

**HAMLIN ZONING BOARD OF APPEALS MINUTES
Tuesday, January 17, 2023
7:00 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 was called to order by Chairperson Norman Baase at 7:00 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.

Roll call: Norman Baase, Rocky Ellsworth, Ed Haight (excused), Carl Rath, Jonathan Vogler.

Present: Thomas Mann, Brian Bedient, Scott Hepler.

Approval of the December 18, 2022 meeting minutes. Additions, deletion, or corrections to tonight’s meeting. A motion was made by Rocky Ellsworth, seconded by Carl Rath to approve the meeting minutes of December 18, 2022 as recorded. There was one agenda addition item added. Members polled: Norman Baase aye, Rocky Ellsworth aye, Carl Rath aye, Jonathan Vogler aye. Motion carried.

A motion was made by Carl Rath, seconded by Jonathan Vogler to nominate Rocky Ellsworth as the Vice Chairperson of the Zoning Board Appeals for the year 2023. Members polled: Norman Baase aye, Rocky Ellsworth abstain, Carl Rath aye, Jonathan Vogler aye. Motion carried.

PUBLIC HEARING CONTINUATION
RESIDENTIAL SKETCH PLAN
PROPERTY SPLIT

THOMAS MANN
179 CHURCH ROAD

Application of Thomas Mann, owner, Thomas Mann, seeking the following variances: Applicant is seeking relief from Town Code§520-11B(1)(a) which states the minimum lot size is 2 acres. Applicant is proposing a lot size of .98 acre. Applicant is seeking relief from Town Code§520-11B(1)(b) which states the minimum lot width is 250 feet. Applicant is proposing a lot width of 130 feet. Applicant is seeking relief from Town Code§520.41B(1)(a)[3](b) which states that no building in which farm animals or poultry are kept shall be located within 50 feet of any lot line or within 150 feet of any adjoining residence.

Thomas Mann represented himself before the board. The new legal notice stated the correct variances proposed. The Public Hearing was left open from December 18, 2022. There were no comments from anyone present. The 5 criteria were discussed at the December 18, 2022 meeting.

Chairperson Baase closed the Public Hearing.

A motion was made by Rocky Ellsworth, seconded by Jonathan Vogler to grant the Application of Thomas Mann, owner, Thomas Mann, seeking the following variances: Applicant is seeking relief from Town Code§520-11B(1)(a) which states the minimum lot size is 2 acres. Applicant is proposing a lot size of .98 acre. Applicant is seeking relief from Town Code§520-11B(1)(b) which states the minimum lot width is 250 feet. Applicant is proposing a lot width of 130 feet. Applicant is seeking relief from Town Code§520.41B(1)(a)[3](b) which states that no building in which farm animals or poultry are kept shall be located within 50 feet of any lot line or within 150 feet of any adjoining residence. The farm animals will be 50 feet from the adjoining residence. This is a Type II SEQR. Members polled: Norman Baase aye, Rocky Ellsworth aye Carl Rath abstain, Jonathan Vogler aye. Motion carried.

AGENDA

COASTAL EROSION HAZARD AREA PERMIT

**FRANK SASSONE
6596 SHORE ACRES DRIVE**

Application of Frank Sassone, owner, Frank Sassone, seeking a Coastal Erosion Hazard Area Permit to install a generator in the east side yard which is in the CEHA Area. The LWRP inspection has been completed and has been deemed consistent of the policies of the LWRP. Tax account# 007.51.2.5. This is in the S/R Zoning District, LWRP, and floodplain.

Brian Bedient of Home Power Systems represented the owner before the board. He is proposing to place the generator on the east side of the dwelling. There are no variances required. This generator will be 5 feet from the dwelling and more than 6 feet from the east side lot line. It will be on a 12" high base.

A motion was made by Carl Rath, seconded by Rocky Ellsworth to grant the Application of Frank Sassone, owner, Frank Sassone, seeking a Coastal Erosion Hazard Area Permit to install a generator in the east side yard which is in the CEHA Area. The LWRP inspection has been completed and has been deemed consistent of the policies of the LWRP. Tax account# 007.51.2.5. This is in the S/R Zoning District, LWRP, and floodplain. The applicant has already received the Conservation Corridor Development Permit from the Planning Board for the generator to be within 100 feet of Lake Ontario.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Carl Rath aye, Jonathan Vogler aye. Motion carried.

ADDITION TO AGENDA

AGENDA

COASTAL EROSION HAZARD AREA PERMIT

**SCOTT HEPLER
7008 BENEDICT BEACH ROAD**

Application of Scott Hepler, owner, Jeff Lash, seeking a Coastal Erosion Hazard Area Permit for the construction of a temporary 32'L x 16'W access pad, consisting of 2–3-ton boulders, to facilitate construction of a non-jurisdictional dock and platform. Also permitted is the construction of a 42" W x 18'L stairway on 6" D piles from the new platform to the lake. The access pad will be removed upon completion of construction and the boulders will be used above Mean High Water to repair the existing rock revetment. Tax account# 007.01-1-18. This is in the S/R Zoning District and the LWRP, CEHA, and Floodplain. This has already received the Conservation Corridor Development Permit from the Planning Board on January 4, 2023.

Scott Hepler of Ultimate Dock Systems represented the owner before the board. They are proposing a dock with a platform. They have the approved DEC Permit. The LWRP Inspection has been completed and it has been deemed consistent with the policies of the LWRP.

A motion was made by Carl Rath, seconded by Rocky Ellsworth to grant the Application of Scott Hepler, owner, Jeff Lash, seeking a Coastal Erosion Hazard Area Permit for the construction of a temporary 32'L x 16'W access pad, consisting of 2–3-ton boulders, to facilitate construction of a non-jurisdictional dock and platform. Also permitted is the construction of a 42" W x 18'L stairway on 6" D piles from the new platform to the lake. The access pad will be removed upon completion of construction and the boulders will be used above Mean High Water to repair the existing rock revetment. Tax account# 007.01-1-18. This is in the S/R Zoning District and the LWRP, CEHA, and Floodplain. This has already received the Conservation Corridor Development Permit from the Planning Board on January 4, 2023.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Carl Rath aye, Jonathan Vogler aye. Motion carried.

DISCUSSION

There was a discussion on the process for generators along the lakeshore for medical reasons only that are in the CEHA Area or within 100 feet of Lake Ontario.

ADJOURNMENT

A motion was made by Carl Rath, seconded by Rocky Ellsworth, Norman Baase, and Jonathan Vogler to adjourn tonight's meeting barring no further business.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Carl Rath aye, Jonathan Vogler aye. Motion carried.

Minutes respectfully submitted by,

Cheryl J. Pacelli

Clerk to the Zoning Board of Appeals

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on Tuesday, Tuesday, February 21, 2023 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is February 7, 2023 at 12 noon.