

Hamlin Zoning Board of Appeals *Minutes*
Monday, August 17, 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 Chairperson Norman Baase at 7:30pm with the location of the fire exits and AED explained for those present.

Present: Norman Baase, Rocky Ellsworth and Ed Haight.

Excused: Jerry Hoffman and Klaus Pohl

Also present: Support Boards Attorney Charlie Welch, Town Board Liaison Mike Marchetti, Building Inspector Lee Nettin, Planning Board member Tom Jensen and Conservation Board members Nick Kramer and Ed Evans, residents Amy Kelly, Sue and Jim Camp and Al and Debi Tracey.

The approval of the July 20, 2009 meeting minutes was tabled until the September meeting.

The Clerk showed the Proof of Publication

PUBLIC HEARING

**JAMES AND SUSAN CAMP
SHORE ACRES**

James and Susan Camp were present seeking relief from Town Codes 125-42B to construct a 12' x 20' shed on their vacant lot and 125-31C(2)(a) for a 25' front setback variance for a shed located at 008.45-1-49 Shore Acres. Mr. Camp explained that they received a permit for the shed from the DEC. The location was approved by the DEC due to the location of the wetlands on the property. Ed Haight questioned the height of the shed. Mr. Camp stated it would be less than 14'. Rocky Ellsworth questioned the house location. Mr. Camp stated that the residence is located at 6360 Shore Acres. He stated that the shed can't go on that lot due to leach lines and it would block the view of the lake.

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

Al Tracey of 6352 Shore Acres stated that he didn't have any issues with the shed but was concerned that the owners have 2 unregistered RV's and a boat and trailer on the property. He is concerned that they will leave the unused campers and boat next to the shed, which will be in direct view from his house. He stated that the campers have not been used in years.

Chairperson Norman Baase asked if that was Mr. Tracey's camper parked in the driveway across from his house. Mr. Tracey stated that yes it was and it is registered and used. Chairperson Norman Baase explained that this Board has no jurisdiction over unregistered campers.

Building Inspector Lee Nettin stated that the code allows one licensed camper per premise. He explained that he has already talked with Mr. and Mrs. Camp and told them that they have to get rid of one camper or put it inside a garage. Mr. Camp asked for the definition of premise.

Mrs. Camp stated that it is their intent to sell the camper once the shed is built and they intend to repair the boat and use it.

Chairperson Norman Baase questioned if Mr. Tracey's concerns were with the shed. Mr. Tracey stated no they aren't but he objects to the shed variance do to these other issues.

Mrs. Camp stated that the camper would be sold. Mr. Tracey stated that he didn't have an objection to the shed then as long as the camper is going to be sold.

At this time Chairperson Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Rocky Ellsworth to grant relief from Town Codes 125-42B and 125-31C(2)(a) for a 25' front setback to Mr. and Mrs. Camp to construct a 12' x 20' shed on the vacant lot located at 008.45-1-49 Shore Acres. This is a Type II SEQR determination. Members polled Baase aye, Ellsworth aye, Haight aye. Motion carried.

Attorney Welch excused himself from this portion of the meeting.

**RICHARD AND MARLENE JENSEN
7016 BENEDICT BEACH**

Rich Maier from Maier Surveying was present representing Mr. and Mrs. Jensen seeking relief from Town Codes 125-31C(1)(a) for a 1.273 acre lot size variance, 125-31C(1)(b) for a 59.92' lot width variance, 125-31C(5) for a 5% impervious surface variance and relief from Town Code 42-10B for building a portion of the house forward of the landward limit of structural hazard area to construct a single-family house located at 7016 Benedict Beach. Mr. Maier explained that these variances were approved in June of 2008. The owners live out of town and when they were ready to submit plans for a Building permit it was discovered that the variances had expired. Nothing has changed with the map. They are asking to have the variances renewed.

The Board agreed that that no Public Hearing was needed. They would extend the variances for one year based on no changes being made to the plans.

A motion was made by Ed Haight, seconded by Rocky Ellsworth to grant variance renewal to Richard and Marlene Jensen to construct a single-family house located at 7016 Benedict Beach. Variances will expire one year from today. Members polled Baase aye, Ellsworth aye, Haight aye. Motion carried.

Attorney Welch returned to the meeting.

**AMY AND RICHARD KELLY
30 HIGHVIEW**

Amy Kelly was present seeking relief from Town Code 125-39C for an 8' side setback variance to construct a 14' x 20' detached garage located at 30 Highview Drive. Mrs. Kelly explained that they purchased a 14' x 20' garage and the only location for it on their property is too close to the lot line therefore they need an 8' side setback variance.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to schedule a Public Hearing for Mr. and Mrs. Kelly for September 21, 2009 at 7:30pm for relief from Town Code 125-39C for an 8' side setback variance to construct a 14' x 20' detached garage located at 30 Highview Drive. Members polled Baase aye, Ellsworth aye, Haight aye. Motion carried.

The Board reminded Mrs. Kelly to have maps and fees into the Clerk by the deadline and they would do an inspection on September 19, 2009.

DISCUSSION

Nothing to report.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Rocky Ellsworth to adjourn tonight's meeting barring no further business. Members polled Baase aye, Ellsworth aye, Haight aye. Motion carried.

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, September 21, 2009 at 7:30pm. Deadline for all fees is Monday, September 4, 2009 at 12:00.