

Hamlin Zoning Board of Appeals *Minutes*
Monday, June 18, 2007
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 B.J. Maier, Planning Board member Tom Jensen, Conservation Board members Craig Goodrich and Aaron LaFaro and resident Judith Doan.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the minutes of the May 21, 2007 meeting as recorded. Members polled all ayes. Motion carried, minutes approved.

The Clerk showed Proof of Publication

PUBLIC HEARING

**DWIGHT DILTZ
39-63 KING STREET**

Rich Maier of Maier Surveying was present to represent Dwight Diltz seeking relief from Town Code 125-26B(2)(b) for a 9.2' side setback variance for lot 2 and a 9.3' side setback variance for lot 3 and relief from Town Code 125-26B(1)(b) for a 51' lot depth variance for lot 1 and a 63' lot depth variance for lot 3 of the Diltz Subdivision located at 39-63 King Street. Rich Maier explained that Mr. Diltz was subdividing the lot into three separate lots in hopes of selling the lots separately. The lots will have existing buildings. Rich Maier stated that he met with the Board on Saturday to answer questions.

At this time Chairman Norman Baase opened the Public Hearing and asked if there was anyone present to speak for or against this proposal.

Gene Eichas of 33 Orchard Ave. wanted some clarification on what was being done on the lots. Rich Maier explained that nothing was being changed they were just dividing the lots and the buildings to be able to sell them individually.

At this time Chairman Norman Baase closed the Public Hearing.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to grant relief from Town Code 125-26B(1)(b) for a 51' lot depth variance for lot 1 of the Diltz Subdivision located at 39-63 King Street. This is the minimum to provide relief. It will not change

the character of the neighborhood. This is a pre-existing situation. This is a Type II SEQR determination. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried, variance granted.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to grant relief from Town Code 125-26B(2)(b) for a 9.2' east side setback variance for lot 2 of the Diltz Subdivision located at 39-63 King Street. This is the minimum to provide relief. It will not change the character of the neighborhood. This is a pre-existing situation. This is a Type II SEQR determination. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried, variance granted.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to grant relief from Town Code 125-26B(2)(b) for a 9.3' west side setback variance and Town Code 125-26B(1)(b) for a 63' depth variance for lot 3 of the Diltz Subdivision located at 39-63 King Street. This is the minimum to provide relief. It will not change the character of the neighborhood. This is a pre-existing situation. This is a Type II SEQR determination. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried, variance granted.

PUBLIC HEARING

JOHN COLOPIETRO 882-890 REDMAN ROAD

Rich Maier of Maier surveying was present to represent Mr. Colopietro seeking relief from Town Code 125-18B(1)(b) for a 50' lot width variance for lot 1 and a 19' lot width variance for lot 3 of the Colopietro Subdivision located at 882-890 Redman Road. Rich Maier explained that there are existing houses on two of the lots and the third lot is currently being used for farming. Mr. Colopietro would like to divide the lots and sell them individually. Rich Maier explained that variances were needed for lot widths. Ed Haight asked if lot 3 would continue to be used for farming. Rich Maier stated yes that is why it was being divided the way it is. Chairman Norman Baase stated that was the only access to the property. Rich Maier agreed.

At this time Chairman Norman Baase opened the Public Hearing and asked if there was anyone present to speak for or against this proposal.

Judy Doan of 1263 Redman Road asked to see a map. She questioned the lot widths and the setbacks of the existing barns on the property. Rich Maier showed her a map and explained the variances that were needed. Attorney Welch stated that the existing structures all meet the required minimum setbacks per the code. Judy Doan questioned the minimum acre requirement. Attorney Welch stated the minimum is 5 acres and all the lots will meet the code.

At this time Chairman Norman Baase closed the Public Hearing.

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to grant relief from Town Code 125-18B(1)(b) for a 50' lot width variance for lot 1 and a 19' lot width variance for lot 3 of the Colopietro Subdivision located at 882-890 Redman Road. This is the minimum to provide relief. It will not change the character of the neighborhood. This is a Type II SEQR determination. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried, variances granted.

PUBLIC HEARING

JAMES BEEHLER 12 COUNTRY CREEK LANE

Mr. Beehler was present seeking relief from Town Code 125-20B(2)(b) for a 1' side setback variance and relief from Town Code 125-20B(2)(a) for a 1' front setback variance for a house he is building located at 12 Country Creek Lane. Mr. Beehler explained that because the road curves he made a mistake in measuring and now needed a side setback variance and a front setback variance.

At this time Chairman Norman Baase opened the Public Hearing and asked if there was anyone present to speak for or against this proposal.

There were no replies. Chairman Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Jerry Hoffman to grant relief from Town Code 125-20B(2)(b) for a 1' side setback variance and relief from Town Code 125-20B(2)(a) for a 1' front setback variance for 12 Country Creek Lane. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried, variances granted.

DISCUSSION

Chairman Norman Baase congratulated Attorney Welch on his reappointment.

Building Inspector B.J. Maier stated that the Town Board increased fees for building permits and Engineering fees.

Town Board Liaison Mike Marchetti reminded everyone of the Zoning Workshop tomorrow night at 6:00 and the Wind Tower Committee meeting at 7:00.

Conservation Board member Craig Goodrich discussed a recent news article regarding jumping fish that escaped from Alabama and are traveling up the Mississippi River. He also mentioned a recent article regarding the Canadians feeling that we are not keeping the Great Lakes clean.

Town Board Liaison Mike Marchetti introduced new Conservation Board member Aaron LaFaro to the Board.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Jerry Hoffman 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, July 16, 2007 at 7:30pm. Deadline for all fees is Monday, July 2, 2007 at 2:00pm.