

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF
February 3, 2026**

Present:

Denise Rhoads, Chair
David Palen
Sherill Ketchum
Kris Kiefer
Jim Condon
Scott Molnar, Attorney
Karen Barkdull, Planner
Aimie Case, ZBA Clerk

Chair Rhoads opened the Zoning Board of Appeals meeting at 7:00 pm.

Minutes

Previous distribution to the Board of the regular meeting minutes of December 2, 2025, was executed, and all Members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Ketchum and seconded by Vice Chair Palen to accept the December 2, 2025, minutes as submitted. 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 | Sherill Ketchum | Present [Yes] |
| Member | Jim Condon | Present [Yes] |

Chair Rhoads stated that the Board would table the acceptance of the January 6, 2026, meeting minutes to the March 3, 2026, meeting.

Public Hearing

| | | | |
|------------|---|-----------|---|
| Applicant: | Meghan & Owen Wing 3819 Sadler Road Skaneateles, NY 13152 | Property: | 3819 Sadler Road Skaneateles, NY 13152 Tax Map #033.-02-04.0 |
|------------|---|-----------|---|

Present: Meghan Wing, Applicant (via Zoom)
Owen Wing, Applicant (via Zoom)

Chair Rhoads stated that this application is a variance request related to a proposed deck and patio on a nonconforming lot. The area variances requested are for maximum lot coverage and ISC. The Applicant is proposing an increase in maximum lot coverage from 20.1% to 20.7% whereas 20% is allowed, and an increase in ISC from 16.4% to 17.6% whereas 15% is allowed for lots under 2 acres outside of the LWOD.

Applicants Meghan and Owen Wing were present via Zoom and represented themselves.

At this time Chair Rhoads asked the Applicants if they had questions for the Board before moving forward. There were no questions.

Board Members conducted a site visit on January 24, 2026. The Applicants were present.

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.

At this time, Chair Rhoads asked for a motion to open the Public Hearing.

WHEREFORE, a motion was made by Member Kiefer and seconded by Member Condon to open the Public Hearing. The Board having been polled resulted in unanimous affirmation of said motion.

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

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

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

Record of Vote

| | | |
|------------|-----------------|---------------|
| Chair | Denise Rhoads | Present [Yes] |
| Vice Chair | David Palen | Present [Yes] |
| Member | Kris Kiefer | Present [Yes] |
| Member | Sherill Ketchum | Present [Yes] |
| Member | Jim Condon | Present [Yes] |

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 as reflected below. Board Members found that the

requested variance would not produce an undesirable change to the neighborhood or nearby properties. The property currently has an aged deck in need of repairs which will be replaced with a new deck and patio that will connect the house to the in-ground pool area. The new deck and patio will provide a safe area around the pool and will be in compliance with current pool safety laws. Repairs and safety considerations to the pool code are an important piece of why these improvements will not produce an undesirable change. The proposed changes will be at the rear of the house and mostly unseen from the front. The proposed impermeable paver patio is part of the reason the preexisting nonconforming ISC will increase. However, the purpose of this paver choice is that the distance required between permeable pavers is greater than that of impermeable pavers and is more of a safety and tripping hazard for children.

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 SHERILL KETCHUM | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Member JIM CONDON | <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 as reflected below. Board Members found the benefit sought by the Applicant cannot be achieved without the granting of an area variance. This is a preexisting nonconforming 0.69-acre lot in that the current ISC and TLC area exceed what the code currently allows. The proposed project will result in a minimal increase to the existing, with ISC increasing by 1.2% and TLC by 0.6%. Although the use of permeable pavers would result in a more minimal variance request, they would not achieve the same safety benefits the Applicant has sought to achieve with the proposed impermeable pavers due to tripping hazards caused by spacing between pavers.

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 SHERILL KETCHUM | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Member JIM CONDON | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

3. Whether the requested variance is substantial: Yes No

Reasons: No, by unanimous vote as reflected below. Board Members found that the proposed variance is not substantial. This property is not near the Lake. The existing 16.4% ISC will increase by 1.2% to 17.6% where 15% is allowed, and the existing 20.1% TLC will increase by 0.6% to 20.7% where 20% is allowed. While the proposed changes make the ISC and TLC more nonconforming, the increases are minimal in regard to the changes that are needed to improve the pool area and make it more usable and safer for family use. The Applicant plans to add a flowering native meadow to the front of the property, which will be professionally installed. The meadow will help mitigate any potential runoff. The dimensional requirements, including road frontage, front yard setback, and side yard setbacks will remain within what is allowed by the current code. With regard to maximum lot size, the proposed increases are minimal. Increased ISC typically draws a particular level of scrutiny and any increases over 1% are largely thought to be substantial. However, that scrutiny is overcome in this particular instance by the location of the improvements, the installation of a native meadow, and the safety considerations presented by the Applicant.

