

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

**June 4, 2013**

Present:

Dave Graham  
Denise Rhoads  
Jim Condon  
Steven Tucker  
Sherill Ketchum  
Debbie Williams, Codes Enforcement Officer  
Scott Molnar, Attorney  
Karen Barkdull, Secretary

Also present:	Robert Eggleston	Lynn Hart
	Scott Bennett	Barbara Bennett
	Mark Buell	Marty Hubbard
	Tom Trytek	James Fields
	Chris Fox	

The meeting commenced at 7:00 p.m. at Town Hall. The next regularly scheduled Zoning Board of Appeals meeting will be held on July 2, 2013. The Zoning Board of Appeals site visits are scheduled for June 22, 2013. Previous distribution to the Board of the regular meeting minutes of May 7, 2013 were executed and all members present acknowledged receipt of those minutes.

**WHEREFORE** a motion was made by Vice Chair Rhoads and seconded by Member Ketchum to accept the May 7, 2013 minutes with minor corrections. The Board having been polled resulted in favor of said motion.

**Initial Review**

Applicant: Anthony & Lynn Hart  
3 Willow Place  
Cazenovia, New York

Property:  
1698 Amerman Road  
Skaneateles, NY 13152  
**Tax Map #063.-04-01.0**

Present: Lynn Hart, Applicant

The nonconforming lot is 11,600SF located on Amerman Road. The applicant would like to add a 240SF deck to the dwelling located 4.4' to the south property line and 41' to the lake line. The applicant is allowed a 175SF deck to the nonconforming dwelling without a variance; however the applicant would require a variance for the side yard setback as the dwelling is located 5' from the south property line. There is an existing sliding door off the property that drops off four feet and the proposed deck would provide safe egress from the door to the outside.

Impermeable surface coverage is 7% and existing open space is 91% with a proposed 89% open space. Amerman Road ends in front of their property and the applicant parks their car on the end

of the road with no driveway on the property. The lot coverage calculating worksheet completed by surveyor Mr. Watkins will need to be signed and submitted to the Board.

The applicant has owned the property for eighteen months and now has the property for sale. The boat house had been substantially repaired and renovated as a beach house. There is a steep bank on the property. A site visit will be conducted by the Board on June 22, 2013.

**WHEREFORE** a motion was made by Vice Chair Rhoads and seconded by Member Condon to schedule a Public Hearing on **July 2, 2013 at 7:10 pm**. The board being polled voted in favor of said motion.

**Public Hearing**

Applicant: Scott Bennett  
4241 Railroad Street  
Mottville, New York

Property:  
4251 Railroad Street  
Mottville, NY 13119  
**Tax Map #024.-01-05.3**

Present: Scott Bennett, Applicant

No one requested to have the public notice read. The Onondaga County Department of Health has no objections to the proposed replacement of the manufactured dwelling in their correspondence dated April 3, 2013.

The proposal is for the removal of the existing 684SF manufactured dwelling and replacing it with a 1232SF manufactured dwelling seventeen feet further back from the watercourse. The new dwelling would be located 20FT from the street aligned similarly to the dwelling to the north. The manufactured home has been designed for this area and weather conditions. The impermeable surface coverage will be reduced to 8.4% as the new dwelling will be placed over part of the existing driveway. The existing dwelling is located 36.2FT from the watercourse and the proposed dwelling would be 53.5FT from the watercourse. Variances are required for the nonconforming lot size, 20FT front yard setback and the location of the dwelling within 100' of the watercourse.

The Onondaga County Department of Health stated that the existing septic system, located closer to the watercourse than the existing and proposed dwelling, is not located in the 100-year flood plain. Member Condon stated that there are power lines along the road frontage and that the proposed dwelling may need to shift further back to provide ample clearance from the lines. Mr. Bennett stated that he discussed the issue with the power company and the dwelling needs to be 12.5' from the power lines. Member Condon suggested that the proposed dwelling should be moved back to clear the power lines that are six feet away, removing the need for a front yard variance. Member Condon recommended that the proposed dwelling should not be located any closer than 43.5' from the watercourse.

