

Village of Skaneateles Planning Board Meeting March 8, 2017

Area Variance recommendation in the matter of the application of Ryan Sidebottom & Natasha Ginzburg to vary the strict application of section 225-A5 Density Control Schedule for Percentage of open area and Section 225-14C(5) Accessory Buildings, distance to lot lines or structures to construct a carport and privacy fence at the property addressed as 60 Jordan Street in the Village of Skaneateles. *This Board recommended approval of the variances on October 8, 2015. The Zoning Board of Appeals granted the variances on October 27, 2015. The Variances expired in October 2016.*

Present: Bruce Kenan, Chairman
Brian Carvalho, Member
Stephen Hartnett, Member
Mike Perrone, Member
Doug Sutherland, Member

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

Bob Eggleston, architect, on behalf of the applicant

Gregg Eriksen, Village Trustee
Peter Osborne, Widewaters Parkway, Syracuse
Stacey Albunio, Widewaters Parkway, Syracuse
David Pittard, 141 E Genesee St
Jorge Batlle, Franklin St
Beth O'Sullivan, 10 Leitch Ave

At 7:30 pm Chairman Kenan called for Ryan Sidebottom & Natasha Ginzburg for 60 Jordan Street. Mr. Eggleston presented that the applicants do not have a garage. Due to an old previously-granted variance, they are entitled to construct a one-car garage in the rear of the property. They prefer to construct a carport on the side of the house that would provide cover for two cars. They will copy details from the house, so that the carport design will be complementary. There will also be a six-foot-high privacy fence, 24 feet in length in 3 sections, on the south side so as to provide privacy to the Lombardi property next door. These variances were previously recommended by this Board and were granted by the ZBA in October of 2015. The variances expired in October 2016. The Lombardis have submitted a letter stating 'no objection' to this project.

Member Carvalho asked and received assurance from Mr. Eggleston that this is the exact same project that was proposed and approved before. Mr. Eggleston stated that the open area is unchanged by this project since the carport containing two parking spaces is the exact same size, 18 by 20 feet, as the dimension of the two required parking spaces under the Zoning code. After some debate on this matter, Chairman Kenan pointed out that pursuant to the definitions, parking is not open area.

Member Carvalho, “I move that the Planning Board recommend that the ZBA grant approval for the previously-approved required variances.” Member Sutherland seconded the motion. Upon the unanimous vote of the members in favor of this motion, it was carried 5 – 0.

This matter was concluded at 7:42 pm.

Respectfully submitted,
Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Meeting
March 8, 2017

Area Variance recommendation in the matter of the revised application of Cyrus Weichert 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 totally reconstruct the structure adding an addition and a porch at the property addressed as 7 Leitch Avenue in the Village of Skaneateles. *This Board recommended approval of the variances on October 3, 2016. The Zoning Board of Appeals granted the variances on October 25, 2016. Since then the applicant has chosen to apply for the complete replacement of the structure.*

Present: Bruce Kenan, Chairman
 Brian Carvalho, Member
 Stephen Hartnett, Member
 Mike Perrone, Member
 Doug Sutherland, Member

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

Bob Eggleston, architect, on behalf of the applicant

Gregg Eriksen, Village Trustee
Jorge Batlle, Franklin Street
Peter Osborne, Widewaters Parkway, Syracuse
Stacey Albunio, Widewaters Parkway, Syracuse
David Pittard, 141 E Genesee St
Beth O'Sullivan, 10 Leitch Ave

At 7:43 pm Chairman Kenan called for Cyrus Weichert for the property at 7 Leitch Avenue.

Mr. Eggleston recapped that Mr. Weichert had been granted variances to add a two-story room on the back of the house, with an adjacent deck leading to a new entry porch. Additionally, some regrading and retaining walls would create parking spaces on the north side of the house. In reviewing the project with the chosen contractor, Kevin Rich, the team found issues with the existing structure including bowed foundation walls and the fact that there is no plumb, square or level piece of wood in the frame structure. It is not practical to remove and rebuild the stone foundation, since given the location of the house, that activity would likely compromise the existing sidewalk and parking area. The proposal is to tear down the wood structure and reinforce the masonry foundation by building companion support walls. Mr. Eggleston stated

that Kevin Rich is capable of reproducing the existing house as it is, while adding the rear addition and other amenities. The advantage to the neighbors is that the construction period would likely be reduced by two months.

