

Village of Skaneateles
Zoning Board of Appeals Meeting
August 25, 2015

Public Hearing in the matter of the application of Seth Williams to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, left; Side yard set-back, right; Both side yards combined; Rear yard set-back; Percentage of structure width/lot width; Percentage of open area; and Minimum lot area; and Section 225-14C(5)(a/b) Accessory Buildings, distance to lot lines or structures; to construct a 1 foot by 20 foot shed, 19 foot section of fence with door, 12 by 14 foot rear yard patio and reconstruct driveway at the property address as 29 East Elizabeth Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman

David Badami, Member

Michael Balestra, Member

Larry Pardee, Member

Riccardo Galbato, Attorney for the ZBA

John Cromp, Code Enforcement Officer

Dennis Dundon, Clerk to the ZBA

Seth Williams, Applicant

Jo Anne Gagliano, Fayetteville

Richard Charles, 37 Jordan Street

Pat Blackler 27 E Elizabeth St

Aimee LeFever, 29 Jordan Street

Maclaren Cummings, 69 W Lake St

Leif Kallquist, Dewitt

Diane Burkhard, Syracuse

Bob Eggleston, 1391 E. Genesee St.

Absent: Curt Coville, Member

Chairman Phinney called the meeting to order at 7:30 pm, opening the hearing for Seth Williams at 29 East Elizabeth Street. Mr. Williams introduced himself and presented, "I just came through and now I am looking to construct everything you just said. You have the pictures? The driveway is an existing; half of it is paved, the other half is stone. What I'd like to do is dig that all out and go to an asphalt driveway all the way down that would be 9.5 feet wide. The fence would come across from where the patio would begin and then attach to the existing fence that runs along the property line. The shed would be set back into the back yard, where it would be 5 feet from each fence. The square footage of the patio would just come off the back door and be 14 by 12. The shed itself will be constructed using the same style as the house. If you look at the main picture it will have the open rafters – I'm going to duplicate the same open rafters and

the same design. I'm going to template those and actually build it into the back, so that when you look down the back of the house you will look at the same pitch roof, with the same scallops and/or cedar shakes duplicated at the top of it. I'm going to go board & batten siding vs. the clapboard."

Chairman Pinney, "The Planning Board had a concern about the height?" Mr. Williams, "Originally I was much higher because I wanted to put more storage, and put kayaks and canoes at the top of it. But they wanted it lower." Member Balestra, "What's the height now proposed?" Mr. Williams, "10 feet." Member Balestra, "This says 12 to the bottom of the..." Mr. Williams, "Yeah, yeah. They changed it. This is what came over before they changed it from 12 to 10." Member Balestra, "So the height to the peak of the roof is 10 feet?" Mr. Williams, "The height of the wall is 10 feet and then, this would probably be up there, based on the pitch that I haven't measured; I want to carry the same pitch as the roof of the house to the structure." Member Balestra, "It's a garage." Member Badami, "Do you know the total height?" Mr. Williams, "It would probably be about 16 feet. This one is the updated one, where I put it in the back and obviously it would come down a little bit. The one that says 10 feet wall heights."

Member Balestra, "It's more of a garage, wouldn't you say? It's a big building, 20 by 10. And with that height? And I get it. I live in a 1200 SF house and have no garage. My basement is barely serviceable. So I get it. But it seems like you could put bikes and lawn implements in a storage shed." Mr. Williams, "That's what's going into this; and then canoes and kayaks in the top, but there will be no car that's going to drive into it." Member Balestra, "But 10 by 20 with that kind of height is gigantic." Member Badami, "That's 200 SF, that's the size of a garage. I'll be honest with you, I have a problem with the size of this. In my opinion it's too big for the size of your lot. It's just too big. I don't have a problem with anything else." Member Balestra, "I agree." Member Badami, "I also share your concern with where to put stuff. I have a shed in my back yard and I wish it was twice the size that it is, because I would fill it up. In my opinion this is not in proportion to the size of your property." Mr. Williams, "10 feet wide is kind of, I would consider the minimum from the standpoint of most sheds. If I go to 12? If I move it back to 12 and push it back further to the end of the lot? So instead of 20 feet it would be 12?" Chairman Pinney, "10 by 12 you're saying instead of 10 by 20?" Member Balestra, "If it were 10 by 10 you wouldn't even need a variance with the set-back. It's already 5 feet off the line." Member Badami, "What are you putting this on? Are you putting it on a slab? Crushed stone?" Mr. Williams, "Crushed stone." Member Pardee, "It's no garage and it is tucked way back in the corner. It's kind of out of sight of everybody."

Mr. Williams, "But from the street, even if we did go to 12, it would still carry the same appearance from the road. So cosmetically it is still the same." Member Balestra, "The height though; that's still very tall. You are saying it is 10 to the bottom of the roof. What is the height to the peak?" Mr. Williams, "I would imagine once I take the pitch off the house, you'd be somewhere in the 15; 15 foot range." Member Badami, "That's almost a two-story structure, right?" Mr. Williams, "Right." Member Balestra, "In my opinion, a storage shed in the conventional sense of the word, as we think of them, would be more appropriate for your property than what you are proposing." Mr. Williams, "So would an 8 foot wall; so it would be 10 by 12 with an 8 foot wall?" Chairman Pinney, "I'm more amenable to that." Member Pardee, "8 foot side walls?" Mr. Williams, "Yes." Member Badami, "Better; very much so."

Chairman Phinney, "This is a discussion here, back and forth." Member Balestra, "I'd like to see where it's going to go and I'd like to see a drawing of it as well." Mr. Williams, "Same exact location, so 5 feet, 5 feet from each fence. It just would be pushed back further. So now we'd be basically 17 feet from the back fence, would be the front wall. And it would be 8 foot walls." Member Balestra, "The point is I'd like to have plans that I can refer to in making a motion to approve the application; so that when it is built we can be sure that it is built according to those plans." Member Pardee, "Can we put a motion through that specifies 8 foot vertical walls 12 feet long? With drawing to be submitted to Mr. Cromp when he applies for the building permit?" Member Badami "And with the measurements laid out, what they are to be?" Mr. Cromp, "If Seth comes to me with a new site plan with those dimensions on it, I think that's fine. Just go by the dimensions that the Board is recommending and make a new site plan, with those dimensions and where it is going to be -- that's fine." [Multiple conversations, with Mr. Williams providing clarifications.] Mr. Williams, "The roof will remain the same pitch as the house, somewhere between 10 and 12 pitch, and then I'll carry the same architecture from the front with the open rafters and all that. It will all remain the same with board and batten."