Chairman Graham stated that the survey does not accurately reflect the impermeable surface on the property. The nonconforming lot is allowed 15% impermeable surface coverage and the Z.B.A.06.04.2013

survey reflects 8.9% impermeable surface coverage. Since an as-built survey will be required on completion of the project, CEO Williams will ensure that the lot does not have more than 15% impermeable surface coverage by working with the applicant on what impermeable surfaces could be maintained. CEO Williams will work with the applicant on the property maintenance of the property.

**WHEREFORE** a motion was made by Vice Chair Rhoads and seconded by Member Ketchum to declare this application to be a Type II action not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Chairman Graham opened the public hearing and asked if there was anyone wishing to speak in favor of the application. Marty Hubbard, neighbor to the south, stated that Scott has been a great neighbor and that he supports the applicant's proposal. He complimented CEO Williams' efforts to assist Mr. Bennett. Chairman Graham asked if there was anyone wishing to speak in opposition, or had any other comments. There was no one who wished to speak in opposition or had any other comments.

**WHEREFORE** a motion was made by Member Tucker and seconded by Vice Chair Rhoads to close the Public Hearing. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Counsel Molnar reviewed with the Board the statutory criteria set forth in Town Code Section 148-45D (a-e) for an Area Variance. Counsel stated that in making their determination the Zoning Board of Appeals is required to consider certain factors, which are:

1. **Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties:** No. The property will be significantly improved with the variance for the new manufactured dwelling. The proposed dwelling will be more aesthetically pleasing in the neighborhood.
2. **Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance:** No. The irregular shaped nonconforming lot is bordered by Skaneateles Creek and Railroad Street, and the location of the existing septic system limits alternatives available to the applicant for placement of the new dwelling.
3. **Whether the requested variance is substantial:** Yes. The proposed dwelling will be located away from the septic tank and sited further to the west eliminating the front yard setback requested variance.
4. **Would the variance have an adverse impact on the physical or environmental condition in the neighborhood:** No. The manufactured dwelling required very little disturbance in its placement and will be sited away from the creek. The applicant is also proposing ;modifications to clear stored items away from the watercourse and remove the existing shed.

5. **Whether the alleged difficulty was self-created:** No. The shape and size of the lot with frontage along Skaneateles Creek and Railroad Street would require a variance for any improvement proposed.

**WHEREAS**, in review of the above 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. Based on the Board members' site visits and discussions before the Board at the public hearing the benefit to the applicant outweighs the detriment to the community and will not have significant adverse impacts on the character of the neighborhood or the physical or environmental conditions of the property

**WHEREFORE** a motion was made by Chairman Graham and seconded by Vice Chair Rhoads, that this application be **APPROVED** with standard conditions and additional special conditions:

**SPECIAL CONDITIONS:** The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

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

Condition No. 1: That the survey dated March 30, 2013, prepared by Heather Warren, Architect, be followed in all respects; and

Condition No. 2: That verification by the CEO that the property complies with Chapter 110 property maintenance; and

Condition No. 3: That the proposed manufactured dwelling is located no less than 43.5' from Skaneateles Creek; and

Condition No. 4: An as-built survey reflecting an accurate representation of the condition be submitted to the Codes Enforcement Officer with verification of conformance of completed project and impermeable surface coverage at 15% or less within (60) days of completion of the project.

**Record of Vote**

Chair	David Graham	Present	[Yes]
Vice Chair	Denise Rhoads	Present	[Yes]
Member	Jim Condon	Present	[Yes]
Member	Sherill Ketchum	Present	[Yes]
Member	Steven Tucker	Present	[Yes]

## **Public Hearing**

Applicant: Mark Buell  
789 Stump Road  
Skaneateles, New York  
**Tax Map #012.-02-02.3**

Present: Mark Buell, Applicant

No one requested to have the public notice read. The Onondaga County Planning Board had no comments in their correspondence dated May 22, 2013. The dwelling is located on a 2.5 acre lot and was built in 2012. During construction, a large stone outcropping was discovered in the proposed location of the dwelling. The dwelling was relocated 62FT further back from the previous siting of 99FT from the road line. The driveway was also relocated to the west side of the dwelling. The property has water provided by the Town and a private septic system.

