

**TOWN OF SKANEATELES  
ZONING BOARD OF APPEALS  
MEETING MINUTES OF  
April 7, 2026**

**Present:**

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

Chair Rhoads opened the Zoning Board of Appeals meeting at 7:01 pm. New Member, Beth Estes, was welcomed to the Board.

**Minutes**

Previous distribution to the Board of the regular meeting minutes of February 3, 2026, and March 3, 2026, was executed, and all Members present acknowledged receipt of those minutes.

**WHEREFORE**, a motion was made by Member Ketchum and seconded by Member Condon to accept the February 3, 2026, minutes as submitted. The Board having been polled resulted in unanimous affirmation of said motion. Member Estes was not present at the February meeting and abstained from the vote.

**Record of Vote**

Chair	Denise Rhoads	Present [Yes]
Vice Chair	Kris Kiefer	Present [Yes]
Member	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]
Member	Beth Estes	Present [Abstain]

**WHEREFORE**, a motion was made by Member Ketchum and seconded by Member Kiefer to accept the March 3, 2026, minutes as submitted. The Board having been polled resulted in unanimous affirmation of said motion. Member Estes was not present at the February meeting. Member Condon was present via Zoom but only as a listening Member. Both abstained from the vote.

**Record of Vote**

Chair	Denise Rhoads	Present [Yes]
Vice Chair	Kris Kiefer	Present [Yes]
Member	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Abstain]
Member	Beth Estes	Present [Abstain]

## **Public Hearing Continuance**

Applicant: Mark V. Byrne  
681 Old Seneca Tpke  
Skaneateles, NY 13152

Property: 3814 Fennell Street  
Skaneateles, NY 13152  
**Tax Map #045.-03-22.0**

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC  
Mark Byrne, Applicant

Chair Rhoads stated that this application is for an open space setback variance for a six-unit multi family dwelling in the HC District. Board Members made a site visit of the property individually. The Board opened the Public Hearing for this application at the March 3, 2026, meeting where some public comments were taken.

Design Professional, Robert Eggleston, Eggleston & Krenzer Architects, PC was present with Applicant, Mark Byrne.

Mr. Eggleston reviewed the application. The property is in the highway commercial (HC) zone. The Town's Comprehensive Plan encourages alternative, or multi-family housing and the Applicant thought this was a good site for that.

The units will be reasonably priced as they will not be high-end, but rather geared towards typical, mean income individuals. They are aiming towards rent being a couple thousand dollars a month. The units are fairly spacious at about 1400SF with two bedrooms, and an attached one-car garage. Each unit will have a parking space in front of the garage door as well. There are four additional parking spaces to the right of the driveway entrance for guests and overflow parking. Mr. Eggleston and the Applicant had preliminary meetings with the Planning Board and Town Planner and felt that the plan was looked at favorably in that the Town wants to encourage alternative housing.

Mr. Eggleston explained that there is a glitch in the zoning law regarding the requirement for a conservation area with multi-family housing. If the open space is on the same lot as the development, a 100-foot setback from the building to the open space is required. If the open space is on a separate lot, only a 30-foot rear yard setback is required. They are proposing a 30-foot setback from the open space on the same lot, which is the reason for the requested variance. They prefer to keep the development and the open space on one lot but will subdivide if they must. If the open space is on a separate lot, it will have a separate deed and you run the risk of someone buying it separately down the road. Additionally, the overall conservation area of this project would be larger if they keep this one lot.

A neighbor had previously raised the question of why a variance was being requested at such an early stage in the planning process. Mr. Eggleston explained that by starting with the variance request early on, they would have clear parameters as they worked through the planning of development. They had just begun to work out grading and stormwater management. The septic received preliminary approval from the County Health Department. When they go to the Planning Board, they will determine the appropriate number of units which they will work through as they look further into the grading and other aspects. They wanted to know if they were going to be working with one lot or if they would be subdividing and working with two lots before they got into extensive engineering.

Member Condon noted the preliminary stormwater management and possible retaining walls mentioned. He asked Mr. Eggleston to run through some of the options they were looking at.

