

Hamlin Zoning Board of Appeals *Minutes*
 Monday, May 18, 2015
 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 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, Jerry Hoffman, and Klaus Pohl

Also present: Attorney Licht, Building Inspector Cheryl Pacelli, Town Councilperson Jennifer Goodrich, and Merritt Ackles Conservation Advisory Board member.

Residents present: Linda & Carmen Collini, Andrew Collini, Sara Lafavo (sp), Winnie & Richard Franklin, Lisa Montanus, Patricia Young, Dan Ingham, Kathy Ingham, Tim Hervey, Cindy Hervey, Dean Brightly, Betsy Brightly, Virginia Truelson, Cheryl & William Jolly.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the meeting minutes of April 20, 2015. Additions, deletions, or corrections to tonight's meeting.

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

PUBLIC HEARING
AREA VARIANCE

MARK & ANDREW GREENWELL
336 CHURCH ROAD, HAMLIN

Application of Mark & Andrew Greenwell seeking relief from Town Code§520-11B(1)(a) for a 4.128 acre variance for a lot that is .872 acres where the code requires 5 acres. Also, relief from Town Code§520-11B(2)(a) for a front setback of 71.6 feet where the code requires 100 foot front setback for property located at 336 Church Road in an R-VL zoning district.

Rich Maier of Maier Land Surveying represented the applicants before the board. He gave an overview of the application.

Attorney Licht asked about the setback for the leach field. It is at least 15 feet from the lot line.

Chairperson Norman Baase opened the Public Hearing.

It was asked that anyone wishing to speak to please stand and state their name and address.

There were no comments or concerns from those present.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Jerry Hoffman to grant Mark & Andrew Greenwell relief from Town Code§520-11B(1)(a) for a 4.128 acre variance for a lot that is .872 acres where the code requires 5 acres. Also, relief from Town Code§520-11B(2)(a) for a front setback of 71.6 feet where the code requires 100 foot front setback for property located at 336 Church Road in an R-VL zoning district. This is in keeping with the Town of Hamlin Master Plan and is the minimum variance allowed. This is a Type II Neg SEQR.

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

PUBLIC HEARING
AREA VARIANCE

CARMEN & LINDA COLLINI
7956 NEWCO DRIVE, HAMLIN

Application of Carmen & Linda Collini; owners; seeking relief from Town Code§520-21C(2)(c) for a front (waterside) setback of 30' where the code requires a 35' front(waterside) setback; Town Code§520-21C(1)(a) for a .35 acre parcel where the code requires a 2 acre parcel for a one story residence to be built located at **7956 Newco Drive, Hamlin** in an S/R zoning district.

Andrew Collini represented the applicants before the board. He gave an overview of the proposed home site. It was decided by the Zoning Board members and the Zoning Board Attorney that more information was needed on the plan. As a result the applicants will be back in June for a Public Hearing so the changes can be posted.

AGENDA
USE VARIANCE

TIMOTHY & CYNTHIA HERVEY
760 LAKE ROAD EAST FORK, HAMLIN

Application for Cynthia Hervey; owners, Timothy & Cynthia Hervey; seeking a use variance to have a part reconditioning business to be located in a portion of the garage located at 760 Lake Road East Fork, Hamlin in an R-VL zone.

Timothy Hervey represented himself and his wife before the board. He explained to the board the nature of his intent to have a small part polishing business in his garage. This application was denied as it is not permitted in the R-VL zone.

AGENDA
AREA VARIANCE

LISA MONTANUS
5785 WEST WAUTOMA BEACH ROAD, HAMLIN

Application of Lisa Montanus; owner; seeking relief from Town Code§520-27C for a 10 foot side setback variance for a detached 12' x 24' garage where the code states that the required side setback is 15 feet in an S/R zoning district for property located at 5785 West Wautoma Beach Road, Hamlin.

Lisa Montanus represented herself before the board. She gave an overview of the proposed garage to the board. She is interested in building a 12'x 24' garage next to her home. It will be approx. 5 feet from the side property line. She showed pictures of the placement to the board.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to schedule the applicant for a Public Hearing to be held on June 15, 2015 at 7:30 p.m. An on- site inspection will be completed on Saturday, June 13, 2015 after 10:30 a.m. It was asked that the area for the garage be staked out.

