



Planning Board (PB) Minutes, 4-17-23 Village of Sodus Point, NY

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

Staff Present: Linda Youngman – Clerk (in person), Village of Sodus Point (Kevin Druschel) (zoom)

B Evener asked attendees to sign in.

Others present: Laurie Hayden (zoom), John and Rita R...(zoom), Laurie Verbridge (zoom), Village of Sodus (zoom), Village resident (zoom), Gale .. (zoom), Julie's iPad (zoom), David ... (zoom), Robert VanEe, Sue Bassage (zoom), Keri Wallendorst (zoom), Claudia ... (zoom), Cory and Lisa Smith (in person), Phil Leone (in person), Doug and Debbie Wagner (in person)

Establishment of a Quorum: A quorum of 3 members was established (6 members attending).

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 7:00 pm.

Review minutes from previous meetings: 4-3-23 PB minutes were reviewed and approved. McKee motioned to approve; Walker seconded, the minutes were approved.

Votes: Evener-aye, Beretta-abstain, Walker- aye, McKee-aye, Kedley-aye, Fogarty-aye

1. **Final Site Plan Review**, Theresa Griffith, 7924 Lake Road, Sodus Point to construct a 40'x30' Garage per plans with added window per preliminary review. (Code 190-49)

Theresa spoke. Chair Evener asked if their plans now included a window – Theresa said yes. Chair Evener asked if there were additional questions. Walker motioned to approve the plans with a window, McKee seconded, the motion passed.

Voting record: Chair Evener-yea, Daryl Walker-yea, Bill McKee-yea, Bill Kedley-yea, Janine Fogarty-yea, Beretta-abstain

2. **Preliminary Site Plan Review**, Larissa Dougherty, 8185 Sentell Street, to construct a 45'x27' addition per stamped plans. (Code 190-49)

Larissa spoke saying they planned to follow plans. Chair Evener said he had walked the property. The owners said they planned to construct an addition including a great room. They

are trying not to encroach on wetlands. This is a preliminary site plan review, they will not change from the submitted plans. Bill Kedley asked if the new structure would be on stilts – it will not be on stilts, only existing structure would be on stilts. McKee asked about a stairway down to the back yard. They said there is no additional exit from the garage. Kathy Berretta asked about siding – will it be matched to existing? They will match the siding as best they can. They are close to the wetlands but will not encroach. The CEO said they are in the fall out zone – the DEC needs to come and check. They also need to check setbacks. Chair Evener asked for additional comments from the PB.

Chair Evener asked for public comments. Phil Leone spoke saying he had checked a DEC map and asked about jurisdiction and location to the wetland. The CEO said the DEC would check it. Chair Evener asked for public comments from zoom attendees. Chair Evener asked for motions to approve. Walker motioned to approve w DEC approval and a site plan, Berretta seconded, the motion passed for preliminary approval.

Voting record: Chair Evener-yea, Daryl Walker-yea, Bill McKee-yea, Bill Kedley-yea, Kathy Berretta-yea

3. **Fence Review**, Cory Smith, 8627 Greig Street, Sodus Point to construct a 54" Fence per plot drawing going to edge of breakwall, where 4' is allowed and fences are required to stop 10' prior to breakwalls or high water. (Code 190-22(g) 121)

Cory and Lisa Smith spoke saying they had sent an email. They asked for a 4 ½ foot fence as their neighbors have to keep consistency with the neighborhood. There have been multiple instances where other neighbors have encroached on their property. Their fence will not affect the breakwall either – nor will it affect medical access to the properties. It will not affect the breakwalls. Their property is one of the smallest. They are asking only to have what their neighbors have which is 4 ½ foot fence like their neighbors.

Fogarty asked about the height of the fence saying it looked higher than their neighbor's fences – she did not have a tape measure when she visited the property. Walker confirmed that there were 3 sections to the fence. Chair Evener said he visited the property twice and confirmed there was sufficient space for medical access. He said that, above 4 ft, it has to go to zoning. PB approved a 4 ft fence, ZB did not yet as they had concern about the breakwall. Chair Evener asked for PB comments. Berretta said the fence looked nice and she could access with her car – she thinks it will look nice. Bill Kedley said the lots are very narrow and neighbors would not have much room – either E or W. The fence would represent a hardship for neighbors. He said it was a difficult situation due to the small lots. W. McKee said a portion of the 10 fence perhaps could be removable saying it would be difficult to get medical access to neighboring properties. Janine Fogarty said she was concerned about a rescue from the water and medical access.

