

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF
October 7, 2025**

Present:

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

Chair Rhoads opened the Zoning Board of Appeals meeting at 7:01 pm.

Minutes

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.

WHEREFORE, a motion was made by Member Ketchum and seconded by Vice Chair Palen to accept the August 5, 2025, minutes as submitted. The Board having been polled resulted in unanimous affirmation of said motion.

Record of Vote

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

Previous distribution to the Board of the regular meeting minutes of September 9, 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 September 9, 2025, minutes to the November 4, 2025 meeting for additional time to review.

Initial Review

Applicant:	Beth Endres/Skaneateles Dogs 2132 Terrace Lane Skaneateles, NY 13152	Property:	1170 Heifer Road Skaneateles, NY 13152 Tax Map #061.-03-01.0
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Present: Robert Eggleston, Eggleston & Krenzer Architects, PC

Chair Rhoads stated that this application is for a proposed 8-foot-high fence for a dog care facility yard.

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

Mr. Eggleston stated that the Applicant has Planning Board approval for a Special Permit to create a facility for a dog daycare with overnight accommodations and an accessory apartment in the main structure. When there are overnight dog guests, a staff member will stay onsite in the apartment. Mr. Eggleston stated that the dog care facility is associated with Skaneateles Dogs, which has a brick-and-mortar location for grooming on West Genesee Street.

In putting together the exercise yard, the Applicant wanted a large area (150' x 126') for the dogs to run and exercise. The maximum fence height allowed is 6 feet. An 8-foot-high fence is being requested as larger dogs can scale a 6-foot-high fence. There will be two smaller fenced yards within the larger area. Fencing will be a minimum of 25 feet off the property line, and the setting of the facility is an open farm field. The lot is 1.5 acres and distant from any residential properties. The fence will be vinyl coated chain link.

Mr. Eggleston explained that the accessory apartment will be in the upper west portion of the barn, and the other half of the upper floor will be left open. The main level will have an open center area and separate holding areas for the dogs.

Board Members will conduct a site visit on October 25, 2025, at 8:30 am.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for November 4, 2025, at 7:02 pm.

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Kiefer to schedule a public hearing for November 4, 2025, at 7:02 pm. The Board having been polled resulted in unanimous affirmation of said motion.

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

Initial Review

Applicant: Jess Hafner -Representing the six (6) properties owned by five (5) entities
7690 Mountain Ash
Liverpool, NY 13091

Property:	2559 East Lake Road Skaneateles, NY 13152 Tax Map #037.-01-27.1	2579 East Lake Road Skaneateles, NY 13152 Tax Map #037.-01-28.1	2583 East Lake Road Skaneateles, NY 13152 Tax Map #037.-01-25.1
	2591 East Lake Road Skaneateles, NY 13152 Tax Map #037.-01-24.0	2599 East Lake Road Skaneateles, NY 13152 Tax Map #037.-01-23.1	2605 East Lake Road Skaneateles, NY 13152 Tax Map #037.-01-22.1

Present: Robert Eggleston, Eggleston & Krenzer Architects, PC
Jess Hafner, Applicant (Via Zoom)

Chair Rhoads stated that this application is a proposal to unify shoreline fences amongst six (6) properties. The Applicant's are requesting a setback variance.

Design Professional, Robert Eggleston, Eggleston & Krenzer Architects, PC represented the Applicant, Jess Hafner who was present via Zoom.

Mr. Eggleston stated that the proposal was for six (6) properties within "The Colony", owned by five (5) entities. The neighborhood traditionally has had an open backyard area where the owners were limited in dividing it up. It was essentially a nice continuous yard. When the neighborhood was developed in the first half of the previous century, it was more communal in nature, consisting of larger summer homes which shared a tennis court and boathouse.

