

Village of Skaneateles
Zoning Board of Appeals Meeting
April 26, 2016

Public Hearing in the matter of the Area Variance Application of Eric Gay & Nicole Marquis to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, right; and Percentage of open area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion to rebuild an 8 by 14 foot existing porch and to add a 202 SF patio in back yard at the property addressed as 37 West Elizabeth Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman
David Badami, Member
Michael Balestra, Member
Curt Coville, Member
Maureen Wopperer, Member

Riccardo Galbato, Attorney for the ZBA
Gregg Eriksen, Village Trustee
Dennis Dundon, Clerk to the Boards

Robert Eggleston, Architect, on behalf of the applicants

Doc Huston, Skaneateles
Mark Edwards, 12 Calemadr Dr.
Doug Clark, 24 West Lake Street
Bill Spalding, 110 East Lake Road
Katie Severance, 34 State Street
Jack Severance, 34 State Street
Ryan Coon, 1451 New Seneca Tpke.
Marty Lynn, 38 Academy Street
Bill Lynn, 22 Jordan Street
Andy Ramsgard, 181 East Genesee Street

Chairman Phinney called the meeting to order at 7:31 pm. He then called for the matter of Eric Gay & Nicole Marquis for 37 West Elizabeth Street.

Eggleston – This is an existing nonconforming lot in that the open space is 84.1% where 85% is required. Right side yard is 4 feet, where 15 feet is required. Both side yards are 27.9 where 35 is required. What they would like to do – the house had been rehabbed by the previous owner a number of years ago, but the old original porch is on it that is in poor shape. They would like to tear it off and rebuild it to make it structurally sound, but they'd like to make it 8 feet deep so it's an actual functional porch. The average set-back on the street is 15.9 feet and the proposed

porch will make it 13.8 feet, so we are encroaching slightly into the average set-back. Right now it is conforming, but because we are coming out a couple of more feet, it will be nonconforming by 2.1 feet. They have done some stone work around the garage for retaining walls; they have created this little raised area above the lower lawn that they would like to make a patio – so they have some private outdoor living space. It is detached from the house. Eric Gay is a landscape designer and he has some nice plans for the back area that he is trying to develop. It will be a permeable stone patio there. That further decreases the open area to 81.8%; typically houses in the West Elizabeth area are 80% or lower open space, so this is in keeping with most of the houses in the neighborhood. I think the front porch will enhance the house, as a useable front porch and is an asset to the Village and the neighborhood. Are there any questions that you have relative to this application?

Badami – The neighbor’s house over here; the photograph is a little misleading, but it appears that sticks out as well?

Eggleston – According to the survey, when I did a project for Mrs. Barron a while back we had a 13 foot set-back over here. So it will be in front of but we are working the street average.

Badami – It’s close though isn’t it?

Eggleston – Yes, very close. This was is 18 feet; if this one was 13 feet we’d be golden. But yes you are correct, this one is out approximately a foot further than the existing.

Balestra – It actually improves the esthetic. That porch does need to be rebuilt. [Other members expressed agreement.]

Balestra – The patio; on the plan here, these boulders, that’s where they are going to stay?

Eggleston – Those are in place. It’s going to be between the boulders.

Balestra – So he’s just going to convert this to useable space?

Eggleston – Correct.

Wopperer – Have we heard anything from the neighbors in the blue house? Do they have any objections?

Eggleston – Actually the neighbor in the blue house is absent more than she is present. They have talked with the present neighbors that they could get hold of and they are aware of it.

Wopperer – And these are on either side? This was to the Village of Skaneateles ZBA, “Regarding Eric Gay and Nicole Marquis, the variance application of 37 West Elizabeth St., tax ID 006.-04-05.0. We the undersigned are aware that Eric Gay and Nicole Marquis are proposing to replace a front porch and add a patio to their property at 37 West Elizabeth Street. We are aware this requires an area variance. We have reviewed the drawings of Robert O. Eggleston, architect, dated March 23, 2016 and have no objections to this application.” This was signed by

the owners of 36, 38 and 40 West Elizabeth St. Missing is the neighbor in the blue home adjacent.

