

Zoning Board of Appeals *Minutes*  
Monday, September 20<sup>th</sup>, 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, Hamlin 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.

Excused: Donna Stassen, Jerry Hoffman

Also present: Support Board Attorney Charlie Welch, Building Inspector Dick Bauman, Conservation Board liaison Craig Goodrich, Town Councilman George Todd,

A motion was made by Klaus Pohl, seconded by Ed Haight to approve the minutes of the Zoning Board of Appeals meeting that was held on Monday, August 16<sup>th</sup>, 2004. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye. Motion carried, minutes approved.

**THE CLERK READ THE PROOF OF PUBLICATION**

**PUBLIC HEARING**

**MR/MRS DAVE CARIELLO  
245 WESTPHAL DRIVE**

Mr. Dave Cariello of 245 Westphal Drive was present to request a 5' side setback variance and a 7' height variance to construct a 24' x 36' garage on his rear property. Mr. Cariello explained that he is seeking a height variance for the garage so that the roof line of the house and garage match. The Code allows for a 15' height maximum. Regarding the 5' side setback variance, Mr. Cariello stated that he would like the garage to be 5' closer to the lot line so that he will have more room to cut grass around the garage and plow snow away from the area. He will be using this garage for storage of cars and recreational vehicles. Two spider maple trees will be cut down. There will possibly be two to three additional trees that might need to be cut, however Mr. Cariello stated that he would be planting more to replace these. Board Member Terry Dingee stated his concern regarding water deflecting into the neighbor's property. Mr. Cariello stated that all water drains towards the creek now, however he would be willing to install a swale to help ensure proper drainage.

At that time Chairman Baase opened the Public Hearing and asked if there was anyone present to speak for or against this proposal? Mr. Larry Gore of 261 Westphal Drive spoke and stated that he lives on the property adjoining Mr. Cariello's which is on the southern boundary. He stated that if this variance is granted it will have a drainage impact on his lot. He passed out pictures of his property to the board members. Mr. Gore explained that Mr. Cariello's land was once level with his, however when he built his house several years back he raised his house and brought his property 3' higher than his which has made the water run off onto his lower property. In addition his leechfield line

**CARIELLO-245 WESTPHAL DR.**

is starting to sink. Mr. Cariello also displayed pictures showing drainage areas on the properties. He said that gutters will be placed on the garage and positioned draining towards the creek. Mr. Cariello said the water gradually pitches towards the creek in the front, and gradually pitches towards Westphal Road in the rear. Mr. Cariello said he would put a swale in front of the garage and put in drainage tiles and run it out to the street. Mr. Gore stated that running tiles out to the street will make the water flow into the depression area then flow further down and back onto his lawn. After much discussion it was mutually agreed upon that Mr. Cariello would put a drainage ditch that would channel the run off from the new garage to the creek. Mr. Cariello said he will put in a trench about 1 foot deep, with filter stone, he will put in a couple of drop drains, and 4" of topsoil. The drainage tiles will go out to the edge of the bank of the creek from the downspouts. Mr. Gore stated that no matter how many drainage tiles or swales he installs there will still be a water problem on his property. Attorney Welch read from the DEC comments which states that there are federal wetlands on the property. He stated that Mr. Cariello should fill out an AG Data statement. Conservation Board Member Craig Goodrich stated that Glenn Quetschenbach of the Conservation Board went out to view the site and stated that he had no drainage concerns.

Chairman Baase then closed the Public Hearing. Mr. Baase stated that he had dealt with drainage issues for many years and that by channeling the water with a drainage pipe and directing drainage towards the creek that should help the water problem, and with added tiles there should be no problem with water whatsoever

A motion was made by Klaus Pohl, seconded by Rocky Ellsworth grant Mr. and Mrs. Dave Cariello of 245 Westphall Drive a 5' side setback variance from Town Code 125-31 C 2 (b) [1]. Also relief from Town Code 125-31 C 4 (b) for a 7' height variance to construct a 24' x 36' detached garage. There will also be some conditions: A drainage tile will be run from the garage to the creek bank at elevation 255 as shown on the drawing submitted for the variance. The drainage tile will also collect water from the downspouts on the garage. This is a TYPE II SEQR. This will not alter the characteristic of the neighborhood. This is the minimum to provide relief. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye. Motion carried, variances granted.

