

Zoning Board of Appeals *Minutes*
Monday, July 19th, 2004
7:30pm

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

Present: Norman Baase, Terry Dingee, Rocky Ellsworth, Ed Haight, Klaus Pohl and Donna Stassen.

Excused: Jerry Hoffman

Also present: Support Board Attorney Charlie Welch, Building Inspector Dick Bauman, Conservation Board liaisons Glenn Quetschenbach, Craig Goodrich, Merritt Ackles and several interested citizens.

A motion was made by Klaus Pohl, seconded by Ed Haight to approve the minutes of the June 19th, 2004 meeting. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye and Stassen aye. Motion carried, minutes approved.

THE CLERK READ THE PROOF OF PUBLICATION

PUBLIC HEARING

**STEPHEN CLARY
2632 ROOSEVELT HWY.**

Mr. Stephen Clary of 2632 Roosevelt Highway was present to seek two variances to construct a 70' non commercial radio antenna in his rear yard. Mr. Clary explained that he has 40 to 50 feet of setback already but he needs additional footage. The antenna sits in concrete. Chairman Norman Baase asked if this would in any way benefit the residents in the Town of Hamlin? Mr. Clary said absolutely, this ability is definitely a benefit to the community because he can issue emergency broadcasts since he has emergency power to operate the radio. Craig Goodrich asked if he had a back up power supply? He replied that yes, he has generators and batteries for backup power. At that time Chairman Baase opened the Public Hearing and asked if there was anyone present to speak for or against this proposal? There were no replies. Chairman Baase then closed the Public Hearing. Rocky Ellsworth asked about the height of the current antenna? He replied that the current antenna is 60' from the ground. Terry Dingee asked how much of a side setback he would need? Attorney Charlie Welch replied that he would need a 30' setback.

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PUBLIC HEARING-STEPHEN CLARY

A motion was made by Terry Dingee, seconded by Ed Haight to grant two variances to Mr. Stephen Clary of 2632 Roosevelt Highway to construct a non commercial radio antenna in his rear yard. This antenna is for personal use only. The variances granted are:

- 1). Relief from Town Code 125-44 A 3 for a 20' height variance.
- 2). Relief from Town Code 125-44 A 4 for a 30' side setback variance.

This is the minimum to provide relief. This will not alter the characteristic of the neighborhood. There were no negative comments from residents and it could benefit the community. This is a TYPE II SEQR. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye and Stassen aye. Motion carried, variances granted.

PUBLIC HEARING

**KEVIN NOON
7628 NEWCO DRIVE**

Mr. Kevin Noon of 7628 Newco Drive was present to seek a 7' height variance to add a second story to his existing garage to create more storage space. Mr. Noon explained that he is seeking permission to raise the garage roof on his existing garage to be used for storage of household items. Conservation Board Member Glenn Quetschenbach said he had viewed the site and saw no problem with the proposed 2nd story addition. At that time Chairman Baase opened the Public Hearing and asked if there was anyone present to speak for or against this proposal? There were no replies. Chairman Baase then closed the Public Hearing.

A motion was made by Klaus Pohl, seconded by Rocky Ellsworth to grant Mr. Kevin Noon of 7628 Newco Drive a 7' height variance from Town Code 125-31 C 4 (c) to raise the roof on his existing detached garage. There were no negative comments from residents. This will not alter the characteristic of the neighborhood, or alter the view of the Lake. This is a TYPE II SEQR. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye and Stassen aye. Motion carried, variance granted.

**BEEHLER/BOWER SUBDIVISION
SIGN PERMIT APPLICATION**

Rick Bower was present to seek a variance for a sign permit for the Beehler Bower Subdivision to be located on Hamlin Parma Townline Road. Mr. Bower explained that this will be a temporary subdivision sign. He said he would like to put up a full sheet of plywood instead of two sheets of plywood for one sign. This sign will be considerably far off the road. It is simply easier to move one piece of plywood instead of two. This will be constructed on 2 by 6's. It will be in black and white and not illuminated.

A motion was made by Terry Dingee, seconded by Rocky Ellsworth to schedule a Public Hearing for Mr. Rick Bower on Monday, August 16th, 2004 at 7:30pm to place one 4' x 8' subdivision sign advertising for the Beehler/Bower Subdivision on Hamlin Parma

BEEHLER/ BOWER SUB-SIGN PERMIT

Townline Road. With on site inspections beginning after 10:30am on Saturday, August 14th, 2004. He seeks relief from Town Code 125-47 B 21 (6). Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye and Stassen aye. Motion carried, Public Hearing scheduled.

