



ZB (Zoning Board) Minutes, 6-13-22 Village of Sodus Point, NY

ZB Members Present: Thomas Johns (Chair), Sue Bassage, Laurie Hayden, Mark Ketcham, Steve Nesspor

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

Others present: Eric Pfiffner, Silvia Pfiffner, Darrell Pfiffner, Larry Monheim, Jim Mundy, Sue Mangus (zoom), Steve Vanderbrook, Ken Buckley (zoom), Colleen Buckley (zoom), Cathy Molina (zoom)

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

Establish Quorum: A quorum of 5 members was established with 5 full-time members, in attendance. The meeting was conducted in person and via Zoom with some public attendees joining remotely.

Call to order: The meeting was called to order by Chair Johns at 7:00 pm.

1. Special Permit, James Mundy, 8573 Greig Street, to construct a 4'x100' dock where 60' is allowed. (86-23, 86-11).

James Mundy originally submitted a proposal to build a dock 10' from the east property line. His proposal is amended with input from neighbors and the SP Planning Board to build the dock 22' from the west and 13' from the east so that there is 40' of open water between both existing neighboring docks. No neighbor to the N, W neighbor is 8577 Grieg St, E neighbor is 8571 Grieg St, and neighbor to the S is 8574 Grieg St. The dock would be 4' X 100' and requires LWRP – Waterfront consistency review. The NYS Department of State was contacted and replied that the dock fell under a general permit where no review was required. NYS DEC (Department of Environmental Conservation) issued a letter of no permit jurisdiction concluding that the project should not contravene the water quality standards of Sodus Bay.

James Mundy said that he wants to build a dock 4' x 100' so that he will be in sufficiently deep water for boat access. His neighbor's dock is 90'. Bill and Mariah

Doyle's dock to the east is 90' also. There is deeper water to the left of his property but he needs the longer dock to reach deeper water in front of his property. His proposed dock would be dead center between his two neighbors' docks. Larry Monheim (neighbor to the west) said he had no problem with the dock being dead center between the two neighboring docks.

This proposal was opened for public comment but there were no public comments. Chair Johns read a regulatory document for the special permit requirements and said the proposed use could not cause problems with adjoining properties, affect safety, federal requirements, environmental quality, public service access, etc. Approvals were provided by appropriate government agencies for the dock. Laurie Hayden asked to have the Waterfront Assessment Form corrected on page two and asked that the Army Corps of Engineers be contacted as recommended by the DEC in its letter. She also asked whether there would be pilings and the type to hold the dock and the applicant gave her the dimensions of 8" pilings saying the dock would be welded to the pilings. The 100' dock would take Jim Mundy out to deeper water levels where he could still stand but would give better boat access than a 90' dock.

Sue Bassage made a motion to approve, Mark Ketcham seconded, the revised motion passed.

2. Area Variance, Darrell Pffifner, 8434 Bay Street, to construct a 34'x25' Pole Barn 5' from rear property line where 12.5' is required and allowing 54% lot coverage where 30% is allowed. (190-11, 190-49, 190-19).

Darrell Pffifner submitted a new proposal with 5' setback all around the proposed building, rear and sides. He also submitted a drawing showing the new dimensions of the building proposed.

Darrell Pffifner said the new proposal is 34' x 25' with 5' setbacks all around. Sue Mangus attended the meeting via zoom and said she was still opposed to the 5' setback. Kevin Druschel stated that Bruce Hargrave gave a verbal comment that he thought the revised proposal was acceptable. Public comment - The ZB did not receive other public comments on this area variance.

Sue Bassage said the 5' setback had been approved before in other applications, although the lack of an easement could cause problems if the property sold. Laurie Hayden said she was happy the new setbacks were proposed but suggested caution to ensure access if they sold the adjoining property. Chair Johns asked if the overhangs on building were sufficient, particularly the back wall and back eave. He said he wanted to see a total set back of 5'. He suggested with a 1' eave, a 6' setback was preferable to give sufficient runoff on the eave. Mark Ketcham motioned the proposal be as Chair

Johns suggested. The condition was added that the roof line be included in the 5' setback. Mark Ketcham suggested a 5' setback to include the roofline, Laurie Hayden seconded, the condition was added and the motion was approved.