Chairman Phinney opened the public comment portion of the hearing. There was no one desiring to be heard either in favor of or in opposition to the application. **Chairman Phinney, “I move that we close the Public Hearing.” Member Balestra seconded the motion. Upon the unanimous vote of the members in favor of the motion it was carried 5 – 0.**

Member Badami, “I will move that we accept the application of Eric Gay & Nicole Marquis to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, right; and Percentage of open area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion to rebuild an 8 by 14 foot existing porch and to add a 202 SF patio at the property addressed as 37 West Elizabeth Street in the Village of Skaneateles. This is a Type 2 action under SEQRA; the approval is based on two pages of drawings dated 3/21/16. The applicants will have one year to complete. Member Balestra seconded the motion. Upon the unanimous vote of the members in favor of the motion it was carried 5 – 0.

Mr. Eggleston thanked the Board. This matter was concluded at 7:41 pm.

Respectfully submitted,
Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Zoning Board of Appeals Meeting
April 26, 2016**

Public Hearing in the matter of the Area Variance Application of William Lynn to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of structure width/lot width; and Section 225-14C(5)(a/b) Accessory Buildings, distance to lot lines or structures; to construct a 73.3 SF concrete planter and wood pergola for outdoor seating and to install a 48.6 SF storage shed with relocated parking stalls at the property addressed as 22 Jordan Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman
David Badami, Member
Michael Balestra, Member
Curt Coville, Member
Maureen Wopperer, Member

Riccardo Galbato, Attorney for the ZBA
Gregg Eriksen, Village Trustee
Dennis Dundon, Clerk to the Boards

Ryan Coon, Architect, on behalf of the applicants
Bill Lynn, Applicant

Doc Huston, Skaneateles
Mark Edwards, 12 Calemad Dr.
Doug Clark, 24 West Lake Street
Bill Spalding, 110 East Lake Road
Katie Severance, 34 State Street
Jack Severance, 34 State Street
Marty Lynn, 38 Academy Street
Andy Ramsgard, 181 East Genesee Street
Bob Eggleston, 1391 East Genesee Street

Chairman Phinney called for the matter of Bill Lynn for 22 Jordan Street at 7:44 pm.

Coon – I will read the project narrative. The land between State Street and Jordan Street has been predominantly used for public parking; Mr. Lynn’s property is no exception to this trend. The entire property is paved and the section to the east is leased to the village for parking. Mr. Lynn and Mr. ??? recently opened Skaneateles Scoops, an ice cream parlor in the rear of the building whose primary access is from the rear lot. They would like to offer exterior seating to customers to enjoy summer days and proposes the construction of a 73.3 square foot concrete planter and a new painted wood pergola above. The proposed planter will help to both segregate

the exterior seating area from the surrounding parking and provide a clear line of travel into the business. The proposed pergola will provide a visual ceiling plane which aids a customer-friendly eating area and allow for overhead lighting. The proposed pergola and planter will occupy currently unused space and Mr. Lynn proposes shifting the 3 parking stalls parallel to his building +/- 6 linear feet to the south. Mr. Lynn also requests approval for the placement of a +/- 48.6 square foot pre-manufactured storage shed for trash storage to be aligned with the existing building. He proposes shifting 2 parking stalls to the south approximately 6 linear feet to make room for the shed and will use portable flower planters to reserve the stalls on trash pickup days. Aligning the shed with the existing building will cause the least impact on existing traffic flows through the site. However we are asking for a +/- 14.9 linear foot variance to the northern setback. Mr. Lynn also requests a variance of +/- 19.9 linear feet to the preexisting nonconforming maximum building width. The proposed work will not result in a negative impact to the surrounding community or neighborhood since it does not increase or create any new nonconformities and takes place entirely behind the building. By shifting the existing parking stalls, Mr. Lynn will not be removing any of the required parking for the residential spaces on the second floor. The new planter and pergola will match the yellow and blue finishes found on the rear of the building and make the building more visually appealing to those customers that park in the public lot – which is often the first impression many visitors have of the business. Thank you.

