

**Village of Skaneateles
Zoning Board of Appeals Meeting
April 28, 2015**

Discussion 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: Craig Phinney, Chairman
 David Badami, Member
 Michael Balestra, Member (Recused)
 Curt Coville, Member
 Larry Pardee, Member

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

 No one appeared on behalf of the Applicant

 Elizabeth Govern, 36 State Street
 Cindy Brennan, 27 Academy Street
 William Brennan, 27 Academy Street
 Kathleen Zaputa, 41 Academy Street
 Michelle Mashia, 31 Academy Street
 Jill Goldstein, 34 Academy Street
 David & Beverly Robinson, 33 Academy Street
 Kendra Witter, 31 State Street
 Leanne Willard, 36 East Elizabeth Street
 Andy Wargo, Skaneateles
 Lloyd House, 6 Orchard Road
 Chris Kozub, Skaneateles
 Patricia Carroll, 7 East Elizabeth Street
 Nancy Cihon, 11 East Elizabeth Street
 Chris Pinckney, 39 Academy Street
 Jamison Audette, 1153 Old Seneca Turnpike
 Justin Clark, 882 West Genesee Street
 Nate Bennett, 4206 School Street
 Mia Mason, 13 State Street
 Emily Baker, 700 Crow Hill Road

Chairman Phinney introduced this matter at 7:30 pm announcing, "We are going to take things out of order. The first item will be the Severance application. The Applicant's architect sent a request to the Board asking for a postponement of 60 days in this matter, so we will not be

hearing or opening a Public Hearing this evening for that particular application. We will, however, and have, received specific letters and information that are now considered part of the public record, and if any of you have any written documentation that you would like to submit this evening, we are certainly ready to receive it. You also have from now until whenever we repost the public hearing in the paper, to submit any information, pro or con, regarding the project or projected project once it is reapplied for.”

Mr. Brennan, “Mr. Chairman, I wonder if the public could be heard on the request for an adjournment?” Chairman Phinney, “Mr. Counsel?” Attorney Galbato, “It is the pleasure of the Chair.” Chairman Phinney, “I have no difficulty with that certainly.” Mr. Brennan, “Good evening. William Brennan is my name, 27 Academy Street. We all received our public notices that were posted and that were mailed to us and that were very official. And so, here’s the public for our public hearing. I suggest this is not the applicant’s hearing, it is the public’s hearing. And maybe some of us won’t be able to come. If he wants to withdraw the application, that’s certainly within his right, but to just adjourn it because a whole lot of people show up and he doesn’t want to hear what we say – that seems to me not fair.” Chairman Phinney, “I would have to also submit at this point, thank you very much, this was requested more than 24 hours ago; this was not because he understood that there was going to be a particular crowd. I believe that they understand that regardless of the timing of this particular hearing for this application that there will be a crowd. So you will all have more than ample opportunity to comment. And then we will see how the application goes – regarding the exact wording of the new application or the application that is pending. They have requested delay because they are going to be making modifications to the application.”

Member Badami, “Anyone who is unable to be heard tonight is free to submit written opinion as well.” Chairman Phinney, “Absolutely correct. And this is not necessarily an unusual occurrence. We allow adjournments or postponements by the request of the architect or the applicant on a regular basis.” Mr. Brennan, “That’s fine. But this is the public’s hearing, and it would seem to me that...” Chairman Phinney, “It is not a Public Hearing sir until I open it as a Public Hearing. Yes ma’am.” Ms. Brennan, “There are a number of important issues, though, that really must be addressed.” Chairman Phinney, “Ma’am, there will be another time; this is not the time.” Ms. Brennan, “No I’m sorry Mr. Chairman. I have provided for you the availability calendars that were posted on line...” Chairman Phinney, “I have them on record beforehand ma’am.” Ms. Brennan, “There are rentals for both May and June.” Chairman Phinney, “I have those records and I have a print-out of the entire web page, so I am aware of that.” Ms. Brennan, “But we are not coming back until June 23.” Attorney Galbato, “If I could address that. This is the Zoning Board of Appeals. We are not an enforcement body, this Board is in charge of granting or denying, in whole or in part, area variances and use variances, and also interpretations under the code. If anybody from the public believes that the property owner or owners are in violation of the Zoning Code, or have a complaint regarding the use or uses of the property, they should bring that to the attention of the Code Enforcement Officer, who will then act on that complaint. He will get back to you with the result from any violations of the code.” Ms. Brennan, “Mr. Chairman, Mr. Galbato, thank you very much for that explanation. But understand we are neighbors and we went online and found out about the wedding business, the corporate rentals, and all kinds of short-term vacations. And now they are posted. We want to make sure that none of these short-term rentals, which in our view violate the code, happen

