

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF
October 8, 2024**

Present:

Denise Rhoads, Chair
David Palen, Vice Chair
Kris Kiefer
David Lee
Sherill Ketchum
Scott Molnar, Attorney
Karen Barkdull, P&Z Clerk (Present via Zoom)
Aimie Case, ZBA Clerk

Chair Rhoads opened the Zoning Board of Appeals meeting at 7:00 pm. Clerk Barkdull was present via Zoom.

Minutes

Previous distribution to the Board of the regular meeting minutes of September 10, 2024, was executed, and all members present acknowledged receipt of those minutes. At this time, Chair Rhoads asked the Board if they wanted to table the acceptance of the September 10, 2024, minutes to the November 12, 2024, meeting for additional time to review. All Members agreed to table the acceptance of the September 10, 2024, minutes to November 12, 2024.

Public Hearing

Applicant:	James Ranalli 1200 State Fair Blvd Syracuse, NY 13209	Property:	1808 West Lake Road Skaneateles, NY 13152 Tax Map #062.-01-09.2
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Present: Robert Eggleston, Eggleston & Krenzer Architects, PC
James Ranalli, Applicant
John Langey, Applicant's Attorney

This proposal is to add a 12'x31' boat slip with a 14'x31' canopy surrounded by 5-foot-wide docks, to the existing dock. The applicant, James Ranalli was present with his Design Professional, Robert Eggleston, PC and Attorney, John Langey, and contractor, Phil Ricklefs. The Applicant is requesting three shoreline variances. Offshore Structures- Permanent Dock; Offshore Structures- Covered Boat Slip; and Offshore Structures Maximum Cumulative Area.

Mr. Eggleston stated that their original application was denied. He and his Client, Mr. Ranalli listened carefully to the Board and returned with a reduced solution. With the shallow nature of the Lake in the area and the 97-foot-long dock, they had no choice but to consume a significant amount of the required or allowed area just to access a point where water is 8 feet deep (3.5 feet during low water), which makes for a challenge. In considering the Board's comments, Mr. Ranalli selected a smaller boat to purchase in order to help reduce the overall size of their proposal. The new boat is only 30.7 feet with a swim platform. It has a 9.5-foot beam. Mr. Eggleston stated that as he explained at the previous month's meeting, and in the narrative, you cannot fit a 9.5-foot-wide boat in a 9.5-foot slip. Ideally you need 18 inches on either side- so really, the slip needs to be 14'x31'. They are proposing to construct it at 12'x31'. This is the greatest possible reduction on the slip. The cover of a canopy is necessary to shield the boat from the sun and other elements. They have also reduced the dock area that is proposed to wrap around the sides of the slip.

Mr. Eggleston stated that in Skaneateles Lake, you cannot utilize monoposts in constructing permanent offshore structures. A monopost is a singular post driven into the lakebed. The ability to drive one single post straight down is challenging and the rocky lakebed hinders the success of this method. He noted that contractor, Phil Ricklefs was present and would further explain. Counsel Molnar suggested Mr. Ricklefs present once the public hearing was opened.

Mr. Eggleston stated that they had reduced the docks which wrap around the canopy and slip from 6 foot wide, to 5 foot wide, of which 1 foot is part of the canopy structure. This is where the canopy posts would be. This helped to reduce total shoreline structures by 185 SF. The reduction to the actual dock area would be 45 SF. In trying to reduce as much as possible, the proposed canopy area was lowered from 574 SF to 434 SF. The perimeter envelope will be larger than 4000 SF, which the Planning Board will look at. A permanent hoist is more environmentally friendly since there is only one disturbance as opposed to two disturbances each year during the DEC's "no work" period to protect fish reproduction which falls before June 15th and after September 30th. A permanent structure would also provide steady shading and habitat for fish.

Mr. Eggleston then spoke about the Town's recent zoning law. He stated that before it was written, some very large docks were constructed. Mr. Ranalli's father, next door, built a double canopy which is 2500 SF and five (5) times larger than what is being proposed. Clerk Case showed the aerial image on screen. The neighborhood is not made up of small, tight lots. This property has 200 feet of shoreline which is one and a half (1 ½) times the minimum required. Mr. Eggleston noted that comments were made by property owners when the Town Board, Planning Board, and ZBA were looking at drafting the law. A lot of time was put into considering size allowances and they came up with 500 SF for a boat house, and 300 SF for a boat canopy. Property owners questioned whether these numbers would be enough. Mr. Eggleston presented the reverse engineering of the regulation. If allowed 300 SF of canopy, the canopy could be 13'x23', with an 11'x22' slip. This means the boat would need to be 8'x21' or smaller to fit and is not large enough to accommodate the applicant's needs.

Mr. Eggleston emphasized that significant reductions had been made since the previous application. They were trying to compromise, listen, and make their request as reasonable as possible. Since the 97-foot dock is existing, it does not make sense to rebuild, adding that doing so would be environmentally inappropriate. They would have to remove the piles and reinstall closer together just to reduce the size by 2 feet. There is a small concrete launch that was put in by the previous owner. It could be removed and doing so would be less environmentally inappropriate than rebuilding the dock. Either way, it is still an environmental disturbance. Mr. Eggleston noted that Mr. Ranalli would

remove the launch if more appealing to the Board. This would take the reduction of the variance requested from 12.5% to 17.5%.

