

**Village of Skaneateles  
Zoning Board of Appeals Meeting  
May 24, 2016**

---

Public Hearing in the matter of the Area Variance application of Dana Dries to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, left; and Percentage of open area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to remove existing front porch, construct 8 x 20 foot porch, remove back porch, construct a 2-story addition at rear of house and construct a second-story addition over existing 1-story house at the property addressed as 10 Orchard Road 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 applicant  
                     Dana Dries, Applicant  
                     Bonnie Dries, on behalf of the applicant

                     Jack Pascal, 43 Griffin Street  
                     Maura McNeil, 143 East Genesee Street  
                     Abby Burkhardt, 3139 West Lake Road  
                     Gabby LaFever, 3813 Miller Road  
                     Griffin Lengyal, 11 Onondaga Street  
                     Brady Carlson, 2423 Wave Way  
                     Mick Elliott, 7052 Parcell Road  
                     Finan Malcolm, 1848 State Route 174  
                     Steve Vonderwesdt, 3480 Curtis Road  
                     Ryan Moore, 243 Chafee Ave.  
                     Emma Bohrer, 25 Hannum Street

Chairman Phinney called the meeting to order at 7:32 pm. He then called for the matter of Dana Dries for 10 Orchard Road.

Eggleston – The existing property does have a nonconforming house as you pointed out; the percent coverage the front yard to the street as opposed to the street average, and the left side,

and also because it is less than 1,200 SF of living space. What they would like to do is a major remodel and put a second floor on top of it. In actuality they likely will be taking it down to the first floor deck and building up, only because it has short stud walls. It was built in 1950s. In doing it they wanted to capture the spirit of a traditional village house. So it will be a two-story and it will have a traditional American four-square look to the front. In the back there's a back porch that has come down – it was in bad shape – and they will be putting a 16 foot addition on the back. That leaves us a conforming 15 feet from the garage. It has an enclosed porch and a very small stoop in the front; what they'd like to do is make that an 8 foot usable front porch. In doing that they will be bringing the house forward a little over a foot, so we are increasing the front yard set-back variance – at 26 feet it will require a 1.8 foot variance from the street average. The side yard does not change, we are going straight up; the other side is fine at 28 feet and the combined is fine. The open area will be reduced from 82.5% to 79%, which is not uncommon for small lots that are only about 8,000 SF to begin with. They are looking to make it a traditional house, keeping it efficient and reasonably affordable. For the exterior finish, they built the garage a year or so ago, and that has an architectural vinyl siding on it; a shingle. They would like to use the same material to match the house. It will have the architectural trim in it as shown on the drawings.

Phinney – Hardie board or whatever?

Eggleston – That was a question from the Planning Board. It will be an architectural; it's not going to be shrink-wrap vinyl, exactly the same as the garage.

Wopperer – Bob, the front of the house is this way? So this portion here, they are going to extend that for the porch?

Eggleston – Basically this is an open porch and this is an enclosed porch. That comes off and a full new porch across the whole front. What we do is we hold the porch in a foot so the eaves die back on the house, instead of sticking out there. So actually this roof comes back and the two-story portion is further back. I think porches are a very important part of the sense of community. Are there any questions you have about the proposed plan?

Balestra – I don't have any questions; I think it is a tremendous improvement. I can't see any detriment to the neighborhood. I think the variances are very minimal. It's about 1,000% improvement over the structure that's there right now. I think it is fantastic. How long do you think it will take to construct?

Eggleston – they'd like to get going relatively soon so try to get it done as soon as possible after I get drawings done.

Phinney – I would agree with Michael; I think it is a great improvement.

Wopperer – Adorable, and a great use of space.

Badami – Thumbs up!

Balestra – One of the reasons I asked the question is we did receive an email, not objecting to the variances themselves or necessarily the nature of the improvements, but the timing of the construction, and requesting if the construction could start after Labor day Due to family and grandchildren of the neighbor that are visiting the area. I'd say that's, while I understand the concern, it's not really a relevant consideration for us in deciding whether to grant to variances. In general we want to see these projects move forward and make it to completion as soon as possible. That's my only comment on the email, which for the purposes of the record was from Bob Errico on Tuesday May 24, 2016 – a one-page email that will be made a part of the record.

