



## Planning Board (PB) Minutes, 8-7-23 Village of Sodus Point, NY

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

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

**Others present:** Leo Fussilli, Jeremy, Matthew St. Martin, iPad3, David, James and Sharon Cottrell, Doug (Ira) Bristol, Joe Bader, Ryan Cowley, Village of Sodus Point

**Establishment of a Quorum:** A quorum of 4 was established (4 members attending).

**Announcements:** Advertisement of the meeting was posted on the Village website and also posted at the Village of Sodus Point post office.

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

**Review minutes from previous meetings:** 6-20-23 minutes were reviewed - a few changes were suggested and these changes were made. 7-17-23 minutes were reviewed - a few changes were suggested and these changes were made. Bill Kedley moved to approve, Janine Fogarty seconded, the minutes passed unanimously. Kathy Berretta asked if the change work order for Tidesides pump house being taller than had been previously approved by the PB was according to the PB's process. She was also concerned that the minutes reflect why people attending were so disruptive (saying they should be able to make public comment on the change work order). She asked that the minutes reflect why people were disruptive. Both were approved unanimously

1. **Final Site Plan Review**, Sharon Cottrell, 7480 Lummis Street, to construct a 10'x24' by 8'x28' L shaped deck with roof covering to match existing roof height. (CODE 190-49)  
James and Sharon Cottrell are proposing a deck that is L shaped, 8ft X 28ft with a roof covering. The roof will extend over the existing house from the east side. Chair Evener asked if there were any questions. The deck would be more than 25 ft from the water's edge. There are no changes from their original proposal. Berretta moved to accept the proposed construction, McKee seconded. The motion passed unanimously.

Votes: Evener-aye, Berretta-aye, Fogarty-aye, Kedley-aye, McKee-aye, Walker-aye

1. **Fence Review**, Leo Fussilli to construct a fence with a 6' portion transitioning to a 4' portion per plot drawing. (CODE 190-22(g), 121)  
Leo Fussilli spoke saying he wants to put a fence on the E side of his house near his raised patio. The fence would be 6' high with one section near his neighbor's house. This would marry to the fence on the other side of the house. The fence would be white vinyl. Kedley asked if the pic-

ture matched the solid type of fence shown in the proposal. Fogarty asked if the gate near Embrey would be white with a gate – Leo responded that the fence would be as pictured. On the E side of the house, they could remove part of the fence for easier access in case of emergency. Daryl Walker confirmed that one side of the fence would be 8' by 6' high. One section would be reducing in fence height to 4'. Daryl Walker said the fence lengths did not add up to what was shown in the pictures. Chair Evener said that the proposal would next go to the ZB. Kedley recommended that the proposal be forwarded to the ZB, Walker seconded. The proposal was recommended to go to the ZB unanimously.

Votes: Evener-aye, Berretta-aye, Fogarty-aye, Kedley-aye, McKee-aye, Walker-aye

2. **Preliminary Site Plan Review**, Ira Bristol, 7115 Central Ave, to construct a 18'x36' pole barn 2' from the side property line where 12.5' is required and 2' from the rear property line where 12.5' is required. (CODE 190-11, 190-49)

Doug (Ira) Bristol presented saying he wanted to construct an 18'x36' pole barn 2' from the side property line where 12.5' is required and 2' from the rear property line where 12.5' is required. Chair Evener confirmed that there would be appropriate egress from the barn and windows. Doug Bristol said they would be appropriate. Kedley asked why the barn would be so close to the property lines – Doug responded that the nearby properties have a great deal of dead space. Doug said there would be 13' – Chair Evener said it did not look like 13' clearance to him but it would be sufficient space for egress. Chair Evener asked if the proposed pole barn would match closely to the neighbor's construction. Chair Evener said he was concerned to have sufficient egress from the property for emergency vehicles – Doug said he could construct the pole barn to ensure there would be sufficient egress. Fogarty said she thought the barn should be permitted up to 3' from the property lines. The proposal should be forwarded to the ZB at 3' from all property lines. The proposal passed unanimously at 3' from all property lines.

