

HAMLIN ZONING BOARD OF APPEALS MINUTES
TUESDAY, January 17, 2017
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: Dave Matt – Schultz Associates, Nathan Pacelli – Conservation Advisory Board, Sugar Newman, Leon Sawyko, Jennifer Voelkl – Town Councilperson.

Approval of the December 19, 2016 meeting minutes. Additions, deletions, or corrections to tonight’s meeting. A motion was made by Jerry Hoffman, seconded by Rocky Ellsworth to approve the meeting minutes of December 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.

Proof of Publication

The clerk showed the Proof of Publication

PUBLIC HEARING

VARIOUS AREA VARIANCES

KEVIN JOHNSTON

66 NORTHCLIFF DRIVE, ROCHESTER, NY

Application of Kevin Johnston; owner; Kevin Johnston; seeking relief from Town Code§520-30 for a deck (larger than 10 feet forward) on the front (waterside) of the dwelling where the code states that Non-enclosed porch structures and pergolas, covered or open air, not exceeding a distance of 10 feet forward of the front foundation of the residence, are allowable. Even when such structure encroaches within the required setback area. Town Code§520-21C(1)(a) which requires a minimum lot size of 2 acres. This site has 1.54+/- acres. This parcel is in the S/R zone. Tax account# 006.080-01-001.114.

Dave Matt of Schultz Associates represented the applicant before the board. This is the previous Neil Newman property. A new single family home is proposed. A deck is proposed for the front (waterside) of the dwelling to be 16 feet forward which is more than the allowable 10 -feet forward. The dwelling will be 169 feet from the current water level. It will be a wood frame structure. Also, the lot is only 1.54+- in size where it is required to have a lot size of 2 acres.

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 was no-one present wishing to speak.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Jerry Hoffman to approve the requested variances based on the information as requested and required by the Town of Hamlin for the application of Kevin Johnston; owner; Kevin Johnston; seeking relief from Town Code§520-30 for a deck (larger than 10 feet forward) on the front (waterside) of the dwelling where the code states that Non-enclosed porch structures and pergolas, covered or open air, not exceeding a distance of 10 feet forward of the front foundation of the residence, are allowable. Even when such structure

encroaches within the required setback area. Town Code§520-21C(1)(a) which requires a minimum lot size of 2 acres. This site has 1.54+/- acres. This is a new single family home. This is a Type II SEQR. This parcel is in the S/R zone. Tax account# 006.080-01-001.114.

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 Ken Licht will attend Zoning Board of Appeals meetings when it is deemed necessary. He will be available to attend meetings when notified.

Town Councilperson Jennifer Voelkl reported that the open position due to a resignation on the Conservation Advisory Board has been posted. Applications are being offered until January 27, 2017 at 4:00 pm.

There is a Public Hearing scheduled for February 13, 2017 at 6:30 pm for the opt out of the real property tax law 487 exemption related to solar and wind farms, and farm waste energy.

The Zoning Workshop will resume this month on January 26th at 7:00 pm.

ADJOURNMENT

A motion was made by Ed Haight seconded dually by Phil Hurlbutt and Rocky Ellsworth 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 Tuesday, February 21, 2017 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is February 7, 2017 at 12 noon.