

Village of Skaneateles
Zoning Board of Appeals Meeting
June 27, 2018

Public Hearing in the matter of the area variance application of John Kenney 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; Minimum lot area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 16 by 23 foot deck and stairs at the property addressed as 5 Hawthorn Woods Court in the Village of Skaneateles.

Present: Michael Balestra, Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Kathleen Zapata, Member

Riccardo Galbato, Attorney for the ZBA
John Crompton, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Bob Eggleston, Architect, on behalf of the applicant

Christopher Hartnett, 5 Prentiss Drive
Mike Corbett, 25 Onondaga Street
Timothy Lynn, 50 Academy Street

Excused: Maureen Wopperer, Member

At 7:50 pm, Chairman Balestra called for the Kenney matter for 5 Hawthorn Woods Court.

Mr. Eggleston said that this house was built in the 1980s and has a great screened porch in the rear. Because the lot slopes downward, the porch is on the second level and there is no way to get to the back yard without going through the house. Mr. Kenney desires to build a 16 by 23 foot deck off the lower level and stairs to the screen porch. Chairman Balestra asked about wet conditions in the back yard? Mr. Eggleston said that is true; there is a watercourse that runs adjacent to the property. The only new variance is for open space, being 7% less than the required open space where it is deficient by 4.95% currently.

Member Zapata observed that the project improves the back of the house. Chairman Balestra opened the public comment portion of the hearing. There was no one desiring to be heard either in favor of or opposed to the application. **Chairman Balestra, "I move we close the public**

hearing.” Member Zapata seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.

Chairman Balestra, “I move that we grant the application of John Kenney 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; Minimum lot area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 16 by 23 foot deck and stairs at the property addressed as 5 Hawthorn Woods Court in the Village of Skaneateles. Further, that this approval is based upon and subject to the anticipated approval by the Onondaga County Planning Board. Further, that this approval is based upon the drawings dated June 19, 2018, it is a Type 2 action under SEQRA, and that the applicant shall have 6 months from the date of County approval to complete the project.” Member Carroll seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.

This matter was concluded at 7:54 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
June 27, 2018

Public Hearing in the matter of the area variance application of Michael Corbett to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, left; Both side yards combined; Minimum lot area; Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; and Section 225-14 C (5) (a); to construct a front porch and shed at the property addressed as 25 Onondaga Street in the Village of Skaneateles.

Present: Michael Balestra, Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Kathleen Zapata, Member

Riccardo Galbato, Attorney for the ZBA
John Cromp, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Mike Corbett, applicant

Christopher Hartnett, 5 Prentiss Drive
Timothy Lynn, 50 Academy Street
Bob Eggleston, 1391 E Genesee Street

Excused: Maureen Wopperer, Member

At 7:55 pm, Chairman Balestra called for the Corbett matter for 25 Onondaga Street. He announced that the Board had received a letter in favor of the project dated June 26, 2018 from Ted Williams of 29 Onondaga Street.

Mr. Corbett asked if the Board had any questions? Member Kowalski asked if the stoop is there presently? Mr. Corbett said yes. Member Kowalski asked if there is any roof structure? Mr. Corbett replied no, just steps. Mr. Corbett showed the Board a photograph, saying, "It's my neighbor's porch. It will look just like that."

Member Carroll asked where the shed is to be placed? Mr. Corbett said right at the end of the driveway, indicating that it should be 7 or 8 feet from the property line. Chairman Balestra noted that he thought 15 feet is required, and asked how close it will be to the house? CEO Cromp said it is required to be 10 feet from the nearest structure. Mr. Corbett said it would be less than 10

feet, but it will be sided to match the rest of the house. He showed the Board the sales brochure for the shed, stating it will look just like the illustration. It will be 12 feet here and 8 feet deep with a man door on the side. It has an overhead door but it is a shed.

Mr. Eggleston offered that as an accessory structure the shed is required to be 3 feet from the side lot line and 15 feet from the rear. Mr. Corbett stated it will be more than 3 feet from the side, but less than 10 feet from the house. Mr. Crompt affirmed that it will be closer than 10 feet to the house.