before we return. And they are listed June 16, 17, 18, 19, 20; all of May – all of May appears to be...” Chairman Phinney, “All of May was x-ed out and my interpretation of that was that they were still going to be under construction and not available at that particular point – which may not have been the correct interpretation.”

Ms. Brennan, “Mr. Chairman, “We would like an affirmative statement from the applicants as to what they intend to do with these committed reservations that they have made in violation of this code.” Chairman Phinney, “The applicants are not represented here, at this point, but I would also refer you to the CEO. We can’t enforce nor can we make a specific request to an applicant to do that or prove something that exists on paper but hasn’t happened at this particular point.”

Ms. Zapata, “I actually came down and spoke with the Code Enforcement Officer to try to learn some things about this. He is of the understanding that the code about the 30 days or less for lodging is unclear. So what are we supposed to do with that interpretation? He said that he was going to reach out to the attorney for clarification.” Chairman Phinney, “In the Zoning code and I’m speaking off the top of my head, normally I believe it is – when you are requesting to have a two-family house be used as a dwelling – there is verbiage in the code that suggests that there needs to be a minimum of 30 days attendance. If you are offering lodging, which is not allowed in the A2 district, then you can do overnight rentals or other thing as you so choose. The difficulty we have in our Village at this point – I have been here over 35 years – and there are an awful lot of multifamily and there are preexisting scenarios that we all know about – I have some two houses up from where I live. We all have these around where we know this is happening. I understand that we are trying to pre-empt having that happen again in this area. That’s certainly why we were hoping to hear from the applicant. But the applicant has a right to withdraw.”

Ms. Zapata, “I understand that we are to go to the CEO for such matters, but if he says the codes are unfair...” Chairman Phinney, “I think that we are looking for two different things – here we are looking for the interpretation of the zoning code and other than that we are now looking towards trying to have an enforcement of something that you consider to be incorrect against a certain number in the code, which then the CEO can certainly address, because it is specific to a particular code that you feel they are breaking – that would be the code on lodging which would be Section 22 – 4.” Ms. Brennan, “Mr. Chairman, perhaps Mr. Galbato can give us an interpretation and perhaps he could provide it to Mr. Cromp, so that if we do see some activity that we will be armed with some kind of statement, so that he understands.”

Attorney Galbato, “What is before this Board is an application for a variance for a two-family dwelling because the lot does not meet the area requirements, acreage, for a two-family dwelling. What are the allegations of what you feel are in violation now or advertised violation of the code at this time? I will convey some of these thoughts to Mr. Cromp tomorrow, but I think you guys should meet him as well. But what are the allegations?”

Ms. Brennan, “I dropped off 6 copies of a packet today. You will find in there the 10 Perfect Rentals vacation home rental announcing that they are short-term rentals, announcing that you can have your small wedding, your corporate retreat, your wedding shower. You can stay there for the week; you can stay there for the night. All, not only in the John Barrow house, but right in the middle of an A2 district. To me it seems crystal clear. Kathleen and I were down here

talking with Mr. Crompt last week. It doesn't seem to me that there should be any confusion as to what this means. And perhaps we can put an end to all of this, and perhaps the applicant can be made aware that these types of uses are simply not allowed without application for a use variance. If they want to apply for a use variance, so be it."

