Village of Skaneateles
Zoning Board of Appeals Meeting
July 25, 2018

Public hearing in the matter of the area variance application of Martin & Tara Lynn 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; Minimum open area; percentage of Structure width/lot width; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 16 by 22 foot 2-story addition and 12 by 16 foot deck at the property addressed as 38 Academy Street in the Village of Skaneateles.

Present:

Michael Balestra, Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Maureen Wopperer, 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

Gregg Eriksen, Village Trustee
Mike Hughes, 71 East Lake St
Duane Brown, 13 East Lake St
Davis Duggan, 10 West Lake St
Lynn Cleary, 10 West Lake St
Mike Corbett, 25 Onondaga St
Megan Ehrhardt, *The Citizen*
Rob Parsons, 81 West Genesee St
Kevin Cooper, 32 East Austin St
Gary Dower,102 East Genesee St

At 7:30 pm, Chairman Balestra called for the Lynn matter for 38 Academy Street.

Mr. Eggleston explained that the Lynns are expecting their fourth child and they prefer to expand rather than move. The current plans for a two-story plus basement addition will provide for a walk-out basement, additional living space on the first floor and a master bedroom and 5th bedroom on the second floor with reconfigured bathrooms.

The house is currently nonconforming, and the setbacks will be less nonconforming than the existing condition. Open space will decline from 82.4% to 79.7%, which is the only new variance required. Letters from neighbors were discussed

Member Wopperer asked about drainage and gutters? Mr. Eggleston assured her that it will be adequately addressed. Chairman Balestra observed that the open space would be a 5.3% variance from the required 85%, but that it did not cause him concern given the benefits to the applicants.

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 in favor of the motion, the motion was carried 5 – 0.**

Member Wopperer, "I move that we grant the application of Martin & Tara Lynn 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; Minimum open area; percentage of Structure width/lot width; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a 16 by 22 foot 2-story addition and 12 by 16 foot deck at the property addressed as 38 Academy Street in the Village of Skaneateles. This action is in accordance with plans dated June 4, 2018, it is a Type 2 action under SEQRA, and that the applicant shall have 2 years to complete the project, until September 30, 2020." Chairman Balestra 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 7:35 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
July 25, 2018

Public hearing in the matter of the area variance application of Kevin Cooper to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, Left; and Minimum open area; to construct a 14 by 36 foot deck in the rear at the property addressed as 32 East Austin Street in the Village of Skaneateles.

Present: Michael Balestra, Chairman
Gerald Carroll, Member
Michael Kowalski, Member
Maureen Wopperer, 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
Kevin Cooper, applicant

Gregg Eriksen, Village Trustee
Mike Hughes, 71 East Lake St
Duane Brown, 13 East Lake St
Mike Corbett, 25 Onondaga St
Megan Ehrhardt, *The Citizen*
Rob Parsons, 81 West Genesee St
Gary Dower,102 East Genesee St

At 7:39 pm, Chairman Balestra called for the Cooper matter for 32 East Austin Street.

Mr. Eggleston said that Mr. Cooper had recently moved into the house, which has no outdoor living space. In order to get to the back yard, one has to go through the garage. They are proposing a two-tier deck as a way to improve the property. One door will go from the enclosed porch to the upper deck, with the lower deck being at the level of the garage. While the deck will have a side yard set-back to the east of 9 feet, it is no less conforming than the existing condition. Open space will decline from a conforming 85.9% to 81.9%; the deck will be permeable however. Chairman Balestra said that in his opinion the variances are not substantial and it is a good project. Mr. Eggleston produced a statement for the record signed by neighbors stating no objections.

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 in favor of the motion, the motion was carried 5 – 0.**

Member Wopperer asked about gutters? Mr. Eggleston said there will be no change in drainage.

Member Zapata, "I move that we grant the application of Kevin Cooper to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, Left; and Minimum open area; to construct a 14 by 36 foot deck in the rear at the property addressed as 32 East Austin Street in the Village of Skaneateles. This action is in accordance with plans dated June 26, 2018, it is a Type 2 action under SEQRA, and that the applicant shall have until February 1, 2019 to complete the project." Chairman Balestra 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 7:43 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
July 25, 2018

Public hearing in the matter of the area variance application of Robert Parsons to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, Left; and Minimum open area; to remove existing patio, improve drainage and replace the patio in the rear at the property addressed as 81 West Genesee Street in the Village of Skaneateles.

