

Village of Skaneateles
Zoning Board of Appeals Hearing
November 23, 2010

In the matter of the application submitted by Robert Hamel to vary the strict application of Section 225-A5, Density Control Schedule, for percentage of open space, percentage of structure width, right side yard set-back, both side yards combined and Section 225-69d, Non-conforming buildings structures and uses extension or expansion to construct a deck at the rear of 172 East Genesee Street in the Village.

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

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

Mr. & Mrs. Robert Hamel, Applicants

Chairman Banuski opened the meeting at 7:30pm. She said, we are continuing the public hearing in the matter of the application submitted by Robert Hamel to vary the strict application of Section 225-A5, Density Control Schedule, for percentage of open space, percentage of structure width, right side yard set-back, both side yards combined and Section 225-69d, Non-conforming buildings structures and uses extension or expansion to construct a. This no longer has a swimming pool but it is to put an addition and deck on the rear of 172 East Genesee Street in the Village of Skaneateles.”

Robert Hamel said, “pardon my artistry... what I tried to do in the end is to highlight the fact that it’s going to match or we are going to try to replicate as much as we can of the front porch. So, it looks like a continuation from the front porch back. So, it’s going to be more rather than a deck, a back porch.” The Chairman asked, “what are the materials?” Hamel replied, “the materials are going to be – the flooring is going to be like Trex, the composite. All the support materials will be pressure treated. We are going with six by six on most posts. Then we are going to be using cedar as far as the spindles go and the top part. Our experience with the weather and 2 sets of steps, said that we really need to go cedar and Trex.” The Chairman asked, “and there will be a painted finish?” Hamel said, “it will be painted.” The Chairman said, “you might have wait a while to paint some of it.” Hamel said, “yes, but not the cedar. The cedar we can paint right away.”

The Chairman asked, “now this drawing, all of this tarvia driveway is new or does any of that exist now?” Hamel said, “that exists now. It will be pulled up to the point (approaches table) this is by the way, we had a new survey done. This is a new survey effective what-ever. This is existing as the deck comes out we are going to be removing the tarvia here.” The Chairman asked, “underneath the deck?” Hamel said, “no. Not underneath the deck, but rather beyond the deck. Actually we are going to drill down through the tarvia. It gives us some underneath the deck some good storage space other than dirt.” The Chairman asked, “you are going to remove all of this?” Hamel replied, “we are going to remove all of that so we can landscape.” The Chairman said, “that’s terrific.” Hamel said, “the purpose of the deck is to enjoy our yard. And just to be able to sit on the deck or the porch and then see tarvia would kind of defeat the purpose. So we are going to pull this out and then we are going to start landscaping, as we have landscaped all along here, we are going to landscape.”

Member Phinney explains to the students in the audience, “they have a house on East Genesee Street just before you get up to the light and they are putting a deck extension off the back of the house. That’s what they are laying out.”

Member Pardee asked, “you are going to put a 6 foot fence along the west side?” Hamel said, “along the west side, yes. One of the issues from our last discussion was an issue of privacy. So – we have semi-resolved that, I think. There’s a couple of issues. There’s the bushes that are really growing over the fence. If you take a look at the line, that fence is right down the line. When I tried to go with my John Deere to mow the lawn, I keep getting knocked off by the bushes. So, we are going to actually clip it and then put a 6 foot very decorative fence straight down the bushes.” The Chairman said, “so the chain link fence will remain, but you’ll just have another fence on your side.” Hamel said, “yes. The chain link fence is not ours. It is actually right on the property line.”

Member Buttolph asked, “have you talked with the neighbors? I know that none of them are here, as we can see, I know they were here and concerns more on the pool, from the other day.” Hamel said, “yes. Actually Gary and Michele, or at least Gary, was on record – take a look at your last note – was having actually no problems with the deck.” Member Buttolph said, “yes, I don’t think that was much of the problem. Just if you had talked with them and shown them any of the plans or had any other comments.” Hamel said, “I have shown Brad and Joan.” The Chairman asked, “what are the last names?” Hamel said, “the McLennan. They are absolutely not opposed to it.” Mrs. Hamel said, “they were not opposed to the pool or anything.” Mr. Hamel said, “Brad and Joan they would actually give us a letter. Then Margaret, next to Brad and Joan, has absolutely no problem.”

Chairman Banuski said, “the deck shouldn’t effect the people to the east at all because their garage – I can’t imagine that they will even see it.” Hamel said, “actually their garage is only about 6 inches off our line, which brings up an interesting thing as the garage is only 6 inches off our property line.” The Chairman said, “actually where I live too, my garage is almost on the property line, and we have the barn on the property next door actually – these are old garages and carriage houses. The carriage house next door goes like 2 feet into another property.” Hamel said, “we were very surprised when we got the new survey.> Member Crompton

said, "new surveys will do that." The Chairman said, "those little pink tags on stakes can get people very interested."

Hamel said, "what we are doing is there's a tree there that we are trying to save. We want it saved. I measured the tree from the fence on the west side, and actually the tree itself is 5 ½ feet off that fence. . . . we, of course, want to save it. So we are either going to do an angle around the tree, which keeps the deck still 5 ½ feet off that fence. There's not much more we can do because our house is 5 ½ feet off the fence. Or we are going to make it round, actually the back porch round, and that's something that we really are contemplating." The Chairman said, "we have to know what you plan is. Because we approve specific plans. Jorge can't come out next Spring to check on it and say I see you decided to do this instead." Mrs. Hamel said, "I prefer not to do a round one because I think we'd lose too much space. I think the original plans are straight out would give us much more room on the deck. A round deck would really cut off a lot of things."

Chairman Banuski said, "these drawings – just the angle there – but this now doesn't show the stairs coming down off of the back here. In this drawing there are no stairs coming off the back." Hamel said, "Ok, I just didn't put it on there." The Chairman said, "I have a drawing with the stairs, it just doesn't show on the Site Plan." Hamel said, "it's going to come about 3 feet." Drawing altered to show stairs. The Chairman said, "we have to have a drawing that is to include stairs."

Member Crompt said, "I will recuse myself from the vote as they live right across the street. I think they are doing a fantastic job with the house, and it look like they are keeping up with the house with the deck. They certainly addressed what the neighbors had a problem with the pool, and taking that right out of the equation. I would totally be in favor of this project."

Chairman Banuski addresses the students in the audience – "would either of you like to speak in favor of or in opposition to this?" They said that they have no opinion. The Chairman moved to close the public hearing. Seconded by Member Phinney. The vote was 5-0 in favor of the motion. The Chairman asked for a motion.

Member Pardee said, "I move that we approve the application submitted by Robert Hamel to vary the strict application of Section 225-A5, Density Control Schedule, for percentage of open space, percentage of structure width, right side yard set-back, both side yards combined and Section 225-69d, Non-conforming buildings structures and uses extension or expansion to construct a deck at the rear of 172 East Genesee Street in the Village. Per drawings dated 11-15-2010, with drawing to show stairs. This is a Type II SEQR. Project to be completed within one year."

The vote was 4 in favor and one recused. The motion was declared passed. The meeting was closed at 7:42pm.