



VILLAGE OF SODUS POINT

PLANNING BOARD

PO BOX 159 / 8356 BAY STREET

SODUS POINT, NY 14555

Meeting of January 19, 2022

Members Present: Bruce Evener, Chair, Tim Jones, Kathy Berretta, Bill Kedley, Bill McKee (ad hoc)

Members Absent: Daryl Walker,

Staff Present: Kevin Druschel, CEO, Laurie Verbridge, Village Trustee, Mark Costich, P.E.

The meeting was called to order by Chair Evener at 7:00 pm. In the absence of member Walker, ad hoc member McKee voted in his place. A quorum was established. The meeting was conducted via Zoom with all attendees joining remotely. Due to the absence of a board clerk, minutes were taken by Bill Kedley assisted by T. Jones.

Appropriate announcements were published in the *Times of Wayne County*.

Minutes of the January 3, 2022, meeting were reviewed by the Board with no corrections. A motion to approve the minutes was made by T. Jones, 2nd by B. Kedley; motion carried unanimously.

Martin's TideSides, 7118 Rte. 14, application for change of use - Commercial Parking Lot Site

The Board continued its consideration of an application to amend the previously approved SEQR, specifically as it relates to Question 9 – Impact of Aesthetic Resources.

Chair Evener pointed out that members of the PB visited the site in groups of two or fewer to meet with Mr. Martin to discuss his desire to decrease the limitations for use of the site and to discuss proposed enhancements to visual buffering and screening at the site. It was noted that PB member Berretta was unable to attend the site visit. It was also noted that Mr. Costich had attended all meetings and had produced minutes summarizing the discussions. (A copy of those minutes is attached hereto.)

Reference was made to the letter issued by Bret DeRoo on behalf of the Wayne County Planning Board based on its review of the site plan, specifically highlighting the following items: # 4 – compatibility with surrounding land uses; # 5 – screening; # 8 – painted stripping of parking areas; and # 11 – not permitting outside storage of items in disrepair. (A copy of the letter from the review by the Wayne County Planning Board is attached hereto.)

Prior to the start of discussion, Chair Evener noted that he had met with Mr. Martin at Mr. Martin's request earlier in the day to outline the process of the current meeting. Since a second member of the PB was unable to attend the meeting, Chair Evener had recorded the meeting and has provided the recording to the CEO who will make it available to anyone interested.

Following the site visits Mr. Martin developed a revised site plan incorporating various aspects of the changes discussed at the site visit meetings. Mr. Martin provided a brief overview of the proposed changes including - use of the dredging materials to raise and reshape the existing berms into a rolling style that also serpentine; additional berms to be added to the north and south ends of the property; existing trees will be replanted to create more of a natural look; and the

reshaped berms to be planted with decorative grasses that will add more natural color to the area and also reduce maintenance, the overall objective being to provide more screening and more vegetation at the site. Mr. Martin also indicated that the eastern slope of the parking area would have material added which would allow for the planting of crown vetch to cover the slope. Mr. Martin pointed out there would be no sales operation at the site. The area would be operated as an extension of his marina operation.

Chair Evener opened the floor for public comment. The following comments were offered:

David Brandt – questioned the area identified for storage of materials and equipment - the zoning map indicates this is largely zoned “residential”; questioned if dredging material or other fill would be added to the eastern slope before planting with crown vetch; questioned if the parking area spaces would be marked as recommended by the County; and questioned the timeframe for completion of the work.

Maxine Appleby – questioned accessibility to the materials and equipment storage area; expressed concern about the need to revise the current SEQR; and suggested that the concerns expressed by Todd DeWispelaere be added to this record.

Joan Zerbe-Brandt – expressed concern about use of dredging material on the site and the potential for contaminated run-off from the combination of fill and dredging materials; expressed concern that addition of fill to the site has increased ground saturation conditions in properties below the site; and also expressed concerns about impurities getting into the water from runoff.

Bob VanEe – expressed concern about the proposed materials and equipment storage area (essentially a contractor’s yard which is an industrial use) being permitted in a residentially-zoned area.

Mr. Martin responded to several of the comments as follows:

- Dredging materials will be used in enhancement of the berms;
- Fill will be added to the embankment before planting of the crown vetch.

Following Mr. Martin’s responses to the issues raised, the public comment period was closed.

A discussion followed concerning the portion of the parcel proposed to be used for material/equipment storage. The subject area appears to be located largely on the portion of the site which is zoned “R” (Residential). [It was noted that the zoning of the parcel is divided with the western, approximately 2/3rds zoned as “LCR” and the eastern approximately 1/3 zoned as “R”.] Following discussion in which it was noted that residentially-zoned properties are very restrictive in their permitted uses and in the absence of specific language in the code, the strong implication is that a parking and construction material storage area would not be permitted in a residentially-zoned area. In addition, it was noted that Code section 190-7D provides in such instances that the less-restrictive portion of the lot shall not extend more than 30 feet into the more restrictive portion. Based upon this information, Mr. Martin suggested modification of his proposed application to provide that the proposed parking, display and material/equipment storage areas not extend more than 30 feet into the residentially-zoned portion of the property.

Members of the PB asked Mr. Martin for clarification of several aspects of his proposal. The following was offered in response to issues raised:

- There are no plans to provide lighting at the site;
- Signage, restricting entry to the site, will be developed for future review by the board;
- Regular snow plowing of the site will not be performed;
- It is planned that existing berms will be raised by three to five feet;
- Revised silt fence specifications surrounding the fill area were reviewed in detail.

Chair Evener further read comments made by Costich Engineering based on its review of the revised site plans in its letter to the PB dated January 17, 2022, a copy of which is attached hereto.

Following review and discussion of the proposed changes a motion was made, based on the request of the applicant, to modify the Tidesides SEQR as it relates to Question # 9, Impact to Aesthetic Resources, which presently limits the CPLS site to parking and storage of passenger automobiles, boats on trailers and boat trailers only, to also provide the ability to include parking and storage of construction materials and equipment, boat hoists and boat cradles in a limited portion of the parking and storage area to be identified on the final, approved site plan, and to further limit the overall parking and storage area on the final site plan to an area extending not more than 30 feet into the adjacent residentially-zoned portion of the parcel. Motion made by B. Kedley, 2nd by B. McKee; Motion carried with one abstention (T. Jones).

The Board agreed to continue its review of the final site plan of the marina site at a special meeting of the PB scheduled to take place on January 26, 2022, beginning at 7:00 pm.

Motion was made by T. Jones to adjourn the meeting at 8:48 pm; 2nd by K. Berretta; motion carried unanimously.