

Village of Skaneateles
Planning Board Meeting
December 6, 2018

Area Variance recommendation in the matter of the application of Todd & Ellen Donovan to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, right; to construct a 20 by 18 foot patio and walkway at the property addressed as 145 East Genesee Street 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,
John Cromp, Code Enforcement Officer
Beth O’Sullivan, Deputy Zoning Inspector
Dennis Dundon, Clerk to the Boards

Bob Eggleston, architect, on behalf of the applicant
Ellen Donovan, applicant

Kirsten Ehrich, 63 W Lake St
Peter Ehrich, 63 W Lake St
Emily McNeil, 76 Fennell St
Kevin Cooper, 32 E Austin St
Terri Roney, Esq., Syracuse
Doreen Simmons, Esq., 38 W Lake St
John Meyer, Boston
Patrick Reagan, Marcellus
Mark Aberi, 56 Leitch Ave
Don Kasper, 3905 State St Rd
Julie Moore, 95 E Lake St
Jim Moore, 95 E Lake St
Alan Johnson, 59 W Genesee St
Holland Gregg, 3872 Jordan Rd
Kathie Dyson, 1 Teasel Ln
Bill & Miki Mahood, 60 W Lake St
John Langey, Esq., Syracuse
Constance Brace, 15 Kane Ave
Linda Roche, 39 W Lake St
Richard Andino, Esq., Syracuse

At 7:30 pm, Chairman Kenan called for the matter of Todd & Ellen Donovan for 145 East Genesee Street.

Mr. Eggleston noted that the Donovans have owned this house for a number of years and they are now moving back to the area full-time. To improve the property, they planned to add landscaping and a patio. In the process of doing the work, they discovered that a flagstone patio requires a building permit. The required set-backs for a free-standing patio were discussed at length, with CEO Crompt concluding in his determination that 15 feet is required for the side yard. This 130 SF patio is proposed to be 3.7 feet off the side yard, though it will be buffered from the adjacent neighbors by landscaping. Open space will be 93% which is conforming. The neighbors have signed a letter of no objection.

Member Carvalho asked if the pavers are already on site? Mr. Eggleston responded that they are on site; they wanted to make sure they would fit.

Member Carvalho, “I move that we recommend that the ZBA accept and grant the side yard set-back variance for a paver patio based on drawings dated 11.13.18.” Member Hartnett suggested an amendment adding, “It is specifically limited to approval for a patio, not a building.” Member Sutherland seconded the amended motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0.

This matter was concluded at 7:33 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting December 6, 2018

Area Variance recommendation in the matter of the application of Mark & Diane Aberi to vary the strict application of Section 225-A5 Density Control Schedule for Sideyard set-back, right; Both sideyards combined; and Minimum open area; to construct a 16 by 16 foot patio and retaining walls at the property addressed as 56 Leitch Avenue 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,
John Crompt, Code Enforcement Officer
Beth O'Sullivan, Deputy Zoning Inspector
Dennis Dundon, Clerk to the Boards

Bob Eggleston, architect, on behalf of the applicant
Mark Aberi, applicant

Kirsten Ehrich, 63 W Lake St
Peter Ehrich, 63 W Lake St
Emily McNeil, 76 Fennell St
Kevin Cooper, 32 E Austin St
Terri Roney, Esq., Syracuse
Doreen Simmons, Esq., 38 W Lake St
John Meyer, Boston
Patrick Reagan, Marcellus
Don Kasper, 3905 State St Rd
Julie Moore, 95 E Lake St
Jim Moore, 95 E Lake St
Alan Johnson, 59 W Genesee St
Holland Gregg, 3872 Jordan Rd
Kathie Dyson, 1 Teasel Ln
Bill & Miki Mahood, 60 W Lake St
John Langey, Esq., Syracuse
Constance Brace, 15 Kane Ave
Linda Roche, 39 W Lake St
Richard Andino, Esq., Syracuse

At 7:34 pm, Chairman Kenan called for the matter of Mark & Diane Aberi for 56 Leitch Ave.

Mr. Eggleston noted that the Aberis have recently completed the renovation of this property. Now that the work is done, Mr. Aberi thought it would be nice to put in 18 inch high retaining walls in order to level the back yard. Under the Code, retaining walls are structures that count against required open space. Mr. Aberi proposes to install a 16 by 16 foot permeable patio that will be 6.4 feet off the side yard line. Combined side yards would be reduced to 32.3 feet. Mr. Eggleston said that the as-built survey showed final open space at 73.5%, which would decline to 70% as a result of the proposed project. He said that Mr. Crompt had modified those numbers, coming to 69.7% open space variance requested.

