



ZB (Zoning Board) Minutes, 11-14-22 Village of Sodus Point, NY

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

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

Others present: Bruce Carey (phone), Patricia Costanzo (Zoom)

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

Establish Quorum: A quorum was established and there were 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. **Area Variance**, Bruce Carey, 7559 N. Ontario Street, to construct a 46'x60' Pole Barn 1.3' from South Property line where 12.5' is required. (190-11)
Neighbor to the N is 7571 N Ontario St, neighbor to the W is 7558 N Ontario St, neighbor to the E is 8375 Wickham Blvd, and neighbor to the S is 7547 S Ontario St.

The current proposal is to construct a 46'x60' Pole Barn 1.3' from South Property line where 12.5' is required. The Planning Board approved with the recommendation that the building be moved 6' from the South Property line with windows added to the south Side of the building for light and ventilation.

Chair Johns opened public comment. The CEO forwarded a letter from a neighbor (Patricia Costanzo) who opposed Carey's pole barn for two reasons – 1. they are planning an addition to their house which would bring it very close to the proposed pole barn and 2. they are planning to get a dog and erect a dog fence which would make the

space between the pole barn and their proposed fence too tight.

Bruce Carey attended by telephone and spoke. To move the proposed pole barn farther north to meet the code requirement of 12.5' would require more fill. The area is 8-10 feet higher than his neighbor's property.

Mr. Carey stated he has changed his application and wants to build 6 feet off the property line based on the PB's recommendation along with 2 windows off the south side. The windows would be 4-5 feet off the ground so Mr. Carey would not worry so much about break-ins. Patricia Costanzo said the 6 foot setback sounds much more reasonable

Chair Johns closed public comment and opened the proposal up for discussion among ZB members. He said he understood Mr. Carey's point that the pole barn would be on raised elevation relative to his neighbor. He also said the 6 foot setback made more sense. He also stated that Mr. Carey's lot is quite large. The lean-to in the pole barn rendering is attached on the north side and 8 feet by 30 feet, and his wife will use it for supplies for the rental houses. Mr. Carey would use the proposed pole barn for storage of cars – thus, the PB's recommendation of windows to permit exhaust of car fumes.

Sue Bassage questioned if the 185 ft wide lot should require a variance. The CEO reminded the ZBA that Mr. Carey has a right to build a portion of the pole barn on the existing footprint of the old barn, per 190-18. This would result in an L-shaped barn. And he would not need a variance then. Laurie Hayden asked how wide the gravel drive is near the existing barn. Mr Carey said it was about 60 feet wide. Steve Nesspor has the same concerns expressed by Sue Bassage based on the size of the lot. The ZB felt that the 12.5 foot setback for the pole barn should be considered since the lot is so large. Mr. Carey said he wanted to put the pole barn closer to the south line, not farther to the north because people walk across his property when there are Sodus Point events. The proposed location for the pole barn is so high in elevation and thus further away from his neighbor's property that it should not cause problems.

The ZB voted on variance as advertised in Mr. Carey's application. Everyone on the ZB voted against the variance as advertised. Next, the ZB considered a 12 ½ foot setback, but Sue Bassage said a 6 foot set back should be considered. Laurie Hayden observed that the 6 foot versus 12 ½ feet was not a detriment to the neighborhood by granting the variance and would be an improvement to the existing building. Chair Johns asked about roof drainage; he said the drainage to his neighbor's property seemed significant. The CEO suggested that the ZB require that Mr. Carey waive the 190-18 before the vote on the variance was taken. Laurie Hayden made a motion that Mr. Carey waive the 190-18 to build on the footprint and that the ZB grant a variance with a 6 foot setback on the south property line to build a 46 X 60 foot pole barn Sue Bassage seconded, all ZB members voted aye and the motion passed unanimously.

Review minutes from previous meetings: Minutes from meetings of 9-12-22, 9-26-22 were reviewed and passed unanimously. The 10-24-22 minutes were held off until the next meeting.

Motion to adjourn: Sue Bassage motioned to adjourn, Lynn Carlyle seconded, the motion carried, the meeting was adjourned by Chair Johns at 7:45 pm.

The next ZB meeting will be November 28 unless plans change.