Balestra – Can you walk through the actual variances, because it's really the storage shed out there – you have the set-back from the lot line, I get that. What other variances are we looking at here? Walk us through the plans and tell us exactly where they are. What exactly do you need variances for? You don't need a variance for the planter, right?

Coon – We will not need a variance for the planter; we are well within, we don't need one for the pergola.

Balestra – It's just the storage shed, right?

Coon – It is just the storage shed, so that we can place it as close to that northern lot line as we can so it doesn't impact any traffic through the site.

Badami – The building is a preexisting?

Coon – It is a preexisting nonconforming, 19.9 linear feet.

Phinney – So the only variance that we are going to be discussing is the positioning of the shed? That has nothing to do with parking spaces, pergolas, bollards or any other kind of thing?

Coon -- No, it's just the shed.

Coville – A practicality question. Has anyone run any scenarios with this concrete planter here?

Lynn – We had to submit a parking flow.

Coville – I can see someone backing up...

Lynn – We submitted that during the Planning Board session. They asked for it.

Coville – The only reason I asked is that it looks like it actually sticks past the line for the parking spot. So if they pulled straight in and backed straight out they would back right into it.

Coon – It's private so hopefully we might be able to swing it a little better. Shorten it, round it off at that corner...

Coville – That way we don't run into any issues.

Balestra – I know that a lot of the land back here is leased to the Village so will the lease need to be amended, for the seating or anything else?

Lynn – Based on the Planning Board, I needed to supply permission to the Village to restrict access to the alley and install bollards. Additionally we need to provide; we weren't sure at the outcome of the meeting where this was going to lay, but Ryan's putting together a new; it will overlay the lease. This is the lease right here; the actual lease drawing. The lease goes up to the building; right up to the building, currently. We have had a lot of...

Balestra – Up to this line here or all the way around?

Lynn – All the way around. Everything right up to the back door is technically; legally, I mean that's the lease. This is just right off the lease itself. And then the lease provides that the Village maintain the property as that is and with this new variance approved, this is just going to be carved out and not part of the leased property. There is the shed, there is the space

Balestra – The space where the seating is going to go.

Lynn – The seating is right there. This parking spot is not there; it has never been there.

Balestra – So the blue lines represent what will be the amended lease?

Lynn – Exactly.

Phinney – That's something you are working out with the Trustees?

Lynn – I don't know who we are working it out with; that's a good question.

Phinney – Counsel, how does that work? He's talking about trying to make a change to the way that the lease is operating. Is that something he does through the Trustees?

Galbato – The Village Attorney. It's something the Planning Board; it's one of the conditions the Planning Board imposed when they recommended this Board grant the variance and recommended the Board of Trustees adopt Critical Impact, was to modify the lease. So once he

is done with this process, with the variance if it goes forward, then when he goes to the Trustees for critical impact then his attorney will be working with the Village Attorney to modify that lease. It is unlikely that the Trustees will act until the modified lease is in place, given the recommendations of the Planning Board.

Phinney – So if it does proceed forward this evening, then we could lay out a contingency based on the changing of the lease on that particular chunk of property, is that correct?

Galbato – Yes. If the Board chooses to act I would ask the Board to consider adopting similar conditions as the Planning Board did.

Phinney – And this is what Mr. Lynn has just submitted, “To the Village of Skaneateles. I hereby give permission for the Village of Skaneateles to restrict traffic to the alley on the south side of the 22 Jordan Street property by adding bollards to the Jordan Street end of the alley and possibly to the opposite end of the alley, if needed. I believe they are. This permission is in effect until rescinded in writing.”

Wopperer – So that’s the alley right here, the small alley that has the Skaneateles Scoops sign on the side?

Lynn – Right now it is vehicular traffic; there’s an apartment door right here that empties right onto that alley.

Badami – So we are pushing part of these parking spaces into what amounts to; this does not exist, currently cars can drive right through here now, is that correct?

Lynn – Uh-huh.

Badami – How much room is left over here, if any?

