

Hamlin Zoning Board of Appeals *Minutes*
Monday, September 15, 2008
7:30pm

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 Chairman Norman Baase at 7:30pm 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 Charlie Welch, Town Board Liaison Mike Marchetti, Building Inspector Charlie Hungerford, Planning Board member Tom Jensen, Conservation Board members Jeanine Klopp and Ed Evans and resident Terry Newbauer.

Chairman Norman Baase stated that he received a call from Brad Tomaszewski questioning the minutes and a statement made by Klaus Pohl asking if the garage had been built per code. Klaus stated that it was just a question. The Board agreed that it should stay in the minutes. A motion was made by Jerry Hoffman, seconded by Klaus Pohl to approve the minutes of the August 18, 2008 meeting as recorded. Members polled, Baase aye, Ellsworth aye, Haight abstain, Hoffman aye, Pohl aye. Motion carried, minutes approved.

The Clerk showed Proof of Publication

PUBLIC HEARING

**TERRY NEWBAUER
94 CHURCH ROAD**

Terry Newbauer was present seeking relief from Town Code 125-18B(2)(b) for a 5' east side setback variance to construct an addition onto his existing garage located at 94 Church Road. Mr. Newbauer explained that he would like to widen his garage 10' to the east and 17' to the north. This would make his garage only 10' from the east property line. Therefore he needs a 5' east side setback variance. Rocky Ellsworth questioned the height of the garage. Mr. Newbauer stated that it would be to the peak of the house. Rocky questioned if the siding would be the same as the house. Mr. Newbauer stated yes it would.

At this time Chairman Norman Baase opened the Public Hearing and asked if there was anyone present wishing to speak for or against this proposal. There were no replies.

At this time Chairman Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Jerry Hoffman to grant relief from Town Code 125-18B(2)(b) for a 5' east side setback variance to Mr. Newbauer for a garage addition located at 94 Church Road. There were no negative comments from the neighbors. This will not change the character of the neighborhood. This is the minimum to grant relief. This is a Type II SEQR determination. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion approved.

PUBLIC HEARING

MR. AND MRS. WILLIAMS 1352 BROOKEDGE DRIVE

Attorney Welch explained that he was contacted by the owners Attorney and wanted to get the permit issue resolved so his clients could sell their house. The owners of the house have chosen to ignore the issue and they have sold their house and moved already. Which now makes this a Code Enforcement issue. There is no longer an application therefore the Board cannot make a decision. This Public Hearing is closed.

DISCUSSION

Jim Beehler has requested a permit to sell topsoil from the Hamlin Meadows Subdivision located on Roosevelt Highway for 6 months. Jerry Hoffman asked how much soil he wanted to sell. Building Inspector Charles Hungerford stated that he needed to get rid of the pile of topsoil on the west side. The Board questioned if DEC approval was needed. Mr. Hungerford stated that the DEC does have regulations and does need to do inspections on each load removal. There is a DEC representative at the lot every day now.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to grant a permit to sell topsoil to James Beehler for 6 months for Hamlin Meadows Subdivision located on Roosevelt Highway. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion approved.

Building Inspector Charles Hungerford mentioned a tentative DEC workshop scheduled for Sept. 25 from 6:30-9:30. The Town Board has approved this workshop for 2 training hours. A memo will be sent out as soon as the date is confirmed.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Klaus Pohl to adjourn tonight's meeting barring no further business. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried, meeting adjourned.

Minutes respectively submitted by:

Heather Norman
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on Monday, October 20, 2008 at 7:30pm. Deadline for all fees is Monday, October 6, 2008 at 12:00.