

Village of Skaneateles

Planning Board Meeting

August 4, 2011

In the matter of the application submitted by Tim McNally representing Mark Allyn regarding a lot line adjustment subdivision of two undersized lots, 8A and 8B Gayle Road in the A-1 residential district in the Village of Skaneateles.

Present: Douglas Sutherland, Acting Chairman
Toby Millman, Member
Megan Keady, Member
William Eberhardt, Member
Elaine DuBois, Clerk to the Planning Board
Riccardo Galbato, Attorney for the Planning Board
Tim McNally – representative for the Allyn's
Jorge Battle – former Clerk to the Board
Andy Ramsgard – Architect for the Gregory's

Absent: Bruce Kenan, Chairman

The meeting was opened at 8:08 by acting Chairman Doug Sutherland.

Mr. McNally introduced himself and stated he was there representing the Allyn's and was requesting a lot line adjustment between lots 8A and 8B Gayle Road. He states that Mr. Mark Allyn has a signed offer to purchase lot 8A from the Gregory's. He would like to adjust the lot line because there is a shared boathouse. He would like to change the lot line so the boat house would be entirely on lot 8B. He would like to move the line to the south approximately 23 ft. and approximately 48 ft. back. He states that Mark Allyn's lot (8B Gayle Rd.) is 30,138 sq. ft. It will become 30,753 sq. ft. Mr. Gregory's lot (8A Gayle Rd.) is currently 41,754 sq. ft. It will become 41,159 sq. ft. There is a 595 sq. ft. change.

Mr. Galbato requested information regarding the history of how the lot line came to be in the middle of the boathouse. Mr. McNally stated the Gregory's had designed a new home and didn't follow through with it. They sold lot 8B to Mark Allyn with verbiage in the agreement sharing the boathouse.

The Gregory's now have their home for sale and Mr. Allyn is concerned about the shared boathouse. He has the ability to purchase it. Mr. McNally stated he believed the subdivision occurred in 2006 or 2007.

Ms. Keady asked if Mr. Allyn would consider making them one lot, once he owns both. Mr. McNally stated "No."

Mr. Galbato asked if the pending contract to purchase was contingent on the subdivision approval. Mr. McNally stated "No, it is not."

Mr. Eberhardt asked about issues regarding the right-of-way of a driveway and if they still existed. Mr. McNally stated that the driveway in question is no longer an issue and had to do with lot 8C. He states that it is hard pack there and a fire truck or emergency vehicle would be able to make a loop. There are no trees.

Mr. Galbato asked if the same Gregory's own the 21.8 acre parcel that abuts both parcels in question. It was determined that parcel is owned by the mother under the Ida Gregory Estate (Trust).

Mr. Millman asked for clarification as to how the parcel was subdivided into two non conforming lots in 2006.

Jorge Battle stated that the subdivision was done by an attorney in Syracuse and it never came before the Village.

Andy Ramsgard clarified the history. He stated the Gregory's were going to sell their house. The boat house was built several years before. They thought the person that bought the house would want a boat slip. So they divided the boat slips, giving one to the house, and one to the camp. They took the deck on top and gave that to the camp. The division went right through the middle. The air rights go to the camp. The camp is now Mark Allyn's house.

Mr. Galbato stated that he would like time to review the history of the subdivision to see what condition may or may not have been imposed by this Board or the ZBA. He recommended the Planning Board send it to the ZBA for comment and a conditional variance creating a more non-conforming lot. The variance, if granted would be conditioned upon overall subdivision approval from this Board, coming back to this Board for a public hearing. He also stated that it will need to be sent to the County Planning Board.

Mr. Eberhardt stated he recalls it being very complicated. Mr. McNally stated that is why they are now trying to change it; they want to simplify it.

Mr. Sutherland stated he would like to keep the application moving forward.

Mr. Galbato stated that after ZBA it would need to come back to the Planning Board for a public hearing due to the subdivision. He stated the motion should request the issuance of a conditional variance for the creation of a more nonconforming lot. It will get referred to the County Planning Board after the ZBA meeting, assuming they grant a conditional variance. He asked the applicant to, before the ZBA meeting, show, on a revised survey, the proposed square footage for the proposed lot after the proposed subdivision.

It was stated that there needs to be 7 days notice for a public hearing.

Mr. Galbato stated that we most likely would not make the September 1, 2011 meeting for the public hearing because we would not yet have received comment back from the County Planning Board.

Mr. Millman asked if the application needs approval from both parties. Mr. Galbato recommended that the applicant submits a subdivision application with both property owners signing.

The Chairman asked if there were any other questions. There were none. He asked for a motion.

Mr. Eberhardt made a motion to recommend the Zoning Board of Appeals review the request for subdivision by Mark Allyn, in a letter and presentation submitted by Tim McNally on 26 July, 2011, and that in so doing they review the previous history of the property including the boathouse air rights, and that they determine a schedule to submit it to the County Planning Board, and that they schedule a public hearing for the ZBA and refer the project back to the Planning Board.

Ms. Keady seconded the motion.

The vote was 4-0 in favor of the motion. The motion was declared passed. The meeting was closed at 8:26 pm.