Phinney – The question we’re being; if we’ve got bollards at the sidewalk end at Jordan Street, where are you proposing to put the bollards as they head east into the property? As I see right now there are two people parking in there; there’s one that parks behind the building and one that parks next to the back building. So I guess I have a question regarding that.

Lynn – That is Village action. I was just saying ‘yes you can do it’. However they want to fashion that alley, put bushes, pave it...

Phinney – So the Trustees are in charge of where a bollard would go or would not go?

Lynn – Right; they just needed permission because it is leased property.

Phinney – Understood.

Lynn – Because they wanted to block it. And I have always felt it was a hazard, but since it is leased property...

Wopperer – Basically what you are here for is the variance.

Lynn – Right, on the shed.

Wopperer – The Village – according to the letter you just submitted, you have given the Village permission to do pretty much whatever they want to do with that alley?

Lynn – Pretty much. The initial action was to pass a law to prevent vehicular traffic. That one I opposed. I did not want a law passed because then there's no...

Wopperer – There's no access to the back for safety purposes, either?

Lynn – All of the access is over private property from the rear. So if I closed that off, it would not be technically land-locked, but it pretty much is. I don't think we needed a law for that; a couple of bollards will work.

Phinney – Large, removable concrete or steel, so if they had to; it is not a fire lane, but it would be an extra access into that back area.

Coville – I think something is probably needed there. Is there a right-of-way? Does anyone else own a ...

Lynn – No right-of-way. It's a month-to-month lease.

Wopperer – I'll ask Bob Eggleston – have you gotten answers to the questions you submitted on behalf of Mark Edwards?

Eggleston – I have not. Mark asked me to make comment about a couple of things that were not clear.

Phinney – Again, let's remember that what we are here to consider is the variance for the shed.

Lynn – The lease does provide that I can put a storage shed there, if we don't approve the change. It's in the original lease. I can put a shed or other items on the property in the operation of those businesses.

Phinney – I would like to open the public comment section of the hearing for anyone who would like to speak in favor of this application. [There was no one desiring to be heard.] Is there anyone who is opposed who would like to speak?

Clark – I am not opposed. I own the brick building, two story, on the south side of the alley. I am confused about a few things here. The shed – is that the shed that's already there?

Phinney – It is the shed that's already there and what they are discussing is moving it farther east away from the buildings.

Clark – Is there 6 or 7 parking places now behind your building?

Lynn – Against the building? There's 3 against the building and there's one against the shed and there's another spot designated for trash pickup that people park over.

Clark – So there's 5; that's not going to change?

Lynn – No. There is no loss of parking.

Clark – Is the alley going to change in any way?

Lynn – The Village leases it from me.

Clark – So the alley is not going to get any narrower?

Lynn – the Village will probably do something. They intend to do something with the alley, but I'm not looking for anything.

Clark – I'll have access to my brick building?

Phinney – As far as we know right at this point, Doug, yes. What the issue is, is the actual placement of the bollards; the things that keep you from driving through. The Trustees are going to have to decide the exact placement, whether it's the end of your building and flush with that so that people can get in and out. But I would have to imagine that they are going to make accommodation to make sure that the things that exist already are not infringed upon at that point. The only thing they are trying to prevent is to have vehicular traffic going back and forth through the alley. The rest is to make it workable, but not to create more parking spaces in there. They don't want somebody to come in there and all of a sudden have you guys jammed in and have 3 people parking you in. They want to keep it so that you have what you have. I can't speak for them but that's my understanding from reading the Trustee and Planning Board minutes.

Clark – So the bollards are not part of this meeting?

Phinney – Correct.

Eggleston – Just to follow up on my email; there was an incomplete site plan. When the parking spaces get moved over 6 feet to the east, there currently is a car that parks right next to the brick building, there's a sign that projects into the alley, and visually what was happening it was pushing the cars to the north side of the alley, but then they'd have to do a slalom turn to try to get around. I know the Planning Board; it doesn't show the sign that projects into the alley, it doesn't show the fact that there is a car that always parks over here. The fact that the bollards will be put in takes away some of the concern because it won't be an everyday traffic thing.

