



PB Minutes, 5-2-22
Village of Sodus Point, NY

Members Present: Bruce Evener (Chair), Janine Fogarty (ad hoc), William Kedley, William McKee, Daryl Walker

Absent- Kathy Beretta

Staff Present: Keven Druschel, Code Enforcement Officer (CEO), Linda Youngman – Clerk

Others present: Sue Bassage, Sean Canaan, Steve Hyatt, his wife and friend, Ken Zirbel, Bruce Carey (phone) and Laurie Hayden

Announcement: The advertisement of the meeting was published in Wayne Times and posted on the Village website.

Establish Quorum: A quorum of 5 members was established. The meeting was conducted via Zoom and hybrid with members joining remotely.

Call to order: The meeting was called to order by Chair Evener at 7:04 pm.

Review minutes from previous meeting: April 4, 2022. Minutes were reviewed by the Board with correction - correction – fire hydrant mentioned was at the park, not Franklin House, but rather at Sodus Marina storage yard. Minutes were approved.

1. Fence Review, Sean Cannan, 8535 Grieg St, to construct a 4' fence around front grass area per plot drawing ((190-22(g) 121-4). Tax map ID 71119-18-494151.

The proposal is to construct a 4' high fence in the front of the property per plot drawing out of tempered glass. Mr. Cannan amended his proposal to build a wall/fence of concrete block faced with stone to match the existing wall with the grill. The area will be the area enclosed by the fence will be leveled out to match the level at the house. Mr. Cannan will raise block to elevation of 42 inches to match the existing grill height – purpose is to have a sliding glass gate across the driveway and a glass gate across the walkway next to the house. In case of flooding, he will be able to add sandbags as needed to give protection from high water.

The board asked Kevin Druschel if the proposed re-engineering is within existing codes. Sean said where the block work is, he's adding less than 2 finished final feet. This is less than the allowed 48 inches. Kevin Druschel said it is not a zoning issue. J. Fogarty said it is considered a fence, she looked it up. We should defer to the code. Kevin read 121-7 and the conditions are within the code. The board asked if this re-engineering would affect the parking space. Sean said no. However, the board said that the existing parking spot did not seem up to code even now. B. McKee said the existing parking was very limited, he had checked the spot earlier this week and had difficulty backing out of the neighbor's driveway. Sean said, there had been a dumpster there and it was sufficient. William McKee said it was already a problem in the existing space for backing out of the parking space – he could not view traffic very easily. Sean argued that the existing space was adequate? Would the new gate being installed across the driveway, would there be sufficient space for parking a car? Sean said there was space now – the board said he was parking a motorcycle now – would there be space for a car? Sean said he would have space for a car - adding that his initial driveway was sufficient, he had 15 ½ inches more than was required by previous surveys. Daryl Walker is concerned that the gate would obstruct view for drivers going past the house.

During Public comment, Laurie Hayden asked dimensions for the parking area. Kevin said the drawings showed 13.4 x 16.2. Sean replied 246 ¾ inches long and across is 150". Laurie said the diagrams provided in the package make it confusing if there is sufficient walkway for the public. Laurie said the dimensions as originally provided lead the ZBA to give a variance, however, the new drawings showed new dimensions. Laurie said Sean could not have people parking on the sidewalk which was public space. Sean said there was 20.5 clearance space from the existing sidewalk. Public comment was closed.

Bruce Evener asked for a motion from the board. Kevin suggested motion to approve as submitted needed to be made and if it was turned down then another motion to approve the application as amended during the meeting could be made. It was suggested to make a motion based on discussions tonight. B. Kedley moved to approve the application as filed, 2nd J. Fogarty. Motion failed.

B. Kedley motioned to approve the application as amended with the retaining wall and fence's combined height to not exceed 42 inches as measured at the public sidewalk. 2nd by J. Fogarty. The motion passed with 3 voting yes, 1 voting no and one abstention.

2. Preliminary Subdivision Review, Steve Hyatt, to subdivide 0.07 acres per plot drawing from neighboring property to be merged 9190-8, 190-50). Tax map ID 70118-09-179698

The proposal is to subdivide a portion of R102 (7104 Central Ave) to merge with R101 (7114 Central Ave) in the Sodus Bay Heights subdivision of Sodus Point. Total acreage would be 0.07 acres. Area shaded on Central Avenue map would be transferred from Duryea to Hyatt – 190-11 density control, 190-50.

Mr. Hyatt, his wife and another woman attended. Lynn will transfer 0.07 acres from his property to the Hyatts, which is the adjoining plot. As a correction, on the back line of the property in the drawings, it would be 10 ft from back line instead of 5 ft. This would be merged to have one tax bill for the property. There is nothing else that could be done with the property. Bruce Evener asked where does this fit with the raised flower beds – Mr. Hyatt said it would be about 94.8 ft. Bruce Evener checked the property a few days earlier. Several board members said it looked straightforward. Kevin Druschel was asked if the proposal needed revision – he suggested the change from 5 ft to 10 ft be made in the minutes. Total acreage revised to 0.65 on the property.

