

Village of Skaneateles

Notes from meeting regarding Lakeview House Issues Held at Village Offices on May 7, 2012

Present for the Applicant: Robert Eggleston, Architect
Peter Elliott, Esq.

Present for the Village: Marc Angelillo, Deputy Mayor
Charles Williams, Chair, Historical Landmarks Preservation Commission
Adam D'Amico, Code Enforcement Officer
Riccardo Galbato, Esq., Special Counsel
Dennis Dundon, Clerk to the Boards

The meeting kicked off at 5:08 pm. Mr. Eggleston noted that the minutes of the May 2, 2012 HLPC Work Session had reported that a number of the outstanding items are considered closed – namely numbers 1(off-center cupola), 7(slate roof design), 8B(asymmetry in the penthouse façade), 10(lamps), 11(pilaster brackets), 14(railing color) and 15(Stratton Blue color). In several other items, the applicant has agreed to take steps to resolve them – namely numbers 2(cupola metal roof), 5(weathervane color), 6(crown molding), 9(vent pipes) and 12(scalloped brackets).

With regard to the crown molding, the Commission had requested that the size be increased to 8 inches. Mr. Eggleston reported that 8 inch molding cannot be obtained in a material suitable for exterior use. The Applicant has already procured the 6 inch molding, but will block it down over the coping flashing to ensure that the full 6 inch width will be exposed and visible.

At this point, Mr. Williams asked if the Applicant could raise the height of the parapet by 4 inches. Mr. Eggleston took exception to the introduction of another new request and pointed out that such a change would further exacerbate the problem of the apparent height above the third-floor windows.

Mr. Angelillo interrupted and stated the position of the Village Board, saying that they are willing to accept the many changes that Applicant has offered to make. He acknowledged that the HLPC does not have the authority to force the Applicant to make changes. He asked Mr. Galbato to comment.

Mr. Galbato explained that the HLPC exercises a great deal of discretion and control up to the point of issuing the Certificate of Approval. The CEO relies on that Certificate in his reviews prior to granting the Building Permit. After that point, the power resides with the CEO in deciding to issue the Certificate of Occupancy (C/O), consistent with the requirements that were imposed by the various Boards. In this case, the CEO is not going to hold up the C/O, due to issues regarding the esthetics of the façade. From the Village's perspective we have all learned a lot that can be applied to future projects. In this particular project, shame on the Applicant for not coming back to talk about the departures from the approved plan and shame on the Village for not catching the discrepancies as they occurred. The Village Board has no appetite to require that changes be made on the eve of requesting the C/O.

Mr. Galbato continued, stating that the Village hopes that the various representations made by the Applicant are followed through on, but any outstanding issues will not hold up issuance of the C/O, because the Boards cannot impose conditions on the CEO in deciding to grant the C/O.

Mr. Eggleston stated that his client is not solely interested in the C/O; the Applicant wants to be sure that there are no issues outstanding with respect to the Village. Mr. Galbato stated that in the future any issues need to go to the CEO. If the CEO concludes that the issue needs to be referred back to the approving Board, he will make the referral.

Mr. Angelillo stated that the Village Board is not interested in hearing an appeal in this matter. The Board considers the issues closed because the objections are not defensible. Mr. Williams asked if a case of deviation from approved prints was not defensible. Mr. Angelillo confirmed it was not defensible. Mr. Williams replied, "Well, in that case, I resign." At this point, Mr. Williams left the meeting.

Mr. Angelillo asked if everyone was clear that the Village Board is not going to take this matter any further.

Mr. Eggleston recounted his displeasure with the process for this project, saying that the initial design was rejected by the HLPC. He indicated that his client probably "oversold" the fact that he would "Reproduce" the front façade of the building, leading to many of the issues.

Mr. Elliott asked if the Village's requirement was that the Applicant and his representatives would work with the Board as best they can? The response was that the Village is hopeful that the Applicant follows through and delivers all of the commitments he has offered. On other open issues, the Applicant should do what he has committed to do. Lakeview House will not be on the agenda at this week's HLPC meeting. Mr. Elliott noted that this seems to represent a satisfactory conclusion to this matter, and that he saw no need to make the statements that the Applicant had asked him to make.

Mr. Eggleston stated that on Item number 8A, the developer will paint the facade in the colors as were approved. Further, the developer has determined that the trim surrounding the second-floor windows is not correct, and will change the window surrounds to extend out further at the sides of the windows as they were drawn on the approved prints.

The meeting concluded at 6:02 pm.