HAMLIN ZONING BOARD OF APPEALS MINUTES
Monday, April 21, 2025
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 will be 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 (excused), Ed Haight, Carl Rath, Jonathan Vogler.

Approval of the meeting minutes of March 17, 2025. A motion was made by Carl Rath, seconded by Jonathan Vogler, to approve the meeting minutes of March 17, 2025 as recorded. Members polled: Norman Baase aye, Carl Rath aye, Ed Haight aye, Jonathan Vogler aye. Motion carried.

Present: Jess Rawleith (sp), Cindy Lutwiller, Mark Flannery, Dave Robbins, Britney & Austin Leatzaw, Shelly Peown, Sharon Stokoe, Greg Cooper, Angie & jeff carpenter, Susan Cotsworth, Michael Bassett.

PUBLIC HEARING
AREA VARIANCE **PHIL PITTS**
17 SUMMERHAVEN DRIVE

Application of Phil Pitts, owner, Phil Pitts, seeking a rear setback variance to place a generator in the rear yard 5 feet from the dwelling. He is requesting a 25 foot variance from the rear lot line. Town Code§520-21C(2)(a) states that the minimum rear (roadside) setback is 35 feet. This is in the S/R Zoning Code. Tax account#008.14-1-3.

Phil Pitts represented himself before the board. He resides at 17 Summerhaven Drive which is located on the opposite side of Lake Ontario. He is seeking a variance to place a generator in the rear yard. He is requesting a 25 foot rear setback variance for the location of the generator.

Chairperson Norman Baase opened the Public Hearing.
It was asked if anyone wished to speak to please state their name and address.
There was no-one wishing to speak.
Chairperson Norman Baase closed the Public Hearing.

There were no questions or concerns from the board.

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 (5) factors:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance. Board members commented no.
2. Whether the benefit sought by the applicant can be achieved by some feasible method other than an Area Variance. Board members commented no.
3. Whether the requested area variance is substantial. The Board members commented no.
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 commented no.

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 commented yes.

A motion was made by Carl Rath, seconded by, Ed Haight, to grant the Area Variance for the Application of Phil Pitts, owner, Phil Pitts, seeking a rear setback variance to place a generator in the rear yard 5 feet from the dwelling. He is requesting a 25- foot variance from the rear lot line. Town Code§520-21C(2)(a) states that the minimum rear (roadside) setback is 35 feet. This is in the S/R Zoning Code. Tax account#008.14-1-3.
Members polled: Norman Baase aye, Carl Rath aye, Ed Haight aye, Jonathan Vogler aye. Motion carried.

PUBLIC HEARING
AREA VARIANCE **MICHAEL BASSETT**
697 WILER ROAD

Application of Michael Bassett, owner, Michael Bassett, seeking a variance from Town Code§520-12A(4)(a) to add a 2800 sq. ft. pole barn in the rear yard. The code only refers to garages and carports. This is in the R-L Zoning District. Tax account# 029.02-2-7.

Michael Bassett represented himself before the board. He is planning on tearing down an existing outbuilding and in it's place erect a 2800 sq. ft pole barn.

Chairperson Norman Baase opened the Public Hearing.
It was asked if anyone wished to speak to please state their name and address.
There was no-one wishing to speak.
Chairperson Norman Baase closed the Public Hearing.

There were no questions or concerns from the board.

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 (5) factors:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance. Board members commented no.
2. Whether the benefit sought by the applicant can be achieved by some feasible method other than an Area Variance. Board members commented no.
3. Whether the requested area variance is substantial. The Board members commented no.
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 commented no.
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 commented yes.

A motion was made by Ed Haight, seconded by, Jonthan Vogler, to grant the Area Variance for the Application of Michael Bassett, owner, Michael Bassett, seeking a variance from Town Code§520-12A(4)(a) to add a 2800 sq. ft. pole barn in the rear yard. The code only refers to garages and carports. This is in the R-L Zoning District. Tax account# 029.02-2-7. This is a Type II SEQR Under SEQR.
Members polled: Norman Baase aye, Carl Rath aye, Ed Haight aye, Jonathan Vogler aye. Motion carried.

DRAFT

AGENDA

AREA VARIANCE **SHARON STOKOE**
816 HAMLIN CENTER ROAD

Application of Sharon Stokoe, owner, Sharon Stokoe, seeking an area variance to erect a 20' x 20' outbuilding/barn in front of the front main foundation line of the existing dwelling. The code only refers to garages and carports. This is in the R-L Zoning District. Tax account#021.040-01-021.210.

Sharon Stokoe represented herself before the board. She is proposing to add a 20 foot x 20 foot outbuilding in front of the front main foundation line of the existing dwelling. Due to the nature of the layout of her property, there is no room behind the dwelling for the new structure.

A motion was made by Jonathan Vogler, seconded by Carl Rath, to schedule a Public Hearing on May 19, 2025 after 7:00pm for the Application of Sharon Stokoe, owner, Sharon Stokoe, seeking an area variance to erect a 20' x 20' outbuilding/barn in front of the front main foundation line of the existing dwelling. Also, to add an outbuilding to the property where the code only refers to garages and carports. This is in the R-L Zoning District. Tax account#021.040-01-021.210.
Members polled: Norman Baase aye, Carl Rath aye, Ed Haight aye, Jonathan Vogler aye. Motion carried.

ADDITION TO EXISTING AGENDA

COASTAL EROSION HAZARD AREA PERMIT **BRITTNEY & AUSTIN LEATZAW**
5872 WEST WAUTOMA BEACH ROAD

Application of Brittney & Austin Leatzaw, owners, Brittney & Austin Leatzaw, seeking a Coastal Erosion Hazard Area Permit to add a 4- foot -high black aluminum fence 50% opaque to a lot that borders and will replace the fence that is on their existing property. This is to keep their dogs in their yard and safe with room to roam safely. This is considered a practical difficulty. The lot has been bought and closed upon 008and the applicant is the new owner. The fence for the existing property was approved on September 16, 2024. This is in the S/R Zoning District, CEHA Area, LWRP and Conservation Corridor Development Area. Tax account# 008.15-1-17.

A motion was made by Ed Haight, seconded by, Carl Rath, to grant the Application of Brittney & Austin Leatzaw, owners, Brittney & Austin Leatzaw, seeking a Coastal Erosion Hazard Area Permit to add a 4- foot -high black aluminum fence 50% opaque to a lot that borders and will replace the fence that is on their existing property. This is to keep their dogs in their yard and safe with room to roam safely. This is considered a practical difficulty. The lot has been bought and closed upon 008and the applicant is the new owner. The fence for the existing property was approved on September 16, 2024. This is in the S/R Zoning District, CEHA Area, LWRP and Conservation Corridor Development Area. Tax account# 008.15-1-17. This is referred to the Planning Board for a Conservation Corridor Development Permit to have a fence within 100 feet of Lake Ontario.
Members polled: Norman Baase aye, Carl Rath aye, Ed Haight aye, Jonathan Vogler aye. Motion carried.

DISCUSSION

The Genesee Land trust has been discussing solar energy.
The bridge on Lake Road East Fork will be out of service for repairs from May 5, 2025 until October/November 2025.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Carl rath, to adjourn this meeting with no further business. Members polled: Norman Baase aye, Carl Rath aye, Ed Haight aye, Jonathan Vogler aye. Motion carried.

DRAFT

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 Monday, May 19, 2025 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is April 28, 2025 at 12 noon.

DRAFT