

**TOWN OF SODUS  
ZONING BOARD  
January 27<sup>th</sup>, 2020**

**PRESENT**

S. Zonneville-Chair  
John Hayslip  
James Russell-Ad Hoc  
Kim Buell

**ABSENT**

Don Buchwald

**GUESTS**

David LeRoy  
Scott Johnson  
Mike Virts  
Ray Winter  
Kerry Rehman  
Karen Beach  
Gary Skuse  
Claire McCabe  
Craig Cuvelier  
Hannah Luciano  
Craig Schwartz  
Deb VanHooft  
Michael Foger  
Andrew Luciano  
Chris Tertinek  
Doug Bills

Chairman Zonneville called the meeting to order at 7:00PM. James Russell was placed in the absence of Don Buchwald. Upon asking for approval of last month's minutes by Chairman Zonneville, no corrections had to be made. Motion seconded by Kim Buell. All were in favor. Motion Carried.

The subdivision of 2.5 acers applied for by Edward Beach of 8315 Stell Road was brought forth by Chairman Zonneville. Karen Beach was representing her husband. She would like to divide her land to keep the house and the 2.5 acres together to sell to Craig Cuvelier who owns the neighboring property at 8175 Stell Road. The Chairman reviewed all property setbacks and had no arguments. John Hayslip made a motion to approve. James Russell seconded the motion. All were in favor. The application was approved. The Secretary added this application to the Planning Board agenda for March 3<sup>rd</sup>, 2020.

The second application was for an Area Variance by Gary Skuse of 5527 Centenary Shores Road was brought forth by The Chairman. Skuse would like to place a 12'wide by 32' long shed 5' from the east property line where a 25' setback is required. Skuse also added that he owns the property to the west located at 5529 Centenary Shores. The properties are seasonal cottages. The north side is waterfront and the property to the west is owned by Constance Prasad of 5513 Gates Drive. Chairman Steve Zonneville asked if any neighbors were present to attest. No neighbors were present. David LeRoy asked Skuse the reason for his application. Skuse replied it was so that his family would have more room for activities in the yard. James Russell stated that because the shed is portable he has no problem with the setbacks. Suggestion for a motion to approve was made by Kim Buell. James Russell seconded the motion. The Chairman was in favor. All say aye. The application was approved.

The third application of the night was to permit the operation of a dog kennel by Kerry Rehman of 8671 Ridge Road. John Hayslip made an action for a type two SEQR. Chairman Steve Zonneville seconded this action. All were in favor. The Chairman brought forth the review for the Special Permit

**TOWN OF SODUS  
ZONING BOARD  
January 27<sup>th</sup>, 2020**

Rehman said she would like to have the permit for her four dogs. Town of Sodus Code specifies any number of dogs after three requires a kennel permit. Currently all three of her female dogs breed and have had multiple litters. She is going to stop breeding one of the three females. Rehman went on to say she will not use the Kennel Permit for boarding. Her dogs will however be having up to three litters a year in order to sell them. She brought a notarized letter with her from a current neighbor, explaining the nature of her breeding program and the treatment of Rehman's dogs. Rehman told the Board all her dogs are contained by a fence and supervised by her continuously since she has recently retired. She also keeps the outside pens clean of mess and the barking to a minimum.

John Hayslip asked Rehman what kind of outside structure the dogs are kept in. She replied that all the dogs have inside and outdoor access and the outside structure is an attached garage with a fenced area. Dog Control Officer Craig Schwartz told the Zoning Board that he had not had any complaints about Kerry Rehman's dogs. Additionally, no dogs at her residence have had any prior violations reported while he has been Dog Control Officer. Steve Zonneville wanted to know how the waste was being removed. Rehman said that she throws it in the trash. Ray Winter added that there is straw that he takes from Rehman's property to dispose of on his land after it has been soiled.

The Chairman asked the room for any neighbors to come forward with their concerns. Hanna Luciano wanted the Board to know that one of Rehman's black dogs had been aggressive and she has witnessed this particular dog roaming freely. This is a concern having young children living next door. Kerry Rehman rebutted saying that the one time her dog had gotten loose was because she has an electric invisible fence that had lost power.