Member Carvalho remarked on the charm of the old home. Member Sutherland noted that the home is adjacent to the Village Historic district properties even though it is not itself included therein. But the neighborhood context is important. Member Sutherland continued that tearing down an historic structure is “not a good idea.” If the application had been to tear down this structure to expand it, the Boards likely would not approve it. This structure was once an accessory carriage barn to the Riordan property at 101 E Genesee Street, a property that is part of the historic district. Member Sutherland said that rebuilding this structure is “just a preference.” Mr. Eggleston said that he “respects your opinion.”

Mr. Batlle, Village Historian, said that he found two construction dates associated with this property, 1830 and 1893. Mr. Eggleston opined that the 1830 date probably represented the original construction of the carriage house, while the 1893 date probably represented its conversion into a residence. Mr. Batlle continued that the upstairs quarters over the barn were used by the person who took care of the horses and carriages. He said that the Riordan property had once been occupied by James Roosevelt and later by Lydia M. Roosevelt.

Mr. Eggleston suggested that the Board had 3 options:

- Recommend denial
- Recommend approval
- Take no position

Attorney Galbato said that the matter would have to be referred to SOCPA again.

Chairman Kenan said that a replica building would not be the same thing as an old house, since the Village will have lost an historic structure. Member Sutherland suggested that the Board consider the impact on neighboring structures; for instance, relative to the Riordan house that is located in the historic district. Sutherland introduced the concept of *tout ensemble* (the total impression or effect) a practice common in New Orleans development where buildings are considered in the entire context of their surroundings.

Member Sutherland, “I move that the Planning Board recommends that the Zoning Board of Appeals deny the variances requested based on all the statutory criteria for variance approval:

- **That removal of this historic structure would be an undesirable change in the character of the neighborhood and a detriment to nearby properties;**
- **That the benefit sought by the applicant can be achieved by another method – a sensitive remodel and restoration – for which the necessary variances have been already granted;**
- **That the variances are substantial because of the impact on the neighborhood;**
- **That the variances will have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and**
- **That the alleged difficulty is arguably self-created because of the availability of other solutions.”**

Member Hartnett seconded the motion. Upon the unanimous vote of the members in favor of the motion, it was carried 5 – 0.

This matter was concluded at 7:55 pm.

Respectfully submitted,
Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Planning Board Meeting
March 8, 2017**

Consideration of further actions in the matter of the application of Gary Dower for Site Plan Review, 6 lot subdivision, lot line relocation and recommendation to the Trustees on Zoning Amendment and Critical Impact Permit to construct 3 extended stay lodging buildings, add 21 parking spaces, establish new commercial driveway entrance, construct 5 detached dwellings, provide a pocket park, redesign and engineer the storm water management system at the Mirbeau Gateway properties at the corner of Fuller and West Genesee Streets in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
 Brian Carvalho, Member
 Stephen Hartnett, Member
 Mike Perrone, Member
 Doug Sutherland, Member

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

 Bob Eggleston, architect, on behalf of the applicant

 Gregg Eriksen, Village Trustee
 Jorge Batlle, Franklin Street
 Peter Osborne, Widewaters Parkway, Syracuse
 Stacey Albunio, Widewaters Parkway, Syracuse
 David Pittard, 141 E Genesee St
 Beth O'Sullivan, 10 Leitch Ave

At 7:56 pm Chairman Kenan called for Gary Dower for the Mirbeau Gateway development. Mr. Eggleston recapped what he called an appropriate redevelopment of the Gateway property. Last month the Board received revised drawings. The Gateway property, when it was annexed, was zoned as A-2. The applicant proposes that the property fronting on Fuller Street be subdivided into 5 residential lots. From the rear (west) property line of those subdivided lots, westward, applicant proposes changing the Zoning to the A-3 District, which permits a lodging use. Applicant further proposes to enlarge the Gateway parcels by property line relocation to enlarge the detention pond area and extend the property up the hill to the Mirbeau service road. That enlarged parcel will be Lot 6 as shown on the drawings and will contain the three structures proposed for lodging use and will contain all of the detention pond land. Each of the 3 lodging structures will contain 3 lodging units and have a total of 7 bedrooms in each structure. Mirbeau will provide the required supervisory management for these new units.

