

**Village of Skaneateles
Zoning Board of Appeals Meeting
September 26, 2018**

Public hearing in the matter of the area variance application of James and Jane Lanshe 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 open area; and Section 225-14 C (5) Accessory Buildings; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion to construct a 144 SF addition to the house and a 360 SF second story addition to a detached garage at the property addressed as 20 East Lake Street in the Village of Skaneateles.

Present: Kathleen Zapata, Acting Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Maureen Wopperer, 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
Jane Lanshe, applicant

Dorothy McMaster, 36 Academy St
Nancy Graham, Highland Ave.
Niki Mahood, 60 West Lake St
Katie Armijo, 9 State St
Jason Armijo, 9 State St
David Lee, 1741 Pork St
Nickie Marquis, 37 W Elizabeth St
Eric Gay, 37 W Elizabeth St
Roben Shappell, 40 W Elizabeth St
Natalie Kipp, 665 School St [Student]
Jessica Bennett, Railroad St [Student]

Excused: Michael Balestra, Chairman

At 7:30 pm, Chairman Zapata called for the Lanshe matter for 20 East Lake Street.

Mr. Eggleston said that Jane Lanshe grew up here and they have come back every summer. They recently found a house on East Lake Street that they would like to make some additions to.

In the house, they would add a 12 by 1 foot master bedroom addition and change the current kitchen and mudroom into a bath and entry. The kitchen will be relocated to the main part of the house. He needs a place to get away and to have an office. The solution is to add a second floor to the garage and make it a carriage house. The existing condition is nonconforming. The left yard gets closer because the property line goes at an angle; setback will be reduced to 7.7 feet from an existing of 9.9 feet. The existing garage is 2.6 feet off the side yard property line; it does meet the required rear yard.

Member Wopperer asked if the house is equipped with gutters and to control drainage to the property? Mr. Eggleston said they would. Member Kowalski said it seems straightforward. Mr. Eggleston introduced a letter of support signed by several neighbors.

Chairman Zapata opened the public comment portion of the hearing. There was no one desiring to be heard in favor of or in opposition to the application. **Chairman Zapata, "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.**

Member Wopperer, "I move that we grant the area variance application of James and Jane Lanshe 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 open area; and Section 225-14 C (5) Accessory Buildings; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion to construct a 144 SF addition to the house and a 360 SF second story addition to a detached garage at the property addressed as 20 East Lake Street in the Village of Skaneateles. This action is in accordance with plans dated 8.16.18, it is a Type 2 action under SEQRA, and that the applicant shall have 1.5 years to complete the project, until 3.31.20." 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 7:37 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Zoning Board of Appeals Meeting
September 26, 2018**

Public hearing in the matter of the area variance application of Daniel & Molly Brown to vary the strict application of Section 225-A5 Density Control Schedule for Minimum open area; to construct 672 SF of patio and firepit surrounding a recently-installed swimming pool at the property addressed as 50 East Street in the Village of Skaneateles.

Present: Kathleen Zapata, Acting Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Maureen Wopperer, Member

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

Bob Eggleston, architect, on behalf of the applicant

Dorothy McMaster, 36 Academy St
Nancy Graham, Highland Ave.
Niki Mahood, 60 West Lake St
Katie Armijo, 9 State St
Jason Armijo, 9 State St
David Lee, 1741 Pork St
Nickie Marquis, 37 W Elizabeth St
Eric Gay, 37 W Elizabeth St
Roben Shappell, 40 W Elizabeth St
Natalie Kipp, 665 School St [Student]
Jessica Bennett, Railroad St [Student]

Excused: Michael Balestra, Chairman

At 7:37 pm, Chairman Zapata called for the Brown matter for 50 East Street.

Mr. Eggleston said that the Browns were pleased to get their pool put in, which meets all required setbacks. However, the patio plan is to add 8.5 feet, so they will have 11 feet on the sides with a little fire pit, creates an open area issue -- would be 83.6%. There will be a fence around the pool -- a 6 foot high privacy fence. Member Wopperer recalled that the Planning Board had also suggested greenery in addition to the fence. Mr. Eggleston said the Browns were

amenable to that idea. Member Wopperer asked if there were a current plan of action? Mr. Eggleston said no.

Member Kowalski asked if the material was concrete? Mr. Eggleston said stamped concrete. Member Wopperer asked if the fence were still chain link? Mr. Eggleston said no; it is to be a board-on-board privacy fence. Member Carroll asked if the privacy fence obviated the need for greenery? Attorney Galbato said that requiring landscaping is a reasonable condition. Mr. Eggleston said that the Browns are amenable to putting landscaping around it, but stated that there will be a fence installed regardless of the variance decision. CEO Crompton told the Board that if a specific condition is imposed by the Boards, he will check on it. Mr. Eggleston introduced a letter of support signed by surrounding neighbors.

