Mr. Kozub introduced himself and presented, "What the Carrolls would like to propose is a 14 by 22 foot porch addition located at their property at 7 East Elizabeth Street. I have some photographs. What we are asking for is the shaded area here; this would be the location of the proposed addition facing East Elizabeth Street. In order to do this we are asking for the Board to consider two variances – very minor in nature: (1) is an open space variance bringing up the current condition from being under 2.4% to being just over 1% of the open space that's allowed; (2) the second variance we would need to consider would be a variance of 6 inches for the set-back on the side yard for the proposed stair exiting off of the new porch. The house was built, according to Onondaga County, about 1859 in the colonial style. The proposed addition would maintain the same character and architectural details as the existing residence and obviously enhance the neighborhood and the residence itself. The roof would be a shallow hip roof not to take away from the architectural character of the front façade. That's relatively straightforward. Are there any questions?"

Chairman Kenan, "The stair is part of the application?" Mr. Kozub, "The stair is part of the application." Chairman Kenan, "So that's it. The two variances are the side yard and the lot coverage. Anyone have any questions?" Mr. Carvalho, "So there will be access from this porch back through the stairs?" Mr. Kozub, "Correct, to exit from the porch."

Member Carvalho said, "I'll make a motion that we recommend to the Zoning Board of Appeals that they grant the variances on open space, side yard and maximum width of structure." Member Eberhardt seconded the motion. Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan stated, "The motion is passed."

Member Sutherland said, "It's a nice looking porch."

This matter was concluded at 7:54 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Meeting
April 2, 2015**

Variance Recommendation in the matter of the application of Chris & Catherine Pinckney to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to replace an existing garage and walkways with a new garage connected to the house and to rework existing driveway and patio/sidewalks at the property addressed as 39 Academy Street in the Village of Skaneateles.

Present: **Bruce Kenan, Chairman
 Brian Carvalho, Member
 William Eberhardt, Member
 Douglas Sutherland, Member**

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

**Chris Kozub, Architect, on behalf of the Applicant
Chris Pinckney, Applicant**

Corinne Knupp, Skaneateles

Absent: **Stephen Hartnett, Member**

Chairman Kenan at 7:55 pm announced the application of Chris & Catherine Pinckney for 39 Academy Street. Mr. Kozub introduced himself and presented, "We are asking you to consider this proposed demolition of the existing garage, represented by the light shaded area. Rebuilding a new garage and then expanding of some living space off the back side of their property. The house was constructed in approximately 1830; the light shaded garage was constructed about 1930. The character of that garage that was built was not in the same style or craftsmanship as the existing residence. So what we are proposing to do is to demolish this and add on the garage and then connect to two back to the main structure; and in keeping with the design and feel of the main structure build that new piece in that same character thus giving them some additional living space that they would otherwise not be able to attain. In terms of what we are looking for the new addition does fit within all set-backs around this existing nonconforming lot. The two variances that we would be asking for is an area variance which would take us from the current calculations to 0.04% over the area that's allowed and a variance on the overall width. We would actually be improving this from the current condition from 44 feet up to 50.2 feet. That distinction is made from where the front of the existing garage is, right here 30.8 feet off this side yard set-back. We'd be pulling that back and gaining some additional set-back in that side yard. The variances that we are asking you to consider are very minor in nature. The overall impact to

the structure and the neighborhood is certainly in keeping with the character of the house and enhancing the current residence that the current occupants wouldn't be able to do generally without this consideration."

Chairman Kenan, "Will there be a second floor in the garage?" Mr. Kozub, "There will not. There will be an area for some storage only accessed within a drop-down stair within the garage." Chairman Kenan, "So there will be a floor, but it is not occupied space. What's the function of the connecting part of the house?" Mr. Kozub, "The connecting part of the house is going to be a mudroom connecting up to the back side of the house, as well as a back entrance to the house, giving the family that kind of primary entrance for the in and out everyday traffic of the family. Any questions?"

Member Eberhardt said, "I will make a motion that we recommend that the ZBA approve the variances as requested on the Pinckney application dated 18 March 2015." Member Sutherland seconded the motion. Upon the unanimous vote of the members present in favor of the motion, Chairman Kenan stated, "The motion is passed."

Mr Kozub thanked the Board. This matter was concluded at 7:59 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Meeting
April 2, 2015**

Recommendation to the Village Board of Trustees on the request from Parkside Development (Trason Skaneateles, LLC) to discuss further reduction in the amount of the Letter of Credit relative to the Parkside Subdivision, Phases 1 – 4, in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
 Brian Carvalho, Member
 William Eberhardt, Member
 Douglas Sutherland, Member