Chairman Phinney, "So it will still remain 5 back, 5 back, OK."

Member Balestra, "So you are not extending the driveway any further back?" Mr. Williams, "Yeah, the driveway comes back to here. But this is already a gravel driveway." Member Pardee, "What about this part here. When I went by your house the other day, you had 2 cars parked side by side." Does this come out?" Mr. Williams, "No. this is going to stay because I couldn't get; they don't want people parking in front, even though I am doing it. I need to get all this debris out of here so that we can pull back." Member Pardee, "An this part is going to be..." Mr. Williams, "Grass. It's soil right now. I'm just going to plant it. This right here is asphalt, then this is just aggregate and it stops right about here. And there is crushed stone underneath there." Attorney Galbato asked Mr. Williams to initial and date the revised site plan."

Chairman Phinney opened the public comment portion of the hearing, "Is there anyone here who would like to speak in favor of the application?" Ms. Blackler identified herself and said, "Well I want to. I live next door to Seth Williams. I haven't seen all those plans. His land is about ¾ of mine. I'm right next door; the first house to the west of the property. Everyone on the north side of East Elizabeth probably has the same distance and the depth of my house. His is probably ¾. So it is very small, and there is no garage and a small driveway. It is a hardship for them a family trying to find a place to put everything. So everything is in the yard. So that's why I'm in favor. It is a hardship for them to not have a place for children's toys and family's equipment. It will be good for the neighborhood to have a place for storage and a decent yard for a patio and a garden. So I am in favor of the application. If the ZBA or the Planning Board felt that a two-story garage was OK on State Street and it just kind of grew up to 2 stories -- it looks like a house -- then I can't see how this would affect the neighborhood at all. I can't imagine it affecting anyone but me." There was no one else desiring to speak in favor or in opposition.

Chairman Phinney, "I will move that we close the public hearing." Member Badami seconded the motion. Upon the unanimous vote of the members present, the public hearing was closed.

Chairman Phinney, "I move that we accept the application of Seth Williams to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, left; Side yard set-back, right; Both side yards combined; Rear yard set-

back; Percentage of structure width/lot width; Percentage of open area; and Minimum lot area; and Section 225-14C(5)(a/b) Accessory Buildings, distance to lot lines or structures; to construct a 10 foot by 12 foot by 8 foot wall-height shed, 19 foot section of fence with door, 12 by 14 foot rear yard patio and to reconstruct driveway at the property addressed as 29 East Elizabeth Street in the Village of Skanateles, based on revised plans initialed and submitted today, August 25, 2015. This is a Type 2 transaction under SEQRA and work is to be completed within 12 months, and with corrected plans, consistent with those revised plans dated today, to be submitted to the Code Enforcement Officer.” Member Pardee seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4-0 in favor. Mr. Williams thanked the Board. This matter was concluded at 7:44 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
August 25, 2015

Public Hearing In the matter of the application of Richard Charles for Special Use Permit and Critical Impact Permit to change the use of 1,111 SF of the first floor space from Office, Licensed Professional to Hotel (2 rooms) at the property addressed as 39 Jordan Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman

David Badami, Member

Michael Balestra, Member

Larry Pardee, Member

Riccardo Galbato, Attorney for the ZBA

John Cromp, Code Enforcement Officer

Dennis Dundon, Clerk to the ZBA

Bob Eggleston, Architect, on behalf of the Applicant
Richard Charles, Applicant

Jo Anne Gagliano, Fayetteville

Pat Blackler 27 E Elizabeth St

Aimee LeFever, 29 Jordan Street

Maclaren Cummings, 69 W Lake St

Leif Kallquist, Dewitt

Diane Burkhard, Syracuse

Absent: Curt Coville, Member

Chairman Phinney called the matter of Richard Charles for 39 Jordan Street at 7:45 pm. Mr. Eggleston introduced himself and presented, "Richard Charles is here. Richard Charles purchased the property and redeveloped it as a mixed-use structure in 2004 or 2005. The house was in pretty bad shape; unfortunately we had to tear in down and rebuild it. It was rebuilt very similar to the original house, with the additional garage on the side. At that time we had an office on the first floor and a two-bedroom dwelling on the second floor. There are 7 parking spaces on the site. He also acquired a right-of-way ("ROW") from Paul Trabold who owned the building behind, so he was able to get the more efficient parking. This was all done back in 2004-2005. Then in 2009, he came in and asked to change the 2 bedroom dwelling into a 1 bedroom dwelling and make the bedroom area over the garage a separate short-term hotel room that would be rented out. At that time he was also going to convert the first floor into 2 additional hotel rooms for transient occupancy less than 30 days. In the time period between the two meetings there was some questions about the ROW, you have a copy of that ROW. Since then he has purchased the Trabold building so he has a ROW from himself for that. When we

came back to the second meeting he had found an office tenant, Delmonico Insurance, for that. He had signed a two-year lease for them and that has been extended a couple of times. At that time we changed the application, and got approval, to the 1 bedroom dwelling, the single hotel room and keeping the first floor as the professional office. The Delmonicos, their lease has expired and they are just on month-to-month at this point. I know they have been actively looking for a different space. Richard is looking at what his plans are and he is interested again in entertaining having the 2 hotel rooms added to the first floor. So he will have a total of 3 hotel rooms in the building. Do you have any questions that this qualifies or is a hotel room? I can get into a narration on that.”