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

Member Carroll, "I move that we grant the area variance application of Daniel & Molly Brown to vary the strict application of Section 225-A5 Density Control Schedule for Minimum open area; to construct 672 SF of patio and firepit surrounding a recently-installed swimming pool at the property addressed as 50 East Street in the Village of Skaneateles, and incorporating the condition of a 6 foot high privacy fence with greenery. This action is in accordance with plans dated 8.10.18, it is a Type 2 action under SEQRA, and that the applicant shall have until June 30, 2019 to complete." 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 7:44 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Zoning Board of Appeals Meeting
September 26, 2018**

Public hearing in the matter of the area variance application of Peter and Barry McMaster to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, right; Both side yards combined; and Minimum open area; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion to add an 18 by 26 foot deck with stairs to grade to a recently approved addition at the property addressed as 36 Academy Street in the Village of Skaneateles.

Present: Kathleen Zapata, Acting Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Maureen Wopperer, Member

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

Bob Eggleston, architect, on behalf of the applicants
Dorothy McMaster, on behalf of the applicants
Nancy Graham, on behalf of the applicants.

Niki Mahood, 60 West Lake St
Katie Armijo, 9 State St
Jason Armijo, 9 State St
David Lee, 1741 Pork St
Nickie Marquis, 37 W Elizabeth St
Eric Gay, 37 W Elizabeth St
Roben Shappell, 40 W Elizabeth St
Natalie Kipp, 665 School St [Student]
Jessica Bennett, Railroad St [Student]

Excused: Michael Balestra, Chairman

At 7:45 pm, Chairman Zapata called for the McMaster matter for 36 Academy Street.

Mr. Eggleston said that Dorothy McMaster was present. She had lived in the house for 60 years. Peter and Barry have purchased the house now. The property was before the Board a month ago for an addition; at the time, they hadn't thought about the deck. The house has a shared driveway owned by J.D. Delmonico and has had a gravel area behind it with a parking space.

The applicants wanted a first floor deck large enough to park under having stairs to the lawn. When the matter was before the Planning Board, that Board thought the deck was too large and suggested putting in a smaller deck with parking further down. They thought that would be more appealing to the neighbors. The applicants rejected that suggestion, believing that screening was a better option than a smaller deck. The Planning Board recommended that the ZBA deny the application.

Mr. Eggleston said that the applicants now have an option for the ZBA to consider. The deck would be recessed in and is 6 feet less in length. Chairman Zapata asked the Planning Board has not seen this revised proposed plan? Mr. Eggleston said that the Planning Board is a referral board; it can recommend approval, recommend denial, or make no recommendation. Chairan Zapata said that the Zoning Board of Appeals will consider only the plans that have been reviewed by the Planning Board and submitted to this Board for consideration.

Chairman Zapata opened the public comment portion of the hearing, mentioning that she is pretty familiar with the property as an Academy Street resident. Ms. McMaster said that her son Peter is looking to retire in the family home, and she hopes all will work out for him, since the neighbors don't care what he does. Mr. Lee said that the grade drops off quickly in the back; the Planning Board may not have completely taken that into account in suggesting to move the parking. Mr. Eggleston submitted a signed letter of support from Tara Lynn from 38 Academy Street, and stated that J. D. Delmonico prefers the current plan. There was no one desiring to be heard in opposition to the application. **Member Carroll, "I move we close the public hearing." Chairman Zapata seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 4 – 0.**

Member Kowalski asked why the applicant needed the 14 foot width? Mr. Eggleston recalled having done a 12 foot carport on Academy Street that "was tight". The design concept is to use steel beams in order to have a clear span across the parking area. One will pull in next to an existing retaining wall.

Chairman Zapata said that she does not consider this to be a first floor deck. Taking up a significant portion of the rear yard for this purpose changes the character of that lot.

Member Carroll, "I move that we refer the new plans to the Planning Board for the requisite advisory opinion pursuant to Section 225-76 A (6) of the Code." Chairman 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 7:55 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

**Village of Skaneateles
Zoning Board of Appeals Meeting
September 26, 2018**

Public hearing in the matter of the area variance application of Geysson & Catherine Armijo to change the use to two-family and to vary the strict application of Section 225-A5 Density Control Schedule for Minimum open area; Section 225-24B(1) for Minimum lot area and Minimum lot width; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 14.6 by 18 foot two-story addition in the rear of the house and a 6 by 12 foot front porch at the property addressed as 38 West Elizabeth Street in the Village of Skaneateles.

