

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

June 14, 2016

Present:

Denise Rhoads
Jim Condon
Sherill Ketchum
David Palen
Curt Coville
Scott Molnar, Attorney
Karen Barkdull, P&Z Clerk

The meeting commenced at 7:00 p.m. at Town Hall. The next Zoning Board of Appeals meeting will be held on Tuesday, July 5, 2016. Site visits will be conducted by the Board on June 18, 2016. Previous distribution to the Board of the regular meeting minutes of May 3, 2016 was executed and all members present acknowledged receipt of those minutes.

WHEREFORE a motion was made by Member Palen and seconded by Vice Chair Condon to accept the May 3, 2016 minutes with corrections. The Board having been polled resulted in unanimous affirmation of said motion.

Record of Vote

Chair	Denise Rhoads	Present	[Yes]
Vice Chair	Jim Condon	Present	[Yes]
Member	Sherill Ketchum	Present	[Yes]
Member	David Palen	Present	[Yes]
Member	Curt Coville	Present	[Abstain]

Initial Review

Applicant: John & Louisa Cohlan
241 Kenlyn Rd
Palm Beach, FL 33480

Property:
3007 East Lake Rd
Skaneateles, NY 13152
Tax Map #039.-01-15.0

Present: Robert Eggleston, Architect

The applicants recently acquired the prior McDonald property of 4.8 acres on East Lake Road. The existing dwelling and guest house was constructed in the 1980s, with the boathouse/accessory apartment updated in the 1980s. The applicant would like to redevelop the property that has existing impervious surface coverage of 19% consisting of the buildings, pool surround, driveway, and various hardscapes. The existing main house will be demolished with a new dwelling located in a similar location, and the existing guest house that is located near the north property line will be removed with a new guest dwelling located next to the proposed tennis court. The tennis court will be dug down into the earth with a retaining wall on the back wall that will be 4-5' tall.

The existing septic system was state of the art at the time of installation in 1987, and the OCDOH has approved the existing septic system for the proposed development. The pump chamber and septic tank for the main house will be relocated to accommodate the proposed dwelling. There will be extensive removal of paved surfaces and removal of the swimming pool.

There is an existing shoreline structure that is a 2578SF boathouse that has a two bedroom dwelling unit that will be remodeled so that the exterior will tie into the new house. There are concrete patios and a boat slip. There are 6695SF of existing shoreline structures and the proposal is for a reduction in shoreline structures to 4789SF. Within 100' of the lake line there is 22% of impervious surface. With the proposed removal of the play area, Jacuzzi, and conversion of the impermeable dock to permeable pavers, the impervious surface will be reduced to 4.6% within the 100' setback to the lake. The proposed switchback stairs will be permeable with grass and steps. The removal of the impermeable surface coverage between the 50' to 100' of the lake line is a mitigation factor of how the shoreline area is being environmentally improved, stated Mr. Eggleston. He continued stating that there will also be a planting plan for the shoreline to help mitigate stormwater.

The variance request is for the proposed reduction in shoreline structures to 4789SF whereas 800SF is the maximum allowed for the property. Mr. Eggleston stated that for the property to comply with the 800SF of shoreline structure they would have to remove the boathouse. The boat slips and deck that extends partial over the slip are beyond the mean high water line of 865.02'NVGD 1929, and beyond the Town jurisdiction.

Member Ketchum inquired what the reason was to keep the separate deck located to the north of the boathouse. Mr. Eggleston replied that it may cause more harm to disturb the area with the removal of the deck and stairs. Member Condon commented that removal of the hard surfaces is more environmentally friendly and a benefit not only to the applicant but the neighbors and the lake. Member Palen commented that the requested variance is still a substantial variance. Mr. Eggleston stated that they are trying to improve the quality of the structures. Member Palen inquired on the square footage of the existing deck located north of the boathouse. Mr. Eggleston stated that it is 1900SF existing and the proposed reduction will change it to 1026SF of deck and steps. He continued stating that if it was removed it would be replaced with stone so that it was not a structure, and it would not be replaced with a bank and grass.

Chair Rhoads inquired on how a person would access the boathouse. Mr. Eggleston commented that there is a proposed grass and stone tread step walkway from the house to the entrance of the boathouse. The Planning Board will also be reviewing the project. Mr. Condon inquired if the ZBA could wait for the Planning Board to review the project and make comment due to the extensive modifications to the property. Mr. Eggleston stated that the Planning Board has already conducted a site visit and that the application is also seeking Planning Board approval during the same time period as the ZBA.

Member Palen commented that the narrative referenced that there are similar structures in the neighborhood. Mr. Eggleston stated that the neighbor two doors down has a large boathouse

structure with living space in the boathouse that is equal in size, the Neumanns, and the Shanleys further down have them as well.

Member Condon commented that there are proposed two guest houses and the main house on the property. Mr. Eggleston commented that the dwelling in the boathouse is a pre-existing nonconforming dwelling, and the second structure is a guest room and not a guest house as it won't have a kitchen in it. Chair Rhoads stated that it will have a living room, bathrooms and bedroom in it and inquired if that is what defines it as a guest cottage. Member Condon inquired what makes it not a guest cottage, no stove. Mr. Eggleston stated yes it doesn't have a kitchen. Mr. Condon stated that it does have a sink. Mr. Eggleston stated that it has been reduced from an independent dwelling unit to a space where there guests can go, but it is not separate. Member Ketchum stated that it has two bathrooms, a bedroom, a living room, and a bar. Counsel Molnar commented that it is being discussed here and at the Planning Board, and I think they would be leaning towards considering this a residence. A residence as it has other amenities such as a laundry, bath with shower, a bar that is easily the equivalent of a kitchen, and the Planning Board will be looking at that. Member Condon stated that basically there are three separate residences with separate parking with the septic handling them.

Mr. Eggleston stated that the septic system has twice the capacity as they would need. Member Condon inquired if the septic system is too large for the project. Mr. Eggleston stated that the part of the septic system that will be modified is the locating of the septic pump and chamber from servicing the main dwelling and there will be a new one installed for the guest room. The existing boathouse has a septic pump that pumps to the existing leach field that will remain. Counsel Molnar stated that it is a very large parcel and the consequence of the guest room being considered an accessory apartment is that the property would not be subject to further subdivision so that it remains one property, as opposed to in the future having any one of these residences subdivided off. Member Condon commented that there is insufficient road frontage to subdivide. A site visit is scheduled for June 18, 2016. Member Coville will visit the site independently.

Member Condon requested that data be provided regarding the shoreline structures in the area.

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Palen to schedule a public hearing on ***Tuesday, July 5, 2016 at 7:10 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

Initial Review

Applicant: Nelda Amidon
1939 Coon Hill Rd
Skaneateles, NY 13152
Tax Map #035.-02-09.1

Present: Richard Schmidt, Real Estate Broker representative; Dale Amidon, Power of Attorney for Nelda Amidon

The applicant is proposing a two lot subdivision of the 15.7 acre lot with lot 1 being a two acre lot with the existing dwelling and lot 2 being 13.7 acres of vacant land with a 30' access easement. The property is located on Coon Hill Road, a county road that requires 300' of road frontage for a conforming lot. The applicant would like to subdivide with lot 1 having 200' of road frontage and lot 2 having 196.4' of road frontage. The vacant land is actively farmed and would continue to be farmed.

Chair Rhoads inquired if there was a pending purchase on the properties. Mr. Schmidt stated that both of the parcels have a purchase offer pending, with lot 2 potential being acquired by Mr. Teufel, neighbor to the west. He continued stating that if there was a house that would be built on lot 2, it would be located along the road frontage instead of being located in the rear of the existing dwelling on lot 1.

The neighboring lots on Coon Hill have road frontage that is less than the proposed road frontage for these lots. The Onondaga County Planning Board commented that all existing and future access for proposed lots 1 and 2 must occur from the existing driveway/access lane, and no additional access shall be permitted from either proposed lot in the resolution dated June 8, 2016.

Member Ketchum inquired if a conservation easement was being considered for lot 2. Mr. Teufel stated that he was not considering that but he would still like to have it farmed. The property was the site of a small airfield that was abandoned in the past. Lot 2 could be further divided with one additional lot created under conventional subdivision regulations with a maximum of four dwelling units off the private driveway.

Member Coville commented that the owner may be able to obtain agricultural tax breaks on lot 2 as it is actively farmed. Counsel Molnar commented that it may be possible provided that the establishment of the conservation easement was not compulsory in exchange for approval for development. If it was a voluntary easement for conservation it may be entitled to certain tax credits. A site visit is scheduled for June 18, 2016. Member Coville will visit the site independently.

WHEREFORE, a motion was made by Member Palen and seconded by Member Ketchum to schedule a public hearing on *Tuesday, July 5, 2016 at 7:20 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Public Hearing Continuance

Applicant: Kerrin Hopkins
1813 Russells Landing
Skaneateles, NY 13152
Tax Map #063.-03-13.0

WHEREFORE, a motion was made by Member Condon and seconded by Member Coville to open the continued public hearing. The Board having been polled resulted in the unanimous affirmation of said motion.

The applicant had emailed a request to have the public hearing continued to the July meeting as she is still recuperating from her surgery.

WHEREFORE, a motion was made by Member Condon and seconded by Member Ketchum to continue the public hearing on *Tuesday, July 5, 2016*. The Board having been polled resulted in the unanimous affirmation of said motion.

Discussion

The Board reviewed the draft comprehensive plan and discussed changes and suggestions. The proposed changes will be submitted to the Town Board for review.

There being no further business, a motion was made by Vice Chair Condon and seconded by Member Palen to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Karen Barkdull