



ZB (Zoning Board) Minutes, 7-11-22 Village of Sodus Point, NY

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

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

Others present: Jack Ruckdeschel, John Lunder, Joe Pitti (zoom), Richard Secours (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 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. Area Variance, Jack Ruckdeschel, 7478 S. Fitzhugh Street, to construct a 54” fence where 4’ is allowed. (190-22(g), 121-4)

Jack Ruckdeschel wants to construct a lattice railing on a retaining wall. According to drawings submitted to the ZB, the railing fence would be 54’ high attached with 4’ X 6’ posts with 4 ½” openings at the bottom. The retaining wall is 2” off the north property line. The lattice railing would act as a guard for the walk along their pole barn. Neighbor to the N is 7484 S Fitzhugh St, neighbor to the W is 8342 Bay St, neighbor to the E is 7479 N Ontario St, neighbor to the S is 7474 S Fitzhugh St.

Jack Ruckdeschel said that he needed a variance for the fence height. He had a garage built last year, and a retaining wall was needed because of the amount of fill to level the area for the garage. In front, the retaining wall is 5” from ground level, but the retaining wall is almost 30” to ground level at the back. He wants the area to be safe to walk around. The lattice fence would prevent falling off the retaining wall. Planning board

approved a 4' fence; however. The lattice would need to be cut down to fit the 4' height. He is requesting a variance of 54" in height because he doesn't want to cut the lattice.

Public comment – John Lunder, neighbor, said they loved the barn. However, he is concerned about the 4 by 6" supports for the fence on the outside of the wall because it will be 2 inches on his property which would cause problems, especially for mowing. He and his wife are concerned about the fact that the supports will be on their property.

ZB discussion – the mounting of the fence is on Jack Ruckdeschel's property, confirmed by Jack Ruckdeschel. John Lunder asked about clearance for the proposed fence. Jack said there is 4" clearance currently and said there would be at least 1 ½" clearance after putting in the 2" fence. John Lunder said there is 0" clearance. Chair Johns clarified there could be no fence supports over the property line. John Lunder said if there needed to be ground attachment to the fence, it would cause problems. Lynn Carlyle said he did not realize that the latticework would be so close to the ground.

Mark Ketcham said the PB already approved the fence, the ZB is just considering the lattice work on top. Laurie Hayden wondered if the PB didn't realize how close the edge of the property is to his neighbor's property. Sue Bassage clarified there would be 4' X 6' posts. The CEO asked if the posts could be attached on top of the retaining wall and suggested a drill bit could be used on the existing retaining wall to attach the posts... PB approved 4' fences, the variance is for 54" in height.

Lynn Carlyle made a motion to accept the proposal as submitted, Laurie Hayden seconded, all said nay to the submitted proposal. Steve Nesspor made a motion to approve a proposal where the fence supports do not touch the ground but is installed on the retaining wall, Sue Bassage seconded, the motion passed unanimously.

2. Area Variance, Guy Rykbost, 8596 Greig Street, to construct a 12'x 5' shed 0' from the primary structure where 8' is required and 0' from the east property line where 5' is required allowing 35% lot coverage where 30% is allowed. (190-11).

Mr. Rykbost was not in attendance. Mr. Guy Rykbost constructed a 12'x 5' shed 0' from the primary structure where 8' is required and 0' from the east property line where 5' is required allowing 35% lot coverage where 30% is allowed. Pictures are included with the proposal submitted. The CEO discovered this accessory structure which was constructed without a permit. The CEO had previously discussed with Mr. Rykbost the requirements for a shed and potential variance depending on the location. Mr. Rykbost is requesting a variance allowing the accessory structure to remain as it stands today.

Mr. Rykbost sent two plot drawings, the first being the current layout of which he states is 12' X 4'. However, the CEO measured and got 5' for the width. Mr. Rykbost sent a

second drawing with an alternate solution to his request. Neighbor to the N is 8597 Greig St, neighbor to the W is 8594 Greig St, neighbor to the E is 8598 Greig St and neighbor to the S is none.

Chair Johns said the request is to allow a 12'X4' shed which was already built to stay in place. One of the neighbors, Joe Pitti, is against the shed since it butts up against his property line. The CEO suggested an alternate location to Mr. Rykbost, and the applicant said he wants the shed to be 6'X12'. When asked about moving the shed to the west side, the applicant is concerned the large trees and being too close to his neighbor's property.

The original application, with the shed right against Joe Pitti's property, is opposed by Joe Pitti. He says it is an eyesore. There were no other public comments. The Chair asked if Richard Secours wanted to make a comment but Mr. Secours' zoom connection shut down. The CEO suggested Mr. Secours call his telephone if he wanted to make a comment but no call came through.

The ZB voted on the original application, Sue Bassage motioned, Steve Nesspor seconded, all voted nay on the original application.

Review minutes from previous meeting: June 27, 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.

New business: Kevin Druschel said the proposal for a property across from the corner of Maiden Lane and the loop (Shawn Matla's house) is being sent to the Sodus Point PB first as a new fence application. Mr. Rykbost would need to make another application to the ZB for an alternate location. Robbie's location is looking better.

Steve Nesspor made a motion to adjourn, Lynn Carlyle seconded, the motion passed unanimously to adjourn.

Motion to adjourn: The meeting was adjourned by Chair Johns at 7:30 pm.