

Hamlin Zoning Board of Appeals *Minutes*
Monday, October 17, 2005
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 explained for those present.

Present: Norman Baase Terry Dingee, Rocky Ellsworth, Jerry Hoffman, Klaus Pohl and Donna Stassen.

Excused: Ed Haight

Also present: Support Board Attorney Charlie Welch, Town Board Liaison George Todd, Conservation Board members Craig Goodrich and Glenn Quetschenbach, Building Inspector Dick Bauman, Fire Marshal B.J. Maier. Residents Tom Jensen, Ron Fey, Andrew Simpson, James E. Krempasky and several other interested residents.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the minutes of the September 19, 2005 meeting as recorded. Members polled Baase aye, Ellsworth aye, Hoffman aye, Pohl aye, Stassen aye. Motion carried, minutes approved.

Board member Terry Dingee entered the meeting.

The Clerk read the Proof of Publication

PUBLIC HEARING

**MR. AND MRS. SIMPSON
1246 MOSCOW ROAD**

Mr. and Mrs. Simpson were present to seek relief from Town Code 125-42C to construct a 48' x 56' Accessory Building on their vacant property located at 1246 Moscow Road to be used for personal storage. Mr. Simpson stated that they would like to build the barn in December and then begin construction of their house in April. They have received Final Site Approval from the Planning Board for their house. The barn would be used for storage of building supplies and personal storage.

At this time Chairman Norman Baase opened the Public Hearing for anyone 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 Klaus Pohl, seconded by Jerry Hoffman to grant relief from Town Code 125-42C to Mr. and Mrs. Simpson to construct a 48' x 56' Accessory Building on their vacant property located at 1246 Moscow Road to be used for storage. This is a

Type II SEQR determination. Members polled Baase aye, Dingee aye, Ellsworth aye, Hoffman aye, Pohl aye, Stassen aye. Motion carried.

PUBLIC HEARING

RONALD FEY 60 ALDER BUSH LANE

Mr. Fey of 60 Alder Bush Lane was present to seek relief from Town Code 125-42B for a 3' east side setback variance to place a 8' x 12' shed on his property. Mr. Fey stated that the shed was originally located behind his house but needed to be moved per the Building Inspector. Due to flooding in his back yard the shed needed to be located in his side yard. Klaus Pohl asked if Mr. Fey was still planning on moving the location of the door. Mr. Fey stated yes he would change the door in the spring.

Terry Dingee stated that after the last meeting and after viewing the location the Board is a lot more supportive of his situation due to the flooding of his yard.

At this time Chairman Norman Baase opened the Public Hearing for anyone 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 Terry Dingee, seconded by Donna Stassen to grant relief from Town Code 125-42B for a 3' east side setback variance to place a 8' x 12' shed on his property. This will not alter the characteristic of the neighborhood. This is the minimum to provide relief due to a flooding hardship. This is a Type II SEQR determination. Members polled Baase aye, Dingee aye, Ellsworth aye, Hoffman aye, Pohl aye, Stassen aye. Motion carried.

HENRY ENOS 6338 SHORE ACRES

Henry Enos was present to seek a variance to construct a 8' x 16' deck addition to his existing deck on the front of his house to extend to the gabions located at 6338 Shore Acres. Chairman Norman Baase read Town Code 125-41.1 for everyone. Some discussion on needing a Public Hearing took place. Conservation Board member Craig Goodrich stated that he was familiar with the location and this deck would be consistent with other decks in the neighborhood and the property is above the 251' elevation. Chairman Norman Baase asked what was in the location now. Mr. Enos stated just grass. Klaus Pohl questioned the height of the new deck. Mr. Enos stated it would be 6" below the top of the gabions. Donna Stassen questioned the deck being 8' more than what is allowed. The two decks combined would be a total of 18', which exceeds the 10' that is allowed.

A motion was made by Donna Stassen, seconded by Terry Dingee to schedule a Public Hearing for Henry Enos of 6338 Shore Acres for November 21, 2005 at 7:30pm to seek relief from Town Code 125-41.1 for a 8' variance to construct a 8' x 16' deck addition to the existing 10' deck on the front of his property. Members polled Baase aye, Dingee aye, Ellsworth aye, Hoffman aye, Pohl aye, Stassen aye. Motion carried.

Chairman Norman Baase stated that deck plans and the \$75.00 fee would need to be into the Clerk by November 7, 2005. The Board stated that they would inspect the property the Saturday before the Public Hearing and an LWRP would be done by the Conservation Board.

**MR. AND MRS. HIATT
6322 AHORE ACRES**

Attorney Welch excused himself for this presentation.

Darryl Carmichael was present to discuss a side setback variance for Mr. and Mrs. Hiatt of 6322 Shore Acres to construct a 10' x 10' bathroom addition to their garage. Mr. Carmichael stated that his clients would need a 1' east side setback variance to add a bathroom addition to their garage and connect the plumbing to the existing septic system. Mr. Carmichael stated that they currently have a craft workshop in the garage and would like to add a bathroom. Klaus Pohl asked if it was possible to move the addition. Mr. Carmichael stated that it couldn't be moved due to the leach field location. Donna Stassen asked if it was possible to have the Town Engineer review the plans. The Board agreed that they would like the Town Engineer to review the plans and requested plans that showed how the new bathroom would tie into the existing septic. The distance from the lake was questioned. Mr. Carmichael stated it was 86' from the shore. A discussion on the septic and leach field took place. Terry Dingee questioned whether the existing septic could handle another bathroom. Mr. Carmichael stated that the septic size is based on number of bedrooms not number of bathrooms. Conservation Board member Craig Goodrich questioned the septic tank size. Mr. Carmichael stated that he wasn't sure of the size. Terry Dingee questioned the number of bedrooms. Mr. Carmichael stated there were two bedrooms. Donna Stassen questioned if any part of the garage was going to be converted into living space. Mr. Carmichael stated no it was just being used as a workshop. Some discussion took place on lot width and setback requirements. It was determined that a 2' variance would be needed.

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to schedule a Public Hearing for Mr. and Mrs. Hiatt for November 21, 2005 at 7:30pm to seek relief from Town Code 125-31C(2)(b)(1) for a 2' east side setback variance to construct a 10' x 10' bathroom addition on their garage located at 6322 Shore Acres. Members polled Baase aye, Dingee aye, Ellsworth aye, Hoffman aye, Pohl aye, Stassen aye. Motion carried.

Chairman Norman Baase stated that plans and the \$75.00 fee would need to be into the Clerk by November 7, 2005. The Board stated that they would inspect the property the Saturday before the Public Hearing.

Attorney Welch returned.

DISCUSSION

Attorney Welch stated that Kevin Clark the new owner of the Vito property located at 5733 Wautoma Beach Road has submitted re-subdivision plans to the Planning Board for next month that will need to be referred to the Zoning Board for variances.

Town Board Liaison George Todd had nothing at this time.

Chairman Norman Baase asked to be excused from next month's meeting.

ADJOURNMENT

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to adjourn the meeting barring no further business. Members polled Baase aye, Dingee aye, Ellsworth aye, Hoffman aye, Pohl aye, Stassen 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, November 21, 2005 at 7:30pm. Deadline for fees is Monday, November 7, 2005 at 2:00pm.