Chair Evener opened for public comment. The CEO said it would go to ZB and he didn't list it for public comment. ZB will make the final determination. Maxine Appleby said they should be permitted to make public comment. The Smith's asked about medical access and asked should they have part of the fence be removable. Chair Evener recommended to approve the fence at 4 ft at front of house, then 4 ½ ft at back near the breakwall with a removable section to permit medical access. Walker asked about removable sections after the flooding. Daryl Walker seconded, the recommendation passed as laid out by Chair Evener.

Voting record: Chair Evener-yea, Daryl Walker-yea, Bill McKee-yea, Bill Kedley-yea, Janine Fogarty-yea

4. **Change Work Order**, Martin Tides Sides Marina, 7250 Route 14, Sodus Point to amend approved site plan that allowed for an existing 11' fuel dock house to be changed to proposed 24' octagon shaped house with restroom. (Code 190-49)

Brandon Martin spoke on behalf of Martin Tidesides. He wants to install a dock house that is larger than the current plan so it will also include a restroom. Chair Evener asked about 4 ½ ft walkway. Brandon responded with the dimensions of the walkways on the plan. Chair Evener asked why he wanted a two story dockhouse. Brandon said he could store materials and it was more convenient. Walker asked about height – it would be 25 ft from the dock in height. McKee asked about the existing dock house – would the proposed dock house be in the same location – Brandon said yes. Berretta said she was concerned about the height of the proposed dock house – Brandon said he wanted it to be seen. Fogarty said she was concerned about the height of the house and for safety. Brandon said the bigger building would be safer as people would be able to see it. Brandon said it would almost look like a lighthouse and easily seen.

Berretta was concerned about the stairs and area in front of the dock house. Bill Kedley asked if there was a second floor in the dock house – Brandon confirmed there was a second floor. Janine Fogarty said she was concerned if it looked too much like a lighthouse. The CEO said the restrooms would be 88 compliant and the plans would be confirmed before construction began. Daryl Walker confirmed that the current dockhouse is 15 ft and said the proposed dockhouse would be too big. Chair Evener asked if the dockhouse could be smaller in height and smaller overall. Brandon said he was trying to make it look like a lighthouse. W. Kedley asked about proximity to the gas pump seeing if there was anything that could be done to make the construction closer to the gas pump. D. Walker asked if the construction would be wood. K. Berretta asked what would be stored in the dock house – Evener said probably gas cans, etc. The CEO confirmed that the distance to the gas pumps could not be made closer.

Chair Evener said it was good that there were planned restrooms in the dock house. B. Evener asked about lighting and new lighting near the perimeter. He said that the view would be disturbed by too much lighting. Perhaps a softer light near the dockhouse could be considered. The CEO said he was researching lighting codes for different types of establishments – codes for dispensing repositories were different. The PB would need stamped architectural plans before they could approve. The ZB has given permission for the dock house and there is no need for them to give additional approvals. The CEO said there would need to be modified blueprints for the proposed dockhouse. Brandon Martin said he could take the top cupola off the top of the proposed construction. Fogarty confirmed that from 120 sq ft to 310 sq ft is the proposed change in the size of the building. McKee said he remained concerned about the size of the proposed building. Walker likes the concept but it is too large. Brandon said the larger building would assist with emergency rescues – people wouldn't have to go to shore to get emergency assistance.

Bill Kedley is concerned about the height of the dockhouse, particularly for other people who own cottages near Tidesides. People are shocked by the size of the dockhouse. Brandon said that 30 ft boats are out of the bay all the time. Chair Evener asked if the dockhouse

could be restricted to 18 ft. Berretta asked if there were navigation rules about height of dockhouses out on the water. She said she thought a building that big would need to be lit. She said any building on the water would need to be lit. The CEO said this was a final amendment to the final site plan.

Chair Evener said we had two choices – come up with a different plan or we approve as planned. Bill Kedley said he motioned to approve the request as submitted, K. Berretta seconded.

