

**TOWN OF SKANEATELES  
ZONING BOARD OF APPEALS  
MEETING MINUTES OF  
December 2, 2025**

**Present:**

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

Chair Rhoads opened the Zoning Board of Appeals meeting at 7:00 pm. She announced that it was Vice Chair Dave Palen's last meeting and thanked him for his more than ten years of service on the ZBA.

**Minutes**

Chair Rhoads stated that the regular meeting minutes of November 4, 2025, would be distributed to the Board for review prior to the January 6, 2026, meeting. The Board would table the acceptance of the November 4, 2025, meeting minutes to the January 6, 2026, meeting.

**Public Hearing**

Applicant:	Christina Ma, Esq. 7 White Plains Road Bronxville, NY 10708	Property:	2847 East Lake Road Skaneateles, NY 13152 <b>Tax Map #038.-01-09.0</b>
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Present: Tom Trytek, PE, TDK Engineering Associates, PC

Chair Rhoads stated that this application is for shoreline improvements. Requested variances are for minimum lot size, maximum lot coverage, and maximum onshore structures for a lot with lake frontage between 100 and 200 feet is, per code, 600 square feet, and the onshore structures are increasing to 764 square feet, although there may be a change in that.

Board Members conducted a site visit on November 15, 2025. Chair Rhoads conducted a site visit at a later date.

Engineer Tom Trytek, of TDK Engineering Associates, was present to represent the Applicant.

Mr. Trytek stated that after the previous meeting and the Board Members' site visit, they took into consideration a reduction in shoreline structures. They pulled the lower deck area in to match the outline of what exists, removed the stone paver patio before you enter upper platform/deck area, and are now at 597 SF.

Regarding the conversation with Member Condon about the holding tank, Mr. Trytek stated that they were able to make some progress with that. He had contacted Rich Abbott from City of Syracuse Department of Water who was able to come up with some historic information and documentation of what exists. They have added the approximate location of the 2000-gallon steel holding tank to the site plan.

Mr. Trytek and Mr. Abbott also further discussed drainage. Mr. Trytek explained to Mr. Abbott the upland drainage as it enters over the embankment and toward the lake, any drains being proposed along the way, whether surface water or from the roof system and downspouts, will be filtered behind the proposed sheet pile wall system through crushed stone before entering the lake. Mr. Abbott was okay with this plan and indicated that he had sent a letter indicating so to the Town Codes Office.

Chair Rhoads commented on her make-up site visit the previous weekend, stating that it is a very challenging site. There was just a dusting of snow, so she walked out onto the upper deck. There was an uncomfortable amount of movement in the structure, and she made the decision not to traverse down the stairs. Other Board Members commented that they felt the same way regarding the safety and stability of the structure on their visit.

Mr. Trytek stated that he had discussions with the property owners as to what they would like and how to improve the area. Although he could make something work engineering-wise in regard to replacing the structure out as far as the existing, it just didn't seem right. Their solution was to pull it all in, making it more parallel to the shore and less obtrusive towards the lake so that it will only be cantilevering over 8 feet. He noted that the cliff is comprised of shale, which is very good to work with once you peel back the weathered brittleness, exposing the solid material. You must, however, incorporate means of protecting the newly exposed shale to prevent it from returning to the same brittle, fractured conditions.

Member Condon asked if the home will be used seasonally or year-round. Mr. Trytek stated that they live and work (remotely) near New York City. It is his understanding that this will be a seasonal-style secondary home. With a 2000 gallon holding tank, year-round use would not be feasible.

Member Condon and Mr. Trytek discussed regulations regarding redevelopment and holding tanks. Member Condon noted his conversations with regulatory agencies and stated the recommendation he was given by the Onondaga County Health Department. Mr. Trytek emphasized that they are not touching anything with regard to the house in this proposal; they are simply stabilizing the shoreline. Mr. Trytek stated that he spoke to Rich Abbott from the City of Syracuse Department of Water, who initially had issues with regard to the existing holding tank, so Mr. Trytek asked if he should contact the county as well. Mr. Abbott stated that it was not necessary at this time as he has no additional comment. Mr. Condon communicated his concern about protecting the lake and his personal stance on rejecting an application that could potentially pose a detriment to the lake.

