

Town of Sodus Zoning Board of Appeals

8/25/2025

DRAFT

PRESENT

David Johnson – Chair
James Russell – Member
Kim Buell – Member
John Hayslip - Vice Chair
Sal Vittozzi – Member
Ray Stacy - Ad Hoc

ABSENT

GUESTS

Nicole Young
Richard Tack
Keith Gardner
Susan Salvaggio
Chris Gropp
Jason Hinkelman
Darrel Maxam
John Graziose
Thomas Wood
James Weeks

David Johnson: August 25th, 7 o'clock, I will call the meeting to order. I'm going to state that the meeting is being recorded. Roll call: David Johnson. John Hayslip. Jim Russell. Ray Stacy. Salvatore Vittozzi.

David Johnson: I need a motion to approve last month's meeting minutes. **John Hayslip:** I'll make a motion. **Kim Buell:** I will second. **David Johnson:** All in favor? All aye.

David Johnson: For those who have not been to a meeting, I'll tell you what to expect. Each applicant will have an opportunity to come forward once called, and they can describe their project. The board will then ask questions about the project. I'll open it up to the public hearing where people will be called on one at a time to speak on any concerns for or against the project. If the applicant can then address those concerns with the board before it comes to a final decision, the board will openly discuss the application. No pre-agenda meeting for tonight's applications have been discussed prior to this meeting.

Application #13205 Special Use and Area Variance to build a tiny house of 400sf where 750sf is required, by Susan Salvaggio. Located at 5554 Lake Rd. Williamson, NY 14589.

Susan Salvaggio: So, the project is on a 20-acre parcel of land that I own on Lake Road. I have a permit for a 24' by 32' garage being built there now. The variance is for a 400sf tiny home from Lancaster Log Homes to be placed in that location. It's all electric. It's beautiful. It's Amish made. It will be my permanent residence. The septic system meets the requirement for a 3-bedroom home. My water application was granted today for water and sewer.

David Johnson: Do any neighbors have concerns? No neighbors were present.

Kim Buell: I will make a motion to approve. **John Hayslip:** I second. All aye. Motion carried.

Application #13225 Subdivision to create a flag lot from 58.6 acres located at 6959 State Route 14 by Nicole Young.

Nicole Young: I would like to build a house on my father's farm. It will be about two and a half acres. *The Zoning Board reviewed the subdivision plans.*

David Johnson: Any questions?

David Johnson: Do any neighbors have concerns? No neighbors were present.

John Hayslip: I will make a motion to approve. **Kim Buell:** I second. All aye. Motion carried.

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Application #13168 Use Variance to make a commercially used building into a residential living space by Jason Hinkelman at 8467 Ridge Rd.

Jason Hinkelman: I want to turn the building back to what used to be an apartment previously. I don't have any drawings because I wasn't sure if it would be approved, but basically, it's almost the same as it was. There are a couple walls that were taken out over the years to operate and they changed it to a commercial kitchen versus a regular kitchen. The bathroom is still in the back. So, my hopes were to have a business but it wasn't doing well. Turning it into an apartment would be better hopefully, and then the plans can be brought to Frank for a building permit.

David Johnson: Anybody got any questions? No questions.

David Johnson: Are there any neighbors? No neighbors.

John Hayslip: I will make a motion to approve. **Kim Buell:** I second. All aye. Motion carried.

Application #13228 Area Variance by Jesse Contario at 7227 Sprongs Bluff Road to build a new home 10' from the east property line where 20' is required and 30' from the road where 50' is required.

David Johnson: I need a motion for a negative declaration for Environmental Impact on SEQR.

John Hayslip: I'll make a motion. **James Russell:** I'll second it. All aye. Motion carried.

Keith Gardner: I'm the builder representing the owner. They live out of state in Virginia.

What they currently have there now is a cottage that is not really habitable. The basement's really bad, the windows are shot and the floors are pretty rough. What they would like to do is tear it down and rebuild a new, nicer home that would be a seasonal home for them during the summer and into the early fall. Given the nature of the property there, where it's located, we wanted to try to move it closer to the lake and move it towards the west. In doing so, clearing some property there, we discovered that the neighbor's well restricts us from doing that. So we're asking for permission to tear down the old one and rebuild in the same southeast corner that exists where the existing cottage is now. So, the variance is for 10' from the east side of the property and 30' from the road front where 50 is required. I sent an updated map. We're now asking for 19 feet to the road front. That's where the current cottage is now. The new home will be 30' by 45'. We can't push it to the 30 feet because if we do, we'll encroach on the only space that we can get a septic system in there. We move it in 30' and keep the 10' setback because we thought we could put the septic over here, but in finding the owner's well and keeping the distances from that, we have to put the septic down in the front and try to keep that same corner. *The Zoning Board reviewed the site plan.*

David Johnson: Anybody got any questions? No questions.