Chairman Phinney, “We have the definition and I think we’ll probably have some questions as to whether this meets the definition.” Mr. Eggleston, “And I’ll be glad to speak to that whenever you are ready to talk about that. Basically the definition of a hotel room is that it is transient occupancy and that it has a common entrance. The common entrance is here in the back. One comes up a short flight of stairs and they have access to the two new hotel rooms. Each room has a sitting area, and a sleeping area plus a private bathroom. Or one can continue up the stairs and come to the existing hotel room over the garage; it has a bedroom, sitting area and private bathroom. Or you continue up a few more stairs and you are up to the 1 bedroom dwelling unit. So that’s how the building lays out. There is no exterior changes, just the interior change. We actually have made the front bedroom handicapped accessible. The Village is short on number of accessible hotel rooms. The access, there is an existing ramp from when it was the professional office off Genesee Street; off Jordan Street. They would have an accessible entrance through the front. So this front unit which is accessible has both a front entrance off the porch and also the common entrance in the center. So I think we can find that it does meet the definition of a hotel room. Hotel goes on to say that it may have other functions but may is not required, it is permissive. These are strictly transient sleeping rooms.”

Mr. Eggleston continued, “As far as the management, Richard has a relationship with Curt Feldmann who has the boutique hotel which shares a parking lot in the back. The boutique hotel is right on Fennell Street; cutting across this Trabold parking lot you are right there. They would be managing the hotel rooms, the reservations...” Chairman Phinney, “Does he have somebody on site there? Just a curiosity question.” Mr. Eggleston, “During the day he has someone on site, at night he does not.” Member Pardee, “But they are on call right?” Mr. Eggleston, “But they are on call. There is always 24x7 access to someone on call. Just like the Arbor House doesn’t have anyone overnight there. Paris Flea, the rooms up there doesn’t have anyone present but you do have someone on call. So it does function in that regard that the management would be by local, in-town people with an established track record with the boutique hotel. Card key access is typically what they would be using. We have talked about the change in water consumption, that’s more of a critical impact issue. We do have less than 400 GPD increase in the amount of anticipated usage. As far as the parking requirement, we are required to have 1.5 cars per room, which would make it 3.75 – I’m sorry, 1.25 cars per room, which is 3.75 cars for the hotel use. The dwelling upstairs would require 1.5 cars.” Member Balestra, “Bob, where do you get that 1.5 number from?” Mr. Eggleston, “The new parking regulations for a dwelling unit if it is under 1,000 SF it is 1 car, if it’s between 1001 and 1500 it is 1.5, and if it’s over 1500 it is 2 cars.” Member Balestra, “You are talking about Section 225-58?” Mr. Eggleston, “Yeah that was adopted...” Member Balestra, “But that’s for a multifamily dwelling. This is not a

multifamily dwelling.” Mr. Eggleston, “I am talking about the dwelling unit upstairs.” Member Balestra, “That’s not a multifamily dwelling, and this requires two.” Mr. Eggleston, “Ok, fine. 2 plus 3.75 is 6, we have 7.” Member Balestra, “You need one for the part-time employee too, right?” Mr. Eggleston, “No.” Member Balestra, “You mentioned in the narrative that there is an employee?” Mr. Eggleston, “No the hotel room standards are for 1.25 per room. End of subject. We have 7 parking spaces available on-site.”

Member Balestra, “Are there 7 full parking spaces on that parcel?” Mr. Eggleston, “There are 7 full parking spaces, one is handicapped.” Member Balestra, “Is this the property line right here that cuts through that 7th space?” Mr. Eggleston, “This is the property line right there.” Member Balestra, “Then how can that be a full parking space? It’s a sliver.” Mr. Eggleston, “Well, what it is; then you have the ROW. The ROW is not showing up on here. The ROW comes straight across here. You can split the hairs if you want; we need 3.75 parking spaces – 6.75 parking spaces. We have 6.75 parking spaces.” Member Badami, “The parking here, I get it here, you have 1, 2, 3, 4...” Mr. Eggleston, “The ROW comes through here; the ROW technically ends at this point right here. That’s the end of the ROW to service this building.” Member Badami, “Your spots are 1, 2, 3, 4, 5, 6, 7?” Mr. Eggleston, “Correct.” Member Badami, “And he now owns this?” Mr. Eggleston, “He now owns this. This has currently a total of 7 parking spaces. At the time we made this, there was going to be a restaurant here. That application [McKeon] has been withdrawn.” Member Badami, “Is Mike talking about this line here?” Mr. Eggleston, “Mike was making issue of this...” Member Badami, “What’s this distance? How big is this right here?” Mr. Eggleston, “Oh this? This is maybe about 10 feet or so; it’s about half the depth.” Member Badami, “From here to here is 10 feet?” Mr. Eggleston, “We can take that end parking space and pull it in; it used to be paved.” Chairman Phinney, “Actually, in back of parking space #7, you are already parking cars, right? So there’s got to be some room back there; if you had to go backwards you could make it the proper 9 by 20 that it needs to be?” Mr. Eggleston, “Correct. And it could be totally on-site, yes.” Chairman Phinney, “Which would make the property line come less into play.”

Mr. Eggleston, “And then again, I mentioned that the exterior of the building will remain the same. There will be the necessary interior alterations brought up to code for a hotel use. I have gone through the Critical Impact criteria; I did not go through the Special Permit criteria but they are very similar to the Critical Impact criteria.” Member Pardee, “Back on the parking for a second. What about parking space #6? Is that - can only come back so far?” Mr. Eggleston, “Correct; can come back that far.” Member Pardee, “What’s this right here?” Mr. Eggleston, “Well, that’s a porch. That’s part of the porch.” Member Pardee, “How is a car going to park there?” Mr. Eggleston, “Well, the car has room to park there, in front.” Member Pardee, “So what’s this distance?” Mr. Eggleston, “That’s 20 feet from here to here.” Member Pardee, “So from here to here is 20 feet. What’s it from here to here?” Mr. Eggleston, “Less than 20 feet.” Member Pardee, “Obviously. So what is it?” Mr. Eggleston, “I’m not sure. We have enough room we can get 20. We also have a ROW to be on this property. So they have a right to be on that property. And the parking has worked that way for 11 years and it has worked fine. I mean Delmonico’s had the parking lot full and it works quite well.”