Votes: Evener-aye, Berretta-aye, Fogarty-aye, Kedley-aye, McKee-aye, Walker-aye

3. **Preliminary Site Plan Review**, Geber Homes, 7071 Bayview Drive, to construct 1814 square foot house per stamped plans. (CODE 190-49)

Joe Bader presented saying they want to build a house on a vacant lot on Bayview. The lot is empty right now, they want to build a 1814 square foot ranch style with a 2-car garage. They are waiting for approval before the builders start. The builders are waiting to start immediately. Chair Evener opened the proposal for public comment. There were no public comments. Walker motioned to approve the application as submitted. Kedley seconded, the motion passed unanimously.

Votes: Evener-aye, Berretta-aye, Fogarty-aye, Kedley-aye, McKee-aye, Walker-aye

4. **Preliminary Site Plan Review**, Ryan Cowley, 8526 Greig Street, to construct a 5'x58' permanent dock, which will be the second dock on a property with less than 150' of water frontage as required for 2 docks. (CODE 86-23, 190-49).

Ryan Cowley said there was some confusion on the application. He already has 2 docks. Chair Evener said there would be 2 doors on the second dock. Kevin said the docks and boat houses pre-date PB approvals for waterfront docks so they are currently approvable. Fogarty accessed the codes for docks reading the current PB authority on dock approvals.

Chair Evener said there would be no approving for the second dock - instead, we would be approving the extension of the small dock at 58' by 5'. Ryan would install a 5' by 58' permanent dock with two permanent boat lifts. Ryan said this would make the boat docks more secure. There is no platform near the boat lifts. Chair Evener said his concern is that it gets very congested in this area. Ryan said he thought he was further away from where the congestion is. McKee confirmed that no one is keeping boats permanently near this area. He also asked about drifting in of weeds in this area. McKee is concerned that boats can be caught up in the weeds. Schwartz (neighbor) may have used this area in the past but does not use it now. Walker asked if the area can handle the extra dock – Ryan said it would. Walker said the area could handle the extra dock without issues. Berretta said she thought the dock was requested to fit sideways – other PB members said they did not think so. McKee asked Kevin to confirm that the application would next go to the zoning board. Kevin said that

Tom Johns could ask the PB to make a determination on the placement of the dock. Chair Evener asked if Tom Johns thought the proposal could be made for a second dock. Kevin said that the ZB could turn down the PB's preliminary site plan. McKee said the ZB would need to make the final determination on the proposal.

Chair Evener said he would like the ZB to make a final determination on the code for this proposal and whether it would be a second dock. Kevin said he will confirm whether ZB can make a formal code determination. McKee agreed with this approach saying the PB should get feedback from the ZB on formal code determination. McKee said the PB didn't have the authority for this kind of decision and wanted to get the ZB's determination.

Chair Evener said the Waterfront Assessment Form-Section C should be completed as an unlisted action. There were no concerns raised on the Waterfront Assessment Form when the PB read through and considered each of the listed items.

Kedley asked if it was appropriate for the PB to ask the ZB to consider this proposal as a second dock instead of a triangular dock near the boat house. Would the stub at the end of the dock near the boat house be considered a second dock. This would open a Pandora's box. Kevin said this should be opened to public comment.

Chair Evener asked for a motion. Kedley moved to give preliminary approval to the site plan for extension of a second dock (the proposal was listed as construction of a second dock). Kevin suggested 3 different items be motioned. Walker said the area could permit construction of a second dock. McKee said the approval should come from the ZB. Chair Evener said he wanted clarification from the ZB on their determination of whether this is a new second dock or an existing second dock. Kevin said the ZB would give a determination and would consider the application.

Chair Evener said the motion would be for preliminary approval of the proposal and asking the ZB for their formal determination of whether this is a new second dock or an existing second dock. McKee made the motion for preliminary approval subject to ZB's determination of whether or not the dock is an existing dock. Walker seconded, the motion passed with one nay vote.

The PB asked Ryan to confirm, if possible, the timing of when the docks were built.  
Votes: Evener-aye, Berretta-aye, Fogarty-aye, Kedley-nay, McKee-aye, Walker-aye

**Old Business:** none

**Motion to adjourn:** Motion to adjourn was made by Kedley, Walker seconded, the motion passed unanimously. The meeting was adjourned by Chair Evener at 8:08 pm.

The next PB meeting will be August 21, 2023 unless plans change.