



## Planning Board (PB) Minutes, 2-5-24 Village of Sodus Point, NY

**Members Present:** Bruce Evener (Chair), William Kedley, William McKee, Janine Fogarty, Mark Costich (zoom)

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

**Others present:** Village of Sodus Point (zoom), Village of Sodus Point (zoom), Chris Nichol, Erin Nichol, Bruce Carey (zoom), Barbara Robertson and Dan Robertson, Ann Ghysel, Peter Ghysel, iPhone, iPhone, John Viglucci (zoom), Laurie Verbridge (zoom), Scoty

**Establishment of a Quorum:** A quorum of 3 was established with five 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 7:00 pm.

**Review minutes from previous meetings:** Minutes from 1-30-24 were reviewed, edited (Janine Fogarty changed #days to 45) and approved. William Kedley motioned to approve, William McKee seconded, the minutes were approved.

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

1. **Fence Review, Vivian Dendecker**, 8403 Wickham Blvd, to construct a 5' vinyl fence and 4' chain link fence per plot drawing. (CODE 190-22 (g), 121-4)

John Viglucci spoke for Vivian Dendecker. She wants to keep people from walking through her property when the Lighthouse has summer concerts. She wants to construct a 5' vinyl fence and 4' chain link fence. Chair Evener walked the property with Vivian and checked out the location for the fence. John said he has worked in Sodus Point for many years. Chair Evener said the vinyl fence would be \$75,000. John Viglucci said the quote would be around for \$25,000, the larger sum was for the whole yard. Chair Evener said we need to watch out for our older population. Chair Evener asked if the fence would be set in concrete. John said it would be pylon that would be set in the ground.

Mark Costich said it would be difficult to see where the fence would go – perhaps a survey could show where the fence would go in. John Viglucci said he could work with the survey team. Mark Costich said perhaps the survey team could not on the map exactly where the fence should go. Bill Kedley said he spoke to Vivian and she said the people coming to concerts parked in her driveway and walked on her property. Bill Kedley asked about an opening in the fence to preclude people from going on her property and driveway. John Viglucci said he could put that in, it would depend upon what Vivian wanted. John said Vivian was most upset about people walking

on her property and needed a fence to keep them off her property. John Viglucci said other people would own her home in the future and they have pets – thus, she wanted people to keep off her property, not necessarily off her driveway also.

Bill McKee said the section EW near the driveway, he asked if the fence would obstruct the view of the lake for the nearby neighbors. John Viglucci said the fence would obstruct the view of the lake for her nearby neighbors. Bill McKee wanted to know if the fence should be 4' to keep from obstructing the neighbor's view. Bill Kedley said a permit would still be needed for a 4' fence. John Viglucci said the cost would be the same for a 4' fence as a 5' fence. Chair Evener said the overhead view of the property showed that the fence would not obstruct other nearby neighbor's views. Bill McKee said the property behind would have an obstructed view. Chair Evener said we could work all of that out once the survey is completed.

Chair Evener suggested tabling the decision until the survey is done. Fogarty seconded, the motion to table passed unanimously.

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

The Public is invited to observe

1. **Preliminary Site Plan Review**, Bruce Carey, 8039 Lake Rd, to construct a 40'x50' pole barn and add a 2<sup>nd</sup> story onto existing building per stamped plans and site plan. (CODE 190-49)

Bruce Carey spoke saying he wants to construct a 40'X50' pole barn and add a 2<sup>nd</sup> story onto an existing building. He will put bunk beds on the 2<sup>nd</sup> story. This will not be a public park like their RV park. Chair Evener said Bruce's original plan was for a place to have weddings, etc. Chair Evener said the slope on the top are not current on the map. He asked for a more current map. Chair Evener said the map submitted to the PB is not current – he walked the property and it is not current. Bruce Carey clarified what kind of map Chair Evener wanted. Chair Evener asked about the plans – were they stamped? Kevin Druschel said they were stamped.

Bill Kedley asked if the plans included a floor plan. He said the plans he's seen do not include bathrooms as Bruce mentioned earlier. Bruce said he would draw the bathrooms in the plans. Bruce mentioned sewer and water would be on the North side of the building. Bruce said the cabins were functional as is – however, he ripped the bathrooms down. Bill Kedley asked about the gated area – did he consider moving the building further away from the road? Bruce said he would move the building further back from the road.

