Village of Skaneateles
Planning Board Meeting
August 31, 2010

In the matter of the application submitted by Alvin Poppen to vary the strict application of Section 225-A5, Density Control Schedule for Percentage of open area and Left and right side yard set-backs, Percentage of structure width and Section 225-19.1(2) for Site Plan Approval (3000 sqft in Watershed Overzone to construct a new home at 22 Lakeview Circle in the Village of Skaneateles

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Present: Bruce Kenan, Chairman
Toby Millman, Member
William Eberhardt, Member
Douglas Sutherland, Member

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

Robert Eggleston, Architect for the applicant
Alvin Poppen, Applicant

Clifford Abrams, State Street
Mark Aberi, Clift Lane
Ellen Leahy, Skaneateles Press
Kirk Wright, Ontario, NY
John Pidhirny, West Lake Street

Absent: Steve Krause, Member

Chairman Kenan opened the meeting at 8:09pm announcing the application of Alvin Poppen.

Robert Eggleston, Architect for the applicant made the presentation. He said, "this is the last lot in Lakeview Circle. Over the last 20 years, I think, we've had 3 new home be built on vacant lots. We have an existing 75 by 152 foot lot, which is a vacant lot, which Al Poppen has put a purchase offer on, conditioned upon getting approval for construction of a new house on the lot. We get to use percent of lot depth...placing the house under Section 225-70A. With that all the other requirement have to be the same as if it was on a conventional coverage. The challenge when you are dealing with a 11,000 square foot lot – and you have zoning designed for a 44,000 square foot lot, obviously is percent of open space and the set-backs.

When Lakeview Circle was created in the mid 1950s, they actually put covenants on the deeds as to what the lot line set-backs and front yard/rear yard could be. We are allowed to have

a 25 foot front yard set-back. We are maintaining a 30 foot set-back which is also typical for the street. And that's what the current Zoning requires. So, we are maintaining that. The side yard set-back allowed in the Shadowlawn Subdivision were ten foot side yards. So, we have maintained the ten foot side yards, which is typical. A lot of the homes are in that range. Then the rear yard, we don't have a problem meeting the 35 foot requirement. We are actually 53 feet in lot depth. The coverage for the lot will be 78.04. Having done a lot of work on homes in Lakeview Circle, this is a typical open space, coverage. 75 is typical. You'll find a few get up as high as 80%. 75 is typical and we'll be at 78 percent.

What we are proposing is a house which will take on a little more of the Arts & Crafts period – windows and hip roofs and some traditional detailing from that period – a little bit of stone introduced. The challenge with a narrow lot is the garage. So, we've put carriage house doors on the front. Most garages along the street do face the street. Then we've got the front porch, actually have a fenced in little front yard area as we make the entrance into the house. Then the house can look onto the back yard. It will have a first floor master bedroom, open living space, den and then the front porch and then a screened in back porch and just a small little patio to put a BBQ grill on. The upstairs will have the guest rooms and a study and a bathroom. In that they are an older folks, they do want to make this easy access as they do get older.

The variances that we are asking for is whereas 20% of the lot width is 15 feet, we are asking for 10 feet, which is the Shadowlawn standard. The combined side yards would be 30 feet. 2 -15 foot side yards, so that would be 20 feet, where we are asking for 20 feet which is a 10 foot variance. The minimum width of the structure as a percent of lot width, we have to go to the 55%. We are actually 73.33% which is an 18.33% variance. The open area is 78.04, which is more than what is required.

Because we are disturbing more that 3,000 square feet within the Lake watershed area, we are required to have Site Plan Review. We have sent this to the City of Syracuse. We have a construction sequence as to how we are going to proceed thru to incorporate the erosion control and protection. We have provided for a silt fence that will be placed along the south end and wrap up along the east and west sides. Just to make sure that any disturbance doesn't cause any erosion on the property. The property does slope generally from northeast to southwest. We have a place on the site where we'll top soil that we will reuse for the final grading.