David Johnson: Are there any neighbors? No neighbors.

James Russell: I will make a motion to approve. **Kim Buell:** I second. All aye. Motion carried.

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Application #13224 Area Variance by Maureen Holla at 7179 Sprongs Bluff Road for a 17' side setback where 20' is required and 40' road front setback where 50' is required.

David Johnson: I need a motion for a negative declaration for Environmental Impact on SEQR.

John Hayslip: I'll make a motion. **James Russell:** I'll second it. All aye. Motion carried.

A letter was passed out to the Zoning Board and John Graziose from Donna and Doug Riter, the neighbors at 7171 Sprongs Bluff Road. The letter addresses the concern of paving the existing driveway that encroaches their property line at the east.

John Graziose: I am from Gerber Homes representing Maureen and David Holla, the owners of the property.

David Johnson: I guess their concerns look like the driveway that's over on the east side where it comes over the property line.

John Graziose: I don't think it's technically on the neighbor's property, but it's out in front of it in the right-of-way. But we're not planning on doing anything with the driveway, any changes or modifications to it. So, the owners of the property would like to have us remove the existing home that's there and construct a new one. They'd like to have something a little bit nicer there. It's got a very low ceiling in the basement, unusable. They want to build a year-round cottage, heated, cooled, with a full basement. Based on the current home location, it is considerably further from the road than both of the adjacent properties. You can see the property to the east is right at the road right-of-way, and the one to the left is only 10 feet off the road right-of-way. We will reconstruct the home pretty much in the same location that it's in, the setbacks that we are asking for are 40' instead of 50' road front, 17' west side setback instead of 20' but we did want to make an adjustment tonight, if at all possible, to bring the front setback request to 35' instead of 40'. We've been talking to the DEC about erosion control at the high-water mark and they asked us if they ever, the current septic system is on the site. We're hoping to reuse the system. We're still doing an investigation to see what kind of shape it's in. But we wanted to make room for a future expansion or a future septic if needed and we're getting really close to that coastal erosion line. *The Zoning Board reviewed the site plan.*

David Johnson: Any questions? No neighbors are present.

John Hayslip: I will make a motion to approve. **James Russell:** I second. All aye. Motion carried.

#13190 – Variance on a Special Use Permit by Darrel Maxam at 4766 Pilgrimport Road, to add three new structures to ten existing cabins previously approved by the Zoning Board.

Darrel Maxam: Currently we have 10 permitted tiny homes on site. We're looking to add three more non-permanent structures. Everything is on wheels, they're movable. We are tying into the existing septic that we put in about three years ago. Initially, we put in four septic tanks and also, we put in an 800-amp service, knowing that we will get to this level in the future based off demand. We're here now, so we're looking for Approval to the three additional non-permanent structures.

David Johnson: Did you ever have any problems with the water or anything?

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Darrel Maxam: No, there was some sulfur in the first initial well that we bored. About three months ago, we tapped a new well in the front of the property, so we abandoned the old well, and we tapped the front of the property, so now we have a new well, which is doing a lot much better. Small amounts of iron and arsenic in it, but the water engineers are working on remediating that and fixing that right now. So, we had to, in addition to that, put in a whole new water system and pump house.

James Russell: How many livestock are on there?

The pigs and there's one goat. No chickens, no roosters, just pigs and goats roughly 2,000 to 3,000 feet to the rear of the property in a pen. The goat has not been out in well over a month and a half or a month, roughly. *The Zoning Board looked over the site plan.*

David Johnson: I see we have a neighbor, James Weeks. I may ask James that you address the board.