Chairman Phinney, “You have all the proper SEORA things taken care of?” Mr. Eggleston, “We have filled out the short form SEQR and answered all those questions.” Member Balestra,

"Residential uses on either side of this property, right?" Mr. Eggleston, "It's a two-family dwelling on each side, correct." Member Balestra, "I do have concerns about this parking; the part of this that irks me is the parking. Frankly, I think this is a fine location to put some lodging. But the parking situation on this property is terrible. And this driveway is right next to this two-family house. The difference between a hotel with 3 rooms plus a dwelling unit and an insurance agency is that now we've got more people who are living there 24 hours a day for short periods of time, and potentially going in and out. These people have a little patio back here where presumably they try to live their lives, and the insurance agency closed at, my guess is, 5 o'clock every night. So we have considerably more traffic right next to this house, and I worry a little bit about the effect on that house. I assume that they've been notified of the application?" Mr. Eggleston, "They are well aware of the project and had I known I could have gotten a letter of no objection. I can secure that. I have been in conversation with Nick McKeon on that." Member Balestra, "Does he actually live there or is he renting both units?" Mr. Eggleston, "He; one unit is rented, the other one I know he comes up from New York City and stays there when he comes up."

Attorney Galbato, "Mr. Chairman, I have a concern over the parking spots 6 and 7, in regard to there is an easement that the applicants provided when Mr. Trabold sold to Richard and Heidi Charles back in 2004. That easement is referenced in Bob's site plan and I think Bob submitted actually a survey as well. But as submitted, parking spots 6 and 7 are encroaching on a ROW or easement and, as the Board is aware, a ROW (an easement for ingress/egress) means you are not supposed to be stopping or blocking any portion thereof. Also, parking spot #7, that car — wouldn't that have to back into the other parcel? Now granted it's owned by the same person, but the Board should be aware that there might be a time when it is not owned by the same person. So those are some issues that crop up as we are talking about parking, and in particular about parking spots 6 and 7. We were talking about the length of them but they appear to encroach on a ROW, so maybe the easement might have to be modified between Mr. Charles and himself as the owner of both parcels. Also parking spot #7 would need to have some type of right to go over the other parcel. In order for the car parked in #7 to get out, it would have to back into another parcel, which, right now, I'm not aware they have the right to do. Granted they are owned by the same person, but the Board should consider separate ownership as you are contemplating what to do with this application." Chairman Phinney, "Is that something you could do?" Mr. Eggleston, "We could do that. We could extend that easement 15 or 20 feet into the other parcel." Chairman Phinney, "Isn't that also a Village ROW all the way through here?" Mr. Eggleston, "It is not. It is not a formal Village ROW." Chairman Phinney, "In my head I had that when Paul was still alive, I was thinking there was discussion, we talked about arborvitae. I thought it was a matter of him having to make some form of concession easement so the fire department would be able to get through and be able to use that as a ROW. I may be totally incorrect on that, but I thought that was part of what was discussed initially because they didn't want to have a closed-off section there with so narrow an access. There was a discussion with the Planning Board or ZBA, about an easement that could connect over to the municipal parking lot..." Chairman Phinney, "Or the back of the other property." Mr. Eggleston, "Then you've got to talk to Feldmann, Boulet and Verizon." Chairman Phinney, "I think a part of that actually evolved when Feldmann was doing his Boutique and as to how the property was going to be handled, because the question came up as far as access in other ways. I think it was a compound discussion, not just a singular discussion." Mr. Eggleston, "Currently, several

neighbors in that block have an unwritten agreement about sharing parking lots and driveway access. But each one has its own independent in and out. 39 has a written ROW for access to the parking on 37. If it pleases the Board to extend it 20 feet into 37, so they have an official turnaround that can't be blocked off..."

Member Balestra, "Will laundry be done on site?" Mr. Eggleston, "I believe laundry will be done off-site." Member Balestra, "It is not an ideal situation with the ingress and egress and the parking. I'm thinking two things; snow removal -- my understanding is that when it gets real bad it is taken off site -- and any vendors that need to come in. Since there is no food being served that limits it, but laundry, housekeeping." Mr. Eggleston, "Basically what you are talking about is an armload of sheets that get carried over to the boutique hotel. That's about what you are talking about. It's 3 rooms." Member Balestra, "Cleaning service." Mr. Eggleston, "The people who do the boutique hotel are who change out these rooms." Member Pardee, "They clean it, change the laundry, do maintenance and do all the routine daily stuff." Mr. Eggleston, "Sure." Member Balestra, "Is that in writing?" Mr. Eggleston, "I don't know if you have an agreement at this point in writing or not." Mr. Charles, "No." Member Balestra, "And what happens if it falls apart?" Mr. Charles, "A lot of people want a job."

Chairman Phinney, "As we are heading into our future and our concerns, part of the difficulty we have that already exists is off-site non-maintenance; basically where there are buildings where rooms are being rented but there is nobody working there on-site that's there -- no one who is accountable on site or no one that's consistent on-site. Other than that no problem; we've got people who clean the rooms. That's where the concern comes up is Curt saying 'no problem I'll take care of this and then his ladies get too busy and he forgets to have them come over to work. Is there something so that we know that someone is managing and is going to be accountable." Mr. Eggleston, "I guess it's the same thing as the Paris Flea building. I mean, you know..." Chairman Phinney, "No, no. We are now working futures not pasts here. This is now a new world here as far as we approach and go at things. Some of the concerns we now have that we know we need to pay attention to is on-site management of existing properties. It would behoove us to have some form of acknowledgement or legal acknowledgement that Curt is going to be the overseer of the operation until you move here or do whatever you might happen to go do, because that is now currently a concern for us as a Village. This just happens to be timing for where this is. I also don't think it's an unreasonable request." Member Badami, "I'm with you on that." Member Pardee, "Works for me."