The only comment that the City of Syracuse had – we had talked about after installing the silt fence, that we would remove the top soil and we'd install this driveway, the driveway base. They would like us to make this a construction driveway, which means that we use large rock, which helps to clean the dirt off from construction vehicles entering and exiting the site, as a means of helping to keep dirt from coming out into Lakeview Circle. That's something that we are interested in complying with. There is no problem. It's just the material that we use for the proposed driveway. Unless you want me to go through it, we've got the 8 steps as to how to build the house. A couple of the things, once we get the foundation built and decked over, we'll do the back filling. In that we are probably looking Winter construction on this, we'll put hay mulch over the disturbed area to help winter it over and to help prevent some of the erosion in that we can't get soil put in there sooner than later.

The other thing is – we will have roof gutters on the house. After we get the roof and fascia, we'll install the gutters and we will direct them into the storm sewer directly so that water is not coming off the roof and coming across the disturbed area. Then, in the Spring, after the exterior siding is complete, then we'll be putting the top soil and grading it, boxing out the driveways, seeding mulching and it will be watered during the dry period until the lawn is established. Then we'll take down the silt fence after that's complete. Are there any questions? There are 2 actions here. There's Site Plan Review as to the process in which we do the work and then there's the variance, which is a recommendation to the Zoning Board of Appeals."

Member Millman asked, "is there a reason due to constraints on the site why the garage is been moved forward from the façade?" Eggleston said, "obviously, we'd like to get as much of the living space in the back, so they can enjoy the back yard. One of the options that we looked at is having a side loaded garage and bringing the driveway in and around like that. But all that does it put a lot of pavement on the property. I think it is challenging in such a narrow lot subdivision – specially older folks are looking for an attached garage rather than putting a detached garage behind the house. Which I'm not sure if any of the houses on Lakeview Circle actually have. There are a couple that actually drive in and around the back. But it's an attached garage in the back. It just floods the property with impermeable surfaces and pavement. So, we wanted to try to avoid that. Make it a simple, easy to maintain driveway."

Member Millman said, "I took a little drive through Lakeview Circle, to kind of get acquainted with it. I've never really focused on the architecture of Lakeview Circle. It's quite eclectic in a good way, I think. Of the 20 or 30 some odd houses, there were really only 2 houses that I saw that the garage was such a prominent feature. Usually, you are right, there really are very few if any detached garages. I wouldn't necessarily be promoting that. But most of the houses have an attached garage where the garage is in the same plane as the façade or is slightly set back. My concern with this design is that because the lot is so narrow and the garage is pushed forward so much, that it sort of has the appearance of a garage first and then a house kind of behind it. I do have some pretty significant concerns about that. And the context and architecture of those around it. Specially the 2 homes on either side of it are not – the garages in the same plane as the façade. Just looking at the floor plan, I would maybe suggest, I think there is actually an opportunity here if you did move the garage back, kid of keeping the same – obviously you'd have to move some things around, but by pushing the master bedroom back it would actually give the mater bedroom an opportunity to have access to the rear deck, which I think would be a nice feature, perhaps. It would also give the mater bedroom an opportunity to not be accessed directly off the dining room, which may be a nice feature as well. Maybe a side benefit of pushing the garage back. I think I would like to see possibly another plan where the garage is brought back more into line with the façade, or pushed back a little bit behind the façade."

Eggleston said, "the other element of that is the trees that we are trying to save. We have the 2 trees in here that we are going to save. There's 3 significant trees along here. One has to go. It's not in good shape anyway. What we would end up doing is we wouldn't push the garage back, we'd bring the house forward. Because we don't want to be out of line with the house. So, if you brought house forward, I think what happens is this takes out this tree here. I'd be a little anxious – we've got a tree on the line. We can't touch or disturb it. We'd be 10 feet away. But,

we would definitely loose this tree to bring that forward. I know that they definitely want to try to maintain the mature trees that are on the site. So, I guess an answer that was some of the reason why the main house part got pushed back farther and kept the garage forward. I refuse to have the garage come back here because that would be totally out of keeping with keeping the street line which the Village Zoning Law promotes."