**VARIANCE**

**DOUG CRANDELL/ALISON FRIEDO  
1617 LAKE ROAD**

Mr. Doug Crandell of 1617 Lake Road was present to seek two variances to construct a 24' x 30' garage at his residence. Mr. Crandell explained that the old garage will be demolished once the new garage is built. The new garage will be 5' closer to the lot line. There is an existing swale between the properties. The new garage will be on a concrete slab, made of wood, there will be a gambrel roof that will blend in with the house. The second story will accommodate extra storage upstairs. The entrance to the new garage will be on the east side.

**CRANDELL/FRIEDO-1617 LAKE RD.**

A motion was made by Rocky Ellsworth, seconded by Terry Dingee to schedule a Public Hearing for Mr. Doug Crandell and Alison Friedo of 1617 Lake Road, Hamlin to construct a 24' x 30' 2 car detached garage on their rear property. The Public Hearing will be scheduled for Monday, October 18<sup>th</sup>, 2004 at 7:30pm. With on site inspections beginning after 10:30am on Saturday, October 16<sup>th</sup>, 2004. The seek relief from Town Code 125-26 B (2) (b) for a 5' north side setback variance. Also relief from Town Code 125-26 B (3) (c) for a 5' height variance. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye. Motion carried, Public Hearing scheduled.

**VARIANCE**

**MR. AND MRS. ROBERT SYPNIER  
24 BARRINGER**

Mrs. Sypnier of 24 Barringer Drive was present to seek a 2' north side setback variance to construct a 21' x 28' attached garage at their residence. Mrs. Sypnier explained that she would like to construct a larger garage. The new garage will be built slightly higher than the existing one. By ending the garage wall at the driveway, she will be saving a tree from being cut down. She is making the existing garage larger to create more storage space.

A motion was made by Terry Dingee, seconded by Ed Haight to schedule a Public Hearing for Mr. and Mrs. Sypnier of 24 Barringer Drive to construct a 21' x 28' attached garage. They are seeking relief from Town Code 125-21 B 2 (f) [2] for a 2' northeast set back variance. The Public Hearing will be scheduled for Monday, October 18<sup>th</sup>, 2004 at 7:30pm. With on site inspections beginning on Saturday, October 16<sup>th</sup>, 2004 after 10:30am. Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye. Motion carried, Public Hearing scheduled.

**VARIANCE**

**MR. & MRS. CHARLES  
HUNGERFORD  
1300 CHURCH ROAD**

Mr. Hungerford of 1300 Church Road was present to seek a variance to construct a 24' x 24' detached garage in front of the front foundation of his residence. Mr. Hungerford explained that he would be using this garage for extra storage. He said that the height will be around 15'. A maximum of 25' is allowed.

A motion was made by Ed Haight, seconded by Klaus Pohl to schedule a Public Hearing for Mr. and Mrs. Charles Hungerford of 1300 Church Road for Monday, October 18<sup>th</sup>, 2004 at 7:30pm. With on site inspections beginning after 10:30am on Saturday, October 16<sup>th</sup>, 2004. He seeks relief from Town Code 125-39 C to construct a 24'x 24' detached garage in front of the front foundation of their residence.

September 20<sup>th</sup>, 2004

Members polled Baase aye, Dingee aye, Ellsworth aye, Haight aye, Pohl aye. Motion carried, Public Hearing scheduled.

### **DISCUSSION**

Craig Goodrich stated that he and Building Inspector Dick Bauman attended a very informative meeting at the Greece Town Hall last week regarding lake level study.

Town Councilman George Todd stated that next month the Town Board will be going over the budget for 2005.

### **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. 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, October 18<sup>th</sup>, 2004 at 7:30pm. Deadline for fees is Monday, October 4<sup>th</sup>, 2004.