**SUZANNE SEIPEL
7690 NEWCO DRIVE**

Suzanne Seipel of 7690 Newco Drive was not present at tonight's meeting. Board Member Rocky Ellsworth stated that the 16' x 24' shed is already in place on her property. Ms. Seipel needs to apply for several variances for the placement of this shed. Building Inspector Dick Bauman stated that he would try to contact Ms. Seipel and take a look at her already constructed shed.

**LAURIE SPRING
7276 SANDY SHORE DRIVE**

Laurie Spring of 7276 Sandy Shore Drive was present and explained that she would like to construct a 30' x 40' x 10' pole barn across the street from her residence. Mrs. Spring explained that she owns 5 acres, two on the lakeside, and three across the street. This barn would not obstruct any views of the Lake. It will be used for storage of their boat and jet skis. Board Member Rocky Ellsworth asked how far to the south from the road the pole barn will be located? Laurie explained more than the required 35 feet. Attorney Charlie Welch asked if that area has ever been in any kind of wetland. Ms. Spring replied that there is no wetland in that area. Ms. Spring said she would try to locate her abstract. Minimum roadside setback in the wros requires a 50' setback

A motion was made by Donna Stassen, seconded by Rocky Ellsworth to schedule Laurie Spring of 7276 Sandy Shore Drive for a Public Hearing to seek two variances to construct a 30' x 40' x 10' pole barn. She seeks relief from Town Code 125-33 C 3 (a) for a 3 feet height variance. Also relief from Town Code 125-33 C 2 (A) for a 15' front setback variance. Laurie will stake out the site prior to the August 14th, 2004 inspection. The Public Hearing will be scheduled for Monday, August 16th, 2004 at 7:30pm. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye and Stassen aye. Motion carried, Public Hearing scheduled.

**FRANCIS MILLER
7500 SANDY HARBOR DRIVE**

Mr. Francis Miller of 7500 Sandy Harbor Drive was present. Mr. Miller explained that he would like to construct an 18' x 24' garage on his property. He stated that there is currently a 12' x 20' garage on his property that is badly in need of repair. He would like

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FRANCIS MILLER-7500 SANDY HARBOR

to replace the garage with an 18' x 24' garage on a concrete slab. He stated that he had spoken with NIMO (Niagra Mohawk). They stated that his new garage had to be at least 14' from the existing pole and 10' from the existing wire. They will meet with him and determine if he must relocate the new garage. Board Member Rocky Ellsworth said the problem is the wires run behind the proposed garage. The garage will be 17' in height. It will be 18' from the side lot line. He will need a 3' height variance. Board Member Terry Dingee said the DEC might want to look at this proposal since his property is close to the Yacht Club also. Conservation Board Member Craig Goodrich said that if he changes his roof to a gamble roof and shifts the garage to the west, he might clear the wires. Attorney Charlie Welch stated that Mr. Miller must meet a side, rear and water side setback, his proposed garage needs to be 35' from the water. Terry Dingee said that a variance might be needed also since he is close to the basin. Mr. Miller was advised to contact NIMO and the DEC to obtain their input before the Public Hearing next month.

A motion was made by Ed Haight, seconded by Donna Stassen to schedule a Public Hearing for Francis Miller of 7500 Sandy Harbor. He seeks relief from Town Code 125-31 C 4 (c) for a 3' height variance to replace the existing garage on his property. The new garage will be 18' x 24' in size and located in the rear of his property. The Public Hearing will be scheduled for Monday, August 16th, 2004 at 7:30pm. With on site inspections to be begin after 10:30am on Saturday, August 14th, 2004. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye and Stassen aye. Motion carried, Public Hearing scheduled.

DISCUSSION

RICK VITO

5733 WAUTOMA BEACH ROAD

Chairman Baase stated that the Zoning Board of Appeals members are continuing to work on making a decision on the Rick Vito property. The decision will be made at the next Zoning Board of Appeals meeting.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Klaus Pohl to adjourn the meeting barring no further business. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye and Stassen aye. Motion carried, meeting adjourned.

Respectfully submitted,

Cindy Olds
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on Monday, August 16th, 2004 at 7:30pm. Deadline for fees is Monday, August 2nd, 2004.