B. Evener asked for public comments. Laurie Hayden asked if the adjoining neighbors paid one tax bill – the Hyatts responded yes. The Board completed short Form SEQR part 2. B. Evener will fill out part 3 and return to Kevin Druschel. B. McKee motioned to approve, B. Kedley 2nd, the motion was approved by all. This proposal will go to the zoning board.

3. Fence Review, Ken Zirbel, 7890 Margaretta Rd, to construct a 4' dog fence in the backyard per plot drawing. (190-22(g), 121-4). Tax map ID 70118-07-689858.

The proposal is to construct a 4' high dog fence per plot drawing in the backyard – 121-4, 190-22(g). The neighbor to the N is at 7746 Margaretta Rd, the neighbor to the W is at 7848 Margaretta Rd, the neighbor to the E is at 7906 Margaretta Rd and the neighbor to the S is at 7853 N Geneva Rd.

Mr. Zirbel was asked to present his proposal. Mr. Zirbel explained that a zip line works for the existing dog but he is getting another dog and two zip lines would become tangled– thus, the reason for the fence. About 230 ft comes off the house to east, then south, then northwest. 72 ft from the neighbor's lot, 1400 ft to the neighbors in the back and 73 ft from north side of fence to the road. The fence will be steel with wooden posts – like a deer fence. It will be 4 ft in height. The drawing doesn't give dimensions.

Public comment - The Planning Board did not receive public comments on the proposed fence plan review. B. Kedley moved to approve the application with the amended length of 230' as discussed, J. Fogarty, the board approved the revised fence proposal.

4. LWRP Review, Bruce Carey, 8039 Lake Rd, to construct an Envirolockshoreline system per DEC approved Permit. (121) Tax map ID 70119-20-861190.

The proposal is for LWRP review to add an Envirolok shoreline system per the stamped plans as per DEC approved permit to protect against future erosion due to high water. The plans show proposed installment of the Envirolok system with grading and erosion control measures. There is no neighbor to the N, the neighbor to the W is at 7961 Lake Rd, the neighbor to the E is at 8075 Featherly Dr and the neighbor to the S is at 8040 Lake Rd.

A New York State (NYS) Department of Environmental Conservation (DEC) permit was sought by Bruce Carey, 8039 Lake Rd. The permit is for regrading and stabilization of approximately 490 ft of shoreline of Lake Ontario. The work will incorporate a boulder and rip-rap face to absorb wave impact with an Envirolok system comprised of sand and topsoil to stabilize the slope. Approximately 601 cubic yards of soil will be moved from the Natural Protective Feature area with a total area of disturbance at the property of approximately 4.3 acres. The permit was approved on 1-5-22. The NYS DEC provided explicit permit details including photographs of Envirolok systems, construction details and long-term maintenance (30 yr) plans along with suggested planting plans.

Bruce Carey was brought on-line on the telephone. Mr. Carey was asked 20 months ago about his initial proposal. The board had asked for a plan to be drawn up and submitted to DEC. The board asked Mr. Carey to update. Mr. Carey said he didn't realize he had to update the board after spending 1 ½ years to get a proposal agreed by the DEC. Bruce Evener said he was not upset with Mr. Carey and clarified that the work was ongoing. Mr. Carey said in the future he will rip the bathhouse down and he would come back to the board before any buildings were done.

B. McKee clarified that the Army Corps of Engineers needed to be contacted if waterways would be affected – Mr. Carey said they had been contacted and he had gotten their approval. William Kedley asked if there would be access to the water after construction was done? Mr. Carey said no but there would be an 8 ft ladder down to the water. Timeline for project is dependent upon the water levels. The current levels are too high to properly install the toe stone and rock revetment. He projected that it will be a

two-year project dependent upon the weather and water levels. B. Kedley asked about preservation about large trees along Lake Road. Mr. Carey will be putting in plants for deer and other animals, he said it will be a very pretty park. D. Walker asked about the sand fill at the top of the drive – would it be eroded away? Is there anything to stabilize it? Mr. Carey said it would have plants and other items to keep it from being eroded away. Mr. Carey said it was difficult work, time-consuming, and he wanted it to be more permanent – he wants to complete it in the next few years.

Public comment - The Planning Board did not receive public comments on the review. B. McKee moved to approve the proposal, B. Kedley seconded the motion. All voting members approved

D. Walker motioned to adjourn, 2nd by B. McKee: The meeting was adjourned by Chair Evener at 8:18 pm.