Chairman Phinney, "Absolutely understood. And we do not know what modifications, if any, they are going to have in their application when they come back after the 60 day adjournment. They may, in fact, apply for a use variance and go through the various steps to make that go, to try to see if they can change the use at that particular point. That is one of their options, certainly, or they can choose not to do that and see what goes on from there too." Ms. Brennan, "Mr. Chairman, we just don't want to play games..." Chairman Phinney, "Nor do we ma'am..." Ms. Brennan, "We don't know what's going on now; I mean we were all shocked to find out what their intentions were, but now we all know. We are going to be watching, and we are fine to call Mr. Crompt, but if Mr. Galbato perhaps could give us a written interpretation that we could provide to Mr. Crompt and he could as well, that would be very helpful to us." Attorney Galbato, "I don't provide interpretations; I provide advice to my client." Ms. Brennan, "Advice – thank you."

Chairman Phinney, "I would also submit too, that at this point the applicant has certainly heard the outcry. I haven't talked with the applicant, but that would be my guess. They are certainly aware that there is a backlash and that perhaps they may have overstepped in their attempts to promote their business. 34 State Street is no longer available." Ms. Mashia, "I will add that I walk by that house 2-3 times per day walking my dog and my children. I have seen several cars – out of state license plates – husband, wives, various people dressed in various attire going in and out of that house. Things are happening there." Chairman Phinney, "In that case I would absolutely, positively make sure that you talk with the CEO, if you have specific instances to do that. It is out of my realm of understanding to a point as to what actually can and can't be done in those instances, but if there is obviously something specific – particularly at this early date – without any formal approval from any Board."

Ms. Brennan, "So, Mr. Chairman, to wrap this up it should go to Mr. Crompt, but if we get no satisfaction there, then what recourse do we have?" Chairman Phinney, "I'm not sure that there is anything he can do in a preemptive state, in a preemptive manner. I don't know that. I don't know what his ability level is to go do that. But I can't imagine that he can do anything in a preemptive manner. And I'm also under the understanding that at a certain point that the Trustees come into play once we start to put a stop to business. So I truly don't know, it's my ignorance on that – as to how that procedure goes and where it goes from there, but I would think he doesn't have the ability to come in and waggle a finger at something, unless he knows that it has already specifically occurred." Attorney Galbato, "If the Code Enforcement Officer feels there's a violation of the Code for a particular use of a property owner, he can ask them to stop either in writing or verbally or both. If it is not stopped within a reasonable time, then he can issue a 'cease and desist' order for them to cease that particular activity or use, whatever that is."

Ms. Govern, "What would that time be? What would a reasonable time be? I live across the street and I have seen the activity as well. What is a reasonable time?" Attorney Galbato, "What activity are you seeing?" Ms. Govern, "Out of state cars, men and women at all different times

of the day. They are not men and women going to work, it's clearly somebody here enjoying our beautiful Village. Or perhaps looking at the venue for a ..." Chairman Phinney, "Potential customers, right." Ms. Brennan, "And that's the thing. It puts us in the position of being police officers. And that's not our role. I think what we are saying tonight is that we are putting the Village on notice that this is happening, and we don't feel like we should have to be the police officers here. This is something that the Code Enforcement Officer perhaps should tomorrow go over there and say 'look, let's make it clear, you cannot be doing this'. Make it crystal-clear to the applicants that they cannot be operating in any way. I would in a sense disagree, when you call this preemptive. Personally, I was shocked. I had no idea of the proliferation of vacation rentals in this community. It is a very frightening prospect when the numbers in our school district are going down, when these homes are raking in thousands and thousands of dollars. Investors -- local and from afar -- are coming in and buying up our property. That's a concern. But it is not preemptive; the code says you cannot have overnight stays for under 30 days. It is clear. It is in the code, in an A2 district, absent a use variance. There is nothing preemptive about it. We'd ask for that interpretation or advice as well to make it clear to these applicants that if this is what they are planning that they better file a use variance, because it is not going to happen with an area variance and special use permit."