Counsel Molnar stated that the Planning Board would be reviewing the application as well. Redevelopment is either approved by the Planning Board, or it is not. Counsel Molnar stated that he doesn't know that this would be classified as redevelopment since the proposal is to reduce, not expand the existing footprint. He later stated confirmation that the Planning Board would not be treating this as a redevelopment project, but rather the stabilization of the bank and the shoreline structures. Since this application has not yet reached the Planning Board stage, Counsel Molnar

stated that the ZBA could handle the septic aspect in a condition. Member Condon stated that he was not willing to do that and for him to give an approving vote, he first wants to see a letter from the county health department. Counsel Molnar emphasized his and the Board's confidence in the Town's Code Enforcement Office and the Planning Board.

Mr. Trytek was not in receipt of the letter Rich Abbott sent to the Codes Office in November. Town Planner Karen Barkdull provided Mr. Trytek with a paper copy and Clerk Case sent him a digital copy.

At this time, Chair Rhoads stated that they would proceed with opening the Public Hearing and then she would poll the Boards to see if they wished to continue to next month or proceed with the decision.

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 Condon and seconded by Vice Chair Palen to consider the proposed action as a Type II SEQR action as per section 617.5(c)(11) 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 then asked if there was anyone who would like to speak in favor of, against or had any comments regarding the application.

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

Mr. Eggleston stated that he looked at the site and declined the job because he felt an engineer was necessary. He noted that they are making the site more conforming and thinks Mr. Trytek is right on track with his plan.

With there being no further comments or questions, Chair Rhoads asked the Board if they felt ready to close the Public Hearing and proceed with deliberations, or if they preferred to carry the Public Hearing over to the January 6, 2026, ZBA Meeting. Board Members Ketchum and Kiefer felt that they were ready to move forward with deliberations, while Board Member Condon, Chair Rhoads, and Vice Chair Palen voted to carry the Public Hearing over to January 6, 2026, at 7:02 pm.

**WHEREFORE**, a motion was made by Member Condon and seconded by Member Kiefer to carry the Public Hearing over to January 6, 2026, at 7:02 pm. The Board having been polled resulted in unanimous affirmation of said motion.

<b><u>Record of Vote</u></b>		
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: Jordan Road Town Homes, LLC  
4302 Jordan Road  
Skaneateles, NY 13152

Properties:	Fox Run Crossing Skaneateles, NY 13152 <b>Tax Map #018.-02-45.0</b>	Fox Run Crossing Skaneateles, NY 13152 <b>Tax Map #018.-02-46.0</b>	Fox Run Crossing Skaneateles, NY 13152 <b>Tax Map #018.-05-03.0</b>
	Fox Run Crossing Skaneateles, NY 13152 <b>Tax Map #018.-05-04.0</b>	Fox Run Crossing Skaneateles, NY 13152 <b>Tax Map #018.-05-05.0</b>	Fox Run Crossing Skaneateles, NY 13152 <b>Tax Map #018.-05-06.0</b>

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC  
Christopher Graham

Chair Rhoads stated that this application is a request to allow two-family dwellings to be built on six (6) separately approve 0.50+ acre lots in the Hamlet District.

An official site visit was not conducted by Board Members as the site is currently a vacant lot. At the November 4, 2025, ZBA Meeting, the Board discussed the option of each doing individual drive-by to inspect the site.

Design Professional, Robert Eggleston, Eggleston & Krenzer Architects, PC was present to represent the Applicant. Chris Graham, owner of Jordan Road Town Homes, LLC was also present. Mr. Eggleston stated that the Town's comprehensive plan encourages alternate housing, especially in the Hamlet, in the Jordan Road corridor and outside the watershed. He noted that they could merge lots, put apartments in and yield the same density, but with the average age of a first-time homeowner being forty, two family dwellings could provide an opportunity for young prospective home buyers to purchase and rent half to help them get started.

The Applicant has conceptual approval for septic on these lots which has allowed them to get the subdivision approved. The requirement of that approval is that each lot, as its developed, has a septic design and review. Each lot will get re-perked and its own specific septic design. The county is fine with this plan.

Member Ketchum asked about the dwelling examples provided. She wondered if they would be one or two stories. Mr. Eggleston stated that these were just to show plausible layouts. There may be a mix of one and two story but a one-story takes up a larger footprint and they might find that a single-story design won't allow enough space for a septic. The designs will be handled case by case. If they are granted the variance, they can proceed with planning accordingly and see what fits.