Mr. Eggleston asked the Board if they had any questions.

Chair Rhoads clarified with Mr. Eggleston that from last month's meeting, it was stated that the purpose of the docks wrapping around the canopy was safety, and something to attach the canopy to- structural integrity.

Mr. Eggleston stated that this was correct. The wrap around docks are necessary for stabilizing the posts of the canopy. Phil Ricklefs would go into further detail on this during the public hearing,

Counsel Molnar asked if the Board is inclined or encourages the removal of the concrete launch, is it the Applicant's position to remove it or not, or only as a condition?

Mr. Ranalli stated that it was more environmentally friendly to leave it as it isn't bothering anything as is. However, in an effort to be cooperative, if it was a condition, he would remove it.

Board Members conducted a site visit on July 17, 2024, during review of the Applicant's previous proposal.

At this time Chair Rhoads asked if there was anyone who would like the public hearing notice read. No one requested the public hearing notice to be read into the record.

WHEREFORE, a motion was made by Member Ketchum and seconded by Vice Chair Palen to consider the proposed action as a Type II SEQR action as per section 617.5(c)(12) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmation of said motion.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Lee to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

At this time Chair Rhoads asked if there was anyone who would like to speak in favor of, against or had any questions regarding the application.

Phil Ricklefs, Ricklefs Contracting and Barge- 1609 Dave Hull Road, Skaneateles, NY

Mr. Ricklefs runs Ricklefs Contracting and Barge and is the hired contractor for the proposed Ranalli project.

Mr. Ricklefs stated that he had given a brief explanation of the construction process of a dock like the one proposed at the site visit. He was present at the meeting to give the Board further explanation and clarification. He started by addressing the question on monopoles for this project. Mr. Ricklefs used Sodus Bay as an example of where monopoles could be utilized. Sodus Bay has a sandy loam bottom which allows for the piles to be driven straight into the ground. Skaneateles lake, on the other hand, is rock based. Monopoles would not work in Skaneateles Lake because when you start driving the piles, they could hit a boulder and shift. It is extremely difficult to get these driven straight down in a rocky lakebed like Skaneateles has.

Mr. Ricklefs stated that his company always recommends that their clients go at least 8 foot wide because of the stability of having your piles apart. They normally come in a foot off the outside

perimeter. They do this because they put up string lines, they go 8 feet apart- if for some reason they drive a pile and it shifts outward, they always want it to be plum. They then drop a beam across. If they have to shift that beam in one direction, they do not want to find themselves outside the perimeter of their building zone. Mr. Ricklefs further explained using standing with your legs together versus apart and resisting force. When your legs have space between them, greater stance or structure gives you more stability to withstand an external force such as a push. This is why he never recommends monopoles. They provide less structural integrity. He added that they do not want to build something without having the integrity to last 100 years. They don't want a structure collapsing or any other issues. When asked how narrow they'll go on the dock platform, Mr. Ricklefs tells clients a minimum of 5 feet. Without two piles and a beam going across, a lot of structural integrity is lost. These structures are built in the water and succumb to various elements throughout the year, especially in the winter months with the waves and ice.

Mr. Ricklefs stated that his company also built the dock, boat slip, and canopy for Mr. Ranalli Sr., next door. He explained how they used box beams, pointing out where they were utilized as well as the location of piles, the spacing, and bracing used for support. He noted that the permanent lake structures he builds are sturdy and blend in with the properties. Unlike temporary docks and hoists, permanent alternatives are much more solid, steady, and comfortable fitting- there is no wobbling. Mr. Ricklefs stated that with his previous, massive hoist, Mr. Ranalli had to pull it in and out of the water every spring and fall during spawning season, destroying any fish eggs in its path. With a permanent setup, the fish are undisturbed and are provided with a steady, undisturbed habitat below the structure.

Mr. Ricklefs stated that they use an 8-inch steel pile, so the outside diameter is about 9 ½ inches. He submitted the reference photos for the record (*Attached).

**Pictures Submitted by Phil Ricklefs 10.08.2024*





Scott Brothers- 1179 Mottville Road, Skaneateles, NY

Mr. Brothers stated that he read the narrative and that he is an engineer but could not understand half of the math- the numbers don't seem to make sense to him and that he was a little confused. As he understands it, the approach to changing the size of docks (in the code) was to prevent the type of construction that Mr. Ranalli Sr. had constructed, and to limit the size of docks that are placed on the lake. He noted that he could be mistaken but it was his assumption. The numbers say that there is a limit of 1000 SF, and this application was reduced from 1700 SF to 1500 SF. He does not believe this is a dramatic reduction. Mr. Brothers stated that when he looks at the questions being asked (Five Criteria), the question of whether the difficulty was self-created should be eliminated from the Five Criteria. He believes that the size of the boat purchased by the applicant makes this a self-created difficulty.

Mr. Brothers stated that he was not necessarily questioning the quality of construction, adding that it sounds like Mr. Ricklefs knows what he's talking about. He questioned at what point do you decide to set a limit on what size should be allowable and then decide that 50% larger is okay, adding that it does not seem logical to him.