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 SHERILL KETCHUM | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Member JIM CONDON | <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 as reflected below. Board Members found that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The addition of a paver patio represents the majority of the increase in ISC and TLC. It makes sense to add a hardscape area that will allow for direct and safe access from the deck to the pool area and assist in maintaining the pool’s cleanliness versus the existing grass. The proposed paver patio will provide a nice area for lounging closer to the pool and a safer environment for the Applicant’s children. The proposed meadow will have a positive impact on the environment and will help mitigate any potential runoff. The existing deck is in poor condition with loose railings and was built at the same level as the sliding glass door, allowing snow and water to enter the house. The new deck will be built at a lower level which will mitigate this issue and be an improvement.

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 SHERILL KETCHUM | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Member JIM CONDON | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

Reasons: Yes, by unanimous vote as reflected below. The ZBA found that the alleged difficulty was self-created.

QUESTION 5 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 SHERILL KETCHUM | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Member JIM CONDON | <input checked="" type="checkbox"/> | <input 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 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, 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, if applicable, 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 15, 2025, prepared by Gasparini Landscaping, with Narrative dated December 12, 2025, prepared by the Applicant, 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 SHERILL KETCHUM | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Member JIM CONDON | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Public Hearing

| | | | |
|------------|--|-----------|--|
| Applicant: | Soggygrass Holdings, LLC 3205 East Lake Road Skaneateles, NY 13152 | Property: | 3205 East Lake Road Skaneateles, NY 13152 Tax Map #040.-01-15.1 |
|------------|--|-----------|--|

Present: Jo Anne Gagliano, EDR, DPC
Phil Ricklefs, Contractor, Ricklefs Contracting & Barge Service
Jill Marshall, Applicant

Chair Rhoads stated that this application is a request for variances related to shoreline improvements, including the expansion of an existing boathouse. Variances are requested for boathouse foundation exceeding 500 SF, and maximum cumulative offshore structures over 1000SF.

A site visit was conducted by Board Members on January 24, 2026. The Applicant was present.

Jo Anne Gagliano of EDR, DPC was present with Applicant, Jill Marshall. The Applicant's contractor, Phil Ricklefs was also present.

At this time, Chair Rhoads asked the Applicant or their design professional to review the new drawings which were submitted that afternoon.

Ms. Gagliano stated that this proposal is to replace the existing 263SF boathouse with a 704SF boathouse. Elevations of each of the facades for the new boathouse are provided in the new drawings, as well as a demolition plan. Also submitted were the drawings for the original boathouse.

The unique condition of the area of the lake as well as what exists is the reason for requested 204SF variance from the allowable 500SF for the boathouse. The water level is limited due to how far on shore the existing boathouse sits. They have redesigned the boathouse to be a bit longer for the purpose of reaching the necessary water depth to make the boathouse functional.

Vice Chair Palen asked if they would have to excavate into the shoreline.

The plan is to keep the existing back wall and put everything else on piles. A rail system will be installed for the boat so there will be no excavation into the shoreline.

The proposed permanent dock will not exceed the length of the temporary dock currently used. Due to the shallow nature of the area of the lake, this length is necessary. The extension at the end of the dock is also due to water depth because at times, the water is too shallow to park a boat alongside the dock. This is to accommodate day use for the Applicant's boat and one visitor boat. Trying to keep the dock as narrow as possible, they did not use the maximum allowed dock width.

The overall design is in keeping with the house- more so than the original boathouse. Existing lighting will remain the same, so there will be no additional lighting added. There will be little visual difference with the new proposal as it represents 8% of the overall shoreline whereas the existing is 5%. The shoreline is well established and stable, consisting of a stone lined shore and existing native plantings to provide effective erosion control. Approximately 50% of all the lawn areas are meadow.

Chair Rhoads asked about the 7-foot space in front of the boathouse. She wondered if it was for storage or just to walk around the boat.

This area would be to move around the boat, but they could also hang flat items on the wall. This area is over land and excavation of that wall would be avoidable with this design.

Member Condon asked about the alternate plan mentioned in the narrative.

Ms. Gagliano explained that they were considering leaving the existing boathouse in place as a storage building and adding a permanent boat hoist in front of it. This would trigger a variance as you can't have two structures. The overall variance would be greater with a less aesthetically pleasing outcome.

Member Condon commented on making reductions to the proposed boathouse. He believes that the 4-foot-wide decking on the starboard side of the boat could be eliminated and the slip reduced.

