

**VILLAGE OF SODUS POINT  
ZONING BOARD OF APPEALS  
September 11, 2018**

**PRESENT:** Tom Johns, Larry LaForce, Sue Bassage, Vic Hill, Laurie Hayden

**ABSENT:** Lynn Carlyle

**GUESTS:** CEO Kevin Druschel, John Reynolds, Shawn Matla, John Ratkovicz, Rita Ratkovicz, Nancy Urrutia, Michael Bennis, Janice McCready, Doug Wagner.

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

**New Business**

**Applications:**

- **Janice McCready, 7589 N. Ontario Street Sodus Point, NY;** Requesting a special use permit convert her single-family home into a bed and breakfast. **(CODE 190-8).** *A short-form SEQR was completed. (See Appendix "A")*

*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 "B")

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 and Sue liked the project. Laurie asked about the number of parking spots and the owner stated there were 8 in total. Larry asked the applicant when the home had closed as a bed and breakfast and Mrs. McCready stated that it was in October of 1998.

A motion to approve the application as presented was made by Vic, 2<sup>nd</sup>: Larry. *All voted in favor, none opposed. Ayes carried. A motion to approve the SEQR was made by Vic, 2<sup>nd</sup>: Laurie. All voted in favor, none opposed. Ayes carried.* The application will now go to the Wayne County Planning Board.

- **Michael Bennis, 8130 Margaretta Road, Sodus Point, NY:** Requesting a variance to construct a 12'x18' lean-to 5' from property line where 7.5 feet is required on an undersized lot. **(CODE 190-11)** *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.*

At 7:12 P.M. Chairman Johns opened the floor to public comments.

At 7:13 P.M. Chairman Johns closed the public comment period.

**Board Discussion:**

Tom and Vic had no concerns with the project. Sue and Larry asked about the dimensions of the lean-to compared to the garage and the applicant stated they lean-to was actually a bit smaller than the garage and not as close to the property lines. Larry also asked about the alignment on the lot and the applicant explained. Laurie asked if there was access to the garage from the lean-to and the applicant stated there was not. Laurie also commented about the progress of the project and asked how much was left to complete. Mr. Bennis stated there was trim work and sheathing to finish.

*A motion to approve the application as presented was made by Sue, 2<sup>nd</sup>: Vic. All voted in favor, none opposed. Motion passed.*

- **Doug Wagner, 8311 South Shore Road, Sodus Point.** Requesting a variance for the re-decking of his existing deck and adding a cantilevered section over the newly installed break wall. Roughly 7' of new deck consisting of 1' protruding past wall 2' over wall to the load bearing cripple and 4' to the existing deck. **(CODE 190-11)**. This project had already been started without permission and CEO Druschel required the applicant to stop any further work pending Board approval. *A short-form SEQOR was completed. (See Appendix "C")*

*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 "D")

At 7:20 P.M. Chairman Johns opened the floor to public comments. No comments were heard.

At 7:21 P.M. Chairman Johns closed the public comment period.

**Board Discussion:**

Laurie questioned the distance from the ground to the upper deck and Mr. Wagner estimated it to be approximately 12.5'. She also asked the owner why the deck was extended and he stated for safety and to square it off as it was before to meet the break wall and cap it off. Larry inquired if there was a contractor working on the project and the owner stated that Jim Jeffries was the contractor. Sue also noted that she understood the need to cover the corrugated break wall for safety but expressed her concern that allowing this project as presented would set a precedent. Tom discussed his concerns over the lack of a permit for the project.

*A motion to accept the application as submitted was made by Sue, 2<sup>nd</sup>: Vic. NAYS carried none in favor. Motion failed. A revised motion was made to allow the project to continue with the condition that the lower splash guard and upper deck would be in alignment. Motion: Sue, 2<sup>nd</sup>: Laurie. Ayes carried. Revised motion passed. A motion to approve the SEQOR was made by Vic, 2<sup>nd</sup>: Laurie. Ayes carried, all in favor. Motion passed.*

- **John Ratkovicz, 8629 Greig Street, Sodus Point.** *Neighbor Shawn Matla requested permission to record (audio only) this segment of our meeting and Chairman Johns granted permission. Requesting a variance to add a 4'3" wide dock 26'6" long to reach deeper water and moving hoist to appropriate depth for larger boat 10' from littoral parcel line. (CODE 86-11). A short-form SEQOR was completed. (See Appendix "E")*

*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 because the applicant's land sets back farther than other properties in the neighborhood and the completed project would then be in line with neighbor's docks. (See Appendix "F")

At 7:50 P.M. Chairman Johns opened the floor to public comments. Neighbor Shawn Matla spoke in opposition of the project and had concerns about the littoral line as shown on the application. Mr. Ratkovicz stated that the littoral line was determined by a certified surveyor and stood behind the measurement. Mr. Matla also had photographs of the current water depth and doesn't believe that the applicant would be gaining additional depth but rather is trying to gain more dock area for his boats. Mr. Matla also stated that his views of the channel and lighthouse would be blocked by the new placement of the boat hoist if the project was approved. Neighbor John Reynolds spoke in favor of the project and stated that Mr. Matla's boathouse is now obstructing his views and didn't believe the new placement of the dock would block views.

At 8:08 P.M. Chairman Johns closed the public comment period.

#### **Board Discussion:**

Vic believed the new length was fine, Sue stated that views can't be protected. Larry referenced the LWRP and stated he had no issues. Laurie agreed with the Planning Board comment that the property is set back far enough for the new project that it would be consistent with the neighboring docks.

*A motion to approve the application as presented was made by Vic, 2<sup>nd</sup>: Sue. All voted in favor, none opposed. Motion passed. A motion to approve the SEQOR was made by Vic, 2<sup>nd</sup>: Larry. Ayes carried, all in favor. Motion passed.*

The minutes from the July 24, 2018 meeting were approved. Motion: Vic, 2<sup>nd</sup>: Sue. *All voted in favor, none opposed. Ayes carried.*

Vic motioned to adjourn, 2<sup>nd</sup>: Sue. *All voted in favor, none opposed. Ayes carried.*  
Meeting adjourned at 8:35 PM.

Next meeting September 25, 2018 if there are applications.