

DRAFT

**Town of Sodus Zoning Board of Appeals Meeting Minutes
August 24, 2026**

Call to Order: Chair David Johnson called the meeting to order at 7:00 PM and stated that the meeting was being recorded.

Roll Call: David Johnson, John Hayslip, Kim Buell, Pat Russell, James Russell, Ray Stacy, Sal Vittozzi.

Public Attendance: Don Nessinger, Jessica Rodak, Lynda Laforce, Eve Beck, Betty Lowry, Richard Lowry, David Lowry, Bill Black, Eli Duyssen, Linda Duyssen, Brooke Wilson, Brody Wilson, John Lauster, Gilend Giggie, Ed Ciolkowski, Aron Zbink.

Approval of Minutes: Motion made by John Hayslip, seconded by Kim Buell, to approve the July 27, 2026 meeting minutes. **Vote:** All aye. Motion carried.

Application #13627 had been withdrawn by the applicant Eric Giebner and no hearing or Board action was taken on that application.

Application #13637 — Donald W. Nessinger requested an Area Variance to permit construction of a single-family residence on an undersized lot located on Kelly Road. **Applicant Presentation:** Mr. Nessinger explained that the lot is approximately 0.69 acre and is undersized for the district, but the proposed residence and garage can meet the required setbacks. He stated the property had been surveyed and percolation testing had been completed. The proposed garage would include space for a seasonal wood shop. **Public Comment:** Betty Lowry, a nearby Kelly Road resident, commented on the sandy soil conditions in the area and discussed similar conditions experienced on her property.

SEQR: Motion made by James Russell, seconded by Kim Buell, to issue a Negative Declaration on a unlisted action. **Vote:** All aye. Motion carried. **Board Discussion:** The Board noted that the proposed residence and garage meet the required setbacks and that the variance was needed because the lot is undersized. Members also considered the completed percolation testing and the sandy soil conditions discussed during the hearing. With no remaining concerns raised, the Board indicated that the currently unused parcel could be put to residential use. **Board Determination:** Motion made by John Hayslip, seconded by James Russell, to approve. **Vote:** All aye. Motion carried.

Application #13638 — Jessica Rodak requested an Area Variance to permit placement of a 16' x 36' prefabricated shed 20' from the west property line where 50' is required at 7897 North Centenary Road.

Applicant Presentation: Ms. Rodak explained that the prior shed had been lost in a windstorm. The requested location would preserve access to the property's septic pump tank and raised leach field and would place the shed on a flatter portion of the sloped property. She stated that neighboring property owners she contacted had no objection. **Public Comment:** No members of the public spoke in opposition to the application. **SEQR:** Motion made by John Hayslip, seconded by Kim Buell, to issue a Negative Declaration on an Unlisted Action. **Vote:** All aye. Motion carried. **Board Discussion:** The Board considered the location of the proposed shed in relation to the septic pump tank, raised leach field, slope of the property, and access needed for septic service. Members noted that the proposed location was on a flatter portion of the lot, the shed would be prefabricated, and the neighboring property owners contacted by the applicant had no objection. No additional concerns were raised by the Board.

Board Determination: Motion made by John Hayslip, seconded by Kim Buell, to approve. **Vote:** All aye. Motion carried.

Application #13582 — Brooke Willson requested an Area Variance to permit creation of an 8.00-acre flag lot with 100' of road frontage where 300' is required as part of the subdivision of a 10.89-acre parcel at 6771 Redman Road. **Applicant Presentation:** Ms. Willson explained that the proposed flag lot would be subdivided from her mother's property and used for construction of a residence/barn-style home. The Board reviewed the proposed driveway, building area, lot configuration, and completed percolation testing. **SEQR:** Previously reviewed by the Town of Sodus Planning Board, acting as lead agency, which issued a Negative Declaration for the Unlisted Action. **Public Comment:** No members of the public spoke regarding the application. **Board Discussion:** The Board reviewed the proposed 8.00-acre flag-lot configuration, the 100-foot road frontage, separate driveway access, proposed building area, and completed percolation testing. Members discussed the shape of the proposed lot and noted that the subdivision had already been reviewed by the Planning Board. No additional concerns were raised by the Board. **Board Determination:** Motion made by John Hayslip, seconded by Kim Buell, to approve. **Vote:** All aye. Motion carried.

Application #13605 — Thomas Eli Duyssen requested an Area Variance to permit construction of a single-family residence on an undersized lot with less than the required 200' of lot depth at 6465 Redman Road. **Applicant Presentation:** Mr. Duyssen stated that the parcel meets the other applicable dimensional requirements but has approximately 150' of lot depth. He described a proposed small residence with an attached two-car garage and stated that he had contacted the FAA, which was conducting a study regarding the property's proximity to the Williamson-Sodus Airport. **Public Comment:** Representatives and members of the Williamson Flying Club spoke in opposition and submitted or read correspondence concerning the parcel's location in the airport approach/runway protection area. Concerns included aviation safety, preservation of the instrument approach, FAA requirements, and the effect of a permanent residence in the protected airspace. The Board also discussed the Flying Club's prior efforts to acquire the property and the need for an FAA determination before the ZBA acts. **Board Discussion:** The Board discussed the concerns raised by the Williamson Flying Club regarding the parcel's location within the airport approach/runway protection area and the pending FAA review. Board members questioned why, if the property had been a concern to the Flying Club for many years, its prior attorney had not arranged a legal right of first refusal so the Club would have an opportunity to purchase the property if it was offered for sale. The Flying Club representatives stated that they had made prior purchase offers, that a right of first refusal had not been established, and that the Club had changed attorneys approximately a year earlier. After the public hearing was closed, the Board agreed that the FAA was the appropriate authority to evaluate the aviation and airspace issues and that the ZBA should not attempt to second-guess the FAA. Members noted that an FAA determination could affect or make unnecessary any ZBA decision and agreed the application should be tabled pending the FAA review. **Board Determination:** Motion made by Pat Russell, seconded by Kim Buell, to table Application #13605 until FAA delineation is received. **Vote:** All aye. Motion carried. The application was tabled to the next ZBA meeting on September 28, 2026.

Adjournment: Motion made by John Hayslip, seconded by Kim Buell, to adjourn the meeting at 7:47 PM. **Vote:** All aye. Motion carried.

Submitted by: Chandra Jensen, ZBA Secretary