The applicant is proposing an above ground pool and deck expansion to be located 25.5FT from the north property line that borders an active farm field. A site visit was conducted by Chairman Graham and Member Ketchum on June 1, 2013. Vice Chair Rhoads had visited the site separately.

**WHEREFORE** a motion was made by Vice Chair Rhoads and seconded by Member Condon to declare this application to be a Type II action not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Chairman Graham opened the public hearing and asked if there was anyone wishing to speak in favor of the application. There was no one who wished to speak in favor of the proposal. Chairman Graham asked if there was anyone wishing to speak in opposition, or had any other comments. The property owner to the north and east, Nancy Hourigan, has signed a letter of approval for the variance.

**WHEREFORE** a motion was made by Member Ketchum and seconded by Member Tucker to close the Public Hearing. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Counsel Molnar reviewed with the Board the statutory criteria set forth in Town Code Section 148-45D (a-e) for an Area Variance. Counsel stated that in making their determination the Zoning Board of Appeals is required to consider certain factors, which are:

1. **Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties:** No. The property is located in a rural setting with dwellings spaced far apart. An active farm is located to the east and north of the property and the owner of the farm has no objections to the proposal.
2. **Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance:** No. The dwelling had to be relocated further back from the

road due to a large rock outcropping that caused the proposed deck expansion and pool to be located closer to the rear property line than had been anticipated earlier. The location of the proposed pool and deck expansion is the most conducive for the applicant's use.

3. **Whether the requested variance is substantial:** No. The proposed above-ground pool and deck expansion is not substantial for this 2.5 acre lot surrounded by farmland.
4. **Would the variance have an adverse impact on the physical or environmental condition in the neighborhood:** No. The above-ground pool and deck expansion will have minimal ground disturbance on the 2.5 acre lot, with a new septic system located away from the proposed location for the pool and deck. The dwelling is also supplied by Town public water.
5. **Whether the alleged difficulty was self-created:** No. The shallow limestone ledge caused the dwelling to be setback further from the road that subsequently triggered the need for the variance for the pool and deck expansion

**WHEREAS**, in review of the above 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. Based on the Board members' site visits and discussions before the Board at the public hearing the benefit to the applicant outweighs the detriment to the community and will not have significant adverse impacts on the character of the neighborhood or the physical or environmental conditions of the property

**WHEREFORE** a motion was made Chairman Graham and seconded by Member Ketchum, that this application be **APPROVED** with standard conditions and additional special conditions:

**SPECIAL CONDITIONS:** The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

. Condition No. 1 That the Site Plan dated April 18, 2013 and the Narrative dated April 22, 2013 prepared by Robert O. Eggleston, Architect, be followed; and

Condition No. 2 An as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

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

**Public Hearing**

Applicant: Gennaro Bruni  
27-20 27<sup>th</sup> Street  
Astoria, New York 11102

Property:  
1255 Longview Shores  
Skaneateles, NY 13152  
**Tax Map #054.-01-06.0**

Present: Robert Eggleston, Architect

No one requested to have the public notice read. The City of Syracuse Department of Water had no comments in their correspondence dated May 2, 2013.

Revised site plan and narrative dated June 3, 2013 was submitted reflecting modification to the proposed deck from 281SF to 285SF; and the shoreline patio has been reduced to 64SF with fireplace instead of the 272SF patio with fireplace originally proposed. The nonconforming 14,254SF property with 50.3FT of shoreline has a 4 bedroom dwelling 53FT from the lake line and .5FT from the north property line making it nonconforming. During recent renovations it was determined that the cottage needed to be raised three feet to achieve an elevation of two feet above the 100 year flood line. In doing so the applicant now needs to construct access to the dwelling. The impermeable surface coverage will be reduced to 17.9% from the existing 23%, and the open space will increase from 77% to 79.6%, as shown in the revised site plan. Proposed is a reduction of the circular driveway mostly occurring on the neighbor's property. Variances requested are for the nonconforming lot area and lake frontage; side yard setbacks for the deck located 3.4' from the property line with access steps located 2.7' from the north property line whereas 10.5' is required; and the lake yard setback for the new deck located 50' from the lake line whereas 100' is required.

