

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

January 2, 2018

Present:

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

Chair Rhoads opened the meeting at 7:00 p.m. at Town Hall. The next Zoning Board of Appeals meeting will be held on February 6, 2018. Chair Rhoads introduces the board and reviews the Agenda. Board Business will be handled at the end of the meeting.

**Initial Review:** Martin Harms  
866 Franklin St.  
Skaneateles, NY 13152  
047.-01-18.0

Locate a small section of the bedroom - wing, the garage and the auto court beyond the required setback lines for a new, 2 bedroom residence.

Steve Datz builder, representing the Harms reviews the application. The lot is 150 x 150; the requests are due in consideration of proper placement of the septic field. The easement cannot be measured accurately due to an old trolley line that had been located on the road. By moving the home back further there will be protection of the easement. The property borders Mirbeau Spa. The section that requires the front yard variance is not a structure but a wall bordering the auto-court, and it is part of the garage and not living space.

The septic field and the easement are the two primary concerns. A site visit was proposed to view the setback requests.

Member Palen asked the location of the home, in relation to the other homes.

Vice Chair Condon would like it on record that about a year ago he did review the plumbing and heating associated with this project. At no time did they discuss the Zoning regarding this project.

Member Ketchum asked for clarification of the walkway to the home.

Vice Chair Condon asked if the septic had been approved. Mr. Datz responded that yes the septic had been approved.

Member Ketchum asked if the area for the walkway could be smaller to avoid the variance. Mr. Datz said the design was to make the front door more inviting because it is their main entry point. Mr. Datz has spoken with the neighbors and they had no issue at this time.

Member Palen asked if the home was positioned for aesthetics, Mr. Datz explained that it is positioned to take the best advantage of the sun and the heating element offered by natural solar heating. The goal was to orient the home and position it similarly to the homes on the streets.

A Zoning Board of Appeals site visit is scheduled for **January 13, 2018 at 9:00 a.m.**

**WHEREFORE**, a motion was made by Vice Chair Condon and seconded by Member Palen to schedule the public hearing on **Tuesday, February 6, 2018 at 7:02 p.m.** The Board having been polled resulted in the unanimous affirmation of said motion.

**Initial Review:** Dawn & John Altmeyer  
2530 Wave Way  
Skaneateles, NY 13152  
054.-04-07.0

Construct a 594 SF, 2 car garage with a 458 SF bonus room above, on a 35,223 SF lot.

Bob Eggleston, Architect, representing the Altmeyer's, reviews the application for the board. This is a challenging lot because it is pre-existing non-conforming: the potential living space is over the required footprint, the water course is along the edge, and a culvert takes the water so it can make it down to the lake. This is a year round home and has not been utilized as much as it is currently being utilized. Currently they do not have a garage; there is a framed house, a shed, and a boat house structure. The current ISC is 28.1% due to a large paved parking area and driveway, and is non-conforming.

The garage is designed to be under 600sf and is 50ft from the watercourse; it is conforming in all setbacks. There are two required variances: the increase from 8.3% to 10% of the building footprint for the proposed two car garage with storage above it, as well as the decrease from 64.9% to 64 % of open space. The permit for the ISC is going to be in front of the Planning Board. The applicant would like to eliminate the excess driveway but they want to build an easier access for their elderly parents.

The other mitigating factor is that their septic is within 100ft of the lake. They have a new septic proposed to be over 200ft from the lake, and it is in the review process with the County.

Vice Chair Condon asked if it was a tank or the leech field that was proposed. Mr. Eggleston replied that it was a septic and a pump chamber.

Chair Rhoads asked if there was a basement and Mr. Eggleston explained that it is damp and not able to be used for storage.

The garage is a cape with dormers on each side providing 8ft high area for storage as well as excess recreation space for the children. This is going to be a heated space and is included in the floor area, and there will only be electricity with no water or sewer in this additional space.

There is an easement on the property that is being researched. When the purchase occurred, it was not shown on the survey, however, along the northern boundary there is a right of way. On the 1992 survey the ROW is shown, however, on the 1996 survey it is not shown ~~and~~ nor on the 2017 map. If the 15 foot right of way exists, there is nothing that is going to happen with this application that will impact/impede that.