Mr. Eggleston, "And again they have the space in the basement; if it's a matter of doing laundry they can do laundry there." Chairman Phinney, "That may be so, but we need to now know how that's going to get done, in contrast to having a wish and a prayer so to speak." Chairman Phinney opened the public comment portion of the hearing -- there was no one desiring to speak in favor of this application -- "is there anyone who would like to speak in opposition?" Ms. LeFever introduced herself and said, "I guess I would. I appreciate that you have a plan for some type of management there. I am the neighbor at 29 Jordan Street. I appreciate that you are being above board on this and that you have a plan for management. I happen to be the house that all of the drunk people walk by on the way home to all of these places up my street that are renting short term. Like I said I appreciate that everything is on-board here; a lot of places are not on-board. It is becoming problematic. There is not a Sunday morning that I wake up that there's not

beer bottles on my porch, flowers are pulled out of the grass, there's garbage, there's vomit.” Member Badami “Someone left a pizza on my front porch on Sunday.” Ms. LeFever, “They’re disgusting. This whole thing seems to be blowing up now. I’ve been there 8 years and it gets worse and worse. This year has been the absolute worst. There’s so many people doing short-term rentals up the street and they’re downtown. They’re here for weddings, family reunions; they’re here to party. They don’t have to get up and go to work in the morning – and they are really causing a problem.” Member Badami, “Is your concern that as part of this hotel, that the people who would stay there would add to that perceived problem?” Ms. LeFever, “Yes. Behind my house on Fennell Street is a short-term rental; he’s not above board. He says; he’s very nice, he’s pleasant about everything, but he’s not there to care of a problem. He tells me ‘well call the police’. I can’t call the police every time.”

Member Balestra, “This goes to the first criterion that we have to consider for a Special Use Permit – which is an unreasonable detrimental effect on any other use, structure or building in the district. If you put a hotel next to a residence, that residence’s value is going to decrease, and these are the kind of practical effects you see on a day-to-day basis because you have transients that are here for one or two or three nights – who are partying, who are going to weddings, they are not your neighbor.” Ms. LeFever, “It isn’t residents, because those people have to get up in the morning and go to work. If they’re going to party, they’re going to party on Saturday night. The people who are here for three days – they don’t know you, they don’t want to know you. They want to have fun and then get out. That’s the problem in my neighborhood. Thank you.”

Chairman Phinney, “I don’t think I’m comfortable to take a vote here this evening. I think we need to have more information.” Mr. Eggleston, “We do have a letter from Curt Feldmann who said that he had no objections.” Chairman Phinney, “I’d like to keep the hearing open rather than closing it; at this point the information we’d need – I need more information about Curt or whoever is going to be doing the on-site management scenario to make sure we’re comfortable with that. I’d like to make sure we have some more formal modified easement; the reality on that is even though you own both properties, the properties are separate properties and whatever we pass on, passes on to whoever owns it next, in case you ever split it up.” Mr. Charles, “Could I please address it? I heard your remarks. I like a quiet neighborhood and I watched both my neighbors turn into by-the-night renting. So it’s going on even though we’re here talking about the issue. Also having to be a neighbor of Trabold’s and vice-versa, the parking was problematic, and one of the biggest reasons why I bought his building. Everybody sees how I take care of the building; that’s the same way that I would do the management of the building. I wouldn’t have it haphazardly. I saw the crowds come and drink and have fun. I bought commercial property to treat it commercially. I didn’t buy commercial property to just live residentially. My project at my age is I’m looking forward to a retirement project. If it’s going to be a hotel, then I may come here and manage it for a while. It has changed a lot since I bought the property; I’m trying to find the highest and best use that’s going to serve this community. So it’s been a little problematic; I hear everybody’s concern – I don’t have deaf ears about it. But as a businessman you’re looking to make a good return on your investment. I’ve put in hundreds of thousands into the first house, and now I’d like to fix up the other property. The parking there is really not a problem. There really is 8 spots there not 7, we use them everyday, two of them are in tandem. I see where the problems are and where they are not. That certainly has got to be taken into consideration. As far as an easement to help people walk to TOPS, to the Village, to

the municipal parking lot. I have always been open for anybody to do that. I want to use that property for us to make money and also for this community to get something out of it – whether that's giving people on a nightly basis a place to sleep or the second property; hopefully it can be useful too. It's difficult to please everybody because it's such a small community. No one wants to see change. I really think that if we embrace change, between the residential sector and the commercial sector we have to house people. I live in Sausalito California; we get 20 million people a year – we manage it. We get maybe a million people a year here and it's in turmoil. If I'm an example as to what we do next, then I think there should be further consideration, but I think it's a proper use. That building, I would definitely take care of it and the people that I would rent to on a nightly basis. I grew up in Camillus, although I live in San Francisco. When I come here, I want to add to this community not take away. So if I'm putting my money into this community to make the homes beautiful, then how I manage my property I shouldn't be restricted. Especially when it's commercial. As far as the parking goes as far as what the use is going to be in the end, that's; hopefully everybody can come to some agreement. I buy these properties and they sit there because we argue about what to put in there. So I'm very open to this community. I really think that the parking is manageable, now that I own both parcels. Before I'd have to say I agree with you – tow trucks, unhappy thoughts and feelings about old business. We don't have to do that any more. So I'm leaving here in a couple of weeks, but I want to leave here with that whole property with the right tenants in there, and an agreement that we can move forward. That's what I would like to see. If that helps any – where I come from as a man – and also to find a good solution to that property so it works, both for me and for the Village. Thank you.”

Mr. Eggleston, “I'd like to add two things. I realize tenants change. Right now Richard actually has an awesome tenant in the one-bedroom dwelling who actually helps manage the property. She is a renter and isn't permanent but I think that's the kind of person that Richard looks at because he is 3.000 miles away. He has put in place appropriate safeguards for his property, protect his investment and be his eyes and ears. As far as single-family dwellings in Downtown D area. Obviously people choose to either live in an exclusive residential neighborhood or they choose to live in a mixed-use neighborhood. There is a certain expectation that is different in the Downtown D area when you choose to live in the Downtown area from if you choose a Residential A or B neighborhood. I don't think that denying Richard Charles is necessarily going to solve that problem; he has nothing but the best intentions.”

Ms. LeFever, “I want to say that I am not totally opposed to your project. It's the management that's really important; having somebody there that I can call at midnight when somebody is barfing on my bushes and say 'hey one of your guys is down here what do you want me to do?'”
Mr. Charles, “I would have those things in place. I don't do anything half-assed.”

