

Village of Skaneateles  
Zoning Board of Appeals Meeting  
January 9, 2019

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Public Hearing in the matter of the area variance application of Todd and 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.

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Present: Michael Balestra, Chairman  
Gerald Carroll, Member  
Michael Kowalski, Member  
Maureen Wopperer, Member  
Kathleen Zapata, 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  
Ellen Donovan, applicant

Mark Aberi, 56 Leitch Avenue  
Bridget Neumann, 101 Ramble Wood Dr

At 7:30 pm, Chairman Balestra opened the public hearing in the Donovan matter for 145 East Genesee Street. Mr. Dundon informed the Chairman that a malfunctioning recorder would preclude recording the meeting.

Mr. Eggleston noted that Ms. Donovan was also present, and explained that the applicants want to build a detached deck. The code is somewhat vague on the set-backs for a supplementary structure; were it a building the requirement would be 3 feet. In the absence of definitive language, the Code Enforcement Officer's determination was that the structure should comply with a 15 foot set-back. The proposed structure would have a 3.7 foot set-back at the corner. Plantings will be installed to screen it from the neighbors to the east. The adjacent neighbors have submitted a no-objection letter; it was accepted for the file.

Chairman Balestra asked what material was proposed to be used? Ms. Donovan confirmed that the patio would be random-sized slate. Chairman Balestra said that he had been to the site. He noted that the County Planning Board resolution had mentioned obtaining input from the City of Syracuse, however the Board considers that unnecessary since the property is not within the lake watershed. Member Wopperer asked what caused the referral to OCPB? Mr. Dundon said it is required because the property is within 500 feet of Route 20, a state highway.

Chairman Balestra opened the public comment portion of the hearing. There was no one desiring to be heard either in favor of or in opposition to the application. **Chairman Balestra, “I move that 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 5 – 0.**

**Chairman Balestra, “I move that we grant the area variance application of Todd and 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. This action is in accordance with plans submitted with the application dated 11.13.18, it is a Type 2 action under SEQRA, and that the applicant shall have until July 1, 2019 to complete.” Member Zapata seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 5 – 0.**

This matter was concluded at 7:34 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles  
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Public Hearing in the matter of the area variance application of Mark and Diane Aberi 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; to construct a 16 by 16 foot patio and retaining walls at the property addressed as 56 Leitch Avenue in the Village of Skaneateles.

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Present: Michael Balestra, Chairman  
Gerald Carroll, Member  
Michael Kowalski, Member  
Maureen Wopperer, Member  
Kathleen Zapata, 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  
Mark Aberi, applicant

Bridget Neumann, 101 Ramble Wood Dr

At 7:35 pm, Chairman Balestra opened the public hearing in the Aberi matter for 56 Leitch Ave.

Mr. Eggleston noted that Mr. Aberi was also present, and explained that retaining walls were recently determined to count against open space, as does the proposed patio. So there is a variance required for minimum open area. There was some small difference between Mr. Crompt's calculations and Mr. Eggleston's with the former being shown in red on the application. It amounts to less than 1%. The other two variances are because the patio will be 6.4 feet off the south property line, and combined side yards will be 32.3 feet. The adjacent neighbors have submitted a no-objection letter; it was accepted for the file.

Chairman Balestra opened the public comment portion of the hearing. There was no one desiring to be heard either in favor of or in opposition to the application. **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 5 – 0.**

**Chairman Balestra, "I move that we grant the area variance application of Mark and Diane Aberi 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; to**

**construct a 16 by 16 foot patio and retaining walls at the property addressed as 56 Leitch Avenue in the Village of Skaneateles. This action is in accordance with plans submitted with the application dated 11.15.18, it is a Type 2 action under SEQRA, and that the applicant shall have until July 2, 2019 to complete.” Member Zapata seconded the motion. Upon the unanimous vote of the members present 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  
Zoning Board of Appeals Meeting  
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Consideration of any action regarding the Planning Board's SEQRA Lead Agency Designation referral for the Kasper application at 71 West Genesee Street in the Village of Skaneateles.

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

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

Bob Eggleston, 1391 East Genesee St  
Bridget Neumann, 101 Ramble Wood Dr

At 7:40 pm, Chairman Balestra opened the Planning Board's Kasper matter for 71 West Genesee Street.

Attorney Galbato responded to Member Carroll's question by describing why this matter is before the Board and what potential actions the Board might choose to take. Specifically, in this case the Planning Board is considering its recommendation to the Code Enforcement Officer on issuance of a demolition permit. The Planning Board has declared itself Lead Agency in connection with the required review under SEQRA, and has determined that a coordinated review with other interested and/or involved agencies is appropriate. The Planning Board has designated this Board as one of those agencies, even though the ZBA does not have direct jurisdiction in the matter, and is offering this Board the opportunity to comment on any of the environmental matters that the Planning Board will consider.

**Chairman Balestra said that he has no objection to the Planning Board's acting as lead agency and offered this motion, "The ZBA consents to the Planning Board's serving as lead agency and authorizes the Chairman to sign the consent form." Member Carroll seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 5 – 0.**

This matter was concluded at 7:45 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards



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Consideration of any action regarding the Planning Board's SEQRA Lead Agency Designation referral for the Weitsman application at 45/61 West Lake Street in the Village of Skaneateles.

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Present:        *Michael Balestra, Chairman (Recused)*  
                  Gerald Carroll, Member  
                  Michael Kowalski, Member  
                  Maureen Wopperer, Member  
                  Kathleen Zapata, Chairman

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

Bob Eggleston, 1391 East Genesee St  
Bridget Neumann, 101 Ramble Wood Dr

At 7:46 pm, Chairman Zapata opened the Planning Board's Weitsman matter for 45/61 West Lake Street.

Attorney Galbato described why this matter is before the Board and what potential actions the Board might choose to take. Specifically, in this case the Planning Board is conducting Site Plan Review and Critical Impact Permit review as well as considering its recommendation to the Code Enforcement Officer on issuance of a demolition permit and recommendation to the ZBA on several permits and variances. The Planning Board has declared itself Lead Agency in connection with the required review under SEQRA, and has determined that a coordinated review with other interested and/or involved agencies is appropriate. The Planning Board has designated this Board as one of those agencies, recognizing that the ZBA has direct jurisdictional authority in portions of this matter. The Planning Board is offering this Board the opportunity (1) to comment on any of the environmental matters that the Planning Board will consider and (2) to object to the Planning Board serving as lead agency.

**Member Carroll, "I move that the ZBA has no objection to the Planning Board's acting as lead agency and consents to the Planning Board's serving as lead agency and authorizes the Deputy Chairman to sign the consent form." Chairman Zapata seconded the motion. Upon the unanimous vote of the members present and voting in favor of the motion, the motion was carried 4 – 0, with Chairman Balestra recused.**

**Chairman Balestra, “I move that we close the meeting.” Member Carroll seconded the motion. Upon the unanimous vote of the members present in favor of the motion, the motion was carried 5 – 0 and the meeting adjourned at 7:56 pm.**

Respectfully submitted,

Dennis Dundon, Clerk to the Boards