

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF
February 6, 2024**

Present:

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

Chair Rhoads opened the meeting at 7:00 pm.

Minutes

Previous distribution to the Board of the regular meeting minutes of January 2, 2024, was executed, and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Lee and seconded by Member Ketchum to accept the January 2, 2024, minutes as submitted. 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] Via Zoom
Member	Kris Kiefer	Present [Yes] Via Zoom
Member	Dave Lee	Present [Yes]
Member	Sherill Ketchum	Present [Yes]

Public Hearing

Applicant:	Robert & Diana Logan 2969 East Lake Road Skaneateles, NY 13152	Property:	2010 West Lake Road (Formerly 1892) Skaneateles, NY 13152 Tax Map #058.-01-22.0
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Present: Robert Logan, Robert Eggleston, Eggleston & Krenzer Architects.

This application is for proposed renovations to an existing dwelling and the new construction of an accessory building on a nonconforming lot. The applicant is requesting variances for side yard setback, nonconforming footprint, nonconforming floorspace, and nonconforming minimum lake frontage. The

property is located at 2010 (formerly 1892) West Lake Road, is an existing nonconforming lot in the RF zoning district as well as the Skaneateles Lake Watershed. Applicants Robert and Diana Logan were represented by their Design Professional, Bob Eggleston. Mr. Logan was also present. Mr. Eggleston explained that the property is 21,105 square feet, 45 feet wide, and has 48.1 lineal feet of shoreline. The property has a 3-bedroom dwelling which was built in the 1960's, as well as a small nonconforming shed and has 12.2% of the lot area as potential living space and as 7.9% building footprint. The dwelling is nonconforming in that it is 6.2 feet from the south property line and 6.5 feet from the north property line whereas 9 feet is required. The shed is 4.0 feet off the north property line and the north driveway is 3.0 feet off the side property line. There are no shoreline structures on the property. The ISC is 22.7% and the TSC is 23.6%.

This application is to enclose the existing porches as living space, add a 16' x 32' patio and 10' x 20' deck on the east side of the house, remove the existing shed, and construct a 22' x 22' two car garage to the west of the existing dwelling. Modifications will be made to the walkways and driveway. Proposed improvements to the dwelling are conforming and the new patio will have a 146.7-foot lake yard setback. The proposed garage will be built on the existing driveway area, with a 5.0-foot north side yard setback whereas 9.0 feet is required. The total building footprint, currently nonconforming at 7.9%, will increase to 10.0% whereas 6.0% is allowed. The potential living space, currently 12.2%, will increase to 14.5% whereas 10.0% is allowed. The 3-bedroom dwelling will be reduced to 2 bedrooms and a den. The existing septic system, which pumps to a septic field 280 feet from the lake will remain. The driveway will be narrowed, and the setback increased to 5.0 feet, lowering the ISC to 20.4%. The TSC will remain the same at 23.6%.

The applicant is requesting variances for developing on a lot with less than 75 feet of lake front, the 5.0-foot side yard setback for the proposed garage, a building footprint increase of 2.1%, and a 2.3% increase of the potential living space. This application will require Site Plan Review as it will cause disturbance within 200 feet of the lake, as well as a Special Permit for redevelopment. Mr. Eggleston noted that the applicants intend for this to be a year-round home where they can age in place. The inclusion of the new garage is necessary due to New York winters and the need for the homeowners to have charging stations for their two Tesla's. The ISC will be reduced from 22.7% to 20.4%. It is necessary to maintain a small turnaround area in the driveway so as to avoid backing out into West Lake Road. Mr. Eggleston pointed out the inclusion of a bio-swale system to compensate for the ISC. Its intent is to capture stormwater from the driveway, garage, and house, directing it down a trench drain and to the bio-swale on the east side of the dwelling. There is currently no stormwater management on the property. Additionally, due to ISC, the applicant will be making a payment of \$23,909.15 to the Town's LDRA Fund.

