

Hamlin Zoning Board of Appeals *Minutes*
Monday, October 21, 2013
7:30 pm

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 Chairperson, Norman Baase at 7:30 pm with the location of the fire exits and the AED explained for those present. Please turn off all pagers and cell phones.

Present: Norman Baase, Rocky Ellsworth, Ed Haight, Jerry Hoffman, and Klaus Pohl.
Also present: Ken Licht, Town Attorney, Chad Fabry, Building Inspector, Craig Goodrich, Town Councilperson, and Ed Evans, Conservation Advisory Board Member.
Resident representatives: Cory Tufano DDS, Melanie Lavacca
Residents: Paul S. Rath, Cindy Lutwiller, Eric Peters.

A motion to approve the September 16, 2013 meeting minutes as submitted was made by Klaus Pohl, seconded by Jerry Hoffman.
Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Klaus Pohl aye. All in favor. Motion carried.

Proof of publication

The clerk showed the proof of publication to the meeting attendees.

Chairperson, Norman Baase opened the Public Hearings.

PUBLIC HEARING
TOWN CODE RELIEF

JAMES E. AND ALAYNE DOAN
343 MORTON ROAD, HAMLIN

Application for James E. and Alayne Doan seeking relief from Town Code§520-12B(2)(a). The required front setback is 100'. They are seeking relief for a 59.3' setback for premises located at 343 Morton Road, Hamlin.

Cory Tufano of D.D.S. represented James E. and Alayne Doan.

The home was built in the early 1900's. It is too close to the road.
Chairperson, Norman Baase asked for any questions or concerns from the Board.

Chairperson, Norman Baase opened the Public Forum and asked for anyone to give their name and address. No one had any concerns.
Chairperson Norman Baase closed the Public Forum.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to grant relief to James E. and Alayne Doan regarding Town Code§520-12B(2)(a) for a 59.3' front setback for premises located at 343 Morton Road, Hamlin.
Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Klaus Pohl aye. All in favor. Motion carried.

PUBLIC HEARING
TOWN CODE RELIEF

JOHN AND LINDA DERUE
317 REDMAN ROAD, HAMLIN

Application for John and Linda DeRue seeking relief from Town Code§520-11B(2)(a). The current zoning is R-VL with a required minimum lot size of 5 acres. They are seeking relief for a 3 acre variance for a 2 acre parcel located at 317 Redman Road, Hamlin.

Melanie Lavacca, daughter of the applicants represented them at the meeting.

The planned lot will begin south of the existing lot and extend back around that said lot. Is it a Town or County Road? Was there a County referral needed and sent in? If so, what is the status of the referral? Chad Fabry stated that he would handle the referral. Rocky Ellsworth asked if there was any research done for the property. Are there drainage easements through the property, and if a drainage easement exists was it created when the house was sold off and is it on the map for Planning Board purposes. Chad responded that a current survey is needed.

A motion was made by Ed Haight, seconded by Rocky Ellsworth to table the application for a PH for John and Linda DeRue due to the following issues: The lack of a County review and a current survey. The application will be scheduled for a Public Hearing on November 18, 2013.

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

Chairperson, Norman Baase closed the Public Hearings.

AGENDA
VARIANCE APPLICATION

PAUL S. RATH
60 LAKE ROAD EAST FORK, HAMLIN

Application for Paul S. Rath seeking relief from Town Code§520-21C(2)(b) to extend a 7' section of the existing cottage to the south by 3' to conform to existing side of cottage. He is requesting a 14' side setback variance for premises located at 60 Lake Road East Fork, Hamlin. The current zoning is R-CW with a minimum side setback of 15 feet.

Paul S. Rath represented himself before the board.

There is a 3' x 7' bathroom in the cottage. The shower is in the bedroom. He would like to enlarge the bathroom to include the shower.

Chairperson, Norman Baase asked the Board for questions.

Ed Haight asked if the home connection was just for the bathroom. Mr. Rath responded yes.

There were no other questions.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to schedule a Public Hearing for November 18, 2013 for the application of Paul S. Rath seeking relief from Town Code§520-21c(2)(b) to extend a 7' section of the existing cottage to the south by 3' to conform to existing side of cottage. He is requesting a 14' side setback variance for premises located at 60 Lake Road East Fork, Hamlin. The current zoning is R-CW with a required minimum side setback of 15 feet.

Members polled: Norman Base aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Klaus Pohl aye. All in favor. Motion carried.

AGENDA

AREA VARIANCE APPLICATION KRUGER

JAMES

981 CHASE ROAD, HAMLIN

Application for James Kruger seeking relief from Town Code§520-11B(1)(a). The current zoning is R-VL with a required lot size of 5 acres. Mr. Kruger is seeking relief for a 2.33 acre variance for a 2.50 acre parcel located at 981 Chase Road, Hamlin.

Mr. Kruger was represented by Cory Tufano of D.D.S..

Norman Basse asked if the reason for the split was to add the acreage to the farm. Yes. Chad Fabry mentioned that on the plan, Lot#2 is more compliant than Lot#1. Ken Licht added that Lot#1 is reduced in size. It was asked if Lot#2 needed a variance. Ken Licht responded no.

A motion was made by Ed Haight, seconded by Jerry Hoffman to schedule a Public Hearing for November 18, 2013 for the application of James Kruger seeking relief from Town Code§520-11B(1)(a). The current zoning is R-VL with a required lot size of 5 acres. Mr. Kruger is seeking relief for a 2.33 acre variance for a 2.50 acre parcel located at 981 Chase Road, Hamlin.

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

DISCUSSION

In the area there have been existing farm homes on property for years. People realize the pressure by Ag land use. On a current 5 acre lot in Hamlin, usually part of the property is used/rented for Ag use. It seems like 2 acre building lots are more appropriate for this area. Rocky Ellsworth mentioned that a lot of water lines have been installed in Hamlin. Ed Haight mentioned that the reduction of lot sizes may be a part of the discussion at the upcoming zoning review committee.

The Conservation Board had nothing to add.

The Building Department had no concerns.

ADJOURNMENT

A motion to adjourn was made by Ed Haight, seconded by Klaus Pohl barring no further business. Members polled: Norman Baase Aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Klaus Pohl aye. All in favor. Motion carried.

Minutes respectfully submitted by

Cheryl Pacelli
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Board of Appeals will be held on Monday, November 18, 2013 at 7:30 pm. The deadline for all applications is November 6, 2013 at 12 noon.