

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF
September 9, 2025**

Present:

Denise Rhoads, Chair
David Palen
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 7:02 pm. Member Kiefer was not present.

Minutes

Previous distribution to the Board of the regular meeting minutes of July 1, 2025, was executed, and all Members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Condon to accept the July 1, 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	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]

Previous distribution to the Board of the regular meeting minutes of August 5, 2025, was executed, and all members present acknowledged receipt of those minutes. At this time, Chair Rhoads stated that the Board would table the acceptance of the August 5, 2025, minutes to the October 7, 2025, meeting for additional time to review.

Public Hearing Continuance

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: Angela Donahoe, Donahoe Architectural Design, PC
Jim & Emily Johnson, Applicants

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 with their Design Professional, Angela Donahoe of Donahoe Architectural Design, PC .

Board Members 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.

Architect Angela Donahoe gave a recap of the project. She stated that Guy Donahoe, of Donahoe Architectural Design, PC met Town Engineer, John Camp at the site the previous Friday. Based on Mr. Camp's comments and Mr. Donahoe's conversation with him, Ms. Donahoe stated that they would like to ask for additional time to look at whether there is a possibility of reconfiguring the plans.

At this time, Chair Rhoads read the comments Town Engineer Camp submitted to the Board:

"We conducted a site visit to the subject property on Friday afternoon. We noted the substantial variances necessary for potential approval of the decks and stairs as currently constructed. In our opinion, the magnitude of these variances is substantially created by the design of the current structure. While it may or may not be feasible to reasonably design and construct a completely compliant access to the lake, we are confident that a more compliant approach can be found. We believe that this more compliant approach could re-use a substantial portion of the materials already on site. We suggest that the ZBA consider requesting a more compliant approach from the applicant."

Chair Rhoads stated tat the Board was in receipt of another letter from the neighbors to the north, dated September 5, 2025, and that it had been entered into the record.

At this time, Chair Rhoads asked for a motion to reopen the public hearing.

WHEREFORE, a motion was made by Member Condon and seconded by Member Ketchum to reopen 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 on the application.

Maria Garlock- 1777 Russell's Landing, Skaneateles, NY 13152

Ms. Garlock stated that she and her husband Richard are the neighbors to the north. She appreciates the conversations had regarding the matter and that they maybe had for a more compliant approach.

Ms. Garlock stated that she thought they had a good conversation with the Johnson's the previous month and hoped to continue that if the Applicant is willing. She feels that if there is an opportunity for discussion in a separate setting, it would be more comfortable and productive for both neighbors.

Ms. Garlock thanked the Board.

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 October 7, 2025, at 7:02pm.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Condon to continue the Public Hearing at the October 7, 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	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]

Public Hearing Continuance

Applicant:	Pasquale Scutari (Formerly Hourigan) 7 State Street Skaneateles, NY 13152	Property:	1690 Amerman Road Skaneateles, NY 13152 Tax Map #063.-04-03.0
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Present: Robert Eggleston, Eggleston & Krenzer Architects, PC
Pasquale Scutari, Applicant

Chair Rhoads stated that this application was for a proposed permanent dock and boathouse on a nonconforming lot. The original Applicant, Richard Hourigan, sold the property to Pasquale Scutari after the review process had begun. Design Professional, Bob Eggleston, was present representing Mr. Scutari. The Applicant is requesting a variance for lot size.

Mr. Eggleston stated that the proposal complies with requirements such as setbacks and areas. A variance is only necessary because the lot is less than 20,000SF. There is a steep, stable cliff that has an existing stairway to the lake. The owners wanted to achieve some sort of storage at the lake. By working within the dimensions of the zoning law, they created a 10x16 foot boathouse that sits 20 feet off the property line on land.

The Board sought clarification that the proposed boathouse would only be used for the protection of boats from weather. They also discussed the area which the proposed boathouse would be constructed on and whether or not it was technically on land.

Member Condon asked Counsel Molnar if this structure was something built in the water, having no record of it, would it be considered nonconforming.

Counsel Molnar replied stating that this scenario is an anomaly. It appears to be a man-made extension of the earth into the lake, therefore extending an increasing size of the parcel.

