

**TOWN OF SKANEATELES  
ZONING BOARD OF APPEALS  
MEETING MINUTES OF  
November 12, 2024**

**Present:**

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

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

**Minutes**

Previous distribution to the Board of the regular meeting minutes of September 10, 2024, and October 8, 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 October 8, 2024, minutes to the December 3, 2024, meeting for additional time to review. All Members agreed to table the acceptance of the October 8, 2024, minutes to December 3, 2024.

**WHEREFORE**, a motion was made by Member Ketchum and seconded by Vice Chair Palen to accept the September 10, 2024, minutes as submitted. The Board having been polled resulted in unanimous affirmation of said motion.

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

**Public Hearing**

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

This application is for a proposed deck on a nonconforming lot. Applicant, Meredith Torrison was present with Design Professional, Robert Eggleston, PC.

Mr. Eggleston explained that the lot is nonconforming in that it is less than 15,000 SF, and 66.8 feet from the lake, where 75 feet is required. Essentially any redevelopment would require a variance. The lake yard was made less nonconforming in that it was reduced from 125 feet to 117.8 feet, where 100 feet is required.

The property currently has a small porch on the lake side. The Applicant would like to replace this with a reasonably sized deck on the lake side to enjoy the property. The Torrison's live in the Village and purchased this property as their summer home.

The Applicant is proposing a 14 x 35.5-foot deck to conform with all required setbacks. It will be over 117 feet from the lake. Existing total lot coverage is 18.3%, and they are proposing 20%, which is allowed. The excess impermeable surface coverage will be reduced to make less nonconforming. Existing nonconforming ISC is 16.3%, with 15.3% being proposed. 10% is allowed by the current Zoning Code. The Applicant will be contributing to the Town's DRA Fund. The application will go to the Planning Board for Site Plan Review and a Special Permit in that it is required for redevelopment.

Vice Chair Palen noted that the lot is very small.

The Board had no questions or further comments.

Board Members conducted a site visit on October 26, 2024.

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 Vice Chair Palen and seconded by Member Kiefer 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. No Comments were made.

Chair Rhoads stated that a letter of support from neighbor, Ms. Bauman at 2525 East Lake Road, had been received by the Board and was entered into the record.

At this time, 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 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. The ZBA found that the requested variance would not produce an undesirable change to the neighborhood or nearby properties. The neighborhood consists of small and medium sized year-round and seasonal homes, on relatively small lots. The existing dwelling is small at only 1078 SF, with a 527 SF detached garage. The home currently has no usable outdoor living space. The proposed lake facing deck on the west side of the home will enhance the exterior and improve the character of the neighborhood. The proposed deck will not be visible from the road. The neighbor to the north, who would be the most impacted by the proposal, submitted a letter of support. The minimum lake yard frontage will not be made any more nonconforming.

**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 (Via Zoom)	<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 current Zoning Code.

**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 (Via Zoom)	<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: No, by unanimous vote. The ZBA found that the requested variance is not substantial. The lot is currently nonconforming in a number of areas, but the plan calls for a slight decrease in nonconformity of building floorspace, building footprint, and impermeable surface coverage. Although total lot coverage will increase, it will remain conforming. The deck will be built on posts and footings and the construction process will cause minimal disturbance to the overall site. The proposed deck will meet the required lake yard and side yard setbacks, and there have been reductions in other existing nonconformities on the property.

**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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE (Via Zoom)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input 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. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The plan calls for construction of a 497 SF deck on the rear of the structure, facing the lake. The proposal reflects a slight reduction in building floorspace, building footprint, and impermeable surface coverage, improving said nonconformities. The proposed permeable deck will be located 117.8 feet from the lake and the north yard setback will be improved and made conforming. The proposal maintains the existing nonconforming front yard and road setbacks.

**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 (Via Zoom)	<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, by majority vote as reflected below.

Three (3) Board Members found that the alleged difficulty was self-created.