The challenge faced is regarding the steep cliff at the lake in that the property owners have young children and grandchildren. The concern is being able to put up unified fencing at the cliff that would connect across the property lines as to not have 2-foot gaps at the property lines due to setbacks. The purpose of the proposed fence is for the protection of children around the cliff. Mr. Eggleston emphasized that even with direct supervision of the children, the cliff still poses a great safety risk. The fence would serve as additional protection in that it would slow a child down, preventing them from going over the cliff.

They are proposing to install two-rail split rail fencing, standing about 3 feet high. Some of the properties have existing fences, which are shown in green on the site plan. Indicated in yellow on the site plan is where they are proposing new fencing, and the blue dots indicate the locations needing a setback variance in order to avoid having a 2-foot gap.

Vice Chair Palen sought clarification that "The Colony" is not a public entity.

Mr. Eggleston confirmed that "The Colony" is in fact not a public entity. This is a combined application consisting of six (6) separate properties, owned by five (5) separate entities. They are seeking one common setback variance for the six properties. He added that each lot would have its own gate to access the lake.

Board Members will conduct a site visit on October 25, 2025, immediately following the Endres site visit.

At this time, Chair Rhoads asked for a motion to schedule a Public Hearing for November 4, 2025, at 7:10 pm.

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Kiefer to schedule a public hearing for November 4, 2025, at 7:10 pm. The Board having been polled resulted in unanimous affirmation of said motion.

Record of Vote

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

Public Hearing Continuance

Applicant:	Chris & Laura Kinder	Property:	3429-C East Lake Road
	48 Spring Water Lane		Skaneateles, NY 13152
	New Canaan, CT 06840		Tax Map #041.-01-04.0

Present: Bill Murphy Jr., SPACE Architectural Studio, PC

Chair Rhoads stated that this application is for a proposed second story addition on a preexisting nonconforming lot. She confirmed that the Board was in receipt of the requested septic plans and lot coverage calculation sheets.

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

Mr. Murphy stated that the lot is very small and currently has a four-bedroom dwelling. The dwelling will remain as a four-bedroom, but the master suite will be relocated to the second story addition. 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.

Mr. Murphy reviewed the coverage calculations from newly submitted Sheet Z-5 with the Board. The second-floor addition will add 802SF to the dwelling. The total square footage, which includes the garage, will be 3546 SF

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.

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 Ketchum to reopen the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

Chair Rhoads stated that a letter of support from neighbor Adam Graham had been submitted into the record.

Board Members discussed concerns over the existing septic system.

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.

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

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 second story addition will be constructed over the existing one-story garage. The design makes sense for maintaining the existing footprint, ISC, and setbacks. At least one neighbor has expressed favor of the proposal.

QUESTION 1 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member JIM CONDON	<input type="checkbox"/>	<input 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. The Site Plan dated July 11, 2025, and addendum dated September 12, 2025, with narrative dated July 2025 seem to be the most feasible way to meet the needs of the Applicant. This is a preexisting nonconforming lot. Given the lot size and proximity to the lake, a variance would be required for any structural modifications.

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

Four (4) Board Members found that the proposed variance is not substantial in terms of building footprint but is substantial in terms of floor space. The building footprint is not substantial because the Applicant is maintaining the same size and percentages as the preexisting nonconforming condition of 13.23%. The floor space is substantial because 10% is the maximum allowed, whereas the preexisting nonconformity is 19.83%. With the addition, floor space will increase by 5.8% for a total of 25.63% total floor space which is substantial in that it is roughly three times what is allowed.

One (1) Board Member found that the proposed (collective) variance is not substantial because the addition will be built on the existing footprint and there will be no increase in ISC.

QUESTION 3 RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" 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 majority vote as reflected below with ZBA Members' deliberations as follows.

Five (5) 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 is improving the property with a bioswale to help mitigate stormwater runoff. Although this is not required, the Applicant wants to protect the property and the lake from the potential of large runoff from stormwater. There will be no increase in ISC. The ZBA is charged with considering and protecting the health, safety, and welfare of the neighborhood or community and environment, and although not part of the review of this application, encourages the Applicant to have the existing septic system set up looked at to ensure further protection of the lake.

