

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF**

October 9, 2018

Present:

Denise Rhoads
Jim Condon
David Palen
Kris Kiefer
Michael Ciaccio –arrived 7:23 pm
Scott Molnar, Attorney
Karen Barkdull, P&Z Clerk

The meeting commenced at 7:00 p.m. at Town Hall. The next Zoning Board of Appeals meeting will be held on November 13, 2018 at 7:00 p.m. Previous distribution to the Board of the regular meeting minutes of September 4, 2018 was executed and all members present acknowledged receipt of those minutes.

WHEREFORE a motion was made by Member Condon and seconded by Member Palen to accept the September 4, 2018 minutes as submitted. The Board having been polled resulted in unanimous affirmation of said motion.

Record of Vote

Chair	Denise Rhoads	Present	[Yes]
Vice Chair	Jim Condon	Present	[Yes]
Member	David Palen	Present	[Yes]
Member	Kris Kiefer	Present	[Yes]
Member	Michael Ciaccio	Absent	

Public Hearing

Applicant:

Carl Byrne
887 West Elizabeth Street
Skaneateles, New York
Tax Map # 047.-02-02.0

Present: Chris Kozub, Architect

The applicant has withdrawn the application on October 2, 2018.

Initial Review

Applicant: Steven & Kelly Scheinman
3189A East Lake Rd
Skaneateles, NY
Tax Map #040.-01-18.0

Present: Robert Eggleston, Architect

The 26,257 square foot lot has 117 feet of lake frontage with nonconforming 21% impermeable surface coverage. The existing dwelling with attached garage that is built on a crawl space, is located ten feet to the north property line. Proposed is a second floor addition over the existing garage and master bedroom

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to provide space for an exercise room and a bonus room. The 604 square foot expansion in floor space is over the 500 square foot maximum allowed and exceeds 10% of the total lot area. The addition will allow for two full baths on the second floor and a full bath and half bath on the first floor. The footprint of the existing dwelling and garage will not change, keeping the impermeable surface coverage and open space calculations the same.

Member Condon inquired if the bonus space above the garage is considered habitable. Mr. Eggleston stated that it is and it is included in the calculations. Member Condon commented that if the area will be used for storage that the trusses could be lowered and then the space would not need to be included in the habitable calculations. Mr. Eggleston said that it is an option, although the proposed plan allows it to become finished as a place where grandkids can play. The proposed height is eight feet but it could be dropped down to six foot, seven inches to be removed from the calculations.

The dwelling has been recently remodeled as the former floor plan had the master bedroom upstairs and additional fourth bedroom located where the loft was previously located. The dwelling will continue as a four bedroom dwelling. The floor space will increase from 3,043 square feet to 3,647 square feet.

The septic system was installed in the 1980s and most of the plumbing has been upgraded. The mechanicals are located in a closet on the first floor and supplementary mechanicals will be located in the garage for the new addition. The houses in the neighborhood are of a similar size. Member Condon inquired if the applicant is willing to reduce the parking area. Mr. Eggleston commented that the property would be used primarily in the summer when the extended family would visit and they would need the parking area. The year round house will continue as a year round house, with the applicant eventually retiring there. A site visit will be conducted on October 20, 2018.

WHEREFORE, a motion was made by Member Kiefer and seconded by Member Palen to schedule a public hearing on *Tuesday, November 13, 2018 at 7:02 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Initial review

Applicant: Eileen Murphy
3259 East Lake Rd
Skaneateles, NY
Tax Map #040.-01-03.0

Present: JoAnne Gagliano, EDR; Joe Falco, EDR.

The application has been presented to the Planning Board and they have conducted a site visit. The nonconforming 61,975 square foot lot is a long narrow lot with 88.8 feet of shoreline. The lot has a nonconforming dwelling and accessory structures with a long narrow driveway for access that is shared by the dwelling located to the west. Impermeable surface coverage is at 25% and the detached garage is located two feet from the north property line.

Proposed is the demolition of the existing structures, and constructing a new single family dwelling with attached garage located eight feet to the north property line. The existing tennis court would be demolished and a proposed asphalt court will be located eight feet to the north property line due to the change in grade to the south. The driveway will become a shared driveway with the property to the south to replace the three driveway entrances at East Lake Road, with the separate driveway access for the property to the west remaining. Impermeable surface coverage will be reduced to 23.3%. There will be a

new septic system that has been approved by OCDOH for a four-bedroom dwelling. The seasonal cottage will be converted to a year round dwelling.

