

Hamlin Zoning Board of Appeals *Minutes*  
Monday, March 18, 2013  
7:30 pm

The regular scheduled meeting of the Hamlin Zoning Board of Appeals was held in the Hamlin Town Hall located at 1658 Lake Road, Hamlin and was called to order by Chairperson Norman Baase at 7:30 pm with the location of the fire exits and AED explained for those present.

Present: Norman Baase, Rocky Ellsworth, Ed Haight was excused, Jerry Hoffman and Klaus Pohl. Also present: Town Board Liaison Craig Goodrich, Support Boards Attorney Ken Licht, Building Inspector Chad Fabry, Conservation Board members Ed Evans and Steve Rutherford, Steven Baase, Sabine Frederick, Patrick Dumbs, and David Strabel

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the minutes of the February 18, 2013 meeting as recorded.

Members polled: Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried, minutes approved.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the minutes of the Special Meeting held February 27, 2013 as recorded.

Members polled: Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried.

*The clerk showed the Proof of Publication*

**PUBLIC HEARING**

**GEORGE AND JUDY FRIDD**

**1259 HAMLIN PARMA TOWN LINE ROAD**

Tim Harris from DDS Engineering was present representing George and Judy Fridd seeking approval for two area variances on Lot #1 located at 1259 Hamlin Parma Town Line Road. They are seeking relief from Town Code §520-27C to build a home behind an existing barn and from Town Code §520-9(B) to allow an accessory structure without a primary structure. An Accessory Structure is defined as a structure or a portion of a main structure located on the same premises and incidental to the main structure.

They also applied to seek approval for an area variance for Lot #2 located at 1259 Hamlin Parma Town Line Road. They seek relief from Town Code §520.11(B)(2)(a) for a front set back variance of 67.1' for an existing residence.

Rocky Ellsworth asked if Lot #1 was subdivided now. Tim said no. Norm asked what the time table was for building the new residence. Tim stated it would be soon after they received approval from the Planning Board.

At this time, Chairperson Norman Baase opened the Public Hearing and asked if there was anyone present to speak for or against this proposal. There were no replies.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Klaus Pohl, seconded by Rocky Ellsworth to approve the application for George and Judy Fridd for two area variances on Lot #1, located at 1259 Hamlin Parma Town line Road, seeking relief from Town Code §520-27C to build a home behind an existing barn, and from Town Code §520-9(B) to allow an accessory structure without a primary structure. An Accessory Structure defined as a structure or a portion of a main structure located on the same premises and incidental to the main structure. This is a Type II SEQR.

Members polled: Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried.

A motion was made by Klaus Pohl, seconded by Rocky Ellsworth to approve the application for George and Judy Fridd seeking approval for an area variance for Lot #2 located at 1259 Hamlin Parma Town Line Road. The relief is from Town Code §520.11(B)(2)(a) for a front set back variance of 67.1' for an existing residence. This is a Type II SEQR.

Members polled: Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried.

### **AGENDA**

#### **MARK AND ANDREW GREENWELL 418 CHASE ROAD**

Rich Maier from DDS Engineering was present representing Mark and Andrew Greenwell seeking approval for the pre-existing, non-conforming residence located at 418 Chase Road. They are seeking relief from Town Code §520-11(B)(2)(a) for a front setback variance of 68.4'.

A motion was made by Rocky Ellsworth, seconded by Jerry Hoffman to schedule a Public Hearing for Monday, April 15, 2013 at 7:30 pm for Mark and Andrew Greenwell of 336 Church Road for the property located at 418 Chase Road seeking relief from Town Code §520-11(B)(2)(a) for a 68.4' front setback variance for an existing residence.

Members polled: Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried.

#### **SABINE FREDERICK 832 MOSCOW ROAD**

Dave Strabel is representing Sabine Frederick and AirSoft Gaming seeking approval for the driveway at 832 Moscow Road. They seek relief from Town Code §520-44G(7) requiring driveways to be paved with impervious pavement. We are looking to use the existing crushed stone and gravel parking with some minor expansions for seasonal use operations in lieu of pavement. We are next to a Tributary that we do not need to add to the runoff based on paving it for a seasonal use operation. It is currently an 11,000 sq ft gravel area; we would be adding about 3,000 more feet.

When asked if they were adding another driveway, Dave responded that what is shown on the map, is the existing and the additional crushed stone. The loop is the same driveway.

Chad Fabry added that pervious surfaces are now being encouraged by the latest planning and urban development seminars.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to schedule a Public Hearing for Monday, April 15, 2013 at 7:30 pm for Kathleen Speer for property located at 832 Moscow Road, seeking relief from Town Code §520-44G(7) regarding paved parking and a 22% expansion with crushed stone of an existing driveway and parking area.

Members polled: Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried.

**KATHERINE SPOHR  
1928 MOSCOW ROAD**

Katherine Spohr was present seeking approval for to rebuild after a fire on the site of a pre-existing, non-conforming residence located at 1928 Moscow Road. She is seeking relief from Town Code §520-11B(1)(a) minimum lot size variance of .686 acres. A second variance is requested for relief from Town Code §520-27C for the pre-existing, non-conforming barn located on the property needing a side setback variance of .8' and a side setback variance of 2.2'.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to schedule a Public Hearing for Monday, April 15, 2013 at 7:30 pm for Katherine Spohr seeking approval for rebuilding of a new residence at the site of a pre-existing, non-conforming residence at 1928 Moscow Road seeking relief from Town Code §520-11B(1)(a) for a minimum lot size variance of .686 and from Town Code §520-27C for the pre-existing, non-conforming barn located on the property needing a two side setback variances, one for .8' and one for 2.2'.

Members polled: Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried.

**DUANE AND CHERIE ROCKOW  
3947 BRICKSCHOOLHOUSE ROAD**

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to reschedule the Rockow application to build a garage until April 15, 2013 at 7:30 pm.

Members polled: Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried.

**DISCUSSION**

No comment from the Attorney, Ken Licht.

Chairman Norman Baase wanted to make a statement concerning the Library. It is his opinion that we should go about this in a more professional manner. He would like to see variance requests made prior to project development. This would relieve some of the pressure. This is a big concern. The library could have been handled so much more effectively.

Chad Fabry commented that the Sketch Conference actually brought up some issues that changed the actual variance request. He agreed that variances, in general should come first.

Nothing from Conservation Board.

Craig Goodrich, Town Board Member, reminded all that the Hamlin Ambulance is still looking for volunteers and funding. They will be having their fund drive soon. Tickets will soon be on sale for the Chamber of Commerce to help fund the ambulance and the food shelf.

The dog kennel is being built. All is going well. We have a one-year contract with Parma. We hope to get renewal next year.

**ADJOURNMENT**

Motion made by Rocky Ellsworth, seconded by Klaus Pohl to adjourn tonight's meeting.  
Members polled: Norman Baase, aye, Rocky Ellsworth, aye, Jerry Hoffman, aye, and Klaus Pohl, aye.  
Motion carried.

Minutes respectfully submitted by:

Deborah Rath  
Clerk to the Support Boards

**The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on Monday, April 15, 2013 at 7:30pm. Deadline for all applications is April 3, 2013 at 12:00 noon.**