Two (2) Board Members found that the alleged difficulty was not self-created. This is a preexisting nonconforming lot with overall size less than 20,000 SF. Under the current Zoning Code, a variance would be needed for any type of development on the property. The existing dwelling and detached garage were constructed prior to the current Zoning Code. The proposed deck is conforming, and the application improves several existing nonconforming components.

**QUESTION 5 RECORD OF VOTE**

<b>MEMBER NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" 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 (Via Zoom)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**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 Member Kris Kiefer, 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

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.

**RECORD OF VOTE**

<b>MEMBER NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
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 (Via Zoom)	<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: David & Judy Fennessy  
883 Franklin Street  
Skaneateles, NY 13152

Property: 883 Franklin Street  
Skaneateles, NY 13152  
**Tax Map #047.-04-02.2**

Present: Laura Molloy, SPACE Architectural Studio, PC

This application is for a proposed single-story master suite addition to a dwelling on an existing nonconforming lot, as well as a patio and screened area added to an existing deck. Lauren Molloy, of SPACE Architectural, PC was present to represent the Applicant.

Ms. Molloy stated that this was a modest sized home on an undersized lot of about 1/3 acre. The Fennessy’s are interested in single level living as they age. The house currently has about 750 SF on the first level. The Applicant is hoping to create a first-floor master suite, add a patio, and turn the existing deck into a screened porch. There is no alternative to the plan in terms of a feasible way to achieve the goal of all first-floor living. Currently the first floor has a kitchen, living room, and small powder room.

Ms. Molloy added that all requested variances are preexisting nonconforming, and there would be no change to setbacks. All variances requested are in relation to the small 1/3-acre lot. The addition is being proposed on the rear of the house where it will be minimally visible, if at all, from the street front.

Clerk Barkdull noted that the lot is uniquely served by public water and sewer, even though it is in the Town.

Vice Chair Palen stated that the increase in total lot coverage is quite large. This property is at 21% where 20% is allowed, and they are proposing an increase to 26.42%.

Ms. Molloy stated that although this seems like a large increase, it's due to the size of the lot. The master suite itself is under 600 SF, which they feel is reasonable considering the already modest size of living space in the home. This includes both bath and closet.

Clerk Barkdull noted that there was question over whether or not there was a watercourse near the rear of the property. She could not find it classified as such in any maps or systems the Town has. The west side of Franklin has a lot of water- this property is on the east side. If truly a watercourse, then a variance is required.

Vice Chair Palen asked who would determine if it were a watercourse. Chair Rhoads asked Counsel Molnar if this would be the ZBA's determination upon visiting the site.

Counsel Molnar stated he believes it would be the call of the ZBA but they could also consult C&S Engineers if necessary. He added that as Clerk Barkdull stated, it is not defined as a watercourse on any maps or databases that we have and therefore thinks it is reasonable that the ZBA make a determination based on their observations at the site visit.

Ms. Molloy stated that the Fennessy's are willing to work with the Town to improve the conditions.

Clerk Barkdull noted that they had an application on the Planning Board Agenda for the month of November.

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

Board Members will conduct a site visit on November 16, 2024, at 9:00 am. Member Kiefer will conduct a separate site visit if unable to attend.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for December 3, 2024, at 7:02 pm.

**WHEREFORE**, a motion was made by Vice Chair Palen and seconded by Member Ketchum to schedule a public hearing for December 3, 2024, at 7:02 pm. The Board having been polled resulted in unanimous affirmation of said motion.

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

## **Initial Review**

Applicant: SUNN 1017, LLC  
700 West Metro Park  
Rochester, NY 14623

Property: Jordan Rd. / Vinegar Hill Rd.  
Skaneateles Falls, NY 13153  
**Tax Map A #018.-04-31.1**  
**Tax Map B #018.-04-29.1**

Present: Andrew VanDoorn, President, Abundant Solar Inc.  
Matt McGregor, Sr. Director, Abundant Solar Inc.  
Jillian Blake, Engineering Consultant, Barton & Loguidice, D.P.C.  
Rebecca Minas, Sr. Engineer, Barton & Loguidice, D.P.C.