Phil Ricklefs, Ricklefs Contracting and Barge- 1609 Dave Hull Road, Skaneateles, NY

Mr. Ricklefs asked the Board if he could respond to Mr. Brothers's comments. Chair Rhoads gave permission and Counsel Molnar asked that comments be directed towards the Board.

Mr. Ricklefs stated that one of the issues that arose when the Town was in the beginning phase of writing this Zoning Code was, they gave a total perimeter for your dock length and square footage. On Skaneateles Lake, it is almost impossible to adhere to that because in some areas, you might have to go out 100 feet before to reach deep enough water for a boat.

Scott Brothers- 1179 Mottville Road, Skaneateles, NY

Stated that if you purchase a home on the lake, the lake levels have been known since the 1950's and the shoreline and this type of lake with a stone bottom has been in existence.

The Town put a restriction in place. Prior to that, the DEC allowed up to 4000 SF per property. The Town realized the issue of having certain areas of the lake which would not be suitable for boat use under their restrictions. Boats used to be smaller, having 6-foot-wide beams. In those days, property owners could put a narrow walkway out and access their boat by walking narrow planks. Realizing the safety issues, the State addressed it and allowed 4000 SF. The Town restricted this number down. Mr. Ricklefs stated that he understands the reasoning behind this. If you are in a location like Mr. Ranalli's property, which is on a shallow cove, making a dock length compliant essentially deems that dock unusable for boat use since the water is not deep enough.

John Langey- Costello, Cooney & Fearon, PLLC- 211 West Jefferson St., Syracuse, NY

Mr. Langey stated that he was the Applicant's (Mr. Ranalli's) Attorney and that the Board had in its possession a letter prepared by his office, which examines the balancing test. The idea of the self-created hardship was examined not only by Mr. Eggleston but also by his office, where they indicated that the hardship was not self-created, it lies in the condition of the lake itself. The real question is: what is the negative impact on the area itself? He stated that their submission reflected that there has been no identified negative impact overall for this request and asked that the Board consider that.

At this time, Chair Rhoads asked if there was anyone else who would like to speak on the application. No further comments were made.

At this time, Chair Rhoads asked if there were any questions or comments from the Board.

Member Kiefer sought clarity on whether they would be voting on the application with the concrete launch as it exists, or with its removal. The ZBA's job is to grant the minimum variance necessary and adequate.

Chair Rhoads asked if the launch were removed, how it would be done.

Mr. Eggleston stated that a jackhammer would be used during low water to break up the concrete before removing it and restoring the stone beneath it.

Vice Chair Palen asked what the impact would be on the application.

Mr. Eggleston stated that the concrete launch is 114 SF. If removed, total square footage would be reduced from 1530 SF to 1416 SF. This would make the request 416 SF over the allowed 1000 SF as opposed to 530 SF over the allowed 1000 SF.

Member Lee stated that he was not seeing the difficulty or extreme disturbance of the lakeshore or lakebed with the removal of the launch. There may not even be a need to restore the rock beneath it. The Applicant would be gaining an environmental advantage by removing the launch on account of

he would be gaining that much more shoreline. As Member Kiefer stated, the job of the ZBA is to grant the minimum variance. If the launch remains, it does not allow for the minimum variance.

Mr. Eggleston stated that they are not opposed to the removal of the concrete launch.

Member Lee stated that it would be impractical for the Board to ask the Applicant to reduce the existing dock.

At this time, Counsel Molnar recommended that The Board and the Applicant choose a path instead of leaving it to the Board to impose an Additional Condition.

Mr. Eggleston confirmed that they would remove the concrete launch. Removing the 114 SF launch would reduce total coverage to 1416 SF. Of this 114 SF, 40 SF of it is onshore, the remaining 74 SF from the water. He added that the drawings would be revised and submitted the following day.

With no further questions or comments, Chair Rhoads asked for a motion to close the Public Hearing.

WHEREFORE, a motion was made by Member Kiefer and seconded by Member Ketchum to close the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCES:

1. Whether an undesirable change will be produced in character of neighborhood or a detriment to nearby properties will be created by the granting of the area variance:

Yes No

Reasons: No, by unanimous vote, with ZBA Member' deliberations as follows: The ZBA found that the requested variance would not produce an undesirable change to the neighborhood. The property is improved with an 8 x 97.3-foot permanent dock and concrete boat launch offshore, which has since been removed from the application. The proposal to add a boat slip with canopy to the existing dock will not change the character of the neighborhood. The property has 202 feet of lake frontage, and due to the natural curve of the shoreline, the property is shielded from neighboring properties to the south. The property is in a cove style area of the lake, with similar structures nearby. It has been noted that the neighboring property, to the north, has been improved with a longer dock with a deck and boat hoist canopy of larger size. Longer docks are common and necessary in this part and other parts of Skaneateles Lake due to shallow water depth. Reductions have been made to get to the current proposal. The property is unique, and the shoreline is recessed from the lake so the proposed canopy and dock length will not impede flow-through of boat traffic or the views of neighboring properties. There is concern that in time, if permanent hoist canopy structures continue to be placed on more properties, it would change the character of the lake; however, not in the certain circumstances of this particular property as it does have the attributes to minimize these changes, and for the previously stated reasons. The large size of the lot creates a lesser impact.

