

Hamlin Zoning Board of Appeals *Minutes*
 Monday, July 21, 2014
 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.

Present: Norman Baase, Rocky Ellsworth, Jerry Hoffman (excused), Ed Haight, and Klaus Pohl.
 Also present: Cheryl Pacelli Building Inspector, Ken Licht Zoning Board Attorney, Jason Baxter Town Councilperson and Rich Maier of D.D.S., and John DeRue Conservation Advisory Board Member.
 Residents present: Robert Hofstra, Holly Hofstra, Ray Wenzel, and Stan Skupsky.

A motion to approve the June 16, 2014 meeting minutes as recorded and presented was made by Klaus Pohl, seconded by Rocky Ellsworth.

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

Proof of Publication

The clerk showed the *Proof of Publication*.

PUBLIC HEARING

**AREA & FRONT SETBACKS
 STOLTZ SUBDIVISION**

**MARK & ANDREW GREENWELL
 418 CHASE ROAD, HAMLIN**

Application for Mark & Andrew Greenwell for a variance from Town Code§520-11B(1)(a). They are seeking relief for a 2.50 acre parcel for a parcel located at 418 Chase Road, Hamlin with the ability to farm the land. The current zoning is “R-VL(Residential/Very Low Density)” with a required minimum lot size of 5 acres. Also, a variance from Town Code§520-11B(2)(a) to allow the existing house to remain with a 68.4 front setback. The code requires 100 feet.

Rich Maier represented the Greenwell’s before the Board.

The farm is on Chase Road, Hamlin and the plan is to transfer the house to a Greenwell son. The Greenwell family would then retain the tillable land for farming. They are asking for a 2.50 acres variance and a front setback variance for the existing house.

Chairperson Norman Baase opened the *Public Hearing*. He asked that anyone with comments or concerns to state their name and address. There were no comments or concerns from those present.

Chairperson Norman Baase closed the *Public Hearing*.

Norman Baase asked if there were any other questions or concerns from the Board. Rich Maier commented that some improvements have been made to the house already.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to grant variance approval for the application of Mark & Andrew Greenwell for variance for Town Code§520-11B(1)(a). They are seeking relief for a parcel

located at 418 Chase Road, Hamlin with the ability to farm the available land. The current zoning is R-VL (Residential/Very Low Density) with a required minimum lot size of 5 acres. Also a variance from Town Code§520-11B(2)(a) to allow the existing house to remain with a 68.4' front setback. The code requires a 100' front setback. These variances were granted to preserve existing farmland. This is a Type II Negative SEQR. This application will now be scheduled on the Planning Board Agenda for August 4, 2014 at 7:30 p.m.

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

PUBLIC HEARING
FRONT SETBACK VARIANCE

WILLIAM A. MCGRATH
32 COUNTRY SIDE DRIVE, HAMLIN

Application for William A. McGrath for a variance from Town Code§520-11B(2)(a) for a 6' front setback to allow the existing house to include an addition that would reduce the front setback to 66.4' located at 32 Country Side Drive, Hamlin in an "R-M (Residential/Medium Density) zoning district".

Neither Mr. McGrath, nor a representative attended the meeting. No notice was given to remove the application from Public Hearing. This application is now closed. The applicant will still be required to submit the required \$75.00 Public Hearing fee.

AGENDA
AREA VARIANCE

BUD HENDERSHOT, INC
1250 ROOSEVELT HIGHWAY, HAMLIN

Application for Bud Hendershot, Inc. for a variance form Town Code§520-11B(1)(a) for a lot containing the existing barn to be 1.782 +/- acres where the code requires a lot size of 5 acres in an "R-VL (Residential/Very Low Density) zoning district" known as the Roosevelt Highway Subdivision located at 1250 Roosevelt Highway, Hamlin. Also, relief from Town Code§520-27C(A) for a detached non-agricultural storage barn to be located on a lot with no principal structure where the Town Code requires that a non-agricultural storage barn must be erected equal to or behind the front main foundation of the principal dwelling or building on the lot. This application was on the Agenda on June 16, 2014 and the applicant was given 30 days to come up with various solutions for this request.