Mr. Eggleston stated that after reviewing a letter from Don Kasper, he worked with his client to revise the original site plan. They were able to eliminate the need for a Total Surface Coverage variance by removing from the site plan the patio by the lake and reducing the size of the patio near the house. These alterations keep the TSC at its existing 23.6% and reduce the number of requested variances from five to four.

Vice Chair Palen sought further clarification on the proposed stormwater management system. Mr. Eggleston explained that a trench drain would be installed along the North property line, with water flow running from the west, picking up water from the driveway and piping it towards the east, also collecting garage and house stormwater to be carried to the proposed bioswale on the east side of the house.

Member Ketchum inquired about whether variances were issued for the original development of the property or if it was built to old standards. Mr. Eggleston explained that the house was built in the 1960's and was conforming at that time. The original 450-gallon septic still exists at the west end of the property and was designed for a three-bedroom house. In the 1960's, a septic was required to hold 150 gallons per bedroom. Mr. Eggleston stated that today's code requires water-saving fixtures and that the Health Department now only requires 110 gallons per bedroom. Since the proposed plans eliminate one of the three bedrooms, making it into a den, by today's standards only 220 gallons would be required. Even with

the existing third bedroom, which would require 330 gallons, the existing 450-gallon system is more than sufficient by today's standards. It is likely that the existing pump chamber would be replaced to accommodate current requirements for overflow capacity and alarms.

A site visit was conducted by Board Members on January 6, 2024, with Member Kieffer conducting a separate site visit with Mr. Eggleston on February 3, 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 Member Ketchum and seconded by Member Lee 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 Lee and seconded by Member Ketchum to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

Chair Rhoads asked if any letters pertaining to the application were received. A letter was received from Don Kasper of 3905 State Street Road (*attached pg. 11). An email was received from the neighbor to the north, Steven, and Stephanie Leverich (*attached pg. 12). Mr. Eggleston shared his responses to the points made by the Leverich's via email as well (*attached pg. 13-14). Counsel Molnar read Mr. Kasper's letter into the record. With Mr. Kasper's primary concerns being the proposed "excessive" increase in living space and total surface coverage, with minimal reduction in impermeable surface coverage, Mr. Eggleston responded with alterations to the original application. By eliminating the proposed patio by the lake and reducing the size of the patio near the house, the need for a TSC variance was also eliminated. The increase in floorspace is just 2.3%, and building footprint is an increase 2.1%, and the sole purpose of these increases was to accommodate the garage. If the garage were relocated or attached to the house, the driveway would have to be much longer, hurting the impermeable surface coverage. Building closer to the road wouldn't be feasible due to the septic. Mr. Eggleston also added that the proposed garage dimensions were modest at 22'x22', as opposed to today's typical 24'x24'. The other option would have been for the applicant to completely redevelop the home and have no patios. There would be no change in footprint and the need for variances would be eliminated and the application would not need to go before the ZBA. However, there would be no contribution to the Town's LDRA fund and there would be no requirements for stormwater management- a significant improvement to the property.

Mr. Eggleston presented details about neighboring properties. The north boundary property, 2018 West Lake Road, owned by Leverich's, is two times larger than Logan's and has an ISC greater than 10%. This property also received a variance for a carport to be reconstructed into a garage and is just 1.8 feet off the property line. 2022 West Lake Road, owned by the Marvasti's, is two properties to the north and is more comparable in lot size to Logan's. This property has 14.5% ISC and has received variances in the past. Construction was done atop an existing basketball court. Mr. Eggleston added that the mitigation he and his client were providing in the stormwater management and contribution to the LDRA Fund helps to offset the variances they were requesting. The south boundary neighbor, owned by the Romano's, is a double sized lot like Leverich's and has also received variances. The pool pump house is encroaching on the property line.