Chairman Phinney, "Mr. Counsel, anything to add on that?" Attorney Galbato, "If you choose, the board could entertain a motion to choose to adjourn the Public Hearing to a date certain, so everyone knows the date and the time of the meeting you are adjourning it to. Your next meeting is in May, but the applicant has asked for 60 days." Chairman Phinney, "June 23rd." Attorney Galbato, "But it is up to the pleasure of the board how far out you want to go."

Ms. Mashia, "I have one more question; comment. I understand the applicant has withdrawn. Were you presented with architectural plans for the submission?" Chairman Phinney, "On the original application, absolutely." Attorney Galbato, "And the application has not been withdrawn. The applicant's asked for an adjournment of the Public Hearing for 60 days. It is at the pleasure of the board whether to grant that request, to hear it tonight, or to adjourn it for their May meeting." Chairman Phinney, "And they can change the plans on their new application, they can change the use, they can change their request for whatever they feel will make it a successful venture on their part -- or not." Ms. Mashia, "Can we see the plans? We came down last week and were told 'there were no plans for you to see. They just want to change it to a 2 family. There are no plans for you to see. Just understand there is mis-information that is going on. We are on watch, looking at this house, wondering what's going on. We are asking for information. We are being told it is not available, though it clearly is." Chairman Phinney said, "I can't speak to any particular application, but our normal procedures are that anything and everything that comes before the Planning Board, the Trustees and all is legally a matter of public record. So whether they have it on hand or not is an entirely different matter at that particular point in time." Member Badami clarified that, "There was a site plan only that was submitted. There are not any other drawings to my knowledge that were submitted on this." Ms. Mashia, "I am looking for information about this two-story home that they are planning to break."

Chairman Phinney, "We are getting far off topic here." Mr. Dundon, "The applicant, if the applicant had a 30,000 SF lot, could have come in for a permit to convert to a 2 family dwelling."

That simple.” Chairman Phinney, “Without a variance. We are running into things that normally we talk and discuss in an open Public Hearing, and not in something before we are about to adjourn a meeting, during which you will have time the express the exact opinions you are expressing now, at another time. Yes that are on the record now, but this is not really a Public Hearing at this point. We were just allowing you to speak to get your frustrations or whatever out at this particular point. We are moving on here.”

Ms. Mashia, “One more question. Is there a point at which we are able to know their new plans or is there a timeframe that we can have notice in advance of this...” Chairman Phinney, “Normally it has to be posted into the newspaper before, so there is always notification in the Skaneateles Journal.” Attorney Galbato, “Right now all we can speak to is that there is a pending application for a variance to convert a single-family dwelling into a two-family dwelling. That’s all we know as to the application part. There are complaints about alleged violations of the Zoning Code.” Ms. Goldstein, “So will we all get a letter like we did last time telling us here’s the new application?” Attorney Galbato, “I don’t think so. You are going to leave here tonight knowing what the date is of the next hearing.” Ms. Mashia, “But if their plans change how are we supposed to...” Ms. Goldstein, “Right because it was more than the date it also said what they were applying for.” Attorney Galbato, “If anything is modified from what was originally applied for it will be in the Public Hearing notice, and you are free to call Dennis whenever you want to see if anything new or different got submitted.” Chairman Phinney, “Because we won’t know until we get them either.”

Member Pardee said, “I move that we adjourn the Public Hearing on the Severance application to June 23, 2015 at 7:30 pm.” Member Coville seconded the motion. Upon the unanimous vote of the members present and voting, the motion was carried 4 – 0; Member Balestra had recused for business interests. This matter was concluded at 7:56 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
April 28, 2015

Request for extension of the variance granted to Leanne Willard on May 27, 2014 to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Both side yards combined; Percentage of structure width/lot width; and Percentage of open area; and, Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to enclose an existing porch on the south side of the property addressed as 36 East Elizabeth Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman
 David Badami, Member
 Michael Balestra, Member
 Curt Coville, Member
 Larry Pardee, Member