20% increase in allowable dock, 45% increase in allowable boat slip, and 40% increase in allowable offshore structures. The presence of these structures remains permanent, whether the owner possesses the boat or not, the structure will still be there. As stated in the comments in response to question one, the lot is of significant size with over 200 feet of lake frontage and those factors, given the unique nature of this lot, are substantial. Due to the three (3) variances requested, and as stated, the fact that variances go with the land and will be permanent. Due to the overall increases based on what the property already has for onshore and offshore structures- 1025 SF and 926 SF prior to removal of the concrete boat launch, where 800 SF and 1000 SF is allowed.

One (1) ZBA Member found that the requested variance is substantial BUT due to the Applicant's willingness to adapt and reduce the size of the original proposal, this is ameliorated.

QUESTION 3 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district: Yes No

Reasons: No, by unanimous vote, with ZBA Member' deliberations as follows: The ZBA concluded that the proposed variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The property has 202 feet of shoreline in a shallow area of the lake, requiring the dock to be longer in order to be functional for safe boating, usage and docking. The installation of a permanent hoist and canopy with docking will be completed by a professional with little overall disturbance to the lakebed or environment. The overall environmental impact of the construction is minimized. The Applicant's commitment to remove the concrete boat launch increases natural shoreline.

QUESTION 4 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Whether the alleged difficulty was self-created: Yes No

Reasons: Yes, based upon the foregoing listed factors.

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors and ZBA deliberation thereon, upon a motion made by Chair Denise Rhoads, duly seconded by Vice Chair David Palen, and upon a unanimous (5-0) affirmation of all Members present as recorded below, approves the variances requested, and finds as follows:

- The Benefit to the Applicant DOES NOT outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- The Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community

Reasons: In review of the stated findings of the Zoning Board of Appeals, the benefit to the Applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood, or community, lies in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, ZBA Member’ deliberations as set forth herein, as well as the Board Members’ inspection of the property, and is conditioned as follows:

STANDARD CONDITIONS:

1. That the Applicant obtain any necessary permit(s) from the Codes Enforcement Officer or otherwise commence the use within one (1) year from the filing of the variance decision. Any application for zoning/building permit(s) shall terminate and become void if the project is not completed within the eighteen (18) months from the issuance of the permit(s).
2. That the Applicant shall obtain all necessary permits and approvals from the Planning Board and any agency or authority having jurisdiction over the Property or Application.
3. That the Applicant obtain a Certificate of Occupancy and/or Certificate of Compliance, as required, from the Codes Enforcement Officer.
4. That the Applicant notify the Codes Enforcement Officer on completion of the footing of any project for which a variance has been obtained; and

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

1. That a revised Site Plan reflecting the removal of existing concrete boat launch, dated October 8, 2024, with a revised Narrative, dated October 8, 2024, be prepared and submitted by Bob Eggleston, of Eggleston & Krenzer Architects, Licensed Architect, and complied with in all respects.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing

<p>Applicant: Joseph & Mary Coco 8323 Zenith Drive Baldwinsville, NY 13027</p>	<p>Property: 1387 Thornton Heights Skaneateles, NY 13152 Tax Map #057.-01-38.0</p>
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Present: Robert Eggleston, Eggleston & Krenzer Architects, PC

This application is for the proposed demolition of an existing cottage and construction of a new two-bedroom, two story dwelling with a deck, new septic, new shoreline stairs, bridge, and landing with a shed underneath. Applicants, Joseph & Mary Coco were represented by their design professional, Robert Eggleston, PC.

The Applicant is requesting variances for existing non-conforming lot size, non-conforming lake yard setback, and non-conforming lake frontage. The lot size is 13,414 SF whereas 20,000 SF is required. The structure is less than 100 feet from the lake. The property has 69 feet of lake frontage, where 75 feet is required. The Applicant has also proposed a less non-conforming lake yard compared to their original application, by pushing the house back from the lake as far as possible. The existing lake yard is non-conforming at 61.3 feet whereas 100 feet is required. The new cottage will be built farther back than what exists today, with an 83-foot and 89.4-foot lake yard relative to the dwelling, 75 feet to the deck. A concern of Mr. Eggleston’s is how homes will line up so the backyard of one home does

not look into the front yard of another. There will be an 8-foot overlap of the Vivian cottage and the proposed dwelling. Mr. Eggleston stated that the north and south side yards were made conforming, noting that the deck is allowed to encroach 4 feet on the required side yard setback. In hearing the Board's concerns on the previously proposed cottage regarding a building height of 30 feet, with the cellar making it look like three stories from the lake view, the proposed height has been reduced to 27.75 feet.

The new proposal has parking onsite as opposed to keeping it in the right of way. They have reduced the existing parking area in the ROW and included a 20 x 23-foot parking area onsite to accommodate two (2) vehicles. Impermeable surface coverage was at about 8.5% but is now at 10% which is allowed.

Overall, in the new application, Mr. Eggleston stated that they were able to fit the house, parking area, septic system with expansion area, while giving 75 feet of frontage for the deck and 83 feet and 89 feet for the house itself.

Mr. Eggleston asked the Board if there were any questions.

