

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

**June 13, 2017**

Present:

Denise Rhoads  
Jim Condon  
Sherill Ketchum  
David Palen  
Mark Tucker  
Michelle Jackson, Secretary  
Scott Molnar, Attorney  
Karen Barkdull, P&Z Clerk

The meeting commenced at 7:02 p.m. at Town Hall. The Zoning Board wishes the best to the future endeavors of the retired Code Officer Todd Hall. The next Zoning Board of Appeals meeting will be held on July 11, 2017. Previous distribution to the Board of the regular meeting minutes of May 2, 2017 was executed and all members present acknowledged receipt of those minutes.

**WHEREFORE** a motion was made by Vice Chair Condon and seconded by Member Ketchum to accept the May 2, 2017 as submitted. The Board having been polled resulted in unanimous affirmation of said motion.

	<u>Record of Vote</u>		
Chair	Denise Rhoads	Present	[Yes]
Vice Chair	Jim Condon	Present	[Yes]
Member	Sherill Ketchum	Present	[Yes]
Member	David Palen	Present	[Yes]
Member	Mark Tucker	Present	[Yes]

At this time Bob Eggleston, Architect began to review the application, and the proposed project. Alternative options were offered and discussed. Tree removal has occurred after the site visit was conducted. In response Mr. Eggleston said the trees removed were Buckthorn as well as Willows that were in the right of way. New trees will be planted and vegetation will be added to the area.

**WHEREFORE**, a motion was made by Member Tucker and seconded by Vice Chair Condon to consider the proposed action as a Type II SEQR action as per section 617.5(c) (10) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Chair Rhoads opened the Public Hearing.

**Public Hearing**

Applicant: Martin Hubbard  
West Lake Road- Fire lane 23  
Skaneateles, NY 13152

Property:  
West Lake Road – Fire Lane 23  
Skaneateles, NY 13152  
**Tax Map #054.-01-12**

Present: Robert Eggleston, Architect

Site visits have been conducted by the Board at this site with the most recent site visit on May 20, 2017. The applicants Architect Bob Eggleston was present.

**WHEREFORE**, a motion was made by Member Ketchum and seconded by Vice Chair Condon to open the Public Hearing.

At this time, Chair Rhoads read a letter from the neighbors signed letter in favor of the application; and added it to the record. Chair Rhoads also asked if there were any others wanting to speak in favor or to offer any other comments. There were no further comments from the audience at this time.

Vice Chair Condon asked how many other neighbors access the road, and if they had been notified of the project, if not it is a recommendation of Vice Chair Condon as well as researching other available options. Member Ketchum discussed the option of not having lights for the court. Additional discussion regarding vehicles utilizing the walking path, no storage options were discussed regarding equipment storage.

Robber Eggleston, Architect asked that the Public Hearing be carried over to next month for review with the applicant

**WHEREFORE**, a motion was made by Member Palen and seconded by Member Ketchum to carry forward the Public Hearing until the next Zoning Board of Appeals meeting on July 11, 2017 at 7:02 p.m. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Bob Eggleston, Architect reviews the application from Christopher Graham. The City of Syracuse has flagged the exact location of the water lines. Alternative options were discussed regarding the location of the proposed project. In regard to the larger portion of the property future multi-family housing options are planned for a future project in the larger location.

**WHEREFORE**, a motion was made by Member Ketchum and seconded by Vice Chair Condon to consider the proposed action as a Type II SEQR action as per section 617.5(c) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Chair Rhoads opened the Public Hearing.

**Public Hearing**

Applicant: Christopher Graham  
4331 Jordan Road  
Skaneateles, NY 13152

Property:  
4331 Jordan Road  
Skaneateles, NY 13152  
**Tax Map #024.-02-01.1 and 024.-02-01.2**

Present: Robert Eggleston, Architect

Site visits have been conducted by the Board at this site with the most recent site visit on May 20, 2017. The applicants Architect Bob Eggleston was present

At this time, Chair Rhoads read a letter from the neighbors signed letter in favor of the application; and added it to the record. Chair Rhoads also asked if there were any others wanting to speak in favor or to offer any other comments. There were no further comments from the audience at this time.