Hanna Luciano also wanted the Board to know that the barking coming from Rehman's residence is continuous and goes on throughout the night. Neighbors Doug Bills and Andrew Luciano were in agreement. Hanna Luciano also pointed out that Pat Allen, the prior Dog Warden, was called out in the past for complaints about the barking at Rehman's residence. Rehman replied that she had never received a letter or been spoken to by Pat Allen.

John Hayslip expressed concern with the number of dogs per year adding up to between eight and ten dogs for over half the year. And how with that many dogs noise would be a problem. Also Ray Winter stays with Kerry Rehman and brings his three dogs with him when he visits. Neighbor Debora VanHooft wanted the Board to know that Ray Winter is living with Rehman. Doug Bills also believes that Ray Winter lives at Rehman's residence and that the barking is continuous day and night between the current seven dogs. John Hayslip was against the permit telling the Board that there would be too many dogs for a residential area with close neighbors. He would like Rehman to resolve any barking issues with the neighbors before a permit is granted.

Chairman Steve Zonneville asked Rehman if she intended to apply for a pet dealer license. Rehman said she would not be applying for a pet dealer license because she would not be going that big. She also said she would be retiring one of the dogs from further breeding. Zonneville then went on to tell Rehman that the Wayne County Planning Board had made the recommendations for a dealer license since she would be selling the puppies.

**TOWN OF SODUS  
ZONING BOARD  
January 27<sup>th</sup>, 2020**

Kim Buell asked the Board if it would be acceptable for Rehman to be given a grace period in that Rehman would have to demonstrate to her neighbors that the dogs would not be a problem. Attorney Amy Kendall asked for the Zoning Board to table this issue for another meeting date when Rehman had time to establish that her dogs would not be problematic. Kim Buell made a motion to establish a grace period of two months. Jim Hayslip seconded the motion. All were in favor. The motion carried. The Secretary added Rehman to the March 23, 2020 Zoning Board agenda for review after her grace period.

The fourth application for the renewal of a Special Permit by Michael Virts of 4769 South Geneva Road, to operate a stone quarry, was brought forth by Chairman Zonneville. The Zoning Board reviewed neighboring property owner petition signatures, for the extension of the Quarry hours from the last meeting involving this issue. Virts specified to the Board that he would not be extending the hours and that he was only renewing the permit to keep the hours he has previously been operating with. The Chairman inquired about a SEQR for this application. Attorney Amy Kendall countered that the SEQR form had already been filed and would not be needed for a renewal.

John Hayslip asked Michael Virts if he would be filing a DEC renewal permit. Virts responded that the DEC permit he had expired and refile is in progress. Michael Foger in representation of Michael Virts clarified that the under SAPPA, operation is covered by the current permit until the new permit is issued. Michael Virts stated that the issue he is now having is that SAPPA would like to go back to the original rain water run off procedure. The new one works efficiently and Virts is working with SAPPA to resolve the dispute in order to renew the permit for the DEC.

Chairman Zonneville concluded that the renewal permit could be granted for the operation of the Quarry by the Zoning board. Obtaining the DEC permit would be the final step for operations to go on. At that time John Hayslip asked to clarify the hours. Michael Foger provided Quarry hours to remain at 7:00AM until 4:00PM Monday through Friday. Saturday hours are 7:00AM until 12:00PM. No operations will take place on Sunday or on major holidays. Blast date schedules are given to neighboring residence in advance. Any issues with the Baptist Rural Cemetery and Red Brick Church Meeting House will be closely monitored in the spring when blasting takes place. The DEC permit limits blasting to less than fifteen explosions a year. The permit by the DEC will be for a three year term and subsequently renewal will be for a two year term.

John Hayslip made a motion to approve the renewal of a Special Permit for Virts to continue operations. James Russel seconded the motion. Chairman Steve Zonneville was in favor. All say aye. Motion carried. The Chairman then made a motion to adjourn. Kim Buell seconded the motion. All were in favor. Motion carried. The meeting was adjourned at 8:15PM.

Submitted by,  
Chandra Jensen  
Zoning Board Secretary