

**VILLAGE OF SODUS POINT
ZONING BOARD OF APPEALS
July 24, 2018**

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

ABSENT: none

GUESTS: CEO Kevin Druschel, John Reynolds, Shawn Matla, Al Hendrikse

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

New Business

Applications:

- **Al Hendrikse, 8545 Greig Street Sodus Point, NY;** Requesting a variance to construct an 8' x 24' garage addition on the rear of existing garage 23' from the water's edge where 25' is required. **(CODE 190-11)**. *The project was deemed a Type II unlisted action, therefore no SEQOR 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. (See Appendix "A").

At 7:04 P.M. Chairman Johns opened the floor to public comments. No comments were heard.

At 7:05 P.M. Chairman Johns closed the public comment period.

Board Discussion:

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

Laurie asked about the neighbor's feedback and Mr. Hendrikse stated there were no issues.

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

- **John Reynolds, 8633 Greig Street, Sodus Point, NY;** Requesting a fence height variance to replace an existing hedge row that is 26' in length with dead trees in it. The proposed fence is 32' long and 6' in height where 4' is required and 3' from the break wall where 10' is required. **(CODE 121 and 190-22G)** *The project was deemed a Type II unlisted action, therefore no SEQOR 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 unanimous denial of the project because of the height, the building material and the setback from the water's edge. (See Appendix "B")

At 7:12 P.M. Chairman Johns opened the floor to public comments. Neighbor Shawn Matla asked if he could voice-record this portion of the meeting and Chairman Johns granted permission. Mr. Matla expressed his opposition for the project and stated that the hedge row is actually 17' in length, not 26' as the applicant has stated.

At 7:24 P.M. Chairman Johns closed the public comment period.

Board Discussion:

Tom addressed the living fence issue and stated that the new code allows for the fence to be 4' in height and the shrubs not to be touching. He also discussed setting precedents by allowing height variances.

Larry asked about the air flow with the proposed material and stated that as long as it is 3' from the break wall he has no objections. The applicant stated there would be some airflow as the boards are staggered. Larry also commented that the project would not follow the LWRP.

Laurie is also worried about setting precedents by allowing height variances and thought the fence would be too high and would change the character of the neighborhood.

Vic was not in favor of the 3' setback from the water's edge and would approve if it was 6' in height with a 10' setback.

Sue was concerned about approving the 6' height when in the past the ZBA has denied such requests.

Lynn asked Mr. Reynolds to consider installing a 4' fence instead and the applicant stated he wanted the privacy of the 6' fence.

A motion to approve the application as presented was made by Vic, 2nd: Larry. *All voted NAY, Motion did not pass.*

Kathy Berretta spoke on behalf of the Neighborhood Association of Sodus Point concerning the proposed grant to rewrite the LWRP. The grant needs funding and Kathy wanted to inform the ZBA of the progress as presented at NASP meeting. The ZBA and Planning Board will be asked to be involved in the project in the future.

Old Business

CEO Druschel reported that the certificate of occupancy was issued for Mary Wynn's new house at 7581 2nd Street, as all concerns were addressed.

The minutes from the July 10, 2018 meeting were approved. Motion: Larry, 2nd: Vic. *All voted in favor, none opposed. Ayes carried.*

Vic motioned to adjourn, 2nd: Larry. *All voted in favor, none opposed. Ayes carried.*
Meeting adjourned at 7:45 PM.

Next meeting August 14, 2018 if there are applications.