Mr. Eggleston stated that they had not done much engineering. They had conceptual discussions with the engineer but had not put pen to paper yet. They had gone to the Planning Board with the preliminary informal review and were getting ready to make a formal application so they could start the sketch plan and make these determinations.

Member Condon then asked Mr. Eggleston if he had been on site during or after the rain we had been getting.

Mr. Eggleston replied that he had not been on site to see how the land handled the water. Member Estes stated that she visited the site that Saturday and it was very wet.

Mr. Eggleston reminded the Board that this site was developed 70 years ago for a resident's retirement home. At that time, the Town did not have the standards it has today. Stormwater is now a requirement when you do a development so there will be no skipping around it. Overall stormwater management will be improved with this project.

Member Estes asked if they were to subdivide where that line would fall on the property. Mr. Eggleston stated that the subdivision line would fall at the edge of the open space shown in green on the site plan. He added that there is discussion within the Town about eliminating this setback requirement from multiple family development in the zoning law.

Member Condon and Mr. Eggleston further discussed the idea of a retaining wall along the open space and management of stormwater. Mr. Eggleston noted that they had conceptually modified the placement of the driveway, pushing it farther north and closer to the septic so that they had more area to work with for stormwater management. He added that the perks in the area were very good. They will continue to work with Plumlee Engineers as the state of the project matures.

Member Estes stated that the order of the project's progression and the absence of a solid plan being presented to the ZBA puts the Board in an interesting spot to approve something when they do not know what the outcome is.

Mr. Eggleston stated that he sees no value in the difference between a 100-foot setback if its on one lot, and a 30-foot setback if its on two lots.

Member Ketchum asked if there was a NYSEG easement on the property. Mr. Eggleston stated there is not and added that there is a 10-foot easement on the adjacent property.

Member Estes thought there was a utility line with a 25-foot easement that runs on the north side by the cemetery. Mr. Eggleston stated that the surveyor did not find one and added that if there were a 25-foot easement, it would not be an issue because of the setback they were planning on. Clerk Case added that she looked into this and was unable to find any documentation for such easement.

Member Ketchum stated that she thinks it would be very difficult to go through the five statutory criteria without more information. It would be hard to answer the questions without additional details. Chair Rhoads agreed, adding that she was not comfortable approving a variance subject to such vague conditions.

Mr. Eggleston stated that if granted the variance, having a 30-foot setback would allow for 37% of the lot to be conservation. If they have a 100-foot setback, only about 15% would be conservation. He added that their other option would be to withdraw the application and come back for a variance if still necessary. The Town may change the zoning law, but it cannot be said how long that might take.

Planner Barkdull noted that the proposed changes were introduced to the Town Board at their meeting the night before. They referred the proposed updates to the ZBA and Planning Board for review, which would be discussed at the end of the meeting. Clerk Case emailed the information to Board Members that afternoon. The average time span for the completion of the approval process is about 60 days.

Member Condon stated that he thinks the project is a great idea for the community and understands the investment Mr. Byrne has already put into the property. He wondered if it would be doable for them to work with their engineers and come up with a few plausible options. That way the ZBA could effectively answer the five criteria questions. If done right, he thinks a 30-foot variance would be acceptable to approve.

Mr. Eggleston replied that they were only going to design one project, adding that they could table the continuance of the Public Hearing, leaving it open within limitations if that made the Board more comfortable.

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 March 3, 2026, ZBA Meeting. The Planning Board may consider this as an unlisted action during their review of the Application.

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 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 Kiefer 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.

The Board was in receipt of a letter from neighbors George Thomas and Patty Weisse which would be entered into the record.

With there being no comments or questions, Chair Rhoads asked for a motion to carry the Public Hearing over to May 5, 2026, per the request of the Applicant's Design Professional.

