

Hamlin Zoning Board of Appeals *Minutes*  
Monday, February 18, 2013  
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 7:35 pm 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: Steven Baase, Michael Fabiano, Lori Moses, Craig Goodrich, John Shewman, Retha Shewman, Jena Truelson, Virginia Truelson, Kevin Truelson, Kyle Rath, Jeanne Brightly, Carol McFarlane, Art McFarlan, Nick Kramer, Joseph Carletta, Dave Rose, Bonnie Beardsly, George Morey, MaryAnn Hurlbut, Jaydin Skinner, David C. Emerl, David Marks, Judy Doan, Jaime Burroughs, Larry Ingham, Nancy Ackles, Wilma Matsko, Karl Burroughs, Marie Hamilton, Wallace Hamilton, Cindy Olds, Susan Carlson, Dan Carlson, Lara Schuler, Linda DeLaura, Peter Clark, Kelly Adams, Lillian Parker, Alicia Charland, L. Avery, Maria Mazurek, Howie Waltz, Betty Erdmann, Ed Evans, Sue Evans, Ron Fey, Carolyn Hungerford, John Milles, Bailey Johnson, Amber Johnson, Erich Burroughs, Amanda Wilson, Justin & Carrie Whipple, Anne Klein, Ronn Klein, David Wolfe, Charles Hungerford, James Rabjohn, Elaine Rabjohn, Tina Baase, Kay Hughes, Lorrie Daniels, Paul W. Rath, unknown, Cameron & Michelle Bowers, Gail Carpenter McNulty, Nora Richards, Sheila Burch, Eric Peters, Sue Liebe, Merritt Ackles, Larry Mattle, Nanette Davis, Linda Hueser, Brian Hueser, Peter Tonery, Josie Rickert, Don Rickert, Brandon Nieclzwiecki, Kim Walter, Cheryl Ingham, Jonathan Kelly, Maggie Kelly, Christine Connelly, Jason Baxter,

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to approve the minutes of the January 21, 2013 meeting as recorded. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

*The clerk showed the Proof of Publications*

**PUBLIC HEARING**  
**AMEND PROCEDURE FOR DEADLINE**

Request to change the deadline for filing applications from the first Monday of the month to 12 days prior to the next scheduled meeting.

This is a minor, two-day adjustment to help the Zoning Board and Planning Board work more efficiently together to save 30 days for applicants.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to change the application filing to noon on the date 12 days prior to the next scheduled meeting. Members polled Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

**LIBRARY**  
**422 HAMLIN CLARKSON TOWNLINE ROAD**

Jim Bonsignore, Attorney, represented the Library application seeking relief from Town Code §520-14(2)(a)(1) for a 22' front setback variance to construct a proposed 60'x99' library facility located at 1658 Lake Road. Town Code requires a 70' setback, the proposed facility is 48' from the road.

Bonsignore stated there is no detriment. This would cluster amenities at a single town campus. An aerial photograph shows the proposed structure to be further away from the road than current buildings. There currently is no alternative location. The structure cannot be moved back because of a utility easement. There were no ill effects on the environment and no traffic sightline issues.

Howie Waltz stated the building will be a wood frame, full foundation with slab and will exceed energy code. The building will sit parallel to the road.

A question was asked about who may have given the board members a map showing alternative locations. Nobody acknowledged.

Those locations were not viable.

Public discussion: Jim Bonsignore stated he will take notes as questions are asked and answer them after everyone has spoken.

The Town Supervisor, Tom Breslawski, read two letters in favor of the variance from people who were unable to attend tonight's meeting.

Norm Baase, Chairman of the Zoning Board, read an e-mail opposed to the variance. He also read a letter from the Town Board in favor of the variance.

Ron Faye, Alder Bush Lane, against the variance, had a question concerning the wood construction and asked if other locations had been researched. He suggested moving the Morton building.

George Morey, Moscow Road, was against the variance. He does not agree with the location of the proposed new facility. He states there is no room for expansion. We should do this right the first time. The metal building spoils aesthetics.

Kevin Truelson, 89 Roths Cove, is against the variance. He owns "Bob's Plaza". He has offered this location as a viable location. It is a block building on slab.

Marie Hamilton, 1360 Lake Road, is a teacher. She supports the location. She likes the idea of the location being visible to children. May encourage them to go.

Lori Moses, Curtisdale Lane, is the President of Friends of the Hamlin Library. She is in favor of the variance, indicating that the Grant is only viable at this location. Older, established locations require a lot of modifications such as removal of gas tanks. A decade has been spent looking into locations, including

“Bob’s” and the old IGA. Also, any possible expansion of the Town Hall would preclude the area just east of it. It would be a shame to lose a million dollar grant.

Dave Martin, 775 Lake Road, is against the variance. He does not believe this is the only location the facility can be built. He believes it should go somewhere else on the Town Campus.

Art MacFarlane, 1873 Redman Road, suggests before the public hearing is over, the board ask for a show of hands for and against the variance.

Kay Hughes-Dennett (Library Director), 52 Black Walnut, is for the variance. She states the grant will not be available if we move the site location. Only one other library applied for this grant and they were given \$100,000. The proposed facility would have a meeting room with a separate access to make it available when the library was closed.

Alicia Charland, Roosevelt Highway, states she has been a teacher for ten years and supports the variance. She believes the library is necessary to keep up with technology. The current library is next to a bar.

Lara Schuler, Hamlin Center Road, agrees with the previous speaker in favor of the variance. Her children are involved in Recreation Center activities. She likes the idea of the Rec and library being all in one area and stated having the library on the Town Campus will create a sense of community.

