



ZB (Zoning Board) Minutes, 6-26-23 Village of Sodus Point, NY

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

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

Others present: Jeremy Foss (zoom), Terry Vanderwall, Robin Vanderwall, Bruce Hardgrave, Jamie Able, Kathy Berretta (zoom),

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

Establish Quorum: A quorum of 3 was established. Four members were in attendance, and Chairman Johns appointed Mark Ketcham to vote. 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, Terry Vanderwall**, 8623 Greig Street to construct a 47.83'x29' residential structure with a 23.50'x15' garage 3' from east property line where 5' is required per stamped plans. (CODE 190-11, 190-15, 190-18)

Terry Vanderwall, 8623 Greig Street to construct a 47.83'x29' residential structure with a 23.50'x15' garage 3' from east property line where 5' is required. Terry Vanderwall spoke saying they wanted to add a garage 3' from the property line where 5' is required. This would be on the E side of the property and would be 2' wider than it is currently. They want to make the house a permanent residence. The neighbor to the E has given them a letter of support which was given to the ZB members which they read.

Chair Johns opened the case for public comment. There were no public comments. Chair Johns opened it for ZB discussion and said he looked at the property today. Lynn Carlyle and Steve Nesspor said the letter of support was important and critical to their

consideration. Chair Johns said egress was a concern. Terry Vanderwall said the house would be narrower to support the wider garage.

Mark Ketcham motioned to support the proposal as drafted, Lynn Carlyle seconded, the motion passed unanimously.

Voting record: Chair Johns-yea, Mark Ketcham-yea, Steve Nesspor-yea, Lynn Carlyle-yea

2. **Area Variance, Bruce Hardgrave**, 8432 Bay Street, to construct 8'x26' lean to roof over existing steps which are onto state right of way where 25' is required from edge of right of way. (Code 190-11)

At 8432 Bay Street, Bruce Hardgrave wants to construct 8'x26' lean to roof over existing steps which are onto the NY state right of way where 25' is required from edge of the right of way. This is in front of the post office. Bruce Hardgrave spoke saying they had two people fall last year in the snow. The lean too roof would help protect people from falling in the snow.

Bruce talked to a NYS official and he told Bruce the permission to have the walkway is grandfathered into his permission to have the apartment building next to the post office. The steps are already encroaching on the NYS right of way but Bruce wants to build a lean to roof over the existing steps to keep people from falling in the snow and winter ice. Chair Johns asked if it would encroach on the painted sidewalk and Bruce said no, it would not. Chair Johns asked if it would be an open roof and Bruce said it would be open. Chair Johns spoke to Kevin earlier today and Chair Johns said would still need DOT permission to go ahead.

Chair Johns opened the case for public comment. One person said he thought it was a great idea and needed for this area. No one on zoom had comments. Chair Johns opened the case for ZB discussion. Lynn Carlyle said he thought it was an improvement, Mark Ketcham liked the idea. Steve Nesspor was in favor. Steve Nesspor motioned to approve, Lynn Carlyle seconded, the motion passed unanimously.

Voting record: Chair Johns-yea, Mark Ketcham-yea, Steve Nesspor-yea, Lynn Carlyle-yea

3. **Area Variance, Jamie Able**, 8527 Greig Street, to add a lit lettered sign "Live Music" to front of building allowing more than 2 signs having more than 20 aggregate face area where only 2 signs are allowed per business unit. (190-26)

Jamie Able wants to add a lit lettered sign "Live Music" to the front of a building allowing more than 2 signs having more than 20 aggregate face area where only 2 signs are allowed per business unit. Jamie Able spoke saying he wanted to add live entertainment signs like Christmas lights, it is not a big deal. If he isn't approved to put it up, he is fine with it.

Chair Johns opened the case for public comment. Mark Costich spoke saying he was not in favor of the Live Music sign being put up although he supports the local restaurants. He said all the neighbors are very aware that there is live music in the restaurant. He doesn't understand what the benefit would be for a lit sign that said live music – people could already hear that there was live music. He also said the application did not give sufficient information in support of the application for the proposed sign. He thinks signage should be better in Sodus Point. Chair Johns opened the application for public comment. There were no further public comments.

Chair Johns opened the case up for ZB discussion. Chair Johns read a code which said that, in a general business district, no business should not have more than 2 signs in a 20 square feet aggregate face area. He said the business is well over that now – they have exceeded the village standard. Jamie Able said he could take the Live Music sign down. Lynn Carlyle said Mr. Costich raised some really good points. He suggested Jamie considered combining with other existing signs. Mark Ketcham said he wants to support businesses but there is already a lot of signage in the area. Jamie Able said he was OK with the motion not passing. Steve Nesspor motioned to decline the application, Mark Ketcham seconded, the motion did not pass.

Voting record: Chair Johns-nay, Mark Ketcham-nay, Steve Nesspor-nay, Lynn Carlyle-nay

Other business: Chair Johns reviewed the 5-22-23 minutes. ZB members said the minutes had been edited and revised. The 5-22-23 minutes were approved.

New Business: Kevin said that the ZB should consider other signage during off season (fall) to see if existing signs are in compliance. Kevin also suggested the zoning board will consider a couple of sub-divisions. He said the Dept of Health sent him a letter saying all sub-divisions needed to go to the Dept of Health before the ZB can review. That will slow things down by about a month. He also mentioned that the planning board (PB) is reviewing Jamie's property where he is planning a re-development of Abe's restaurant (adding boat rental, Tiki Bar being moved and residential space) and the ZB will be reviewing after the PB. The Papa Joe's property was sold. In the fall, it will be demolished and something new will be built.

Motion to adjourn: Mark Ketcham motioned to adjourn the meeting, Lynn Carlyle seconded which carried unanimously and the meeting was adjourned by Chair Johns at 7:40 pm.

The next ZB meeting will be July 10 unless plans change.