

HAMLIN ZONING BOARD OF APPEALS MINUTES
Monday, July 15, 2019
7:30 P.M.

The regular scheduled meeting of the Hamlin Zoning Board of Appeals will be held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin and will be 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 will be asked that all cell phones and pagers be turned off for the duration of the meeting.

Roll call: Norman Baase, Rocky Ellsworth, Ed Haight (excused), Jerry Hoffman, and Carl Rath.

Present: Greg Pasinski, Scott Hepler, Dan Osbelt, Conservation Advisory Board Member Nathan Pacelli, James Mastrodonato, Chris Mesavage, Rick Jensen, Town Councilperson Jennifer Voelkl.

Approval of the June 17, 2019 meeting minutes. Additions, deletion, or corrections to tonight’s meeting. A motion was made by Jerry Hoffman, seconded dually by Rocky Ellsworth and Carl Rath to approve the June 17, 2019 meeting minutes as recorded.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Jerry Hoffman aye, Carl Rath aye. Motion carried.

The clerk showed the legal notice publication.

PUBLIC HEARING CONTINUATION
AREA VARIANCE

GREGORY PASINSKI JR
2915 ROOSEVELT HIGHWAY

Application of Gregory Pasinski Jr, owner, Gregory Pasinski Jr, seeking relief from Town Code§520-19(C) to add a lean-to to his existing outbuilding with a side setback of less than 10-feet and a rear setback of less than 30-feet. This is in the C-GB zone. Tax account# 021.03-4-19.

Gregory Pasinski represented himself before the board. He is seeking to add a lean-to onto the existing outbuilding. It will have metal siding, shingle roof and be placed on s concrete pad. This will be similar to the existing lean-to on the opposite side of the outbuilding. He will be storing his charter boat under the proposed lean-to. He will not have to store it elsewhere.

Chairperson Norman Baase asked if there were any questions from the board. There were no questions or comments from the board.

Chairperson Norman Baase opened up the Public Hearing.

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

There was no-one present wishing to speak.

Chairperson Norman Baase closed the Public Hearing.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment of health, safety, and welfare of the neighborhood or community by such grant. The Statute provides that in balancing the interests of the applicant and those of the neighborhood or community, the Zoning Board of appeals must consider the following five (4) factors:

1. Whether an undesirable change will be produced in the charter of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. Board members had no comments.

2. Whether the benefit sought by the applicant can be achieved by some feasible method other than an area variance. Board members had no comments.
3. Whether the requested area variance is substantial. The front setback variance would match the existing building. Board members had no comments.
4. Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood district. Board members had no comments.
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance. Board members had no comments.

These five (5) factors were taken into consideration by the board.

A motion was made by Jerry Hoffman, seconded by Carl Rath to grant the area variance for the Application of Gregory Pasinski Jr, owner, Gregory Pasinski Jr, seeking relief from Town Code§520-19(C) to add a lean-to to his existing outbuilding with a rear setback of 12-feet where the code states that the rear setback must be no less than 30-feet. This is in the C-GB zone. Tax account# 021.03-4-19. This is a Type II SEQR.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Jerry Hoffman aye, Carl Rath aye. Motion carried.

AGENDA

AREA VARIANCE

**CHRIS MESAVAGE
180 KETCHUM ROAD**

Application of Chris Mesavage, owner, Chris Mesavage, seeking relief from Town Code§520-27C to build a 30' x 40' pole barn at 180 Ketchum Road to store equipment safely before and during the house build. The code states that a detached private garage or carport or nonagricultural barn must be erected equal to or behind the front main foundation line of the principal dwelling or building on the lot and shall not be located nearer than 15 feet to any rear or side property lines, not closer than 10 feet to any other building on the lot. Tax account# 014.02-1-13.214. This is in the R-VL District.

Chris Mesavage represented himself before the board. He has purchased property located at 180 Ketchum Road with the intention of building a dwelling and a barn on the property. He is seeking to build a 30' x 40' steel pole barn for storage and staging of equipment to be used for building the dwelling. It will be 250 feet off the road.

A motion was made by Rocky Ellsworth, seconded by Carl Rath to schedule a Public Hearing on August 19, 2019 at 7:00pm for the Application of Chris Mesavage, owner, Chris Mesavage, seeking relief from Town Code§520-27C to build a 30' x 40' pole barn at 180 Ketchum Road to store equipment safely before and during the house build. The code states that a detached private garage or carport or nonagricultural barn must be erected equal to or behind the front main foundation line of the principal dwelling or building on the lot and shall not be located nearer than 15 feet to any rear or side property lines, not closer than 10 feet to any other building on the lot. Tax account# 014.02-1-13.214. This is in the R-VL District.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Jerry Hoffman aye, Carl Rath aye. Motion carried.