Member Lee asked Mr. Eggleston to review the plans for the lakeshore. Mr. Eggleston stated that there is an existing 552 SF deck area behind a seawall which will remain as is. The existing shoreline stairs are nonconforming in that they are only 2.8 feet off the north property line where 20 feet is required. The existing stairs will be removed, and a new set of stairs with a bridge and landing will be constructed closer to the house and further from the property line at 25.4 feet to make conforming. A 44 SF shed will be constructed below the landing at a height of 8 feet and will be used for lifejackets, paddles, and other lakefront items. The existing pumphouse will be removed.

Member Kiefer asked for clarification on the most recent numbers, namely on the CRW's. There were two rounds of corrections made on the CRW. The original is dated August 28, 2024, with revisions on September 19, 2024, and October 2, 2024. Clerk Barkdull suggested comparing the CRW's to Mr. Eggleston's narrative. Mr. Eggleston added that the living area and footprint both conform, the lake yard has improved, side yard setbacks made conforming, and the height of the house reduced.

At this time, Chair Rhoads asked if there were any further questions for Mr. Eggleston. There were no further questions from the Board.

Board Members conducted a site visit on July 17, 2024, during review of the Applicant's previous proposal.

At this time Chair Rhoads asked if there was anyone who would like the public hearing notice read. No one requested the public hearing notice to be read into the record.

WHEREFORE, a motion was made by Member Lee and seconded by Member Ketchum to consider the proposed action as a Type II SEQR action as per section 617.5(c)(12) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmation of said motion.

WHEREFORE, a motion was made by Member Ketchum and seconded by Vice Chair Palen to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

At this time Chair Rhoads asked if there was anyone who would like to speak in favor of, against or had any questions regarding the application.

Mr. Eggleston stated that letters of support from the neighbors to the west and south had been received on the previous application. He added that the Bevier's, neighbors to the north, were present in person. Clerk Case confirmed that the letters had been submitted into the record.

With no further comments, Chair Rhoads asked for a motion to close the public hearing.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Lee to close the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCES:

- 1. Whether an undesirable change will be produced in the character of neighborhood or a detriment to nearby properties will be created by the granting of the area variance:
Yes No

Reasons: No, by unanimous vote, with ZBA Member' deliberations reflecting as follows: The ZBA found that the requested variance would not produce an undesirable change to the neighborhood or nearby properties as the current dwelling is a small one-story cottage constructed in the 1940s that is in need of repair and renovation. The proposed dwelling, although being significantly larger, will improve the character of the neighborhood and the site will be improved with a new septic system. The proposed improvements to the property will positively affect the neighborhood and the increased setback from the lake line is a benefit. The impermeable surface coverage, total lot coverage and side yard setbacks are conforming.

QUESTION 1 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- 2. Whether the benefit sought by the Applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance:
Yes No

Reasons: No, by unanimous vote. The ZBA found that the benefit sought by the Applicant cannot be achieved without the granting of an area variance. This is a preexisting nonconforming lot, and any redevelopment would require a variance under the current code. The Applicant has reduced the size of the requested variances from the prior application.

QUESTION 2 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Whether the requested variance is substantial: Yes No

Reasons: Yes and No. Yes, by majority vote reflected below, with ZBA deliberations as follows: The variance is not substantial for this preexisting nonconforming lot and the applicant has reduced the requested variances from the prior application to the minimum possible while constructing a new dwelling site. Placement of the new dwelling will be further back from the lake line, decreasing the lake yard setback from what exists today, and with the side yard setbacks designed will be conforming for the new dwelling. The shoreline structures will remain at 644 square feet; however, new stairs, bridge and landing are being constructed that are necessary for safe access to the lake. The proposed impermeable surface coverage will also be conforming, and with the new septic system and drainage system, the improvements proposed will mitigate the requested area variances. The requested variance is substantial, but due to the size of the lot, location of the septic system, and proximity to the lake, it makes it difficult to meet the zoning code requirements. The lot size is driving the significant piece of the area variance request, and efforts have been made to reduce the building height and eliminate the stair structure to bring in the minimum side yard setback. By granting the variances we will be enabling the significant development of the lot, as identified in the most recent version of the application that includes an increase in the impervious coverage, although conforming.

QUESTION 3 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district: Yes No

Reasons: Yes but no, by unanimous vote reflected below, with deliberation factors as follows: While there are a number of good aspects to the proposed variance request, there are also some downsides. The positive aspects are that they are maintaining the impermeable coverage and total lot coverage within conforming parameters that will benefit the lake with the update to the septic system. On the negative side the seasonal cottage will be turned into a larger year-round dwelling. The process of a significant upgrade appears to be the norm for properties around the lake while a small seasonal cottage has limitations on how much impact it can have upon the environmental conditions of the lake. The potential impact of a larger year-round house this could significantly increase the impact. There are some mitigating factors by upgrades to the septic system and stormwater management systems, however when you increase the potential for increased usage, that can increase the environmental conditions. There is also a concern about the physical and environmental impacts of this type of development of this particular size of lot.

QUESTION 4 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Whether the alleged difficulty was self-created: Yes No

Reasons: Yes, based upon the foregoing listed factors.