Mr. Eggleston stated, regarding the sheet piles, that they were the result of repairs to an existing structure and simply encased what previously existed at that time.

Counsel Molnar wondered if it would be possible for Mr. Eggleston to research farther into the history and origin of the structure as improved over time. A review from the DEC would be helpful as it would indicate whether they have any objection to it. He felt that it would be worth the investigation before the Board gave permission to build something.

A site visit was conducted by Board Members on July 14, 2025.

This application was determined to be a Type II SEQR action as per section 617.5(c)(12) and not subject to SEQR review at the August 5, 2025, ZBA Meeting.

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.

At this time, Chair Rhoads asked for a motion to reopen the public hearing.

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

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

Michael Boudreau - 1694 Amerman Road, Skaneateles, NY 13152

Mr. Boudreau stated that he is the neighbor directly to the north of the property in question. He submitted another letter to the Board regarding two questions that were raised at the August ZBA Meeting.

The first question was regarding the definition of boathouses. Mr. Boudreau stated that not every structure that can be used to store a boat is a boathouse- it could be a storage building or shed. He then outlined his perception of the definition of a shoreline structure based upon what is considered direct access to water. The structure in question, what is called a dock on the survey and a patio on the site plan, is made up of steel piles that encase the land mass. He argues that there is no direct water access for the proposed building to be technically considered at boathouse.

The second question was regarding the status of the shoreline structure, also being referred to as a dock or patio with retaining wall. Mr. Boudreau considers this to be a nonconforming dock because the survey calls it a dock and it does not conform to current zoning law.

Mr. Boudreau stated that unpermitted fill in the lake does not change the property line, the lake line, or the ownership of the lake bottom. He called the DEC and they have no record of a permit for what exists. He also emailed the NYS Office of General Services about ownership of filled areas and was told that DEC permits do not convey land ownership and that any lands formerly under water remain part of the lake even when filled in.

Vice Chair David Palen asked Mr. Boudreau what he was ultimately looking for.

Mr. Boudreau clarified that his intent was to protect the property boundary. The survey shows that the property boundary has changed, and it is his contention that putting fill in the lake should not change the property boundary. He also intends to prevent a structure 16 feet out into the lake. The proposed boathouse would block the southern view from his property and he would like to preserve that view as much as possible.

Mr. Boudreau thanked the Board and asked them to look closely at what is being called property in this proposal.

Robert Eggleston, Eggleston & Krenzer Architects, PC- 1391 E Genesee Street, Skaneateles, NY 13152

Mr. Eggleston stated that they do have a survey on order that should answer some of the questions discussed.

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 October 7, 2025, at 7:15 pm.

WHEREFORE, a motion was made by Member Ketchum and seconded by Vice Chair Palen to continue the Public Hearing at the October 7, 2025, ZBA Meeting, at 7:15 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	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]

Public Hearing Continuance

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

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. The Public Hearing was opened at the previous month's meeting.

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

A site visit was conducted by Board Members, with the exception of Member Kiefer.

This application was determined to be a Type II SEQR action as per section 617.5(c)(12) and not subject to SEQR review at the August 5, 2025, ZBA Meeting.

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.

At this time, Chair Rhoads asked for a motion to reopen the public hearing.

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

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

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

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Condon 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 as reflected below. The ZBA found that the requested variance would not produce an undesirable change to the neighborhood or nearby properties. The aesthetics of the proposed improvements will enhance the neighborhood which consists of other similar structures as what is being proposed. The current 1100SF dwelling is a small one-story cottage which is in need of repairs and renovations. The proposed dwelling will be a 1^{1/2} story, 1752SF structure and will rest on the existing footprint but with a slight decrease. Stormwater management will be improved by way of a new septic system and a gutter system that drains directly to the lake shore.

QUESTION 1 RECORD OF VOTE

MEMBER NAME

AYE NAY ABSTAIN

Chair DENISE RHOADS

☐ ☒ ☐

Vice Chair DAVID PALEN

☐ ☒ ☐

~~Member~~ KRIS KIEFER

☐ ☐ ☐

Member SHERILL KETCHUM

☐ ☒ ☐

Member JIM CONDON

☐ ☒ ☐

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 majority vote as reflected below. with ZBA Members' deliberations as follows.

