

**HAMLIN ZONING BOARD OF APPEALS MINUTES
MONDAY, October 17, 2016
7:30 P.M.**

The regular scheduled meeting of the Hamlin Zoning Board of Appeals was held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin and was called to order by the Chairperson, Norman Baase at 7:30 p.m. with the location of the fire exits and AED explained for those present. It was asked that all cell phones and pagers be turned off for the duration of the meeting.

Roll call: Norman Baase, Rocky Ellsworth, Ed Haight, Jerry Hoffman, and Phil Hurlbutt.

Present: Attorney Licht, Town Councilpersons Jennifer Voelkl and Jason Baxter, Kim Hawkins, Tom & Denise Hiebler, Shawn Baxter, Stephanie Prince, Conservation Advisory Board Member Christine Yager.

Approval of the September 19, 2016 meeting minutes. Additions, deletion, or corrections to tonight’s meeting. A motion was made by Jerry Hoffman, seconded by Phil Hurlbutt to approve the minutes of September 19, 2016 as recorded.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Phil Hurlbutt aye. All in favor. Motion carried.

PUBLIC HEARING
AREA VARIANCE

HOWARD HUNTLEY
247 HAVILAND PARK

Application of Howard Huntley; owner; Howard Huntley; seeking relief to add an accessory structure on property without a principal dwelling located at 400 Walker Road in an R-VL district where Town Code§520-31B states that a shed, cabana or similar accessory structure must be erected behind the front main foundation line of the principal dwelling on any lot and 10 feet away from any building used for residential purposes. A side and rear setback of no less than five feet may be maintained as long as there is a 10-foot separation from any structures on neighboring properties.

Kim Hawkins represented Howard Huntley before the board. She gave an overview from last month. They would like to place a 10’ x 12’ shed on their property located at 400 Walker Road to house building equipment and small items not in storage while they are building their house. This shed will be moved behind the front foundation of the house as soon as the house is completed.

Chairperson Norman Baase opened the Public Hearing.

It was asked that anyone wishing to speak to please stand and state their name and address.

There were no comments from those present.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Jerry Hoffman to grant the variance for the Application of Howard Huntley; owner; Howard Huntley; seeking relief to add an accessory structure on property without a principal dwelling located at 400 Walker Road in an R-VL district where Town Code§520-31B states that a shed, cabana or similar accessory structure must be erected behind the front main foundation line of the principal dwelling on any lot and 10 feet away from any building used for residential purposes. A side and rear setback of no less than five feet may be maintained as long as there is a 10-foot separation from any structures on neighboring properties. The shed is 10’ x 12’ in size and will be moved behind the front foundation line when the house is completed.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Phil Hurlbutt aye. All in favor. Motion carried.

AGENDA

AREA VARIANCE

**THOMAS & DENISE HIEBLER
5796 WEST WAUTOMA BEACH ROAD**

Application of Thomas & Denise Hiebler; owners; Thomas & Denise Hiebler; seeking relief from Town Code§520-31B where the code states A shed, cabana, or similar structure must be erected behind the front main foundation line of the principal dwelling on any lot and 10 feet from any building used for residential purposes. A side and rear setback of no less than 5 feet may be maintained as long as there is the 10-foot separation from any structures on neighboring properties. A shed is proposed to be used for lawn maintenance equipment. This is in an S/R zone. Tax account# 008.15-2-22.1.

Tom Hiebler represented himself before the board. He gave an overview from last month. He bought a wood lot across from his house. It is for his grandchildren's enjoyment. The shed will be for yard maintenance equipment. The shed is to be 10' x 10' in size and will be setback 88' from the road. It will have ventilation for gas powered maintenance equipment stored inside. It will not have any windows and will be a green color to soften the look and blend in with the surroundings.

A motion was made by Phil Hurlbutt, seconded by ED Haight to schedule a Public Hearing on November 21, 2016 at 7:30 pm for the Application of Thomas & Denise Hiebler; owners; Thomas & Denise Hiebler; seeking relief for a 10' x 10' shed from Town Code§520-31B where the code states A shed, cabana, or similar structure must be erected behind the front main foundation line of the principal dwelling on any lot and 10 feet from any building used for residential purposes. A side and rear setback of no less than 5 feet may be maintained as long as there is the 10-foot separation from any structures on neighboring properties. A shed is proposed to be used for lawn maintenance equipment. This is in an S/R zone. Tax account# 008.15-2-22.1.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Phil Hurlbutt aye. All in favor. Motion carried.

AGENDA

AREA VARIANCE

**RON BRAGG
1303 LAKE ROAD EAST FORK**

Application of Ron Bragg; owner; Ron Bragg; seeking relief from Town Code§520-19B(2)(c) for a 7- foot rear setback variance for an addition on the rear of the existing dwelling to be 23' from the rear setback line where the code states the minimum rear setback: 30 feet, except where a rear lot line abuts a residential district, whereby no building shall be closer to such lot line than 30 feet or a distance equal to the height of the commercial building. Tax Account# 021.01-2-10 in a C-GB zone.

Cheryl Pacelli represented Mr. Bragg before the board as he was delayed at work. He would like to add a kitchen addition to the rear of his home. The code states that the rear setback is 30 feet. He will only have 23 feet from the addition to the rear lot line. He is asking for a 7- foot variance.

A motion was made by Ed Haight, seconded by Jerry Hoffman to schedule a Public Hearing on November 21, 2017 at 7:30 pm for the Application of Ron Bragg; owner; Ron Bragg; seeking relief from Town Code§520-19B(2)(c) for a 7- foot rear setback variance for an addition on the rear of the existing dwelling to be 23' from the rear setback line where the code states the minimum rear setback: 30 feet, except where a rear lot line abuts a residential district, whereby no building shall be closer to such lot line than 30 feet or a distance equal to the height of the commercial building. Tax Account# 021.01-2-10 in a C-GB zone. The north property line will need to be added to the map provided. A side setback variance may also be required.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Phil Hurlbutt aye. All in favor. Motion carried.

DISCUSSION

Attorney Licht had no new legal news.

Conservation Advisory Board had no new issues or concerns.

Building Inspector Cheryl Pacelli stated that the building damaged by fire at Larry's Auto has been demolished by the town.

Town Councilperson Jennifer Voelkl reported that there was a Public Hearing for a Verizon cell tower at 158 Cook Road. They received variances from the town board for height and distance from the road. There will be 3 extra co locaters on the tower. This application was granted.

The Town will advertise for the position of Deputy Fire Marshal.

Chris Schlieter was appointed to fill a vacant position on the Planning Board.

Shawn Baxter was appointed to fill a vacant position on the Conservation Advisory Board.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Phil Hurlbutt to adjourn tonight's meeting barring no further business.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Phil Hurlbutt aye. All in favor. Motion carried.

Minutes Respectfully Submitted By:

**Cheryl J. Pacelli
Clerk to the Support Board**

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on November 21, 2016 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is November 9, 2016 at 12 noon.