One (1) Board Member also found that the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. By enlarging the dwelling to just over 3500SF, there is potential for increased usage of the septic system. Based on the property size, proposed dwelling size, and capacity of the existing septic system, there could potentially be an adverse impact on the lake due to wastewater management issues.

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 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 <input checked="" type="checkbox"/> No <input type="checkbox"/>

Reasons: Yes, by majority 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 Jim Condon, and concluded by a four to one (4-1) majority vote 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 July 11, 2025, including Sheet Z-5 Coverage Calculations addendum dated September 12, 2025, with Narrative dated July 2025, prepared by Bill Murphy, Jr., 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Member JIM CONDON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing

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

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. Board Members made a site visit, after which they received an updated site plan with minor revisions.

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

Mrs. Eggleston stated that based on Planning Board and ZBA Member comments, they had revised the site plan, making reductions. The originally proposed detached deck, between the house and lake, was eliminated. This helped to reduce the total coverage by 8.1%. He also noted that with Clerk Barkdull's advice and looking closer at definitions, both areas around the boathouse are gravel as opposed to the originally proposed concrete as shown on survey and drawings. The retaining walls between the house and lake were also eliminated. ISC improved by 3.7% with the revised plans. Planning Board Member David Lee also suggested raising the house a bit more for better drainage. The revised plans reflect the house being raised an additional foot. There is no change in ceiling heights.

The Board discussed the number of bedrooms proposed as there was confusion between different documents in the application, as well as the intended use of the property. Mr. Franchini clarified that the existing four-bedroom house would be reduced to three bedrooms. He estimated that they would utilize the property six months out of the year.

Counsel Molnar stated that due to a printing error, the Public Hearing Notice was not published in the newspaper. Notices were, however, mailed to neighbors, followed by a letter informing them of the publishing error. Since it was unknown whether the neighbors had received the letter in time, Counsel Molnar recommended that the ZBA open the Public Hearing and continue it to the next month after publishing notice, allowing for a proper Public Hearing.

A site visit was conducted by Board Members on September 18, 2025, at 5:30 pm.

Chair Rhoads stated that due to the aforementioned publishing error, the Board would open the Public Hearing and motion to republish the Public Hearing Notice and carry the Public Hearing over to the November 4, 2025, 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.

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

Chair Rhoads stated that three (3) adjoining neighbors had submitted no objection letters which were added to the record.

With there being no comments or questions, Chair Rhoads asked for a motion to republish the Public Hearing Notice and continue the Public Hearing at the next ZBA meeting on November 4, 2025, at 7:30 pm.

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Kiefer to carry the Public Hearing over to the November 4, 2025, ZBA Meeting, at 7:30 pm. The Board having been polled resulted in unanimous affirmation of said motion.

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

Public Hearing Continuance

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

The Board had not yet received revised plans for the Johnson application. Chair Rhoads stated that although not on the agenda, the Board needed to entertain a motion to carry the Public Hearing over to the November 4, 2025, meeting.

WHEREFORE, a motion was made by Member Ketchum and seconded by Vice Chair Palen to carry the Public Hearing over to the November 4, 2025, ZBA Meeting. The Board having been polled resulted in unanimous affirmation of said motion.

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

Discussion

- The next ZBA meeting will be held on November 4, 2025, at 7:00 pm.
- The next P&Z Staff Meeting will be held on October 16, 2025, at 6:30 pm in person and via Zoom.

There being no further Board business, a motion was made by Vice Chair Palen and seconded by Member Kiefer to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:00 pm.

Respectfully Submitted,

Aimie Case
ZBA Clerk

Meeting Attendees:

Robert Eggleston, Eggleston & Krenzer Architects, PC
Bill Murphy Jr., SPACE Architectural Studio, PC
Eugene Franchini, Applicant
Tracy Franchini, Applicant
Clara Kuhns

Meeting Attendees Via Zoom:

Jess Hafner, Applicant
Karen Barkdull, P&Z Clerk
Councilor Mark Tucker