

Hamlin Zoning Board of Appeals *Minutes*
Monday, June 21, 2010
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 Ken Licht, Town Board Liaison Craig Goodrich, Building Inspector Lee Nettin, Planning Board member Tom Jensen, Conservation Board members Nick Kramer, Ed Evans and Jason Baxter and residents Lorraine Vyrerberg and Gary and Barbara Sterling.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the minutes of the May 17, 2010 meeting as recorded. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

The Clerk showed the Proof of Publication

PUBLIC HEARING

**LINDA GRANT
500 COOK ROAD**

Rich Maier was present representing Linda Grant seeking relief from Town Codes 125-18B(1)(a) for a 4.42 acre area variance, 125-18B(1)(b) for a 126.31' lot width variance and 125-18B(2)(a) for a 69.1' front setback variance for a single family house located at 500 Cook Road. Mr. Maier explained that the existing barn on the lot was converted into a single family house several years ago. The process was started by Phil Grant but never finalized. They are going before the Planning Board for Site Plan approval. The lot is substandard so variances are needed. A separate septic system was added in 2004 and an additional well was added to the property. Mr. Maier was contacted because there wasn't a Certificate of Occupancy issued for the house.

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

Chairperson Norman Baase stated that they were at the property and they did a nice job converting the barn.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to grant relief from Town Codes 125-18B(1)(a) for a 4.42 acre area variance, 125-18B(1)(b) for a 126.31' lot width variance and 125-18B(2)(a) for a 69.1' front setback variance to Linda Grant for a single family house located at 500 Cook Road. This will not change the character of the neighborhood. This will not cause any adverse effects. It is the minimum to provide relief. This is a Type II SEQR determination. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

PUBLIC HEARING

GARY AND BARBARA STERLING 41 HUNTINGTON PKWY.

Gary and Barbara Sterling were present seeking relief from Town Code 125-42A to have 2 sheds on their property located at 41 Huntington Parkway zoned R-H. Mr. Sterling explained that he has one existing shed on his property and he needs more storage so he would like to have another shed. The new shed is smaller for the storage of his lawn mower and other lawn care supplies.

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

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to grant relief from Town Code 125-42A to Mr. and Mrs. Sterling to have 2 sheds on their property located at 41 Huntington Parkway. This is a Type II SEQR determination. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

LORRAINE VYRERBERG 811 CHASE ROAD

Lorraine Vyrerberg was present seeking relief from Town Code 125-39C to construct a 14' x 28' barn in front of the front foundation of the house located at 811 Chase Road. Ms. Vyrerberg stated that the proposed location in front of the house was the only place for the barn due to the septic system and a number of trees on the lot that she didn't want to remove. She explained that the house sets back from the road and the barn wouldn't be seen. Chairperson Norman Baase asked what the barn would be used for.

Ms. Vyrerberg stated it would be used to store 4 wheelers, a tractor, a car and a buggy. She showed a picture of the proposed barn to the Board. She stated it would be insulated.

Ed Haight questioned the reason the barn couldn't be built behind the house. Ms. Vyrerberg stated the septic system was on one side, there are several trees and for convenience. She didn't want to have to walk that far in the winter.

Building Inspector Lee Nettin stated that he looked at the property and there is plenty of room for the barn behind the house. The barn will be in full view of the neighbor to the west in the proposed location. Ms. Vyrerberg disagreed. Lee Nettin stated that he stood at the location that was staked out and it is in full view of the neighbor's house.

A motion was made by Ed Haight, seconded by Jerry Hoffman to schedule a Public Hearing for Ms. Vyrerberg seeking relief from Town Code 125-39C to construct a 14' x 28' barn in front of the front foundation of the house located at 811 Chase Road for July 19, 2010 at 7:30pm.

The Board reminded Ms. Vyrerberg to have her fees into the Clerk by the deadline and they would be out for a site inspection on July 17, 2010 after 10:30am.

CAPSTONE PROPERTIES 692 WILER ROAD

Brian Blonowicz owner of Capstone properties was present seeking relief from Town Code 125-19B(2)(b) for a 13.5' north side setback variance for a 45' x 13.125' existing deck located at 692 Wiler Road. Mr. Blonowicz explained that he purchased the property January 2010. The property was vacant. They fixed up the property and have a buyer now. The existing deck never had a permit and needs variances. It has existed for years. It is too close to the lot line.

Attorney Ken Licht questioned the distance of the neighbor's house from the lot line and asked that the distance from the lot line to the closest structure on the neighbor's property be added to the map.

Building Inspector Lee Nettin mentioned a storm water easement in the rear of the property. The deck blocking access to the easement was discussed. It was determined that there was room on the south side of the house for access to the easement.

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to schedule a Public Hearing for Capstone Properties seeking relief from Town Code 125-19B(2)(b) for a 13.5' north side setback variance for a 45' x 13.123' existing deck located at 692 Wiler Road for July 19, 2010 at 7:30pm.

The Board reminded Mr. Blonowicz to have his fees into the Clerk by the deadline and they would be out for a site inspection on July 17, 2010 after 10:30am.

DISCUSSION

Attorney Ken Licht stated that Monroe County signed the waiver contract with the town. We are just waiting for the hard copy. Next month we should be under the new waiver for submitting proposals to the County.

Chairperson Norman Baase questioned the 2 sheds on one property code. He wondered if it would create precedence so everyone could get a variance to have more sheds. Lee Nettin stated that the code only allows one shed in certain zones.

Town Board Liaison Craig Goodrich reported that it is the Hamlin Volunteer Ambulance's 60th Anniversary this year. They are having a blood drive tomorrow. The Dog Warden is having an issue due to residents using just cell phones and no longer using land lines. SUNY Brockport is looking for a Community Service project for 1,000 students if anyone has any suggestions see Patty Jo in Recreation.

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, July 19, 2010 at 7:30pm. Deadline for all fees is Monday, July 2, 2010 at 12:00.