Voting record: Chair Evener-no, Daryl Walker-no, Bill McKee-no, Bill Kedley-no, Janine Fogarty- no

Brandon Martin asked if the PB can make a motion to adjust the planned dockhouse to be smaller and shorter. Brandon cannot put the building in without a definite proposal construction. Brandon asked if he could just take the cupola off the top of the building. Fogarty said a smaller construction could be at 176 sq ft. Brandon said he wants to build at the size dockhouse as drafted but he could take the cupola off. He said the dock was specifically built to fit the planned dockhouse. Fogarty said there were a lot of people concerned about what is planned now. K. Berretta said we cannot be concerned about other people's concerns. 42 x 36 gives a dock house that is 236 sq ft. She remains concerned by the size of what is proposed which is 300 sq ft – she thinks it is too big. 8 ft on each side would give about 300 sq ft. 7 ft on each side gives about 236 sq ft. Brandon said making the dockhouse so small would basically make it unusable. Bill McKee said if the second story came off, you could take out the stairs. Fogarty said you need about 40 sq ft for a restroom.

Daryl Walker said he wanted to see if there was a possibility to keep the size at 8 ft by 8 ft and limited to 15 ft height. Walker suggested a rectangular footprint rather than octagonal to keep the dockhouse smaller. Berretta has a problem with the height. Chair Evener recommended we limit the building in height to the current building and keep the dimensions to 7 x 7 ft, Walker seconded.

Public comments: Doug Wagner spoke saying he remains concerned about the size of the proposed construction. This development is way over the top and 500 ft from his property line. Nearby homeowners remain concerned about the project and it is too large. He is concerned about possible fires that far out in the bay and fire control. He said the project were not publicized – Chair Evener said this project has been listed as a possibility for over 1 year. Doug said the building is fine but it is too big. Claire spoke saying she did not know about this meeting and there hasn't been enough time to discuss with neighbors. People didn't get notified about this proposed construction. She has lived here for decades and they are concerned about their use of their part of the bay. She said the sign at the end of the dock was too big saying "gas this way". She said there are too many people who are opposed to this construction and asked for the discussion to be tabled for now so people have more time to discuss.

Bill BanEe spoke saying the proposed building is going to encroach on other people's activities. He is also concerned about wind. Leslie and her partner from the south shore spoke saying the dock is too far out on the bay and they are concerned about the size of the proposed dockhouse. There is not one person who lives on the south shored who is not concerned. Carol on the south shore is amazed at how far out the dock has gone but she thinks the dock and building are pushing it for keeping the bay. Maxine Appleby has

environmental concerns – particularly restaurants and showers. She wants to ensure that he is following NY state law. She is also concerned about lighting and there will be a lot of boaters this year and she is concerned about boating accidents. Joan Zerbe-Brandt said in the past a teenager would be at the dockhouse and she is concerned about emergency services at the dockhouse. Richard Fasse seconded concerns made by other people. Winds from the SE would be problematic and he is concerned about emergency services. Chair Evener said the original drafts said no additional de-icers would be approved. Robert VanEe said he is concerned about the height of the proposed structure. Public comment was closed.

Brandon Martin said the comments made him realize the structure should be shorter. He would still like the octagon shape. He asked for the PB to make a motion on height. Evener said the recommendation is to limit the height to what is in existence, he asked the CEO to check existing height. D. Walker estimated the height at 12-13 ft. J. Fogarty said it would be 238 sq ft. with 7 ft by 7 ft. Evener recommended 7 ft by 8 ft with current building's height, McKee agreed, Walker seconded, the motion passed.

Voting record: Chair Evener-yea, Daryl Walker-yea, Bill McKee-yea, Bill Kedley-yea, Janine Fogarty-yea, Kathy Berretta-yea

Old Business: To confirm public notice of PB meetings, Chair Evener said the meetings are publicly listed in the Wayne County Times, on the village website and nearby neighbors (within 500 ft) are normally informed by public notices. The Tidesides dockhouse has been listed publicly on numerous sites.

Motion to adjourn: Motion to adjourn was made by B. Kedley, B. McKee seconded, all in favor, the motion passed unanimously. The meeting was adjourned by Chair Evener at 8:44 pm.

The next PB meeting will be May 1, 2023 unless plans change.