Phinney – I would agree with that. At this particular point in time as people try to improve their properties, construction is inevitable.

Badami – I'll add that our construction season can be unpredictable and we want to get things done in the good weather. I'm not going to hold someone up because a neighbor is concerned about construction at this time of year. I'm sympathetic, but it is just not a realistic concern.

Wopperer – I agree with all that; I feel for Mr. Errico. Possibly something could be worked out because I know that sometimes people start construction at 7:00 in the morning.

Eggleston – I believe the standard is 7:00 in the morning until 5:00 or 7:00 in the evening. We'll do the best we can and try to be considerate.

Chairman Phinney opened the public comment portion of the hearing. There was no one desiring to be heard in favor of or in opposition to this project. **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.**

**Chairman Phinney, "I move that we accept the area variance application of Dana Dries to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, left; and Percentage of open area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to remove existing front porch, construct 8 x 20 foot porch, remove back porch, construct a 2-story addition at rear of house and construct a second-story addition over existing 1-story house at the property addressed as 10 Orchard Road in the Village of Skaneateles. This is a Type 2 action under SEQRA; approval is based on 3 pages of plans dated April 21, 2016 and applicant will have one year to complete. Member Wopperer 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 7:43 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



Village of Skaneateles  
Zoning Board of Appeals Meeting  
May 24, 2016

---

Public Hearing in the matter of the Area Variance application of Jack Pascal to vary the strict application of Section 225-A5 Density Control Schedule for Both side yards combined; and Percentage of open area; to construct a 8 x 10 foot storage shed and to construct a 2 x 16 foot addition with a new door on the front of an existing garage at the property addressed as 43 Griffin 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

Jack Pascal, Applicant

Maura McNeil, 143 East Genesee Street  
Abby Burkhardt, 3139 West Lake Road  
Gabby LaFever, 3813 Miller Road  
Griffin Lengyal, 11 Onondaga Street  
Brady Carlson, 2423 Wave Way  
Mick Elliott, 7052 Parcell Road  
Finan Malcolm, 1848 State Route 174  
Emma Bohrer, 25 Hannum Street  
Steve Vonderwesdt, 3480 Curtis Road  
Ryan Moore, 243 Chafee Ave.

Chairman Phinney called for the matter of Jack Pascal for 43 Griffin Street at 7:46 pm. Mr. Dundon reported that CEO Crompt wanted the Board to know that the impact on coverage calculations is negligible.

Pascal -- The shed; the thing is we had originally said 8 by 10 – I asked John if 8 by 12 would be alright and he said to discuss it with you guys. The garage is a 2 foot bump-out that I needed to do so; it's an antiquated old carriage house that they had horses in, I needed 2 foot more so I can get my vehicles in. Make it into usable bays now. So I'm going to put an overhead door on and put a carriage house-looking overhead door to keep it looking the same.

Balestra – This is the plan now for the location of the shed; 10 feet from...

Pascal – Actually it's even going to be farther away, probably like this over here.

Balestra – Did you ever consider – it would be a totally different project and I wouldn't make you do this – but did you ever consider putting an addition on the back of the garage?

Pascal – Yeah, we did consider that, but I thought a free-standing shed would work better for us. My wife loves lilacs and there's a whole bunch of lilac bushes right back in there.

Balestra – I think the variances are pretty minimal. I would not call them substantial. I don't see any issues with this one either.

Phinney – I would agree with that.

Wopperer – I agree.

Badami – No objections.

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

**Member Balestra, "I'll move to accept the area variance application of Jack Pascal to vary the strict application of Section 225-A5 Density Control Schedule for Both side yards combined; and Percentage of open area; to construct a 8 x 12 foot storage shed and to construct a 2 x 16 foot addition with a new door on the front of an existing garage at the property addressed as 43 Griffin Street in the Village of Skaneateles. This is a Type 2 action under SEQRA; approval is based on survey dated 2/29/2016 and 2 pages of drawings dated May 24, 2016 and applicant will have six months to complete." Chairman Phinney seconded the motion. Upon the unanimous vote of the members in favor of the motion it was carried 5 – 0.**

Mr. Pascal thanked the Board. This matter was concluded at 7:52 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Zoning Board of Appeals Meeting  
May 24, 2016**

---

Unscheduled presentation for possible operation of a brewery at the property addressed as 37 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

Steve Vonderwesdt, 3480 Curtis Road  
Ryan Moore, 243 Chafee Ave.