**WHEREFORE**, a motion was made by Member Condon and seconded by Member Ketchum to carry the Public Hearing over to May 5, 2026. 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	Kris Kiefer	Present [Yes]
Member	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]
Member	Beth Estes	Present [Yes]

## **Public Hearing**

Applicant: David C. Marks  
3542 County Line Road  
Skaneateles, NY 13152

Property: 1261 Oak Bluff  
Skaneateles, NY 13152  
**Tax Map #054.-02-03.0**

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC  
David Marks, Applicant  
Kristin Marks, Applicant

Chair Rhoads stated that this application is for proposed shoreline improvements, including a deck and stairs to the lake. The Board received revisions to the initial application with the removal of a deck structure which eliminated the originally requested variance for lot coverage.

Design Professional, Robert Eggleston, Eggleston & Krenzer Architects, PC was present with Applicants David and Kristin Marks.

One of the challenges of this seasonal property is that Oak Bluff, being part of the property, adds 3.5% to the existing nonconforming state of the ISC. The existing stairway leading to the Lake is unsafe and nonconforming in that it sits on the north property line.

The Applicant would like to remove the existing stairs, revegetate the area with groundcover, and build a new stairway in a conforming location. The proposed stairway will be built over the top of the bank so there will be minimal disturbance as they will only need to install posts. They would also like to incorporate a 10x16 foot deck at the edge of the bank which would allow them a safe space to enjoy being near the water with their young children.

The primary variance being requested is for an increase of shoreline structures from the existing nonconforming 612SF to 785SF. The lot has 93.9 lineal feet of lake frontage, making it just a few feet short of the required 100-foot lake frontage that would allow them 600SF of onshore structures as opposed to 400SF.

During the Planning Board site visit, it was pointed out that the Applicant could reduce the total coverage by eliminating the deck on the south side of the east cottage. The deck is nonconforming in that it is only 5 feet off the property line. By replacing the deck with a simple set of stairs, the side yard setback would improve to 11 feet. The removal of this deck will eliminate the need for an open space variance in that it would be reduced from 22.3% to 21.8% as opposed to increasing it to 23% as originally proposed. The Applicant still plans to remove the existing patio on the north side of the property. There is a second patio on the property which the Applicant would like to keep as it was built by his father and grandfather.

Member Estes stated that she was not at the site visit but looking at the drawings, she noticed a lot of retaining walls. She wondered if the whole property sloped downward. Member Estes also noted the large concrete area and paver area at the lake front which were to remain. Those impermeable structures could be replaced with permeable ones which would reduce the PENC ISC.

Mr. Eggleston explained that the retaining wall at the top is to make a level parking area which is typical of the adjacent homes. The property has an abundance of vegetated areas, including the bank at the lake, as can be seen in the aerial photograph. Regarding the concrete and paver areas at the lake, the narrative noted concerns about erosion due to wave action if those surfaces were removed.

Having solid structure behind a retaining wall which sees wave action is a factor in how well the wall holds up. He added that although the ISC on the property is PENC, removing the impermeable structures at the lake would not change the variance being requested as they are not increasing the ISC with this proposal. Everything they are proposing to build is permeable.

Member Estes stated that she understood the concern stated in the narrative about disturbance to the Lake and the potential for erosion if they were to remove the impermeable areas at the shoreline. However, there are ways to execute this without causing such disturbance. If they were to make it permeable, it would be better for the Lake in that it would provide filtration going into the Lake.

Mr. Eggleston reviewed some of the stormwater management on Oak Bluff, noting that the neighborhood has actively tried to maintain the road and control the stormwater. In an attempt to control the runoff, a stone-lined ditch with a culvert that runs along the Applicant's property line was installed a few years ago. However, any water that hits the Applicant's gravel drive goes down the steps and towards the garage. The retaining wall and impermeable surfaces on the south side of the main house have been maintained for this purpose. This was something Mr. Eggleston suggested to the Applicant but being that the property has been in the family for three generations now, they have gone through trial and error regarding issue and the Applicant's father was adamant about the importance of maintaining that area. There is a lot of vegetation surrounding that area. Mr. Eggleston believes they have done a good job in trying to manage the site appropriately given the circumstances.

