

Hamlin Zoning Board of Appeals *Minutes*
Monday, June 30, 2008
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 7:00pm 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 (late).

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 Jeanine Klopp and Aaron LaFaro and Rich Maier.

The Clerk showed Proof of Publication

PUBLIC HEARING

**SALVATORE ANSELMO
122 LAKE ROAD EAST FORK**

Rich Maier of Maier Surveying was present to represent Salvatore Anselmo seeking relief from Town Codes 125-32C(1)(a) for a 0.175 acre lot size variance and 125-32C(2)(a) for a 4.9' front setback variance to construct an addition on his existing house located at 122 Lake Road East Fork. Rich Maier explained that the addition is greater than 50% of the existing structure so a Site Plan was required. The Planning Board referred the project to the Zoning Board for variances.

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

Tom Jensen of 1 Roadside Drive speaking as a private citizen stated that he had some concerns with the addition going closer to the bank of the creek. He stated that it was dangerous to build closer to the cliff and suggested that the owner go in the other direction. He also stated that the Conservation Board was against the addition going closer to the cliff. Mr. Anselmo explained that they are tying into the existing roofline of the structure. He also stated that they are trying to protect the existing trees on the property. They don't want to damage the root system of the trees. Rich Maier stated that the only Engineering concern from the Town Engineer was the height of the basement.

Conservation Board member Jeanine Klopp stated that they have drainage concerns. She stated that the plan shows the gutters going into the ground. Mr. Anselmo stated that

actually they would be using a cistern system that drains the water from the roof into a holding tank that they can use to water flowers and the garden. The cistern will be located in the rear of the house (road side). Jeanine stated that the owner previously mentioned a mold problem and she questioned how that would improve. Mr. Anselmo stated that his daughter is having allergic reactions to the existing mold so that is why they need to make these improvements and replace the rotting wood. There is no current ventilation in the basement. Jeanine asked if they were going to be removing part of the structure. Mr. Anselmo stated yes they would be removing the damaged part of the structure and would be using radiant floor heating. Jeanine was concerned with the location of the cistern and where the over flow would drain. Mr. Anselmo explained that it was a large tank and would weep towards the creek. Attorney Welch stated that the cistern and drainage was a Planning Board issue and would be addressed at that Public hearing.

At this time the Chairman Norman Baase closed the Public Hearing.

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to grant relief from Town Code 125-32C(1)(a) for a 0.175 acre lot size variance and Town Code 125-32C(2)(a)(3) for a 4.9' front setback variance to Salvatore Anselmo to construct an addition at 122 Lake Road East Fork. This 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 approved.

DISCUSSION

1370 LAKE ROAD

Attorney Welch explained that according to the code pools are not permitted in C-GB zoning. An application came into the Building Department for a pool located at 1370 Lake Road. This property is zoned C-GB. The Town Board is looking into changing the code but in the mean time the residents would like to have a pool installed. It was suggested that they be scheduled a Public Hearing for next month. There was an issue regarding proof of ownership. Chairman Norman Baase stated that they would schedule the Public Hearing if the ownership issue isn't resolved they won't have the Public Hearing.

A motion was made by Ed Haight, seconded by Rocky Ellsworth to schedule a Public Hearing for the owners of 1370 Lake Road on July 21, 2008 after 7:30pm for relief from Town Code 125-26 to install a pool on their property. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion approved.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Rocky Ellsworth to adjourn tonight's meeting barring no further business. Members polled 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 21, 2008 at 7:30pm. Deadline for all fees is Monday, July 7, 2008 at 2:00pm.