Present: Kathleen Zapata, Acting Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Maureen Wopperer, Member

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

Bob Eggleston, architect, on behalf of the applicants
Katie Armijo, applicant
Jason Armijo, applicant
David Lee, on behalf of the applicants

Niki Mahood, 60 West Lake St
Nickie Marquis, 37 W Elizabeth St
Eric Gay, 37 W Elizabeth St
Roben Shappell, 40 W Elizabeth St
Natalie Kipp, 665 School St [Student]
Jessica Bennett, Railroad St [Student]

Excused: Michael Balestra, Chairman

At 7:56 pm, Chairman Zapata called for the Armijo matter for 38 West Elizabeth Street.

Mr. Eggleston said that the Armijos had made the application to put an addition on what had historically been used as the second unit of a two family home, although in recent years it had been occupied by a single family and used that way. The Armijos purchased it to gain a two family property. There were 3 bedrooms in the front unit and 1 bedroom in the back. With the addition, both units will have 2 bedrooms in each unit. The original application had 2 narrow

driveways with tandem parking. The Planning Board suggested parking in back with a turn around area. Mr. Eggleston explained the current application with 78.2% coverage noted, explaining that his calculations differ from those of the Code Officer. He continued saying that he has always taken required parking at 180 SF per space, but excluding driveways, per the definition. CEO Crompt said that in his interpretation, the turnaround at top of the driveway is not required parking and counts as lot coverage, resulting in 75.95% open area.

Member Carroll read the open space definition, asking if it was Mr. Eggleston's assertion that the turnaround is access driveway? Mr. Eggleston said it was, they were forced to make it so in order maneuver for egress. Member Carroll asked what the width is? Mr. Eggleston said that the current is 10 to 12 feet. Member Carroll asked how close the driveway is to the boundary? Mr. Eggleston said it is greater than 3 feet from the property line.

Member Wopperer noted that the Board had received a letter of concern from the next door neighbor regarding drainage. Mr. Eggleston suggested that there could be a curb along the driveway to direct water down to the street. Ms. Shappell's letter suggested that 2 driveways would be a better solution. Mr. Eggleston believed it is more representative of the neighborhood and he observed that only 25% of front yards can be used for driveways. He then illustrated how the 2 driveway idea meets the requirements while providing more back yard space. Member Wopperer said the other arrangement does use a lot of yard. Member Kowalski asked if the applicants have a preference?

Chairman Zapata opened the public comment portion of the hearing, asking if anyone wished to speak in favor of the application? Mr. Gay and Ms. Marquis said that the building has been empty a long time; as long as they have lived there. They are in favor of improving the property and providing additional housing. Ms. Shappell said that while she does approve of everything, but she has concerns about drainage off the larger driveway. Chairman Zapata read, "We have no issues with the property being a two family long-term rental. Also we have no issues with the addition in the rear of the second unit. We are concerned with the expansion of the driveway on the west side of the property, adjacent to our property, and the drainage problem that would be created with the expansion. When the house was a two family unit, there was a curb cut on the east side of the house to allow the property to have two driveways. We would agree to have the property revert back to the two driveways. The property across the street has two driveways. Signed by Gary and Roben Shappell." There was no one who wished to speak in opposition.

Ms. Armijo said that they are flexible about the driveway and noted that 2 driveways provide additional options for the tenants. Mr. Lee said that the floor plan of Unit 2 is improved by using the entrance on the east side. Member Kowalski asked if it resulted in less coverage? Mr. Eggleston said that by Zoning Law definition it is the same, but practically it is half the coverage. By making the driveways 10 feet wide, the applicant can meet the 25% front yard parking limitation, and that he believes it is better from the neighborhood context to have 2 driveways.

Member Kowalski noted that there will be less impermeable coverage and that drainage would be better with less tarvia, and effectively less coverage. Member Carroll said that the Planning Board seemed to be concerned with the number of curb cuts. Mr. Eggleston explained that the

8.16.2018 plan improves the design of the addition but changes the driveway and parking configuration. The original proposal with 2 driveways was dated 6.5.2018. The Board discussed the attributes of the two driveway configurations.

Member Carroll, "I move that 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.

Mr. Eggleston mentioned that he would suggest removing the west porch from unit 2.

Member Carroll, "I move that we approve the area variance application of Geysson & Catherine Armijo to change the use to two-family and to vary the strict application of Section 225-A5 Density Control Schedule for Minimum open area; Section 225-24B(1) for Minimum lot area and Minimum lot width; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 14.6 by 18 foot two-story addition in the rear of the house and a 6 by 12 foot front porch at the property addressed as 38 West Elizabeth Street in the Village of Skaneateles. This is a Type 2 action with plans dated 8.16.18 for the additions but with the two 10-foot-wide driveways as shown on the site plan dated 6.5.18 and removing the proposed west access porch. Applicant shall have until 8.31.20 to complete. The Board notes that the applicants have stated that they understand that rentals must be for a minimum of 30 days duration." Chairman 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 and on motion of Member Carroll, seconded by Chairman Zapata the meeting was unanimously adjourned at 8:26 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