Robert Pyle, neighbor on Vinegar Hill asked if there was a gas line on the property. Mr. Eggleston responded that UFPO has been out and marked all of the utilities.

At this time, Chair Rhoads read a letter from the neighbor Joseph & Melinda Bathgate in opposition of the application; and it has been added to the record. Chair Rhoads also asked if there were any others wanting to speak in favor or to offer any other comments. There were no further comments from the audience at this time.

At this time, Attorney Scott Molnar reviewed with the Board the statutory criteria set forth in Town Code Section 148-12G (1) (a) [4] for an Area Variance. Counsel stated that in making their determination the Zoning Board of Appeals is required to consider certain factors, viewing all four variances within each criteria, indicating any specific difference as it pertains to specific variances, which are:

1. **Whether an undesirable change would be produced in character of neighborhood or a detriment to nearby properties:** The Application would not produce an undesirable change to the character of the neighborhood or be a detriment to nearby properties. Due to the triangular shape of the property, it has limited uses available due to size and location, and will be a good addition to the tax roll. The neighborhood is a mixed use neighborhood and

the Application is in keeping with character and the comprehensive plan for the Town of Skaneateles.

2. **Whether benefit sought by applicant can be achieved by a feasible alternative to the variance:** The benefit to the Applicant cannot be achieved in any other way, in order to develop this size of lot. The proposed building will be a good fit. This portion of the lot is impacted by the many easements that encumber the property, and the Applicant has worked to the best of his ability to provide a plan which takes into account the many minimum variances, yet having a feasible building on that property. A smaller building would be optimal; however reuse of building materials from elsewhere on the site has determined the size of the building, and repurposing materials is beneficial

3. **Whether the requested variance is substantial:** This is not a substantial variance. The property is not located within 200ft of Skaneateles Lake. The proposed Building is situated 28' from Jordan Road, being a County Road, and 65' from Vinegar Hill Road, which is also a County Road. Choices are limited if something were to be built on this lot. Due to the road bisecting the property, the variances are a necessity.

4. **Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood, or district:** The Application would not have an environmental impact on the surrounding neighborhood or the district. The site storm water drainage would be all new and the septic will be new as well, with new landscaping and grading, and no water course is nearby. The building will not be occupied 24/7 and will have limited use, so it will not put a strain on any septic system or any other environmental conditions of the neighborhood.

5. **Whether the alleged difficulty was self-created:** Yes Due to the applicant wanting to develop the property

**WHEREAS,** In review of the five criteria above, the public hearing, the site visit by the ZBA members, the revised survey dated May 16, 2017, and the testimony of the applicant, the benefit to the applicant weighed against the detriment to the health, safety and welfare of the neighborhood or community lies in favor of the applicant.

**WHEREFORE** a motion was made by Vice Chair Condon and seconded by Member Palen, that this application be **APPROVED** with standard conditions and additional special conditions:

**ADDITIONAL CONDITIONS:** The ZBA finds that the following additional conditions are necessary in order to minimize adverse impacts upon the neighborhood or community:

1. That the Planning Board, and all other authorities having jurisdiction, approve the Application; and
2. No heavy equipment be stored on the property, and the property is not to be used for outside storage.

<b><u>Record of Vote</u></b>			
Chair	Denise Rhoads	Present	[Yes]
Vice Chair	Jim Condon	Present	[Yes]
Member	Sherill Ketchum	Present	[Yes]
Member	David Palen	Present	[Yes]
Member	Mark Tucker	Present	[Yes]

**Other Board Business:**

Denise Rhodes notified the board that the Town Supervisor had spoken with Joel Russell regarding the Zoning Code and the internal draft copy will be released to the Board so the review process can begin.

Discussion and review regarding the Draft Solar Legislation dated 4/24/2017. Karen Barkdull discussed asking the Town Board for a moratorium extension to provide additional time for review of the Solar Legislation.

There being no further business, a motion was made by Vice Chair Condon and seconded by Member Condon to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:35 p.m.

Respectfully Submitted,  
Michelle Jackson