Badami – Is that a legitimate parking space or self-created?

Eggleston – Let's say someone parks there every day. When I worked for Doug Clark's former employer, on right of ways there was a Robert Milford 'bring all the people together'; there was an agreement among 10 property owners from this alley south that clarified the oxcart that had the right to pass one way to serve these buildings and they had this mutual agreement. Everyone has been friendly and it has all been workable. Mark or Doug or whoever parks a car between the brick building and the buildings on Jordan. Their only concern is that the bollards be placed so he can back out and turn around. I think it is making sure that things continue to work on a regular basis with peaceful neighbors.

Lynn – Can I say something at this point? I want to be sure that this alley discussion is separate from my variance.

Galbato – It is not totally separate. This Board has the ability to impose reasonable conditions on any variance application as the Planning Board did when they issued site plan approval and gave recommendations to both this Board and the Trustees.

Lynn – As leased property, that's for the Village to determine what they want to do with it, and as the owner to approve or disapprove what's going on. There are no agreements, whether they are tacit, in writing, or a handshake for use of that property outside this lease. If someone is using that property now as an implied right-of-way, there is no permission.

Wopperer – So what I am hearing you say is that what we are talking about tonight is the shed. Anything that we have discussed about the alley, our comments can be; are in the record, but our main purpose tonight is the shed and its variances.

Balestra – That's true. I think Mr. Lynn that you were pretty clear that the Village can do what they may with the alley. It is their leased property.

Clark – But you still own it, right?

Lynn – Yup.

Clark – So you could cancel your lease and take control and be major powerful.

Lynn – Well the property is owned by; my brother is a member too. So I don't know that I am looking to be all powerful. But we own the property and right now we lease it to the Village.

Coville – Is there some sort of agreement that is on record for a right-of-way? Is there actually something that's formalized that you have seen?

Eggleston – You are asking me to recall something from 20 some years ago. Robert Milford took a number of property owners on that northeast corner of Jordan and Genesee. I don't know who all the parties are, but there was an agreement among owners because you have the alleyway with Herb's. It described an agreement as to how everyone got in and out of there because they were relying on this oxcart agreement from the 1800s. I don't know how far it

goes. It is very possible it does not include the Lynn property. I know it includes the Mark Edwards and Doug Clark properties. It includes the corner building, it includes the Herb's building, I think it includes the Framboise building.

Clark – Excuse me. It includes 7 properties. The Framboise (now Genesee Capital), then Falcone, Herbs, the old Town House, the original little fish fry, the other dining room, then the green building on the alley and then my double story. It said we would not block ingress or egress through the Herb's alley.

[Multiple simultaneous conversations]

Badami – Assuming there is some agreement, is there any recorded document – easement or otherwise – that you know of or are aware of?

Lynn – No; to my knowledge and we have looked into it and never found anything.

Badami – You did a title search. I'm satisfied with that.

Edwards – I own Doug's Fish Fry now and I know this is not the meeting to talk about the parking spots, but behind the fish fry I have an oil receptacle that a truck comes and pumps out the oil, and that's the reason we want to have that alleyway open also along with my parking spot that I have behind the green building and the old dining room.

Phinney – So you park parallel and someone else parks next to the old brick building, heading east-west?

Edwards – Right. I just want to make sure that I am able to get in and out of there.

Coville – Does anyone know whose car this is?

Lynn – That's my tenant. It's on the property.

[Multiple simultaneous conversations]

Balestra – If there are no other comments, we should refocus the discussion to the shed and try to work on some findings. The shed is already there.

Chairman Phinney, "If there is no one else to express an opinion, I'd like to move that we close the public hearing." Member Balestra seconded the motion. On the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0.

Balestra -- In making our determination on the area variance for the shed, we need to consider and determine:

[1] Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

Balestra – It's already there for everyone to see; it's fine in my opinion.