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

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

Rob Parsons, applicant

Gregg Eriksen, Village Trustee
Mike Hughes, 71 East Lake St
Duane Brown, 13 East Lake St
Mike Corbett, 25 Onondaga St
Megan Ehrhardt, *The Citizen*
Gary Dower,102 East Genesee St
Bob Eggleston, architect, 1391 East Genesee Street

At 7:44 pm, Chairman Balestra called for the Parsons matter for 32 East Austin Street.

Mr. Parsons showed photographs to the Board illustrating where the original deck and patio were poorly designed, currently unsafe and causing drainage problems. He explained that work had started before he was informed by the CEO that a building permit would be required, whereby he stopped work. He also showed an illustration of the materials to be used.

Chairman Balestra noted that the open space calculations attendant to the enlarged patio would increase from a 1.38% variance to a 2.67% variance. Member Carroll asked for the dimension of the 420 SF patio expansion. Mr. Parsons explained. Chairman Balestra asked if Mr. Parsons has a contractor ready? Mr. Parsons responded yes, and after discussion, requested until November 30, 2018 as a time to complete. Chairman Balestra mentioned that if he wound up needing more time, he could come back to the Board for an extension. Mr. Parsons asked if he could request

an extension now? Chairman Balestra explained that is not how the process works but after considerable discussion the Board agreed to a completion date of no later than December 31, 2018. Member Zapata agreed that it is better to grant an extension for a patio rather than have overly-long construction periods.

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 in favor of the motion, the motion was carried 5 – 0.**

Member Wopperer, "I move that we grant the application of Robert Parsons to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, Left; and Minimum open area; to remove existing patio, improve drainage and replace patio at the property addressed as 81 West Genesee Street in the Village of Skaneateles. This action is in accordance with plans stamped June 18, 2018 and survey dated December 30, 2015; it is a Type 2 action under SEQRA, and the applicant shall have until December 31, 2018 to complete the project." Member Zapata 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 7:51 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
July 25, 2018

Public hearing in the matter of the area variance application of Duane Brown to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, Left; Sideyard set-back, right; Both side yards combined; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a ground level deck, hot tub, vinyl fence and stone parking area at the property addressed as 13 East Lake Street in the Village of Skaneateles.

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

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

Duane Brown, applicant

Gregg Eriksen, Village Trustee
Mike Hughes, 71 East Lake St
Mike Corbett, 25 Onondaga St
Megan Ehrhardt, *The Citizen*
Gary Dower,102 East Genesee St
Bob Eggleston, architect, 1391 East Genesee Street

At 7:52 pm, Chairman Balestra called for the Brown matter for 32 East Austin Street.

Mr. Brown explained to the Board that he wants to add some outdoor space, a fence and some extra parking space to make the area more usable. He has received no objections from any of his neighbors, including the neighbor most impacted by this project. Member Zapata asked if the materials are changing? Mr. Brown said they were not. Chairman Balestra asked if they use the garage for parking? Mr. Brown said that they do; his goal is to have an extra parking space so they can move cars in and out. The Board noted that the plans do not exceed that allowed coverage. In response to questions from the Board, Mr. Brown said the work is 4.17 feet to the property line at its narrowest, the existing driveway is tarvia and the added space will be stone. Mr. Cromp noted that Mr. Brown would not need a new application should he decide to pave the

stone area at some time in the future. Mr. Brown indicated the driveway work will not be done until next year.

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 in favor of the motion, the motion was carried 5 – 0.**

Chairman Balestra, "I move that we grant the application of Duane Brown to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, Left; Side yard set-back, right; Both side yards combined; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to construct a ground level deck, hot tub, vinyl fence and stone parking area at the property addressed as 13 East Lake Street in the Village of Skaneateles. This action is in accordance with plans submitted with the application and survey dated 4.24.18, it is a Type 2 action under SEQRA, and that the applicant shall have until July 31, 2019 to complete the project." Member Zapata 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 7:57 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
July 25, 2018

Public Hearing in the matter of the Special Use Permit application of Gary Dower for a 6 lot open space subdivision as part of the proposed Mirbeau Gateway development project at the corner of Fuller and West Genesee Streets in the Village of Skaneateles.

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

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

Gary Dower, applicant
Bob Eggleston, architect, on behalf of the applicant

Gregg Eriksen, Village Trustee
Mike Hughes, 71 East Lake St
Mike Corbett, 25 Onondaga St
Megan Ehrhardt, *The Citizen*
Judy & Ted Parker, Franklin Street

At 7:59 pm, Chairman Zapata called for the Mirbeau Gateway matter, noting that Chairman Balestra is recused.

Mr. Dower noted that he had been before the Board in May of this year and that the applicant and the Board had a good discussion. Ultimately, the Board raised concerns and denied the application for Special Permit. The suggestion was made that the Board would favor individual driveways for the dwelling units and had a good discussion on the size of the lots and the harmonious character of its relationship with the neighborhood.