Chairman Balestra noted that the applicant proposes to put this in the side yard, when it should be in the rear yard. He said "given the size of it and the proximity to the primary structure it is pretty unconventional in the Village. Normally you'd see something like this further away and generally in a rear yard." Mr. Corbett said that the neighbor Ted's house or right next door they have the same thing. Chairman Balestra noted that he didn't approve that, saying "in the Village as a whole, you need a variance to put it in the side yard. I'm not really seeing the need to put this in the side yard; it looks like you could definitely move it back and away from your primary structure." Member Zapata asked why it is located where proposed? Mr. Corbett said the lot slopes downward there and it will be more convenient for the storage of his snowblower and motorcycle.

Chairman Balestra said that he is OK with the proposed porch and with the reduction in open space. But he is not seeing the need to put the shed where it is shown. He suggested that it be pushed back on the lot. He observed that it could be placed in such a manner that there would be no need for a variance. Mr. Corbett said that if the shed were pushed back it would be in an area which is graded and has steps from the driveway to the rear patio. He added "the entire winter I had to drag my snowblower from my back yard to my driveway. It was just a pain."

Chairman Balestra quoted Section 225-14 C (5) (a) which states that accessory buildings are not to be located in a required side or front yard. He continued that "I am familiar with the property. I'd like to physically go and take a look." He told Mr. Corbett "it is unconventional to put a shed where you are proposing to put it. Once we approve it, it is approved forever."

Chairman Balestra opened the public comment portion of the hearing. There was no one desiring to be heard either in favor of or opposed to the application. Mr. Corbett said that the "shed was already built; just waiting for it to be delivered." Chairman Balestra said that "You'd need a variance to put it in the side yard and you'd need a variance to put the shed as close to the house as you are looking to have it." He suggested that the Board could approve the open area variance but hold off on the shed location (225-14). Member Carroll asked about the side yard definition in regard to a staggered building. Mr. Corbett said that when "you get there you will see here's that corner of the driveway; there are steps that lead down and wrap around this way and they come down to the patio. In the back yard it doesn't do me any help; I'll have the same problem I had last winter. That's why I got it the way it looks because it will sort of look like a garage, but it is going to be used as a shed." Both Member Carroll and Chairman Balestra expressed the desire to "have a look." **Chairman Balestra, "I move we close the public hearing." Member Zapata seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.**

Chairman Balestra, “I move that we grant so much of the area variance application of Michael Corbett to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, left; Both side yards combined; Minimum lot area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a front porch at the property addressed as 25 Onondaga Street in the Village of Skaneateles except for the variances from Section 225-14C(5)(a)&(b). The intent of this action is to permit the applicant to commence construction on the front porch which is part of the application. Further, the Board continues the portion of the application related to construction and placement of a shed in order to further consider the variances required under 225-14C(5)(a)&(b), so we can take a closer look at the location of the proposed shed. Further, that this approval is based upon and subject to the anticipated approval by the Onondaga County Planning Board. This action is in accordance with plans received May 4, 2018, it is a Type 2 action under SEQRA, and that the applicant shall have 6 months from the date of County approval to complete the project.” Member Carroll seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.

Mr. Corbett asked when he might hear with respect to the shed? Chairman Balestra said the matter would be continued to the Board’s regular meeting on the fourth Wednesday of July (July 25, 2018). Atty. Galbato said that Mr. Corbett would still have to get a building permit for the porch.

This matter was concluded at 8:11 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
June 27, 2018

Peter McMaster to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, Left, Side yard setback, right; Both side yards combined; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 14 by 26 foot first floor addition to include garage and living space, and a 10 by 13.5 foot second floor addition, modify retaining wall, and make interior renovations and alterations at the property addressed as 36 Academy Street in the Village of Skaneateles.

Present: Michael Balestra, Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Kathleen Zapata, Member

Riccardo Galbato, Attorney for the ZBA
John Cromp, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Bob Eggleston, architect, on behalf of the applicant

Christopher Hartnett, 5 Prentiss Drive
Timothy Lynn, 50 Academy Street

Excused: Maureen Wopperer, Member

At 8:12 pm, Chairman Balestra called for the McMaster matter for 36 Academy Street.