Phinney – I would agree

Badami – It's better than a dumpster; it's an improvement as far as I'm concerned

[2] Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

Balestra – In my opinion, putting it as close to that property line as possible is best

Phinney – I think it's less intrusive

[3] Whether the requested area variance is substantial;

Balestra – I don't see this as substantial, not under the circumstances of this property

Coville – I agree with that

[4] Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

Balestra – Not that I can foresee

Badami – I don't see how

Wopperer – I don't either

[5] Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals but shall not necessarily preclude the granting of the area variance.

Balestra – As with pretty much all of these, yes it was; but that is not dispositive by any means

Balestra – I think we've got a consensus there; there has been some discussion on the existing lease. There's going to be a carve out in this lease apparently. We talked about bollards in the alleyway. Mr. Chairman, how do you want to proceed with all that?

Phinney – I feel that I'd like to be able to address in some manner, the bollards and the lease accommodations. But at the same time, not affect necessarily the approval or disapproval of the area variance, which is the real reason that we are here. But I do feel that it is important that this Board make a statement of one sort or another regarding these other things – because now it is still kind of floating in gray with verbal agreements. I would like to be on record in one manner or form from this Board regarding things we think are important.

Galbato – The first thing we have to do, if we are going to act tonight, is to do the SEQR review. Second, if the Board chooses to act tonight on the variance request, you could make those other items conditions to your approval and it's going to go to the Trustees to address those issues under the redevelopment and Critical Impact Permit they are going to need from the Trustees.

Phinney – So theoretically we could approve or not the area variance and then set conditions that need to be met in order for that area variance to hold. Is that correct? I would be comfortable in doing that. I don't know that we need to have you, counsel, write up a resolution or whether we can include that into our verbiage. What's best to make sure we do it correctly?

Galbato – I think you can do it as you stated without the need for a prepared resolution.

Galbato – The Planning Board, in their resolution, asked that the ZBA perform the SEQR review. If this were a shed on a single family house this would be a Type 2 action. The applicant submitted Part 1 of SEQR. Unfortunately it was not the new form, but I think we could, in good faith, still accept that as we look at Part 2. Under our law, anything requiring critical impact is a Type 1 action under SEQR, but I have not recommended to do that because it is very costly and I don't think necessary. We have typically treated redevelopments in Downtown D that require Critical Impact as an unlisted action under SEQR. So in that regard we have to go through the 11 questions on the short form and answer whether it is a 'no or small impact' or a "moderate or large" impact based on the questions presented. Typically somebody from the Board would read those and give a recommended answer, similar to how we just went through the balancing test.

By Chairman Phinney:

1. *Will the proposed action create a material conflict with an adopted land use plan or zoning regulation?*
Phinney – No or small impact. The Board agreed.
2. *Would the proposed action result in a change in the use or intensity of use in the land?*
Phinney – I would say No. The Board agreed.
3. *Would the proposed use impair the character or quality of the existing community?*
Phinney – I would say No. The Board agreed.
4. *Would the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area?*
Phinney – I would say No.
5. *Would the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?*
Phinney – I would say No.
6. *Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?*
Phinney – I would say No.
7. *Will the proposed action impact existing (a) public/private water supplies and (b) public/private wastewater treatment utilities?*
Phinney – I would say No.
8. *Will the proposed action impair the character or quality of important historic archeological, architectural or esthetic resources?*
Phinney – I would say No.

9. *Will the proposed action result in an adverse change to natural resources, for example wetlands, water bodies ground water, air quality, flora and fauna?*
Phinney – I would say No.
10. *Will the proposed project result in an increase of the potential for erosion, flooding or drainage problems?*
Phinney – I would say No.
11. *Will the proposed action create a hazard to environmental resources or human health?*
Phinney – I would say No.

Attorney Galbato, “Given those answers, it would be my recommendation that the Board entertain the following motion: the ZBA declares itself lead agency under SEQRA. This action, as proposed, is an unlisted action under SEQRA. There will be no coordinated review under SEQRA; other agencies (such as the Planning Board and the Trustees) have or will review the project. That, based on the answers to Part 2, the ZBA issues a negative declaration in that the proposed action as proposed will not result in any significant adverse environmental impacts, and authorizes the Chairman to sign Part 2 and Part 3 of the SEAF.” Member Balestra, “I will so move.” Member Badami seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0.