Mr. Dower stated he had reviewed those issues and while the Planning Board confirmed its preference for the original common driveway access because of concerns with traffic safety, applicant asked for reconsideration based on the issues raised. Applicant proceeded to revise the plan and submitted a new plan to the Planning Board. While there is still a common driveway, it has been shifted to the middle of the development. That relocation provided side access to 2 of the homes, and presented the opportunity to increase the lot width from 50 feet to 60 feet, similar

to the lots in surrounding neighborhoods. Mr. Dower continued that the reconfigured driveway provides for side access and rear access to the garages, allowing space for patios and green space in the back yards. The open space lot becomes slightly smaller, the residential lots are larger and the drainage features remain the same.

Member Carroll asked what the width of the driveway is? Mr. Eggleston said it remains 18 feet wide, with Mr. Dower noting it is 20 feet at Fuller Street and 12 feet at the end houses. He mentioned that was done because the central location for access yields reduced traffic behind the houses.

Member Wopperer asked about outdoor living space? Mr. Dower noted that all have access to the open space for recreation usable by residents of the development and the general public. Mr. Eggleston noted that there is grass next to the houses, and the new design provides every home with a private patio.

Member Zapata asked about planting and screening? Mr. Dower replied that the Planning Board had requested that the area remain as natural as possible. Given the design change, the team is developing a planting and landscaping plan for the entire development, with the detention basin to visually look like a natural feature of the landscape. Chairman Zapata expressed concern about the appearance from Genesee Street. Mr. Dower indicated that with the exception of the demolition of the abandoned gas station, there will be little change in view from Genesee Street. Mr. Eggleston noted that the Planning Board wanted a natural buffer. Chairman Zapata specifically asked about shielding the backs of the houses from Genesee Street? Mr. Dower showed the Board the location of 4 to 5 foot high earthen berms with plantings on top that will accomplish that privacy screening. Member Wopperer asked, "so the backs of the houses will have complete privacy?" Mr. Dower said, "as best as we can."

In response to a question Mr. Eggleston explained that the dashed line in the detention basin represents the normal water level. During a rain event the pond may fill, but will be released after time. Chairman Zapata said, "It is important to note the substantial improvement for the neighborhood."

Member Wopperer asked about a fountain? Mr. Eggleston explained that the DEC regulations anticipate that such ponds will allow for settling of suspended solids from the water prior to its release from the pond. Anything which will agitate the water, such as a fountain, is not consistent with that objective. Chairman Zapata asked if it will freeze? Mr. Dower said that any detention basin will freeze like any natural pond. Mr. Eggleston described the naturalization of the plantings.

Member Kowalski noted that the Fire Department supported that version with individual driveways and the fire chief had some comments about the plan being put forth currently. Mr. Kowalski stated that he understands the tradeoffs for fire safety and everyday safety. He also asked about the design of the housing and the Comprehensive Plan that promotes a variety of housing types focused on smaller sizes? Mr. Dower said that their initial effort was to present a new type of housing. While the Village has many large houses located on smaller lots, the focus here was on smaller houses originally 1,800 square feet, now 2,000 square feet built on smaller

lots. The exterior elevations and designs will be presented to the Planning Board's architectural review committee for comment and approval. Member Wopperer asked if that process is likely to change the design. Mr. Dower explained that they must present elevation views for review. He said his objective is to have the homes "fit in as best as they can and to be perceived as quality and substance. Mr. Eggleston noted that there will be a homeowners association for this development that will maintain the exteriors.

Member Kowalski said he likes 90% of the plan – mature vegetation, water management, sidwalks and front porches. His reservation is with 5 lots in this footprint. He said, "If there were 4 lots, no one would bat an eye" but is the impression with 5 going to look odd? Mr. Dower explained the economics of the project that drive that number and asked "given the overall benefit of this plan to the Village, is the number of houses an issue that the Board can get over?" Mr. Eggleston said that the Notre Dame students did the sustainable Skaneateles new urbanism study, they concluded that Griffin Street is the ideal street in the Village – "to get the rhythm 4 is better than 3, 5 is better than 4." Mr. Dower said that he feels the elevations from Fuller Street will be very pleasing, pointing out that it must look attractive to prospective owners.

