



Planning Board Meeting of March 7, 2022

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

Members Absent: Kathy Berretta

Staff Present: Kevin Druschel, CEO. Laurie Verbridge and Jennifer Evans, Village Trustees

The meeting was called to order by Chair Evener at 7:00 pm. In the absence of member Berretta, ad hoc member McKee voted in her 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 B. Kedley, assisted by Tim Jones.

Appropriate announcements were published in the *Times of Wayne County* and on the Village website.

Minutes of the February 7, 2022, meeting were reviewed by the Board with no corrections. A motion to approve the minutes was made by B. Kedley; 2nd by T. Jones; motion carried unanimously.

1. Change Work Order, Deli Company, 7248 Route 14, Sodus Point

Nan Kent, owner of the Pultneyville Deli Company, presented her proposal to operate a largely on-line ordering, carry-out deli operation in the back half of the building. (A previous application by Hogan's to operate at the same location had been approved last year but never commenced operations.) Ms. Kent provided an overview of the menu and hours of operation (currently anticipated to open seasonally from May to September between approximately 7:00 AM and 7:00 PM, seven days a week). Parking for the operation was reviewed as part of the prior application.

Public comment was opened; no comments were offered.

The CEO indicated that he would be working with the contractor relative to equipment installation and venting requirements.

A motion was made by T. Jones to accept the proposed changes; seconded by B. McKee; motion passed unanimously.

2. Final Site Plan Review, Joelle Frizzera, 8633 Greig Street, Sodus Point

Mrs. Frizzera reviewed the revised details of an application to construct a 19' x 4.5' platform cantilevered over the existing breakwall, extending approximately 2' over the water, and to reconstruct the existing dock, widening it to 5' and lengthening it to an overall length of 80' with the final 16' widened to a width of 8'. The proposal which was a comprise proposal reach at the initial meeting with the PB had received approval from the ZBA at its most recent meeting.

Public comment was opened; no comments were offered.

Following discussion, a motion was made by D. Walker to approve the revised plan; seconded by B. McKee; motion passed unanimously.

3. LWRP Review, Lois Steinfeldt, 8351 S. Shore Rd, Sodus Point

Ms. Steinfeldt presented her proposal to replace a deteriorated railroad tie breakwall with a steel sheetpile wall approximately 28' in length across front of her existing property. The ends of the wall will return into the embankment. The finished height of the wall will be 249' with a metal cap. Approval from the DEC for the project was submitted with the application. It was noted that the contractor (Burrows Bros.) will remove and take responsibility for disposal of the existing railroad tie materials.

A Waterfront Assessment Form (WAF) was completed for the project.

A motion was made by B. Kedley to approve the application as submitted together with the WAF; seconded by D. Walker; motion passed unanimously.

4. Fence review, Randy Vanslyk, 8323 Bay Street, Sodus Point

Mr. Vanslyk reviewed his plans to install a 4' high chain-link fence behind his house to keep his dogs in the yard. The fenced area will be inside of the property lines and will enclose a small portion of the rear yard of the property. Mr. Vanslyk acknowledged his continuing responsibility to maintain the property outside of the fenced-in area.

Public comment was opened; no comments were offered.

Following discussion, a motion was made by B. McKee to approve the application; seconded by D. Walker; motion passed unanimously.

5. Final Site Plan Review, Martin's Tidesides Marina, 7254 Route 14, Sodus Point

Mr. Martin provided a brief overview of his plans to expand docking and to install replacement seawall around the waterside perimeter of the property. Mr. Martin noted a reduction in the number of planned docks for the project to a total capacity of 196 slips from the originally requested capacity of 214 slips based on input provided during the application and approval process.

Public comment was opened; the following comments were offered:

Joan Zerbe-Brandt asked about responsibility for project oversight; sampling of dredged materials; project timeline; monitoring for odors; hours of operation; potential use of the driveway on S. Shore Rd. during the construction; who would be performing the hydraulic dredging; and stormwater management plans at the site.

Todd DeWispelaere asked about the ability of S. Shore Rd. to handle heavy trucks and construction equipment.

David Brandt asked if any changes were being made to the limited use of the S. Shore Rd. driveway and what route trucks would be taking to remove dredged materials from the site.

Jay DeWispelaere raised questions about increased boat traffic on the bay and whether a no-wake zone would be imposed in the area; if the outer ends of the new docks would be marked in some manner for nighttime visibility; if a market study had been conducted to assess the need for the expansion; and if South Shore residents had been invited to provide input to the process and whether they had indicated any specific concerns.

Laurie Verbridge questioned if the proposed project encroached on the littoral lines of adjacent properties.

Eric Will questioned if additional de-icing systems would be added to the area as a result of the expansion.

Responses to the various issues raised included the following:

DEC has significant oversight responsibility for the project including sampling of dredged materials, monitoring water turbidity resulting from the hydraulic dredging, stormwater run-off management, and input into location of the new docks and the potential encroachment of littoral lines with neighboring properties.