Chairman Graham inquired on the fireplace proposed by the shoreline. Mr. Eggleston stated that applicant would like a fireplace near the shore that would have a total height of 6-8'. CEO Williams stated the as per code section 148-36A(1)( no fire pit can be constructed greater than two feet in height or 16SF in area. Mr. Eggleston stated that the design will be revised to comply with the code. Mr. Condon stated that the silt fence needs to be re-installed to properly control any runoff during construction.

**WHEREFORE** a motion was made by Vice Chair Rhoads and seconded by Member Tucker to declare this application to be a Type II action not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Chairman Graham opened the public hearing and asked if there was anyone wishing to speak in favor of the application. There was no one who wished to speak in favor of the proposal. Chairman Graham asked if there was anyone wishing to speak in opposition, or had any other comments. Chris. Fox, neighbor to the south, stated that he is concerned with changing the driveway on his property and their prescriptive easement on the Bruni property. They have had that access for over 75 years and Mr. Fox does not feel that consideration should be given to reduce his access as part of this proposal. He is in support of the variances requested

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by the neighbor as long as his access is not modified. . Mr. Eggleston stated that the driveway modification proposed could be discussed at the Planning Board meeting as it is under the Planning Board's purview. Submitted were signed letters of approvals from the surrounding neighbors.

**WHEREFORE** a motion was made by Member Condon and seconded by Vice Chair Rhoads to close the Public Hearing. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Counsel Molnar reviewed with the Board the statutory criteria set forth in Town Code Section 148-45D (a-e) for an Area Variance. Counsel stated that in making their determination the Zoning Board of Appeals is required to consider certain factors, which are:

1. **Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties:** No. The proposed deck is in keeping with other dwellings in the neighborhood that have decks. The existing dwelling is located less than one foot from the north property line with a door leading from the dwelling outside, which required that the deck encroach the north property line setback to provide safe egress from the dwelling.
2. **Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance:** No. Due to the original contractor's aggressive remodeling, the applicant was required to raise the dwelling to comply with FEMA regulations and thus created the need for the deck for access from the dwelling to the ground. The shoreline patio and fireplace have been reduced in size to minimize development of the small lot.
3. **Whether the requested variance is substantial; within 200 feet of Skaneateles Lake, any area variance that enlarges a building or enables it to encroach into a required lake yard shall be presumed to be substantial because of the cumulative risk of degradation of the lake posed by granting individual variances. This presumption is rebuttable:** No. The variance requested has been reduced in scope with the shoreline patio and fireplace condensed to 54SF from 272SF. The deck is within 50FT of the lake line, however it is needed to provide access from the raised dwelling to the ground. Open space will be increased from the existing 77% to 79.6%.
4. **Would the variance have an adverse impact on the physical or environmental condition in the neighborhood; within 200 feet of Skaneateles Lake, any area variance than enlarges a building or enables it to encroach into a required lake yard shall be presumed to have an adverse environmental impact because of the cumulative risk of degradation of the lake posed by granting individual variances. This presumption is rebuttable:** No. The dwelling is on piers and the deck will be raised within the FEMA regulations for the flood plain, with minimal soil disturbance for the construction of the deck.



5. **Whether the alleged difficulty was self-created:** Yes. The applicant commenced a substantial remodel that brought about the need to comply with FEMA regulations and raise the dwelling above the 100 year flood plain.