Chairman Zapata 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. Ms. Parker noted that she is the closest neighbor and wanted to comment that thinks have been done very well. She asked about the timing of the pond and the swale behind her house. Mr. Dower said that the stormwater plan will be done first, since earth from the detention basin is needed for fill elsewhere on the site. Construction of the residential units will be latter part of next year, with the lodging units following that. Mr. Eggleston said that fixing the swale is part of the project. Mr. Dower explained that at the time of annexation, the town noted that the swale that brings water from the top of the hill was leaking, and asked the developer to rectify the situation. The Town's engineers designed a plan that the developers will build.

Chairman Zapata, "I move we close the public hearing." Member Carroll seconded the motion. Upon the unanimous vote of the members voting in favor of the motion, the motion was carried 4 – 0.

Chairman Zapata led the Board through the criteria under Section 225-39I of the Zoning Code:

Basis for determination. Before issuing a special use permit, the Zoning Board of Appeals shall consider the public health, safety, morals and welfare and shall make the following findings:

(1) There shall not be any unreasonable detrimental effect by the establishment of such conditional use on any other building, structure or use, actual or permitted, within the district. Chairman Zapata said she had concluded that this section was not a problem. The other members agreed.

(2) Such conditional use and site development plan are in harmony with and will not impede the orderly development of the district, and the location, nature and height of buildings, structures, walls, fences and parking areas will not discourage the appropriate development and use of the adjacent lands. Chairman Zapata stated that the development plan will not impede development of surrounding areas. She continued saying that while she feels that "4 houses is the right number for this area, this plan still includes 5. With the 60 foot lot width, I don't have an argument why this plan is not in harmony." The 60 feet fits with the lot width in the adjacent area and represents a new type of housing. "If there is a place in the A-2 District for different housing, this is an appropriate location. The neighborhood could use beautification." Member Carroll said that he agrees completely, continuing that "in housing, harmony is not a terribly high hurdle." He said that #2 is satisfied in his opinion. Member Wopperer said "I do prefer 4, but I have to agree." She said she likes the driveways and likes the green space. She said she will let the harmony go; to do otherwise would be looking for perfection. She said that the Boards have been rigorous and that the plan is a "tremendous improvement." Member Kowalski said he has given this matter a lot of thought; 4 houses would be better. He said "there are so many things about this project that I like." He continued by mentioning the New Urbanism principles and the fact that this is an infill project approach, providing open space water improvements and parking. Both are positive improvements. Chairman Zapata said that the berm is an important feature to her. Mr. Kowalski said if you can see roofs from the top of the hill, can it be softened with plantings.

(3) The water supply, sewage disposal and surface drainage systems shall be adequate to serve the conditional use. Chairman Zapata said she is comfortable with this aspect.

(4) The flow, control and safety of traffic in the district will not be adversely affected to an unreasonable degree by such conditional use. Chairman Zapata said that traffic in th eDistrict had received a lot of discussion. She is comfortable with this aspect. Member Kowalski agreed.

(5) The plans for such conditional use provide that all structures, equipment and materials shall be reasonably accessible for police and fire protection. Chairman Zapata noted the fire chief's most recent comments are in the record. She said there has been improvement from the last time the Board saw the plan. She feels there is reasonable access. Member Carroll agreed. Member Kowalski said that the alternatives between traffic safety and fire safety are valid. This plan represents a balance.

(6) The plans for such conditional use contain reasonable provision for open spaces and recreational areas appropriate to such conditional use. Chairman Zapata said that she is comfortable with this aspect with the open space in the subdivision. Member Kowalski agreed.

(7) The plans for such conditional use meet the prescribed requirements of this chapter, inclusive of the requirements for the district in which located and the following prescribed standards, and are not otherwise prohibited by law, ordinance, rule or regulation. Chairman Zapata indicated that she was comfortable with #7.

Chairman Zapata, "This Board has gone through a great deal of consideration and discussion on this matter. I move that we grant the Special Use Permit for the Mirbeau Gateway 6 lot Open Space Subdivision as shown on the drawings dated 7.5.18." Member Carroll seconded the motion. Upon the unanimous vote of the members voting in favor of the motion, the motion was carried 4 – 0.

This matter was concluded at 8:47 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
July 25, 2018

Continuation of public hearing in the matter of the area variance application of Michael Hughes on behalf of Janice Thompson to vary the strict application of Section 225-A5 Density Control Schedule for Front yard set-back; Side yard set-back, Left; Sideyard set-back, right; Both side yards combined; Minimum open area; and Percentage of structure width/lot width; and Section 225-69D Nonconforming Buildings, Structures and Uses, Extension or Expansion; to replace and expand the rear porch 71 East Lake Street in the Village of Skaneateles.