Chairman Pinney, “I don't know if I need to move that we keep the public hearing open?”
Attorney Galbato, “If it pleases the Board it would be a motion to adjourn the public hearing to the next meeting on September 29.” **Chairman Pinney, “I move to adjourn the hearing and keeping it open to retake up the issue at our next meeting on September 29.” Member Pardee seconded the motion.** Upon the unanimous vote of the members present in favor of the motion, it was carried 4 – 0. Chairman Pinney said, “I'm sure you will be able whatever concerns we have about easements and to go from there. Again, it is the 29th not the 22nd of

September. Chairman Phinney, "Is there any problem with us as we go between now and then for us to go in and do a walk-through to see how things are going to be laid out? Is that something that Delmonico would be comfortable with?" Mr. Charles, "Absolutely." Mr. Eggleston, "We can arrange that." Mr. Charles, "I am possibly leaving on the 3rd . I'd have Bob do it because he's here."

Mr. Eggleston went on to suggest that the Board could resolve to hold a special meeting for a site visit. Attorney Galbato indicated that he is not in favor of that. Chairman Phinney expressed the preference to do it 2 members, then 2 members, then 1 member. It was left that the Board will coordinate with Mr. Eggleston by email. This matter was concluded for this meeting at 8:29 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
August 25, 2015

Public Hearing in the matter of the application of Maclaren Cummings for Special use permit and to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, and Section 225-23C(1) minimum lot width for supplemental apartment, to construct a new residence with pool, detached garage, supplemental apartment, boathouse, dock and retaining wall at the property addressed as 69 West Lake Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman

David Badami, Member

Michael Balestra, Member

Larry Pardee, Member

Riccardo Galbato, Attorney for the ZBA

John Cromp, Code Enforcement Officer

Dennis Dundon, Clerk to the ZBA

Leif Kallquist, Architect, on behalf of the applicant

Maclaren Cummings, Applicant

Jo Anne Gagliano, Fayetteville

Diane Burkhard, Syracuse

Absent: Curt Coville, Member

Chairman Phinney called the matter of Maclaren Cummings for 69 West Lake Street at 8:28 pm. Mr. Kallquist introduced himself and presented, “In summary we are before you here for a couple of items; the first two are Special Permits required from you for the supplemental apartment and for the boathouse. In addition to that we have two variance items on our list; the first one being lot width. We don’t have a variance requirement for lot width on this project, except due to the supplemental apartment, so the supplemental apartment causes this one to come into play. There’s a note in the zoning regulations that when the supplemental apartment is in use, we have an additional 10 feet requirement that takes the lot width requirement from 150 to 160 feet. We are technically wider than 160 feet at the widest point of the lot, but we use an averaging system because of the odd shape of the lot. The other variance is for the lot coverage of an additional 1.8% of coverage versus what’s in the code. The existing coverage is 6.6% over right now and we are reducing that down to 1.8% over. In the process of doing this we will be removing 2 existing nonconformities – one is the maximum width of the structures on the property is 67% existing, with the zoning requirement of 55% max. Our structure will be within all that, so we’ll be removing that altogether. The other existing nonconformity is the existing structure side yard set-backs are in a nonconforming situation right now, they are too close to

the property line on the north side. All of our structures will be pulled into that zone so we'll have no issues with those guys as well."

Mr. Kallquist continued, "This is the existing site as it sits right now; we have a turnaround driveway. This driveway turnaround piece is humped up; it dumps down onto the property to the north. All of this is very steep on the north also and we are going to be improving those conditions. All the pool area and terraces and walls, big retaining walls on the side that are tight; these are going away in the process. We are trying to bring back a more natural grading approach to our side lots. The existing boat structure down at the shoreline here; in working with John, the definition of the shoreline follows the retaining wall along the edge and then out along this edge here, around and back down and over along the line. That is a permanent structure of a full-blown concrete wall out in the shoreline that creates the high water line. So we have used those numbers; incorporated those numbers of the terrace that's out there now -- the terrace that's falling apart -- as part of our shoreline structures number in our calculations. That is a boat slip with that steel frame structure that's over the top. That will be coming off of that. The damaged dock area that's all in this area here is going to be reworked. We think there's a lifted structure or a beam down there. We will be maintaining the existing dock zone that's outboard of the mean high water line in that area, including resurfacing all that area, and then building a new boathouse in the location of the existing boat shelter area now, changing its orientation from the west side to the north side."

Mr. Kallquist continued, "This is our development plan. Ghosted on here for you is the existing house in this location. Our new house is pulling forward maintaining the basic floor elevations of the existing house, just pulled forward, allowing for a walk-out basement level towards the lake which creates a privacy terrace as the grade tucks back into the house. Pulling the supplemental apartment out to the front along with the matched accessory garage structure. These are designed to play along the Roosevelt Hall, Denny Owen property and the property to the north to create that rhythm of structures along the West Lake Street. Our goal was to keep those as becoming gatehouses to our main house -- create a visual barrier to the big house and keeping the human perspective scale as you are going down the road to a much smaller scale. Basically we are coming into a drive court to the front entry and then we are bringing our drive down along, softening all those existing hard grades that are up along the tree line to the north and creating our actual garage storage for the principal house down below. We are able to hit the natural grades at the start, we are hitting the natural grades at the garage and we hit the natural grades when we tie in to the terrace down below. So I am really trying to sculpt this thing in the land form visually with no disturbance by mounting the house up as some of the other people have had to do. What we are doing down at the shorefront line here is we are going to remove all these extra extraneous broken up brick terraces and old limestone walls. All that comes out and we're going to naturalize the lawn and turn this into a landscape that comes right down to the wall's edge and marry it into the walls and stairs there. That would spill out onto the permanent terrace that's down there and then also the reworked dock structure there and a new permanent dock along the eastern exposure of the boathouse and forms the enclosures to capture and support the actual boathouse structure where now the boats enter from the north side. The dock that's showing out here is the potential for a temporary dock structure if we need it."

Mr. Kallquist continued, “As we move in that’s just a blowup of that condition right there. We are forming a driveway through the house structures to form a gate element to take their eye line down and is on a formal axis throughout the whole house down toward the viewshed. Our goal is to get the house just off the front edge so that we are not violating viewsheds from the house to the north and from the Owen house property, but which allows us to capture beautiful viewsheds from the Village all the way down to the south side into the lake. These were in the packet. These are some of the viewsheds from West Lake Street. As you come through the gatehouses nestled into the existing tree structures; all these trees are existing and will be maintained even including the birch trees that are sitting in the center of that existing circle. We are going to use the existing road cut. As we drive up and through we get the image of the house presenting itself in a court, as we run our arrival sequence. The structures are all in a traditional Village architecture; gables on gables, clapboard, shingle and a little board & batten mix, introducing on our sheds a cleaner version of shed dormers in a antique metal surface for the roof structures. The windows on all the gables are a regressed window, curved shingle work tying it back into it, creating some of that old classic Village architecture.”

