



## Planning Board (PB) Minutes, 7-18-22 Village of Sodus Point, NY

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

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

Present: Guy Beretta, John Reynolds, Arrel Yang, Lisa McNarey, Todd Hickmont, Kathy Depew, Richard Depew, Damian Weidmann, Ellen Hickmont, Cathy Gripsma, Jeff Shelters, Connie Knapp, Russ and Donna Belcher, Lance and Michelle Kellet, Jack Ruckdechel, John and Rita Ratkovicz

*Via Zoom:* Cynthia, Gale, Julia Cook, Laurie Verbridge, Gregory Switzer, John Wunder, Sue Bassage, Maxine Appleby

Establishment of a Quorum: A quorum of 5 members was established with members and others present in person and via Zoom.

Announcements: Advertisement of the meeting was published in the Times of Wayne County and posted on the Village website.

Call to order: The meeting was called to order by Chair Evener at 6:59 pm.

Review minutes from previous meetings: June 6, 2022 and June 22, 2022. Janine Fogarty motioned to approve the minutes of the June 6 meeting, K Beretta seconded, approved by all. June 22 minutes were reviewed. K Beretta moved to accept, B McKee seconded, approved by all.

**Final Site Plan Review**, Sodus Marina RV Park, 7399 Route 14 to construct 11 new campsites per site plan.

Due to unforeseen circumstances Mr. Maxom, owner of Sodus Marina, was unable to attend and asked for the proposal review to be postponed.

**Final Site Plan Review**, Darrell Pfiffner, 8434 Bay Street, to construct a 25'x34' pole barn per stamped plans.

The original plans described a 36' x 28' pole barn garage 0' from the rear property where 12.5' is required and 1' from the east property line where 5' is required allowing 55% lot coverage where 40% is allowed.

ZB approved the revised plans for a 34'x25' garage 5' from the East, West and South property lines.. There were no comments from the PB. Daryl Walker motioned to approve, K Beretta seconded, motion was approved by all.

**Fence Review**, Todd Hickmont, 7527 N. Ontario Street, to construct 2 sections of a 4' split rail fence to match park property per plot drawing. (190-22(g), 121-4).

Todd Hickmont said they wanted to re-establish their property line. There is an Air BNB next door and they want to mirror what the town did with the park. Chair Evener asked Todd to clarify the number of sections that were needed to complete the fence. It is 5 ½' total that is needed. A couple of sections would be installed in the back yard. Chair Evener said this meant they needed multiple sections for the fence – did he want to revise his application? The pictures in the application show multiple sections in the application. Todd Hickmont said he listed the application as multiple sections. Chair Evener said the application is for multiple lengths in separate areas. He asked for comments from the PB and there was a brief discussion of the number of sections required to complete the 5 ½' needed.

B Kedley made a motion to approve, K Beretta seconded, the motion was approved.

**Fence Review**, Shawn Matla, 8631 Greig Street, to construct a 16' living fence per plot drawing.

Due to unforeseen circumstances Mr. Malta, owner of 8631 Greig St, was unable to attend and asked for the proposal review to be postponed.

**Fence Review**, Kathy Gripsma, 7484 S. Fitzhugh Street, to allow 8' stained glass housing to remain acting as a fence.

K Gripsma said they want a privacy wall near the patio as she has an older disabled son and wants him to feel comfortable in the yard. The wall is decorative. The middle section will include 4 stain glass windows, two of the windows are from a church and the others are over 100 years old. The neighbors appreciate the beauty and K Gripsma put flowers around the stained-glass windows. Janine Fogarty said the back piece is 8' and asked if they had approval for that – K Gripsma said the CEO viewed it and said it

would need fence approval. Chair Evener said this proposal would need to go to the ZB. K Gripsma said the neighbors do not talk with her. Janine Fogarty said she spoke to the neighbors and they are not happy that the fence went up without PB approval. The stained-glass fence is about 8 tall with 3 separate sections. Janine Fogarty said it looks like a big 8' fence and asked if it could be shorter in height. K Gripsma said her son is older and they can't go out normally – the fence gives them some privacy for her son and keeps him from being anxious. She has tried to make the fence acceptable to and pretty for her neighbors. The PB did not have additional concerns. Chair Evener asked for a motion to recommend this proposal be sent to ZB.

D Walker made a motion to send to the ZB, B. Kedley seconded, the motion was approved, 4 for one against, to send a positive recommendation for this proposal to the ZB.

**Fence Review**, Guy Barretta, 8510 Wickham Blvd, to construct a 4' fence per army corp. approval. (190-22(g), 121-4)

Guy Beretta and Kathy Beretta spoke. They want to install a fence along the east side of their property. G Beretta investigated right of way regulations. He said he does not want to infringe on anyone's right of way. He asks that the PB just look at the fence application for their property tonight. The new fence would follow the current lines of a current fence with an additional new section. The east fence was north-south. The new fence will run up to the point of right of way.

Guy Beretta said the new fence will not infringe upon right of way. It will go up to the post but not further south – but people will not be able to cross the Beretta property. The village put up rock along the eastern line to prevent erosion. People go onto the Beretta property as they do not want to walk on the rocks. The walking path was supposed to be closed dusk to dawn but people use it all the time for people to go from the county path to Wickham and it is very intrusive for the Berettas. Mr. Berretta cited examples of rude and disruptive behavior including: People sitting on their picnic table and smoking marijuana, a young woman tried to throw up on their lawn and K Beretta reported that another person said “F... you, F... you” on the phone in the Beretta's yard, G Beretta reported another person had their dog walk through the property and saw Guy Beretta – the person said “there's the bastard...”. He had a bag of dog waste and tried to throw it at G Beretta. G Beretta said again that his request is to build a fence on his own property line, not infringing upon right of way.

Chair Evener asked for PB comments. D Walker said he viewed the property and understood Beretta's concerns. W McKee said we are waiting on the village's attorney. Chair Evener had a letter from the village attorney which said he needed to review the proposal and could not consider the proposal at this time. The attorney said he could not

give carte blanche approval at this time. The attorney said he needs 2-3 weeks to review the situation. K Beretta said they have a letter from the Army Corps of Engineers. Chair Evener said the Army letter says there needs to be a review of titles to present. Chair Evener said they need to do due diligence on this decision and he was not in favor of approving anything until the attorney had reviewed the materials thoroughly. G Beretta accused the attorney of having ulterior motives. G Beretta said this is just about a fence on his own property.

Chair Evener recommended that the PB wait for the attorney's review of the situation. B Kedley motioned to wait, Janine Fogarty seconded, the proposal was tabled.

**Old Business:** Fence Review, Maxine Appleby, 7487 S. Ontario Street for re-approval of previously approved fence from November 16th, 2020 The fence would include 120' of a 4' high wooden fence around the backyard and 132' 42" metal fence around the front and garden area of the property.

Maxine Appleby said this is the same old proposal for a fence. She had given up on getting it done. Corky Shoeneman told her recently that he could do the work, so she wants to have the proposal re-approved. The fence would be 2 ½' off her property line, otherwise everything else is exactly the same as in the original proposal. She didn't want Corky to drill near the foundation. She asks for an extension to her permit from 2020. K Beretta asked if she got village permission. Maxine is going 2 ½' back from the village (so doesn't need village approval) and she is prepared to upkeep the property near the village. Daryl Walker said the PB had approved this previously.

D Walker made a motion to approve, K Beretta seconded, the motion was approved.

**Motion to adjourn:** D Walker motioned to adjourn, K Beretta seconded, the motion carried, the meeting was adjourned by Chair Evener at 7:46 pm.

The next PB meeting will be August 1.