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors and ZBA deliberation thereon, upon a motion made by Chair Denise Rhoads, duly seconded by Vice Chair David Palen, and upon a unanimous (5-0) affirmation of all Members present as recorded below, approves the variances requested, and finds as follows:

- The Benefit to the Applicant DOES NOT outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- The Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community

Reasons: In review of the stated findings of the Zoning Board of Appeals, the benefit to the Applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood, or community, lies in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, ZBA Member deliberation factors as set forth herein, as well as the Board Members' inspection of the property, and is conditioned as follows:

STANDARD CONDITIONS:

1. That the Applicant obtain any necessary permit(s) from the Codes Enforcement Officer or otherwise commence the use within one (1) year from the filing of the variance decision. Any application for zoning/building permit(s) shall terminate and become void if the project is not completed within the eighteen (18) months from the issuance of the permit(s).
2. That the Applicant shall obtain all necessary permits and approvals from the Planning Board and any agency or authority having jurisdiction over the Property or Application.
3. That the Applicant obtain a Certificate of Occupancy and/or Certificate of Compliance, as required, from the Codes Enforcement Officer.
4. That the Applicant notify the Codes Enforcement Officer on completion of the footing of any project for which a variance has been obtained; and
6. That the Applicant provide an as-built survey to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project before a certificate of occupancy /certificate of compliance is issued.

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

1. That the Site Plan dated August 23, 2024, with Narrative dated August 23, 2024, prepared by Bob Eggleston, of Eggleston & Krenzer Architects, Licensed Architect, be complied with in all respects.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Application Continuance

<p>Applicant: 828 West Genesee Street, LLC 828 West Genesee Street Skaneateles, NY 13152</p>	<p>Property: 828 West Genesee Street Skaneateles, NY 13152 Tax Map #062.-01-09.2</p>
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Present: Bill Murphy Jr., SPACE Architectural Studio
Josh Allyn, Tap Root Family, LLC, Applicant
Tom Fernandez, Tap Root Family, LLC, Representative

The property in question is located at 828 West Genesee Street. The Applicant, Josh Allyn, was present with his Design Professional, Bill Murphy, and Representative, Tom Fernandez. The Applicant is proposing the renovation of an existing structure, formerly an auto service-related facility. Prior to that, the property housed a Valvoline service station. The property is located in the Western Gateway of Skaneateles and in the Highway Commercial Zone District. It is a preexisting non-conforming lot at 0.71 acres. The property received a variance for a front yard setback in 1975.

Area variances for lot size and total lot coverage are being requested. During the initial application process at the September 10th meeting, the Applicant withdrew the request for a variance for signage. Signage now complies with the current zoning code.

The Applicant is proposing a cannabis dispensary at the site. Licensing of the dispensary is regulated by the New York State Office of Cannabis Management and the Applicant is a licensed New York State Micro business. The Zoning Board is reviewing the request for area variances only. At the September meeting, the application was reviewed with the Applicant and their Architect. Public comments were received and entered into the record. The public hearing was closed at that time but allowed a ten (10) day window for additional public comments to be received and entered into the record. The ten (10) day period for the public comments closed at end of day on September 20, 2024.

The Board members received all the comments that were submitted at both the public hearing and the ten (10) day comment period.

At this time, Chair Rhoads asked if the Board had any questions for the Applicant or their professionals, keeping in line with what is allowed. Counsel Molnar confirmed that this was permissible. Chair Rhoads then asked Mr. Murphy if he had anything he wanted to add or state to the Board. Mr. Murphy stated that Chair Rhoads did a great job summing up the application. He added that they submitted their updated drawings with signage reduction to the Board. Counsel Molnar stated that the Board was in receipt of the requested environmental summary of the property from the Applicant and their professionals. The report concluded and recommended that the asphalt cap upon the property as it currently exists, should not be disturbed. The DEC opened and closed their file and left off requiring continued monitoring.

Chair Rhoads clarified with Mr. Murphy that the Planning Board asked for a buffer on top of the asphalt cap at the property line. Mr. Murphy confirmed that this was correct, and they added large stainless steel trough style planters in this area as a buffer and to prevent vehicles from crossing the property line.

Chair Rhoads then mentioned that at the time of initial remediation, she was curious as to why the prior adjoining property owner wouldn't allow access for remediation. She wondered whether the lots were owned by the same entities. Counsel Molnar stated that his understating was that over time, ownership became related but not merged. At the time of the DEC's investigation, there was a different owner, and they denied access for subsurface monitoring.

Member Ketchum asked about the plan to resurface the parking lot and whether it was seen as acceptable by the DEC and other affiliated agencies. Mr. Murphy stated that milling is permissible and that they would only slightly mill where the parking lot meets the road. Essentially just scrape the asphalt down where the parking lot joins the road. The milling will stay above the asphalt path.

Member Lee sought confirmation on the new set of drawings received. He noticed that the signage had changed, and the trough planters were added along the property line to the west. He asked for clarification that these were in fact the only changes. Mr. Murphy stated that this was correct.

A site visit was conducted by Board Members on August 14, 2024.

At the September 10, 2024, meeting, a motion was made by Vice Chair Palen and seconded by Member Ketchum to close the public hearing and carry the decision over to the October 8, 2024, ZBA Meeting, at 7:20 pm, leaving a ten (10) day period for written comment to be submitted. The Board having been polled resulted in unanimous affirmation of said motion.

