

**VILLAGE OF SODUS POINT
ZONING BOARD OF APPEALS
July 10, 2018**

PRESENT: Tom Johns, Larry LaForce, Sue Bassage, Vic Hill, Lynn Carlyle

ABSENT: Laurie Hayden

GUESTS: CEO Kevin Druschel, Jim Deagman, Shawn Matla, Ron Trawitz, John Ratkovicz

Chairman Tom Johns called the meeting to order at 7:00 P.M.

Chairman Johns appointed Lynn Carlyle as a full voting member for this meeting.

New Business

Applications:

- **Jim Deagman, 7490 Lummis Street Sodus Point, NY;** Requesting a fence height variance to install a 6' high fence approximately 30' in length where 4' is allowed. **(CODE 190-22g, 121)**. The vinyl fence will partially replace an existing shed. Mr. Deagman has discussed the project with the adjacent neighbors (Sill and Novik) and stated that there are no concerns. *The project was deemed a Type II unlisted action, therefore no SEQR was necessary.*

Secretary Neal noted the proof of publication and posting of the required legal notice in the Sun and Record.

Chairman Johns read the Decision Form from the Planning Board stating their approval of the project with no conditions.

At 7:05 P.M. Chairman Johns opened the floor to public comments. No comments were heard.

At 7:06 P.M. Chairman Johns closed the public comment period.

Board Discussion:

Tom, Vic, Lynn, and Larry had no issues with the project.

Sue liked the project and understood the need for the 6' height variance.

A motion to approve the application as presented was made by Vic, 2nd: Larry.
All voted in favor, none opposed. Ayes carried.

- **John Ratkovicz, 8629 Greig Street, Sodus Point, NY:** Requesting a variance for as as-built extension of deck northward 32'' from existing deck, 16' wide, 3' from north edge of break wall. **(CODE 190-11)** The applicant stated the project would allow for ease of movement to the now created break wall height. *The project was deemed a Type II unlisted action, therefore no SEQR was necessary.*

Secretary Neal noted the proof of publication and posting of the required legal notice in the Sun and Record.

Chairman Johns read the Decision Form from the Planning Board which stated their approval of the project *with the condition that the new section of decking will not be included in the existing footprint.*

At 7:12 P.M. Chairman Johns opened the floor to public comments. Neighbor Shawn Matla questioned if this addition was a hardship. Mr. Matla also questioned about a structural inspection and CEO Druschel stated that because it was an “as built” project he would signoff stating that he couldn’t inspect, thus the Village would hold no liability if the project were to fail. Lastly, Mr. Matla was concerned about an electrical inspection for an outlet that had been moved by the applicant. Mr. Ratkovicz agreed to have the outlet professionally inspected.

At 7:18 P.M. Chairman Johns closed the public comment period.

Board Discussion:

Tom and Larry commented on the “as built” status, stating that the Board does not look favorably on such projects, thus the need for our existing code. The applicant stated that he was unaware he needed a variance and assumed the work was all part of the break wall project he had completed earlier.

Lynn thought the project made sense both aesthetically and for safety reasons.

Vic and Sue had no problems with the project.

A motion to approve the application with the following conditions:

1. An electrical safety inspection must be performed
2. There will be no footprint extension for the property

Motion made by Vic, 2nd: Lynn, *All voted in favor, none opposed. Ayes carried.*

- **Mark Herb, 8251 South Shore Road, Sodus Point, NY.** Via a phone call, Cindy Herb presented her request for a variance to build a new single-family home 18’10” from rear where 25’ is required and 19’3” from front where 25’ is required. **(CODE 190-11)** Side setbacks are appropriate as per exemption given by CODE 190-15. The applicant stated there will be a 6’ second story deck that will be cantilevered. *The project was deemed a Type II unlisted action, therefore no SEQOR was necessary.*

Chairman Johns read the Decision Form from the Planning Board stating their approval of the project with no conditions.

At 7:30 P.M. Chairman Johns opened the floor to public comments. No comments were heard.

At 7:31 P.M. Chairman Johns closed the public comment period.

Board Discussion:

Tom and Vic had no comments.

Larry questioned the timing of the project and the demolition of the old cottage. Mrs. Herb stated the plan in mid-September is to demo in one day and have the footers poured the next day. Larry also questioned where the building materials will be stored and Mrs. Herb indicated they would be on their lot across the road from the construction site.

Lynn liked the project

Sue thought it was a nice improvement and was happy with the new setbacks as compared to the old cottage.

A motion to approve the application as presented was made by Lynn, 2nd: Larry.
All voted in favor, none opposed. Ayes carried

Old Business

Chairman Johns questioned the status of the certificate of occupancy inspection for the Wynne project at 7581 2nd Street and CEO Druschel stated that there are still areas to be completed before it passes inspection. CEO Druschel also presented an email from Mrs. Wynne stating that the property is being built as a single- family home. **(See Exhibit “A”)**. He will have that letter signed by Mrs. Wynne for our records.

The minutes from the June 26, 2018 meeting were approved. Motion: Lynn, 2nd: Sue. *All voted in favor, none opposed. Ayes carried.*

Vic motioned to adjourn, 2nd: Sue. *All voted in favor, none opposed. Ayes carried.*
Meeting adjourned at 7:50 PM.

Next meeting July 24, 2018.