

Hamlin Zoning Board of Appeals *Minutes*
Monday, May 20, 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, Jerry Hoffman and Klaus Pohl.
Also present: Support Boards Attorney Ken Licht, Building Inspector Chad Fabry, Conservation Board members Ed Evans and Steve Rutherford and John and Donna Stassen, Sabine Frederick, Douglas Gloff, Patricia and Andy Davis (sp).

Approval of the March 18, 2013 minutes. Motion made by Klaus Pohl, seconded by Jerry Hoffman. Norman Baase aye, Rocky Ellsworth aye, Ed Haight abstained, Jerry Hoffman aye, and Klaus Pohl aye. Motion carried.

Approval of the April 15, 2013 minutes. Motion made by Klaus Pohl, seconded by Ed Haight. Norman Baase abstained, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman abstained, and Klaus Pohl aye. Motion carried.

The clerk showed Proof of Publication.

PUBLIC HEARING
KATHLEEN SPEER
832 MOSCOW ROAD, HAMLIN

Kathleen Speer is 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 on property located at 832 Moscow Road. Sabine Frederick represented Kathleen Speer. She said that the driveway is now crushed stone – she would like to keep it crushed stone and repair it with a fresh layer

Jerry Hoffman asked what kind of business will operated be on the property. Sabine answered an Air Soft Field. It will be in operation on Saturday and Sunday only and only in good weather. It will not operate in inclement weather. With 20 - 30 approximate number of participants. There will be no tractor trailer trucks on the property only cars. The back section of the driveway is u-shaped and the cars will park alongside that area. The Air Soft Field will be open from April to October. There will be no winter hours.

Ed Haight asked how many cars will be on the property. Sabine replied not more than 20 – 30 vehicles. Many of the participants will be dropped off by others and picked up later.

Donna and John Stassen of 829 Moscow Road have the following concerns: water runoff/damage and traffic. They state that the area in question gets very muddy after a rain and they have seen vehicles become stuck on the property. The extra traffic entering and exiting the property is also concern as the road is a 55 mph road. Donna is asking that the application be denied.

Chad Fabry (Building Inspector) suggested that in order to control runoff and gravel/dust from being tracked onto the main road an impervious surface should be in place such as a paved apron at the entrance and the exit of the property. At least 20 feet of solid impervious apron is needed. It is against NYS law for any dirt or dust to be tracked onto a road/transition section. Ken asked what distance would be needed to achieve the goal of no dust on the road. Chad stated maybe 2 revolutions of a tire, approx. 20 feet.

Norman Baase asked Sabine Frederick if there were any estimates for a blacktop apron or millings. Ed Haight to Chad Fabry – any thoughts on a maintenance program for gravel or millings? Chad had no thoughts that millings were better than gravel (dust).

Ed Haight asked if the driveway formed a loop from the entrance to the exit. Sabine stated that it did have separate locations for exit and entrance.

Norman Baase asked if there were any other questions.
Norman Baase closed the Public Hearing.

A motion was made by Ed Haight and seconded by Klaus Pohl to grant relief to Kathleen Speer/Sabine Frederick regarding Town Code §520-44G(7), regarding paved parking and a 22% expansion with crushed stone of an existing driveway and parking area on property located at 832 Moscow Rd. Regarding the paved parking with the stipulation and condition that both the entrance and the exit are paved 30 feet from the road using an impervious surfacing material. The 22% expansion using crushed stone is fine for the center loop where the cars will park. This is a Type II SEQR. Members polled: Norman Baase abstained, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye and Klaus Pohl aye. Motion carried.

PUBLIC HEARING

MATT SOMMER

112 RAILROAD AVENUE, HAMLIN

Matt Sommer is seeking relief from Town Code §520-19B(2)(b). He is seeking a 12' side setback variance for the purpose of adding a 5' addition to property located at 112 Railroad Avenue

The addition will be along the property line – less than 12' setback. It will have architectural siding and roof to match; it will also have additional stone as an accent.

Klaus Pohl asked if the overhang was included. Chad Fabry, Building inspector stated that the overhang was included in the total addition.