At this time Chair Rhoads stated that as mentioned, all public comments made within the ten (10) day period, which closed on September 20, 2024, had been received and entered into the record.

Chair Rhoads then stated that at the September 10, 2024, meeting, a motion was made by Member Ketchum and seconded by Member Lee to consider the proposed action as a Type II SEQR action as per section 617.5(c)(18) and not subject to SEQR review.

FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCES:

1. Whether an undesirable change will be produced in the character of neighborhood or a detriment to nearby properties will be created by the granting of the area variance:

Yes No

Reasons: No by unanimous vote reflected below, with ZBA Member’ deliberations as follows: The proposed dispensary will not produce an undesirable change in the character or the neighborhood. The dispensary is to be located in the Highway Commercial District as required by the code. Nearby businesses include a gas station, convenience store, a hotel/restaurant under construction, a restaurant, bakery, hotel with spa, physical therapy practice and several other small businesses. While the Town Code calls for 2.5 acres for a dispensary within the Highway Commercial District, the size of the modification to the structure and the use of the available land for parking is adequate for the design purpose and would enhance the neighborhood. The proposed plan adequately addresses the concerns related to parking and congestion, screening and landscaping. It is not the Board’s purpose to judge whether a specific business is appropriate for a site but rather to determine whether or not a proposal site can, as designed and with appropriate variances, adequately meet the environmental standards and zoning code of the Town. Renovating this property will overall enhance the neighborhood and the western gateway, which is currently undergoing changes with several properties at this time. The proposed site offers minimal change to the existing site and is compatible with the surrounding properties. The site meets the parking needs and other requirements of the code. It has in the past been used without difficulty as a retail facility in a neighborhood of other retail and commercial properties. The previous business had used cars lining the state right-of-way, facing the road, and the parking spaces proposed are further away and not facing the road. Several businesses directly west and east both have unshielded parking directly in front of their establishment. Living walls will be included on the exterior that will be an improvement, and the container planters along the west side of the property will promote safety from cars driving to the neighboring parking lot as well. Many of us have grown up with regard to cannabis and its societal connotations and how those have changed. The use is suitable under Town Code with the existing building, and the Applicant has removed the requested sign variance. This new business for the existing building will not be a detrimental impact on the character of the neighborhood. It is important that everything that’s being done in that part of the community is done with consideration for safety.

QUESTION 1 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Whether the benefit sought by the Applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance: Yes No

Response: No, by unanimous vote as reflected below, with ZBA Member deliberations as follows: Due to the size of the lot and the specific requirements set forth in code for a cannabis dispensary, an area variance would be required. The total lot coverage is proposed at a minimal increase of .5% from the existing 44.5% due to the proposed addition of the handicamp ramp, mitigated by the safety concern for access to enter and exit the building in a safe manner. There is no other way to grant use of the property for cannabis dispensary without granting of an area variance. The property will be well suited for a dispensary and will undergo minimal change but will result in a substantial improvement to the existing facility.

QUESTION 2 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Whether the requested variance is substantial: Yes No

Reasons: Yes and no, by unanimous vote as reflected below, with ZBA Members stating: In terms of lot size, the area variance is substantial with Town Code requiring 2.5 acres and this lot at .71 acres. The proposed increase in total lot coverage is not substantial as it is predicated on a required secondary ramp and increasing the nonconforming total lot coverage from 44.5 to 45%. The impact is minimized based on the location being an appropriate adaptive reuse of the site.

QUESTION 3 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district: Yes No

Reasons: No, by unanimous vote as reflected below. The ZBA found that granting the variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, by deliberating as follows: The proposed improvements and altered use of the property of the former gas station and vehicle repair facility located in the Highway Commercial District could potentially bring benefits to the neighborhood. As a former gas station, the site is currently being monitored due to environmental uses. Having a non-pollution retail establishment occupy the site could lessen any future environmental issues. There will be no demolition of structures or disturbance of the property. The Highway Commercial District is adequate for accommodating the retail occupancies such as this, and there is no evidence that the resulting traffic will exceed what has been accommodated in the past. The nature of its limitation on operation, no excessive noise, pollution or hazards to the surrounding properties should be anticipated. Conversion of the current structure of the dispensary in the same footprint, maintaining the impervious coverage as well as the .5% increase in total lot coverage due to state mandated handicap ramps, will have limited adverse effect or impact on the conditions of the neighborhood. There is limited potential for development of this lot as the asphalt cap remediation cannot be disturbed, and proposed lighting will incorporate dark sky technology to reduce excessive light on the surrounding establishments.

QUESTION 4 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Whether the alleged difficulty was self-created: Yes No

Reasons: Yes, based upon the foregoing listed factors.