Member Millman asked, "you have an issue of moving the garage back to the building line." Eggleston said, "correct, we will not move the garage back. The house would have to come forward. Because the street line is here. If you look on this street, all the houses are within a foot or two – they all line up." Member Sutherland said, "one thing you've got on your plan here – *field verify if tree can be saved.* Is it an iffy enough thing that the tree may not be there for a long period of time but the house is going to be there for 100 years. So, maybe getting the house designed, maybe that should be the lead in this case, specially if you've got a questionable tree." Eggleston said, "no question. When you have trees this large, and you are building within ten feet, 15 feet of them, there's always that challenge. And you may not know until you start digging as to what the root structure is and are we really compromising or not? So, it's our intent and our goal to save these trees. I can't promise they'll get saved. But definitely it's a very strong desire to try to save those."

Member Sutherland said, "one other thing – I agree with you. I think it's important to maintain the street line, the building line. I think if it's just the garage that's on the street or building line in this case, that may be kind of defeating the purpose. Part of the idea of the street line is having real living building rather than garage, within a certain distance of the curb. So, I think, again, if you are going to have something that comes out to the building line, maybe the garage is part of it. But the garage alone maybe is loosing the whole point of the line." Eggleston said, "it's also possible that maybe we can keep the den back here and just pull this portion forward. I'm a little anxious about that going to make for a very narrow kitchen or maybe I have to put the pantry and the half bath over here to hold the kitchen over because that would have to go forward. We may be able to work with that." Member Millman said, "it looks like you have some room on the left side, maybe you have to expand the dimension of the house." Eggleston said, "you mean maybe come in front of this – possibly."

Member Eberhardt said, "Bob, there's a house on Leitch Avenue – a few years ago where we go up and down the street and there it is. I think you are recreating that. Drive up Leitch Avenue and you'll see it. I don't know how it happened, or if I was even here. It changes the landscape of the street." Attorney Galbato said, "it must have been before my time." Eggleston said, "that's the one on the east side of the road – stucco."

Chairman Kenan asked the Board, "does anyone have a recommendation?" Member Eberhardt said, "we are all hoping that Toby's (Millman) suggestions would be considered." Eggleston asked, "so you would like us to take to the ZBA an option that pulls the porch more forward to make less of a distance there, is what I hear you saying?" The Chairman said, "I think what I heard Toby suggest is change the balance so there is not a garage stuck way out front. But the house itself is…." "…if the garage – what I'm seeing right now is again trying to run through the options – so if the garage is only maybe 5 or 6 feet in front of the porch, that would be a much better balance in your mind?" asked Eggleston. Member Millman said, "ideally I would

like, and I'm speaking for myself, I would prefer to see the house and the garage at least be in the same plane. Actually, ideally have the garage be slightly set back. I think that's the way 90% of the houses on Lakeview – they are either flush, the garages are flush with the façade or slightly set back. So, if this was brought back in and that would be something I would be looking for. Now if there was some clear reason as to why that was not physically possible, then I'm a reasonable person."

Eggleston said, "we'll have to look at the second floor because I know the second floor extends over the garage. That could make for a more difficult construction, than to have trusses over here. We'll have to look at that a little bit."

