



ZB (Zoning Board) Minutes, 9-25-23 Village of Sodus Point, NY

ZB Members Present: Thomas Johns (Chair), Laurie Hayden, Sue Bassage, Steve Nesspor, Mark Ketcham (ad hoc), Lynn Carlyle

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

Others present: Kathy Berretta (zoom), Village of Sodus Point, Scott Dangle (zoom), Maxine Appleby (in person), iPad3, Hedy Swift (zoom), Tom and Corey Infantine (in person), David (zoom), Jeremy (zoom), Ira Bristol (in person)

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

Establish Quorum: A quorum was established. Six members were in attendance. 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 6:59 pm

1. Area Variance, Scott Dangle, 8257 South Shore Rd, to construct a 22'x28' garage on existing footprint with a 616 square foot 1-bedroom apartment where 675 square feet is required. (CODE 190-17)

Scott Dangle has resubmitted a changed application, he is now asking for 1 bedroom, he is showing the parking on his property, where the Village parking is located in relation to his property and a neighboring structure a few houses down with a similar structure to his request. His architect will not change the orientation on his prints. He draws building north, south, west east not to cardinal directions. The CEO asked for them to be changed to match cardinal direction and he will not do that. If the board wants the architect to come to the meeting as well, Kevin will make that request.

Laurie said she had not been given an answer to her original question – is this a new application? Tom confirmed that it was a new application changing it to a 1 bedroom rather than 2 bedrooms. 190-11 and 190-49 applied. Scott spoke saying he asked the architect changing the application to a 1 bedroom rather than 2 bedrooms. He also said they would be using parking further up the road which is what they have been doing for years.

Tom clarified the application showing the ZB members pictures of the plan and parking area. Tom opened the case for public comment. No comments. Tom said the original application

was for a 2 bedroom which was turned down, there were also concerns about the public parking which will be used when Scott has visitors. Laurie asked where the parking would be. It was mentioned that the house near the parking spots was recently sold – Tom said he did not think it had been sold. Laurie said the other house which Scott used as a comparison, she said it had been there for many years and does not bear as a comparison to Scott's property. Laurie said the 1-bedroom apt criteria is 660 ft and Scott has less than that. Scott replied that he is doing this on the same footprint and can't create sufficient space keeping the construction to the same footprint. Laurie asked about the height of the planned construction – Scott said it would be 23 ft. Laurie said she came up with 28. Scott said it would be 8 ft on the first floor, 17 ft up to the second floor with a total of about 23 ft at the height. Laurie said she could not read what was sent to the ZB members.

Kevin said he could talk about this to the architect. Laurie said there will be an empty spot where the second bedroom was supposed to be. Scott said it would be usable space for the apartment. Laurie said a wall was taken out for the original second planned bedroom. Laurie said it would be increasing the square footage and increasing density. Tom said the square footage hasn't changed. Lynn said Sue had said there was a truck and boat parked in parallel space recently which blocked the neighbor's clearance. Sue said the area is very congested. She said vehicles should not be parked that close to the road. Scott said the number of vehicles will not change with the new construction.

Laurie said there is a deep ravine in the back lot near Scott's planned area. She asked about drainage in the new construction asking Scott if they had addressed drainage in their plans. Scott said they had considered drainage. Tom asked if there were other concerns.

Steve made the motion to accept the application as submitted. Laurie clarified it should be amended to no more than 30 ft in height. Lynn seconded, the motion passed.

Voting record: Chair Johns-aye, Laurie Hayden-nay, Sue Bassage- aye, Steve Nesspor- aye, Lynn Carlyle- aye, Mark Ketcham- aye

2. Area Variance, Thomas Infantine, 7568 Sixth Street to construct a second detached dwelling 1590 square foot single family structure (owner occupied) 6' from side property line where 12.5' is required and 15' from front property line where 25' is required allowing for 32% lot coverage where 30% is allowed of which will be the second residential structure on the property. (CODE 190-11)

Tom and Corey Infantine spoke saying they merged two properties and want to build a new house on the property. They will share a driveway between the two homes. Tom Johns said he walked the property today and it will line up well with other homes in the area. Tom said the setbacks are good – better than other ones in the area. Laurie said the tax ID's didn't match between the two properties. Kevin said he will double-check the tax ID's. Kevin said the tax ID's had a typo where there was a 8 instead of an 6.