[Multiple Simultaneous Conversations]

Member Balestra, “I make a motion that we approve the application of William Lynn to vary the strict application of Section 225-A5 Density Control Schedule for Percentage of structure width/lot width; and Section 225-14C(5)(a/b) Accessory Buildings, distance to lot lines or structures; to construct a 73.3 SF concrete planter and wood pergola for outdoor seating and to install a 48.6 SF storage shed with relocated parking stalls at the property addressed as 22 Jordan Street in the Village of Skaneateles. The approval is based on plans dated 12/18/2015. The motion is subject to condition that the owner consent in writing, I believe he already has, to the Village placing bollards at both ends of the alleyway that is just to the south of the owner’s premises to prevent its use by vehicles. This is land leased to the Village and the Village can take whatever appropriate measures they see fit to accomplish that purpose. The second condition would be that the current lease between the applicant and the Village be amended to exclude from it the portion of the applicant’s property which is proposed to be used for outdoor dining and seating, in accordance with the diagram submitted with the application having red and blue lines all over it and a fax transmission line at the top with a date of September 29, 2009 from the Lynn Law Firm LLP.

Member Badami, “Do we want to reserve any final review of the proposed plan with regard to this, or are we washing our hands of this? Member Coville, “I have concerns, I’ll be honest with you, making Bill consent to bollards at both ends.” Chairman Phinney and Member Balestra noted that such written consent already exists.

Chairman Phinney seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0.

Mr. Lynn thanked the Board. This matter was concluded at 8:29 pm.

Respectfully submitted,
Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
April 26, 2016

Request for extension of time in the matter of the Area Variances granted on 6/27/2015 to Martin & Tara Lynn 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; Percentage of structure width/lot width; and Percentage of open area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to remove an existing porch and to construct a new front porch at the property addressed as 38 Academy Street in the Village of Skaneateles.

Present: Craig Phinney, Chairman
David Badami, Member
Michael Balestra, Member
Curt Coville, Member
Maureen Wopperer, Member

Riccardo Galbato, Attorney for the ZBA
Gregg Eriksen, Village Trustee
Dennis Dundon, Clerk to the Board

Martin Lynn, Applicant

Bill Lynn, 22 Jordan Street
Katie Severance, 34 State Street
Jack Severance, 34 State Street
Andy Ramsgard, 181 East Genesee Street
Bob Eggleston, 1391 East Genesee Street

Chairman Phinney called for the matter of Martin & Tara Lynn for 38 Academy Street at 8:37 pm. Mr. Lynn introduced himself and explained that it has been difficult scheduling a contractor to do the work contemplated by the variances, prior to their expiration date of June 23, 2016. They now have someone arranged and they are requesting a six-month extension for the completion of work.

Chairman Phinney, "I move that we extend the required variances to expire on 12/31/2016." Member Balestra seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0.

Mr. Lynn thanked the Board. This matter was concluded at 8:39 pm.

Respectfully submitted,
Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
April 26, 2016

Present: Craig Phinney, Chairman
David Badami, Member
Michael Balestra, Member
Curt Coville, Member
Maureen Wopperer, Member

Riccardo Galbato, Attorney for the ZBA
Gregg Eriksen, Village Trustee
Dennis Dundon, Clerk to the Board

Martin Lynn, 38 Academy Street
Bill Lynn, 22 Jordan Street
Katie Severance, 34 State Street
Jack Severance, 34 State Street
Andy Ramsgard, 181 East Genesee Street
Bob Eggleston, 1391 East Genesee Street

Member Coville informed the Board that his new house is nearing completion and that it is likely that this may be his last meeting as a member of the Village ZBA. He recommended that the Board consider Jack Severance as his replacement on the Board, as Mr. Severance has expressed interest in serving in that capacity.

On motion of Chairman Phinney, seconded by Member Wopperer, the meeting was adjourned by acclamation at 8:42 pm.

Respectfully submitted,
Dennis Dundon, Clerk to the Boards