Chair Rhoads then asked if there was anyone else who would like to speak in favor of, against or had any comments regarding the application. Tracy Romano, the neighbor to the south, was in attendance. She stated that she was comfortable with the plans and wanted to attend the meeting to gain a sense of what

was going on with the plans. Since there was concern over the width of the Logan property, she wanted to ensure that consideration was being taken to her property in respect to that. The property was in need of improvements, and she was happy to have a neighbor who was willing to put some time and money into it. Ms. Romano offered to address and correct the location of her pumphouse doors, and the structures encroachment of the property line should it be an issue. Ultimately, she was open to working with the neighbors and the plan that is in place. Mr. Eggleston added that he did not believe the Logan's had any issue pertaining to the encroaching pump house and that since they would be utilizing smaller machinery like bobcats and mini excavators during construction, there would likely be no issue passing through a 6-foot space.

Mr. Eggleston then summarized his comments regarding the Leverich email (*attached pg. 13-14). Mr. and Mrs. Leverich were in question of the proposed 5-foot side yard setback as it should be at 9 feet. Mr. Eggleston rebutted that the proposed Logan property is not and would not be out of character with the neighborhood. Both the Leverich and Marvasti properties were developed on existing footprints. Likewise, the Logan garage would be built on an existing driveway and would therefore not raise the ISC. The Leverich's were also concerned with drainage issues. Mr. Eggleston pointed out that the supporting photos were likely taken around 2017 after a major rain event and prior to the installation of new culvert pipes and berms lining the interior edge of the ditches, preventing any overflow from entering the yards. This is a DOT issue and that they had done and something that the Planning Board would review. They were concerned that adding a garage to the property would further complicate the issue. Even with the construction of a bioswale and trench drain. Leverich's further argued that during the construction of said trench drain and bioswale, their leach field could potentially be damaged. With the proposed location of the bioswale, Mr. Eggleston is confident that the Leverich's leach field would be unharmed. Another source of concern for Leverich's is the existing septic, being about 60 years old. The septic, as Mr. Eggleston outlined in his presentation, was to be evaluated and would likely have a new pump chamber added. The Health Department and City of Syracuse Water would make the final determination on the septic upon completed evaluation.

At this time, Chair Rhoads asked if there was anyone else who would like to speak on the application. Member Kieffer stated for the record that since he was unable to attend the site visit on January 6th, he conducted a separate site visit on February 3, 2024, and thanked Mr. Eggleston for taking the time to meet and show him the property. There were no further comments. Chair Rhoads then asked the Board Members if anyone felt they needed more time to review all the material. The majority of the Board felt that they needed more time. Chair Rhoads expressed her understanding in respect to the applicant's position with the purchase and that they would likely be wanting things to move more quickly, but that they would like to continue the Public Hearing the following month. Although interested in proceeding, Mr. Eggleston stated that he and his client would rather the Board decide totally informed. He then inquired about the possibility of closing the Public Hearing prior to adjourning that night and pushing the vote to the next meeting, on March 5, 2024. Counsel Molnar advised the Board that it was ultimately the Chair's choice. They could either extend the Public Hearing into the following month, or they could close the Public Hearing and vote the following month. They would have a 62-day window to vote on the application before the expiration of their time. It was decided that having an additional month would give them adequate time to deliberate and make a well-informed decision.

At this time Chair Rhoads asked for a motion to close the Public Hearing and vote on the application at the next meeting on March 5, 2024.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Ketchum to close the public hearing and continue deliberation at the next meeting, on March 5, 2024, at 7:02 pm. The Board having been polled resulted in unanimous affirmation of said motion.

RECORD OF VOTE

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

Public Hearing

<p>Applicant: Kevin & Kathy LaGrow PO Box 528 Skaneateles, NY 13152</p>	<p>Property: 2510 Wave Way Skaneateles, NY 13152 Tax Map #054.-04-03.0</p>
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Present: Robert Eggleston, Eggleston & Krenzer Architects.