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

AGENDA

USE VARIANCE

**WILLIAM JOLLY
1178 COUNTY LINE ROAD, HAMLIN**

Application for William Jolly; owner; William Jolly; seeking relief from Town Code§520-41C(1)(a)[1] to have chickens on .64 acre of land where the code states that 1 acre of land is required to have chickens; for property located 1178 County Line Road, Hamlin in an R-VL zone.

Cheryl Jolly represented the applicant before the board. They have 28 chickens and were unaware of the code requirement of 10 chickens per 1 acre of land. There are no roosters on the property. They use the eggs and the chickens are therapy for a grandson. They need to provide a tape location survey map to the board.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to schedule the applicant for a Public Hearing to be held on June 15, 2015 at 7:30 p.m. An on- site inspection will be completed on Saturday, June 13, 2015 after 10:30 a.m. It was asked that the area the chickens are in be staked out.

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

AGENDA

AREA VARIANCE

**RICHARD & WINNIE FRANKLIN
1583 HAMLIN PARMA TOWN LINE ROAD, HAMLIN**

Application for Richard & Winnie Franklin; owners; Richard & Winnie Franklin; seeking relief from Town Code§520-29B to install an 8 foot high fence where the code states that no fence shall be erected in any rear yard higher than 6 feet above the highest point of ground directly below the fence for property located at 1583 Hamlin Parma Town Line Road, Hamlin in an R-VL zone.

Mr. & Mrs. Franklin represented themselves before the board. They are requesting to place a 60 foot long x 8 foot high fence in the rear of their property where the maximum height allowed is 6 feet high. It will be a dog eared stockade fence.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to schedule the applicant for a Public Hearing to be held on June 15, 2015 at 7:30 p.m. An on- site inspection will be completed on Saturday, June 13, 2015 after 10:30 a.m. It was asked that the fence area be staked out.

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

AGENDA

AREA VARIANCE

**JOSEPH BRIGHTLY
525 DRAKE ROAD, HAMLIN**

Application for Joseph Brightly; owner; seeking relief from Town Code§520-31C for a similar accessory recreational structure to be placed in front of the rear foundation line where the code states that if erected on a corner lot, a shed, cabana or similar accessory structure must be located behind the rear and street side main foundation lines of the principal dwelling or building on the lot. This is in an R-L zone.

Dean & Betsy Brightly represented the owner before the board. They have placed a recreational structure on the premises in the side yard of the farm market.

A motion was made by Ed Haight, seconded by Jerry Hoffman to schedule the applicant for a Public Hearing to be held on June 15, 2015 at 7:30 p.m. An on- site inspection will be completed on Saturday, June 13, 2015 after 10:30 a.m.

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

AGENDA – (addition to agenda)

AREA VARIANCE

**VIRGINIA TRUELSON
7898 NEWCO DRIVE**

Application of Virginia Truelson; owners; Richard & Viola Mattle LU; seeking relief from Town Code§520-21C(2)c for a 31 ‘ front setback variance for a 14 ‘ deep x 30 ‘ wide deck to be built on the front (water side) of the existing home where the code states the minimum front (waterside) setback is 35’. This is in an S/R zone.

Virginia Truelson represented herself before the board. A 14’ deep x 30’ wide deck is proposed. There are concrete pavers for a patio already in place. She would like a deck for her mom so she can enjoy the water without using steps. The LWRP has deemed it consistent with the policies required.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to schedule the applicant for a Public Hearing to be held on June 15, 2015 at 7:30 p.m. An on- site inspection will be completed on Saturday, June 13, 2015 after 10:30 a.m. It was asked that the deck area be staked out.

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

DISCUSSION

Town Councilperson Jennifer Goodrich reported that the A frame sign law has been revise by a resolution.

ADJOURNMENT

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on June 15, 2015 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is June 2, 2015 at 12 noon.

DISCUSSION

ADJOURNMENT

A motion to adjourn tonight's meeting barring no further business was made by, seconded by
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 J. Pacelli
Clerk to the Support Board

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on June 15, 2015 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is June 2, 2015 at 12 noon.