

Village of Skaneateles
Zoning Board of Appeals Public Hearing
November 27, 2012

In the matter of the application submitted by **Virginia Bryce** to vary the strict application of Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion; and Section 225-14C5a Accessory buildings, distance to lot lines or structures, to remove an existing garage and replace it with a one-car garage at the property addressed as **8 Orchard Road** in the Village of Skaneateles.

Present: Lisa Banuski, Chairman
John Crompt, Member
Stephen Hartnett, Member
Larry Pardee, Member

Riccardo Galbato, Attorney for the ZBA
Dennis Dundon, Clerk to the ZBA

John Granato, Donahoe Group, on behalf of the Applicant

Bob Eggleston, Skaneateles
Frank Moran, Skaneateles
Herbert Alexander, 19 West Austin St., Skaneateles
Michelle Alexander, 19 West Austin St., Skaneateles
Bob Chapman, 60 Fennell St., Skaneateles
Mark Waite, Skaneateles

Absent: Craig Phinney, Member

Chairman Banuski opened the Public Hearing at 7:30 pm announcing the application of Virginia Bryce for 8 Orchard Road.

Mr. Granato introduced himself and said, "What we have here is a situation where if you take a look at the site map; what we have is a situation where the existing garage that's there is too close to the house for her to be able to pull into the garage. So the reason or motivation behind us seeking these variances is so we can get her – and it's not adequate. It's not big enough to park inside. So what we are trying to do is to construct a new garage and position it differently on the property so we'll actually be able to turn into it. Otherwise you literally have to back into the garage, which is almost impossible and which is why it's not being used." Chairman Banuski asked, "Why can't you pull straight into it?" Mr. Granato, "Well if you take a look..." Chairman Banuski, "I'm familiar with the property. I see that it is very small, but I don't see why you can't drive into it with a small car." Mr. Granato, "You don't have to turn into it, that's right, but sometimes getting in and out of it is too hard because it is so small."

Mr. Granato continued, "One of things, starting with the set-backs, when we redesigned it we are within the minimum of 3 foot, exceeded it, setback required on the side yard. With regard to the setback on the distance from the existing structure, I think we are conforming with that as well." Chairman Banuski said, "I think that's correct." Mr. Granato said, "The problem that I saw had to do with the coverages. We are an existing non-conforming property. What I wanted to do was to share with you how we arrived at; what we did was we actually were to increase the available – the density calculation we were non-conforming to begin with. So what we were able to do was to make her garage larger and by doing so, the intent is that she is actually going to park in the garage. So when I did these calculations, we actually have a net increase in coverage on the lot if you know what I mean."

Chairman Banuski said, "Actually, I went through the reasoning on that, but let's not go down that road with how that was figured, because, to tell you the truth, if that's not a parking place, to park 2 cars in the garage. Chairman Kenan brought up the point that to put a bigger garage where a smaller one was, there is truly no way that I can see that that increases the open space. I understand that there is a requirement for parking spaces, but no one is requiring her to put parking places on her lot. So I would rather pursue this as a variance for percentage of open area. And call it what it is – a bigger one-car garage and there will be less open space when we are done. I read through that argument ten different times; I have looked at it – you can't make a bigger garage mean less coverage on the lot, from my point of view and I'm guessing we are all in agreement on that. Parse it how you will. So I can see that need for a bigger garage, I understand that, but I don't want to set a precedent of going down the road of talking about 300 SF parking spaces." Mr. Granato, "I get that. I understand."

Chairman Banuski said, "So it is still a one-car garage, much more usable for today's vehicles, storage for her belongings. So it really is just a coverage variance. I don't see that drainage is an issue, but do you know if it is there?" Member Pardee said, "Not on that side of the street." Chairman Banuski said, "It looks like it is currently guttered. Are the plans to gutter and drain?" Mr. Granato, "Yes." Chairman Banuski said, "Any other questions?" Member Crompt said, "I don't have any questions." Member Hartnett asked, "Do we have any input from the neighbors that came in?" Mr. Dundon indicated there was none.

Chairman Banuski opened the public comment portion of the hearing asking, "Is there anyone here who would like to speak in favor of this application?" Hearing no one, she asked, "Is there anyone here who would like to speak in opposition, or any questions about it?" Again hearing none she said, "Then I move we close the Public Hearing." Member Pardee seconded the motion. Upon the unanimous vote of the members present in favor of the motion, Chairman Banuski announced, "The Public Hearing is closed."

Chairman Banuski said, "I will move that we approve the application submitted by Virginia Bryce to vary the strict application of Section 225-69D Non-conforming Buildings, Structures and Uses, Extension or Expansion, Section 22-14C5a Accessory buildings, distance to lot lines and Section 225-A5 Density Control Schedule - Percentage of open area; to remove the existing one-car garage and replace it with a larger one-car garage at the property addressed as 8 Orchard Road in the Village of Skaneateles. This is a Type 2

transaction under SEQRA, based on two pages of drawings dated 10/22/12. Work is to be completed within 1 year. Member Pardee seconded the motion.

Upon the unanimous vote of the members present in favor of the motion, Chairman Banuski announced, "The motion is passed." Mr. Granato thanked the Board. This matter was concluded at 7:36 pm.