**WHEREAS**, in review of the above 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. Based on the Board members' site visits and discussions before the Board at the public hearing the benefit to the applicant outweighs the detriment to the community and will not have significant adverse impacts on the character of the neighborhood or the physical or environmental conditions of the property

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

**SPECIAL CONDITIONS:** The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1 That the revised Site Plan 1 and 2 of 2 dated June 3, 2013 and the revised Narrative dated June 3, 2013 prepared by Robert O. Eggleston, Architect, be followed; and

Condition No. 2 The applicant shall comply with all conditions imposed by the Town of Skaneateles Planning Board in connection with issuance of the Special Permit and/or site plan approval; and

Condition No. 3 The fireplace must comply with section 148-36A(1)(b) of the Town code.

Condition No. 4 An as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

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

Chairman Graham and Member Ketchum recused themselves as they are members of the Skaneateles Country Club.

**Public Hearing**

Applicant: Skaneateles Country Club  
3344 West Lake Street

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Skaneateles, New York  
**Tax Map #049.-02-02.1**

Present: Jim Fields, SCC General Manager; Tom Trytek, Engineer

No one requested to have the public notice read. The Onondaga County Planning Board had no comments in their correspondence dated May 22, 2013. The City of Syracuse Department of Water's letter dated June 3, 2013 had no comments. The NYS Office of General Services has issued an amended license for the project dated May 31, 2013. The DEC sent a letter of no jurisdiction in their correspondence dated April 24, 2013. The Department of the Army determined that a permit was not required from their offices in their correspondence dated March 8, 2013. The Onondaga County Sheriff's Department Marine Division had no comments regarding the proposal. A site visit was conducted on June 1, 2013.

Vice Chair Rhoads requested an explanation of why the existing shoreline structures calculations were different to what was approved in 2008. Mr. Trytek explained that the prior architect did drawings and measurements by hand and that his firm uses computer programs to accurately measure the structures off of the survey to determine the correct calculations. The existing calculations shown on the site plan dated March 20, 2013 of 34,147SF is the more accurate calculation of the 32,605SF total shoreline structures calculated and approved in 2008. The Board acknowledged the error and accepted the site plan existing shoreline calculations as correct and representative of the existing conditions. This decision is based on a more accurate technology available to provide accurate measurements.

Member Tucker noted that the applicant is requested three times the amount of shoreline structures as what the code allows. Mr. Trytek stated that the use is an existing marina and there is only a change in how the boats are using the lake – whether they are moored versus docked. The proposal for the dock expansion will not exceed the permitted mooring boundaries and will not disturb the lake bed. Storm events from the south can cause damage to the existing dock configuration. By rotating the southern end of the dock to be parallel to the shoreline will reduce potential damage from southern storm events and provide safer access for the boats.

The applicant had received a SEQR negative declaration prepared by NYS Office of General Services for the establishment of the dock marina in 2000 when the Planning Board issued a special permit; dimensional limitations were not regulated by the Town in 2000. In 2008 the applicant received a variance and special permit amendment for the shoreline stairs and total shoreline structures. The Planning Board rendered a SEQR negative declaration, determined on the short form as an Unlisted Action. Also in 2008 the Planning Board rendered a SEQR negative declaration on the long form for the parking lot proposal.

At this time Counsel Molnar recommended to the Board that the application be an Unlisted Action and reviewed the short form SEQR with the Board. In evaluating each of the criteria set forth in Part II (A) of the short form EAF, the Board determined that the action does not exceed any type I threshold. Part II (B) No. The Board did not find any significant adverse environment impacts. Part II (C) No, the dock expansion will allow for an additional 32 boat slips and

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provide safer access for the boats within the existing mooring area. The view from the north end of the lake is not altered and the proposed expansion of the floating docks will not be apparent. Floating docks are allowed in the existing mooring area with the proposed floating docks attached to the existing docks fastened to anchors with no disturbance to the lake bed. The proposal is a continuation of the existing use as a boat docking and mooring area. There will be no change in activity with the dock expansion as it will replace some of the current moorings. Part II (D) No, the Board determined that the project would not have any an impact on the environmental characteristics. Part II (E) No, the Board determined that there is no controversy related to potential adverse environmental impacts.

