

Village of Skaneateles
Planning Board Meeting
November 5, 2009

In the matter of the application submitted by Christine Place, Architect, for Michael and Vince Ann Wahrab, to vary the strict application of Section 225-A5, Density Control Schedule, for rear yard set-back and Section 225-69d, Non-conforming buildings structures and uses, extension or expansion to add a second floor addition on the rear and a new roof structure on the premises located at 31 Jordan Street in the village of Skaneateles.

Present: Bruce Kenan, Chairman
 Steve Krause, Member
 William Eberhardt, Member
 Douglas Sutherland, Member

 Jorge Batlle, Clerk to the Planning Board
 Riccardo Galbato, Attorney for the Planning Board

 Christine Place, Architect for the applicants
 Michael Wahrab, Applicant

 Robert Lotkowitz, Village DPW
 Clifford Abrams, State Street

Absent: Lauren Waite, Member

 Chairman Kenan opened the meeting at 7:30pm announcing the application of Michael and Vince Ann Wahrab.

 Architect for the applicants, Christine Place said, “we are here because their back yard of the existing residence does not meet the set-back requirements of 20 feet. It’s only 14 foot 6. We are not going to decrease that back yard measurement or anything but, because it’s already non-conforming and we are putting the second story on it, we have to come before you. They are putting a second story on because Michael and his wife wish to reside there as their permanent residence. It has second story. We are just expanding it over the one story area and cantilevering it out over a patio that’s there. I was listening to you and I hope my math is correct. If it is not correct, it is not intentional.”

 The Chairman said, “so it isn’t lot coverage that’s at issue, because this still meets the open space requirements, it is the fact that the rear yard is non-conforming.” Place said, “yes.”

 Member Krause said, “and the proposed lot coverage is increasing.” Place said, but it is still under the amount that’s permitted. We can do up to 80% and we are not anywhere near 80

percent.” Member Sutherland said, “it is in the Downtown District.” Place said, “that was a concern until I talked with Jorge.”

The Chairman asked, “any questions?” Place said, “just one question, so I didn’t drive up here for nothing.” Member Krause asked, “is the lot coverage 49% or 47%. The site plan says 49. The building plan says 47 and the application says nothing - blank. The *existing non-conforming* is not filled in nor is the *proposed*. What you are saying is there is no variance required, so I suppose it’s a non-issue. It doesn’t matter whether it’s 47 or 49.”

Member Sutherland asked, “the addition’s materials match what’s there now?” Place said, “yes. And they are planning to reside the whole building anyway as part of the project. So it will be freshened up, so-to-speak.” Member Sutherland asked, “are you doing any renovations on the ground floor?” Place said, “just the entryway as part of the new entrance to get up to the second floor. The current entrance into the existing building does not meet Code so this way it will meet Code – have 3 foot doors and everything will be brought up to speed.”

Member Krause asked, “is it wood clapboard now?” Place said, “no, it’s old aluminum.” Member Krause asked, “what’s it going to be when you are done?” William Wahrab said, “vinyl.” Member Sutherland said, “in the Downtown D District, did you look at the Design Standards for Downtown D?” Place said, “not in any detail. Is there something there?” Member Sutherland said, “it speaks to materials, window patterns, and those things that should be a part of the design.” Place asked, “does that refer to the sides and rear of the building? Or only in front?” Member Sutherland said, “it effects all sides.” Place said, “I meant for window placement.”

Member Krause said, “it probably doesn’t allow vinyl.” Member Sutherland said, “I’m trying to remember how we handled that. Having a ‘senior moment.’” The Chairman said, “don’t look to me.” Member Sutherland said, “I am making appoint of not making eye contact with you, Bruce.” Member Eberhardt said, “I remember it, and we conceded that you could do vinyl, but we don’t encourage it. It doesn’t say ‘no vinyl.’” Place said, “now-a-days the vinyl is much more. Ten years ago I would have never done a project with vinyl siding. But now they have really evolved in terms of the quality of the product and the wood frame patterning. I accepted that it is practical to do it in a lot of things.” Member Eberhardt said, “try and get the HardiePlank.” Place said, “the HardiePlank is a product that is used mostly in areas where they have termite problems. The HardiePlank is nice but is more expensive than the vinyl and it really doesn’t look any different than a good quality vinyl siding.” Member Sutherland said, “a good HardiePlank, specially if you use the smooth side rather than the textured side, you can’t really tell the difference there to wood. Vinyl you can tell the difference.” Place said, “sometimes not until you actually get up to it and touch it... (multiple conversations) ..it also gets back into the details of how you trim windows, and how you deal with soffits.” The Chairman said, “that’s the basic difference.” Place said, “it’s always in the details.”

Member Sutherland asked, “in terms of reviewing this against the Design Standards, what’s our process in doing that?” Member Krause asked, “are they in the Code?” Member Sutherland said, “typically when we review these, we’ve got elevations that we are reacting to rather than preliminaries.” Place said, “you can’t put the cart before the horse. We can’t go ahead

and do the project, if we can't. We have to get permission to do the project first. We are willing – because of the set-back requirements at the rear, and if you give us permission to go ahead, then we are willing to come again and show you what we have developed in terms of design. I don't feel it's fair to the client to spend my time on a project that's not going to get a preliminary go ahead."

Member Sutherland said, "often what we'll do is evaluate the nature of the change in terms of what's being constructed in place of what was there. So, you kind of look at the two together. I think I'd feel more comfortable doing the 2 together. I would guess that we should probably poll the Board. I would guess that the additional square footage is not going to be an issue. But how it's handled is probably more of the concern. An addition can be added in a way that feels great - clearly no issues. Or, it could be added in a way that it does create issues."

Member Krause said, "I agree with that. So we should entertain a motion to indicate to the applicant that we don't take issue with the expansion, the square footage. That review is necessitated by the existing non-conformance. But that we would like to review the design in greater detail as it is progressed." Chairman Kenan said, "this is a recommendation to the Zoning Board to act on the variance. So, you could say all those same words if you want." Member Krause said, "it would come back to us after them. That would be what we'd say. That's what we'd ask for – the condition that it comes back to us for review of the Design Standards, following the issuance of the variance. It doesn't have to come back to us if they don't the variance. It's over. That helps your point of why spend money designing it if you are not going to be able to do it."

Attorney Galbato said, "for purposes of possibly saving the applicant a trip back here, I believe that this would trigger a Critical Impact Permit requirement by the Trustees because you are developing or redeveloping a lot the Downtown D District. So in your motion I would recommend that you give a recommendation under the code to the Trustees to approve the Critical Impact Permit." The Chairman said, "subject to that condition."

Member Krause said, "**I move that we recommend that the ZBA grant the variance request with the condition that the applicant must come back to the Planning Board for a review of the design after it is prepared. And recommend that the Trustees grant the Critical Impact Permit.**" Batlle said, "then they would come back to this Board if the applicant is successful with the Zoning Board and the Critical Impact with the Trustees." The Planning Board agreed.

The motion was seconded by Member Eberhardt. The vote was 4-0 in favor of the motion.

The meeting was closed at 7:42pm.