

Hamlin Zoning Board of Appeals *Minutes*  
Monday, November 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 Chairperson 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 Lee Nettin, Planning Board member Tom Jensen, Conservation Board members Nick Kramer, Ed Evans and Jason Baxter, residents Gordon Wadtke, Tom and Sandy Tuschong.

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

*The Clerk showed the Proof of Publication*

**PUBLIC HEARING**

**THOMAS AND SANDY TUSCHONG  
3897 BRICK SCHOOLHOUSE RD.**

Thomas and Sandy Tuschong were present seeking relief from Town Code 125-42A to have two sheds on their property located at 3897 Brick Schoolhouse Road. They explained that they already have an existing shed and would like to have another 7' x 7' shed for storage on their property. The property is zoned R-M so according to the code only one shed is allowed.

At this time Chairman Norman Baase opened the Public Hearing and asked if there was anyone present wishing 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 Klaus Pohl to grant relief to Mr. and Mrs. Tuschong seeking relief from Town Code 125-42A to have two sheds on their property located at 3897 Brick Schoolhouse Road. No neighbors were present to speak for or against this proposal. This is a Type II SEQR determination. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

**GORDON WANDTKE  
7024 BENEDICT BEACH**

Gordon Wandtke was present seeking relief from Town Code 125-42A to have two sheds on his property located at 7024 Benedict Beach Road. Mr. Wandtke explained that he has one existing shed and he would like to add another shed to his property. His property is zoned S-R. The new structure is a wooden structure with screened windows on all sides, similar to a pavilion. The new structure is 14' x 14' x 8'. The existing shed is 8' x 10'. Mr. Wandtke stated that he planned on siding the new structure to match his house.

Ed Haight questioned if the new structure would be over 15'. Mr. Wandtke stated no it would not. Ed Haight questioned if he would be covering up the windows. Mr. Wandtke stated no he would like to keep the windows and use it as a pavilion due to the weather conditions by the lake. He explained that his house doesn't have a basement so the extra storage is also needed. Chairman Norman Baase questioned the condition of the existing shed. Mr. Wandtke stated that its in good condition and is also sided to match his house. He would like to keep both structures.

A motion was made by Jerry Hoffman, seconded by Rocky Ellsworth to schedule a Public Hearing for December 21, 2009 at 7:30pm for Gordon Wandtke seeking relief from Town Code 125-42A to have two sheds on his property located at 7024 Benedict Beach Road. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

Rocky Ellsworth stated that the Board would do an inspection on December 19, 2009 and reminded Mr. Wandtke to have the fees into the Clerk by the deadline.

**DISCUSSION**

Chairman Norman Baase stated that he gave the Zoning Board presentation to the Town Board last Monday. He also reminded everyone about the training in Batavia this Friday.

Building Inspector Lee Nettin stated that he has a resident on Wiler Road that currently has horses but doesn't have enough property per the code. They are in the process of combing three lots into one and getting approval from the Planning Board but they will still be a ¼ of an acre short. Lee questioned if renting property from a neighbor was acceptable and if they needed to come before the Zoning Board. Some discussion took place. Rocky stated that in the past they have come for a variance. Norman Baase stated that they would need a signed lease for a specific period of time. Rocky stated that it would be better to get a variance in case the number of horses increased later. Norman Baase stated that they could come before the Board and discuss it. Lee would let them know.

Town Board Liaison Mike Marchetti stated that the Zoning Board presentation was very good.

Conservation Board member Nick Kramer agreed that the Zoning Board presentation was very good.

**ADJOURNMENT**

A motion was made by Ed Haight, seconded by Klaus Pohl to adjourn tonight's meeting barring no further business. Members polled Baase aye, Ellsworth aye, Haight aye Hoffman aye, Pohl 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, December 21, 2009 at 7:30pm. Deadline for all fees is Monday, December 7, 2009 at 12:00.