

**EGGLESTON & KRENZER ARCHITECTS, PC**

The Trolley Bldg

1391 East Genesee Street

Skaneateles, New York 13152

January 26, 2026

Town of Skaneateles ZBA and Planning Board  
24 Jordan Street, Skaneateles, NY 13152

Re: Mark Byrne Apartments – Variance, Special Permit  
3814 Fennell Street Tax Map # 045.-03-22.0

**NARRATIVE**

3814 Fennell Street is 63,506 SF, has 250.5 ft of road frontage on Fennell Street and is improved with a single-family dwelling with detached garage, accessory structures, septic and is served by Town water. The western portion of the lot is relatively level with the east portion steep slopes between 12% and 30% that have mature trees on it. The property is surrounded by other one and two family dwellings, St Mary's Cemetery and the Village DPW buildings and sewage treatment plant. It is in the Highway Commercial District and outside the Lake Watershed Overlay District. The ISC and TSC are 9.0%.

This application is to construct six two-bedroom, multi-family dwellings including one accessible unit. Each unit will have an entry porch, back deck and one-car garage with an additional parking space in front. Four additional parking spaces are provided on site for guests parking. A septic system is being designed along the west side of the lot. The ISC will be 20.3% and TSC 21.2% whereas 50% and 60%, respectfully, are allowed in the HC district. The apartment building exceeds the required minimum setbacks.

Multi-Family Dwellings are allowed by Special Use Permit and the Comprehensive Plan encourages alternative housing especially in the HC and HM districts outside the Lake Watershed. The required lot size in the HC district with Town water is 0.5 acres. This lot is 1.46 acres and at 4 dwelling units per acre would be allowed six dwelling units. The lot has 37,897 SF of steep slopes greater than 12% which is 59.7% of the lot leaving 0.58 acres of non-constrained land. This would allow only 2 dwelling units yet three single family dwellings could be built on the same lot and the 12% to 30% steep slope land is buildable with proper erosion control measures. Section 148-5-5 A.4.b allows the Planning Board to determine the appropriate density for any multi-family dwelling project on a case-by-case basis.

Section 148-5-5.A.4.d requires 50% of the site, with no more than 15% constrained land to be preserved as Open Space. In the HM district outside the LWOD, this is 25% as open space. Sections 148-5-5.A.4.e & 148-10-13C allows the Planning Board to determine the appropriate amount of preserved open space for projects other than open space subdivisions. This application is proposing that 37.1% of the lot be designated preserved open space which is 30 feet from the apartment buildings and its decks. Most of this space is steep sloped area greater than 12% and has mature trees on it. This will provide a buffer to the adjacent residential lot in the RR district.

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The preserved open space land is required to have a 100 ft setback to the primary structure if both are on the same lot. (Section 148-10-13.D) The proposed site plans shows a 30 ft set back, which is the required rear yard setback in the HC district. The preserved open space area could be subdivided as a flag lot or an Area Variance could be granted to avoid this extra step.

The applicant requests an informal, Planning Board pre-application review of the Major Special Permit project and an area variance for the 30 ft setback to the preserved open space whereas 100 ft is required on a single lot.

## AREA VARIANCE CRITERIA

The following criteria should be considered in granting an area variance:

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

Granting the requested variances will not change the character of the neighborhood or be a detriment to nearby properties. The neighborhood currently has mixed uses of one and two family dwellings, St Mary's Cemetery and the Village DPW buildings and sewage treatment plant and is located in the HC zoning district. Multiple family dwellings is an appropriate use in this location as encouraged by the Comprehensive Plan.

- 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.*

The benefit sought by the applicant could be achieved by a method other than an area variance but would require the subdivision of the existing 1.46 acre lot to create a 0.54 acre flag lot to be used as a preserved open space lot. This would create an extra, needless step that could create ownership and management issues in the future.