Member Carvalho asked if the difference arose as a result of what was built being different from what had been planned? Mr. Eggleston replied that the as-built dimensions of the house and porch were slightly smaller than the design dimensions, while the garage was slightly larger. He thought it somewhat likely that the point of measurements may be different, such as using the garage corner board rather than the foundation wall. Chairman Kenan said that the effect would be to accommodate the dimensions that were originally approved.

Member Sutherland asked if they have letters from neighbors, observing that the ZBA would find that helpful. Mr. Aberi said he is working on it.

Member Hartnett, “I move that we recommend approval by the ZBA of the side yard variances and open space variance based on drawings dated 11.15.18.” Member Sutherland seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0.

This matter was concluded at 7:39 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting December 6, 2018

Continuation of the Public Hearing in connection with Critical Impact Permit determination in the matter of the application of Chris Newcomer on behalf of RJK Properties to change the use from C (16) Physical Fitness to C (21) Retail for the north portion of the first floor and the lower level at the property addressed as 42 East Genesee Street in the Village of Skaneateles. On information and belief, one potential tenant is Last Shot Distillery for use as a retail sales branch having samples for tasting.

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

Riccardo Galbato, Attorney for the Planning Board,
John Crompt, Code Enforcement Officer
Beth O'Sullivan, Deputy Zoning Inspector
Dennis Dundon, Clerk to the Boards

Kirsten Ehrich, 63 W Lake St
Peter Ehrich, 63 W Lake St
Emily McNeil, 76 Fennell St
Kevin Cooper, 32 E Austin St
Terri Roney, Esq., Syracuse
Doreen Simmons, Esq., 38 W Lake St
John Meyer, Boston
Patrick Reagan, Marcellus
Don Kasper, 3905 State St Rd
Julie Moore, 95 E Lake St
Jim Moore, 95 E Lake St
Alan Johnson, 59 W Genesee St
Holland Gregg, 3872 Jordan Rd
Kathie Dyson, 1 Teasel Ln
Bill & Miki Mahood, 60 W Lake St
John Langey, Esq., Syracuse
Constance Brace, 15 Kane Ave
Linda Roche, 39 W Lake St
Richard Andino, Esq., Syracuse
Bob Eggleston, 1391 E Genesee St

At 7:40 pm, Chairman Kenan reopened the public hearing in the matter of Chris Newcomer for 42 E Genesee St.

Attorney Galbato advised that this public hearing was a continuation of a hearing continued from the October and November meetings. Prior to tonight's meeting, the applicant has stated that he is withdrawing the application.

Chairman Kenan opened the public comment portion of the hearing. There was no one desiring to be heard either in support of or in opposition to the application. **Member Carvalho, "I move that we close the public hearing." Member Perrone seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0. With the hearing closed, the Board acknowledged that the application has been withdrawn at the request of the applicant.**

This matter was concluded at 7:41 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles Planning Board Meeting December 6, 2018

Continuation of Site Plan Review and Demolition permit recommendation in the matter of the application of Don Kasper to demolish a 1582 SF one-family dwelling unit and 20 by 50 foot garage at the property addressed as 71 West Genesee Street 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,
John Crompton, Code Enforcement Officer
Beth O'Sullivan, Deputy Zoning Inspector
Dennis Dundon, Clerk to the Boards

Bob Eggleston, architect, on behalf of the applicant
Don Kasper, applicant

Kirsten Ehrich, 63 W Lake St
Peter Ehrich, 63 W Lake St
Emily McNeil, 76 Fennell St
Kevin Cooper, 32 E Austin St
Terri Roney, Esq., Syracuse
Doreen Simmons, Esq., 38 W Lake St
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Jim Moore, 95 E Lake St
Alan Johnson, 59 W Genesee St
Holland Gregg, 3872 Jordan Rd
Kathie Dyson, 1 Teasel Ln
Bill & Miki Mahood, 60 W Lake St
John Langey, Esq., Syracuse
Constance Brace, 15 Kane Ave
Linda Roche, 39 W Lake St
Richard Andino, Esq., Syracuse

At 7:42 pm, Chairman Kenan reopened the continuation of discussion in the matter of Don Kasper for 71 W Genesee St.