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

 Leanne Willard, Applicant

 Andy Wargo, Skaneateles
 Lloyd House, 6 Orchard Road
 Chris Kozub, Skaneateles
 Patricia Carroll, 7 East Elizabeth Street
 Nancy Cihon, 11 East Elizabeth Street
 Chris Pinckney, 39 Academy Street
 Jamison Audette, 1153 Old Seneca Turnpike
 Justin Clark, 882 West Genesee Street
 Nate Bennett, 4206 School Street
 Mia Mason, 13 State Street
 Emily Baker, 700 Crow Hill Road

Chairman Phinney introduced this matter at 7:57 pm calling for Leanne Willard at 36 East Elizabeth Street. Chairman Phinney, "My understanding is that you are looking for a one-year extension on the building and you are maintaining the same plan that you had previously?" Ms. Willard, "Yes." There were no questions or comments from the Board. Chairman Phinney called for a motion. **Member Coville said, "I'll make a motion that we grant the request for extension of the variance granted to Leanne Willard on May 27, 2014 to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Both side yards combined; Percentage of structure width/lot width; and Percentage of open area; and, Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or**

Expansion; to enclose an existing porch on the south side of the property addressed as 36 East Elizabeth Street in the Village of Skaneateles.” Member Badami seconded the motion. Upon the unanimous vote of the members present, the motion was carried 5 – 0. This matter was concluded at 7:58 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
April 28, 2015

Public Hearing 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; Side yard set-back, left; Rear yard set-back; 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: Craig Phinney, Chairman
David Badami, Member
Michael Balestra, Member
Curt Coville, Member
Larry Pardee, Member

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

Andy Wargo, Architect, on behalf of the Applicant

Lloyd House, 6 Orchard Road
Chris Kolub, Skaneateles
Patricia Carroll, 7 East Elizabeth Street
Nancy Cihon, 11 East Elizabeth Street
Chris Pinckney, 39 Academy Street
Jamison Audette, 1153 Old Seneca Turnpike
Justin Clark, 882 West Genesee Street
Nate Bennett, 4206 School Street
Mia Mason, 13 State Street
Emily Baker, 700 Crow Hill Road

Chairman Phinney introduced this matter at 7:59 pm calling for Virginia Bryce at 8 Orchard Road. Mr. Wargo introduced himself and presented, "I am here tonight looking to renew the approved variance that was from 2012. So the project we know was not completed, and it was not completed because of delays. This is a nonconforming lot and it does have the nonconforming width. In our open spaces, we have shown that the existing is at 74.58% where code is 85%. To relate to that we have taken the building and the structure and we came up with 1750 in square feet. Our new proposed would give us a total of 1934 SF, which would give us an additional 209. The parking spaces we had as 600 SF. Since we are constructing a one-car garage, we eliminated one of the parking spaces into the garage, so we gained 300 SF there. So our total for the whole project would be a negative 191 SF. It is our plan to tear down the existing garage which is 12 by 18 and build a new 16 by 28 garage. You can see that we have

located the new one at 3.3 feet from the side property line, where required is 3 feet. From the rear property line we have located it at 15.1, where 15 is the required. With regards to the 10 foot building separation requirement, the existing storage building was 3 feet away from the main structure. The new garage will be 11.5 feet away from the main structure and 1.5 feet away from the existing deck. The neighbor's garage, currently under construction is located at 3.5 feet on the front and 3.7 feet on the rear, from the property line. This information was provided to us from John Crompt, and therefore as close as 6.8 feet is where we will end up – whereas it is currently 10.6 feet. The last thing I wanted to address is that the Planning Board as of 4/21/15, has required that the siding on the new garage be either wood or cement board siding, and if it's the cement board they wanted it to be smooth side out."

Member Balestra, "What is the garage going to look like. I know the dimensions and I have this photo of the old garage, but I did not see that any elevations were submitted?" Mr. Wargo, "On the plan from..." Member Balestra, "I do not have the plan from years ago." Mr. Wargo secured and submitted a copy to the Board. Member Balestra, "I'd say let's just incorporate these plans by date into any motion to approve."