Member Condon wondered why these specific lots in Phase 1 were selected for multi-family houses. Mr. Eggleston replied that it is not uncommon that a developer would put apartments at the beginning of a development, with single family homes further in. With these lots being at the main road, they can easily pull power from that existing infrastructure, making it a good place to start without having to wait for the extension of this infrastructure to be installed further into the subdivision. He added that once Phase 1 is complete, they will move onto Phase 2 approvals. They

plan to use the undeveloped Phase 3 roadways for the Phase 2 construction as to avoid truck traffic and disturbance to the completed Phase 1 neighborhood. Member Condon added that another advantage that allows for the half acres lots to work is that they'll have public water, avoiding conflict with fitting a well and septic on a small lot.

Member Kiefer wondered if the units could be split into condos. Mr. Eggleston stated that they would not be split into condos. There would be one owner per two-unit building. Starting in January 2026, New York State will require sprinkler systems be installed in condos and this would be an added expense.

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.

Counsel Molnar stated that the subdivision itself went under intense review by the Planning Board, which determined that it was a Type I action and after review of all of the information in the application, determined there was a negative declaration. He recommended that the ZBA also confirm that as part of the SEQR determinations.

**WHEREFORE**, a motion was made by Member Condon and seconded by Member Ketchum to consider the proposed action as a Type II SEQR action as per section 617.5(c)(9) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmation of said motion.

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

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

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

**Scott Brothers- 1179 Mottville Road, Skaneateles, NY 13152**

Mr. Brothers stated that he is in favor of increasing housing affordability in the northern Hamlet. He noted that there is a remedy already built into the Code to allow for the construction of 2 family homes on half acre lots by way of putting a percentage of a development into conservation. He believes this could be an alternative.

**Counsel Molnar** agreed that this is part of the Code. However, the overall subdivision did not pursue that and therefore has subdivision approval as you see it here, and that subdivision approval is for single-family homes on each of the lots. Now the request is for two-family homes on six lots, and that requires a variance under 148-5-5.A.2.

**Planner Barkdull** added that the map has been filed, and each of these lots have their own tax parcel numbers. So, if you were to apply, you'd have to apply to each of the individual lots, which is not possible because you couldn't take a half-acre lot and put 60% in conservation, and then allow a half-acre lot for a two-family dwelling. That would have been an idea at the time of development of the subdivision.

**Guy Donahoe, PC- 4503 NW Townline Road, Marcellus, NY 13108**

Mr. Donahoe spoke in support of the proposal. After having sat on the Hamlet Board for 6 years, this development speaks very much to what the Hamlet Committee was trying to address as well as the pressures of affordable housing, and pressures from the county itself to help increase affordable housing.

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

**Record of Vote**

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

**FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCES:**

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

Yes  No

Reasons: No, by unanimous vote as reflected below. The ZBA found that the requested variance would not produce an undesirable change to the neighborhood or nearby properties. The site has a farm to the west, Lauder Lane town homes to the east, commercial properties to the south, and an existing neighborhood consisting of homes on smaller lots to the north. The granting of the requested variance would create optionality with these six (6) lots if the Applicant chooses to develop with two-family dwellings instead of single-family. The Applicant's approach of putting two-family homes at the entrance of the neighborhood is a successful way to introduce new homes and the overall development to the area. The lots will have facilities in place prior to construction, including Town water and individual septic systems. The two-family homes would be designed after installation and according to the capacity of the septic systems on their respective lots, and although there would be an increase in usage having twelve (12) total homes across six (6) lots, this sequence prevents any added negative impact. This is a planned community/neighborhood and therefore the character of the neighborhood will be self-defined by the development. A project such as this is in keeping with the Comprehensive Plan for the Town of Skaneateles, in the Hamlet District.

## QUESTION 1 RECORD OF VOTE

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

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

Reasons: No, by unanimous vote as reflected below. Board Members found that the benefit sought by the Applicant cannot be achieved without the granting of an area variance. Creating two-family homes, on half-acre lots, in this Hamlet District is a feasible solution for affordable housing. The Developer is trying to create something beneficial to both the community and company. The Applicant's thoughtfulness and creativity towards a potential approach regarding conservation is appreciated. The previously approved subdivision has been filed with Onondaga County and the variance requested is the only viable option to achieve the benefit sought as readjusting lot lines to enlarge the lots would take a lot of additional work and time. The Applicant could merge two (2) lots and create four-unit homes, which would be allowed under Town Code. However, this is not a feasible option due to additional construction costs and the need for single-family homes.