Vice Chair Condon asked how far from the lake they would be, Mr. Eggleston responded that they would be 158 ft from the lake and 50 ft from the watercourse.

Mr. Eggleston responded that accessory buildings are allowed to be 50ft from the watercourse.

Chair Rhoads asked if they still wanted to maintain the shed as well as the garage.

Mr. Eggleston responds that the shed is fairly new and in good condition.

Vice Chair Condon asked about the Boat house and if it is used for storage.

Mr. Eggleston explained that it had been updated recently and is currently used for storage of outside furniture and outdoor items.

Member Ketchum asked if the shed was a necessity since they will be acquiring the extra storage in the rear of ~~above~~ the garage.

Mr. Eggleston will review it with the applicant.

Vice Chair Condon asked where the lot drains because it is not level. A swale or extra plantings should be utilized to help mitigate any of the water drainage issues.

Mr. Eggleston will review this with the Planning Board as well as the applicant. The thought was to keep the catch basin and to have the impermeable surface coverage decreased and improve the lot.

Member Ketchum would like to see some of the driveway removed but will take a look at it during a site visit.

A Zoning Board of Appeals site visit is scheduled for **January 13, 2018 at 9:30 a.m.**

**WHEREFORE**, a motion was made by Member Palen and seconded by Member Ketchum to schedule the public hearing on **Tuesday, February 6, 2018 at 7:10 p.m.** The Board having been polled resulted in the unanimous affirmation of said motion.

**Discussion:** Regarding the Zoning Code Revisions relative to section 148-12 non-conforming uses, structures and lots.

Attorney Scott Molnar reads an email from the Town Attorney, Brody Smith, which will be added to the record and attached to these minutes, regarding the proposed changes to the Zoning Code and is seeking input from the Zoning Board members.

Chair Rhoads asked for the timing regarding a response. Attorney Molnar expressed that as soon as it could occur.

Vice Chair Condon recommended a joint meeting with the Planning Board and the Code Enforcement Officer.

Several possible dates were discussed leaving January 23, or January 27, 2018 to be presented to the Planning Board at their next meeting and possibly scheduling a special joint meeting between the two boards. The Codes Enforcement Officer will be asked to attend the meeting as well.

Chair Rhoads discussed the calendar for next year and said that the only dates that would be modified would be for Grievance Day as well as Election Day.

Chair Rhoads stated that the Cohlan initial review did not make it on the agenda but, after council from Attorney Molnar, it is acceptable to hear a summary from the applicant at this time keeping in mind that further review by the board may be necessary.

Bob Eggleston reviews the amendment with the board for the Cohlan property at 3007 East Lake Road, 039.-01-15, the only variance required was for shoreline structures.

Mr. Eggleston explains that the shoreline structures as well as impermeable coverage were reduced. The amendment request is to change the configuration of what was approved. The requested amended variance is for the same sq. footage, the same impermeable surface coverage, but now they would like to bring the steps down gradually and change the walk ways in the area. The docking area has been reduced slightly.

Attorney Molnar explained that because this is a site plan, it is also required to go in front of the Planning Board as well. He recommended that the Board take the time to review the material and have it possibly decided on at the February meeting.

Chair Rhoads asked if the board members felt they needed a site visit, the consensus was that it was not necessary.

Attorney Molnar expressed that because this is an amendment a new public hearing need not be posted.

Chair Rhoads expressed that this will be added to the agenda for Tuesday, February 6, 2018 at 7:20 p.m.

The December 12, 2018 minutes will be edited by Attorney Scott Molnar and they be resubmitted for approval on the February 6, 2018 meeting.

The December 5, 2018 minutes will be corrected from the submission of edits by Member Ketchum and Chair Rhoads.

**WHEREFORE** a motion was made by Member Condon and seconded by Member Tucker to accept the December 5, 2018 minutes as submitted. The Board having been polled resulted in unanimous affirmation of said motion.

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

Vice Chair Condon would like to recommend to the Town Board that Denise Rhoads be re-appointed as the chair of the Zoning Board.

There being no further business, a motion was made by Member Ketchum and seconded by Member Palen to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:16 p.m.

Respectfully Submitted,  
Michelle Jackson, Secretary