Chairman Phinney opened the public comment portion of the Hearing. There was no one who wished to speak in favor of or in opposition to the application. Chairman Phinney said, "I move we close the Public Hearing." Member Pardee seconded the motion. Upon the unanimous vote of the members in favor of the motion, the Public Hearing was closed.

Member Balestra said, "I move that we accept the application of Virginia Bryce to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, left; Rear yard set-back; 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 the property addressed as 8 Orchard Road in the Village of Skaneateles, per the plans and elevations previously submitted to the Board dated October 22, 2012. This is a type 2 transaction. Applicant will have 6 months to complete the project." Member Pardee seconded the motion. Upon the unanimous vote of the members present, the motion was carried 5 – 0. This matter was concluded at 8:04 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
April 28, 2015

Public Hearing 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 of the lot at the property addressed as 7 East Elizabeth Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman
 David Badami, Member
 Michael Balestra, Member (Recused)
 Curt Coville, Member
 Larry Pardee, Member

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

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

 Lloyd House, 6 Orchard Road
 Nancy Cihon, 11 East Elizabeth Street
 Chris Pinckney, 39 Academy Street
 Jamison Audette, 1153 Old Seneca Turnpike
 Justin Clark, 882 West Genesee Street
 Nate Bennett, 4206 School Street
 Mia Mason, 13 State Street
 Emily Baker, 700 Crow Hill Road

Chairman Phinney introduced this matter at 8:08 pm calling for Pat Carroll at 7 East Elizabeth Street, and announced that Member Balestra has recused himself as a near neighbor. Mr. Kozub introduced himself and presented, "I'd like to first enter into the record a letter from one of the neighbors supporting the requested variances for the proposed addition. The variances that we are asking you to consider tonight are a area variance that accounts to a 1% increase and then a side yard variance of 0.2%, which is pretty detailed. The difference is this was an existing variance that was granted – the stairs protrude 0.2 feet past this bump-out. And then we have the location of the porch being centered on the structure facing the street. The proposed porch would be here, the street's over here." Chairman Phinney, "Structurally, how do you build around a chimney?" Mr. Kozub, "The chimney itself is structurally integral and self-supporting. So you don't mess with that. You just box it in and leave it just as if it were proceeding up through the middle of a house. Are there any questions?"

Member Coville, "Do you have an elevation view of the complete front of the house?" Mr. Kozub, "This is the front here." Member Badami, "Is the middle one the south exterior?" Mr. Kozub, "Right. So here's the middle elevation. The porch is right here and you can see in the shaded area, that's the proposed addition. Just in from the existing edge here and just in from the existing edge her." Member Badami, "The stairs are here because why?" Mr. Kozub, "I believe the intent was to tuck them along the fence line just to keep the impact and historic character of the house, and preserved. Here we are less prominent. This photo was taken looking right here." Member Badami, "So this neighbor, he is right here? On the other side of this fence? So they're looking at the stairs?" Mr. Kozub, "Yes." Member Coville, "I apologize for the way I phrased that question, but when I referenced 'front of house' do you have an elevation that shows from this corner with the new addition on it?" Mr. Kozub, "Sure. Is this what you are talking about? This which is cut right through this point here and then you are seeing the side elevation."

Member Pardee, "My concern is the set-back for all of the houses on that street. I stood at the front of their house and I looked right up going up the hill – and they are all in a nice line. And all of a sudden you've got a 14 foot bump coming toward the street. That's an awful lot." Mr. Kozub, "Just so I understand your; you are talking about this?" Member Pardee, "If you stand over in the driveway and look up the hill they are all in a nice line." Mr. Kozub, "You are talking about the facades all the way down. But this would end the set-back." Member Pardee, "I understand that, but you are changing the streetscape a little bit. It just seems like a lot." Mr. Kozub, "I would just offer that the design of the porch is certainly in keeping with the character and the historic nature of the homes and certainly would be providing a benefit in terms of assessment and neighboring properties because it is increasing the value of this home. All in all, it is a very positive influence on the neighborhood."

