

**VILLAGE OF SODUS POINT
ZONING BOARD OF APPEALS
October 23, 2018**

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

ABSENT: Lynn Carlyle

GUESTS: CEO Kevin Druschel, Tom and Mary Ellen Mulhern, Michael Collins, Brandon Martin, Kass and Mark Vande

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

New Business

Applications:

- **Robert Straubing, 8522 Greig Street, Sodus Point, NY.** Michael Collins and Brandon Martin, contractors for the applicant, appeared before the Board to present a special use permit to cover a permanent boat hoist where boathouses and superstructures with likeness thereof are not allowed. **(CODE 86-12).** *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 7:05 P.M. Chairman Johns opened the floor to public comments. Kass Vande stated her opposition of the project.

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

Board Discussion:

Vic stated that under our current code such new structures were not allowed and felt the code should be followed and by allowing the project, a precedent would be set.

Laurie questioned the dimensions and Mr. Martin stated it was 12'x36'x9' high.

Sue stated that 36' long is a substantial length and was also concerned about setting a precedent.

Larry asked if the hoist were attached to the dock and Mr. Martin stated that it was welded.

Larry also asked what constituted a "hardship" in this case and Mr. Martin stated it was for protection of the boat and would also provide ease of use.

Chairman Johns read the Decision Form from the Planning Board stating their denial of the proposal stating that it was not permitted by code nor was it consistent with our LWRP. (See Appendix "A")

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

- **Thomas Mulhern, 8579 Greig Street, Sodus Point, NY:** Requesting a variance to build a 32' x 12' deck 2'6" from the west property line where 5' is required and 3'6" from east property line where 5' 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.

At 7:30 P.M. Chairman Johns opened the floor to public comments. Neighbors Mark and Kass Vande read a letter from their children who are the owners of the property adjacent to the applicants. (See Appendix" B"). The Vande children are in opposition of the project stating that they believe "permitting the decreased setback would pose a liability risk in the event that an unfortunate injury or death should occur on the use of their property."

At 7:40 P.M. Chairman Johns closed the public comment period.

Board Discussion:

Laurie questioned the density and CEO Druschel replied it is 25%.

Sue questioned the height of the deck and the applicant stated it would be 4" lower than the existing deck and would have permanent benches as a railing.

Larry questioned the distance of the new deck from the water's edge and the applicant stated it was approximately 35'.

It was noted that there is no variance needed on the east side after the Board reviewed multiple surveys provided by Mark Vande and the applicant.

A motion to approve the application as presented was made by Larry, 2nd: Laurie. *All voted nay, none in favor, application denied.*

Tom made a revised motion to allow the deck 1.8' set off the northwest corner of the house to extend 90 degrees to the north and be 30.2' wide. The motion was 2nd by Vic. *All voted in favor, none opposed, ayes carried.*

The minutes from the October 9, 2018 meeting were approved. Motion: Vic, 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 8:00 PM.

Next meeting November 13, 2018.