It was noted that the Code Enforcement Officer of the Village has responsibility to ensure the completed project follows the approved plans.

The subject of a no-wake zone or speed limit on the bay was viewed as an issue outside of the scope of this review but would be an appropriate topic for consideration at a future date.

Mr. Martin noted that he intends to proceed with the project as quickly as possible; all dredged materials will be dewatered and dried on-site (which is expected to minimize or eliminate any odors from the dredged materials) and trucked to the Route 14 parking site via the property entrances onto Route 14 (not using the driveway that enters onto S. Shore Rd.); normal operating hours will be between the hours of 7 am and 5-7 pm; hydraulic dredging work will be performed by Mr. Martin with equipment he owns; hydraulic dredging is intended to reduce turbidity compared to conventional dredging; the parking plan for the site contemplates very limited use of the S. Shore Rd. driveway; ends of the docks will be marked for nighttime visibility and also have blue marking lights at the perimeters; a market study had been conducted and was included in a prior presentation to the board; and no additional de-icing systems will be placed in use at the site; existing systems will be rearranged per the final site plan.

It was also noted that the Village highway department has advised that South Shore Rd is capable of handling heavy trucks and construction equipment when necessary. Following this discussion, the public comment period was closed.

Board members provided the following comments:

Bill McKee expressed his concern about the size of the project for the limited space available at the site.

Bill Kedley noted that the final plans need to reflect the location of the fuel storage tanks on the property, the trees planted along South Shore Rd., and the easements to be filed for drainage of the dewatering area onto Mr. Martin's adjacent property.

A Waterfront Assessment Form was completed for the project. Following completion of the WAF it was noted that no issues were raised through completion of the WAF which had not already been addressed and impacts mitigated as part of the SEQR assessment process.

Following discussion, a motion was made by B. Evener to approve the Tidesides Marina Site Plan subject to the WAF, incorporating the SEQR and its provisions, and subject to the following conditions:

Preconstruction:

The CEO must receive copies of:

O.G.S. Underwater lease for the new docks;

D.E.C. Approval for aquatic disturbance caused by the dredging and/or dock construction;

U.S.A.C.E. Approval of navigation;

Dept. of State Letter of compliance with Coastal Consistency;

Back fill permit for a 4" waterline to the dry stand pipe system, if required by the Health Department;

Any other required permits from any local, state or federal agency; and

Provide proof of easements filed on the two properties utilized in the dewatering process.

Construction and Operation:

No additional deicers will be added or placed in the area occupied by the new docks/slips;

In the detailed site design, the applicant will address the size and location of the dewatering area with detailed site engineering;

Safety procedures shall be included in the site plan including review and approval of all boat washing and fueling in the permit process;

Striping shall be applied regularly to aid in organized use of the site;

Site plans will reflect proper emergency access routes;

A chain or gate shall be placed across the South Shore driveway;

Any additional lighting needs to be approved by the PB;

All the conditions of this approval shall be added to the Site Plan; and

Upon completion of all necessary conditions the applicant will provide the Planning Board a mylar, reproducible copy of the Site Plan for the Planning Board Chair to sign off on.

The motion was seconded by B. Kedley; motion passed unanimously.

6. Final Site Plan Review, Brandon Martin, 7118 Route 14, Sodus Point

Mr. Martin provided a brief overview of his plans to utilize a portion of the subject property as a commercial parking lot to augment the parking associated with his marina operation.

Public comment was opened; the following comments were offered:

Todd DeWispelaere asked that the conditions which are imposed through the process will be enforced; and expressed hope that the use of the property would be compatible with the largely residential area which surrounds it.

Jay DeWispelaere similarly expressed his hope that conditions which are imposed through the approval process will be enforced; issues of noise, light and traffic at the site will be minimized and not be problematic to the neighboring residents; concern that the project is not consistent with the Village long range plan; and emphasized the importance of code enforcement for the conditions imposed.

David Brandt emphasized that stipulations imposed by the Planning Board remain and will be enforced.

It was noted that enforcement of conditions imposed is the responsibility of the Code Enforcement Officer supported by the Planning Board. Further, it was noted that it is the intention of the board that any conditions imposed will be enforced.

Following this discussion, the public comment period was closed.

It was noted that a letter from the DEC had recently been issued relative to the need for a stormwater prevention plan for the site. Neither the Village nor members of the Planning Board had received a copy of the letter. Following discussion, it was agreed that without knowing the content of the letter, further discussion of the matter should be tabled until the next regularly scheduled meeting of the Planning Board.

A motion was made by B. McKee to table the matter until the letter from the DEC is available for review by the board; seconded by B. Evener; motion passed (4:1).

A motion was made by D. Walker to adjourn the meeting at 8:45 pm; seconded by B. Kedley; motion carried unanimously.

The next Planning Board meeting is scheduled for March 21, 2022.