This application is for a proposed solar redevelopment project, to span across two contiguous remedial lots on Jordan Road and Vinegar Hill Road. The lots in question are the former site of the Stauffer Chemical Company.

Andrew VanDoorn, President of Abundant Solar Power; and Jillian Blake, of Barton & Loguidice, D.P.C. introduced themselves before presenting their plan to the Board. Matt McGregor, Senior Director, Abundant Solar Power; and Rebecca Minas, Senior Engineer, Barton & Loguidice D.P.C. were also present.

Mr. VanDoorn stated that their application consisted of three (3) projects, which are all Community Solar, having a limit of five (5) megawatts each. Because of the five (5) megawatt limit each, they would have to divide the site into three (3) separate projects. He explained that a ballasted system would be installed on concrete blocks, so as to refrain from any perforation of the ground due to the nature of the capped areas.

Ms. Blake stated that they were requesting a variance for lot coverage. 25% is allowed for Community Solar Projects. They are asking for 40% to allow greater use of the site and to make the project cost-effective. Ms. Blake stated that she sees this proposal as a good use for a site that is limited in terms of other potential uses. A ballasted system must be used and there are a lot of considerations that must go into place for developing solar on a remediated site such as the one being proposed. She added that given the history, this means of development is more expensive which is why they are looking to increase lot coverage to 40% across the two parcels.

Mr. VanDoorn stated that sites do have interconnections and that it has been confirmed by the utility that there isn't interconnection capacity to actually connect them to the grid. This is where they will need a Special Permit and Site Plan Review from the Planning Board.

Member Ketchum asked who would benefit from this project.

Mr. VanDoorn stated that they would do an outreach to the Town and Village, as was done with the system at the Transfer Station. The savings would be passed on to the local residents, then if more subscribers were needed, that outreach would move on in terms of geographic spread. It would create an opportunity for other Town and Village residents as they could also become subscribers.

Clerk Barkdull asked the Applicant to outline each of the three (3) arrays. She was only aware of two being proposed.

With the site plan on the screen, Ms. Blake pointed out where each of the arrays would be located. Two (2) would be installed in the front, nearest Jordan Road, and one (1) would be installed in the back, nearest Vinegar Hill Road.

Vice Chair Palen asked if the proposed arrays would cover the entire lot.

Ms. Blake stated that yes, they would span across the two (2) lots with 36% coverage for all three (3) projects.

Chair Rhoads asked if the three projects would be constructed at the same time. Mr. VanDoorn confirmed that they would be constructed at the same time.

Clerk Barkdull noted that the cut sheets from the plan were not supplied to the Board in digital format and would be helpful in their understanding of how the ballast solar arrays would be constructed.

Ms. Blake stated that these projects are an excellent opportunity to utilize otherwise unusable land. She noted that they have shown what they can do with ballasts and keeping everything above grade so there would be no digging- soils would be untouched, noting that greater expense comes along with that method of construction. Buffers and fencing also add to the expense.

Member Ketchum asked if these would be stationary panels. Ms. Blake confirmed that they would be stationary.

Member Lee asked if he understood correctly that there were panels being proposed within 100 feet of Vinegar Hill Road.

Rebecca Minas, Senior Engineer with Barton & Loguidice introduced herself and stated that the setback would be 100 feet, which is compliant. She added that they would also be maintaining a 100-foot setback from the creek and the wetlands portion of the site, even though they're not necessarily deep sea wetlands. They had completed wetland delineation.

Chair Rhoads asked if there was any proposed screening of the site.

Ms. Blake stated that they had not yet completed that package for submittal to the Planning Board for a Special Use Permit and Site Plan Review, adding that she assumed there would be screening included in those packages.