Member Ketchum wondered if the Planning Board had no problem with the proposed 10x16 foot deck at the top of the new stairs. Although permeable, the deck would take the lakefront structures dramatically over what is allowed. It could be reduced a little bit.

Mr. Eggleston stated that the Planning Board was looking at it from a stormwater and disturbance aspect.

A Board Member inspection of the site was scheduled for March 11, 2026. Member Condon and Member Estes were not in attendance.

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 asked for a motion to open the Public Hearing.

**WHEREFORE**, a motion was made by Member Condon and seconded by Member Estes 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.

**Melissa Zell- 1265 Oak Bluff, Skaneateles, NY 13152**

Ms. Zell is the neighbor to the south of this property and agrees that the current stairs are dangerous and noncompliant. She stated that when a property owner applies for

a building permit, it is important to make all of the properties more compliant instead of less compliant. Ms. Zell noted that it took her two years to get through the Planning Board approval process to make her property, which at the time was nonconforming, compliant with the 10% allowed coverage. They had to reconfigure their driveway and have the same burden that the Marks family does with the Oak Bluff roadway running on their lot.

Although she appreciates the Applicant's effort in making the property more compliant on both side yards, it seems that there are also ways to make it more compliant overall. Variances should be the last resort when there are really no alternatives. Ms. Zell stated that overall, she is in favor and has no issue with what is being proposed, adding that as the Zoning Board, their job is to that everyone is as compliant as possible. The whole point is to protect the Lake.

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 Member Kiefer 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	Kris Kiefer	Present [Yes]
Member	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]
Member	Beth Estes	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 a detriment to nearby properties. The proposed deck and stairs would be an improvement to the property which currently has old, unsafe stairs that are in need of replacement. Other deck and stair structures are present in the neighborhood and are a common feature around the Lake. The existing stairs are encroaching on the north side yard, and the new proposed wooden stairs would be built in a conforming location which would lessen the overall nonconformities of the property while providing safer, more efficient access to the waterfront.

**QUESTION 1 RECORD OF VOTE**

<b>MEMBER NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
Chair DENISE RHOADS	<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"/>
Member BETH ESTES	<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: Yes, by a four to one (4-1) majority vote as reflected below, with ZBA Members' deliberations as follows:

Four (4) Board Members found that the benefit sought by the Applicant can be achieved without the granting of an area variance. Some of the concrete surfaces and other materials along the shoreline could be removed, which would be a feasible option to further reduce the potential impact that the proposed additional onshore structures would have while also reducing the variance request for said onshore structures. The proposed deck is 10'x16'. There could be a smaller deck leading to the steps, if necessary, because there is currently a patio there and the deck does not need to be 160 square feet. A smaller deck would reduce the requested variance.

One (1) Board Member found that the benefit sought by the Applicant cannot be achieved without the granting of an area variance. This property is preexisting nonconforming and due to the lot restrictions, an area variance is required. The shared asphalt roadway traverses a portion of the Applicant's property which adds to its nonconforming nature. The existing onshore structures are nonconforming but it would require a lot of disturbance and concrete removal to achieve the allowed 400 square feet. The new stairs would allow for safer access to the Lake.

**QUESTION 2 RECORD OF VOTE**

<b>MEMBER NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
Chair DENISE RHOADS	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
Member BETH ESTES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Whether the requested variance is substantial: Yes  No

Reasons: Yes, by a four to one (4-1) majority vote as reflected below, with ZBA Members' deliberations as follows:

Four (4) Board Members found that the proposed variance is substantial. The existing onshore structures are already nonconforming by 212 square feet, and the proposed changes would increase the nonconforming square footage. The requested 785 square feet of onshore structures is substantial in that it represents 28.3% of the existing onshore structures and almost doubles the allowed 400 square feet. Even if the property had 100 lineal feet of Lake frontage, which it is just 6.1 feet shy of, and 600 square feet of onshore structures was allowed, the request would still be 185 square feet over what is allowed.