Bill McKee asked about the new pole barn – what would it be used for? Bruce said it would be a storage building for the park. It will be a pole barn for storage. Bill McKee asked if Bruce would have storage outside the building also – Bruce said no. Chair Evener asked about the doors for the storage building. Bruce said they would be folding doors, or rolling doors. Bill Kedley asked about the floor – Bruce said it would be sand. The siding would be hardy board on the structure down below. Bruce said there would be sliding doors and one big passage door.

Chair Evener asked the PB if they had more questions before it was opened to the public. Bill Kedley asked about emergency access on the pole barn. Bruce Carey said he has many good neighbors who have access to the gate and they would be there before the fire department. Mark Costich recused himself as he worked for Bruce Carey previously.

Chair Evener opened the discussion to the public. Mr. Robertson spoke saying the access gate area could benefit from upgrading. Bruce said he would not blacktop the area. Mr. Robertson

said the gated area can easily be seen down the road. There was an email from neighbors to the W of Bruce Carey's property – Bill Kedley said they hoped the storage barn could be moved further back from the road.

Chair Evener moved that the PB give preliminary approval contingent upon a new map showing the storage building on top. Fogarty suggested adding that the bathrooms be near the egress on the 2<sup>nd</sup> story existing building. Bill Kedley seconded, Fogarty agreed, the motion passed unanimously.

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

2. **Special Permit Review**, Chris Nicol, 7961 Lake Rd, to continue operations as a bed and breakfast per presentation under new ownership. (CODE 190-8)

Chris Nicol and his wife Erin spoke. They are the new owners of the Cliffs B&B. He has lived in Sodus Point for many years. He is a school administrator. Erin is a registered nurse and nursing director. She has worked in hospitality for some time also. They purchased the Cliffs B&B – their story started here (married here) and they want to stay in Sodus Point. There was an interruption from a zoom bomber. Kevin Druschel removed privileges from the zoom bomber.

The Nicols continued their presentation. Their hours will be 10-7. They anticipate holding weddings. Property maintenance will continue along with membership in local organizations. The B&B is compliant with #guests, emergency exits, wiring, etc. There is sufficient parking for the number of guests that would be at the Cliffs. They propose no changes to the interior rooms.

Chair Evener said the neighbors spoke highly of the Nicols and their plans. Fogarty asked about the pool – the Nicols said it would continue to be usable to guests. Chair Evener said Sodus Point was always happy to have new neighbors. Bill Kedley asked Kevin Druschel about updated floor plans and plans that would meet with egress needs, fire alarms, etc. Kevin said that information is not on file. Bill Kedley asked if updated blueprints could be provided to ensure that appropriate emergency plans are in place. Bill McKee asked if there was a yearly operating permit for properties like the Cliffs. Mark Costich asked if there was sufficient space for emergency vehicles to approach the property. Kevin Druschel said the Cliffs was an existing business and it was not normally required for emergency access to be re-considered when a property changed hands. Mark Costich said the application was well thought out and he appreciated the applicant's presentation. Bill Kedley asked if the Cliffs could have more than 10 paying guests, he questioned if there were additional requirements for larger guest homes. Bill McKee said Burnap's guest house has the capacity for 12 guests.

Chair Evener asked for public comments. Kevin Druschel said public comments from those on zoom should be emailed to the PB so they can be duly considered. Chair Evener suggested we welcome the Nichols to Sodus Point as new business owners

Fogarty motioned to consider the case at a future meeting, McKee seconded, the motion passed unanimously. Chair Evener asked if PB members would be available on Feb 20 and the case could be finalized then (Feb 19 is not possible).

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

The Public is invited to Speak

**Other Business:**

- Review of Proposed Code Changes for Chapter 141 Property Maintenance

Chair Evener reviewed the process for drafting new code Chap 141. Mark Costich asked that the PB minutes reflect the complete process for revising code Chap 141. Chair Evener asked that the process be outlined completely in the minutes.

