



Planning Board (PB) Minutes, 10-16-23 Village of Sodus Point, NY

Members Present: Bruce Evener (Chair), William McKee, Janine Fogarty, Kathy Berretta

Staff Present: Linda Youngman – Clerk (in person), Village of Sodus Point (Kevin Druschel - CEO, code enforcement officer) (zoom)

Others present: Charles Straubing (Mike XX representing on zoom), Zoom user (zoom), Carly (zoom), iPhone (6) (zoom), Richard and Karen Ashnault (in person), Rick Gilbert (in person), Jo Arney (zoom), Village of Sodus Point (zoom), Laurie Verbridge (zoom), iPad3 (zoom), Brandon Martin (zoom), Sodus Bay Jr sailing club (Kedley) joined, Roger Brandt (zoom), David (zoom), Sue Bassage (in person), John Love (in person), Erik Will (in person), Noah Kuataitis (in person)

Establishment of a Quorum: A quorum of 3 was established with four full time members in attendance.

Announcements: Advertisement of the meeting was posted on the Village website and also posted at Wayne Times.

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

Review minutes from previous meetings: Minutes from 10-2-23 were reviewed, edited and approved. William McKee motioned to approve, Janine Fogarty seconded, the minutes were approved.

Votes: Evener-aye, Berretta-abstain, Fogarty-aye, McKee-aye

The Public is invited to observe

1. **Final Site Plan Review, Charles Straubing**, 8506 Greig Street, to construct a 50'x36' building on existing footprint. (CODE 190-49)

Mike said nothing had changed with his plans for building a shell. Then, he will apply for a liquor license and finish his bar and then return for approval of the floor plan and business plan. Fogarty motioned to approve the building of a shell on existing footprint, McKee seconded, the motion passed.

Votes: Evener-aye, Berretta-abstain, Fogarty-aye, McKee-aye

2. **Final Site Plan Review, Richard Ashnault**, 8397 South Shore, to construct a 1778 square foot print 2 story single family structure per plans (CODE 190-49)

Rick Ashnault said there were no changes planned from the preliminary drawings submitted. PB members had no questions. Fogarty motioned to approve the 1778 sq ft structure as planned, Berretta seconded, the motion passed unanimously.

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

The Public is invited to observe

1. **Preliminary Site Plan Review, Rick Gilbert**, 7569 8th Street, to construct a 15'x27' 2 story garage per plans 8.5' from side property line where 12.5' is required and 10.3' from rear property line where 12.5' is required. Allowing for 35% lot coverage where 30% is allowed. (CODE 190-11, 190-49)

Rick Gilbert spoke saying he planned to construct a garage per plans, 15 ft extension on the house, 10 ft wide garage door. There would be a door on the back left of the garage for a jet ski and windows on the W side of the garage. They would lose windows in the loft area – there is a bedroom and full bath there. He wants to add a 8 X 9 ft mud room also. They are asking for a variance since they will be 8.5 ft from the property line where 12.5 is required and 10.3 ft from the rear property line where 12.5 ft is required. He spoke with his neighbors and they are OK with the plans. He will add a driveway, probably stones. Chair Evener asked if this would be a rental property. Rick said they do not plan this to be used as a rental – he and his wife will live there full-time. Chair Evener asked about siding – Rick said they will use vinyl siding to match as best possible with other structures. Janine Fogarty viewed the property earlier and said there was an RGE meter which would stay. PB asked if it was a gas meter – Rick said the meter would stay. Rick said he would like to put the meter on the side of the home near the Highlands. Berretta had no questions. Evener said he viewed the property also. Chair Evener opened it for public comments. There were no comments from the public.

Fogarty motioned to approve the plans as drafted and send the case to the Zoning Board, McKee seconded, the motion passed unanimously.

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

The Public is invited to Speak

Other Business:

- **Martins Commercial Parking Lot 3 Month Mandatory Review (SWPPP UPDATE)**

Brandon Martin spoke saying they are on target for their plans for work. Chair Evener said construction activities on site were reviewed by the Department and Village. There have been some complaints as it is within a natural drainage area – the Department required addressing these complaints and appearance of the parking area. Chair Evener read an email from Luke Scannell of the NY DEC which said:

They have permit coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity with a permit ID of NYR11L272. As you recall they didn't tell their engineers about the history of this project, and their engineers submitted the eNOI for coverage at which point I requested the SWPPP for review. As such, they technically obtained coverage in early June, but weren't authorized to do construction activities until I concluded my review on July 19, 2023 and they subsequently updated the eNOI to accurately represent the updated SWPPP.

At this point they are authorized to perform construction activities under this permit. They still need to perform infiltration testing and must plan to do that as soon as they resume construction activities on the site.

Additionally, both the Department and the Village have advised Mark's Engineering that the proposed discharge point for their western bioretention practice may result in complaints, and if it causes any damages to downstream properties there is the potential for a civil lawsuit. Furthermore, the Village has advised Mark's Engineering that they are not comfortable with the proposed bioretention practice being located within the natural drainageway. To my knowledge Mark's Engineering has not revised the site plans to account for either concern. These two items can be properly designed for so I am not assuming at this point that they will cause problems, but noting

that there is a potential for it. The Department did require the bioretention within the natural drainageway be size for the entire drainage area.

McKee said that he knows Brandon is trying to do a good job but there is so much junk accumulated over the past few months. He said specifically the 4 bins of scrap wood which could be removed. He said the general appearance is not what the PB is comfortable with. He also said the ironwork is somewhat unsteady and he worried that kids could possibly get hurt if they were playing around there. He suggested Brandon install signs indicating that it is a private commercial parking lot for use only by Tideside and its customers, because saying the ironwork is unsteady.

Fogarty said she agreed that there were many items being stored there which should be cleaned up. Kedley said he realized the SWPP approvals have taken some time, however, when the PB approved this, they required addressing certain issues – in particular, storm water protection and water drainage, also how the place looked – there is too much junk and construction materials. The PB said that only materials that were in usable condition could be stored and there is a lot of material which is not in usable condition and it is not well organized. Kedley said the place looks terrible and he doesn't want to see another summer with that space looking so terrible. Kedley thinks that the PB should ask Brandon to deal with each of these items. He doesn't want the Tidesides to look like that. Berretta asked if the PB or CEO should monitor the clean up – Evener said the PB said they would take the responsibility for clean up of this area.

Evener said he and the CEO would meet with Brandon to discuss the clean up, walk the property and make a plan for cleaning it up. Kedley said he wanted to be part of the discussion and plans for clean up. McKee said he agreed with this plan and wants to work out a schedule for cleaning up this area. Kedley said there should be an effort to do some ground testing before winter so the clean up and test results could proceed sooner rather than later. The CEO said he wanted to know if this would happen before Nov or Jan – Evener said he wanted to move forward on this meeting and clean up before January. Fogarty mentioned that clean up is also needed on the back side near the slope.

Chair Evener asked if the PB members had other questions. No further questions. Chair Evener asked the CEO to work out a schedule for the meeting on clean up plans at Tidesides.

Other Business: Chair Evener asked McKee if there would be a meeting on YouTube.

Motion to adjourn: Motion to adjourn was made by Fogarty, McKee seconded, the motion passed unanimously. The meeting was adjourned by Chair Evener at 7:33 pm.

The next PB meeting will be October 30, 2023 unless plans change.