Maura McNeil, 143 East Genesee Street  
Abby Burkhardt, 3139 West Lake Road  
Gabby LaFever, 3813 Miller Road  
Griffin Lengyal, 11 Onondaga Street  
Brady Carlson, 2423 Wave Way  
Mick Elliott, 7052 Parcell Road  
Finan Malcolm, 1848 State Route 174  
Emma Bohrer, 25 Hannum Street

Mr. Moore introduced himself saying that he had spoken with CEO Cromp as to whether he could put a business, a brewery, at 37 Jordan Street, the old Trabold's body shop building. CEO Cromp advised him to come before the Board to talk about the project and to see what type of information the Board would need to see if it could be used as such. It would be primarily a brewery operating between the hours of 8 and 5, and a tap room only, no food, between the hours of like 5 and 10 Fridays and Saturdays, maybe Thursdays and maybe Sundays.

Member Wopperer asked if the brewery existed now. Mr. Moore said it was a 'brewery in planning'. To get licensed we have to have a commercial space in line to send in our federal permits as well as our state permits for a New York state farm brewery. They are looking at multiple locations; they spoke with the owner and he is open to it as long as the Village agrees.

Chairman Phinney asked if there was enough space. Mr. Moore said that it would be a small brewery. The building has about 2,000 SF. The plan is for a 7 – 10 barrel system, enough for

350 barrels of beer per year, about 700 kegs. It will take about 3 – 9 months to get permitting in place. They would have to occupy a space, get all equipment in place and then putting in for permits. Once permits are approved, then they could retail the products. They would plan to have 4 to 8 beers on tap at all time. They are brewing now using a pilot system. They have 4 mainstay beers and then seasonal beers to be added over time.

Chairman Phinney said he has no understanding of the process, what the equipment is, whether there are smells or odors in the process. Mr. Moore said there are smells in the brewing process. There is a grain smell for a good part of the process; when boiling hops there can a smell from that. The process is direct exhausted to the outside so it will be apparent. Mr. Vonderwesdt introduced himself as Mr. Moore's partner. Member Wopperer asked about storage. Mr. Moore said storage will be inside, and once filled will be refrigerated in a walk-in cooler.

Member Balestra suggested that parking requirements would have to be considered. Mr. Vonderwesdt suggested that a brewery is one of the few things that could be ideally operated in that property. In response to a question from Member Badami, Mr. Moore said there would be trucks moving kegs out or in. Deliveries of supplies would be made during the day – it takes almost 1,000 pounds of grain to make one big batch of beer. Deliveries would be periodic, not constant.

Member Balestra repeated that they focus on parking and that filling growlers might lead to a great deal of in and out activity – and that might cause concern among the neighbors with access and egress. He suggested it's going to be a PR campaign with some of the residential properties around, although some immediate properties are not owner-occupied. Member Wopperer asked how much of the 2,000 SF would be devoted to the tasting room. Mr. Vonderwesdt replied it would be less than the size of the board room. The brewery equipment will take up the majority of it. This intended to be a community brewery.

In response to a question from Mr. Dundon about permitted uses, Mr. Moore said CEO Crompt said there was nothing that existed to say yes or no. There are 207 craft breweries in New York State.

Chairman Phinney said he could not see any reason to discourage them. Member Badami encouraged them to speak with every neighbor in the immediate area. Mr. Vonderwesdt explained why the operators of a craft brewery typically close their taprooms at an early hour. Mr. Dundon mentioned that the last use approved for that property carried a condition that there be no outside activities or music. They would like to put a few tables and chairs outdoors. Chairman Phinney informed them that the driveway is a certified right-of-way going past them.

Mr. Moore asked what they would need to bring back to the ZBA next time. Chairman Phinney told them to deal with CEO Crompt and if necessary the first stop would be the Planning Board.

The students had their papers signed and departed. This matter was concluded at 8:09 pm.