Alvin Poppen, applicant said, "one of the issues here is that from the upstairs we clear one of the very large trees which is a magnificent tree and we have a view of the Lake from back there. If you move it forward, you'll probably have to take out 2 of these huge trees, which we don't want to loose. If any of you have gone by that lot, the most magnificent thing about it is the trees that are on it. We want to save everyone possible. I don't know how long they have been there – 150-200 years. They are huge This particular plan does maximize the possibility of taking care of that. It also gives us a view of the Lake. (interference)

Member Millman said, "I appreciate wanting to maximize views and preserve trees. I thing there is a worthy goal that we should be trying to achieve. I think there is probably a creative solution that solves for both the maximization of the value of the property and the livability of the property. But also doesn't detract from the character and pedestrian friendliness of Lakeview Circle as it is today. I think this has some very interesting and unique feel to that putting a garage right out front would – in the middle of the block – which sort of has this nice rhythm of houses. Suddenly there's a garage there. I think it would detract from that rhythm, and the character of the neighborhood."

Member Sutherland said, "one of the things that Bob suggested was that perhaps the sun room, the study on the side there, to the extent that that doesn't go forward, it keeps you away from the tree that I think you are focused on. So, it looks like there may well be a way, if everything just doesn't move forward, but portions move forward that you keep the tree. You create a little nicer relationship between the garage and the balance of the house. You still achieve things that you are hoping to achieve. But the best thing to do is go back and sketch it a bit more and see if this can help to solve that." Member Eberhardt said, "that would be the best approach."

Eggleston asked, "so is that something that you want to make as a recommendation to the Zoning Board of Appeals when they look at it to see that we bring this forward and try to balance that out for them?" Member Millman said, "I'd like to see it again, if possible." Eggleston asked Poppen, "what does a month delay do for your purchase offer?" Poppen said, "it creates real problems. We are going back to Florida the first of November, and we have to settle this. This is contingent on it having approval of the plan. We haven't purchased this lot as yet. It is contingency purchase. Unless we have a plan which is attractive to us and acceptable to us, we are not going to buy it." Eggleston asked Poppen, "do you have a time limit on you fulfilling the zoning?" Poppen said, "120 days from the time of the signing. We signed in July." Eggleston

said, "July, August, September, October – so you need to fulfill that by the end of October." Poppen said, "we also have to have a plan which is acceptable to us." Eggleston said, "so we could come back next month and hit the October ZBA and still meet that 120 days." Poppen said, "it creates problems with us as far as construction is concerned – next Summer and all of that. We may have to rethink the whole thing."

Member Millman said, "I certainly appreciate your constraints, your timeline and otherwise. We are talking about a building here that going to be here – we are talking about 120 days in the near term and talking about a house that going to be here for 50 plus, 100 years. I think it's important that in the Village, we get these things right, and look at the surrounding neighborhood and make sure we are not doing damage to the context. I still say my recommendation would be to have you all take another look at it and try to address our concerns and come back – hopefully one last time and still be within your time frame."

The Chairman asked, "do you want to make a motion to that effect?" Member Millman said, **"I make a motion that we recommend that the applicant to refine plans to address concerns outlined tonight and come back to our next Planning Board meeting on October 7, 2010."**

Batlle said, "your Zoning Board will be October 26th." Eggleston said, "that actually helps us a little bit." Seconded by Member Sutherland. The vote was 4-0 in favor of the motion.

Eggleston asked, "can we talk about the Site Plan Review issues? Only because I don't want to start addressing those next month. Do you have any problems with my construction sequence or the erosion control plans?" The Chairman said, "I don't know if you can make a motion of Site Plan approval if you are going to modify anything in it. I think the Board can certainly express their feeling on the overall plan." Eggleston said, "what I didn't want to do is end up piecemeal, where next month we began …" "…this motion revolves on a recommendation to the Zoning Board. Is it a sense of the Board that the steps outlined will be acceptable for Site Plan Approval?" asked Chairman Kenan.

Member Eberhardt said, **"I move that the provisions outlined for Site Plan Approval are satisfactory."** Seconded by Member Sutherland. The vote was 4-0 in favor of the motion.

The meeting was closed at 8:36pm.

cc: Eggleston, Galbato, Eberhardt, Kenan, Sutherland, Millman