

Hamlin Zoning Board of Appeals *Minutes*
Monday, July 21, 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 7:30pm 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, Planning Board member Tom Jensen, Conservation Board members Aaron LaFaro and Ed Evans, Engineers Dave Matt and Rich Maier and residents Lori D'Agostino and Laura and Philip Thomas.

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to approve the minutes of the June 16, 2008 meeting as recorded. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried, minutes approved.

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to approve the minutes of the June 30, 2008 meeting as recorded. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried, minutes approved.

The Clerk showed Proof of Publication

PUBLIC HEARING

**COLOPIETRO SUBDIVISION
882 REDMAN ROAD**

Rich Maier from Maier Surveying was present to represent Mr. Colopietro seeking relief from Town Code 125-18B(1)(b) for a 29.45' lot width variance for lot #3 of the amended Colopietro Subdivision located at 882 Redman Road. Mr. Maier explained that this Subdivision was previously approved but then the neighbor brought to his attention that the lot lines were incorrect. The map needs to be amended and a new variance is required for Lot #3.

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

Lori D'Agostino of 934 Redman Road stated that she is for getting her 10' of property back.

At this time Chairman Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Jerry Hoffman to grant relief from Town Code 125-18B(1)(b) for a 29.45' lot width variance for Lot #3 of the amended Colopietro Subdivision located at 882 Redman Road. This is a Type II SEQR determination. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion approved.

PUBLIC HEARING

PHILIP AND LAURA THOMAS 1370 LAKE ROAD

Philip and Laura Thomas were present seeking relief from Town Code 125-26 to install an above ground pool located at 1370 Lake Road. The property is zoned C-GB and pools are not permitted according to the code. A variance is needed. Mr. Thomas stated that the pool is already up and the electric has been inspected. Chairman Norman Baase stated that the Town Board is working on amending the code to allow pools in C-GB zoning.

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.

At this time Chairman Norman Baase closed the Public Hearing.

A motion was made by Jerry Hoffman, seconded by Rocky Ellsworth to grant relief from Town Code 125-26 to Mr. and Mrs. Thomas to install a pool on their property located at 1370 Lake Road. This is a Type II SEQR determination. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion approved.

MARY JANE DREHER 6676 GREENWOOD PARKWAY

Dave Matt from Schultz Associates was present representing Mary Jane Dreher seeking relief from Town Codes 125-31C(1)(a) for a 1.0 acre area variance, 125-31C(1)(b) for a 18' lot width variance, 125-31C(5) for a 3% impervious surface variance, 42-10 for building in a Coastal Erosion Hazard Area and 125-34D(1)(15) for building a septic system within 150' of a wetland buffer zone to construct a single-family house located at 6676 Greenwood Parkway. Mr. Matt explained that the owner is tearing down the existing structures on the property. She is proposing to construct a 4200 sq. ft. house. The new house requires several variances. Attorney Welch stated that they would need

the exact location of the septic system prior to the Public Hearing. Attorney Welch questioned the lot width. Mr. Matt stated that it is 132' wide and he would add the lot width dimension to the map. Mr. Matt added that the existing fences around the tennis courts would be removed if they were going to interfere with the septic system. He also added that pavers were being used for the turn around instead of black top to reduce the impervious surface.

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to schedule a Public Hearing for Mary Jane Dreher seeking several variances to construct a single family house located at 6676 Greenwood Parkway for August 18, 2008 after 7:30pm. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion approved.

The Board asked Mr. Matt to let the owner know that they would be out to do an on site inspection on August 16, 2008 and all fees and maps needed to be submitted by the deadline to the Clerk.

**DONALD CAPUANO
6456 SHORE ACRES**

Rich Maier from Maier Surveying was present to represent Donald Capuano seeking relief from Town Codes 125-31C(1)(a) for a 1.88 acre area variance, 125-31C(1)(b) for a 109.5 lot width variance, 125-31(5) for a 6% impervious surface variance, 125-34D(1)(b)(15) for a 69.0' variance to build a septic system within 150' of a wetland buffer area and 42-10 for building within the Coastal Erosion Hazard area to construct a single-family house located at 6456 Shore Acres Drive. Rich Maier explained that the owner would be tearing down the existing cottage and would be rebuilding further back from the lake. Several variances are required. The owner is proposing a new 2-story house.

A motion was made Klaus Pohl, seconded by Ed Haight to schedule a Public Hearing for Donald Capuano seeking several variances to construct a single-family house located at 6456 Shore Acres for August 18, 2008 after 7:30pm. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion approved.

DISCUSSION

Chairman Norman Baase stated that there is a garage located at 7858 Newco Drive that is currently being built. It was brought to the Building Inspector's attention that the garage is 18' tall. According to the SR zoning the maximum height for a garage is 15'. Therefore, a height variance for the garage is needed.

A motion was made by Ed Haight, seconded by Jerry Hoffman to schedule a Public Hearing for Mr. and Mrs. Tomaszewski seeking relief from Town Code 125-31C(4)(b) for a 3' height variance for a garage located at 7858 Newco Drive for August 18, 2008

after 7:30pm. Members polled, Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion approved.

Town Board Liaison Mike Marchetti stated that they are changing the code to allow pools in C-GB. There will be some LWRP training coming up soon. B.J. Maier and Pat Batty have resigned. Charlie Hungerford is the new Building Inspector.

Rocky Ellsworth discussed the sq. ft. of a structure in relation to lot size. He asked if they were still working on changing the SR code. Mike Marchetti stated that the Zoning Board was supposed to be working on revising the SR code but then they got busy.

Rocky Ellsworth asked about improving input from the Conservation Board. He asked if they could have comments at the next meeting. Conservation Board member Aaron LaFaro stated that he had the maps already for the proposals and he would have comments at the next meeting.

Planning Board member Tom Jensen stated that they have been busy. Several applications require variances along the lake so they are referring them to the Zoning Board.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Klaus Pohl 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, August 18, 2008 at 7:30pm. Deadline for all fees is Monday, August 4, 2008 at 2:00pm.