Four (4) Board Members 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, having less than 20,000SF. The lot is triangular and has zero (0) feet of road frontage.

One (1) Board Member also found that the benefit sought by the Applicant can be achieved without the granting of an area variance by renovating the dwelling on its existing foundation. However, the nonconformities of the property, including building footprint, ISC, and lake yard setbacks would not be improved as they are with the redevelopment of the property.

QUESTION 2 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	☒	☒	☐
Vice Chair DAVID PALEN	☐	☒	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☐	☒	☐
Member JIM CONDON	☐	☒	☐

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

Reasons: No, by majority vote as reflected below with ZBA Members' deliberations as follows.

Four (4) Board Members found that the proposed variance is not substantial. The proposed redevelopment makes the lot less nonconforming by decreasing the building footprint and ISC and increasing the lake yard setbacks. Floorspace and total lot coverage will be maintained. The individual components of the Code would not be considered substantial. By decreasing three of the existing nonconformities, the substantial nature of the proposal is ameliorated.

Three (3) Board Members also found that the proposed variance is substantial. Overall, there are four (4) variances being requested. The overall changes to the property are substantial.

QUESTION 3 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	☒	☒	☐
Vice Chair DAVID PALEN	☒	☒	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☒	☒	☐
Member JIM CONDON	☐	☒	☐

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

Reasons: No, by majority vote as reflected below with ZBA Members' deliberations as follows.

Four (4) 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. There will be a new septic system installed 150 feet from the lake. Building footprint, lake yard setbacks, and ISC will be slightly improved. The proposal includes improved stormwater management. New stairs will make for safer lake access. The steep slopes at the shoreline will be replanted with native species

Three (3) Board Members also found that the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, concluding making a seasonal structure into a larger, year-round structure with improved lake access would imply greater physical use of the property and the potential for greater environmental impact. Improvement of a longer-lasting shoreline stabilization plan should be considered prior to the lakeside structures being installed.

QUESTION 4 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	☒	☒	☐
Vice Chair DAVID PALEN	☒	☒	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☒	☒	☐
Member JIM CONDON	☐	☒	☐

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	☒	☐	☐
Vice Chair DAVID PALEN	☒	☐	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☒	☐	☐
Member JIM CONDON	☒	☐	☐

Reasons: In review of the stated findings of the Zoning Board of Appeals, the benefit to the Applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood, or community, lies in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, ZBA Member deliberation factors as set forth herein, as well as the Board Members' inspection of the property, and is conditioned as follows:

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 Chair Denise Rhoads, duly seconded by Member Sherill Ketchum, and upon a (4-0) affirmation of all Members present as recorded below, approves the variances requested, and finds as follows:

- ☐ The Benefit to the Applicant DOES NOT outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- ☒ The Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community

STANDARD CONDITIONS:

1. That the Applicant obtain any necessary permit(s) from the Codes Enforcement Officer or otherwise commence the use within one (1) year from the filing of the variance decision. Any application for zoning/building permit(s) shall terminate and become void if the project is not completed within the eighteen (18) months from the issuance of the permit(s).

2. That the Applicant shall obtain all necessary permits and approvals from the Planning Board and any agency or authority having jurisdiction over the Property or Application.

3. That the Applicant obtain a Certificate of Occupancy and/or Certificate of Compliance, as required, from the Codes Enforcement Officer.

4. That the Applicant notify the Codes Enforcement Officer on completion of the footing of any project for which a variance has been obtained; and

5. That the Applicant provide an as-built survey to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project before a certificate of occupancy /certificate of compliance is issued.

