

Hamlin Zoning Board of Appeals *Minutes*
Monday, December 17, 2012
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: Town Board Liaison Craig Goodrich, Support Boards Attorney Ken Licht, Building Inspector Chad Fabry, Conservation Board member Nick Kramer and Eric Peter.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the minutes of the November 17, 2012 meeting as recorded. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

Chairperson Norman Baase turned the meeting over to Vice Chairperson Rocky Ellsworth.

Vice Chairperson Rocky Ellsworth opened up nominations for Chairperson for 2013. Klaus Pohl nominated Norman Baase for Chairperson for 2013, seconded by Jerry Hoffman. Ed Haight made a motion to close the nominations, seconded dually by Klaus Pohl and Jerry Hoffman. Members polled Baase abstain, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

The meeting was turned over to Chairperson Norman Baase.

Chairperson Norman Baase opened up nominations for Vice Chairperson for 2013. Ed Haight nominated Rocky Ellsworth for Vice Chairperson for 2013, seconded dually by Klaus Pohl and Jerry Hoffman. Klaus Pohl made a motion to close the nominations, seconded by Ed Haight. Members polled Baase aye, Ellsworth abstain, Haight aye, Hoffman aye, Pohl aye. Motion carried.

ERIC PETER
101 KETCHUM ROAD

Eric Peter was present seeking relief from Town Code 520-27C to construct a 61' x 72' barn for storage prior to constructing a house located at 101 Ketchum Road. Mr. Peter explained that they plan on building a house at the site in the future, maybe in 1 or 2 years. They currently live in Hilton. They have an approved Site Plan. The barn would be for storage of equipment only. The house would be built in front of the barn per the Site Plan. The barn size has changed from what was on the Site Plan. He would like to build a 64' x 72' barn now. The 72' would run north and south on the property.

Building Inspector Chad Fabry questioned the size and location of the barn. The barn would be "L" shaped. The location of the barn was explained.

Attorney Ken Licht questioned the bathroom that is being proposed in the barn without a septic system. Building Inspector Chad Fabry explained that no bathroom fixtures could be installed until the leach field is installed. The bathroom can be finished after the house is built. Mr. Peter questioned if a holding tank could be used. It was explained that is a Monroe County Health Department issue. Attorney Licht asked if Mr. Peter was asking to construct the barn without the bathroom at this time. Mr. Peter asked if there was another option. Mr. Fabry stated that it was a building permit issue and he would monitor it.

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to schedule a Public Hearing for Eric Peter seeking relief from Town Code 520-27C to construct a 64' x 72' barn for storage only prior to constructing a house at 101 Ketchum Road on January 21, 2013 at 7:30pm. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

Mr. Peter was reminded to have the fee into the Clerk by the deadline and to have the location staked out for the site visit. Mr. Peter agreed.

**ROBERT AND JUDITH JONES
7561 SANDY HARBOR DR.**

Robert Jones was present seeking relief from Town Code 520-31B for a 3.34' side setback variance and Town Code 520-31B for a 3.67' distance between structures variance to relocate a 12' x 16' shed to 7561 Sandy Harbor from 7560 Sandy Harbor Dr. Mr. Jones explained that he would like to construct an 8' x 20' front porch on 7560 Sandy Harbor Dr. and relocate the existing shed to 7561 Sandy Harbor Dr. The DEC has allowed the shed in the proposed location. He received a DEC permit.

Rocky Ellsworth questioned moving the shed from the conforming location to a less conforming location on the other lot. Mr. Jones explained so he could have more of a back yard on the 7560 Sandy Harbor Dr. lot.

Building Inspector Chad Fabry explained that the proposed 8' x 20' front porch doesn't require any variances and it is not in the structural hazard area however the code does mention preserving the site views of the lake. He would like the proposed porch included in the Public notice so that the neighbors are made aware of the porch construction.

A motion was made by Ed Evans, seconded by Jerry Hoffman to schedule a Public Hearing for Robert and Judith Jones seeking relief from Town Code 520-31B for a 3.34' side setback variance and Town Code 520-31B for a 3.67' distance between structures variance to relocate a 12' x 16' shed to 7561 Sandy Harbor from 7560 Sandy Harbor Dr. and to construct an 8' x 20'

front porch located at 7560 Sandy Harbor Dr. for January 21, 2013 at 7:30pm. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

Mr. Jones was reminded to have the fee into the Clerk by the deadline and to have the location staked out for the site visit. Mr. Jones agreed.

TODD STONE
1780 ROOSEVELT HIGHWAY

Matt Tomlinson from Marathon Engineering was present representing Todd Stone seeking relief from Town Code 520-27C for an existing 40' x 46' garage without a primary structure variance located at 1780 Roosevelt Highway. Mr. Tomlinson explained that his client purchased the property with an existing garage on the property. They are before the Planning Board proposing to construct a bridge over Moorman Creek so he can access the rear of his property. The Planning Board referred the application to the Zoning Board for a variance for the existing garage. His client plans to build a house on the property in the future.

Ed Haight questioned the location of the future house. Mr. Tomlinson stated it would be on the other side of the creek. He stated that they understand they would need another variance at that time to construct the house behind the garage. There are no plans for the house at this time and they will address that variance when they come for the Site Plan approval.

Rocky Ellsworth questioned the garage setback. The setbacks were explained.

A motion was made by Jerry Hoffman, seconded by Klaus Pohl to schedule a Public Hearing for Todd Stone seeking relief from Town Code 520-27C for an existing 40' x 46' garage without a primary structure variance located at 1780 Roosevelt Highway for January 21, 2013 at 7:30pm.

Mr. Stone was reminded to have the fee into the Clerk by the deadline. Mr. Stone agreed.

DISCUSSION

Chairperson Norman Baase discussed a letter from Attorney Licht regarding the deadline time lapse when the Planning Board refers an application to the Zoning Board. He explained that they have always been placed on the next agenda but they would like the policy in writing. Attorney Ken Licht explained that it would be a procedural change to the rules and regulations that are set by the Zoning Board. This would require a Public Hearing to be scheduled. They agreed to write up the procedure for the January meeting and to schedule the Public Hearing for February. Having the deadline the day after the Planning Board meeting was agreed on.

Conservation Board member Nick Kramer wished everyone a Merry Christmas. The Board thanked Nick for the great job he did. Nick thanked the Board and stated that he learned a lot.

Town Board Liaison Craig Goodrich reported that the new dog kennel located on Railroad Ave. across from Highway should be open January 1, 2013. He discussed a letter he received from an insurance company wanting him to purchase insurance for the underground lateral water line in case of leaks or repairs. He wished everyone a Merry Christmas and Happy New Year.

Chairperson Norman Baase wished everyone a Merry Christmas and Happy New Year from him and his wife. He added that he hopes that the politicians use their heads after this most recent tragedy.

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, January 21, 2013 at 7:30pm. Deadline for all fees is January 7, 2013 at 12:00 noon.