Contractor, Phil Ricklefs explained how a rail system works and the necessity of the proposed dimensions. Rail systems sit on feet on the lakebed. You must consider that when a boat enters the rail system, those rails sit on the outside of the boat. This requires space inside the boathouse, beyond just the width of the boat. A 14-foot-wide area is proposed for the boat and rail system inside of the boathouse. The minimum you can do is 12 feet but by minimizing the space, you run the risk of damage due to the system potentially shifting. He believes the proposed design is the best option for the property.

Member Ketchum questioned whether an additional 7 feet of boathouse in front of the boat was necessary.

Member Kiefer added that the ZBA is tasked with granting the minimum variance necessary.

Mr. Ricklefs explained that for the rail system to properly function, given the grade and elevation, additional room is required. These have front-mount motors and drive systems and space for that must be considered.

If they were to break up the floor and wall that they plan to keep, a dredging permit would be required from the DEC which is difficult to get. They would like to avoid the disturbance of digging into the lakebed.

Member Condon requested a cut sheet of the rail system for the next meeting.

Ms. Gagliano sought clarification on the mean line and stated that she would adjust the plans per discussion, including narrowing the slip area inside the boathouse.

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 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.

At this time, Chair Rhoads asked for a motion to open the Public Hearing.

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

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

Robert Eggleston- 1391 East Genesee Street, Skaneateles, NY 13152

Mr. Eggleston is in favor of the request and stated that he finds this application interesting as a design professional. The zoning law has gone through a couple revisions in the last few years and his comment to the Town Board has been that the standards for boat canopies at 300SF and boathouses at 500SF are unrealistic. The ZBA has seen a variance on boat canopies before, and he thinks that one has to take into account that the numbers that were chosen are only accommodating to smaller boats and are not practical when you think about the long-term. It creates a situation where these structures will have to be torn down years from now when the standard boat size increases again. The Board needs to take all of this into consideration as well as the fact that the same standards apply regardless of a lot having 50 feet of frontage or 200 feet of frontage. When the Applicant, Jill, was on the Planning Board

she was extremely environmentally conscious and wouldn't do anything thoughtless. He applauds her for trying to do the right thing and doing it carefully.

With there being no comments or questions, Chair Rhoads asked for a motion to carry the Public Hearing over to March 3, 2026, at 7:02 pm.

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Kiefer to carry the Public Hearing over to March 3, 2026, 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 | Sherill Ketchum | Present [Yes] |
| Member | Jim Condon | Present [Yes] |

Chair Rhoads noted that a neighbor letter had been received and would be entered into the record.

Initial Review

| | | | |
|------------|--|-----------|--|
| Applicant: | Jane Walsh c/o Skaneateles Country Club 3339 West Lake Street Skaneateles, NY 13152 | Property: | 3339 West Lake Street Skaneateles, NY 13152 Tax Map #049.-01-04.1 |
|------------|--|-----------|--|

Present: Zach Maslyn, General Manager/COO, SCC

Chair Rhoads stated that this application is a proposed lot line adjustment between Jane Walsh and the Skaneateles Country Club (SCC). A variance is requested for nonconforming road frontage on the Walsh lot. The minimum road frontage for a Town road is 200 feet whereas the proposed lot line adjustment will decrease the existing nonconforming lot frontage from 170 feet to 117.3 feet.

Zach Maslyn, General Manager/COO, SCC was present to represent the Applicant, Ms. Walsh, and the Skaneateles Country Club.

Mr. Maslyn explained that the purpose for the lot line adjustment is for the safety of SCC golfers and staff while crossing West Lake Road. The Walsh property is across the street from the SCC entryway and where golfers must cross the road at a 45-degree angle twice throughout the completion of the course. This safety hazard has been ongoing, and SCC has spent 3-4 years trying to develop a solution. After turning onto the road, many vehicles come down the hill before the SCC entryway at 45-50 mph. Vehicles that make the gradual right turn onto the road are often still displaying their right turn signal while approaching the SCC entryway, so a lot of people assume those vehicles are pulling into the drive, making it safe to cross, when it is in fact not. Additionally, the Mezzalingua's property sits on the east boundary of the SCC entryway, and the recently planted trees have created a blind

spot for vehicles attempting to exit the drive. The proposed lot line adjustment/land swap would aid in both situations.

Member Condon asked if they had considered a crosswalk and signs. Mr. Maslyn said they would love to have a crosswalk there but haven't asked the question yet.

Planner Barkdull clarified that the variance related to this land swap is for nonconforming road frontage on the Walsh property which will become less conforming.

Instead of a site visit, members will do an independent drive-by of the site.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for March 3, 2026, at 7:10 pm.