Applicant says that the 5 proposed residential lots will have density similar to several Village areas with lot sizes just over 7,500 SF, minimum lot widths of 50 feet, lot depth of 187 feet, 75% open area and 60% structure width/lot width. Based on inputs from this Board, applicant proposes retaining the A-2 zoning and seeking variances for lot size, lot width and set-backs. The drawings currently contemplate a 10 foot side yard set-back with a drainage swale and 15 foot front yard set-backs. Applicant suggests that a better arrangement might be to make one side yard smaller and the other larger, providing the owner with a more useable side yard on one side of the house. Chairman Kenan thought that concept might have merit. Lot 6 will maintain the original vegetation that includes several desirable trees. The lodging use requires 1 parking space per bedroom; so 21 spaces are provided along the existing Mirbeau service road. They are also proposing putting in a sidewalk that will tie into the spa parking area and the Village sidewalk on Route 20.

Mr. Eggleston showed some site sections. The houses on Fuller Street will be about 3 feet above sidewalk grade, which gives a traditional front porch appearance; given the rising grade it is just a single step up in the back. Applicant will be filling the grade near the service road to construct the parking area for the lodging units. Those units will be 3 levels – lower level 3 BR, 2 BA; mid level 2 BR, 2 BA; upper level 2 BR, 2 BA. All will take advantage of the natural grade to the east; each level has outdoor space that overlooks the pond. These units will be stucco with timber accents and steep roofs, mirroring the Mirbeau look. In response to a question from Member Sutherland, Mr. Eggleston confirmed that the color scheme will be similar to Mirbeau.

Chairman Kenan asked what the applicants would like to Board to do at this point? Mr. Eggleston responded that with the plat plan in place, the Board could (1) declare the application to be complete, (2) refer to SOCPA, (3) make a recommendation to the ZBA, (4) and, recommend a zoning amendment and critical impact permit approval to the Trustees. Attorney Galbato added begin SEQR as unlisted action undergoing coordinated review. Chairman Kenan suggested that SEQR lead agency was an obvious step. Then with the establishment of Zoning and the subdivision, if approved, the rest will be driven by the lot lines.

After a good deal of discussion about the sizes and depths of the residential lots, the applicant agreed that the rear lot line is 150 feet from the Fuller Street road right-of-way. Chairman Kenan suggested that this rear line should be extended northerly to the point that it intercepted the Town-Village boundary line. The section to the east of that line should be the A-2 District, the area to the west should be the A-3 District. Chairman Kenan said that the applicant should prepare a legal description consistent with that solution, that the Planning Board could recommend to the Trustees.

The Board acknowledged that it has received the storm water plan from the applicant. Chairman Kenan said that Director of Municipal Operations Harty has requested that the storm water designs be reviewed by the Village engineers, GHD. Additionally, she requested that an escrow account funded by \$5,000 from the applicant be established to reimburse the Village for engineering reviews. Mr. Eggleston agreed. Attorney Galbato suggested that we should ask GHD for an estimated cost for the storm water review.

Chairman Kenan suggested that the Board review and consider the lead agency designation. Chairman Kenan, "I will change that to a motion, that we (1) establish a \$5,000 escrow account for engineering review, (2) ask the Village Engineer to review and comment on the applicant's storm water plans and estimate the cost for such review, (3) ask the applicant to prepare legal descriptions for the subdivision, lot line adjustment and zoning change, and (4) adopt the draft lead agency designation for an unlisted action receiving coordinated review as follows:

**RESOLUTION
INTENT TO ACT AS LEAD AGENCY UNDER SEQRA
VILLAGE OF SKANEATELES PLANNING BOARD
3.8.17**

WHEREAS, Eleroin LLC and Niorele LLC have proposed to change lot lines to add land to the Mirbeau property owned by Mirbeau of Skaneateles L.P. for extended stay lodging and detention basin, create five (5) residential lots for single family dwellings, Zoning Amendment for District Boundary for A-3 District Boundary enlarged into gateway property; Special Use Permit for Lodging Use and Critical Impact Permit. The project would demolishing a vacant 1800 square foot former gas station; constructing three (3) extended stay lodging buildings – nine (9) units and twenty-one (21) bedrooms; twenty-one (21) parking spaces; constructing five (5) 2,000 square foot detached single family dwellings; relocating Town water line and easement and providing new waterline to Mirbeau from the Village water system; and a six (6) lot subdivision.