Norman Baase opened the Public Hearing. No additional questions or issues.
Norman Baase closed the Public Hearing.

A motion was made by Klaus Pohl and seconded by Ed Haight to grant approval to Matt Sommer of 112 Railroad Avenue relief from Town Code §520-19B(2)(b). He is seeking a 12' setback variance for the purpose of adding 5' additional property at 112 Railroad Avenue. This is a Type II SEQR. Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Klaus Pohl aye. Motion carried.

PUBLIC HEARING
DOUGLAS GLOFF
NEXT DOOR TO 480 WALKER ROAD, HAMLIN

Douglas Gloff is seeking relief from Town Code §520-9B to construct a non-agricultural storage barn without a primary structure on the same lot at property located on Walker Road. He wants to build a 24 x 24 pole building. It is garage sized.

Rocky Ellsworth asked when the barn would be built. Douglas Gloff stated this summer.

Rocky Ellsworth asked when the home would be built. Douglas Gloff stated approx. 1 – ½ year from now.

Norman Baase deferred to Ken Licht.

Ken Licht stated that the Town Code §520-27(C) quoted for this request from relief was incorrect. He asked that the wording be specific as to what you are requesting from now on. The correct Town Code is Town Code §520-9B.

Jerry Hoffman asked if the structure will be behind the home (to be built).

Douglas Gloff stated that the accessory building would be behind the foundation of the home.

Norman Baase opened the Public Hearing.

Norman Baase closed the Public Hearing.

A motion was made by Rocky Ellsworth and seconded by Klaus Pohl to grant Douglas Gloff of 512 Walker Road relief from Town Code §520-9B to erect a 24 x 24 barn/storage building on the above stated property prior to construction of the primary structure. This is a Type II SEQR.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye and Klaus Pohl aye. Motion carried.

Norman Baase closed the Public Hearing.

AGENDA
JOHN AND JENNIFER DILUCIA
149 MORTON ROAD, HAMLIN

John and Jennifer DiLucia are seeking relief from Town Code §520-41C(a)[1]. They want to have chickens on less than 1 acre of land on property located at 149 Morton Road.

The DiLucia's were a no show.

Chad Fabry stated that the owner made an application for ½ acre on Morton Road. The family uses GMO food. They would like to raise their own farm fresh eggs. They would only keep maybe 5 - 6 hens to free range in their yard, no roosters.

Rocky Ellsworth stated he had read the application and about keeping chickens.

Klaus Pohl wondered if keeping 5 chickens would produce enough eggs for the family.

Rocky Ellsworth suggested placing it on the schedule for a Public Hearing.

Ken Licht stated that the number of chickens on the property should be verified.

Chad Fabry stated he will call the applicant, Ms. DiLucia, to ascertain to continue with the application.

Rocky Ellsworth read the application out loud and stated she could advertise for 10 chickens. A motion was made by Ed Haight and seconded by Jerry Hoffman to schedule a Public Hearing for 149 Morton Road, Hamlin, seeking relief from Town Code §520-41C(a)[1], to keep chickens on less than 1 acre of land on property stated above.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Klaus Pohl aye. Motion carried.

DISCUSSION

There is nothing on discussion.

Conservation Board member Ed Evans remarked on the Kathleen Spencer application. There is dirt on the roads from farm equipment. The use of impervious material vs gravel is a great alternative for this application.

Craig Goodrich stated there are 37 dog kennels up and running. There will be an open house and the Lions Club will be providing the food. He also stated the Hamlin Ambulance Corp. sent out 3500 mailings and so far has only 153 replies. They are looking to purchase a new ambulance as the old one is in need of many repairs. The Corps are also looking for new volunteers. The Chamber of Commerce will hold an Open House on the 1st of June at Carmestro's Restaurant in Hilton.

ADJOURNMENT

A motion to adjourn was made by Ed Haight and seconded by Jerry Hoffman. Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Klaus Pohl. Motion carried.

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on Monday, June 17, 2013 at 7:30 pm. Deadline for all applications is June 5, 2013.

Minutes respectfully submitted by:

Cheryl J. Pacelli
Zoning Board Support Clerk