Chair Evener outlined the process for making changes to the Village Code according to State Law:

- An initial draft of the code section revision is developed by the Planning Board;
- Once the Planning Board is satisfied that the code revision meets the needs of the Village, the draft is sent to the Village Attorney for review;
- After review by the Village Attorney, the draft is sent to the mayor who distributes it to the Village Trustees for their review and input;
- If the Mayor and Village Trustees believe that further revisions are warranted, the draft is returned to the Planning Board for revision;
- Once the Mayor and Village Trustees believe the draft is complete, the Village provides for a period of Public Comment. The Public Comment period is required to be at least 30 days;
- Based on input from the Public Comment, the Mayor and Village Trustees may ask the Planning Board for further revisions to be made;
- Once the Mayor and Village Trustees are satisfied that the draft revision is complete, they will approve the code changes;
- The final draft of the code revision will then be submitted to the Secretary of State for approval;
- Upon approval of the code revision by the Secretary of State, the Code revision shall become effective.

Bill Kedley said rolloff dumpsters terminology be consistent in the document. Bill McKee asked that rubbish and other terminologies be consistent. Bill Kedley said there should be different terminology for organic and non-organic rubbish. Chair Evener said that boats were used for marine vehicles – for the PB’s purposes, we should use Coast Guard terminology. Their terminology includes, paddle boards, rubber rafts, etc. - even including boat houses. 141-5 at the end, Bill Kedley suggested adding a sentence on waste oils should be disposed according to environmental guidelines. 141-7, vegetation, for properties with lawns, there should be appropriate disposal of vegetation. Change private property to lawn or lawn areas. McKee said tall ornamental grasses could be several feet high. Kedley asked if it was practical for some open properties – should it all be mowed if it is not in public view. Mark Costich suggested specifying such for properties that are intended to be lawns. Fogarty said how do you differentiate between field and lawn. Kedley asked if Kevin had access to town of Sodus guidelines on lawn which is 6”. Kedley suggested “areas intended to be lawn or lawn areas and not just weeds or growth”.

141-8 several areas, Kedley suggested eliminating the second section and rolling it into areas on driveways. 141-8a refers to junk vehicles not exceeding two weeks. Kedley said beyond two weeks, we should consider adding more guidelines. Other PB members agreed. McKee asked about permitting tarps – Kedley asked should we prohibit tarps. Chair Evener said tarps are not cheap, they cannot be torn or flapping, but he does not consider it to be a problem. Chair Evener said there should be an exception for businesses.

141-9, Mark Costich asked about water craft or marine equipment, should be accumulate or store, it should be residential use. Should it be the owner’s equipment or docks? Kedley agreed with Mark’s concern and said the decisions can become convoluted. Chair Evener said he thought people’s private boats should be permitted. Mark said people would perhaps put boat lifts in their yards. Kedley said people could start renting out boat and lift storage in their personal yards. Mark Costich said neighbors could turn in their neighbors if people became upset

with inappropriate outdoor storage. Fogarty said in her area, people are not allowed to have fences. Chair Evener said perhaps we could say “marine equipment visible to the public” should not be permitted. Chair Evener said if we put a limit on the storage, we have better control on inappropriate storage. Chair Evener suggested “for personal and immediate family” storage. Mark Costich suggested “equipment for use on the personal property”. McKee said what about properties not on the water.

Kedley said the objective was to limit storage for waterfront properties in particular. The zoom connection discontinued. Kevin Druschel called Bruce Evener and suggested the meeting continue over the telephone. Bill Kedley was able to bring the meeting back up on zoom.

Chair Evener suggested the wording be “exception 32, any LCR property, owner may store personal watercraft and marine equipment on personal property”. Fogarty said she liked that wording, McKee agreed. Chair Evener suggested Mark Costich call him on telephone – Kevin suggested another way to hook up on zoom. Chair Evener suggested the PB adjourn since it wasn’t possible for all PB members to be in attendance and the Chap 141 discussion completed at the next meeting.

**Motion to adjourn:** Motion to adjourn was made by Kedley, Fogarty seconded, the motion passed unanimously. The meeting was adjourned by Chair Evener at 8:37 pm.

The next PB meeting will be February 20, 2023 unless plans change.