ADDITIONAL CONDITIONS: The ZBA finds that the following additional conditions are necessary to minimize adverse impacts upon the neighborhood or community:

1. That the Site Plan dated June 20, 2025, with Narrative dated June 20, 2025, prepared by Robert Eggleston, Licensed Architect, be complied with in all respects.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	☒	☐	☐
Vice Chair DAVID PALEN	☒	☐	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☒	☐	☐
Member JIM CONDON	☒	☐	☐

Public Hearing

Applicant: Troy Green
1190 Greenfield Lane
Skaneateles, NY 13152

Property: 1190 Greenfield Lane
Skaneateles, NY 13152
Tax Map #053.-01-05.2

1194 Greenfield Lane
Skaneateles, NY 13152
Tax Map #053.-01-05.3

2696 West Lake Road
Skaneateles, NY 13152
Tax Map #053.-01-05.1

West Lake Road
Skaneateles, NY 13152
Tax Map #053.-01-05.5

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC
Troy Green, Applicant (Zoom)

Chair Rhoads stated that this Application is for a proposed estate fence to enclose three (3) contiguous lots.

Design Professional, Bob Eggleston was present to represent the Applicant. Applicant, Troy Green was present via Zoom.

The original lot, owned by Tim and Illyssa Green, has an existing 6-foot-high metal estate fence mostly surrounding it. The family has since acquired the property to the north where their son Troy Green lives (Green Northern Properties, LLC), and a third vacant property in the rear owned by their daughter, Tate Rose Green, who plans to build there in the future. There is a 22-foot wide right of way that is an east strip of land owned by Greenfield's Farm (Banjo Home Farm, LLC) and is occupied by an exclusive driveway. These lots are the only properties that can utilize this shared driveway.

The Applicant would like to take down the fence separating Tim and Illyssa's from the other two. They would like to then continue the fence around all three properties, maintain the same 6-foot height. Fences are required to be 1 foot off the property line, so there are five (5) locations they need a variance to build the fence within 1 foot of the property lines to avoid having a 2-foot gap which would defeat the purpose of having a fence to contain the properties. There is an automatic gate that is currently the entrance to the original family lot. The gate will be pushed back 40 feet from Greenfield Lane.

A variance is requested for a 6-foot-high fence within 100 feet of the lake on Troy Green's lot. They would like to continue with the 6-foot height rather than drop down to 4 feet. Within 100 feet of the lake, fences are required to be no more than 4 feet high with at least 50% visible penetration when viewed at any angle between 45° and 90°. The idea is to not block lake views from adjacent properties. The Applicant is proposing to put a fence right up against the existing vegetation which stands higher than 6 feet and is just before where the steep cliff occurs. A gate would be installed where there is an existing walkway to the lakefront on Troy Green's property. The 6-foot-high fencing along Tim and Illyssa's lakefront was installed prior to that zoning requirement and is grandfathered in.

Chair Rhoads stated she has a concern being that the properties are not commonly owned by one entity, this could set a precedent for other communities in the Town to pursue creating gated communities. This would affect the character of the Town. Member Condon agreed.

Member Ketchum stated she had concerns about snow plowing with the location of the gate and fence. Snowbanks could build up along the fence, narrowing the roadway.

Mr. Eggleston stated that they may pull the fence back farther than the required one foot.

A site visit was conducted by Board Members.

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 Condon 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 reopened the public hearing.

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.

David Graham- 1212 Greenfield Lane, Skaneateles, NY 13152

Mr. Graham stated that he lives across the street from where the gate is and proposed package drop will be. He is concerned about the 40-foot turnaround at the end of the shared drive not being enough room for delivery trucks to turn around without getting stuck. Greenfield Lane is very narrow. Last winter, an Amazon truck got stuck for over a day after trying to back out.

Member Jim Condon

Member Condon proposed the idea of mirroring the existing west side driveway entrance radius to the east side of the entrance to allow more room for maneuverability.

Robert Eggleston, Eggleston & Krenzer Architects, PC- 1391 E Genesee Street, Skaneateles, NY 13152

Mr. Eggleston stated that he thought this was something the Applicant would be agreeable to.

Troy Green- 1190 Greenfield Lane, Skaneateles, NY 13152 (Zoom)

Mr. Green stated that he was in agreeance with this idea and was willing to make alterations to the mouth of the driveway.

Mr. Eggleston stated that he would submit revised plans to reflect the driveway alterations.

