

Hamlin Zoning Board of Appeals *Minutes*  
Monday, February 16, 2009  
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, Jerry Hoffman and Klaus Pohl.

Excused: Ed Haight

Also present: Support Boards Attorney Charlie Welch, Town Board Liaison Mike Marchetti, Planning Board member Tom Jensen and Conservation Board members Jeanine Klopp, Aaron LaFaro, Nick Kramer and Ed Evans and resident Austin Warner.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the minutes of the January 19, 2009 meeting as recorded. Members polled, Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried, minutes approved.

**DAKOTA GRILL  
913 ROOSEVELT HIGHWAY**

Rich Maier from Maier Land Surveying was present to represent Dave Danzig owner of the Dakota Grill seeking relief from Town Codes 125-25B(2)(a) for a 40' front setback variance and 125-54A(7) for relief from a 10' landscape buffer requirement for an addition located at 913 Roosevelt Highway. Mr. Maier stated that per the code a landscape buffer is required however there were some concerns that the landscape buffer would cause site distance issues. He stated that the addition would also require a front setback variance. The State and County are reviewing the plan now and have not sent any comments yet. Attorney Welch stated that the concerns are with a planted buffer causing site distance concerns. He stated that the Zoning Board had different options for a buffer. A discussion took place. The problem is they don't know what the State is going to say regarding the plan. The code states screen plantings of grass, trees and shrubs is required.

Chairperson Norman Baase asked if they were asking to do away with the buffer completely. Mr. Maier stated yes they would like to eliminate the buffer where there are entrances along Roosevelt Highway. Chairperson Norman Baase commented that the buffer would be a safety issue along Roosevelt Highway. He suggested planting small shrubs closer to the building to act as a buffer. Mr. Maier stated that they would need all of that space for parking.

Attorney Welch explained that the property was two separate lots until last month when the Planning Board approved a simple lot combination. After some discussion it was decided that a front setback was required.

Chairperson Norman Baase stated that they would need to have comments back from the State and County DOT prior to the Public Hearing date.

A motion was made by Klaus Pohl, seconded by Rocky Ellsworth to schedule a Public Hearing for Dave Danzig owner of the Dakota Grill for March 16, 2009 at 7:30pm for relief from Town Codes 125-25B(2)(a) for a 40' front setback variance and 125-54A(7) for relief from a 10' landscaped buffer requirement for a proposed addition located at 913 Roosevelt Highway. Members polled, Baase aye, Ellsworth aye, Hoffman aye, Pohl aye. Motion carried, minutes approved.

Chairperson Norman Baase reminded Mr. Danzig to have the fee into the Clerk by the deadline.

### **DISCUSSION**

Chairperson Norman Baase stated that on Thursday a group was meeting with Monroe County Planning regarding Shoreline Zoning.

Zoning Workshop meeting Feb. 19 at 7:00pm.

Town Board Liaison Mike Marchetti stated that the Town Board has been quiet.

Conservation Board member Jeanine Klopp introduced new member Nick Kramer.

Planning Board member Tom Jensen stated that Lee Nettin is the newest member of the Planning Board.

Rocky Ellsworth questioned when the SEQR training was going to be held that was approved by the Town Board. Mike Marchetti stated that it was approved but hasn't been scheduled yet.

**ADJOURNMENT**

A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to adjourn tonight's meeting barring no further business. Members polled Baase aye, Ellsworth 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, March 16, 2009 at 7:30pm. Deadline for all fees is Monday, March 2, 2009 at 12:00.