## QUESTION 2 RECORD OF VOTE

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

3. Whether the requested variance is substantial: Yes  No

Reasons: No, by a (4-1) 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 development is well designed, is in the Hamlet District, and is consistent with the Town's Comprehensive Plan for this district. The goal is to create more density in this development, as is desirable in this Hamlet District, without looking inappropriate against the balance of the single-

family homes that will be developed at a later date. Although an option, developing three (3) lots to have four (4) units each, would be out of place against the balance of single-family homes. The request could be considered substantial where a half-acre lot is required for single-family homes in the Hamlet District, but this is outweighed by the benefit of creating two-family homes.

One (1) Board Member also found that the proposed variance is substantial. The plan calls for larger structures to be constructed on relatively small lots.

### QUESTION 3 RECORD OF VOTE

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

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

Reasons: No, by unanimous vote as reflected below. Board Members found that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The lots had good perk tests. Being half-acre lots, the footprint of single-family and two-family homes would be roughly the same. The Onondaga County Health Department submitted a letter dated May 25, 2022, verifying approval of draft proposed septic systems on each of the half-acre lots. Per the May 25, 2022, letter, if this variance for two-family homes is approved, the Applicant will need to apply for a permit for the septic systems on each of the individual lots. The County Health Department has approved water districts, so individual wells won't be required, therefore eliminating concern over separation of wells and septic systems on half-acre lots. The subdivision will have sidewalk connections, a dedicated Town road, Town water, stormwater drainage facilities, and conventional septic systems. Although development of the lots will be dense, the proposed septic and stormwater designs are adequate. Creating six (6) two-family units is more beneficial to the community and the environment than six (6) single-family units. The variance request, if approved, would only be applicable to the six (6) specific lots listed as part of Phase I of the project. The proposal is in line with other nearby two-family homes which have not created an adverse effect or impact on the physical or environmental conditions.

#### QUESTION 4 RECORD OF VOTE

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

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

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

#### QUESTION 5 RECORD OF VOTE

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

#### DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors and ZBA deliberation thereon, upon a motion made by Vice Chair David Palen, duly seconded by Member Sherill Ketchum, and upon a unanimous (5-0) affirmation of all Members present as recorded below, approves the variances requested, and finds as follows:

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

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

#### **STANDARD CONDITIONS:**

1. That the Applicant obtain any necessary permit(s) from the Codes Enforcement Officer or

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

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

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

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

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

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

1. That the Site Plan dated June 24, 2021, with Narrative dated October 24, 2025, prepared by Robert Eggleston, Licensed Architect, be complied with in all respects.
2. That in addition to obtaining all necessary permits and approvals from the Planning Board and any agency or authority having jurisdiction over the Property or Application, the Applicant also obtain Onondaga County Health Department septic approval for each of the six (6) individual lots ; and
3. That the Applicant strictly complies with any potential terms or conditions of Planning Board approval for the subdivision as applicable to these six (6) lots.

#### RECORD OF VOTE

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

#### Public Hearing 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: Guy Donahoe, Donahoe Architectural Design, PC  
Jim Johnson, Applicant

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 initially requested three variances: Total Lot Coverage, Dimensional Limits, and Side Yard Setback on a nonconforming lot. After revising their plans, the Applicant has eliminated the need for a side yard setback variance, thus reducing their request to two variances.

Applicant, Jim Johnson was present with his Design Professional, Guy Donahoe of Donahoe Architectural Design, PC. Mr. Donahoe reviewed the newly revised plans, explaining that in their approach to access the waterfront, they looked to find a new path in some of the area that was developed. He summarized the information shared with the Board at the beginning of their review of the application. The project was initially hired out to Lake Country Construction to find an alternative to the failed spiral staircase to the waterfront, noting the deterioration of the cliff. The contractor picked what seemed to be the most logical path during the project to find his way down to the water. Unfortunately, given the conditions, this went beyond repair and had to be extended. In the process, some of the code relating to lakeshore structures, as well as side yard setback became an issue.

Mr. Donahoe reviewed the emails between the Applicant and Lake Country Construction from the time of the project. He suggested that it would not be fair or true to assume that the Applicant knew that they were violating the code as they had reached out to a professional for guidance regarding this. Ultimately, what was thought to be repairs grew to equate to much more during the process.

Mr. Donahoe had an onsite meeting with the contractor prior to revising the plans. They are now proposing to address the side yard setback issue and make it compliant by shortening the walkway from the upper deck and pulling it in. They will take the staircase and move it over having it hit a landing which they will rebuild using two of the existing posts. This will continue to an existing deck which they are proposing to rebuild to be structurally sufficient to carry the landing.