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 Vice Chair Palen and seconded by Member Condon to close the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

Record of Vote

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

FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCES:

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

Yes ☐ No ☒

Reasons: No, by majority vote as reflected below, with ZBA Members' deliberations as follows:

Four (4) Board Members found that the requested variance would not produce an undesirable change to the neighborhood or nearby properties. There is an existing 6-foot fence along the shoreline of one of the properties which is barely visible from the lake or nearby properties. Neighbors have signed off on the proposal. It was stated at the Board Members' site visit that the existing fence has roughly 90% visual penetration. The requested variance for the 1-foot setback would only affect those property owners listed on the application. The portion of the 6-foot-high fence to be located within the Lake Line setback provides safety to the residents with the steep shoreline. The goal is to provide a family compound, making it easier to traverse the property by family members as well as provide additional security.

Three (3) Board Members also found that the requested variance would produce an undesirable change to the neighborhood or nearby properties. Creating a fenced in enclave or neighborhood would be undesirable for the community as a whole. Each of the lots are under different ownership. Other neighborhoods within the Town may want to achieve gated community status.

QUESTION 1 RECORD OF VOTE

MEMBER NAME

AYE NAY ABSTAIN

Chair DENISE RHOADS
Vice Chair DAVID PALEN
~~Member KRIS KIEFER~~
Member SHERILL KETCHUM
Member JIM CONDON

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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 proposal is the most feasible way of fencing in property lines. In order to achieve the goal of fencing in all three of the properties, a variance is necessary. Closing the gap between the adjacent properties would not be possible without a variance. Due to the height of the fence, proximity to the lake, and relationship with adjoining properties, a variance is necessary.

QUESTION 2 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	☐	☒	☐
Vice Chair DAVID PALEN	☐	☒	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☐	☒	☐
Member JIM CONDON	☐	☒	☐

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

Reasons: Yes and no, as reflected below.

Three (3) Board Members found that the proposed variance is substantial. Across all involved properties, there would be a total of five (5) variances. The extent of the fencing and height of 6 feet versus 4 feet, although visually penetrable, is troubling. The proximity of the 6-foot-high fence to the lake, as it is in the 100-foot Lake Line setback.

Three (3) Board Members found that the proposed variance is not substantial. One of the properties has had an existing 6-foot-high fence within the 100-foot Lake Line setback for many years. The new 6-foot-high fence along the shoreline would marry the existing fence. The necessity of closing the gap between adjoining properties is not a substantial issue. Four (4) of the requested variances are minimal as they are only requesting the 1-foot setback. There is a 1% reduction in ISC.

QUESTION 3 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	☒	☐	☐
Vice Chair DAVID PALEN	☒	☒	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☒	☒	☐
Member JIM CONDON	☐	☒	☐

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

Reasons: No, by unanimous vote as reflected below. The ZBA found that the proposed

variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, concluding that while the creation of a fenced-in enclave will alter the physical conditions of the neighborhood, there will be no impact to the environmental conditions. The properties involved are all large lots with a 6-foot fence existing on one. The properties adjoin with farmland, the lake, and a private road. Neighbors have no objection, and the Applicant has agreed to make alterations to the mouth of the driveway as to allow for adequate turn around space. The open design of the fence will not affect views or impede snow removal from Greenfield Lane. There will be no increase in ISC.

QUESTION 4 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	☐	☒	☐
Vice Chair DAVID PALEN	☐	☒	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☐	☒	☐
Member JIM CONDON	☐	☒	☐

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	☒	☐	☐
Vice Chair DAVID PALEN	☒	☐	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☒	☐	☐
Member JIM CONDON	☒	☐	☐

Reasons: In review of the stated findings of the Zoning Board of Appeals, the benefit to the Applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood, or community, lies in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, ZBA Member deliberation factors as set forth herein, as well as the Board Members' inspection of the property, and is conditioned as follows:

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors and ZBA deliberation thereon, upon a motion made by Vice Chair David Palen, duly seconded by Member Sherill Ketchum, and upon a (3-1) affirmation of all Members present as recorded below, approves the variances requested, and finds as follows:

- ☐ The Benefit to the Applicant DOES NOT outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- ☒ The Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community