James Weeks: Good evening. Last meeting I described some of the nuisances that were occurring with the treehouse property all by Mr. Maxam. I wanted to explain a little further detail or substantiate some of the claims. *James Weeks hands out a newspaper article to the Zoning Board.* Newspaper article from May 4th or 5th. Basically, the article describes wood burning. Every unit has a fire pit and a wood burning hot tub. When Mr. Maxam was putting up these units, he was working extremely long hours. It wasn't uncommon to hear beeping at 6 o'clock in the morning, 10 o'clock at night and beyond. It also describes how Mr. Maxam and his family are planning to live outside the country. Then there's a couple of Airstream travel trailers and a tiny home, which is the basis for the variance this evening. The pigs, at least one of them got into my neighbor's property over a year ago. And when Mr. Maxam came over, Mr. Woods told me it wouldn't happen again. Anybody who's had livestock has probably had an experience with where they get out. But it's part of the gimmick, getting the guests to come, entertain them, just let them go, run around. And we got to worry about our property. Cause damage, pepper plants, tomato plants. I'm not too happy, okay? Mr. Woods told me that he approached, now these goats were also coming out of my property. And each time they came, I shoot them away, tried to chase them back. And Mrs. Woods spoke to Mr. Maxam and Mrs. Maxam about this problem. They thought it was a problem, continued to let the goat out. Mr. Maxam just told the board that it was a month and a half ago, the goat hasn't been out since. Well, the goat was out two days after the last board meeting. Then on Thursday, I was walking to my mailbox early in the afternoon. Mr. Maxam drives by, sees me, starts honking his horn incessantly while he comes to the accelerator, and he flips me a bird. And then he continues driving down Wagemaker Road, honking his horn the entire time. So, it was a bit unusual. And then on Friday, Mr. Woods and Mrs. Woods were on vacation. They were out of state. Their daughter -in -law came over to do some laundry. The daughter -in -law, Jessica, had seen Mrs. Maxim sniffing around Mr. Woods' backyard.

Darrel Maxam: Time out. Hold on. Let me remind you that this is a special use permit.

It was a missing child. My wife ran over to knock on the neighbor's door because they had a swimming pool. The first thing, see a swimming pool. Missing child. Safety first. Continue.

James Weeks: OK. keep the benefit of the doubt.

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David Johnson: Again, let me remind you, this is a zoning board meeting for a permit to add on 3 sites on a variance. It's not legal issues; it's not animal problems.

Darrel Maxam: Mr. Woods himself, two years ago, when I had the goats, Mr. Woods said, yes, the goats can come on their property and eat the apples from their tree. I cannot stop the goat from eating bushes. That is why the goat is getting moved out back. Two of my goats were poisoned. I have pictures and videos of that after the occurrence. We don't know what happened to the goats, but we know how people don't play nice. I have pictures and videos of my goats, foaming at the mouth, poisoned. I was going to call animal control, but I didn't want to deal with it.

David Johnson: And Mr. Woods?

Tom Woods: We've been good for now, yes. Thank you. Ever since the last meeting here.

I'll tell you about a month ago. The problem with the last goat was nearly a daily issue.

Constantly, three, four times a day, chasing it back. For the past month that I know of, I've been gone a lot lately, so I can't tell seven days a week that I wasn't there. But, for the best of my knowledge, for the past month, it's been contained. And it hopefully stays that way.

Dave Johnson: I just wanted to say that it appears he's finally got a handle on it, that we're good. And his animal containment is an animal containment problem, not a zoning problem. We should let the agencies that deal with that, deal with that.

James Russell: Is there a hot tub with a burning unit with the airstreams.

Darrell Maxam: Yes. Every unit has a hot tub.

James Russell: There's sufficient parking for the extra people.

Darrell Maxam: Yes, we've actually created parking spaces to the right side of each building.

Currently, buildings 8, 9, 10, 11, 12, the new black cabins, each have their own personal parking spaces 35 long and 15 wide.

John Hayslip: The only thing in relative, you've had issues with animals and things like that, and I would say that we asked Frank to make sure that the new campground and the way it's operated meets all of the code, controlling animals, fencing, and whatever else is needed to make sure it's maintained that way. 48 acres is a lot of acreage. I feel even the size of the property, if they add three more units, it's not going to change anything. But at least we manage it.

Chandra Jensen: Once there's a complaint to the code enforcement officer, a property maintenance inspection gets done based on the complaint. There have been no complaints.

Sal Vittozzi: It's not impacting anybody. It's already an operating business. They already have 10 units. Three more moveable buildings are not going to change anything it's going to be exactly the same, I don't see what the difference is.

John Hayslip: I make a motion to approve the three units.

Sal Vittozzi: I second.

David Johnson: All in favor? All aye.

David Johnson: Any other thoughts? Do you have questions? All right if there is nothing left to discuss I need a motion to adjourn. **Kim Buell:** I will make a motion. **Sal Vittozzi:** I second. The meeting adjourned at 8:25.

Submitted by,

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Chandra Jensen
Zoning Board Secretary