One (1) Board Member found that the proposed variance is not substantial. The proposed 10'x16' deck with new stairs is permeable and provides safe access to the Lake. The south side yard setback is made less nonconforming with the removal of the cottage deck, and the north side yard setback is made entirely conforming at 20 feet with the new stairs being relocated further south on the property. The Applicant's willingness to remove the north patio and south deck favors to help lessen the variance requested.

### QUESTION 3 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
Member BETH ESTES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

Four (4) Board Members found that the requested variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. ISC will not increase. Although the Applicant could decrease the preexisting ISC by removing other concrete structures on the property, doing so would require heavy equipment and greater disturbance to the site. The additional reduction of other permeable structures has eliminated the need for a second variance. The south deck was eliminated, making the south side yard setback less nonconforming. Constructing a permeable deck over an existing grassy area will have no adverse effect. The plan calls for removal of some paver steps, an old patio, deck, and replacement of the old deteriorating stairs which will be an improvement to the property, and the shoreline access will be made safer while providing stabilization to the shoreline. The existing impermeable stairs will be replaced with permeable stairs and deck which will be an overall improvement to the environmental conditions.

One (1) Board Member found that the requested variance would have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The actual

installation of what is being requested will not cause a negative impact but leaving all of the remaining shorefront concrete structures sets a precedent that we can add more without making reductions.

**QUESTION 4 RECORD OF VOTE**

<b>MEMBER NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
Chair DENISE RHOADS	<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"/>
Member BETH ESTES	<input checked="" type="checkbox"/>	<input 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**

<b>MEMBER NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
Chair DENISE RHOADS	<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"/>
Member BETH ESTES	<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 Member Jim Condon, and concluded by a three to two (3-2) vote of all Members present as recorded below, that the benefit to the Applicant does not outweigh the detriment to the neighborhood or community if the variance was granted, which vote resulted in the motion failing to achieve a majority vote of at least three (3) Members of the ZBA as fully constituted. Since only two (2) of the five (5) ZBA Members voted in favor of the motion, the ZBA must deny the variance requested, and find as follows:

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

**REASONS:** In review of the stated findings of the 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, does not lie in favor of the Applicant. This decision is based on all the evidence presented in the Application, the Record, as well as the Board Members' inspection of the property, and the Board's articulated factors on the record while deliberating the statutory questions presented.

**RECORD OF VOTE**

<b>MEMBER NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member BETH ESTES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Initial Review**

Applicant: Ted Kinder  
 1029 Autumn Tree Court  
 Skaneateles, NY 13152

Property: 1029 Autumn Tree Court  
 Skaneateles, NY 13152  
**Tax Map #045.-02-16.2**

Present: Bill Murphy Jr., SPACE Architectural Studio, PC  
 Ted Kinder, Applicant

Chair Rhoads stated that this application is a proposed addition to an existing detached garage, and construction of a new additional dwelling unit with a deck and permeable chipping/putting green.

Bill Murphy, Jr., SPACE Architectural Studio, PC was present with Applicant, Ted Kinder. Mr. Kinder's daughter, Kate Ibañez, was also present.

The Applicant is requesting a variance for wetland setbacks. The property is on Autumn Tree Court, a neighborhood which was developed by the Applicant in 1986. Mr. Kinder would like to keep the home in the family. He is proposing to construct an accessory dwelling unit for himself to move into. His daughter and her family will move into the main house.

Mr. Murphy discussed the well maintained NYSEG and National Grid easements that cross the property and can be seen in the aerial photos. His team investigated drainage as well as the proximity to the wetland behind the existing home. It was noted that the Community Center parking lot, which is adjacent to the Kinder property, is within the same wetland area.

A site visit was conducted by the Planning Board the weekend before. Mr. Murphy shared a summary of the discussions. As a result of the Planning Board's site visit, and Chairman Karper's suggestion, additional zoning drawings were created, including a drainage diagram. Some additional French

drains could be installed beneath the slab on grade construction to allow the area beneath the slab to further drain out into the wetland area at the rear of the parcel.