Sue Bassage said the properties would be really close to one another. She said it would be 11.6 between the existing property and the planned garage. By her calculations, there would only be a few feet between the edge of property and neighbors. If the new house were only 1 ½ ft closer to the existing house, there would be more clearance to the neighbors. Tom Johns said that would cut down on the driveway clearance and he did not favor. Sue said it would be

a problem with size setbacks. Tom asked Kevin about the size and Kevin said it would be 12 ft. If it's less than 100 sq ft, you have to take 12 ½ ft setback. Tom said it was 100X90 and asked if the setback would be 12. Laurie clarified that it should be 12.5 ft.

Tom asked if there were other concerns about the property and building plans. Lynn did not have concerns, Suzy and he talked with Kevin about this today. Mark and Steve had no concerns. Tom said the ideal situation would have at least 12 ft setbacks.

Steve motioned to accept the proposal as written, Lynn seconded, the motion passed unanimously.

Voting record: Chair Johns-aye, Laurie Hayden-aye, Sue Bassage-aye, Steve Nesspor-aye, Lynn Carlyle-aye, Mark Ketcham-aye

Other Business: Discussion with Bud Bristol, 7115 Central Ave about location of approved Pole Barn with future land acquisition.

Bud Bristol is not able to accomplish his needs placing the barn 5' from the current property line. Therefore, he is requesting to come speak to the Zoning Board to gain approval to construct the barn 0' from the property line but he is purchasing 5' from his neighbor Lynn Carlyle. This will allow him to have a 5' setback as required meeting the requirements.

Kevin outlined the points above. Bud Bristol spoke saying he couldn't move the pole barn in two directions due to water sewer lines on one side and other clearance lines on the other side. He next asked if he could purchase some land from his neighbor so that he could still build the pole barn with the required 5 ft setback. This would meet the requirements and also leave enough space for him to have clearance for his boat. This is the only option he has right now. He is asking for the ZB approval for him to purchase 5 ft from his neighbor.

Laurie said it would still be very close if he only purchased 5 ft from his neighbor. Kevin said he is asking for 0 ft setback and wants to purchase 5 ft property from Lynn Carlyle. Kevin said there are two options in front of the ZB tonight and the ZB can't make a decision tonight until they give the CEO a decision about which direction they are recommending. Tom said they would technically be sub-dividing Lynn Carlyle's property. The requirement would be 12.5 ft setback clearance if it wasn't a sub-division.

Tom said the ZB should only be involved after the sub-division has taken place. Bud said he would be spending \$5,000 – would the ZB for sure approve his application if he goes through with this? Tom said the ZB can't give any firm assurances. Tom said the paperwork trail must be cleared before the ZB can make a decision.

Bud showed a picture of his property saying he would purchase the 5 ft from his neighbor which would change the location of the property line. Tom said the ZB can't make a decision before the sub-division has taken place. Kevin said the zoning setback at Lynn's property should be investigated from previous ZB minutes. Bud said the pole barn could be built on his property line – Tom said the ZB could not approve a 0 ft setback.

Other business:

Review minutes from previous meetings: Minutes from meetings of 9-11-23 were reviewed and Laurie and Sue said they had edits before the minutes could be approved.

New Business: Tom said he is planning to be out of town from Oct 4-11 and asked if the Oct 9 meeting could be cancelled given the number of cases to discuss. Kevin Druschel confirmed that the number of cases pending would permit cancelling the Oct 9 ZB meeting. Other ZB members said they could postpone until Oct 23 after Tom is back.

Old Business: Tom asked about Popa Joe's. Kevin said it would be scheduled for the Oct 10 and could be discussed on Oct 23 when the ZB next meets.

Motion to adjourn: Sue Bassage motioned to adjourn the meeting, Lynn Carlyle seconded which carried unanimously and the meeting was adjourned by Chair Johns at 7:50 pm.

The next ZB meeting will be October 23 unless plans change.