STANDARD CONDITIONS:

1. That the Applicant obtain any necessary permit(s) from the Codes Enforcement Officer or otherwise commence the use within one (1) year from the filing of the variance decision. Any application for zoning/building permit(s) shall terminate and become void if the project is not completed within the eighteen (18) months from the issuance of the permit(s).
2. That the Applicant shall obtain all necessary permits and approvals from the Planning Board and any agency or authority having jurisdiction over the Property or Application.
3. That the Applicant obtain a Certificate of Occupancy and/or Certificate of Compliance, as required, from the Codes Enforcement Officer.
4. That the Applicant notify the Codes Enforcement Officer on completion of the footing of any project for which a variance has been obtained; and
5. That the Applicant provide an as-built survey to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project before a certificate of occupancy /certificate of compliance is issued.

ADDITIONAL CONDITIONS: The ZBA finds that the following additional conditions are necessary to minimize adverse impacts upon the neighborhood or community:

1. That the Site Plan dated July 23, 2025, with Narrative dated July 23, 2025, prepared by Robert Eggleston, Licensed Architect, be complied with in all respects with revisions to include widening of the driveway mouth by way of an increased radius on the east side of driveway mouth, to match that of the west side, then submitted to the Codes Enforcement Officer and be strictly followed.
2. That there be uniformity of the wrought iron style fence throughout, for the duration of its installation.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	☐	☒	☐
Vice Chair DAVID PALEN	☒	☐	☐
Member KRIS KIEFER	☐	☐	☐
Member SHERILL KETCHUM	☒	☐	☐
Member JIM CONDON	☒	☐	☐

Public Hearing

Applicant: Chris & Laura Kinder
48 Spring Water Lane
New Canaan, CT 06840

Property: 3429-C East Lake Road
Skaneateles, NY 13152
Tax Map #041.-04-04.0

Present: Bill Murphy Jr., SPACE Architectural Studio, PC
Chris Kinder (Zoom)

Chair Rhods stated that this application is for a proposed second story addition on a preexisting nonconforming lot.

Design Professional, Bill Murphy Jr. of SPACE Architectural Studio was present to represent the Applicant. Applicant, Chris Kinder was present via Zoom.

The proposal is for a second story addition onto the existing house for a master bedroom suite. Mr. Murphy stated that the lot is very small and currently has a four-bedroom dwelling. They plan to keep it as a four-bedroom but create more space for the master bedroom and home office. A variance is only needed due to the lot size, and all of the proposed addition is over existing occupied space.

There will be no change to footprint or lot coverage. They will be adding a small-scale stormwater piece on the east side of the lot. The system proposed will at least pick up water sheeting off the hill. The existing septic is directly to the north of the house and does not need to be updated.

Member Condon asked if there was any record of the current septic system and Mr. Murphy agreed to send the records received from the City of Syracuse Water Department.

Mr. Murphy stated that they had met with some of the neighbors and were in receipt of a letter of support from Adam Graham, neighbor to the north. They were expecting to receive a letter from Doug Adams and Sandra Skiff, neighbors to the east.

Member Condon asked to clarify for the record that the dwelling would remain as a four bedroom.

Mr. Murphy explained that the living space is currently upstairs, with the bedrooms downstairs. They would be opening up one of the bedrooms downstairs and making it a mudroom entry; while moving the master bedroom upstairs to the space they would gain with the addition.

Chair Rhoads asked Mr. Murphy to break down the square footage. She wanted to compare the existing to the proposed.

Mr. Murphy did not have a breakdown of those numbers and agreed to pull the information and send it to the Board. He added that this lot, being so small, is the hardship of the proposal and asked the Board to consider this in reviewing the numbers.

Chair Rhoads stated that they would open the Public Hearing, and it carry over to the following month so that Board Members could review the additional information Mr. Murphy agreed to provide.

A site visit was conducted by Board Members.

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 asked for a motion to open the Public Hearing which they would carry over to the October 7, 2025, ZBA Meeting.

WHEREFORE, a motion was made by Vice Chair Palen 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. There were no comments.

With there being no comments or questions, Chair Rhoads asked for a motion to carry over the public hearing to October 7, 2025, at 7:30 pm.