- 3) *Whether the requested area variance is substantial.*

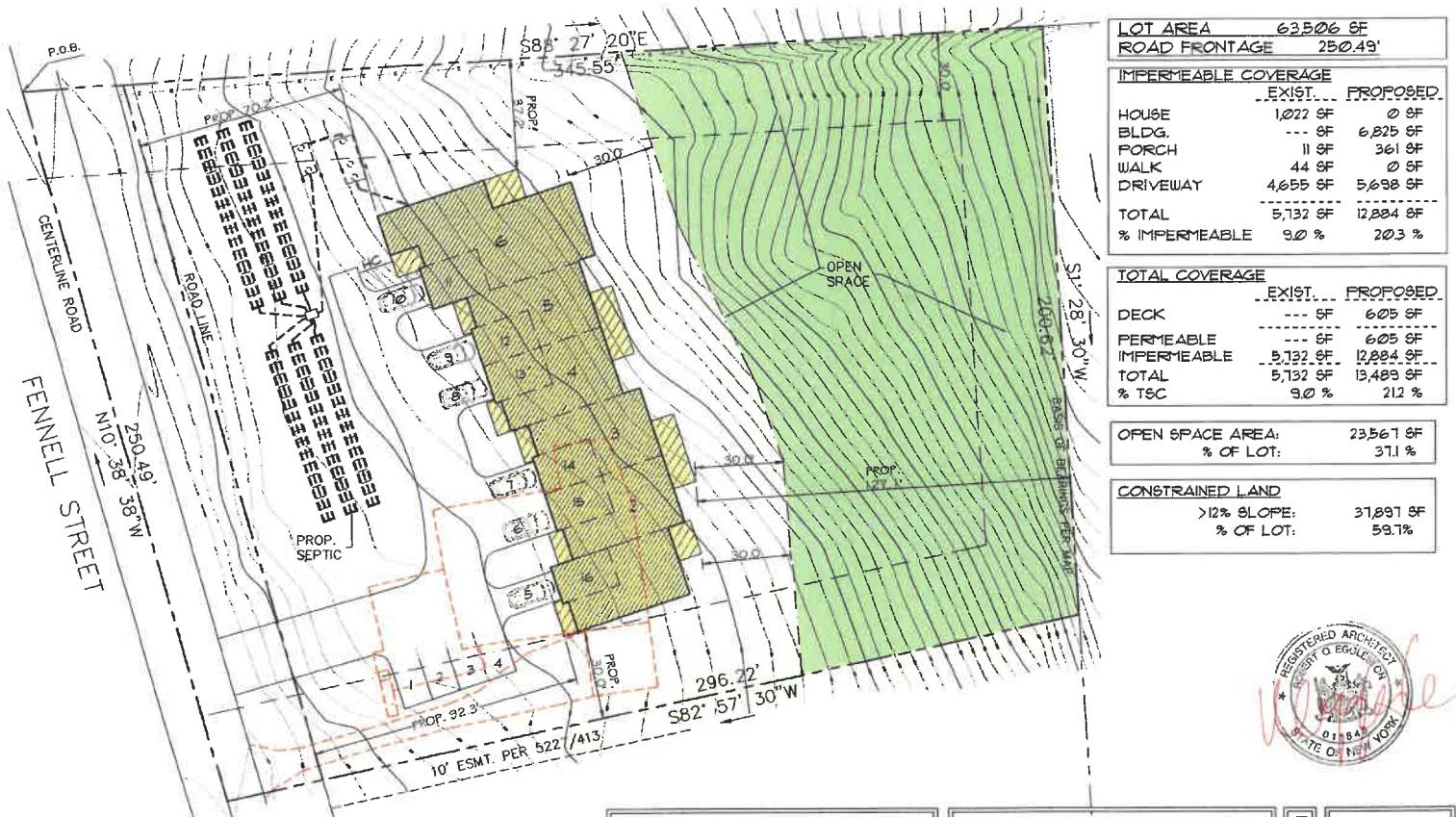
The requested variance is not substantial. The proposed 30 ft setback to the open space area is the same as the required rear yard setback if the lot were subdivided and yields the same result without the need to create a separate flag lot.

- 4) *Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.*

Granting the requested variances will not have an adverse effect on the physical or environmental conditions of the neighborhood. The ISC is proposed to be 20.3% and the TSC is proposed to be 21.3% whereas 50% and 60% are allowed. A new septic system is being designed for the proposed use and the property is served by Town water. Stormwater management will be designed into the final site plan.