Mr. Kallquist continued, “This is back to the site plan tying all of the gradework into the driveways and the supplemental apartments. As we can start to see the reality of how all this starts to feel together here. As we go down to the roadshed coming from the south, this is Polley Lane as it tucks up off the main road up toward Roosevelt Hall. This right there is the entrance gate wall that was taken out. The essence is to see how the supplemental apartment and supplemental garage nestle into that treescap and create the visual rhythm of the vernacular of the house. as we come down West Lake Street it starts to open up and you get a glimpse of the house as you are going by. Again, both structures are done as matched bookends with a swooping curved roof elements to open up to it and bring the eyeline down nice and low as we punch through the two structures. As we come up the driveway we have taken out the retaining walls we hunker the supplemental apartment right back into, and bring the grade to it to form a nice window ledge on the south side and creates a little privacy court on the front and on the back sides. As we come on through we now present the house. We are picking up the same elements; we have shingled gables set against clapboard gables, we have basically a viewshed that goes right through the whole house; it’s an open core, center core house that goes right into the gallery. We work with a shed dormer to keep the eyeline down in the middle and let the gable forms create our anchors on both sides. As we drop down the side, coming down the driveway, the existing grades are 25 feet further to the south than where they were before. So we are on natural grades here. We allow 3 garage doors tucked in along this north facade, and we let the grade then pile back up along the northeast architectural feature element on the house, so now that natural lawn that’s there just falls down and you start to get a glimpse of the boathouse set down to the east.”

Mr. Kallquist continued, “You are looking down now with the house on the right and the boathouse beginning to show down here. As we spin around, the pool is set up as a vanishing edge pool so our only fencing requirement per code is up along the side, so we have a nice open exposure for this guy. We are doing this to create some privacy up on the terrace in back from the boats that are always going by, so they are not on display if they are out sitting in their chairs on the lower terrace. The boathouse now picks up the same character as the main house and has 12/12 pitched gables, metal shed dormers, regressed windows into the boat structures on the

upper levels. This is the permanent dock creating the formal structure to help hold up the building itself. This is the existing terrace; this is going to be reversed it is all going to be done in Epay, naturalized Epay blue-gray. Then as we come up the house, the front and the back of the house play with each other. We have the greatroom space, we have a small porch along the lake side. It has a shed dormer in the middle and a playful play on different gable forms on the bedroom wings. As we come up the north side again we are pulling the natural grades back in and we are back up onto our terrace looking at the supplemental apartment and the garage. We have a small porch on this side that's our screen porch tucked in on the southern exposure where we have our tree coverage. Our goal again is to nestle this thing into the property and make it not feel like we are impinging upon neighbors or character or lifestyle along that street. Any questions?"

Chairman Phinney, "Not me." Member Balestra, "It is pretty stunning. My only thought was having the supplemental apartment and accessory garage along the street. I'm having a difficult time envisioning them there and I don't want to regret having them there. It seems like when you drive down West Lake Street and look off, for the most part you see the houses, and in this case the house is largely blocked from view until you get right between these two." Mr. Kallquist, "Right; it's going to be perceived as a layered view of structures, which is what we are after. One thing I don't like is the sense that you have a wall of houses, where you build one house further to the north from here and the existing house that is there now is mediocre architecture, set close to the road and they are right up in your face. Our goal is to bring in some of the genre and character of what Roosevelt Hall does, which is to set back. The Owen property, even though it's a brick house, it is prime that someone is going to clean that one up a little more. It is a narrower element. So now you are going from Roosevelt hall to the Owen property, which is a narrow front, to our two which you perceived as a frontage and then to the next one which actually has a garage front and as you go further north they become more scalarly-proper to the road façade, to how the landscaping is handled in the front, versus right up in our face."

Chairman Phinney, "To me it is very New England. It is not uncommon to have supplemental buildings leading into the estate so to speak." Mr. Cummings, "That's what we pulled from and frankly we want to do something that's special and historic. A lot of the stuff that's been done on this lake was done for the first time, and is now historic. We want something that's going to stand the test of time. The fact that you haven't seen it before is not necessarily a bad thing. It is inspiration that I took from just looking through historic books and going to historical societies in various places. To your point, I bought this book on New England architecture and that was where I originally saw it for the first time and just really loved it. From a functional standpoint, there is a use for the guest house for my mom. It gives her some of her own space without feeling like she is impeding on the family, but at the same time there won't be a barbeque set and a play set and a pool out in front of that. It provides the entrance up against the house in a very private way, that I think visually looks very good. The way Leif described it ' you look through to the house'. I think it presents really uniquely and really well." Member Balestra, "It is very impressive." Mr. Kallquist, "Our goal is to be subtle, not brash and ostentatious in how we present the Cummings family to the Village. No castles, no massive towers, no blue roofs."

Member Pardee, "How far apart are these two buildings?" Mr. Kallquist, "They are about 20-something feet right now. The driveway is 12, probably plus 6 and 6." Member Balestra, "Is there a little median in that driveway?" Mr. Kallquist, "A little median in the driveway; it is a grass median. The standard driveway is full and paved, As we hit the house we split it to slow you down and make you think about where you are driving. It is all about perception and subtle ways to slow them down and make them focus and so the UPS guy can get through there and back out again."

Chairman Phimney opened the public comment portion of the meeting. There was no one desiring to speak in favor of nor against the application. Chairman Phimney, "I move we close the public hearing." Member Balestra seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the Public Hearing was closed. Member Balestra, "I move that we grant the application of Maclaren Cummings for a Special Use Permit and to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of open area, and Section 225-23C(1) minimum lot width for supplemental apartment, to construct a new residence with pool, detached garage, supplemental apartment, boathouse, dock and retaining wall at the property addressed as 69 West Lake Street in the Village of Skaneateles. This approval is for drawings submitted with the application dated July 23rd, 2015 and is a type 2 transaction. Applicant shall have 3 years to complete the project based on personal considerations and the need to select a builder." Member Pardee seconded the motion. Upon the unanimous vote of the members present (4 – 0 in favor of the motion), the motion was carried.