3. Area Variance, Gail Vanderbrook, 8572 Gardenier Lane, Sodus Point to construct a 6' x 24' long fence per plot drawing. (CODE 190-22(g) 121-4).

Gail Vanderbrook originally submitted a proposal to construct a 6' X 24' fence. However, she amended the fence length with her neighbor's and SP Planning Board's input to be 15'. Neighbor to the N is none, W neighbor is 7424 Wolcott St, E neighbor is 8574 Gardenier, no neighbor to the S.

Steve Vanderbrook said the proposal was revised to show a fence layout that was 6' tall by 15' instead of 24'. This would give him a little more privacy. They want to put a hot tub on their patio. He said the fence would be 6' high, extending to the south. The patio is 12' wide currently, and the fence would go 3' past the patio. Mr. Vanderbrook said this would not go past his neighbor's windows. The fence would start at the corner of his house. Chair Johns said he liked the revision since there were very few fences in that area.

Public comment – Mr. Ken Buckley said they were happier with the 15' fence (than the 24' originally proposed). His wife, Colleen, spoke and said they were happier with the fence ending at the patio. Beyond the patio, they thought the fence would obstruct the view from their house. Kevin Druschel suggested an alternative to the fence length so that it would end closer to the end of the patio (so that it would not possibly obstruct the neighbor's view). Chair Johns said they needed to decide a 12' or 15' fence length. Mr. Buckley said they were happier with the fence ending at the patio. Chair Johns said 24' would not have been appropriate, there are no other solid fences in the neighborhood. Sue Bassage suggested 12' of 6' fence and the remaining 3' be only 4' fence out to 15' total. Steve Vanderbrook said the 15' gave more privacy from the Buckley's property. The ZB did not receive other public comments on this area variance.

The ZBA voted on the first proposal because it was advertised for 24' fence, 4' off the house, running N and S. The proposal did not pass – all board members voted nay. The amended proposal brought by Mr. Vanderbrook to the board was for 15' N and S, 4' off the house. The proposal did not pass; all members voted nay. Chair Johns said if Steve Vanderbrook wants a different length, he will have to resubmit.

4. Area Variance, Cathy Molina, 7210 Route 14, to construct a 11' 6" x16' shed 4'6" from the property line where 8' is required. (190-11)

Cathy Molina originally proposed a 10' rear setback and 3'6" side setback. However, she has amended her proposal to 1' closer to the primary structure and 2.5' from the rear to meet as much of 190-11 (density control) as possible. Neighbor to the N is 7220 Rt. 14, W neighbor is 7203 Rt. 14, E neighbor is 8195 S. Shore, and neighbor to the S is 7196 Rt. 14.

Cathy Molina was on zoom and spoke about the proposal. She said they were on the corner and don't have lots of options where to place a shed. Kevin Druschel said they did not have a lot of options for location of the shed. Neighbor Tim Gilliard did not weigh in on this proposal. 8' would meet the state road requirement. Ms. Molina stated that Tim didn't mind as long as they can mow around the fence (this would leave 3' for mowing). 8' clearance from the house also. 5' from the back corner of the house. The shed would be located between the back side of the house and run parallel to Tim's shed. The shed would not stick out beyond the porch. 105' off S Shore Rd.

Public comment - The ZB did not receive other public comments on this area variance.

Mark Ketcham moved to approve the application, Sue Bassage seconded, the motion was approved by all.

Review minutes from previous meeting: May 23, 2022 minutes were sent to all ZB members for their review and edits/corrections made. Laurie Hayden moved to approve, Sue Bassage seconded, all approved.

Mark Ketcham said he was uncomfortable with verbal agreements being made to the ZB. He said because these issues involve real estate, statements in support or not of a variance should be in writing. He said that written comments will protect the CEO. He suggested that Kevin ask people to email their agreements so that he has written statements.

Chair Thomas Johns said the next ZB meeting would be June 27 at 7 pm.

Motion to adjourn: The meeting was adjourned at 8:05 pm.