

Village of Skaneateles  
Zoning Board of Appeals Meeting  
November 22, 2011

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In the matter of the application submitted by Robert Hennigan to vary the strict application of Section 225-A5, Density Control Schedule, for Percentage of open area and Rear yard set-back; and Section 225-69d, Non-conforming Buildings, Structures and Uses, Extension or Expansion to add a 130 SF sunroom and 130 SF deck with steps to grade and add a 7 ft. by 13 ft. patio in front of the house at the property addressed as 12 Kane Avenue in the Village of Skaneateles.

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Present: Lisa Banuski, Chairman  
Lee Buttolph, Member  
Larry Pardee, Member  
Stephen Hartnett, Member

Dennis Dundon, Clerk to the ZBA  
Riccardo Galbato, Attorney for the ZBA  
Eric Sell, Codes Enforcement Officer

Bill Hennigan, on behalf of the applicant  
Rich Krenzer, office of Robert Eggleston, Architect for the applicant

Absent: Craig Phinney, Member

Chairman Banuski opened the meeting at 8:19 pm announcing the application of Robert Hennigan, 12 Kane Avenue.

Rich Krenzer, architect for the applicant introduced himself and presented that the proposal is to build a 130 SF sunroom and a 130 SF deck toward the rear of the property and a 900 SF patio on the front of the house. In 2008, the Applicant got approval for the sunroom and deck in a slightly different location. The client has decided that they would like to move the sunroom and deck slightly west of where it was proposed previously, and to add a 7 ft. by 13 ft. patio on the front, which is the east side of the property, because the sun on the west side is hot during the summer and they would like a place to sit outdoors. The coverage is 89.6% where 90% is required. We got approval for 88.1% previously and this proposal is slightly less at 88.2%.

Chairman Banuski asked what had already been built there? Mr. Krenzer responded, "It has been filled in here, and now we're adding a sunroom." The Chair continued, "It looks like it's already in progress, when I walked around back there?" Mr. Hennigan admitted that he had built the deck in the place proposed in advance of approvals by the ZBA. He indicated that he had gotten pushed back one month in scheduling for the Planning Board meeting. Chairman Banuski persisted, saying that to appears that the sunroom had been done also. Mr. Hennigan said that the sunroom is about 80% done. He continued by stating that the original plan called

for the sunroom with the deck to be in the back of the house. He started by filling in the back porch and kept on building the deck and the sunroom.

Mr. Krenzer noted that the ZBA had approved that work back in 2008, but that the variance had expired. Member Hartnett noted that the ZBA had approved the 2008 plan again, a couple of months ago. Mr. Hennigan offered that nothing has been done on the land; that the neighboring parcel to the west is Village land or belongs to the cemetery association, and is wet because of drainage from the cemetery.

Mr. Buttolph observed that even with the new patio, the proposed coverage is slightly less than what the Board approved previously.

Mr. Hartnett, by way of disclosure, informed the Board that he is good friends with Mr. Hennigan, his brothers and the entire family. That fact would not cause him to recuse himself, but he wanted the board to be aware of the fact.

Chairman Banuski admonished the applicant, stating that his actions put the Board in an unfavorable position. She continued that she doesn't like to be asked to forgive, rather than giving approval, though she probably would vote for approval and does not have a problem with the project. Member Hartnett strongly agreed.

Chairman Banuski opened the comment portion of the hearing. There was no one desiring to speak in favor of the application. There was no one desiring to speak in opposition. The Chairman moved to close the Public Hearing. The motion was seconded by Member Pardee. The members present voted unanimously in favor of the motion to close the Public Hearing.

Member Buttolph said, **"I move that we accept the application submitted by Robert Hennigan to vary the strict application of Section 225-A5, Density Control Schedule, for Percentage of open area and Rear yard set-back; and Section 225-69d, Non-conforming Buildings, Structures and Uses, Extension or Expansion to add a 130 SF sunroom and 130 SF deck with steps to grade and add a 7 ft. by 13 ft. patio in front of the house at the property addressed as 12 Kane Avenue in the Village of Skaneateles, noting that this is a Type 2 action under the SEQR regulations and that it is based on three pages of drawings dated 9/27/2011. The Applicant will have 1 year to complete construction."** Chairman Banuski seconded the motion.

Upon unanimous vote of the members present in favor of the motion, the Chairman declared "The motion is passed."

Mr. Hennigan stated that part of the reason that he wants to do the patio is that the existing pavers have some un-evenness that he wants to correct. The former owner must have been a great gardener, because she had all these beautiful plants and stuff, now over grown. We want to put out some flowered pots so it looks nice.

Mr. Krenzer thanked the Board. The Chairman closed the Public Hearing at 8:30pm.