AGENDA

AREA VARIANCE

**JAMES MASTRODONATO
1046 LAKE ROAD EAST FORK**

Application of James Mastrodonato, owner, James Mastrodonato seeking relief from Town Code§520-31A to add an accessory structure to an existing concrete pad, this will bring the total accessory structures to 6. The code states that any shed, cabana or similar accessory structure shall not exceed 256 square feet in area, no one side shall exceed 16-feet in length, and all walls shall have a maximum height of eight feet. One of each structure shall be permitted per lot except for R-L District (2) and R-VL District (three) as determined by the Building Inspector. Tax account# 013.04-2-14. This is in the R-VL District.

James Mastrodonato represented himself before the board. He would like to build a playhouse/shed for his children. It will be made of wood materials and placed on an existing concrete slab.

Building Inspector Cheryl Pacelli added that Mr. Mastrodonato purchased the property with 5 accessory structures already in place.

A motion was made by Carl Rath, seconded by Rocky Ellsworth to schedule a Public Hearing on August 19, 2019 at 7:00pm for the Application of James Mastrodonato, owner, James Mastrodonato seeking relief from Town Code§520-31A to add an accessory structure to an existing concrete pad, this will bring the total accessory structures to 6. The code states that any shed, cabana or similar accessory structure shall not exceed 256 square feet in area, no one side shall exceed 16-feet in length, and all walls shall have a maximum height of eight feet. One of each structure shall be permitted per lot except for R-L District (2) and R-VL District (three) as determined by the Building Inspector. Tax account# 013.04-2-14. This is in the R-VL District.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Jerry Hoffman aye, Carl Rath aye. Motion carried.

AGENDA

AREA VARIANCE

**DANIEL OSBELT
2939 ROOSEVELT HIGHWAY**

Application of Daniel Osbelt, owner, Daniel Osbelt, seeking relief from Town Code§520-19A(4)(b) to build a new garage on the property where the code only states that sheds and similar accessory structures are allowed in the C-GB District. Tax account# 021.030-04-017-100. This is in the C-GB District.

Daniel Osbelt represented himself before the board. He would like to replace a demolished garage with a new garage structure. It will be slightly larger than the previous structure. It will be east of the existing dwelling.

A motion was made by Rocky Ellsworth, seconded by Jerry Hoffman to schedule a Public Hearing on August 19, 2019 at 7:00pm for the Application of Daniel Osbelt, owner, Daniel Osbelt, seeking relief from Town Code§520-19A(4)(b) to build a new garage on the property where the code only states that sheds and similar accessory structures are allowed in the C-GB District. Tax account# 021.030-04-017-100. This is in the C-GB District.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Jerry Hoffman aye, Carl Rath aye. Motion carried.

AGENDA

COASTAL EROSION HAZARD AREA BOARD OF REVIEW

**RICHARD JENSEN
7016 BENEDICT BEACH ROAD**

Application of Richard Jensen, owner, Richard Jensen. Represented by Scott Hepler of Ultimate Dock Systems to build a 60-foot dock in Lake Ontario located at 7016 Benedict Beach. This property is located in the Coastal Erosion Hazard Area. This is in the S/R District. Tax account# 007.010-01-017.

Scott Hepler of Ultimate Dock Systems represented the applicant before the board. He proposes to build a 60-foot steel and concrete permanent dock at 7016 Benedict Beach Road. All necessary permits have been obtained. It is consistent with the LWRP.

A motion was made by Rocky Ellsworth, seconded by Carl Rath to grant the Coastal Erosion Hazard Area Permit for the Application of Richard Jensen, owner, Richard Jensen. Represented by Scott Hepler of Ultimate Dock Systems to build a 60-foot dock in Lake Ontario located at 7016 Benedict Beach. This property is located in the Coastal Erosion Hazard Area. All necessary permits have been obtained. This is consistent with the LWRP. This is in the S/R District. Tax account# 007.010-01-017.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Jerry Hoffman aye, Carl Rath aye. Motion carried

DISCUSSION

It was discussed that for the Mesavage application that a time frame will be set at the Public Hearing within the motion determining how long they will have to obtain a building permit and start building. There have been incidents where the owner of the property built the barn/outbuilding and then did not build the dwelling.

Conservation Advisory Board Member Nathan Pacelli stated that he will not be able to attend the Zoning Advisory Board meetings until December 2019. Another member of the board will fill in for him.

Town Councilperson Jennifer Voelkl talked about properties that had barn/outbuildings and no dwellings. Lakefront issues continue to be a hot topic at the Town Board meetings. When there are storms, they are bad and there is flooding. Highway Superintendent Steve Baase is doing the best he can and it is appreciated. The Clarkson Town Line Road Water District is moving forward. The LWRP grant writing is also moving forward. The lake issues are taking the forefront at his time.

Zoning Board Vice-Chairperson Rocky Ellsworth mentioned that he had read an article on solar and it is not all that it seems.

ADJOURNMENT

A motion was made by Rocky Ellsworth, seconded by Carl Rath to adjourn tonight's meeting barring any further business.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Jerry Hoffman aye, Carl Rath 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 Monday, August 19, 2019 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is August 6, 2019 at 12 noon.