Mr. Eggleston noted that they had been here last month. They are proposing to remove a post & beam house and a newer 4 car garage. The carriage house is to be retained. Mr. Kasper proposes to construct a 4 bedroom house in the American Four Square design, with a front porch across the main body of the house. It will use fiber cement siding so the appearance and detail work will look appropriate.

Member Sutherland said it has generated more than a little comment from the neighbors – to the effect that it would be unfortunate to remove a Greek revival house and replace it with a four square. Mr. Eggleston responded that “they had the opportunity to buy the house” and continued stating that there are 10 different house styles in that neighborhood, including a four square immediately across the street. Member Sutherland replied that the existing house is a pre-civil-war home that gives it a certain distinctive status. He continued by stating that the Krebs is a new building that looks like the old building. Mr. Eggleston argued that the old building was remodeled. Member Sutherland refused to split hairs saying “when it was done, it was done right. It is not a bad model to follow.”

Member Carvalho noted that the Board had received a letter from Alan Johnson, a near-by neighbor, suggesting that a Parkside Village model is an awkward fit for a building on West Genesee Street. There are 4 Greek revival houses pre-civil-war that define an historic presence and the nature of this Village block includes a generous set-back from the street. Mr. Eggleston retorted that this is his opinion. Eggleston continued that this is not an historic district, and this is merely site plan review. Anyone would be hard-pressed to say that the design is not Village appropriate.

Attorney Galbato noted that the applicant has submitted a Short Environmental Assessment Form. He has prepared a resolution for the Board’s consideration declaring the Planning Board to be lead agency under SEQRA and suggesting a limited coordinated review. Chairman Kenan noted that the site plan review process will evaluate the harmonious relationship with the neighborhood and nearby properties as well as preservation of historic or significant structures. Mr. Eggleston questioned why this is not a Type 2 action as a residential use. Mr. Galbato replied that it is not because it requires site plan approval.

[Chairman Kenan read portions of the resolution aloud for the benefit of the audience.]

**RESOLUTION
INTENT TO ACT AS LEAD AGENCY UNDER SEQRA
VILLAGE OF SKANEATELES PLANNING BOARD
12.6.18**

WHEREAS, Donald Kasper, the Applicant, has proposed to demolish a 1582 SF one-family dwelling unit and a 20’ by 50’ garage at 71 West Genesee Street and to construct a new four (4) bedroom, 3 ½ bath single family dwelling with 2,747 SF of living space and a 248 SF porch, 280 SF patio and 6’ high privacy fence;

WHEREAS, the application includes the following: Site Plan dated 10.10.18 and drawings labeled New House pages 2 of 3 and 3 of 3 dated 11.14.18 from Robert O. Eggleston, Architect;

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;

WHEREAS, the applicant has completed the Short Environmental Assessment Form Part 1 signed by the applicant Donald Kasper dated 10.11.18. The Short Environmental Assessment Form indicates that the site is .67 acres, of which .10 acres will be physically disturbed;

WHEREAS, the Short Environmental Assessment Form 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;

WHEREAS, the proposed project is in the Residential A1 District; and

WHEREAS, the Code Enforcement Officer has determined that the following approvals are required from the Planning Board and/or the Zoning Board of Appeals:

- 1. Site Plan Approval Section 225-29 which states, in part, that:**

§ 225-29. Applicability.

A.

No building or zoning permit shall be issued for a permitted use listed in Article IV requiring site plan review and approval until a site plan has been reviewed by the Planning Board as provided in this article. No demolition permit shall be issued until a site plan has been reviewed by the Planning Board as provided in this article with regard to a building, structure or portion thereof which meets the following criteria:

(1)

It is 100 square feet or greater; or

(2)

It is 50 or more years old; or

(3)

It has a foundation.

B.

After such review the Planning Board shall approve, approve with modifications, or disapprove such site plan.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Planning Board will circulate said Part 1 of the Short 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 Code Enforcement Office, Village of Skaneateles Historical Landmarks Preservation Commission, Onondaga County Planning Department and Skaneateles Fire Department) 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.

Member Sutherland, “I move the adoption of the resolution.” Member Perrone seconded the motion. Upon the unanimous vote of the members in favor of the motion, the motion was carried 5 – 0 and the resolution was adopted. After some discussion as to the timing, Chairman Kenan moved to make referral to the Onondaga County Planning Board under GML. Member Hartnett seconded the motion. Upon the affirmative votes of Members Carvalho. Hartnett and Chairman Kenan, that motion was carried 3 – 0 with abstentions by Members Perrone and Sutherland.

This matter was concluded at 7:58 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards