

Village of Skaneateles
Zoning Board of Appeals Public Hearing
July 28, 2009

In the matter of the application submitted by Marc & Shelly Strang to vary the strict application of Section 225-A5, Density Control Schedule, for left and right side yard set-backs, both side yards combined, percentage of open area, to remove the existing house and construct a new 2 story single family dwelling with a detached 2 level garage/utility building on the property addressed as 51 Leitch Avenue in the Village of Skaneateles.

Present: Lisa Banuski, Chairman
 John Crompt, Member
 Larry Pardee, Member
 Craig Phinney, Member
 Lee Buttolph, Member

Jorge Batlle, Clerk to the Zoning Board of Appeals
Riccardo Galbato, Attorney for the Zoning Board of Appeals

Andrew Ramsgard, Architect for the applicants

Robert Eggleston, Rickard Road
Marc Leonardis, 59 Leitch Avenue

Chairman Banuski opened the public hearing at 7:52pm announcing the application of Marc & Shelly Strang for 51 Leitch Avenue.

Andrew Ramsgard, Architect for the applicants made the presentation. He said, “unfortunately they could not be here tonight because they are out of town. They would have like to have been here but their plans conflicted with this meeting. They asked me to come and present it and show you what’s happened on the project, since we met with the Planning Board.

We met with the Planning Board a couple of times on this project. Just to give you some of the history, you might have read in the minutes. Our original proposal was for a 2 story single family house with an attached garage at the front of the house. This is their existing house at 51 Leitch Avenue. We originally had proposed this scheme here which was back in April, which was to create a new 2-car garage in the front of the house. And make the house narrower in width from the existing house – increase the side yard set-backs on both sides. There is some non-conformity with the lot and the overall schemes dealing with the size of the lot, as many of the lots in the Village are, and lot width. Then there is lot coverage, variance that we had proposed. We had proposed additional 4.83% coverage over what currently existed on the site, where the existing house was. The plan was to tear down the house and build something more in character with the rest of the street. They like the kind of Arts & Crafts, Italianate style. So, they wanted to do something that was in keeping with a lot of the houses on the street in context.

The Planning Board pushed back and said that they don't want a garage at the front of the house. They said explore other options. So what the Planning Board asked us to do was look at placing a garage toward the back of the lot. So, what we had presented as a second scheme to the Planning Board. Although it increased the over all coverage because we still have the footprint of the house – the Planning Board had asked us to put a porch all the way across the front of the house, which takes up space in the plan where the garage was. The second story is really what rules the size of the house. That is a 4 bedroom house with Shelly's studio. She's an at-home artist and does her business out of her home. So, that's where her art studio is."

The Chairman asked, "where is it now?" Ramsgard replied, "right now it's in her basement. It is not something where people come in and see her. She does – if you are familiar with Spruce Studios (?) all her stuff is mail order. She does art, as an art based, catalog based business, where people would have a wall hanging with their new born child's name on it – do paintings and stuff. Now her style is now in branding, so she creates looks for several companies out there that do child products. Basically she does art work for them. All done in her studio. So, she needs space for that studio.

Although removing the garage takes out some space on the first floor - putting a porch all the way across puts it back in – does let us get a little bit bigger mud room than what was originally planned. It doesn't really let us decrease the foot print of the house because it's based on what's happening on the second floor. So, the Planning Board felt that even though the additional coverage basically about another 4.2% coverage, in addition to what we had previously asked for, was reasonable to get the detached garage to the back of the property. One of the things in creating the detached garage was to make sense – to push this far back – they have an existing pool as well as the Delaneys do in the back of their lot. Pushing the garage all the way back allows them to have a little bit of turn-around space so that if you park back here you can turn around and go forward. The Delaneys really can't do that very well and adjacent neighbors to the south can't really do that. In massing, we inserted photographs underneath the Site Plan to show you what we had originally proposed in massing for the house and the 2-car garage. It was kind of in direct correlation between what was to the north the Delaneys' coverage with their house and garage and what the existing house to the south was. Detaching the garage gives a little bit more coverage but, it takes the garage doors off the front of the house.

So that kind of brings us back to the proposal. What it does allow us in the new proposal, it does allow us to increase the side yards even a little bit more from what the original house was proposed at. It gives us a porch, kind of in character with a lot of houses on the street. The Delaneys to the west have a porch all the way across the front as well as the property directly to the south which is the Barron's. The Strangs also talked to all the adjacent neighbors with the original proposal. The Didios to the north (presents list), the Barrons to the south. Across the street, the Tuckers and then behind them with is the Soderberg parcel. Then after the last round of changes, they went back and talked to everybody again but also talked to a whole bunch of extra people on either side along the streets – 46 Leitch, 44, 54, 45 and 42 Leitch Avenue to make sure everybody was still on-board with the idea of the house and the detached garage.

Chairman Banuski asked, "the room over the porch is kind of – I have a couple of issues and I have read the Planning Board minutes quite a bit. I really paid attention to what they were

talking about with lot size and square footage and coverage and like Lauren and Doug Sutherland, I live on a lot that's 50 feet wide. So, you could be talking to me, and I have to tell you my first impression is this is just a ton of house. It's 4 bedrooms, 3 full baths. All those rooms upstairs are huge. The studio is – well compared to my house on my little lot they're big.” Member Pardee asked, “the square feet, it's 3100, is that that the number?” Ramsgard said, “yes.” The Chairman said, “a 4 bedroom, 3 bathroom house with a laundry room and a studio on the second floor is in my opinion too much house for that little lot. And if you could get all that house with not going into the 60s for coverage that would be one thing. But you said now, she has her studio up here, if you are tearing a building down and building something new, can't you make a nice light airy basement that would be a good studio area. If they need a fourth bedroom and a bathroom – I look at the great room - the size of the rooms ... it looks like it is 34 by 30 foot, this great room and kitchen.” Member Phinney said, “my house is 35 by 35 and it's not small. That means that that room is almost as big as my entire first floor.”

The Chairman said, “so, I am looking at this, and I see that number in the 60s in which we just don't go into the sixties with coverage as a rule. There are some exceptions. Lower State Street, those houses are very definitely exceptions to that.” Ramsgard said, “... at the end of that meeting saying that we did not want to add more coverage onto the project.” The Chairman said, “I think you could do this nice garage in the back and a smaller house.” Member Phinney said, “I don't think it's the garage that's the issue, I think it's the house.” Ramsgard asked, “so the coverage is not the issue?” (Multiple conversations) Member Phinney said, “coverage is the issue, but it's the coverage of the house that's the issue not the coverage that includes the garage.” The Chairman said, “the front loading garage is a problem, for everyone of us here. So, that was going to be a problem whether it was at the Planning Board stage or at this stage.” Ramsgard said, “the interesting thing about the front loaded garage - there's a common misconception that Skaneateles is not a community that has front loaded garages.” The Chairman said, “I know but, that's Heritage Woods and that's Teasel Lane.” Ramsgard said, “there's not a single street in Skaneateles that doesn't have a front loaded garage. There are streets that only have front loaded garages.” The Chairman said, “I'll say this about that neighborhood because it's my neighborhood.” Ramsgard said, “there are other neighborhoods too.” Chairman Banuski said, “I'm talking specifically about – I have very few regrets on what I've done on the Zoning Board. One of my true regrets is the 2-car, front loading garage on Leitch Avenue across the street from that because that house does not fit in. There's other stucco, so it's not that it's stucco. It is just that the garage and all those pavers in front. It doesn't look like anything else in a 3 block radius. This, in addition to being huge, doesn't look like anything else but I'll grant what's there now doesn't look like anything else either. So, to go with tearing it down, I understand that they really - I look at that and see that they have to start from scratch. But from the side elevation, I've never seen – I can't think of another house in Skaneateles that has a front porch with house over it, that it's not sitting back. The front porch is kind of project. That's what makes them a porch. So, that side elevation looks – it's going to stick out from the street. If the front of the house is along the same street line as the houses in front, the second story is going to stick out. It's a mass that comes closer out to the street.” Member Phinney said, “it's the house that comes closer to the street, not just the porch.” The Chairman said, “right. It's the second story that looms out forward.” Ramsgard said, “the house doesn't come close to the street. The house is stepped back considerably from what the house currently exists.” Member Phinney said, “the house looks like it is in the same spot.” Ramsgard said, “no. it's a good 6 or 8 feet from –

this is the front of the existing garage here. And this is the front of the proposed porch (explains using the drawings)." Member Phinney said, "but the house starts here, right?" Ramsgard said, "no. The house starts back there but the 2nd floor of the house which is this room above is back here, which is right at the front face."

The Chairman said, "but when I look is, when I'm talking about the street line, I'm talking about this (draws on the drawing) which is what we did with architectural guidelines in the subdivisions – that they all should be – obviously not every block is uniform. But, if this is the front porch line, the front porch line, the front porch line, their roofs to their houses, the high part, is back here on all of these. It's not looming up the street."

Ramsgard said, "that's not the way the Delaney's work. Delaney's has got second floor over top of the porch. You can see it on the aerial photograph. You can't see it on this one – you can see the side of the dormer. That's the exact look that you are talking about where directly the adjacent neighbor has second floor over porch below. My house has got 2nd floor over a porch below. There's a lot of houses – it's a different style of house. It's not an Italian house. It's is kind of an Arts & Crafts house. But there's a big dormer across the front of the house which goes almost the entire width of the front porch. You can see it."

The Chairman said, "it's a sloped roof that comes out that way. (multiple conversations) Ramsgard said, "it's all a big dormer. It's all second floor." The Chairman said, "this from the front look like it's a roof then you look at it from the side, and it's really just a flat..." "...it's a different style house, Ramsgard said, "what I heard you saying earlier was there's isn't a house around it that has a second floor over porch. The house next door has second floor over porch. It's a different style house but it has it. I mean it's not better or worse. It's just a different look. The architecture – and I would say if you compared the 2/3rds of this house that are covered, this is probably 3/4s or more of second floor over the porch. I know it's different. I don't think it's anything that we are going to resolve tonight. I think that the Strangs need to be here to talk for themselves and hear your comments. Presenting the relationships I think of what happens with the adjacent properties on the street – there are a lot of houses that are quite a bit bigger than this on Leitch Avenue, on just the same size lots."

Chairman Banuski said, "well, part of that is they are already there. The issue that we have is people who want to tear down and build something bigger. It's going to be a Village-wide issue that we have faced, as you know, other times. So to start tearing down an existing building and building something bigger just because there's another lot in the Village that has that much coverage, doesn't make sense to me. I thought that Lauren's (Waite) comments at the end of the Planning Board saying some properties just can't carry as much, so maybe this isn't the right property for this house, or this much house, and the pool, and the garage with a second floor. It seems like an awful lot." Member Crompton added, "and the extra driveway." Ramsgard said, "we didn't want to add that. The Planning Board brought us to the table and said the coverage – extra coverage – doesn't matter (coughing)." The Chairman said, "they never said that it didn't matter." Ramsgard said, "oh, they did. They said that it was not in relationship it was worth the extra coverage – I'm paraphrasing it, I have to go back to the original language." The Chairman said, "there might have been a comment to that but it was not a Board resolution because Lauren voted against it, saying specifically she thinks that this is an area that is too much

house and too much stuff on a little lot. So it was not a unanimous recommendation to us. To tell you the truth, I am going to err on the side of conservatism when it comes to tearing a house down and putting something else up. If my house burned down, I could build on my foot print. I think I - it would be impossible for me to go in and ask for an addition on my house that would match the square footage to do on my lot. I can't imagine first asking for it but second of all, getting it. So just because they tear it down and are starting from scratch, it doesn't mean they should build just - that's the reason we have zoning. To go into the 60s on coverage, I'm not inclined to do it. But, I'm one vote."

Member Crompt said, "just looking at the east elevation, for some reason it just reminds me of the first drawings that came through on the Weitsman project. I don't mean to jump on you at this meeting - we are certainly not trying the gang up on you, but I'll tell you, I'm sorry, but that's just doesn't fit the character of the neighborhood. I'm sure there is some smatterings of different things around. That to me, just doesn't look like it fits in on Leitch. I'm sorry. I'm just one guy." The Chairman said, "and for me, it's not even the esthetics at this point." Member Crompt said, "that's one of many things." The Chairman said, "it's the coverage completely. I have to tell you, the coverage - I like the garage where it is. I will say that's definitely a step in the right direction."

Member Phinney said, "it's a house coverage issue more than anything." Ramsgard said, "so if you got rid of one room then you still had a porch all the way across the front you'd still have the same coverage." The Chairman said, "I'm not just saying it's that. When I look at this and see the massiveness of the whole thing as it sits on the lot, and you can say yes look at the house to the south that has as much massing. But, it's on a bigger lot." Ramsgard said, "well, I was relaying the one to the north and having the second floor over it on top of the porch. The original proposal was thought about very succinctly to compare the directly adjacent lots in a one-to-one sliding scale relationship, just the way you'd do when you drew your line and compared the front yard set-backs - what we looked at was when we proposed, without a garage, we proposed attaching the garage to the house. What is appropriate in terms of massing? And what we had proposed was an attached 2-car garage, was a direct relationship to the 2 adjacent properties and what they have on their lots. So, the massing issue in relationship is very easy to understand. When you throw the extra garage in, all our design numbers get thrown off in terms of trying to relate it to what the adjacent properties are. So, I can't really defend the proposal. The Planning Board asked us to produce on that same logic of is different than the context..." "...let's go back to the house thing again too," said Member Phinney, "just going back to their notes that they had, you stated that the Strang's house as proposed has 2193 square foot footprint, including the porch. The neighbor to the north has approximately 1564. And the other to the south has 1770. That's not close... and that's not including the garages. So, all we are talking about is the house. We are not talking about garages at all."

Ramsgard said, "right, right. In the second proposal you are actually right. I said that I can't defend that. I can't make that argument." Member Phinney said, "and that's our argument." Ramsgard said, "right. I'll go back to the original then. Then I can defend it and I can say, which I did say, which was you take 1564 plus 542 and then you take our house with the garage attached and then you compare it to 1770 plus 744, we are right there in the middle in the original proposal. OK, so we will throw it off. We take out the front porch, attach the garage in

the back and get rid of a space above it, and throw it in the back. Come down to ultimately – fit within the context of the neighborhood. I've heard your comments. I'll take them back to the Strangs. We'll talk again about it and we'll see what the issues are.”

Member Buttolph said, “I'll kind of jump in. I was up there this afternoon. I did talk to the Barrons and the Chambers across the street. I did show them some of the drawings. They liked the idea, the concept behind the house. Obviously, what's there is - I've lived on that street, so I know that house pretty well. It is kind of out of place. It's out a whack of what it should be. I'll say that they liked the general concept of it. Obviously drawings are drawings. At a quick glance they look good. But, I think you are right. There is sort of a potential massiveness to it. But the general concept to me, I think, is much better than what is there.”

Member Phinney said, “and I have to add on to that. I had a conversation with Dee (Barron). I have known him for a million years. His comment to me was the only thing that he cared about was the fact that the Strangs were still staying there. And didn't care what the heck they built because as long as they stayed as his neighbors. So, he said, I'll vote for anything that they tell me. So Dee isn't as critical.” (multiple conversations)

(Side B) Member Pardee asked, “...attaching it to the roof of the house, the garage? Did you mention that? That would solve some of that.” Ramsgard said, “to get back to the original numbers, I have to cut the front porch off.” The Chairman said, “that's actually not the case. You don't have to cut the front porch off. Maybe the rooms don't all need to be so big. That's the reality on a small lot you get a small house. That's what they have now. They have a small lot and a small house. Yes, you know what, we have new families and we have all these – we all say we need that stuff now. We need a walk-in closet. We need a second floor big laundry room. We need this-and-that. Well if they need all that, then maybe they don't need to be there. There are places to go to build big houses. A 50 foot wide lot may not be that place. That's my big issue. When you say, we'll cut off the porch, but they told us that we had to have a porch, there are other ways to make this house smaller. I know they want a big house. It's a lot of stuff on a little lot.”

Member Buttolph said, “most second floors in lot this size don't have 3 bathrooms. I have one of them and mine has one bathroom where the huge walk-in closet was. We did some work and had to sacrifice a bedroom to get a nice size closet. You actually whack out whole middle section with two of the 3 bathrooms, and that shrinks that house way down considerably.” The Chairman said, “there are choices that people make with what they want. If they need a kitchen and great room that's a thousand square feet, then maybe they are in the wrong neighborhood.”

Ramsgard asked, “so how big should somebody in Skaneateles have for a great room, kitchen and dining room?” (multiple conversations) Member Pardee said, “it depends on the size of the lot...you can build it as big as you want, but you need the lot to build it on. Just like the Weitsman issue down on the corner of West Lake and Genesee.” The Chairman added, “and with tear downs I think we are going to be looking at that. If my house burned down what could I build? If Weitsman wants to tear down a house, what can he build? If anyone is going to tear down their house, what can they build? As a Village, what do we want to see, and we don't want

to see them go into less than 60% coverage. Not less than 60, but in the sixties. It's a lot. We are mostly seeing niggling around 2 and 3 percent in the 80s and sometimes dipping down to 78. This is a big stretch. Just kind of like the size of the variance that we saw. That's just a big percentage."

Member Buttolph asked, "is there a basement going in?" Ramsgard said, "yes, there will be a basement." The Chairman said, "the other thing I was going to ask you is – I know that this is within heights – but just for my curiosity on the elevations to know what would be going up versus what's there in heights. Because it is not a really high second floor roof there. When neighbors are looking at drawings, they may not see that it's really a lot higher than it was." Ramsgard said, "26 feet." The Chairman said, "oh, I see it there. So then with the thing on the top how many feet, well that's the lower one – then it goes up even more. Then it goes up even more. So is it 30 feet?" Ramsgard said, "no the height of the house is 26 feet." The Chairman said, "no, that's the height of the lowest roof line here." Ramsgard said, "no, that's the height by the Village definition of how height of a building is determined."

Member Phinney asked, "so the cupola on top doesn't count as part of the height?" Ramsgard said, "there are exceptions as well as fireplaces. The height of the building is measured from half way between the eave and the peak." Member Pardee asked, "isn't this roof line higher than that roof line?" Chairman Banuski said, "yes, that's what I mean. This one goes up higher." Ramsgard said, "this is the average line for the height of the roof between the eave, here and here. So, that's 26 feet." The Chairman asked, "so it's an average of these two?" Ramsgard explained, "when you have a sloped roof you measure halfway between the eave and the peak." The Chairman said, "so, it's 26 feet and that's probably within a couple of feet of what's there. It's not as tall as this one will be specially with the cupola on the top."

Attorney Galbato asked, "are you going to open the public hearing?" The Chairman said, "I did but I haven't opened it for public comment yet. These are all dated from April so I assume that these are all from the other plans. So that's not actually for the plans that we are talking about." Ramsgard said, "the second set was for the second set of plans. The first set was the first set. I'll go back and have the dates redone." The Chairman said, "no, that's fine. This is dated April 24th, 2009 ... *we have seen the plans the Strangs are submitting and support all the variances.* These are from neighbors at 46 Leitch, 44 Leitch, 54 Leitch, 45 Leitch and 42 Leitch Avenue. Their names are on there. It's Jones, Ryan, Gadra, Thompson and McConochy. So where are the neighbors to the north and south on this?" Ramsgard said, "that's on the first sheet."

The Chairman opened the floor to anyone wishing to speak in favor of this application. Marc Leonardis, 59 Leitch Avenue said, "We are at 59 and I honestly don't see a problem with this house. If you look down Leitch Avenue there aren't 2 houses that are the same. So, to put something in there like that it just adds to the street. I have kind of the same problem with the house is old. We have a 4 or 5 foot basement and we are looking to do the same thing. The wall are leaking." The Chairman said, "mine too. Same thing - the cellar." Leonardis continued, "floors are sagging so either we expend a boat load of money to redo the foundation wall, which I got a price from Woodford Brothers and it's pretty expensive work. Tear down the house and start for new. Looking to be doing the same thing. You stay where you want to be in the Village

or move out to the country.” Member Phinney said, “now you know what to look forward to, or what you need to anticipate would be best said,” Leonardis said, “really, I don’t have a problem with it.”

The Chairman said, “our pattern, what’s been on the tear downs is you tear it down you either have to build something that you don’t need a variance or you build almost exactly on the footprint that you have.” Leonardis said, “for us when you look at everything that you would have to do to get the house – the repair of the foundation wall is \$60,000 and that’s a lot of money just to do that.”

The Chairman asked, “any other comments tonight? Then **I will move that we table this, leaving the public hearing open, and hopefully the Strangs can come and meet with us in August (25).**”

Seconded by Member Pardee. The vote was 5-0 in favor of the motion. The hearing was adjourned at 8:25pm.

e-mail to: ZBA, Galbato, Ramsgard cc: MJByrne