- 5) *Whether the alleged difficulty was self-created, which shall be relevant to the decision of the Board but which shall not necessarily preclude the granting of the area variance.*

By virtue of making application, one can state that this is self-created. The property is in the HC district and surrounded by a number of different uses. Multi-family dwellings are encouraged by the Comprehensive Plan to be located in areas like this. Granting the variance will allow reasonable priced alternative housing in this HC district without having to create a separate open space flag lot.



#### SITE PLAN

SC.: 1"=30'-0"

SITE INFORMATION IS OBTAINED FROM SURVEY  
 DONE BY PAUL J. OLSZEWSKI, P.E., L.L.S. DATED 10/03/2023  
 ADDITIONAL INFORMATION BY EGGLESTON & KRENZER  
 ARCHITECTS P.C.

NORTH

**architect**  
 EGGLESTON & KRENZER, ARCHITECTS PC  
 1391 EAST GENESEE STREET  
 SKANEATELES, NY 13152  
 (315) 685-8144

#### MARK BYRNE

APARTMENTS  
 3814 FENNELL ST.  
 TN. OF SKANEATELES, NY

PROJ: 24073

DATE:  
 20 JAN 2026

**1 OF 1**



**a r c h i t e c t**

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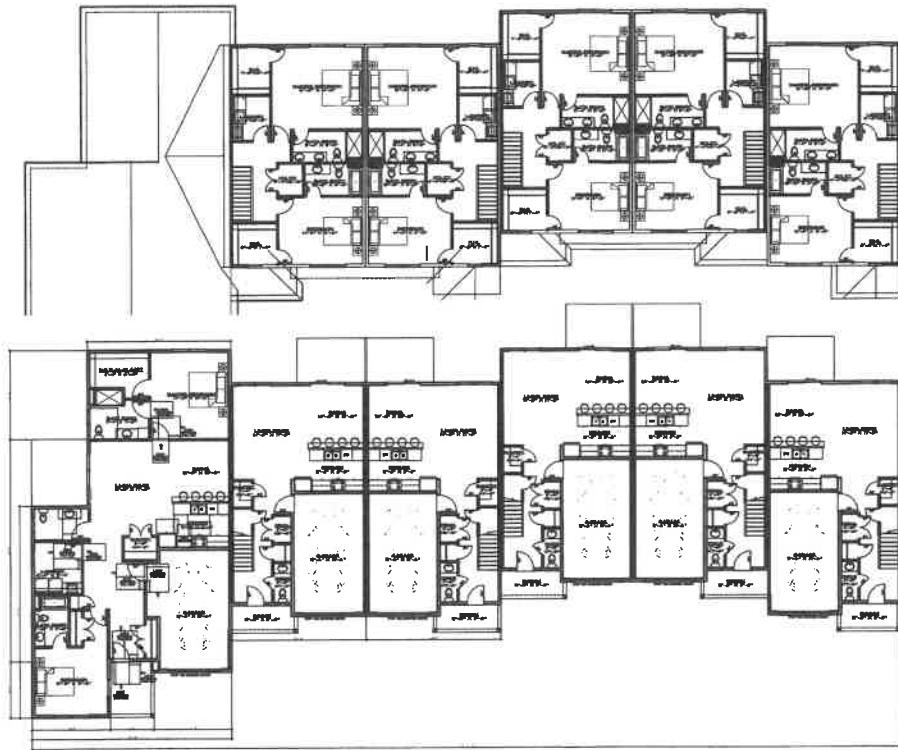
**ELEVATION**

MARK BYRNE  
3814 FENNELL STREET  
TOWN OF SKANEATELES, NY

PROJ: 24073

**DATE:**

1 OCT 2025  
20 JAN 2026  
**1 OF 2**



**TYPICAL UNIT**

MARK BYRNE  
3814 FENNELL STREET  
TOWN OF SKANEATELES, NY

**architect**

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PROJ: 24073

DATE:  
11 FEB 2025  
earlier 2026

**2 OF 2**