The proposed dwelling will be located more than 100 feet to the lake line. The existing shoreline gabion basket seawall will be replaced with a new stone seawall and permeable patio totaling 604 square feet of shoreline structures. There is a pending DEC permit for the replacement/repair of the existing sea wall; however, proposed is an undulating seawall that will be two feet high with limestone boulders and rip rap in front. This habitat driven seawall is pushed back from the lake and not at the lake line. There will be a permeable patio and stone treads set into the grade for the stairs to the proposed patio. The proposed patio area has been washed away by wave attenuation and the permeable patio will slow down/stop the continued erosion. The stairs encroach into the side yard setback, however stairs are allowed to encroach into the setbacks.

The elevation between the neighbors drive to the west and the proposed driveway has an elevation change and the existing retaining wall will be maintained in the area. The property slopes along the driveway and at the end of the driveway, the stormwater collects into a pipe and then drains to the lake. The proposal will replace the pipe to a grass swale for the stormwater to drain prior to draining to the lake. The proposed location for the dwelling moves the structure to the north so that the drainage of the property can be managed more efficiently.

The existing tennis court will be removed and a new tennis court will be located eight feet to the north property line as the property slopes further south. Ms. Gagliano stated that they are working with the Planning Board to consider alternative porous pavement options with underground drainage that would reduce the impermeable surface coverage of the lot and provide an asphalt playing surface for the applicant.

Member Condon inquired if the applicant has considered moving the dwelling further back from the lake to reduce impermeable surface coverage. Ms. Gagliano stated that there electric poles that the dwelling has to be set away from and there are large trees that have to be worked around if the dwelling was moved further back, the view of the lake from the dwelling would be compromised. The location of the septic system was determined by the perc tests completed. Member Condon inquired who would own the driveway. Ms. Gagliano stated that it would be co-owned by the two parties with a maintenance agreement between them. Counsel Molnar suggested that if the board approved the variances, a condition could be added to have the town receive a copy of the agreement. A site visit will be conducted on October 20, 2018.

WHEREFORE, a motion was made by Member Condon and seconded by Member Kiefer to schedule a public hearing on *Tuesday, November 13, 2018 at 7:05 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Extension Request

Applicant: Fingerlakes Luxury Homes
Richard Moscarito
120 Madison Street
Chittenango, NY 13037

Property:
2699 E. Lake Road
Skaneateles, NY 13152
Tax Map #037.-01-04.0

Present: Robert Eggleston, Architect

The applicant is requesting a six month extension to the Approved resolution of October 12, 2017. Member Kiefer recused himself for taking action on the proposal as he is a neighboring resident.

WHEREAS, the a motion was made by Member James Condon and seconded by Member Dave Palen, the Zoning Board of Appeals adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes a TYPE II single family residential project, not subject to further SEQRA review. The Board having been polled resulted in the unanimous affirmation of said motion.

WHEREFORE, a motion was made by Member James Condon and seconded by Member Dave Palen, and duly adopted by unanimous vote, the Board approved the Applicant’s request to extend the Approving Resolution for a period of six (6) months from October 17, 2018, subject to all other conditions set forth in the Approving Resolution, which remain in full force and effect.

<u>Record of Vote</u>				
Chair	Denise Rhoads	Present		[Yes]
Vice Chair	Jim Condon	Present		[Yes]
Member	David Palen	Present		[Yes]
Member	Kris Kiefer	Present		[Recused]
Member	Michael Ciaccio	Present		[Yes]

Discussion

Local Law 2018C Amending the Zoning Code for the definitions of Light Industry and Agriculture was introduced by the Town Board at their last meeting and referred to the board for their comment. The modifications to the definitions refer to the processing of raw logs into firewood, wood pellets or lumber as light industry unless the raw logs are process and used on the same tax parcel where they were harvested from, and not considered agriculture unless the raw logs are process and used on the same parcel they were harvest from. Member Kiefer suggested that there should be an allowance of a certain number of trees that could be processed without a special permit due to the regular maintenance of a property or in response to some unforeseen storm event. Alternatively, there could be a time limit restricting the processing of logs to a one or two month period per year. Scott will draft a letter to the Town Board of the Zoning Board of Appeal’s recommendations. The letter will be reviewed at the next Zoning Board of Appeals meeting.

Discussion

The Town Board has referred the Stormwater Management guidelines and facility sizing memo to the board for their review and comment. Small Scale Stormwater Management Guidelines were prepared by John Camp with a secondary addendum that discusses the scalability of the systems. The board will review and continue the discussion next month.

Discussion

There will be a landscaping for water quality forum meeting on October 23, 2018 from 7 to 9 pm at the Skaneateles High School Auditorium.

There being no further business, a motion was made by Member Condon and seconded by Member Palen to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:12 p.m.

Respectfully Submitted,
Karen Barkdull