Neither Mr. Hendershot, nor a representative attended the meeting. No notice was given to remove the application from the Agenda. This application is now closed.

AGENDA
AREA VARIANCES

ROBERT HOFSTRA
2232 REDMAN ROAD, HAMLIN

Application for Robert Hofstra for a variance from Town Code§520-27C to allow a proposed detached garage to be built 14.6' in front of the front main foundation of home located at 2232 Redman Road, Hamlin in an "R-VL (Residential/Very Low Density) zoning district". The code requires that a detached garage must be erected equal to or behind the front main foundation line of the principal dwelling. Also, a variance from Town Code§520-31 for a 3 foot variance to allow proposed garage to be 7' from the principal structure. Resident

agrees to place a one hour fire rated wall on the house side of the garage which is more restrictive than the NYS code which requires a 3' separation with a 1 hour fire rated wall.

Mr. Robert Hofstra represented himself before the Board.

The applicant is proposing to build a garage in front of the front main foundation of the principal structure. It will be a 2 car garage, with additional access to the back by a man door. There is a 1 car garage which sits behind the main front foundation, already on the property. He plans to use that building as storage for his property maintenance equipment.

Attorney Licht commented that the Board needs the plans for the addition to be drawn to scale. The plans should show the front setback and the 7 foot separation shown between the house and the proposed garage.

A motion was made by Ed Haight, seconded by Rocky Ellsworth to schedule the application for Robert Hofstra for a Public Hearing to be held on August 18, 2014 at 7:30 p.m. at the Hamlin Town Hall located at 1658 Lake road, Hamlin. It will need 3 variances, 1st for the front setback, 2nd, for a 3' variance for the area on the south side between the proposed garage and the existing house, and 3rd for a 3' variance for the east side of the property in front of the existing garage.

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

AGENDA

AREA & SETBACK VARIANCES

**STANLEY SKUPSKY
6330 SHORE ACRES DRIVE, HILTON**

Application for Stanley Skupsky for multiple variances from Town Code§520-21 for side, front, and rear setbacks, lot size, and lot width to allow construction of a garage and a utility room on the road side of the property and a 5' x 31' addition with a deck on the front (water side) of the existing house located at 6330 Shore Acres Drive, Hilton in an "SR (Shoreline/Residential) zoning district".

Raymond Wenzel represented Mr. Skupsky before the Board.

The applicant proposes to build a garage and a utility room on the road side of the property. He also wants to build a 5' x 31' addition onto the front (water side) of the house and also add onto an existing deck. He is going to need a setback variance for the lake side. The current setback is 22.8', required is 35'. A 16.4' street side variance is needed for the garage. A variance for the west side of the garage is not needed. The lot size does not meet the minimum required size. The current breakwall is pervious. Ed Haight and Rocky Ellsworth suggested finding out about the Structural Hazard Line from the state standards. It was recommended that they get all of their information together for the next meeting which will be a Public Hearing.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to schedule a Public Hearing on Monday, August 18, 2014 to be held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin at 7:30 p.m. for the application of Stanley Skupsky for various variances for parcel located at 6330 Shore Acres Drive.

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

DISCUSSION

Attorney Licht had nothing to add.
Conservation Advisory Board had no comments.
Building Inspector had no concerns.

Town Councilperson Jason Baxter reported on the Town Board meeting.

Ed Haight was re-appointed to serve the rest of his term on the Zoning Board of Appeals.
Anke Applebaum was appointed as the Recreation Director.
Cheryl J. Pacelli was appointed as the Building Inspector/Code Enforcement Officer.
Marci Dollard was awarded the Extra Mile Award. This award has been dormant for some time. Supervisor Peters wanted to revive it. Marci donates her salary she makes from exercise classes to the Recreation Department.

ADJOURNMENT

A motion to adjourn tonight's meeting barring no further business was made by Ed Haight, seconded by Klaus Pohl.

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

Minutes respectfully submitted by:

Cheryl J. Pacelli
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on August 18, 2014 at 7:30 p.m. at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is August 6, 2014 at 12 noon.