

Hamlin Zoning Board of Appeals *Minutes*
Monday, October 20, 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 for the duration of the meeting.

Present: Norman Baase, Rocky Ellsworth, Ed Haight (excused), Jerry Hoffman, and Klaus Pohl
Also present: Attorney Ken Licht, Town Council persons Jennifer Goodrich and Jason Baxter, David Matt Schultz Associates.

Residents present: Jeromy Spencer, Cindy Lutwiller, Jeff & Lora Partyka

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to approve the meeting minutes of September 15, 2014. Additions, deletions, or corrections to tonight's meeting. A correction to the Spencer Agenda item. The proposed barn size is 40' x 80'.

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

Proof of Publication

The clerk showed the ***Proof of Publication*** to those present.

PUBLIC HEARING
AREA VARIANCE

LANCE PRINCE
19 TRACIANN DRIVE, HAMLIN

Application for Lance Prince for variance from Town Code§520-29D to extend location of an existing fence 16' to the west located at 19 Traciann Drive, Hamlin in an "R-M (Residential/Medium Density) zoning district". The code states that only a fence of 4' in height and maximum 50% opaque may be placed in the front yard. A 6' shadow box fence is proposed. Also, seeking relief from Town Code§520-29F which requires that on corner lots, no fencing shall be erected in front of the front and street side main foundation lines of the principal dwelling or building on any lot, with the exception of split rail fencing as noted in Subsection D.

Neither Mr. and Mrs. Prince nor a representative attended the meeting.

Chairperson, Norman Base opened the Public Hearing.

It was asked that anyone wishing to speak please stand and state your name and address before the Board.

No one present had any comments on the proposal.

Chairperson, Norman Baase closed the Public Hearing.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to leave the Public Hearing open until November 17, 2014 at 7:30 p.m.

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

AGENDA
AREA VARIANCE

JEROMY & ELIZABETH SPENCER
292 WALKER ROAD, HAMLIN

Application for Jeromy & Elizabeth Spencer seeking variance from Town Code§520-27C to construct a proposed 40' x 80' pole barn prior to constructing the proposed residence in an "R-VL(Residential/Very Low Density) zoning district" located at 292 walker Road, Hamlin. The code states that a detached nonagricultural storage barn must be erected equal to or behind the front main foundation line of the principal dwelling or building on the lot.

Dave Matt of Schultz Associates represented the applicants before the Board.

This parcel consists of 34 acres and will be split up into two 5 acre parcels and the remaining land as one lot. The lot discussed is to the east of the property and will be referenced as Lot #2 and will contain the proposed barn to be built before the house. They will be ready to build the house within 2 building seasons. There will be a 16' wide shared private driveway with a maintenance agreement between the lots and the barn will be approximately 400 feet off the road.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to schedule a Public Hearing on November 17, 2014 at 7:30 p.m. at the Hamlin Town Hall for Jeromy & Elizabeth Spencer seeking a variance from Town Code§520-27C to construct a proposed 40' x 80' Pole Barn prior to constructing the proposed residence in an "R-VL (Residential/ Very Low Density) zoning district" to be located at 292 Walker Road, Hamlin. The code requires that a detached nonagricultural storage barn must be erected equal to or behind the front main foundation line of the principal dwelling or building on the lot. An on-site inspection by the Board will be conducted on Saturday, November 15, 2014 after 10:30 a.m. It was asked that the site be staked out for the Board.

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

AGENDA
AREA VARIANCE

JEFF & LORA PARTYKA
1700 LAKE ROAD, HAMLIN

Application for Jeff & Lora Partyka seeking variance from Town Code§520-19B(2) for a front setback variance for 53 feet where the code requires a 70 foot front setback for location at 1700 Lake Road, Hamlin in a "C-GB(Commercial/General Business) zoning district".

Dave Matt of Schultz Associates represented the applicants before the Board.

The applicants are proposing a café/diner at 1700 Lake Road, Hamlin. They are proposing to build an awning roof extension to have protection for their produce they plan to sell. The awning posts are to be considered as part of the building therefore the front setback will change. There is already a front setback adjustment in place for 60.5' from the ROW. They would need a variance for a 53' front setback from the ROW.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to schedule a Public Hearing on November 17, 2014 for Jeff & Lora Partyka seeking a variance from Town Code§520-19B(2) for a front setback of 53' for property located at 1700 Lake Road, Hamlin in a "C-GB(Commercial/General Business) zoning district". There will be an on-site inspection by the Board on Saturday, November 15, 2014 beginning at 10:30 a.m.

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

DISCUSSION

Attorney Licht stated that the Zoning Workshop for the month will be held on October 23, 2014 at 7:00 p.m. in the Hamlin Town Hall Board Room.

Town Councilperson, Jennifer Goodrich stated that the Library Grand Opening will be held on Saturday, October 25, 2014 starting at 10:00 a.m. The Recreation Department will also hold their annual School of Screams this weekend, on Friday & Saturday night.

There is a discussion about changing the payroll company from Paychex to ADP.

The Food Link truck for monthly food distribution will be stationed at the Town of Hamlin parking lot from 8:30 a.m. until 12 noon on the 4th Saturday of each month.

ADJOURNMENT

A motion to adjourn tonight’s meeting barring no further business was made by Jerry Hoffman, seconded by Klaus Pohl.

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

Minutes respectfully submitted by:

Cheryl J. Pacelli
Clerk to the Support Board

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on November 17, 2014 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is November 6, 2014 at 12 noon.