Mr. Eggleston told the Board that the property has been in one family for 50 or 60 years; Mr. McMaster wants to keep it in the family and eventually use it as a retirement home. The house is “deceptively small”, only 1600 SF, and has a shared driveway leading to a small 10 foot wide garage in back. The proposal is to add a more functional second garage 14 by 26 feet, a first floor room addition and a second floor addition so there is a larger bathroom upstairs.

The variances include right side yard of 10 feet where 15 is required and both side yards of 25.8 where 35 is required. None of the setbacks are more nonconforming than the existing house. Open area is conforming. Work will include replacing the roof and siding the rear portion of the house. Member Zapata thought it was a nice addition. The neighbors have no objection as noted in the record.

Chairman Balestra opened the public comment portion of the hearing. There was no one desiring to be heard either in favor of or opposed to the application. **Chairman Balestra, “I move we close the public hearing.” Member Carroll seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.**

Chairman Balestra, “I move that we grant the application of Peter McMaster to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, Left, Side yard setback, right; Both side yards combined; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 14 by 26 foot first floor addition to include garage and living space, and a 10 by 13.5 foot second floor addition, modify retaining wall, and make interior renovations and alterations at the property addressed as 36 Academy Street in the Village of Skaneateles. This action is in accordance with plans received May 17, 2018, it is a Type 2 action under SEQRA, and that the applicant shall have 1 year to complete the project.” Member Carroll seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.

This matter was concluded at 8:17 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
June 27, 2018

Public Hearing in the matter of the area variance application of Stephen Hartnett to vary the strict application of Section 225-A5 Density Control Schedule for Minimum open space; to construct an in-ground pool, concrete surround, patio and shed at the property addressed as 5 Prentiss Drive in the Village of Skaneateles.

Present: Michael Balestra, Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Kathleen Zapata, Member

Riccardo Galbato, Attorney for the ZBA
John Crompt, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Christopher Hartnett on behalf of the applicant

Timothy Lynn, 50 Academy Street
Bob Eggleston, 1391 E Genesee Street

Excused: Maureen Wopperer, Member

At 8:18 pm, Chairman Balestra called for the Hartnett matter for 5 Prentiss Drive.

Mr. Hartnett said that his parents are out of the country, so he will represent them. He described that the pool and a 3 foot surround have already been installed. They are looking for a reduction in open space of 3.79% so they may install a larger, more usable concrete patio and a storage shed. This area is located in a place that is not visible from the road.

Chairman Balestra noted that letters dated June 25 have been received from neighbors; the McCormacks, the Sabinis, Savage-Canty, Karpinsky and Helmer. He said that the variance required is a variance of almost 4%. CEO Crompt stated that there are no lot line issues. Mr. Hartnett walked the Board through the proposed project, noting that they are at the bottom of the neighborhood, so there will be no drainage issues. Mr. Hartnett said that the 16 by 32 foot storage shed will be placed outside the fence and will be trimmed to match the house. Architectural shingles will be used on the roof.

Chairman Balestra opened the public comment portion of the hearing. There was no one desiring to be heard either in favor of or opposed to the application. **Chairman Balestra, “I move we close the public hearing.” Member Kowalski seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.**

Chairman Balestra, “I move that we grant the application of Stephen Hartnett to vary the strict application of Section 225-A5 Density Control Schedule for Minimum open space; to construct an in-ground pool, concrete surround, patio and shed at the property addressed as 5 Prentiss Drive in the Village of Skaneateles. Further, that this approval is based upon and subject to the anticipated approval by the Onondaga County Planning Board. Further, that this approval is based upon the drawings dated April 30, 2018, it is a Type 2 action under SEQRA, and that the applicant shall have 10 months from the date of County approval to complete the project.” Member Zapata seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.

CEO Crompt said this will require another building permit that will be available after county approval. This matter was concluded at 8:22 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
June 27, 2018

Continuation of the Public Hearing in the matter of the Special Use Permit application and area variance application of Richard Charles to vary the strict application of Section 225-A5 Density Control Schedule for Minimum lot area; and to change the use from Office, general business [C (13)] to Dwelling, multifamily [A (4)], and to construct a four dwelling unit condominium residence at the property addressed as 37 Jordan Street in the Village of Skaneateles.