**WHEREFORE**, a motion was made by Vice Chair Rhoads and seconded by Member Condon to declare this application to be an Unlisted action, and after review of the SEQR short environmental assessment form, determined that the proposed action will not result in any significant adverse environmental impacts. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Vice Chair Rhoads opened the public hearing and asked if there was anyone wishing to speak in favor of the application. There was no one who wished to speak in favor of the proposal. Vice Chair Rhoads asked if there was anyone wishing to speak in opposition, or had any other comments. There was no one who wished to speak in opposition or had any other comments.

**WHEREFORE** a motion was made by Member Condon and seconded by Member Tucker to close the Public Hearing. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time Counsel Molnar reviewed with the Board the statutory criteria set forth in Town Code Section 148-45D (a-e) for an Area Variance. Counsel stated that in making their determination the Zoning Board of Appeals is required to consider certain factors, which are:

1. **Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties:** No. The proposed expansion of the dock slip with the addition of 32 slips will not change the character of the neighborhood as the proposed additional slips are located in the existing mooring area and will replace a portion of the moorings. The expansion of the slips is not readily visible from Shotwell Park at the northern end of the lake.
2. **Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance:** No. The expansion of the boat slips to the southern end is the most feasible location and will provide a safer ingress/egress for boats maneuvering at the Skaneateles Country Club marina.
3. **Whether the requested variance is substantial; within 200 feet of Skaneateles Lake, any area variance that enlarges a building or enables it to encroach into a required lake yard shall be presumed to be substantial because of the cumulative risk of**

**degradation of the lake posed by granting individual variances. This presumption is rebuttable:** No. The parcel has 22,533LF of shoreline and adding an additional 32 boat slips is not substantial as the expansion will occur within the designated mooring area. There will be no boat trailers stored on the Point as they will be store off-site on another parcel owned by the applicant.

4. **Would the variance have an adverse impact on the physical or environmental condition in the neighborhood; within 200 feet of Skaneateles Lake, any area variance than enlarges a building or enables it to encroach into a required lake yard shall be presumed to have an adverse environmental impact because of the cumulative risk of degradation of the lake posed by granting individual variances. This presumption is rebuttable:** No. The proposed dock expansion will consist of pressure treated wood and foam consistent with DEC guidelines and linked to the existing docks with no disturbance of the lake bed. The proposed straightening of the docks with the proposed additions docks will provide protection for the boats in the marina. All regulatory agencies such as the ACOE< Onondaga County Planning Agency, City of Syracuse Water Department and the Sheriff's Department regulating navigational waters have provide their approval for the proposal.

5. **Whether the alleged difficulty was self-created:** Yes.

**WHEREAS**, in review of the above 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. Based on the Board members' site visits and discussions before the Board at the public hearing the benefit to the applicant outweighs the detriment to the community and will not have significant adverse impacts on the character of the neighborhood or the physical or environmental conditions of the property

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

**SPECIAL CONDITIONS:** The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1                      That the Site Plan dated March 20, 2013 and the Narrative dated March 15, 2013 prepared by Thomas Trytek, Project Engineer, be followed; and.

Condition No. 2                      The Applicant shall obtain any approval necessary from the Skaneateles Town Planning Board for a Special Permit Amendment; and

Condition No. 1                      An as-built survey to be submitted to the Codes Enforcement Officer with verification of conformance of completed project within sixty (60) days of completion of the project

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

Chairman Graham and Member Ketchum rejoined the Board at this time.