Counsel Molnar asked when the Applicant planned to submit an application to the Planning Board.

Ms. Blake stated that they planned to have their submissions in before the December meeting.

Counsel Molnar then stated that generally speaking, the ZBA prefers to deliberate on applications for variances when there is an application pending before the Planning Board, if that is a required part of the project, so as not to grant a variance in a vacuum.

Ms. Blake stated that there is quite a bit of work that goes into visual analysis, and noise impacts, for example. Their team thought if they were going to have to cut this proposal in half or make other changes, they wanted to start by seeing what the immediate thoughts of the ZBA were. She added that any changes they became aware of after their initial presentation and conversation with the ZBA, they would move forward with preparing everything else based on the proposed layout.

Member Ketchum stated that one of the issues they came across with the last community solar proposal was the aspect of visual from the nearby residential homes. She wondered if the neighboring properties would be able to see the array from their location.

Ms. Blake stated that there would be good screening, some of which was existing, but ultimately dependent on elevation.

Vice Chair Palen wondered what the typical lifespan is on these arrays.

Mr. VanDoorn stated that the project was a 25-year contract. The lifespan of the technology itself is greater than that though.

Clerk Barkdull asked where they were proposing to put the power poles on the plan.

Ms. Blake stated that they would be installed on the end nearest Jordan Road.

Clerk Barkdull wondered if the power poles would be ballasted as well since a lot of the capped area was in that location.

Ms. Blake stated that they would not be ballasted. A contractor specializing in hazardous materials would need to be hired to handle disturbance of the soil. She added that she had been helping the City of Cortland with a similar type of site. Stockpiled plastic would be utilized. Ms. Blake also stated that they usually have an access site on a landfill site but in this case, the site was filled edge to edge.

At this time, Chair Rhoads asked the Board if there were any questions for the Applicant and their Representatives. There were no further questions.

Board Members will conduct a site visit on November 16, 2024, at 10:00 am. Member Kiefer will conduct a separate site visit if unable to attend.

At this time, Chair Rhoads asked Counsel Molnar what his thoughts were regarding scheduling a Public Hearing, based on the filing of an application with the Planning Board.

Counsel Molnar recommended that the Board move forward with a site visit and continue to advance the application but not schedule a public hearing until the application was complete by way of material submitted to the Planning Board for a Special Permit Application.

At this time, Chair Rhoads adjourned the review and scheduled continued review for the December 3, 2024, ZBA meeting.

**Initial Review**

Applicant:	James & Mary Fox 1431 Thornton Heights Road Skaneateles, NY 13152	Property:	1430/1431 Thornton Hgts Rd Skaneateles, NY 13152 <b>Tax Map #057.-01-26.0/057.-01-25.0</b>
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Present: Robert Eggleston, Eggleston & Krenzer Architects, PC  
Jim Fox, Applicant

This application is for the proposed construction of a detached two car garage with attic storage and a deck with exterior stairs. Applicant, Jim Fox, and his Design Professional, Robert Eggleston, PC, were in attendance.

Mr. Eggleston stated that the property consists of two separate tax parcels which were essentially combined out of necessity. There are two separate tax map numbers, street numbers, but one owner utilizes them as a single residence. The lots are split by Thornton Heights Road. They are treating the lots as one property for the purpose of zoning.

The lot is 22,000 SF with 87.7 feet of lake frontage. The lakeside property (057.-01-26.0) was developed several years ago with a single-family dwelling. The septic, parking area, and shed are on the back lot (057.-01-25.0).

Now that the Applicant is living there fulltime, they would like to have a garage. They are proposing a 24 x 28-foot detached garage on the back lot. It has been designed to accommodate two vehicles, a lawn mower, and a utility vehicle. They designed the garage to accommodate those needs and added a 6.7-foot-high attic space for storage of items such as kayaks, canoes, patio furniture, etcetera. The garage will be set into the grade which allows for attic space without adding so much height. The garage will only sit at 17 feet from average grade to the peak on the side. All exterior finishes and siding will match the houses shingles and detailing.