Present: Michael Balestra, Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Kathleen Zapata, Member

Riccardo Galbato, Attorney for the ZBA
John Crompton, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Bob Eggleston, architect, on behalf of the applicant

Timothy Lynn, 50 Academy Street

Excused: Maureen Wopperer, Member

At 8:23 pm, Chairman Balestra called for the Charles matter for 37 Jordan Street.

Mr. Eggleston said that Mr. Charles has received site plan approval from the Planning Board and that Board has approved the Downtown D Design Standards compliance. There is one area variance needed. The code requires 3,000 SF of lot area per dwelling unit in Downtown D. Given typical lot sizes in that District, multifamily uses have a difficult time conforming. In the Charles case, the lot has 9,000 SF. This exact variance was granted by the ZBA for Mr. Charles' similar application in 2014. The narrative addressed the criteria for Special Permit for multifamily.

Chairman Balestra asked about snow removal plans. Mr. Eggleston said there is room to pile snow at the far end of the parking area and between the 37 and 39 Jordan buildings. If there is more snow than can be accommodated, then it will have to be removed from the site. That is not unusual in Downtown D. Mr. Eggleston believes that it will appeal to snowbirds.

Chairman Balestra said that he favors suitable development of this parcel and he is personally not bothered by the lot size variance.

Chairman Balestra opened the public comment portion of the hearing. There was no one desiring to be heard either in favor of or opposed to the application. Mr. Eggleston said that he had personally spoken with Becky Barker, 41 Jordan, and she has no objections. **Chairman Balestra, "I move that we close the public hearing." Member Zapata seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.**

Chairman Balestra said this is a public benefit to have additional housing developed and it is good to have something happen which has no undue detrimental impacts on any nearby properties. The pros definitely outweigh the cons. He was on the Board when a similar project was approved previously by the ZBA, and he is not aware of any material changes that would lead him to oppose it.

Chairman Balestra, "I move that we adopt the Planning Board's SEQR determination in this matter, and further move that we grant the Special Use Permit and area variance for the application of Richard Charles to vary the strict application of Section 225-A5 Density Control Schedule for Minimum lot area; and to change the use from Office, general business [C (13)] to Dwelling, multifamily [A (4)], and to construct a four dwelling unit condominium residence at the property addressed as 37 Jordan Street in the Village of Skaneateles. Further, that these approvals are solely granted for the precise project as represented by the applicant. Further, that this approval is based upon the drawings dated May 4, 2018 and that the applicant shall have 2 years to complete the project." Member Zapata seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.

This matter was concluded at 8:33 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
June 27, 2018

Request that the Board consider a further extension of time in the matter of Timothy & Cynthia Lynn to vary the strict application of section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, right; Both side yards combined; Percentage of open area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 24 by 16 foot two-story addition and relocate a 12 by 20 foot patio at the property addressed as 50 Academy Street in the Village of Skaneateles. *The Board granted these variances at its meeting on November 30, 2016 and the completion date was extended to July 1, 2018 by the Board on October 25, 2017.*

Present: Michael Balestra, Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Kathleen Zapata, Member

Riccardo Galbato, Attorney for the ZBA
John Crompt, Code Enforcement Officer
Dennis Dundon, Clerk to the Boards

Timothy Lynn, applicant

Excused: Maureen Wopperer, Member

At 8:34 pm, Chairman Balestra called for the Lynn matter for 50 Academy Street.

Mr. Lynn, in response to questions said that the project is close to completion. They had some delays because of foundation issues early on. Chairman Balestra asked how much more time might be needed? Mr. Lynn said "to be safe, 5 months would be great." There were no further questions from the Board.

**Chairman Balestra, "I move we extend the time to complete to November 30, 2018."
Member Kowalski seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.**

This matter was concluded at 8:37 pm, and on motion of Chairman Balestra, seconded by Member Carroll, the meeting was adjourned.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