WHEREAS, the Village of Skaneateles Planning Board (Planning Board) has determined that the proposed action is an Unlisted Action under the State Environmental Quality Review (SEQRA) Regulations;

WHEREAS, it is the intent of the Planning Board to assume the role of "Lead Agency" for purposes of conducting a SEQRA review of the Project; and

WHEREAS, the applicant has completed the Full Environmental Assessment Form;

WHEREAS, a Full Environmental Assessment Form (FEAF) must be completed and circulated to all Involved Agencies for purposes of establishing the Planning Board as "Lead Agency" for the purpose of conducting a SEQRA review of the Project; and

WHEREAS, any approval(s) granted by the Village Planning Board and upon information and belief the Village Zoning Board of Appeals will be conditioned upon the Village of Skaneateles Board of Trustees enacting a zoning amendment of the District Boundary of the A-2 and A-3 Districts.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Planning Board will circulate said Part 1 of the Full Environmental Assessment Form to the following list of "Interested and Involved Agencies" (Village of Skaneateles Board of Trustees, Village of Skaneateles

Zoning Board of Appeals, Village of Skaneateles Municipal Board, Village of Skaneateles Director of Municipal Operations, Village of Skaneateles Director of Municipal Operations, New York State DEC, New York State DOT, Onondaga County Health Department, Onondaga County Planning Board and the Town Board of the Town of Skaneateles) under cover of the attached “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under the SEQRA; and it is further

RESOLVED, that the Chairman, Clerk of the Planning Board and Special Counsel are hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this determination.” The motion was seconded by Member Hartnett. Upon the unanimous vote of the members in favor of the motion, it was carried 5 – 0.

Chairman Kenan, “I move that the Planning Board make a recommendation to the Board of Trustees that it change the zoning of the parcels west of a line parallel and 150 feet from the right-of-way of Fuller Street continuously extended to its intersection with the Village/Town boundary line. The Zoning designation for the area west of that line should be changed to A-3. Further, the Board asks Counsel to determine whether this Board can, on its own action, adopt the variances necessary to approve the proposed lots and establish building envelopes.” The motion was seconded by Member Carvalho. Upon the unanimous vote of the members in favor of the motion, it was carried 5 – 0.

Member Carvalho, “I move that this development be referred to SOCPA upon receipt of revised drawings from the applicant.” The motion was seconded by Member Sutherland. Upon the unanimous vote of the members in favor of the motion, it was carried 5 – 0.

Member Sutherland told the applicant that it intends to establish Parkside-like controls for design review and approval as part of the subdivision approval when made by the Board.

This matter was concluded at 8:40 pm.

Respectfully submitted,
Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Planning Board Meeting
March 8, 2017

Consider any comments to the Trustees on the revised Village boundary and Zoning map.

Present: Bruce Kenan, Chairman
Brian Carvalho, Member
Stephen Hartnett, Member
Mike Perrone, Member
Doug Sutherland, Member

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

Gregg Eriksen, Village Trustee
Jorge Batlle, Franklin Street
David Pittard, 141 E Genesee St
Beth O'Sullivan, 10 Leitch Ave

At 8:42 pm Chairman Kenan called for consideration of the revised Village boundary and Zoning map. Chairman Kenan observed that the overlay of the flood hazard area in a solid blue color obscures the actual boundary of the color-coded Zoning Districts. The Board did not feel that the recommendations made for minor Zoning changes should hold up the production of this final map. They felt that the Trustees could take up those matters at some future time. The Board felt that the map accurately reflects and portrays what exists today.

Member Hartnett, "I move that the Planning Board recommends to the Trustees that they approve the Zoning map with one change: either (1) the flood hazard overlay should be removed from the map or (2) that the flood areas be shown in a way that does not obliterate the basic Zoning District boundaries." Member Carvalho seconded the motion. Upon the unanimous vote of the members present in favor of the motion, it was carried 5 – 0.

On motion by Member Hartnett, seconded by Member Sutherland the Board unanimously agreed to adjourn the meeting at 8:49 pm.

Respectfully submitted,
Dennis Dundon, Clerk to the Boards

Subsequent to the meeting, Director of Municipal Operations Harty acknowledged the Board's suggestion and said she would have the map modified to show the flood areas as shading. That feature should be shown on the map since it is an overlay zone.