

Village of Skaneateles Planning Board Meeting June 7, 2012

In the matter of In the matter of the application submitted by Sean & Laura O'Keefe to vary the strict application of Section 225-A5 Density Control Schedule for Side yard set-back, Left; Both side yards combined; Rear yard set-back; Percentage of open area; and Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion to add a second floor to a one-story dwelling and a lakeshore patio, and to modify sidewalks and steps as well as a Site Plan Review necessitated by proposed construction within 50 feet of the lake at the property addressed as 13 Day Lane in the Village of Skaneateles.

Present: Bruce Kenan, Chairman
Bill Eberhardt, Member
Megan Keady, Member
Douglas Sutherland, Member

Dennis Dundon, Clerk to the Planning Board
Riccardo Galbato, Attorney for the Planning Board

Bob Eggleston, Architect, representing the Applicant

Absent: Toby Millman, Member

Chairman Kenan opened the meeting at 7:30 pm announcing the application of Sean & Laura O'Keefe for renovations to property at 13 Day Lane. Mr. Eggleston introduced himself and presented, "The O'Keefes are under contract to purchase; they will be purchasing the property in about a week or two. The house – it's a small house with 1,600 SF that has two bedrooms – and it is rather underplayed as far as architecturally the way it sits and its presence. What they'd like to do is to put a second floor on it that would be about 1,096 SF that would give them one larger bedroom downstairs, and they will have a bedroom and a study (that could be a third bedroom) upstairs plus bathroom. The previous owners, the Freunds, hired me to look at what a second floor might look like; they were considering doing this project. They decided not to, and sell it. The O'Keefes actually saw it and liked what we've done. We are raising the roof, still keeping it a ¾ story with dormers on it to add some architectural interest. The east elevation, facing the entrance down the lane, we're adding dormers; adding some metal roof, and asphalt architectural shingles, plus a mixture of beveled siding and shingle to give it more of a lake house/cottage appearance. On the lake side there will be reverse gabled dormer with a small balcony off the master bedroom and a shed dormer off to the side. The other thing that they would like to do is to have a small 16 by 16 permeable patio with a fire pit down by the lake, within the lake yard set-back we are allowed to have 10 percent coverage, and we have, in that area, provided, we're actually 9.49% coverage so we do meet the requirements for that, we have 29 foot set-backs and

26 foot setbacks so we meet the set-back requirements for the patio. The existing house is non-conforming in that the open area is 83.64%; the left side is 8.6 where 25 is required; the combined side yard is 39.7 where 55 is required. And the lake yard of the deck is actually 54.4 feet where 50 feet is required. The proposed addition is straight up, so we're not making anything any worse, in fact the left side is not as bad because we don't have this little cellar entrance. We're only 12.5 instead of 8.6 feet. The right side is conforming, the combined is 39.7. The lake yard is conforming for the addition in that the deck up above is 50 feet off the lake. The percent of open space, because of the patio that we've added, decreases to 82.2%; so we're lowering it about 1.5%. We also, because we're doing work within the lake yard district, we need site plan review. For the erosion control it is a fairly simple structure; we'll be putting a silt fence in before we put in the patio. The patio is actually at grade level, so all they will be doing is removing the sod, putting in a stone base, putting in some paver bricks. It should be a fairly simple operation. It has gone to the City of Syracuse and the city has no objection with our plans for erosion control. Are there any questions that you have relative to this application asking for a Variance and a Site Plan Review?"

Chairman Kenan asked, "So there is a cellar?" Mr. Eggleston confirmed that there is. The Chair continued, "And how do you get to it?" Mr. Eggleston said, "By the outside. You have to go in this little cellar entrance." The Chair, "But I thought you just said that you were removing that." Mr. Eggleston, "No, no, no. I'm saying our setback is greater than the 8 feet; it's 12 feet for the new work. In other words, I said we had the same setbacks as the existing house except the left side which is 8.6 to the cellar entrance; we're going to be 12.6 feet because we're not going over the cellar entrance." Asked for further clarification, Mr. Eggleston said, "The second floor is not over the cellar entrance." Chairman Kenan said, "But the house remains 8 foot 6 inches from the property line. And that's the only way into the cellar." Mr. Eggleston said, "Correct. All that's down there is the furnace, hot water heater and the electric box." Member Keady asked, "Just crawl space?" Mr. Eggleston said, "Yes, for tall people. It's like 6 feet tall; it's pretty basic. This was obviously a cottage and then it expanded through the years."