In designing this project, they tried to position the additional unit to complete the courtyard at the rear of the complex, tying in with the existing pool area. The proposed permeable putting green will be situated within the courtyard area. It will be artificial but permeable. The existing garage is small, and the Applicant would like an additional garage bay added on. Mr. Murphy added that the positioning of the proposed ADU is intentional in that they would like to keep the existing views at the rear of the home.

There are no septic systems in the Autumn Tree Court subdivision as it is within a sewer district and has a 2-inch force main. Mr. Murphy discussed the infrastructure. Mr. Kinder gave further insight into the drainage, sewer system, and infrastructure maintenance within the development. He also discussed utility easements.

Member Estes wondered if the wetlands discussed were DEC or EPA acknowledged wetlands or if they were just being referred to as wetlands.

Mr. Murphy replied that the wetlands were showcased at the time of the original development in 1986. There is already a smaller structure in the area that they are proposing to construct the ADU. They are looking to relocate this existing structure as part of the proposal. He noted that the 1000SF structure has had no impact on the wetland and referenced the Community Center parking lot. It was later stated that the wetlands were acknowledged by NYS.

Mr. Murphy further reviewed the drainage diagram they prepared for the Planning Board. He explained the discharge points and how they plan to tie this project into the existing infrastructure. The drainage systems are maintained by the property owners.

Member Ketchum asked about the new zoning regulations that were introduced the previous day. She wondered if they had been approved by the Town Board. The section on ADU's was part of the proposed updates.

Planner Barkdull explained that the new regulations were referred to the ZBA, Planning Board, and Onondaga County Planning Board by the Town Board at their meeting the previous night. The Public Hearing would be in May.

The Board discussed possible reconfigurations of the plan to alleviate the proposed proximity to the wetland. There is a large open area of the lot on the side of the house which was suggested. Mr. Kinder explained that he had chosen not to build in that location because he did not want to impact his neighbor. He also felt that putting the ADU in that location would be too far from the garages and would require the addition of more asphalt in order to connect to the driveway. Although the ISC will remain conforming with this proposal, Mr. Kinder wanted to minimize the impermeable areas of the property.

A site visit was scheduled for April 18, 2026, at 8:30 am.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for May 5, 2026, at 7:02 pm.

**WHEREFORE**, a motion was made by Member Kiefer and seconded by Member Estes to schedule a Public Hearing for May 5, 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	Kris Kiefer	Present [Yes]
Member	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]
Member	Beth Estes	Present [Yes]

### **Discussion**

- The next ZBA meeting will be held on May 5, 2026, at 7:00 pm.
- The Board received the proposed Zoning Law updates which were referred by the Town Board at their meeting the previous night. The Board opted to take time to review the updates as they had just received them that afternoon. It was decided that Board members would submit their comments to Counsel Molnar and he would submit them to the Town Board in response to their referral.

**WHEREFORE**, a motion was made by Member Ketchum and seconded by Member Kiefer to submit comments to Counsel Molnar within ten (10) days at which time he would review them with the Chair and turn them over to the Town Board in response to their referral. 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	Kris Kiefer	Present [Yes]
Member	Sherill Ketchum	Present [Yes]
Member	Jim Condon	Present [Yes]
Member	Beth Estes	Present [Yes]

- Clerk Case stated that the June ZBA meeting had been rescheduled to June 9, 2026. The revised meeting schedule was posted on SharePoint.
- Clerk Case updated the Board on record retention regarding notes. The record retention on notes is 0 years, so they are not required to be turned in.

There being no further Board business, a motion was made by Member Ketchum and seconded by Member Estes to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:36 pm.

Respectfully Submitted,

Aimie Case  
ZBA Clerk

**Meeting Attendees:**

Robert Eggleston, Eggleston & Krenzer Architects, PC  
Bill Murphy Jr., SPACE Architectural Studio, PC  
Mark Byrne, Applicant  
David Marks, Applicant  
Kristin Marks, Applicant

Ted Kinder, Applicant  
Kate Ibañez  
Melissa Zell  
Larry Tyson

**Meeting Attendees Via Zoom:**

Tom Smith