Member Condon wondered how they planned to move the staircase. He also wondered if they planned to drill piles. Mr. Donahoe stated that he was unsure how the builder planned to do this and that they don't plan to drill piles.

Member Ketchum asked if they planned to keep the damaged spiral staircase. Mr. Donahoe stated that they planned to use the post of the spiral staircase as structural support.

Mr. Donahoe stated that with the changes, one of the issues they ran into was an increase in coverage. They were able to decrease the coverage from the 279SF in the original proposal to 105SF. He believes that this situation aligns with section 148-8-9.1.g of the code in that it is indeed a safety concern to the occupants of the property.

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.

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.

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 October 7, 2025, ZBA Meeting.

Chair Rhoads stated that the Board was in receipt of a letter dated November 30, 2025, from neighbors Rich & Maria Garlock which would be entered into the record.

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. No comments were made.

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

<b>Record of Vote</b>		
Chair	Denise Rhoads	Present [Yes]
Vice Chair	David Palen	Present [Yes]
Member	Kris Kiefer	Present [Yes]
Member	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]

#### **FACTORS CONSIDERED IN CONTEMPLATING THE AREA VARIANCES:**

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

Yes  No

Reasons: No, by unanimous vote as reflected below. The ZBA found that the requested variance would not produce an undesirable change to the neighborhood or nearby properties. The redesigned stair structure will be an improvement to the original, and to the neighborhood and property as well. The site is challenging in that the embankment to the lake is rather steep and comprised of shale which has continued to degrade over the years. In designing a safe and compliant attached stair system with the least number of variances, the Applicant sought the help of professionals including architects, geologists, and planners. The Applicant and their architect have worked to redesign the stair structure to provide safe lake access, minimize bank erosion, and reduce the requested variances. The Applicant had previously relied on their contractor to design and construct the staircase in compliance with zoning code. However, that was unfortunately not accomplished. The time and expense put into correcting the situation is appreciated. The most recent design by the architect addresses the issue of safety, even for the existing structure as it is cabled to small trees, and one of the main posts is mounted close to the edge of a small protrusion on the cliff wall. There is no telling when the shale cliff will deteriorate to a state which would be unable to support any structure. Altering the current staircase to reflect the site plan dated November 21, 2025, prepared by Guy Donahoe, Donahoe Architectural Design, PC, is the most feasible and cost-effective solution to offering the Applicant a safe way to traverse the cliff to the waterfront, as well as utilizing the structural supports and wood from the current structure.

Significant efforts have been made by the Applicant in remedying what would have otherwise been a detrimental change in the initial proposal and eliminating one of the variances requested by adjusting the side yard setback.

#### QUESTION 1 RECORD OF VOTE

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

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

Reasons: No, by unanimous vote as reflected below. Board Members found that the benefit sought by the Applicant cannot be achieved without the granting of an area variance. In designing a safe and compliant attached stair system with the least number of variances, the Applicant sought the help of professionals including architects, geologists, and planners. The Applicant and their architect have worked to redesign the stair structure to provide safe lake access, minimize bank erosion, and reduce the requested variances. The Applicant had previously relied on their contractor to design and construct the staircase in compliance with zoning code. However, that was unfortunately not accomplished in regard to compliance. Due to the size of the lot, any construction would likely require a variance. It would be extremely difficult to produce a viable option without increasing the lakeshore structures. Ultimately, the benefit sought by the Applicant is the ability to safely access the lakefront as they did in the past, and to accomplish this, variances would be necessary.

#### QUESTION 2 RECORD OF VOTE

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

3. Whether the requested variance is substantial: Yes  No

Reasons: No, by a (4-1) majority vote as reflected below with ZBA Members' deliberations as

follows.

Four (4) Board Members found that the proposed variance is not substantial. The current proposal reduces the existing nonconformity of onshore structures by 174 square feet, or 43.5%. When dealing with shoreline structures, a variance request like this, which would cause a considerable increase over what the code allows is substantial but the adjustment in this case was largely necessary due to safety. The current structure was intended to replace what used to exist prior to falling into disrepair. Due to the need for a replacement, and given the site conditions, the request is not substantial. In order to build a safe staircase, variances would be required. The Applicant has reduced the requested variances to the minimum extent possible.

One (1) Board Member also found that the proposed variance is substantial. The current proposal increases the nonconformity of onshore structures 282 square feet over what is allowed by code.