Respectfully submitted,  
Dennis Dundon, Clerk to the Boards

**Village of Skaneateles  
Zoning Board of Appeals Meeting  
May 24, 2016**

---

Discussion of Member Coville's continued service on the Board.

---

**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

At 8:10 pm, Member Coville indicated that he is moving his home out of the Village sooner than expected. He enjoys his service on the Board and would like to continue it. To clarify the issue, he initiated a phone conversation with the Department of State regarding his options. They said that he is required to be a Village resident to be appointed or reappointed. He presented 3 possible scenarios:

1. Fulfill the remainder of his term, roughly 2 years.
2. Serve until the April 2017 organizational meeting.
3. Serve until his successor is appointed.

He has prepared a letter to the Trustees in which he outlined these options, and shared a copy with the Board.

Chairman Phinney shared the reaction he had given to Member Coville earlier – that serving 3 boards in the community is too many. Regardless of his having done a “spectacular job”, to have 1 person on 3 Boards is expecting a lot in terms of dedicated personal time being devoted to volunteer activity and in a community of our size, such service represents too much concentration of influence. He continued to say that he is comfortable with Coville's service on Village ZBA and School Board, if you were to cut back to two Boards. Member Coville stated that he will do whatever the Board of Trustees would like him to do.

Member Balestra expressed a concern that if there is a contentious issue before the Board, there is a risk that his vote might be invalidated. Member Wopperer expressed that it probably has to be driven by how the Village Trustees would like to proceed. Member Badami stated personally he feels 3 boards could be handled with effective time management and that Coville is a valuable member of the Board.

It was the sense of the Board that they appreciate being informed about the situation, but that the decision is up to the Trustees on how to proceed.

This matter was concluded at 8:24 pm.

Respectfully submitted,  
Dennis Dundon, Clerk to the Boards

Village of Skaneateles  
Zoning Board of Appeals Meeting  
May 24, 2016

---

Discussion of full lot paving within the Village.

---

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

At 8:25 pm, Chairman Phinney stated that CEO Crompt had notified the Board that the Baptist Church, on State Street, is thinking about paving whatever is left of their lawn and turning it into parking. The question is how does that affect lot coverage calculations. Member Balestra said that he is not sure that the code addresses this issue. If someone paves over his entire back yard, it doesn't count toward coverage, they don't need a variance. Member Badami asked why it doesn't count toward coverage; Member Balestra stated because driveways don't count unless they are part of required parking. In this instance what variance do they need and what application do they make?

This matter was concluded at 8:26 pm.

Respectfully submitted,  
Dennis Dundon, Clerk to the Boards



Village of Skaneateles  
Zoning Board of Appeals Meeting  
May 24, 2016

---

Selection of ZBA representatives for Trustee Eriksen's working group to address commercial signage in the Village.

---

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

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

At 8:27 pm, Chairman Phinney stated that he has selected himself and Deputy Chair Balestra to be the ZBA representatives on the working group being formed by Trustee Eriksen to rethink the Zoning code covering commercial signage. His reasoning is that this will take some time. Chairman Phinney indicated that he believes his term is up next year, at which point he will have completed 15 years service – which he said, “is more than enough time for anyone to be doing anything on any Boards around here, I think. So that would mean that Michael as Deputy Chair would end up being responsible for following through on whatever may end up happening.”

**Chairman Phinney, “I move that the Zoning Board of Appeals designates Craig Phinney and Michael Balestra to be its representatives on the sign committee that has been designated by the Trustees.”** Member Balestra explained, “The Trustees were going to change the sign law; really drastic changes. They decided after a couple of meetings, input from other boards and a contentious public hearing that maybe they were rushing into it.” The group is to look at commercial signs, including perpendicular projecting signs.

Chairman Phinney asked if it were possible to request that Trustee Eriksen stay a bit later to participate in some of the less structured discussions by the Board.

**Member Coville, “We have a motion on the table; I’ll second it.” Upon the unanimous vote of the members in favor of the motion it was carried 5 – 0.**

This matter was concluded and upon motion of Chairman Phinney seconded by Member Balestra, that meeting adjourned at 8:36 pm.

Respectfully submitted,  
Dennis Dundon, Clerk to the Boards