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

Corinne Knupp, on behalf of the applicant

Absent: Stephen Hartnett, Member

Chairman Kenan opened discussion of this matter at 8:00 pm. Ms. Knupp introduced herself and presented, "Our first option is that we are hoping to reduce the amount of the required letter of credit; the second option is to replace it with cash. That may be something that has to wait..." Chairman Kenan, "I think, just following the correspondence, that is probably the prudent consideration – let the snow melt so they can have a realistic inspection as to conditions and then take it up." Ms. Knupp, "We have a couple of different options and what I wanted to present; we were hoping to have the Village hold the same amount, whatever the Board and the Trustees agree on, instead of taking out a letter of credit. We currently have one through M&T Bank. That is coming up for renewal. As the amounts are getting lower, we were hoping to be able to put that in an escrow held by the Village instead of getting another letter of credit." Chairman Kenan said, "Cash held by the Village." Ms. Knupp, "Correct." Chairman Kenan, "That's up to the Trustees of course, but I don't know why somebody wouldn't prefer cash." Ms. Knupp, "I wanted you to have an understanding of the process that we are going to have going forward. My understanding is that we will be on the agenda for next month. Is that correct?" Attorney Galbato, "With the hope that Jon and Shannon are done with their inspections." Chairman Kenan, "That would be my suggestion." Mr. Dundon, "We have a circumstance, if I could embellish just a little bit, with a new Director of Municipal Operations in the Village, who is taking the ownership of these assets pretty seriously, and wants to be sure from her standpoint that she completely understands the Parkside subdivision and would value the opportunity to do so." Mr. Eberhardt, "That makes sense."

Chairman Kenan, "On the assumption that we table it, we would take it up next month."
Attorney Galbato, "On two issues; one would be the reduction and the other would be a

recommendation to the Trustees on cash vs. letter of credit. Both would be the Trustees' ultimate decision." Chairman Kenan, "And we would recommend." Ms. Knupp, "I guess my question, is the process that we need to officially write a letter? Dr. Elstein talked with [Mayor] Marty Hubbard, so I think that kind of got the process going. I guess [Village Attorney] Mike Byrne was involved?" Chairman Kenan, "When it comes to the process, I would expect that Mike Byrne would make the decision on that." Ms. Knupp, "Do we need to write an official letter to Mike Byrne?" Chairman Kenan, "Didn't you write a letter already?" Ms. Knupp, "Yes, we wrote the reduction. So the reduction to me is one thing." Chairman Kenan, "But it didn't refer to the form of the security." Ms. Knupp, "No because that kind of came up after a little bit afterward." Chairman Kenan, "I would. Write another letter as a supplement to the one that is already written." Attorney Galbato, "Just to confirm that you are also seeking to convert the reduced letter of credit in whatever amount that would be to a cash escrow held by the Village." Chairman Kenan, "Mike will advise the Trustees on what process to go through to secure that."

Ms. Knupp, "We wanted to make sure that our time frame for next month that we don't run into issues with our current letter of credit. I think last year when I looked at communications, we received a letter from the Village recommending the prior reduction in the letter of credit in the May time frame. I think it was after the Village Trustees met in May. We are already getting pressure from our bank; it doesn't come up until the beginning of July, I believe. They apparently have a process that they need to go through that takes time. So we were hoping that we would be able to get that resolved at least with this punch list. My only concern with the new Director coming through – I know that there is a lot on her plate right now – and I just want to make sure that this doesn't get to the point where we get to May's meeting and nobody has gone through. We have Jon's [Putnam] punch list and we are kind of at a standstill." Chairman Kenan, "So we meet on the 7th, the first Thursday of the month. How soon after that do the Trustees meet?" Mr. Dundon, "The Trustees will meet on the 14th." Ms. Knupp, "So that timing would work assuming..." Chairman Kenan, "Assuming there's no glitches or any reason why we can't or wouldn't." Ms. Knupp, "Right because as I said we have Jon's punch list. I totally understand that she wants to confirm all of that. I just bring that up as a concern; I want to make sure that we don't get held up because there are a lot of other things going on in the Village, because that's the purpose of us hiring and paying for Jon Putnam." Chairman Kenan, "I don't expect this Board will be hung up with other things going on. Our agendas are relatively light. I don't see anything coming down the road that would change that. The only issue would be Mike Byrne reacting to the change of form of the security."

Ms. Knupp, "And we do have other options as it turns out – we just need time then – we would probably switch banks based on the fees that they have changed. We would probably switch banks and with that we need appropriate time to be able to get the information to the new bank to get the new letter of credit issued." Attorney Galbato, "As the Chairman indicated, I would send a letter to Mike Byrne, copy me and copy Dennis, because your email to the Village back on March 26 posed the question of the cash escrow as a question, it was not really a request. So I would make it official and Dennis will indicate on our agenda for May that the two items for Parkside are reduction and possible change of form, both of which would be recommendations to the Trustees." Member Eberhardt, "Dennis, the new Director of Municipal Operations will be in the loop on all these communications?" Mr. Dundon, "Shannon already is."

Chairman Kenan, “I’ll make the motion that we table the request for a change in the amount of the security to the Board’s meeting on May 7 at 7:30 pm. Member Eberhardt seconded the motion. Upon the unanimous vote of the members present in favor of the motion, it was declared passed. Ms. Knupp thanked the Board. This matter was concluded at 8:06 pm.

Ms. Knupp proceeded to give the Board an update on the project status saying that she expected many houses to be built this season, noting that there are only 2 lots yet to be sold. From an infrastructure standpoint, the two sand filters should be installed in late summer or early fall, followed by the top coat on all roads (with construction just about completed), followed by the preparation of the as-built drawings (including the sand filters) and then followed by final inspection and dedication in the November – December time frame. Member Sutherland asked if the detention ponds would look as they do today – a living pond? Ms. Knupp responded that she hoped so.

The meeting was adjourned by acclamation at 8:12 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