**Initial Review**

Applicant:	Mike Boudreau & July Stafford	Property:
	6 North Riding Drive	1694 Amerman Road
	Pennington, New York	Skaneateles, NY 13152
		<b>Tax Map #063.-04-02.0</b>

Present: Robert Eggleston, Architect

The applicants are proposing the removal of the existing camp and constructing a two bedroom 955SF cottage conforming to required setbacks. The 11,282SF nonconforming lot has 101.2FT of water frontage and a seasonal watercourse located to the south property line. The variances requested include a lake yard setback of 62FT whereas 100FT is required, and 34.8FT from the watercourse whereas 100FT is required. The proposed two bedroom dwelling will be set on piers and the applicant intends to use the dwelling seasonally. A set of stairs to the lake will be replaced to provide safe access to the lake. The formal seawall and dock washed out in the 2011 storms and the proposed replacement 306SF dock will be constructed on Sonotubes. The proposed impermeable surface coverage will increase from 8.5% to 9.9%; the open space will decrease from 90.7% to 84.7%.

CEO Williams inquired on the status of the septic system and Department of Health comments. Mr. Eggleston stated that a holding tank is proposed to replace the existing chemical toilet. The City of Syracuse may not support the holding tank; however the DOH has the greater authority regarding the septic system approval.

The proposed steps to the lake are timber and pea stone to manage the steep slopes. Chairman Graham advised against flagstone as it gets slippery when wet. Run of crush may also be a better alternative than pea stone as it also can be difficult to maneuver. A site visit will be conducted on June 22, 2013.

**WHEREFORE** a motion was made by Vice Chair Rhoads and seconded by Member Tucker to schedule a Public Hearing on *July 2, 2013 at 7:20 pm*. The board being polled voted in favor of said motion.

Member Ketchum excused herself for a family emergency at 9:30 p.m.

**Amendment**

Applicant: John & Deborah Sheldon  
725 Sheldon Road  
Skaneateles, NY 13152  
**Tax Map #023.-01-17.1**

Present: Robert Eggleston, Architect

The applicant is proposing a modification to the proposed 524SF permeable patio located at the northeast corner of the dwelling. The new impermeable concrete patio will be 464SF, increasing the impermeable surface coverage from 5.7% to 6.3%. The remodel has been a phased renovation over the last year and a half.

**Whereas**, 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; and

**Whereas**, the Skaneateles Zoning Board of Appeals reviewed the Revised Site Plan disclosing said changes, and after due consideration, unanimously adopted the following resolution.

**WHEREFORE**, a motion was made by Chairman Graham and seconded by Vice Chair Denise Rhoads, and duly adopted, approving the changes as presented by Architect Eggleston in the Application, and approving the Revised Site Plan dated May 24, 2013 as an addendum to the original Resolution adopted on April 5, 2011, subject to all of the original conditions, and that such prior Resolution is hereby ratified and confirmed, as amended hereby, currently dated to extend the Applicant's time to fulfill the required conditions as if said Resolution was dated the date hereof.

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

**Amendment**

Applicant: Mike & Karen Fabrizio  
637 Franklin Street Road  
Skaneateles, NY 13119

## **Tax Map #047.-02-09.0**

Present: Robert Eggleston, Architect

The applicants would like to modify the approved deck by a 1' expansion. The revised 269SF deck is an additional 14SF larger than the 2012 approved deck. Open space will be reduced from 88.8% to 88.7%.

**Whereas**, 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; and

**Whereas**, the Skaneateles Zoning Board of Appeals reviewed the Revised Site Plan, and after due consideration, unanimously adopted the following resolution.

**WHEREFORE**, a motion was made by Chairman David Graham and seconded by Vice Chair Denise Rhoads, and duly adopted, to approve the changes presented by Architect Eggleston, and approve the Revised Site Plan dated May 31, 2013, as an addendum to the original Resolution adopted on June 7, 2011 with all of the original conditions and that such prior Resolution is hereby ratified and confirmed, as amended hereby, currently dated to extend the Applicant's time six months to fulfill the required conditions as if said Resolution was dated the date hereof.

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

### **Discussion**

Chairman Graham will not be in attendance at the July 2, 2013 Zoning Board of Appeals meeting however, there will be a quorum present.

There being no further business a motion was made by Chairman Graham and seconded by Member Condon to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 9:40 p.m.

Respectfully Submitted,

Karen Barkdull