Member Badami, "This neighbor who submitted a letter in favor; where are they in physical proximity to this proposed project?" Ms. Carroll, "There's actually three different letters; three neighbors. Marcia Watt, she lives on the corner of Jordan and East Elizabeth. She is across the gully. Then this neighbor is directly across the street. And then there is one more, Nancy Cihon, she's actually here. She is two doors down to the east. The house directly next door is vacant; the owner died two years ago. In terms of your point about the set-back and everybody being in line – that's true on my side of the street, it is not true across the street, actually." Member Pardee, "I know that."

Chairman Phinney opened the public comment portion of the hearing, asking, "Is there anyone to speak in favor of this project?" Member Balestra (recused), "I'd speak in favor. I'm Mike Balestra, 10 East Elizabeth Street. I kind of complete the circle around the Carroll's house in addition to the other neighbors who have submitted letters in support. My house is almost directly across the street and I look at Pat and Jerry's house every single day. They have impeccable taste and have done an excellent job with their house and particularly Pat's garden, which is an asset to the neighborhood. I have no concerns about the character of the neighborhood as a result of the project. My wife and I are both in favor." Ms. Cihon, "I'm Nancy Cihon. I did sign a letter, but I'd like to say also that anything that Pat would present would be, like Mike said, in impeccable taste. She has helped many of the neighbors with their gardens and helped design – over the top." Chairman Phinney, "Great. Thank you. Is there

anybody who would like to speak against the project?" Hearing no one he said, "I move we close the Public Hearing." Member Badami seconded the motion. Upon the unanimous vote of the member present and voting, the Public Hearing was closed.

Member Badami said, "I would move that we approve 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 of the lot at the property addressed as 7 East Elizabeth Street in the Village of Skaneateles, per the plans dated March 18, 2015, a type 2 transaction, with one year to complete the project." Member Coville seconded the motion. Upon the unanimous vote of the member present and voting, the motion was carried 4-0, Member Balestra recused.

This matter was concluded at 8:20 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Zoning Board of Appeals Meeting
April 28, 2015**

Public Hearing 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: Craig Phinney, Chairman
 David Badami, Member
 Michael Balestra, Member
 Curt Coville, Member
 Larry Pardee, Member

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

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

 Lloyd House, 6 Orchard Road
 Jamison Audette, 1153 Old Seneca Turnpike
 Justin Clark, 882 West Genesee Street
 Nate Bennett, 4206 School Street
 Mia Mason, 13 State Street
 Emily Baker, 700 Crow Hill Road

Chairman Phinney introduced this matter at 8:21 pm calling for Chris & Catherine Pinckney at 39 Academy Street. Mr. Kozub introduced himself and presented, "I'd like to enter into the record letters from 3 neighbors in support of this project. What we are asking you to consider this evening is both an area variance and a set-back variance. The required variance for the minimum open space is 0.4% variance needed and the required set-back is 0.5 foot. So what we have to do here is, we are showing the existing garage here shaded in and then the proposed here. You can see that the proposed does fit within the setbacks. It is pretty straight-forward. If there's any questions, I'd be happy to answer them." Chairman Phinney asked Mr. Kozub to confirm on the drawings the actual rearrangements planned for the driveway, which would be expanded "just in this spot to line up and be centered on the garage."

Chairman Phinney opened the public comment portion of the hearing, asking, "Is there anyone to speak in favor of this project?" There was no one desiring to be heard. Chairman Phinney, "Is there anybody who would like to speak against the project?" Hearing no one he said, "I move we close the Public Hearing." Member Balestra seconded the motion. Upon the unanimous vote of the member present, the Public Hearing was closed.

Member Pardee said, "I move that we accept 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. This is based on 2 pages of drawings dated March 18, 2015. This is a Type 2 transaction and the applicant shall have 1 year to complete the project. Member Badami seconded the motion. Upon the unanimous vote of the member present, the motion was carried.

On motion of Chairman Phinney, seconded by Member Coville, the meeting was unanimously adjourned at 8:25 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards