

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF
July 1, 2025**

Present:

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

Chair Rhoads opened the Zoning Board of Appeals meeting at 7:00 pm. She welcomed newly appointed Member, Jim Condon, to the Zoning Board of Appeals.

Minutes

Previous distribution to the Board of the regular meeting minutes of June 3, 2025, was executed, and all Members present acknowledged receipt of those minutes. Member Condon abstained from voting as he was not present for the June meeting.

WHEREFORE, a motion was made by Member Kiefer and seconded by Member Ketchum to accept the June 3, 2025, 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]
Member	Kris Kiefer	Present [Yes]
Member	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [X]

Public Hearing

Applicant:	James & Emily Johnson 1781 Russell's Landing Skaneateles, NY 13152	Property:	1781 Russell's Landing Skaneateles, NY 13152 Tax Map #063.-03-06.0
------------	--	-----------	---

Present: Guy Donahoe, Donahoe Architectural Design, PC
Jim Johnson, Applicant
Emily Johnson, Applicant (Via Zoom)

Chair Rhoads stated that this application was for the continued review of a request for the variances necessary to make an existing shoreline structure compliant. The Applicant is requesting three variances: Total Lot Coverage, Dimensional Limits, and Side Yard Setback on a nonconforming lot.

Applicants, Jim and Emily Johnson were present. Jim, in-person and Emily, via Zoom. Design professional, Guy Donahoe of Donahoe Architectural Design, PC represented the Johnson's.

Chair Rhoads stated that Board Member's had made a site visit on June 23, 2025, and that the Applicant and their professionals were present. The Board viewed the staircase, which was constructed without the proper variances and approvals. They discussed possible options to reduce the variances being requested.

Mr. Donahoe stated that the Planning Board had also made a site visit on June 26, 2025. Slightly different approaches were taken, but based on their observations, the Planning Board also discussed potential changes that could be made to the application to reduce some of the existing requests.

Mr. Donahoe stated that the Town Engineer, John Camp, also conducted a site visit and made comment. Mr. Camp sent an email to the Planning Board following his site visit and stated that while he had "not yet reviewed the Geotechnical report, in detail, it appeared that the reasonable choices of the applicant to construct a viable set of stairs is rather limited."

Counsel Molnar read Mr. Camp's email aloud to the Board. Clerk Barkdull forwarded the email to Clerk Case who then distributed it to Board Members and added it to the record. Counsel Molnar added that he would expect more after Mr. Camp reviewed the Geotechnical report.

Mr. Donahoe noted that he and his client received comments from the Garlock's, neighbors to the north, and their representative the week prior. He and his client would like to take into consideration comments made by the ZBA and Planning Board at their site visits, as well as the comments made by Garlock's and their representative. They have not had enough time since receiving these comments to put that response together.

Mr. Donahoe requested that the Board continue the public hearing into the following month so that they could make an appropriate response to the observations made.

Chair Rhoads stated that she thought this was a reasonable request.

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.

At this time, Chair Rhoads opened the public hearing and asked if there was anyone who would like to speak in favor of, against, or had any questions regarding the application.

Maria Garlock - 1777 Russell's Landing

Mrs. Garlock stated that she and her husband Richard own the property to the north of Johnson's. They had written letters to both the ZBA and to the Johnson's regarding their concerns. Mrs. Garlock stated that she and her husband believe maintaining friendly relations between neighbors is

important, adding that they regret that they were there (at the meeting) and hope the Johnson's understand that the extent of construction was so substantial, they really felt the need to voice their concerns. Mrs. Garlock noted that she had nothing more to add other than what was in the letter to the ZBA but wanted to make the public comment in person.

Chair Denise Rhoads stated that the letter had been received, distributed to Board Members, and submitted into the record.

Robert Eggleston, Eggleston & Krenzer Architects, PC - 1391 East Genesee Street

Mr. Eggleston was asked by the Garlock's to review the project based on the Town of Skaneateles zoning and some of the common practices done around the area. He also submitted a letter to the ZBA, and the Applicant received a copy as well.

Mr. Eggleston stated that there were three main issues he wanted to point out.

First, looking at alternatives that have been practiced on similar lots in the neighborhood that should be considered. The alternatives would provide safe access to the shoreline with minimal impact on the cliff, not causing further degradation as a result of placing structures on it.

Second, the importance of stormwater management on lake properties. Mr. Eggleston noted that he incorporates some sort of stormwater management on most all of his lake projects. This would help deter further erosion of the cliff and is an important element of any project- especially this one.

Last, He would offer other reductions on the multiple nonconformities of the property- how it could be made less nonconforming and help mitigate some of the necessary variances.

Mr. Eggleston asked if there were any questions regarding the letter.

Member Kris Kiefer stated that he saw in one of the letters a comment about whether the new staircase complies with Code. He wondered, from a Code's perspective, if there was anything in the record indicating that there had been a code assessment or analysis by Codes Enforcement Officer, Bob Herrmann.

Clerk Karen Barkdull stated that we do not have anything like that. She added that it would be difficult for Mr. Herrmann to do that without construction drawings showing how the structure was built. He would need that to provide an analysis or assessment.

Member Jim Condon wondered if the contractor had drawings. He stated that he understands Tracy does a lot of good work in the community and clarified it is not a question on their part. He then added that a structural engineer's comments would be of value here and asked if one had made a site visit. Any structural input would be very helpful, adding that perhaps Tracy could develop the drawings.

Guy Donahoe stated that he doesn't believe the contractor had drawings. He thinks Mr. Tracy, the contractor, and his team showed up onsite to make repairs to the existing deck and put up a pole to help support it. They then began their construction, trying to find a path to build on their way down. He thinks this process was rather organic planning and therefore doesn't believe Tracy created any plans. Mr. Donahoe also replied that a structural engineer had not visited the property. He then stated that based on the comments made by the ZBA and Planning Board during their site visits, and the observations made, he thinks they may put forth some things for the Boards to consider. Mr. Donahoe noted that it would take a little bit of work on the existing structures and perhaps at that time an analysis could be made of the structural condition.

Maria Garlock stated that she was confused about the “organic” conversation. From what she had read, this sounded like three projects: access to the deck, repairs to deck, and new staircase. She noted that the new staircase was planned. The Johnson’s asked the previous owners of Garlock’s property in September of 2023 for permission to build stairs on the north end of their lot. Mrs. Garlock stated that to her, the timeline presented doesn’t sound so organic in the way it was built there.

Guy Donahoe stated that he would agree. However, he thinks that the construction was planned but doesn’t believe there were plans drawn up.

Maria Garlock agreed with Mr. Donahoe, adding that based on the documentation she has seen, she does not believe the project started out as just a repair.

At this time, Chair Rhoads asked if there were any further questions or comments on the application.

With there being no further comments or questions, Chair Rhoads asked for a motion to continue the Public Hearing at the next ZBA meeting on August 5, 2025, at 7:02pm.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Condon to carry the Public Hearing over to the August 5, 2025, ZBA Meeting, at 7:02 pm. 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]

Public Hearing

Applicant:	Greg & Kaitlin Parker 1021 The Lane Skaneateles, NY 13152	Property:	1021 The Lane Skaneateles, NY 13152 Tax Map #050.-01-21.0
------------	---	-----------	--

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC
Greg Parker, Applicant
Kaitlin Parker, Applicant

Chair Rhoads stated that this application is for a proposed garage and storage addition with living area, consisting of a bedroom suite and three new decks above, which exceeds footprint and floorspace calculations for this nonconforming lot.

Board Members conducted a site visit on June 23, 2025. The Applicant and their representative were present.

The Applicant’s Design Professional, Bob Eggleston, was present to represent them. He stated that they had made a slight adjustment to the plan after reevaluating how much space they really needed. Mr. Eggleston pointed out on the garage floor plans, the size of the cars owned by the Applicant. It

was noted that they have a number of other things they'd like to store in that they'd given up the existing shed. A reduction of 4-5 SF had been made as they tried to pull everything in as tightly as they could. The footprint decreased from 7.0% to 6.9%. They stayed at 12.0% even though they lowered the square footage of total potential living space. They were able to tighten up the ISC. The driveway was narrowed to the minimum necessary to be able to pull in and out of the garage. The ISC was decreased by 0.8% which lowers their contribution to the LDRA fund.

Mr. Eggleston stated that the proposed bioswale would make conditions better than what they currently are. The Applicant has had stormwater issues, as the Board saw at their site visit. They will now be able to take the drainage they've already started back to the bioswale, which will then go into the natural ditch along the north property line.

Mr. Eggleston pointed out that there have been similar improvements made to neighboring properties. These properties have slightly larger lot sizes, so the ZBA never saw them for variances. He added that with this project, they have tried to provide even more mitigation for the variances requested.

Chair Rhoads asked about the asphalt area outside the proposed garage.

Mr. Eggleston replied that this area was for backing out of the garage. He added that this turnaround was originally twice as far back, but they had reduced it. The overall driveway was 14 feet wide but had been reduced to 12 feet.

Member Ketchum asked how many feet were in front of the BMW on the plans.

Mr. Eggleston stated that there would be about 6 feet to leave enough room for bikes, trash cans, and other similar items.

Chair Rhoads stated that although not in the ZBA's purview, and the ISC is being reduced slightly, it is still somewhat concerning. She asked Counsel Molnar if the ZBA were to grant the variances, would the Planning Board still have the option to push for further reduction in ISC.

Counsel Molnar stated that if the variances were granted, it becomes a perfectly allowable right.

Mr. Eggleston added that ISC is not a variance being requested, therefore allowing the Planning Board to have that ability.

Member Kiefer stated that he had similar reservations as Chair Rhoads regarding ISC.

Mr. Eggleston asked if the Board would like to see the turnaround eliminated, adding that the Applicant agreed to this change. Revisions would be submitted to reflect this change.

Member Condon asked about the deck above the storage area.

Mr. Eggleston stated that it is still impermeable coverage.

Member Ketchum noted that her concern was the amount of space in the garage and the overall footprint. The trailer could go elsewhere to minimize the variance requested.

Member Condon agreed that there could be some movement with that aspect of the plan. He then asked about the Applicant's willingness to make further reductions.

Mr. Eggleston stated that the space under the existing deck is being used as makeshift storage, making it impermeable. With the storage space under the existing waterproof deck and the shed being eliminated, they are looking at it as a tradeoff in terms of storage space.

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 Ketchum 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 asked if there was anyone who would like to speak in favor of, against, or had any questions regarding the application.

Mr. Eggleston noted that a letter of support had been signed by neighbors and submitted.

Chair Rhoads confirmed receipt of the letter and stated that it had been entered into the record.

With there being no further comments or questions, Chair Rhoads asked for a motion to close the public hearing.

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

FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCES:

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

Yes ☐ No ☒

Reasons: No, by unanimous vote. The ZBA found that the requested variance would not produce an undesirable change to the neighborhood or nearby properties. The neighborhood consists of other larger, year-round houses. Most of the proposed changes shown in the plans will not be visible from the front of the home. The Applicant is proposing to update and improve the trilevel home which will be consistent with other updates made to properties within the neighborhood. There are multiple neighboring homes with exterior updates and improved with garages. Neighbors have expressed favor for the Applicant's proposal.

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 type="checkbox"/>	<input checked="" type="checkbox"/>

2. Whether the benefit sought by the Applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance: Yes ☐ No ☒

Reasons: No, by unanimous vote. The ZBA found that the benefit sought by the Applicant cannot be achieved without the granting of an area variance. The property is a preexisting nonconforming lot which is 2,177SF shy of 40,000SF. Per the code, on lots under 40,000 SF, floorspace cannot exceed 10% of the lot area and the Applicant is requesting 12% floorspace. The total existing footprint is 4.9% and 6.9% is being requested where 6.0% is allowed. The total living space will increase from 3,365 SF to 4,522 SF. The ISC is preexisting nonconforming at 13.3%, and the proposed ISC will decrease to 12.5% where 10% is allowed. Although the Applicant did make a reduction to the ISC, it is still above what the code allows. The Applicant could reduce the scope of the requested variances while still retaining a large two car garage addition and accommodating driveway. The Applicant could reduce the scope of the footprint and floorspace variance requests by further reducing the size of or eliminating the storage garage, as well as eliminating the turnaround. [The Applicant agreed to omit the turnaround from the proposal prior to the opening of the Public Hearing]

The Applicant's agreeance to further reduce the ISC by eliminating the excess turnaround area was appreciated. Although an area variance would be required regardless with this nonconforming lot, it is a different piece as to whether this is the minimum necessary that is being requested.

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 type="checkbox"/>	<input checked="" type="checkbox"/>

3. Whether the requested variance is substantial: Yes ☒ No ☐

Reasons: Yes, by unanimous vote. The ZBA found that the requested variance is substantial. While the percentages over the allowable footprint and floorspace appear minimal, the total living

space is increased by 1,157 SF. The lot is in the LWOD and although the proposed footprint will only be 0.9% over what is allowed, the increase to what exists is 2%. The proposed floorspace will be an increase of 2% above what is allowed and a 3.1% increase to what exists. The ISC, while preexisting, is nonconforming at 12.5% and could be further reduced to comply with the code at 10%. Although not in the purview of the ZBA, the ISC is still 2.5% above what is allowed. An increase of 116 SF of potential living space is a 34.5% increase, which could be considered. If approved, the variances would permanently stay with the property.

QUESTION 3 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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(2) Yes but No (2).

Two(2) 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 location of the lot and proposed construction seems fairly far away from where the drainage on The Lane collects so having a bioswale in that area is an added benefit. The proposal seems to align with other improvements to homes throughout the neighborhood, in terms of location towards the road and type of improvement being made to the property. The addition of roof drains and a bioswale help to mitigate the potentially negative effects of stormwater.

Two (2) Board Members found that the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because the potential for adverse conditions exists anytime you increase the total footprint of a dwelling. By increasing total floor space, there will inevitably be more use of the property which can stress the septic system, increasing the risk for potentially related issues.

However, since there is a reduction in ISC, this will theoretically improve the condition of the property. The property will have better stormwater management and erosion control by way of the installation of a bioswale, if properly maintained.

QUESTION 4 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member JIM CONDON	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 to deny, made by Chair Denise Rhoads, duly seconded by Member Sherill Ketchum, and upon a (2-2) vote of four out of five Members present, as recorded below, finds that the motion fails.

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

At this time, Counsel Molnar stated that as a result of the (2-2) outcome, the motion fails. With a(2-2) vote, there is no motion to approve the application.

Mr. Eggleston asked if at that point, whether they have the opportunity to bring back modifications.

Counsel Molnar state that this would be up to the Board. He added that in the past, the ZBA has viewed this positively. The Applicant's made changes that were satisfactory as subsequent change to bring action again before the ZBA without violating the law.

Mr. Eggleston informed the Board that the Applicant was now suggesting that they would like to modify their application.

Speaking on behalf of the ZBA, Counsel Molnar invited the Applicant to submit substantially modified variances to be heard at the next ZBA meeting on August 5, 2025.

Counsel Molnar recommended to the Board that they re-notice the Public Hearing.

WHEREFORE, a motion was made by Member Kiefer and seconded by Vice Chair Palen to allow the Applicant to submit an application with a substantial change for consideration at the next ZBA Meeting on August 5, 2025.

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]

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Kiefer to schedule and re-notice a Public Hearing for August 5, 2025, at 7:15 pm. 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]

Public Hearing- Continuance

Applicant:	SUNN 1017, LLC 700 West Metro Park Rochester, NY 14623	Property:	Jordan Rd. / Vinegar Hill Rd. Skaneateles Falls, NY 13153 Tax Map A #018.-04-31.1 Tax Map B #018.-04-29.1
------------	--	-----------	--

Present: Andrew VanDoorn, President, Abundant Solar Inc.
Matt McGregor, Sr. Director, Abundant Solar Inc.
Bryan Dunbar, Project Developer, Abundant Solar Inc.
Rebecca Minas, Sr. Engineer, Barton & Loguidice, D.P.C.
Bartolo Morales, Project Developer Manager, SolarBank Corporation

Chair Rhoads stated that this application is for a proposed solar redevelopment project which spans across two contiguous remedial lots. It is the site of the former Stauffer Chemical Company. The ZBA has made a site visit.

Chair Rhoads stated that the Public Hearing had previously been opened. The application process had been on hold for SEQR. The Planning Board, acting as lead agency for SEQR, rendered a negative declaration at their July 24, 2025, meeting. The application can now move forward with the ZBA, regarding the variances requested.

Chair Rhoads asked to provide new Board Member, Jim Condon, a little background and told him he could make a site visit if he chose to do so.

Member Condon stated that he was familiar with the property and read the minutes from previous meetings, which provided a lot of good information.

Chair Rhoads announced that the plan for that evening was to open a continuance of the Public Hearing and carry forward to next month so it could be properly advertised for public comment.

Counsel Molnar added that the timeframe between completion of SEQR, just a week ago, to reopening the Public Hearing that night had been compressed. In conversation with Chair Rhoads, they were concerned that interested parties may not know this hearing was occurring, and that Member Condon needed to be brought up to speed on the application. Counsel Molnar therefore recommended the ZBA continue the Public Hearing next month and re-notice it so that if parties are still interested in making comment, they can do so with the benefit of having added time.

At this time, Counsel Molnar recommended that if the Applicants were available to do so, that they give a brief overview to bring all Members up to speed.

Rebecca Minas, Sr. Engineer, Barton & Loguidice, D.P.C. stated that they originally came before the ZBA requesting six variances. There was a proposed third project in the southwest corner of the site. After hearing the Board's concerns with the level of variances being requested, the project was reduced in magnitude by one of the three community solar projects.

Ms. Minas pointed out, on the site plan, each of the two 5MW projects, each sitting distinctly on their own parcels. A lot line adjustment was required to achieve this. She stated that they were last before the ZBA in April, and since then had been through a number of meetings with the Planning Board and completed the SEQR process. In hearing comments from the public and the Planning Board throughout that process, they made one significant change to the plan. Some panels have been relocated so there are no panels within the wetlands on the north part of project #1. Ms. Minas added that they were still working through DEC's jurisdictional determination process, but to take a conservative approach, they assumed the wetlands may be regulated by the DEC and there are now no panels proposed within that buffer.

Ms. Minas stated that with this change, none of the requested variances were affected. They are still requesting a reduced setback at the rear of the property, from 100 feet to 20 feet. This would only be external to the lot line between the two projects and would allow them to keep the project internal to the site. They will however be maintaining the 100-foot setback around all external boundaries- the front yard and side yard setbacks. This equates to two variances: one for each lot. The other two variances are for a slight increase in maximum lot area. Per solar code, 25% is allowable. They are proposing 30% on lot #1 and 31% on lot #2. Ms. Minas noted that although some panels were relocated, there was no change to the actual area.

Andrew VanDoorn, President, Abundant Solar Inc. stated that there had been discussions with the Planning Board and there has been an indication of interest in potentially expanding the Charlie Major Nature Trail along Jordan Road. They worked with DEC and the landlord and secured a commitment to work in good faith from the landlord to potentially provide the Town an easement for a recreational walking trail- if the DEC consents. A commitment was also made to replace the fence at the front of the property, ideally 15-20 feet in, based on the easements. If DEC says this is not possible, they are committed to replacing the fencing with black vinyl coated chain link fencing, which was requested by the neighbors.

Ms. Minas reviewed the proposed Planting Plan. A variety of evergreens and deciduous plants would be utilized to create a very extensive vegetative screening. There would be a couple of rows of screening at the north end and one row of staggered and clustered trees south of the access drive. Ms. Minas noted that this Planting Plan was very extensive for a solar project. It is not your typical single row of evergreens. This plan was created in response to what was heard from the neighbors across the street.

Member Kiefer asked if the neighbors had seen the Planting Plan.

Ms. Minas replied that they had.

Mr. VanDoorn added that if they were to move the fence back, the vegetation plan might shift slightly.

Member Condon asked about the decommissioning plan. After 25 years, he understands there to be a bond for this purpose and the site will go back to its original state, except for the plantings.

Counsel Molnar stated that the Applicant has proposed that a decommissioning cost estimate be attached to the document, which is being reviewed by Town Engineers to ensure accuracy. He noted that the Planning Board would not accept this without recommendation from C&S Engineers.

Member Condon Stated that in reading neighbor comments from the minutes, he noticed there was concern about truck traffic and assumes there will be a truck wash off, proper signage, and that the site is kept locked at all times. He wondered if there was a plan in place to check functionality.

Mr. VanDoorn stated that they will have an operations and maintenance plan which includes several site visits each year and cameras onsite that take pictures every three minutes. The site can and will be observed remotely and in-person.

Member Condon asked if the Town would receive reports.

Counsel Molnar stated that the Planning Board was requesting annual certification or that the operations and maintenance plan report be submitted by the Applicant annually to make sure vegetation remains alive or is replaced.

Mr. VanDoorn stated that anytime a component goes down, they get an alert. Failed equipment affects revenue, so they must be there to make repairs. He added that the entire site will be fenced in, as well as each separate system within the site. There will be signage displayed with an emergency phone number.

Member Kiefer stated that he had a question going back to overall construction. The State established these 5MW size limitations community solar project. He recalled discussions about doing this type of thing which is to buy a bunch of contiguous parcels with 5MW arrays on each, resulting in several arrays clumped together. He wondered if this kind of in and of itself defeats the purpose of the State's limitations. Member Kiefer asked if the Applicant could provide some

background on how they, as a Board, should be thinking about having two 5MW projects put together, separated by a line that they are being asked to approve setbacks for.

Mr. VanDoorn stated that they have done this on other parcels, specifically brownfields. He added that the best example is the High Mill Settling Basin, outside of Syracuse. This site has up to 100MW potential. They started with three 5MW blocks, which the Town and County agreed to the subdivisions.

Mr. VanDoorn added that in terms of the Stauffer project, they would be connecting to two different lines, which is another reason it must be two projects. They will be connecting to a sub transmission line running through the blue parcel, and a distribution line on Jordan Road. Since this is a Brownfield project, the landlord is looking to get the highest and best use out of the land. Two 5MW projects tend to be that.

Counsel Molnar recommended to the Board that because of the continuance of an existing Public Hearing, the ZBA open the Public Hearing and then continue it and authorize republishing of the prior notice so there would be no criticism from interested parties if it proceeds accordingly.

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

At this time, Chair Rhoads asked if there was anyone who would like the public hearing notice read. No one requested the public hearing notice to be read into the record.

Chair Rhoads stated that the Planning Board was lead agency for SEQR and determined the application to have negative declaration.

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

Robert Eggleston, Eggleston & Krenzer Architects, PC - 1391 East Genesee Street

Mr. Eggleston stated that he was in favor of the project. When thinking about the options and possibilities of this site, having worked on the Comprehensive Plan, and having looked at some of the goals of the community, which include trying to be more sustainable, he can't think of a better use for the property. Mr. Eggleston added that the more solar projects we can get, the more independence we can get from fossil fuels for example. He has had solar for 11 years, which has served 97% of his needs. Mr. Eggleston expressed that he appreciates how this group has worked with neighbors. Through education, compromise, and making changes to improve the project, Mr. Eggleston thinks it is worthwhile and gives his full support.

With there being no further comments or questions, Chair Rhoads asked for a motion to re-notice and continue the Public Hearing at the next ZBA meeting on August 5, 2025, at 7:25pm.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Ketchum to re-notice and carry the Public Hearing over to the August 5, 2025, ZBA Meeting, at 7:25 pm. 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]

Initial Review

Applicant:	Richard & Allison Hourigan 3439 Amber Road Syracuse, NY 13215	Property:	1690 Amerman Road Skaneateles, NY 13152 Tax Map #063.-04-03.0
------------	---	-----------	--

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC

Chair Rhoads stated that this application was for a proposed permanent dock and boathouse on a nonconforming lot. Design Professional, Bob Eggleston was present to represent the Hourigan's. The Applicant is requesting a variance for lot size.

Mr. Eggleston stated that his client had been asking for the last two years what he could do at the lakefront. With the change in regulations, Mr. Eggleston advised that they wait and see what happened with the shoreline regulations so they could keep the project as compliant as possible.

Mr. Eggleston stated that if there was ever a project where the difficulty is not self-created, it is this one. The shoreline has steep banks with solid shale cliffs. An existing set of stairs with reasonable design do meet Code as far as rise and run. These stairs, however, are made from pressure-treated lumber and are very worn. They will need to be rebuilt in kind. The problem with the current setup is there is nowhere to store waterfront items due to the cliff. Storms, rough waters, and winds are a problem when trying to contain kayaks, life jackets, small watercraft, and other waterfront items. They would like to create a storage area but cannot build a shed with only 80SF to work with. To mitigate this issue, they are proposing a 10'x16' boathouse which will be 160SF and allow the Applicant to contain their waterfront belongings.

In trying to consolidate the project as much as possible, they have provided a rooftop sitting area that replaces the loss of the patio below. All Shoreline structures will comply with code. They only need a special permit from the Planning Board because of the proposed boathouse. Mr. Eggleston added that they were only before the ZBA because the lot is less than 20,000SF. He noted that this property has never received a variance before.

Member Ketchum asked about the area of shoreline that was built out at some point and whether that was still allowed.

Mr. Eggleston replied, stating that this is not permissible to create anymore but this property had this prior to regulation change.

Member Condon stated that if there were letters from neighbors, it would be helpful.

Mr. Eggleston stated that since beginning the project, the owners have put the property on the market. They found a more suitable place on the east side of the Lake, which is much closer to their

farm. He added that this project is necessary for reasonable use of the property and that a potential buyer could proceed with this proposal.

Member Condon asked if there would be any indoor plumbing involved. There would be no indoor plumbing.

Vice Chair Palen asked if the dock needed to be 40 feet.

Mr. Eggleston stated that the water gets deep fast at that location. The Applicant currently has a 25-foot dock where the boat hoist sits beyond the end of the dock. The new dock needs to be 40 feet to allow for the hoist to sit alongside it as opposed to beyond it. He added that from an environmental aspect, permanent docks only disturb the lakebed once, as opposed to twice a year during the DEC “do not disturb” periods for fish reproduction cycles.

Mr. Eggleston stated that in his 35 years of working on shoreline structures, he thinks today’s common method of using steel piles has been the best solution. Crib docks made good fish habitats, but the trouble was the arsenic in the wood used. Concrete Sono tubes would erode with a bad batch of concrete.

Clerk Barkdull added that a 40-foot dock only requires a building permit.

Mr. Eggleston added that without the inclusion of a boathouse in their plans, they wouldn’t be before the ZBA.

Board Members will conduct a site visit on July 14, 2025, at 6:00 pm.

With there being no further comments or questions, Chair Rhoads asked for a motion to schedule a Public Hearing for August 5, 2025, at 7:40 pm.

WHEREFORE, a motion was made by Member Kiefer and seconded by Vice Chair Palen to schedule a public hearing for August 5, 2025, at 7:40 pm. 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]

Initial Review

Applicant:	Penelope A. Gray Rev. Trust Penny Gray 352 Seneca Road Hornell, NY 14843	Property:	2654 W Lake Road Skaneateles, NY 13152 Tax Map #053.-01-04.0
Present:	Robert Eggleston, Eggleston & Krenzer Architects, PC		

Chair Rhoads stated that this application was for the proposed redevelopment of a nonconforming lot, including a new dwelling, shoreline improvements, and permanent dock.

Design Professional, Bob Eggleston was present to represent the Applicant. The variances being requested are nonconforming lot size, nonconforming road frontage/lot width, nonconforming lake yard setback, and nonconforming footprint.

Mr. Eggleston stated that this is a small lot with a cottage. The existing structure slightly exceeds the allowable footprint but living space is below the allowed. The footprint is currently at 6.8% and will be reduced to 6.3%. The existing deck is only 32 feet off the shoreline and the house is 46 feet off the shoreline. They are proposing to increase the setbacks so the deck will sit 50.3 feet, and the house 60 feet off the shoreline. It was noted that they are pushing the structure back as far as possible and that the septic area prevents pushing farther.

Mr. Eggleston stated that the proposed dwelling will sit pretty much in line with and be less nonconforming than the adjacent dwelling, which is a quality redeveloped dwelling built about 15-20 years ago. The dwellings will be similar in size, but this one will be slightly farther back from the shoreline than the neighbors.

Mr. Eggleston stated that they are redeveloping a lot that is 17,000 SF, making it 2500 SF too small to do without a variance. It is a complete teardown and rebuild that will be pushed farther back, making it less nonconforming than what exists. He noted that there are 114 feet of lakefront and that the proposed shoreline structures totally comply.

Member Condon asked how many bedrooms were being proposed.

Mr. Eggleston replied that there would be three bedrooms.

Mr. Eggleston stated that Engineer Eric Buck has perc on the property which he just needs to have witnessed. He believes they will be able to go with a conventional system but may need to utilize a sand filter.

Member Condon asked if this was to be a year-round residence.

Mr. Eggleston stated that this would be Ms. Gray's primary north house. She also has a primary south house.

Member Condon asked about the cellar, garage, and driveway.

Mr. Eggleston stated that the cellar was a good place to put mechanicals and would not be used as living space. There will be no garage. The driveway is stone, and they would be adding a turnaround because otherwise you must turn around on the grass.

Member Condon asked about the deck steps.

Mr. Eggleston stated that they would be cut into grade. There is a moderately steep slope, not a cliff.

Member Kiefer asked about the road frontage measurement being 0 (zero).

Mr. Eggleston stated that the lot is triangular. There are two side yards and a lake yard.

Board Members will conduct a site visit on July 14, 2025, immediately following the Hourigan site visit.

With there being no further comments or questions, Chair Rhoads asked for a motion to schedule a Public Hearing for August 5, 2025, at 7:50 pm.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Kiefer to schedule a public hearing for August 5, 2025, at 7:50 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 August 5, 2025, at 7:00 pm.

Member Condon will need to stop by the Town Hall to sign the oath.

There being no further Board business, a motion was made by Member Ketchum and seconded by Member Condon to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:47 pm.

Respectfully Submitted,

Aimie Case
ZBA Clerk

Meeting Attendees:

Robert Eggleston, Eggleston & Krenzer Architects, PC	Jim Johnson, Applicant
Guy Donahoe, Donahoe Architectural Design, PC	Rich Garlock
Rebecca Minas, Sr. Engineer, Barton & Loguidice, D.P.C.	Maria Garlock
Matt McGregor, Sr. Director, Abundant Solar Inc.	Greg Parker, Applicant
Andrew VanDoorn, President, Abundant Solar Inc.	Kaitlin Parker, Applicant
Bryan Dunbar, Project Developer, Abundant Solar Inc.	
Bartolo Morales, Project Developer Manager, SolarBank Corp.	

Meeting Attendees Via Zoom:

Councilor Mark Tucker
Emily Johnson, Applicant