WHEREFORE, a motion was made by Member Kiefer and seconded by Vice Chair Palen to schedule a Public Hearing for March 3, 2026, at 7:10 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 | Sherill Ketchum | Present [Yes] |
| Member | Jim Condon | Present [Yes] |

Initial Review

| | | | |
|------------|---|-----------|--|
| Applicant: | Mark V. Byrne 681 Old Seneca Tpke Skaneateles, NY 13152 | Property: | 3814 Fennell Street Skaneateles, NY 13152 Tax Map #045.-03-22.0 |
|------------|---|-----------|--|

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC

Chair Rhoads stated that this application is a proposed six-unit multi family dwelling in the HC District.

Design Professional, Robert Eggleston, Eggleston & Krenzer Architects, PC was present to represent the Applicant.

Mr. Eggleston stated that he and Mr. Byrne had an initial meeting with the Town Planner and Planning Board Chairman just to review what they would like to do. Mr. Byrne would like to build six reasonable priced apartments. This property is in the Highway Commercial zone and is allowed to have six units, based on four units per acre. The Planning Board has given a number of allowances to consider various aspects of all the criteria for the apartments, which is outlined in the narrative.

There is a requirement for open space, which the Planning Board can determine how much space to recommend. The Applicant is suggesting 37%. Even though 12% to 30% is buildable land, it's

considered constrained. The Planning Board can make judgment of whether to waive the percentage of constrained land or not.

When you have open space, it is the same consideration if you are doing an open space subdivision. They could subdivide the property. The area shown in green on the site plan is what they are proposing as open space and will be 30 feet away from the proposed building, whereas 100 feet is required. If they were to subdivide, the open space area would be its own separate lot, and they would only need a 30-foot setback.

Mr. Eggleston noted that the Zoning Committee is reviewing this area of zoning law in anticipation of eliminating some of these issues. This, however, could take up to six months. The Applicant wanted to go ahead with their application for a variance to allow for a 30-foot setback to the open space instead of the required 100-foot setback. The extra step of subdivision seemed unnecessary.

Member Condon asked about the grade of the land. Mr. Eggleston explained that a large portion is over 12% but is under 30% so it's not classified as a steep slope. 12% is buildable with site plan review.

There will be an informal meeting with the whole Planning Board in two weeks. The property is next to a cemetery and across the street from the sewer treatment plant so it's not a high-end lot but is a good use for alternate housing, which the Town and Village are in need of. These won't be low-income housing, but instead market rate. Mr. Eggleston estimated the units would be in the couple thousand dollars/month range.

Member Ketchum expressed that she thinks this is a great idea but had some concern over the need for truly affordable housing.

Planner Barkdull noted that although this property is across from the sewer plant, they will still need to install septic because there is no sewer hookup. There is a preliminary design on the septic at this point.

Member Condon wondered if there were any stormwater retention plans. Mr. Eggleston stated that until they know what their approval will be, they aren't going to get into that engineering. They are working with Plumlee Engineers who have done a lot of the Byrne Dairy properties.

Member Condon then asked about a fire truck turnaround. This would not be an issue because they would only be 100 feet from the road which is within the 500-foot standard used. He also wondered if a barrier would be put in place to protect the septic system from being driven on, especially as there seems to be limited parking.

There would be some sort of protection in place. Each two-bedroom unit has a one-car garage, and the second car would be parked in front of the garage. At the initial meeting, the Planning Board Chairman thought they should have more parking. There was concern that the garages may not be used for parking.

In seeing the variance as a hurdle, they wanted to come before the ZBA first to see if their plan was acceptable before getting deeper into the technical aspects of the project.

The open space is currently forested, and the idea is to keep the trees. They are anticipating some retaining walls as they level off and grade the building area.

Board Members will each conduct an individual drive-by of the property.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for March 3, 2026, at 7:20 pm.

WHEREFORE, a motion was made by Member Kiefer and seconded by Member Ketchum to schedule a Public Hearing for March 3, 2026, at 7:20 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 | Sherill Ketchum | Present [Yes] |
| Member | Jim Condon | Present [Yes] |

Discussion

- The next ZBA meeting will be held on March 3, 2026, at 7:00 pm.
- The next P&Z Work Session will be held via Zoom on February 4, 2026, at 6:30 pm.
- Planner Barkdull reminded the Board that the registration deadline for the Planning Symposium was the following day.

There being no further Board business, a motion was made by Vice Chair Palen and seconded by Member Ketchum to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:44 pm.

Respectfully Submitted,

Aimie Case
ZBA Clerk

Meeting Attendees:

Robert Eggleston, Eggleston & Krenzer Architects, PC
Jo Anne Gagliano, EDR, DPC
Phil Ricklefs
Jon Ricklefs

Jill Marshall, Applicant
Zach Maslyn, SCC
Beth Estes

Meeting Attendees Via Zoom:

Councilor Mark Tucker
Owen Wing, Applicant
Meghan Wing, Applicant
Dave