



ZB (Zoning Board) Minutes, 5-8-23 Village of Sodus Point, NY

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

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

Others present: Jeremy Foss (zoom), Hinsman (zoom), Tom Piekunka (zoom), Ronald Diamond (in person), Jim (zoom), Charles Majors (zoom), Harriet Eilber (zoom), Teri, Keri Wallenhorst (zoom), Kathy Berretta (zoom), Guy Rykbost (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 full-time 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. **Special Permit Review**, Mike Majors, 8642 Greig Street to place a 6'x60' temporary dock with an 8'x8' landing creating an L shape allowing 2 docks on 130' of frontage where 150' is required. (86-28)

Mr. Majors spoke saying he would like to place a temporary dock, 6'x60' in an L shape with an 8'x8' landing. He said that lots of people visit and he wanted to create a place for their boats. There would be no boat hoist and no overnight guests. The dock would be temporary. Chair Johns said the frontage normally required is 150 ft and Mr. Majors only has 130 ft. Chair Johns opened the case to public comment.

Cory Smith said he sees no reason why he couldn't have a temporary dock. Chair Johns said even though it was a temporary dock, it still had to meet village code. CEO said temporary docks don't get issued a permit but they still had to meet the permanent dock

rules. He inspects docks if problems are brought forward to the Village. Cory Smith asked if someone could attach a temporary dock to a permanent dock. The CEO said he would need to investigate the specific situation. The CEO said he would discuss with Cory Smith. Harriet Eilber spoke saying Mr. Majors already had a permanent dock. Young kids in the neighborhood swim there – she also swims there. Also, Mr. Majors put in two superstructures on either side of his dock with canvas coverings that block her western view. Her cottage is 4 cottages away and it is unsightly. Glenda Hinsman is 8664 Greig St near Mr. Majors planned dock. She urges the ZB to deny the planned dock as the PB already voted against the structure.

Tom Piekunka spoke saying he is a neighbor. He referred to Chapter 86-4 and 86-12 concerning structures and boathouses, which are not permitted. Chapter 86 does not differentiate between permanent or temporary docks. He urged the ZB to enforce the existing code. He said the temporary dock would cause congestion on the water and on the street. The planned dock is a safety concern. Chair Johns said we will note that Tom Piekunka is opposed to the temporary dock that is proposed.

Chair Johns opened the request for ZB comments. He said the PB did turn this request down and completed the waterfront assessment form. Chair Johns said the area is pretty congested already. The CEO said this is a special use permit and not a variance so a hardship does not have to be stated. Sue said a special use permit is to protect the community, she is concerned about safety and people swimming, also about nearby neighbors being unduly burdened. Laurie Hayden said it is very congested in the area, particularly to the west. The applicant uses both sides of his dock and there are two big structures. She can't imagine another dock in that area with the neighbors' docks so close as well. It is dangerous for navigating to the dock. Sue made the motion to accept the special use permit, Mark Ketcham seconded, the motion was unanimously turned down.

Voting record:

Chair Johns-nay, Laurie Hayden-nay, Sue Bassage-nay, Mark Ketcham-nay, Steve Nesspor - nay

2. **Area Variance**, Ronald Diamond, 8387 Wickham Blvd, to construct 16'x24' shed 5' from the east property line where 7.5' is required. (Code 190-11)

Mr. Diamond spoke saying he needs more storage. He wants to put a loft in above the shed for storage. There will be a cage area for his cats standing on the ground. Chair Johns opened to public comment. No public comment. Chair Johns opened it to the ZB and asked why it can't be constructed further from the property line. Mr. Diamond said he wanted it to be more parallel to his house. The property line is not straight with the eastern line of the house. If built 7/12 ft from the property line, it would be too difficult

to back his boat into the shed for storage. There will be no need to remove trees. Laurie Hayden asked about the siding – would it be metal? Mr. Diamond said yes; it would be the same color as the house and should look nice. Sue Bassage spoke to Mr. Diamond earlier today and was fine. Mark Ketcham motioned to accept, Steve seconded, the motion passed unanimously.

Voting record:

Chair Johns-yea, Laurie Hayden-yea, Sue Bassage-yea, Mark Ketcham-yea, Steve Nesspor-yea

Review minutes from previous meetings: Minutes from meetings of 4-24-23 were reviewed, edited and approved. Mark motioned to accept, Sue seconded, the 4-24-23 minutes were approved.

Other business:

CHANGE WORK ORDER: Guy Rykbost, 8596 Greig Street, Sodus Point to change approved 10'x12' shed 4' from east property line and 20' from breakwall to change orientation to be 18' from breakwall due to existing barriers in property. Allowing 4' side set back where 5' is required (code 190-11).

Guy spoke saying there is a huge tree on the property. Roots are preventing him from putting the shed in the approved spot. He is asking to change the orientation of the shed and to place it at 18 feet from the breakwall. Chair Johns asked for public comment. The CEO said one neighbor gave him favorable comments (the one to the E). Chair Johns asked for comments from the board. Laurie Hayden asked if the shed would be off the current slab – Guy said yes, partially. Laurie Hayden asked to confirm the orientation of 12 ft N to S and 10 ft E to W. It was already approved to sit at 4 feet from the west property line. Sue Bassage motioned to approve shed 4 ft off from property line on W, 12 ft deep NS and 10 ft wide EW, 18 ft from breakwall. Mark Ketcham seconded, the motion passed unanimously.

Voting record:

Chair Johns-yea, Laurie Hayden-yea, Sue Bassage-yea, Mark Ketcham-yea, Steve Nesspor -yea

Motion to adjourn: The motion was made to adjourn the meeting (Mark Ketcham motioned, Laurie Hayden seconded) which carried unanimously and the meeting was adjourned by Chair Johns at 7:47 pm.

The next ZB meeting will be May 22 unless plans change.