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

Riccardo Galbato, Attorney for the ZBA
Dennis Dundon, Clerk to the Boards

Mike Hughes, applicant

Gregg Eriksen, Village Trustee
Mike Corbett, 25 Onondaga St
Megan Ehrhardt, *The Citizen*

At 8:48 pm, Chairman Balestra called for the Hughes matter for 71 East Lake Street.

Mr. Hughes explained that 71 East Lake Street is on the corner of Sachem Drive. The owner would like to put a porch on the back of the home which is comparable to the front porch. This desire is driven by the substantial traffic experienced at the site. The proposed porch will match the front porch, except that the decking material will be Trex rather than Douglas fir.

Chairman Balestra asked if Mr. Cromp had included any of the driveway area in his calculation of coverage and open space. It was determined that Mr. Cromp had left the meeting, though Attorney Galbato was able to reach him and determined that he had not.

Chairman Balestra explained to the applicant that he is requesting a variance of nearly 10% on the open space. Chairman Balestra said that he considers that a large variance. This situation is complicated by the fact that the property has two driveways – one from East Lake Street and one from Sachem Drive. Only one would qualify as required access for the garage; the second driveway would be lot coverage. Part 1 would include the asphalt driveway to Sachem Drive as

coverage. Part 2 is that we are still approaching , or possibly exceeding 10% variance. Granting the minimum variance possible could involve elimination of some blacktop driveway, parking area and/or other unnecessary coverage. Mr. Hughes said they are not looking to go backward on the project. The driveway off East Lake Street is close to a shared driveway. Mr. Hughes asserted that the Board routinely grants similar coverages.

Chairman Balestra said that he is asking Mr. Cromp to recalculate the coverage on the lot and determine a revised open space amount. He said that the Board cannot consider a variance for open area without knowing its magnitude.

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 continued, "I move that we continue this matter until our next meeting. We will adjourn the public hearing to be reopened then." 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 8:58 pm.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards

Village of Skaneateles
Zoning Board of Appeals Meeting
July 25, 2018

Continuation of public hearing in the matter of the area variance application of Michael Corbett to vary the strict application of Section 225-14C(5) (a) and (b); to place a shed in the side yard at the property addressed as 25 Onondaga Street in the Village of Skaneateles.

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

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

Mike Corbett, applicant

Megan Ehrhardt, *The Citizen*

At 8:59 pm, Chairman Balestra called for the Corbett matter for 25 Onondaga Street.

Mr. Corbett said that the Board had indicated that it wanted to take a look at the situation.

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 in favor of the motion, the motion was carried 5 – 0.**

Chairman Balestra said that he had visited the property and concluded that the shed would be in the side yard. He continued that while he understands the issues with the grades on the site, the shed is not permitted where you want to place it. He said he doesn't consider it appropriate to put it so close to the principal structure and it does not belong in the side yard.

Mr. Corbett produced some photographs that he said showed 4 properties with similar situations on Onondaga Street and East Street. He said he has also driven around the village, and there are dozens.

Chairman Balestra said that the Board considers each case separately. Several of the members thought the photo showed the structure in the back yard. Chairman Balestra said that in his opinion the shed does not fit.

Member Carroll asked about distances. Mr. Corbett said that the front edge of the shed would be behind the back edge of the east side of the house. He said that the projection further back on the west side was an addition.

Mr. Corbett said that there are sheds in a similar spot relative to the building. Member Zapata said that she struggles to accept a "similar spot" argument. Member Wopperer said that she is not sure that she is bothered by it. Member Zapata argued it is like replacing a garage with a shed and roll-up doors. Member Wopperer would prefer that the door be in the back. Mr. Corbett explained why that is not practical.

Member Kowalski said he wished that it didn't have a metal roll-up door. Mr. Corbett offered that it is similar to the width of a single garage door at 12 feet wide. The shed will be finished in materials to match the house.

Member Carroll, "I move that we approve the area variance application of Michael Corbett to vary the strict application of Section 225-14C(5) (a) and (b); to place a shed in the side yard at the property addressed as 25 Onondaga Street in the Village of Skaneateles, provided that the front of the shed is moved back at least to the rear edge of the main structure (without the addition) nearest to the driveway. This is a Type 2 action under SEQRA, based on drawings dated 8.31.18 and that the applicant shall have until August 31, 2018 to complete the project." Member Zapata seconded the motion. Upon the polling of the Board, Members Wopperer, Carroll and Kowalski voted "aye", Member Zapata and Chairman Balestra voted nay. Upon this vote, the motion was carried 3 – 2.

This matter was concluded at 9:25 pm and upon motion of Chairman Balestra seconded by Member Carroll the meeting was unanimously adjourned.

Respectfully submitted,

Dennis Dundon, Clerk to the Boards