

VILLAGE OF SODUS POINT
ZONING BOARD OF APPEALS
January 10, 2017

PRESENT	ABSENT	GUESTS
Chairman Tom Johns Sue Bassage Lynn Carlyle Laurie Hayden Larry La Force	Vic Hill	CEO – Kevin Druschel Dave McDowell Mark Costich Rita & John Ratkovicz Mauro Polidori Shawn Matla & Family

Chairman Johns called the meeting to order at 7:00 P.M. In the absence of Vic Hill, Ad Hoc Lynn Carlyle was appointed to the board.

The first application was an area variance for Jean Hallagan at 7598 2nd St. for a porch enclosure, where the setback is 12.5 and 5' is available. Due to the ice storm Ms. Hallagan could not attend the meeting and asked if there were questions to call her at her Oswego residence. Chairman Johns explained the project to the board. The wind off the lake creates a hardship and makes it difficult to close the door. The enclosure would go around the stairs.

At 7:04 PM Chairman Johns opened the floor to public comments. No public comments. The comment period was closed at 7:05.

Board Discussion: Sue Bassage had no objections stating she could understand the necessity, and no views were being blocked. Lynn Carlyle had visited the site and spoke with the neighbor, Tom Frank and he had no objections. Both Larry LaForce and Laurie Hayden had no objections.

Sue Bassage made a motion to approve, seconded by Larry La Force, **all aye, carried.**

The second application was for a height variance for Shawn Matla, 8631 Greig Street; to reconstruct an existing 4' fence along the western border of his property to a 6' fence. The fence extends to the water's edge. On the application it stated the reason for the added height is due to privacy and securing his large dogs.

Mr. Matla asked about the procedures.

Chairman Johns read section **§ 190-68. Variances: Specifically;** the criteria on granting variances and the need for the board to consider a hardship. Secretary Appleby also read section **§ 190-67 Public Notice specifically** the requirements for public notice and hearing.

Mr. Matla explained he currently has a 4' fence and would like to raise the height to 6' due to privacy from adjacent neighbors citing a noisy walkway adjacent to his property. Mr. Matla showed photos with different views including privacy screens and existing fences on neighboring properties. It seemed customary to put up some privacy in the area referring to Ekberg and Reynolds arborvitae plants. Many of these plantings were over eight feet.

At 7:14 PM Chairman Johns opened the floor to public comments.

Rita and John Ratkovitz read a letter they submitted (see exhibit A) stating the objections. In summary they would like to see a land survey. Also concerned about the character of the neighborhood, small lots friendly family environment. Also did not understand the problem with dogs and would like more information citing they often have grandchildren visit.

Mark Costich also submitted a letter (see exhibit B) stating his objections; felt a large fence would change the character of the neighborhood. Mark showed a photo of a person standing against a 6' wooden fence. With the installation of a 6' fence Mr. Reynolds (neighbor) will not have a view. He also stated quite often he assists boaters and a fence would impede views and quick access to neighboring docks.

Mr. Malta responded that he did not know where the dog reference came from and wanted the board to know he does not have a dangerous dog. He also did not feel there would be any restricted views and again showed pictures of the area.

Chairman Johns entered into the record a letter of objection from Diane Trawitz (exhibit C), a letter of objection from Ellen Thiel (exhibit D), and a letter of objection from John Reynolds (exhibit E), noting the letters were from neighbors of the applicant.

At 7:21 PM Chairman Johns closed the floor to public comments.

Board Discussion: Sue Bassage stated she felt it would be an undesirable change to the neighborhood. The adopted LWRP is clear about the need to maintain "viewsapes" and the project would go against the principle. She also felt it was a self-created hardship. Larry LaForce felt it would change the character of the neighborhood and did not see a hardship. Lynn Carlyle is a dog lover and reminded Mr. Matla of the leash law. He felt a 4' fence was sufficient citing a self-created hardship. Laurie Hayden, who shares the lakefront, felt it would create a dangerous precedence for other properties that border the lake. Chairman Johns reminded Mr. Matla the application for a variance stated one of the reasons was a large dog. Chairman Johns also advised Mr. Matla of the changes to Village code; Chapter 121 "Fences and Walls that would change the definition that would include "living fences."

Laurie Hayden made a motion to approve, seconded by Sue Bassage, **all nay, failed.**
Variance denied.

The third application was an area variance for Mauro Polidori at 8489 Greig St. to extend and existing outside deck along with an addition. The area is not over water. In a Waterfront commercial (WC) district a lot has two front setbacks, the water and the street. The setback to the water is 25' and the applicant has between 4' to 12.5 ' in various areas.

Mr. Polidori explained he was in the process of purchasing the "Coop Deck" and would open a restaurant called Six50, (the perfect temperature for pizza). He would like to extend the outside deck seating area. Mr. Polidori provided several renderings of the proposed projects. (See attachments). After closing, he hopes to start the work immediately and be ready for opening in early April to serve lunches and dinners.

At 8:00 PM Chairman Johns opened the floor to public comments. No comments. Closed public comment at 8:01

Board Discussion: No objections from any board members.

Lynn Carlyle made a motion to approve, seconded by Laurie Hayden, **all aye, carried.**

The minutes of the November 1, 2016 Village of Sodus Point Zoning Board of Appeals meeting were read. Larry Laforce made a motion to approve, seconded by Laurie Hayden, all aye.

Being no further business, the meeting was adjourned at 8:30 P.M.

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