Chairman Kenan asked, "So the siltation prevention is what, just a silt fence, nothing else?" Mr. Eggleston said, "Yes. And again this is a very simple operation just to remove the sod. The work will all be done by hand. There won't be any heavy machinery coming back here." Chairman Kenan asked, "This construction is entirely on top of walls and foundation that are there now, so there is no earth-moving connected with that – just the fire pit." Member Sutherland asked, "What's the fire pit?" Mr. Eggleston replied, "The fire pit is just a circle of stones where they can build a fire for roasting marshmallows." Member Eberhardt asked, "There's not a concrete pad or anything like that?" Mr. Eggleston, "No. It just sets on the stones." Member Eberhardt asked, "Just out of curiosity, what color is the metal roof?" Mr. Eggleston, "We actually haven't gotten into colors, but I've heard there's going to be a lot of blue roof available." [Laughter]

Member Eberhardt asked, "This is a screened-in porch, Bob?" Mr. Eggleston said, "Correct. That exists."

Chairman Kenan asked, "What did you use to determine that the lake line of 865.02 according to 1929 whatever it is, that that's what that line is that's on the survey. How did you determine

that?” Mr. Eggleston said, “That because it is a sharp...there’s like a four to five foot bank it’s pretty clear, and then on the survey...” Chairman Kenan, “It just says approximate shoreline.” Mr. Eggleston, “Exactly. I don’t think it rises and lowers a whole lot because it drops there, but it was based on the Heather Warren survey.” Chairman Kenan, “Having said that, you are not disturbing the earth at all except for the pit, and that’s clearly within the 50 foot mark, and so the 50 foot mark doesn’t really denote anything else.” Mr. Eggleston said, “It’s 10 feet back from the shoreline and it’s up about 4 to 5 feet from the lake.”

Chairman Kenan said, “So it’s a non-conforming use, I’m sorry, a non-conforming structure – the expansion of a non-conforming structure, and needs site plan approval. Does anyone have any questions?” Attorney Galbato stated, “Since this Board is performing Site Plan Review in addition to the recommendation to the ZBA on the Variances requested, I believe this Board should perform a SEQR review before granting the Site Plan approval. I would recommend, since the action that requires SEQR is the Site Plan Review not the Variances which are Type 2 actions, that the Planning Board declare itself lead agency, that the action is an unlisted action with uncoordinated review, and issue a negative declaration. There has been some coordination; the City of Syracuse has commented, and this application will go to the ZBA for the Variances.”

Chairman Kenan said, “There are certain permitted uses within 50 feet of the lake line. Are we comfortable that a fire pit is one of those? I’m not sure where it fits within the choices that are here; although Patios and Decks, I suppose a fire pit is a patio.” Mr. Eggleston termed it, “Just an element of a patio.” Member Eberhardt asked, “Is there mortar, Bob?” Mr. Eggleston responded, “I think it all going to be just a loose-laid stone.” Member Keady asked, “Should he consider that a structure?” Mr. Eggleston said, “Any material assembled on the ground is considered a structure.” Attorney Galbato clarified that, “This is in the middle of a structure, namely the patio, right.”

Chairman Kenan said, “If there are no questions, does anyone care to make a motion?” **Member Eberhardt said, “I’ll move that we declare ourselves, the Planning Board, lead agency under SEQR. This is an unlisted action with uncoordinated review, and that we find it to be a negative declaration with no impact.” Member Sutherland seconded the motion.** Upon unanimous vote of the members present in favor of the motion, the SEQR determination was passed. The Chair asked if there were other actions. **Member Sutherland said, “I make a motion that we issue an advisory opinion to the ZBA recommending the approval of the requested Variances, and that we approve the Site Plan.” Member Eberhardt seconded the motion.** Upon unanimous vote of the members present in favor of the motion, the Chair declared, “The motions are passed.”

Mr. Eggleston thanked the Board. This matter was closed at 7:44 pm.