This application is for a proposed addition to a dwelling on a nonconforming lot. The applicant is requesting an area variance for building footprint and for floorspace. The property, located at 2510 Wave Way, is nonconforming and in the RF zoning district and the Skaneateles Lake Watershed. Applicants Kevin and Kathy LaGrow were represented by their Design Professional, Bob Eggleston. On nonconforming lots of less than 40,000 square feet on which any portion lies within 1,000 feet of the Lake Line, the total footprint of all principal and accessory buildings shall not exceed 6.0% of the lot area, and the total floorspace shall not exceed 10.0% of the lot area. The proposed site plan shows a proposed building footprint of 8.2% of the total lot area and floorspace at 15.8% of the total lot area. The proposed site plan reflects a 0.3% increase in building footprint from 7.9% to 8.2%, and a 1.5% increase in building floorspace from 14.3% to 15.8%. Mr. Eggleston noted that the property had received an area variance in 1999 allowing for 17.9% impermeable surface coverage. The proposed ISC is 16.8%. It is a 0.4% increase but still falls below the approved 17.9% from the 1999 variance. The proposed setbacks are conforming.

Mr. Eggleston explained that the applicants would like to construct a 12' x 8' addition to a first-floor bedroom and to add a roof over the existing first-floor deck, making it a covered porch. The proposed addition will be built over an existing patio, making that patio a covered porch by adding a single post. The dwelling is a year-round home that the applicants would like to set up to age in place. The existing first floor guest bedroom, with proposed addition, will be used as a primary bedroom. The only disturbance of the site will be the footing for the first-floor bedroom addition over the existing patio. Potential erosion will be mitigated with silt fencing below the work area. Mr. Eggleston explained that the property is 31,563 square feet, 100 feet wide, and has 105.2 lineal feet of shoreline. The existing 4-bedroom dwelling was built in 1999 and has an attached garage, pool, patio, decks, and an older boathouse. The house has 14.3% of the lot area as potential living space where 10% is allowed, and 7.9% of the building footprint where 6% is allowed. The proposed site plan reflects a proposed 8.2% building

footprint, an increase of 0.3%, and 15.8% total living space area, an increase of 1.5%. A site visit was conducted by Board Members on January 6, 2024, with Member Kieffer conducting a site visit with Mr. Eggleston on February 3, 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 Member Ketchum and seconded by Vice Chair Palen to consider the proposed action as a Type II SEQR action as per section 617.5(c)(12) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmation of said motion.

WHEREFORE, a motion was made by 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.

Chair Rhoads asked if any letters pertaining to the application were received. There were none. Chair Rhoads then asked if there was anyone who would like to speak in favor of, against or had any comments regarding the application. No comments were made.

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

Chair Rhoads asked that Counsel Molnar take the Board through the Statutory Criteria set forth in Town Code for an area variance. At this time, the Board reviewed the Five Criteria for the area variance concerning the applicable section of Town Zoning Code: Section 148-8-9-A.1.g.i.a – Nonconforming Footprint, and Section 148-8-9-A.1.g.i.b – Nonconforming Floorspace. Counsel Molnar stated when considering the benefit to the Applicant if the area variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community, the Zoning Board of Appeals is charged with answering these five questions:

Recusal and Abstention:

Prior to ZBA discussion and deliberation on Applicant’s request for the variances referred to herein, ZBA Member David Lee declared that he would abstain from ZBA discussion and deliberation on the Application, on the basis that Member Lee owns property immediately adjacent to the subject property owned by the Applicant.

FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCE:

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

Reasons: No. The granting of the variances for the proposed dwelling would not produce an undesirable change to the character of the neighborhood. The neighborhood is comprised of a mix of properties and similar year-round homes.

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. Given the structures proximity to the lake and that it is a preexisting nonconforming lakefront property. Due to building footprint and floorspace, variances would be necessary for any changes proposed. However, the property was granted an area variance in 1999 allowing for an ISC of 17.9% whereas 10.0% is currently allowed per code. This historical variance allowed for the construction of the now existing 4-bedroom dwelling with attached garage, pool, patios, and deck.

3. Whether the requested variance is substantial: Yes No

Reasons: Yes and No, according to the votes reflected below.

Two ZBA Members found the requested variances are substantial when considering the existing structure, lot size, and the code currently regarding allowances for building floorspace and building footprint. Compared to how the code is written today, the requested variance would exceed the allowable amounts by 5.8% and 2.2% respectively. Additionally, the property has received four previous variances. Although the proposed increases to the existing values appear to be minor, they amount to much greater percentages when considering the current code's allowable amounts. The proposed building footprint may only be a 0.3% increase from the existing, but the overall increase based on the current code equates to 700 square feet. The proposed building floorspace shows a 1.5% increase from what currently exists, but the overall increase based on the current code equates to roughly 1,800 square feet.

Two ZBA Members found that the requested variance is not substantial because of the size of the request and the area in which it is going to occur, concluding the proposed modifications reflect relatively small increases and should have minimal impact on the lake and should pose no risk of degradation.

RECORD OF VOTE

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

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

Reasons: Yes, by majority vote, as reflected below.

A majority of ZBA Members deliberating found that the requested variances, if both granted, would have an adverse effect or impact on the physical or environmental conditions in the neighborhood. This property is already improved with the dwelling consisting of two stories and a partially finished basement. The above grade area is currently at 2,496 square feet, not including the basement area. The property also contains an existing attached garage, decks, porches, an inground pool, and 319 square foot boathouse. When variances are granted, they stay with the land, as evidenced by the historically approved

ISC or 17.9%. Although the current ISC is below this number, it does not warrant automatic approval of an increase as that would allow for continual building and development of these undersized properties in the Skaneateles Lake Watershed Overlay District (LWOD), which is not in keeping with the Town's Comprehensive Plan. Therefore, increasing the building footprint and ISC of the dwelling could potentially produce an environmental impact to the lake by way of runoff and wastewater management issues.

The ZBA Member voting in the minority found that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood because of the location on the property in which the proposed addition and variances are required.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	RECUSED
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Reasons: Yes, based upon the foregoing listed factors.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	RECUSED
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Member SHERILL KETCHUM	<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 Member Kiefer, duly seconded by Vice Chair Palen, concluded by a two to two (2-2) vote recorded below that the benefit to the Applicant does outweigh the detriment to the neighborhood or community if the variances were granted, which vote resulted in the motion failing to achieve a majority vote of at least three (3) Members of the ZBA as fully constituted. Since only two (2) of the five (5) ZBA Members voted in favor of the motion, the ZBA must deny the variances requested, and find 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 ZBA, and the record of votes set forth herein, the ZBA concludes that the benefit to the Applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood, or community, does not lie in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, as well as the Board Members' inspection of the property, and the Board's articulated factors on the record while deliberating the statutory questions presented.

RECORD OF VOTE			
MEMBER NAME	AYE	NAY	RECUSED
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The next ZBA meeting will be held on March 5, 2024, at 7:00 pm.

Chair Rhoads asked Vice Chair Dave Palen if he was willing to take on the position of Vice Chair for another year, to which he accepted.

WHEREFORE, a motion was made by Chair Rhoads and seconded by Member Ketchum to appoint David Palen as Vice Chair. The Board having been polled resulted in unanimous affirmation of said motion.

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

Clerk Barkdull stated that the Board could expect at least two new applications at the next meeting.

There being no further Board business, a motion was made by Member Lee and seconded by Member Ketchum to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:10 pm.

Respectfully Submitted,

Aimie Case
ZBA Clerk

Meeting Attendees:

Bob Eggleston, Eggleston & Krenzer Architects
Bob Logan (Applicant)
Katherine Sinubaugh
Tracy Romano
Jack Purcell

Meeting Attendees Via Zoom:

Member Kris Kieffer
Vice Chair David Palen
Councilor Mark Tucker
Don Kasper

***Correspondence – Kasper Letter**

To the Skaneateles Zoning Board

January 24,2024

I would like to offer my comments regarding the Logan application. You have an application from a purchaser who is asking the Boards for them to allow reconstruction of the home and lot. Although it is not uncommon for minor variances to be granted on the lake which they are granted within reason.

They are asking for variances to increase the TSC and increase the total living space along with a variance for the lake frontage and side yard. This is a small and narrow lot which the zoning and dimensional codes have taken into consideration for redevelopment of smaller lots.

The applicant is asking for relief a considerable amount above the requirement. I can understand the lake frontage and side yard setback being a reasonable request, but the increase of living space and TSC is excessive along with minimal ISC reduction. The properties on either side are larger and have more open space, which is a common size in this area. This property should have its living space reduced and easily have the TSC reduced by eliminating the patio and the patio near the water. The excuse to not have to move lawn chairs for mowing is excessive. The reduction of any of these coverages would not diminish the value of this property, if this purchaser chose not to purchase this property because he did not receive all his requests, I'm sure due to the current demand for lake front another buyer is around the corner. These zoning regulations were enacted to protect the lake quality and over building in the lake district.

Sincerely,

Don Kasper 3905 State Street Rd

***Correspondence – Leverich email**

-----Original Message-----

From: Steven Leverich <xman9289@gmail.com>

Sent: Sunday, February 4, 2024 8:52 AM

To: Karen Barkdull <kbarkdull@townofskaneateles.com>

Subject: Variance request for tax Id 058.-01-22

To Denise Rhodes chair and members of zoning board

My name is Steven Leverich of 2018 West Lake Road and along with my wife Stephanie have received a request to sign off for a variance for said property under consideration. Following review of the intended construction project we have serious concerns. The north side of the intended garage will be only 5 feet off the property line where as it should be 9 feet as required for this lot size. We feel this is further encroaching on our property since the existing home is already in 6.5 feet off our property line when it should be 9 feet. Within the area variance criteria #1 it describes two neighbors garages to the north, mine being one which are less than 5 feet off the property line. That is correct but these were constructed on existing garage footprints mine being a car port and other a pre-existing asphalt basketball court.

A second concern is the water drainage. At the present time if there is a significant downpour and the water ditches which boarder west lake road overflow that water travels down the existing gravel driveway and diverts onto my property as the existing home prevents its unobstructed flow to the lake. This was never addressed by the previous owner even though it was known. With the construction of a new garage we believe this will further complicate this situation even with additional drainage and a single bio-swale which is planned at the northeastern edge of the property in the plans. This may still prove to be insufficient in preventing water from traversing onto our property. The intended new drainage will be on the north side of the property where we have our leach fields. These leach field lines stretch nearly the entire width of our property and we are worried these maybe disrupted during excavation secondary to the limited 6.5 feet between the properties.

A third concern is the present septic and leach field system is dated likely 60 years old. We have been neighbors to this property since 2006 and this home has only been utilized as a seasonal camp. The current plans demonstrate three full bathrooms and will be a full time residence. If that requires a reconfiguration of the current leach field system such as an elevated field we are concerned that this may accentuate the water being funneled towards the garage which may further compound inadequate drainage.

As described above we have reservations about the proposed renovation as it pertains to the garage location and potential water drainage issues. This may prove to be a detriment to our property and possibly affecting its present and future value. We hope the board will consider our concerns when it comes to granting a variance for the location of said garage.

Thank you for your understanding,

Steven and Stephanie Leverich

***Correspondence – Eggleston response to Leverich
(Bob Eggleston response noted in red)**

-----Original Message-----

From: Steven Leverich <xman9289@gmail.com>

Sent: Sunday, February 4, 2024 8:52 AM

To: Karen Barkdull <kbarkdull@townofskaneateles.com>

Subject: Variance request for tax Id 058.-01-22

To Denise Rhodes chair and members of zoning board

My name is Steven Leverich of 2018 West Lake Road and along with my wife Stephanie have received a request to sign off for a variance for said property under consideration. Following review of the intended construction project we have serious concerns. The north side of the intended garage will be only 5 feet off the property line where as it should be 9 feet as required for this lot size. We feel this is further encroaching on our property since the existing home is already in 6.5 feet off our property line when it should be 9 feet. Within the area variance criteria #1 it describes two neighbors garages to the north, mine being one which are less than 5 feet off the property line. That is correct but these were constructed on existing garage footprints mine being a car port and other a pre-existing asphalt basketball court.

As the Marvasti's garage was built on an existing basketball court, the Logan garage is being built on the existing driveway. The Logan garage is being built 5 ft off the property line (9.5 ft required), whereas the existing driveway is actually closer, within 3 ft of the property line. The Leverich garage was allowed to replace a carport that was 1.8 ft off the side property line whereas 19.2 ft was required. With a 96 ft wide lot, they had other options available. The Logan garage will be 23 ft from the closet building. The Leverich home is non-conforming with 7 ft setbacks off the property line whereas the Logan home is 6.5 ft. The Leverich property was allowed to remain above 10% ISC. The Marvasti property at 2022 West Lake Road was allowed to maintain 14.4% ISC and is on a 57 ft wide lot and was allowed to be rebuilt with an 8.4 ft side yard setback. **The proposed Logan property is not and will not be out of character with the neighborhood.**

A second concern is the water drainage. At the present time if there is a significant downpour and the water ditches which boarder west lake road overflow that water travels down the existing gravel driveway and diverts onto my property as the existing home prevents its unobstructed flow to the lake. This was never addressed by the previous owner even though it was known.

The photos submitted by Mr. Leverich were taken around 2017 during a major 100-year rain event as he was finishing up re-construction of his property. Since that time, he has replaced his driveway culvert with an 18" pipe as directed by NYS DOT. He has further bermed his property along the road. The Logan driveway also has a new 18" culvert at his driveway and he will make sure the road ditch is properly bermed to prevent excess drainage down onto his property. NYS DOT has done extensive work on the road ditches along this stretch of road in the last 5 years that has corrected much of this situation. I have

attached current photos of the road ditch. **This issue will be reviewed by the Planning Board during their Site Plan Review of this project.**

With the construction of a new garage we believe this will further complicate this situation even with additional drainage and a single bio-swale which is planned at the northeastern edge of the property in the plans. This may still prove to be insufficient in preventing water from traversing onto our property. **The drainage plan that is being reviewed by the Planning Board uses a trench drain at the garage to capture the driveway stormwater and roof gutters on both the new garage and existing house to capture the building stormwater, and directs it to the bioswale at the north east corner of the property. Currently there is no stormwater management on this property. The Planning Board will be reviewing the stormwater management during their Site Plan Review.**

The intended new drainage will be on the north side of the property where we have our leach fields. These leach field lines stretch nearly the entire width of our property and we are worried these maybe disrupted during excavation secondary to the limited 6.5 feet between the properties. **The Leverich septic leach field has 50+/- ft lines and is over 100 ft back from the lake. Health Department code requires leach line be at least 10 ft off the property line. The proposed Logan bio field is within the 100 ft setback of the lake and downhill from the Leverich leach field and as much as 100 feet away from Leveriches septic field. Any site work on the east side of the Logan home will be done by mini-excavators. There will be no disruption of the Leverich septic system during this project.**

A third concern is the present septic and leach field system is dated likely 60 years old. We have been neighbors to this property since 2006 and this home has only been utilized as a seasonal camp. The current plans demonstrate three full bathrooms and will be a full time residence. If that requires a reconfiguration of the current leach field system such as an elevated field we are concerned that this may accentuate the water being funneled towards the garage which may further compound inadequate drainage.

The existing septic system is well documented and being evaluated by Eric Buck, a professional engineer. The 1960 system was designed based on 150 gallons/bedroom/day whereas the current design using required water saving fixtures is 110 gallons/bedroom/day. Septic systems are designed based on number of bedrooms, not bathrooms. The home going from three bedrooms to two bedrooms and a den. The City of Syracuse and Onondaga County Health Dept will make the final determination of the continued use of the existing septic system.

As described above we have reservations about the proposed renovation as it pertains to the garage location and potential water drainage issues. This may prove to be a detriment to our property and possibly affecting its present and future value. We hope the board will consider our concerns when it comes to granting a variance for the location of said garage.

Thank you for your understanding,
Steven and Stephanie Leverich