

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

**PRESENT**

Steven Zonneville-Chair  
Kim Buell  
Sal Vittozzi  
David Johnson Ad-Hoc  
Don Buchwald  
John Hayslip

**ABSENT**

James Russell

**GUESTS**

Sandy Brownell  
Chris Tertinek  
Scott Johnson  
Judy Day

Chairman Zonneville called the meeting to order at 7:00PM. David Johnson was placed in the absence of James Russell. A motion was made by Don Buchwald to approve the minutes from the previous meeting. Motion seconded by Kim Buell. All were in favor. Motion carried. Corrections to the minutes were not necessary.

Chairman Zonneville brought forth the first application made by Sandy Brownell of 4543 Ontario Center Road, Walworth NY. An area variance was required for the subdivision of 103.09 acres, to a lot less than an acre, located at 5362 Lake Road in the Town of Sodus. John Hayslip made a motion for a Type II Action SEQR. The motion was seconded by Kim Buell. Motion carried.

Ms. Brownell made her case to the Board explaining that she would like to divide a half acre from her 103.09 acre orchard. The purpose for the subdivision was to separate the existing home and garage from the apple orchard, in order to sell it.

John Hayslip asked Ms. Brownell why she wanted to keep the future lot under an acre. Ms. Brownell stated that the buyer of the residence had already been approved to purchase the lot, and she did not want to sell the part of the property that surrounds productive apple trees. The buyer is not a farmer and has no use for more than a half-acre. Steven Zonneville asked Brownell if the parcel is hooked up to town water. She replied that it was. The Chairman contended that an agriculturally zoned property, with the use of town water, cannot be divided to a lot under one acre by regulation of town code.

Ms. Brownell provided a survey map of the property to the Board. John Hayslip asked Brownell after reviewing the map, what hindrances she would have, if she made the lot an acre and followed code. Ms. Brownell told the Board that she wanted to keep the apple trees as part of the orchard and did not want to change the character of the land. The Chairman explained to Brownell that she could sell the land as an acre lot and then have the apple trees leased back to her. John Hayslip contributed that the new buyer may accept the half acre lot currently, but it may not be suitable for a buyer in the future. Having a half-acre parcel in an agricultural zone is not suitable for potential property transfers.

A motion was made by Don Buchwald to vote for an approval of the application. Motion seconded by Kim Buell. All were opposed. Motion Denied.

The second application was presented by Judy R. Day of 7632 Fairway Drive, Sodus Point NY. Application to subdivide 7,015 sf from a 0.222 acre lot, located at 7231 Eagles Nest Circle, Lot # 24, Sodus Point NY. John Hayslip made a motion for a Type II Action SEQR. The motion was seconded by Kim Buell. Motion carried.

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Judy Day explained to the Board that she had bought Lot #24, which sits behind her current residence. The land that makes up Lot #24 is on a hill and not suitable to build on. Ms. Day also explained that she wants the extra land to be divided in a way that her neighbor can eventually buy the half behind his house, and she can add the remaining half to her existing property, in order to have a larger back yard for both parties. Having the additional plot will also help buffer the Golf Course from the residence.

The Chairman asked the room for objections and concerns from neighbors. No objections were made. A motion to approve was made by John Hayslip and seconded by Don Buchwald. All were in favor. Motion carried.

Having no further business, Mr. Zonneville made a motion to adjourn. Kim Buell seconded the motion. All were in favor. Motion carried. The meeting was adjourned at 7:28PM.

Submitted by,

Chandra Jensen  
Zoning Board Secretary