### QUESTION 3 RECORD OF VOTE

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

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

Reasons: No, by a (4-1) 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. The Applicant and their professionals have ensured the proposed remedies are correct. The redesign and replacement of the stair system structure will be done by professionals with the least amount of disturbance possible to the embankment, lake, and surrounding area. The existing structure that was built without necessary permits raised significant concerns on the impact upon the physical and environmental conditions given the size of the structure and the way in which it was supported by cables attached to various trees and stumps along the lakeshore. However, the site plan dated November 21, 2025, amends these concerns.

One (1) Board Member found that the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. It is difficult to design a structure that would be safe for use and not succumb to further erosion of the shale embankment given the geology of this lot. This structure may not hold up for the same reasons the

original spiral staircase failed. More attention regarding prevention of the cliff degradation caused by wave action would have been beneficial as the shale will continue to erode without intervention.

#### QUESTION 4 RECORD OF VOTE

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

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

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

#### QUESTION 5 RECORD OF VOTE

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

#### DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors and ZBA deliberation thereon, upon a motion made by Chair Denise Rhoads, duly seconded by Vice Chair David Palen, and upon a unanimous (5-0) affirmation of all Members present as recorded below, approves the variances requested, and finds as follows:

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

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

**STANDARD CONDITIONS:**

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

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

1. That the Site Plan dated November 21, 2025, with Narrative dated July 25, 2025, prepared by Guy Donahoe, Licensed Architect, be complied with in all respects.

**RECORD OF VOTE**

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

**Initial Review**

Applicants: Joyce Paddock  
4352 Vinegar Hill Road  
Skaneateles, NY 13152

Heidi Ragusa  
4360 Vinegar Hill Road  
Skaneateles, NY 13152

Properties: Lot 1 (Paddock)  
4352 Vinegar Hill Road  
Skaneateles, NY 13152

Lot 2 (Ragusa)  
4360 Vinegar Hill Road  
Skaneateles, NY 13152

**Tax Map #023.-03-10.1**

**Tax Map #023.-03-10.2**

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC

Chair Rhoads stated that this application is for Request for setback variance necessary for an existing pole barn which would become nonconforming as a result of a proposed lot line relocation.

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

Mr. Eggleston stated that Mrs. Paddock no longer has any use for the pole barn located on her property. The occupants/owner of the lot behind her are Heidi Ragusa and Mrs. Paddock's son Matt Paddock have been using the barn and would like to adjust the lot line to have the barn on their property. They worked to try and create a plan that would result in both lots being compliant with this change. This plan makes Mrs. Paddock's lot conforming, but the issue is with the Ragusa lot in that they cannot meet the 30-foot requirement that if you have an accessory structure greater than 600SF, it has to be have double the required setback, which would be 120 feet. The Ragusa property sits back away from the road and is screened by heavy vegetation. There is a driveway easement through Mrs. Paddock's lot.

Mr. Eggleston added that if this were a private road, a 30-foot setback would suffice. He believes that the variance requested becomes a reasonable solution to clean up the properties and allow Ms. Ragusa and Mr. Paddock to own the barn that they currently utilize.

Member Kiefer asked about the driveway easement. Mr. Eggleston explained that they ended up building the driveway along another path, so it is more on the Ragusa lot. He kept the easement there for a technicality of not requiring a 20-foot setback to the driveway once it crossed on the personal property. It's a shared driveway still, and it can be used by Mrs. Paddock to reach the upper portion of her lot.

Board Members will conduct a site visit on December 13, 2025, at 8:30 am.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for January 6, 2026, at 7:10 pm.

**WHEREFORE**, a motion was made by Member Ketchum and seconded by Member Condon to schedule a public hearing for January 6, 2026, at 7:10 pm. The Board having been polled resulted in unanimous affirmation of said motion.

<b><u>Record of Vote</u></b>		
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 January 6, 2026, at 7:00 pm.
- The next P&Z Work Session will be held on December 18, 2025, at 6:30 pm in person and via Zoom.

There being no further Board business, a motion was made by Member Kiefer and seconded by Member Condon to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:41 pm.

Respectfully Submitted,

Aimie Case  
ZBA Clerk

**Meeting Attendees:**

Robert Eggleston, Eggleston & Krenzer Architects, PC  
Tom Trytek, PE, TDK Engineering Associates, PC  
Guy Donahoe, Donahoe Architectural Design, PC  
Jim Johnson, Applicant

Chris Graham  
Scott Brothers  
Monica Pohl

**Meeting Attendees Via Zoom:**

Councilor Mark Tucker  
David Lee  
Maria Garlock