This matter was concluded at 8:54 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
August 25, 2015

Continuation of Public Hearing in the matter of the application of Jo Anne Gagliano to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Side yard set-back, right; Both side yards combined; and Percentage of open area; to construct additional parking area, patio, decorative fence and stairs to false door at the Weichert property addressed as 81 East Genesee Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman

David Badami, Member

Michael Balestra, Member

Larry Pardee, Member

Riccardo Galbato, Attorney for the ZBA

John Cromp, Code Enforcement Officer

Dennis Dundon, Clerk to the ZBA

Jo Anne Gagliano, Architect, on behalf of the applicant

Diane Burkhard, Architect, on behalf of the applicant

Absent: Curt Coville, Member

Chairman Phinney called the matter of Jo Anne Gagliano for 81 East Genesee Street at 8:55 pm. Ms. Gagliano introduced herself and presented, “I am here on behalf of my clients, Cy and Melissa Weichert. I am here after having gone to the Historic Commission Board. I have also had a positive recommendation from the Planning Board. We needed to go through some items; Diane was here last month to review it with you. So I’d like to go through a few things together and summarize the variances that were sought and what you just described. I have a few drawings for you, This is the overall site plan. What you were looking at last month was this plan. This is the old one, and we have shown the whole property. The first variance sought has to do with the decorative wall on the east. That is the wall at the edge of the driveway that terminates the view into the back space. We are seeking relief of 7 feet on that eastern property line. On the area alongside the patio, we have shown it in red for the set-backs on this drawing, there is a 23 foot relief for a decorative seat wall and right next to it there is a retaining wall with a fence. The sketch shows this wall and this fence. That’s what you saw last time. The next one – the bluestone patio is an addition and on your drawings is shown here and then the walkways. These affect the minimum coverage area. Lastly is the additional driveway pavement for the parking and turnaround. In the original it was this whole area. After discussion with you the drawing comes in like this.”

Ms. Gagliano continued, “I’d like to talk about those concerns and how we came up with the reduced plan and also why we came in with the original plan. One of the concerns was the

amount of asphalt on the property that was being asked to be added. We originally presented this because we looked at the character of the neighborhood and we understood that if you look at all the properties on East Genesee Street they have some kind of turnaround. So we didn't think it was unreasonable and in keeping with the area. But we did hear your concerns. Knowing that health and safety is really important for the community and people on the sidewalks, this is the view of what it looks like in front of their property, there's literally a parking space on each side of the property here. That is also shown here -- that is a blow-up of that area. These were done so we can understand the turning radius and movement, using the Auto-Turn software and the standard turning radius for cars. This is the long driveway that comes into the property. This is shown with the parallel parking out in the street as it exists today. For the safety of people on the sidewalk and also the oncoming traffic, we were looking at is it possible to move people in here and turn around, even if they have to jockey a little bit to get out. This is what it would look like -- the green and the pink show the movements -- if you were to put a template of a car's turning radius on it. So our reduction plan originally had parking spaces here. We have made that much smaller. We actually cut it off here because there is a decorative wrought iron fence that runs along this edge, so a car could not go over that line. We are being more conservative than we should be because it is possible that they could drive on the lawn. But listening to your concerns and carrying it to the line of the fence, this is what we are showing you today."

Chairman Phinney, "What size are the parking spaces?" Ms. Gagliano, "This overall space is 19 feet, correct? So from here to here is 19 feet; so they are a little bit tight but it's workable. Truthfully if you had two people parking in the existing garage, you can't really park in front of it. Right now they are actually parking here as you know. We are displacing their parking space; they are parking on gravel in this area. To meet the requirement of having less space we can live with this, so you have at least enough room for two cars or a way to turn around in here, so that people are not having to back all the way out. So that's how we came to the decision on that. In addition we do think it is compatible with the neighborhood. When you look at what others have back there, there is usually some method of moving around to get out, because it is a busy street. Understanding the size concern was one part of it, the second part was how do we deal with stormwater. What we have done is to contact Shannon Harty, and there is the possibility to connect to the storm sewer here. So there is no need for anything to pitch away from it, and we have also provided storm drainage for the patio area as long as we are doing that. The bluestone pavement is really what's pushing us over the 85%, although it seems that it is in character with the area -- they don't have any place to sit outdoors. The area that we are improving is very much in character with the home and the style of the home. So we are still asking for, we have our chart on here; we are looking at a situation where we are addressing the minimum coverage at 82.37% in lieu of 85% which is our current minimum coverage. So along with the variance that we just described, we are also looking for the relief in coverage. The walkways we have been looking to be protective of the character and environment, so those are stepping stones in grass so we are not going to have a stormwater issue. The only places where you have additional pavement, we are going to have a drain and tie it into the Village stormwater system. So I think we have addressed all the concerns. We'd love to hear your opinion on the parking and if that suits." Member Badami, "From my recollection you did exactly what we asked. I think you nailed it. I think this is great." Chairman Phinney, "You addressed all the concerns that I had for sure. Much better. The drainage in particular is much

better.” Member Balestra, “I agree. This is a great solution.” Member Pardee, “Yes it is. Nice job.”

Chairman Phinney opened the public comment portion of the hearing. There was no one desiring to speak in favor of or in opposition to the application. Chairman Phinney, “I move that 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 Badami, “I’ll move that we approve the application of Jo Anne Gagliano on behalf of Cyrus & Melissa Weichert to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, left; Side yard set-back, right; Both side yards combined; and Percentage of open area; to construct additional parking area, patio, decorative fence and stairs to false door at the Weichert property addressed as 81 East Genesee Street in the Village of Skaneateles. Approval is based on drawings dated June 18, 2015 and revised August 11, 2015. This is a Type 2 action under SEORA and applicant will have one year to complete. Member Pardee seconded the motion. Upon the unanimous vote of the members (4 – 0 in favor of the motion), the motion was carried. Ms. Gagliano thanked the Board.

On motion of Chairman Phinney, seconded by Member Pardee, the meeting was adjourned at 9:09 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