WHEREFORE, a motion was made by Member Ketchum and seconded by Vice Chair Palen to carry the Public Hearing over to the October 7, 2025, ZBA Meeting, at 7:30 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	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]

Initial Review

Applicant:	Eugene & Tracy Franchini 1511 Quarry Stone Drive Elbridge, NY 13060	Property:	1417 Thornton Heights Road Skaneateles, NY 13152 Tax Map #057.-01-31.0
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Present: Robert Eggleston, Eggleston & Krenzer Architects, PC
Eugene & Tracy Franchini, Applicants

Chair Rhoads stated that this application is for the proposed redevelopment of a nonconforming lot.

Mr. & Mrs. Franchini were present with their Design Professional, Bob Eggleston.

Mrs. Eggleston stated that the property had been in Mr. Franchini's family for nearly 60 years. They would like to improve the property as their primary summer home. The Applicant contemplated whether to remodel the existing dwelling or teardown and rebuild. There were too many substandard or challenging aspects which didn't make sense in trying to work with the existing foundation and structure. They ultimately decided to tear down what exists and rebuild a slightly smaller house.

The lot is less than 40,000SF with less than 75 feet of lake frontage, both of which trigger the need for a variance. They will slightly decrease the living space to the minimum necessary. Mr. Eggleston stated that the existing house is technically conforming in regard to lake yard being in that it is 60 feet from the lake and was built prior to the current zoning. Since the proposal is for a new build, the lake yard will increase to 73 feet.

An approved septic system will sit between the house and road. There was no option to push the house further back due to the septic.

In their plans, they tried to maintain what exists today while making less nonconforming.

Vie Chair Palen asked about the lot size and Mr. Eggleston clarified that the lot is very small at just 8000SF.

Chair Rhoads sought clarification on square footage totals as she was coming up with different figures.

Mr. Eggleston stated that the attic and storage area under the stairway are not considered habitable. The ceiling heights are under 6'8". The dormer is decorative as the master bedroom has a raised ceiling height, and you step up into the attic area. Additionally, the cellar will only be used as mechanical and storage space as the ceiling height is 6'8".

Regarding the idea of separating the deck from the dwelling, Member Ketchum asked Mr. Eggleston to remind her how that affects lakeshore structures.

Mr. Eggleston explained that the house is supposed to be 100 feet back from the lake. Shoreline structures are within 50 feet of the lake. The proposed detached deck is more than 50 feet from the lake so you can have up to a 599SF structure between 50 feet and 100 feet. This is only because the deck is disconnected from the main structure.

The stormwater plan includes capturing roof gutters and delivering the water to the bottom of the bank. There is not enough room for a bioswale on the property,

Parking for this property is in the ROW and fits three vehicles.

Board Members will conduct a site visit on September 18, 2025, at 5:30pm.

At this time, Chair Rhoads made a motion to schedule a Public Hearing for October 7, 2025, at 7:40 pm.

WHEREFORE, a motion was made by Chair Rhoads and seconded by Member Condon to schedule a public hearing for October 7, 2025, at 7:40 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	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]

Discussion

- The next ZBA meeting will be held on October 7, 2025, at 7:00 pm.
- The next P&Z Staff Meeting will be held on September 18, 2025, at 6:30 pm in person and via Zoom.

There being no further Board business, a motion was made by Member Condon and seconded by Vice Chair Palen to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 9:06 pm.

Respectfully Submitted,

Aimie Case
ZBA Clerk

Meeting Attendees:

Robert Eggleston, Eggleston & Krenzer Architects, PC
Angela Donahoe, Donahoe Architectural Design, PC
Bill Murphy Jr., SPACE Architectural Studio, PC
Pasquale Stutari, Applicant
Eugene Franchini, Applicant
Tracy Franchini, Applicant
Jim Johnson, Applicant

Emily Johnson, Applicant
Rich Garlock
Maria Garlock
David Graham
Joan Thompson
Michael Boudreau

Meeting Attendees Via Zoom:

Troy Green, Applicant
Chris Kinder, Applicant
Audrey Bombard