Mr. Eggleston stated that they are requesting variances for potential living space, which will increase to 12% where 10% is allowed; and building footprint, which will increase to 8.6% where 6% is allowed. The construction of a garage will eliminate having cars parked outside, as well as the other added benefits of having a garage.

Mr. Eggleston asked if the Board had any questions.

Member Ketchum asked about the necessity of the external stairs with deck.

Mr. Eggleston stated that this was to provide attic access without having to go all the way around to the other door. He added that this was something they could consider eliminating. The purpose of the deck was that he had to pull the stairs out about four feet and bridge the gap over the retaining wall which leads to first floor man door. He could simplify this to satisfy the Board.

Vice Chair Palen asked how this would change the proposal.

Mr. Eggleston stated that total lot coverage would decrease if the stair plan were simplified.

Vice Chair Palen then asked whether the septic for the house was located across Thornton Heights Road.

Mr. Eggleston and Mr. Fox stated that yes, the septic tank pump chamber is on the east side, built with the house. Mr. Fox added that the leach field used to be on the east lot and was relocated to the west lot, where they now pump up to.

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 November 16, 2024, at 9:30 am. Member Kiefer will conduct a separate site visit if unable to attend.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for December 3, 2024, at 7:10 pm.

**WHEREFORE**, a motion was made by Vice Chair Palen and seconded by Member Ketchum to schedule a public hearing for December 3, 2024, at 7:10 pm. The Board having been polled resulted in unanimous affirmation of said motion.

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

### **Discussion**

- The next ZBA Meeting will be held on December 3, 2024, at 7:00 pm.
- The next P&Z Staff Meeting will be held on January 16, 2025, at 6:30 pm. The November time slot was being used for the Reassessment meeting.
- The next Shoreline Committee Meeting will be held on November 14, 2024.
- Chair Rhoads asked Councilor Tucker, who was present via Zoom, if he had anything to add.

Councilor Tucker stated that the Solar proposal was something for the Board's to think about. He noted that the proposed property is not ideal for other types of development.

- The Board discussed the Town's solar code and clarified the changes made. Clerk Barkdull reviewed the change in setbacks to 100 feet and exclusions from proximity to the Lake. She also outlined the types of arrays in the code.

Chair Rhoads wondered if the array on West Lake Road was a community array. Clerk Barkdull confirmed that it is a community array.

The array on Rose Hill Road was noted as another local project that had been completed.

Clerk Barkdull reviewed the Stauffer property remediation map provided to the Board and its usefulness in understanding where caps were located on remediation sites in general.

- Member Kiefer asked Clerk Case if she could recirculate the previously approved application with a detached garage and exterior stairs and a landing as reference material in reviewing the Fox Application as to be thorough and fair in the review and decision.
- Counsel Molar recommended that in an instance where they have an application pertain to two separate parcels, which were being reviewed as one lot for the purpose of zoning, that any variance granted only apply given both parcels remain under one owner. Counsel Molnar also reminded the

Board that all required applications, to both Boards, must be complete prior to proceeding with any application.

There being no further Board business, a motion was made by Member Kiefer and seconded by Vice Chair Palen to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:02 pm.

Respectfully Submitted,

Aimie Case  
ZBA Clerk

**Meeting Attendees:**

Bob Eggleston, Eggleston & Krenzer Architects  
Laura Molloy, SPACE Architectural Studio  
Meredith Torrisi, Applicant  
Jim Fox, Applicant

Andrew VanDoorn, Abundant Solar Inc.  
Matt McGregor, Abundant Solar Inc.  
Jillian Blake, Barton & Loguidice, D.P.C.  
Rebecca Minas, Barton & Loguidice, D.P.C.

**Meeting Attendees Via Zoom:**

David Lee, ZBA Member  
Councilor Mark Tucker  
Paula Powell