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors and ZBA deliberation thereon, upon a motion made by Vice Chair David Palen, duly seconded by Chair Denise Rhoads, and upon a unanimous (5-0) affirmation of all Members present as recorded below, approves the variances requested, and finds as follows:

- The Benefit to the Applicant DOES NOT outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- The Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community

Reasons: In review of the stated findings of the Zoning Board of Appeals, the benefit to the Applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood, or community, lies in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, the ZBA Member’ deliberation factors stated herein, as well as the Board Members’ inspection of the property, and is conditioned as follows:

STANDARD CONDITIONS:

1. That the Applicant obtain any necessary permit(s) from the Codes Enforcement Officer or otherwise commence the use within one (1) year from the filing of the variance decision. Any application for zoning/building permit(s) shall terminate and become void if the project is not completed within the eighteen (18) months from the issuance of the permit(s).
2. That the Applicant shall obtain all necessary permits and approvals from the Planning Board and any agency or authority having jurisdiction over the Property or Application.
3. That the Applicant obtain a Certificate of Occupancy and/or Certificate of Compliance, as required, from the Codes Enforcement Officer.
4. That the Applicant notify the Codes Enforcement Officer on completion of the footing of any project for which a variance has been obtained; and
5. That the Applicant provide an as-built survey to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project before a certificate of occupancy /certificate of compliance is issued.

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

1. That the Site Plan dated September 16, 2024, and Narrative dated June 29, 2024, accompanying the September 16, 2024, Site Plan, prepared by Bill Murphy Jr., of SPACE Architectural Studios, Licensed Architect, be complied with in all respects.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Initial Review

Applicant:	Paul & Meredith Torrisi 41 E Elizabeth Street Skaneateles, NY 13152	Property:	2521 East Lake Road Skaneateles, NY 13152 Tax Map #037.-01-36.0
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Present: Robert Eggleston, Eggleston & Krenzer Architects, PC

This application is for a proposed deck on a nonconforming lot in the RF LWOD. The Applicant was represented by their Design Professional, Robert Eggleston, PC. Mr. Eggleston stated that the Torrisi’s recently purchased the property. It is a year-round home which they intend to use as a lake house while keeping their permanent residence in the Village. The lot is 14,899 SF with 66 feet of lake frontage. The house itself is conforming and sits over 120 feet from the lake. The north property line side yard setback is 9.5 feet where 13 feet is required. Existing impermeable surface coverage is 16.3% and existing total lot coverage is 18.3%.

The proposal is to remove the west porch and patio and replace it with a 14x35.5-foot deck with 4-foot-wide stairs to grade. The deck will be 117.8 feet from the lake. Its side yard setback will exceed the required 13 feet.

In doing this project, the total footprint will decrease from 1683 SF to 1640 SF, 11.0% of the lot area. The potential living space will decrease from 2545 SF to 2502 SF, 16.8% of the lot area. Impermeable surface coverage will decrease from 16.3% to 15.3%. The total surface coverage will conform at 20%.

Variances are required for development on a lot with less than 75 feet of lake frontage and less than 20,000 SF of lot area. The proposed deck conforms to all required setbacks and coverage requirements. The project will reduce the nonconforming building footprint, living area, and impermeable surface coverage. Site plan review is required for disturbance and expansion within

200 feet of the lake. A special permit is required for redevelopment on a lot with greater than 10% impermeable surface coverage.

A silt fence will be utilized for erosion control during construction. An existing trench drain catches storm water at the end of the driveway. Roof gutters direct water to the sides of the building. A bioswale is not practical for this site in that the septic is downhill from the house and situated right before a steep bank to the lake.

Mr. Eggleston asked the Board if there were any questions.

Member Lee asked where exactly this property was located, and whether it was past “The Colony”. Mr. Eggleston stated that the property is two half properties from the Spafford border and the first property to be entirely in Skaneateles from that border.

At this time, Chair Rhoads asked the Board if there were any more questions for Mr. Eggleston. There were no further questions.

Board Members will conduct a site visit on October 26, 2024, at 8:30 am. Member Kiefer will be unable to attend that day and will conduct a separate site visit.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for November 12, 2024, at 7:02 pm.

WHEREFORE, a motion was made by Member Kiefer and seconded by Vice Chair Palen to schedule a public hearing for November 12, 2024, at 7:02 pm. The Board having been polled resulted in unanimous affirmation of said motion.

	<u>Record of Vote</u>	
Chair	Denise Rhoads	Present [Yes]
Vice Chair	David Palen	Present [Yes]
Member	Kris Kiefer	Present [Yes]
Member	Dave Lee	Present [Yes]
Member	Sherill Ketchum	Present [Yes]

Discussion

The next ZBA Meeting will be held on November 12, 2024, at 7:00 pm.

The next P&Z Staff Meeting will be held on October 17, 2024, at 6:30 pm.

Chair Rhoads thanked Councilor Tucker and Councilor Dove for joining via Zoom. Councilor Dove thanked everyone for their hard work.

There being no further Board business, a motion was made by Member Ketchum and seconded by Member Kiefer to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 9:01 pm.

Respectfully Submitted,

Aimie Case
ZBA Clerk

Meeting Attendees:

James Ranalli, Applicant
John Langey, Attorney (Ranalli)
Josh Allyn, Applicant
Mike Balestra
Tom Fernandez
Phil Ricklefs
Jon Ricklefs

Bob Eggleston, Eggleston & Krenzer Architects
Bill Murphy Jr., SPACE Architectural Studio
Lee Buttolph
Sally Bevier
Don Bevier
Scott Brothers
Justin Marchuska II

Meeting Attendees Via Zoom:

Karen Barkdull, P&Z Clerk
Councilor Mark Tucker
Councilor Sue Dove
Caroline Basso

Michael Lasell
Christine Buff
Al Paniccia
Norm