Lorrie Daniels, Roosevelt Highway, is in favor of the variance. Ten years ago she was on a board to determine the need for the library. Mrs. McGrath’s original endowment has doubled. The money has been well managed. The homework has been done in looking into a lot of places for the library location.

Erich Burroughs, 5 Roadside, is in favor of the variance. He is a teacher of Karate for small children. He does not like the idea of putting the library behind the Town Hall. He would like to see the library that remain as is proposed.

Kevin Truelson, again, asked if an environmental study had been done. The answer was yes. He had another question about the parking lot safety.

Ed Evans, Hamlin Center Road, is in favor of the variance. He gave some background on the start of the current library. Before the town had it’s own location, we paid \$10,000 to Parma and \$20,00 to Brockport each year to use their facilities. When Brockport was planning to build the Seymour Library, they wanted \$100,000 from Hamlin to use the facility. That’s when the Hamlin Library was established at its current location.

Linda DeLaura worked at the Greece Library. She is in favor of the variance. She states the Greece Library is facing sideways also and that has had no impact on people using the library.

Carrie Whipple, 626 Redman, moved here from Greece. She is in favor of the variance. She felt there was a lack of community in Greece. She likes that in Hamlin. Grants are not easy to come by. Don’t kick a gift horse in the mouth.

Susan Carlson, 2398 Church Road, works at the Seymour and Hamlin Library. She is in favor of the variance. The Seymour Library has the back of its building facing the road. Reconditioning an existing facility does not always work.

Sue Evans, President of Library Trustees, is in favor of the variance. She addresses Kevin Truelson stating that the previous owner of "Bob's", Bob Unger also offered the location. It was looked into and declined.

Jenna Truelson, 89 Roths Cove, does not care either way. She is not a reader and has probably never read a book in her life. She believes the new facility will look out of place. She states children aren't safe anywhere, not even in your own home.

Steve Baase, 718 Lake Road, Highway Superintendent acknowledges that he submitted the maps of the alternative locations to the board members. He was just trying to help. He asked if it was a fact that we will lose the Grant if the location is changed.

Kay's response to him was that this Grant is written for that specific piece of property. If the location is changed, we would have to re-write the grant and re-apply. All of this would take time and it is unknown if we would get the grant then.

Norm Baase asks why we cannot move the location to behind the Town Hall. Kay responded that the grant was approved for the site under discussion.

Norm Baase then asked why the library did not apply for the variance before applying for the grant.

Kay responded that a complete architectural rendering and site plan were required to apply for the grant.

The question was asked if the Board had received a copy of the Grant. Sue Evans said she e-mailed it (as it is over 100 pages). No Board member received that e-mail.

Justin Whipple, 626 Redman Rd, asked if a resident were applying for a variance, what would be the chances he would get one. Norm said he could not answer that.

Michelle Bowers states there are many cases of variances approved by the board. This one does not seem beyond the norm.

Wally Hamilton says the site has its drawbacks, but will the benefits out-weigh the drawbacks.

Pete Tonery, Moscow Road, Planning Board Member, is against the variance. Nobody opposes the library. The concern in front of the board is safety. There was a reason for the Code setback.

Kyle Rath, Real Estate Agent, wanted to suggest that local builders be given a chance to bid on the project.

Kevin Truelson asks if the library doesn't get the grant, can they do what they need to do with the \$600,000 they do have?

No more questions from the public.

Jim Bonsignore states that there will be no “precedent” set. The Zoning Board exists to address the issues of variances. Zoning regulations may not always be appropriated for each piece of property. There are no safety issues with this site. The Board is being charged with does the proposal fit the area around it now.

Public Hearing Closed.

A motion made by Klaus Pohl, seconded by Ed Haight, to schedule a Special Meeting to be held on February 27, 2013 at 7:30pm to make a decision on this variance. Members polled: Baase aye, Ellsworth no, Haight aye, Hoffman aye, Pohl aye. Motion carried.

**DUANE AND CHERIE ROCKOW  
3947 BRICKSCHOOLHOUSE ROAD**

Duane and Cherie are seeking relief from Town Code §520-11B(2)(b) approval for an 11.3’ side setback variance for a garage addition at 3947 Brickschoolhouse Road.

Rich Maier from DDS Engineers states the 14’ addition would put the building 3.7’ off the lot line. Chad Fabry stated this would require fire-rated construction. After some discussion, Duane agreed to a 12.5’ instead of 14’ addition. The variance would then be 9.8’. The roof would then end at the side wall.

Jerry Hoffman motioned, and Ed Haight seconded, to schedule a Public Hearing for the Rockow’s seeking relief from Town Code §520-11B(2)(b) for a 9.8’ side setback variance to construct a garage at 3947 Brickschoolhouse Road on March 18, 2013 at 7:30 pm. Members polled: Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

The fee is \$75 to be made out to the Town of Hamlin and indicating “Public Notice” before March 6, 2013.

**GEORGE AND JUDY FRIDD  
1259 HAMLIN PARMA TOWN LINE ROAD**

Tim Harris of DDS Engineering representing the Fridd’s is seeking approval for two Area Variances for the proposed two lot residential subdivision at 1259 Hamlin Parma Town Line Road. They are seeking relief from Town Code §520-27C for Lot #1. They propose to build a home behind an existing barn.

Ed Haight motioned, and Jerry Hoffman seconded, to schedule a Public Hearing for the Frid’s seeking relief from Town Code §520-27C for Lot #1 of the subdivision to build a new residence behind an existing barn. Members polled: Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

The project will also require an Area Variance for the pre-existing, non-conforming residence seeking relief from the Town Code 520.11(B)(2)(a) front setback distance for Lot #2.

Ed Haight motioned, and Jerry Hoffman seconded, to schedule a Public Hearing on March 18, 2013 for George and Judy Fridd 1259 Hamlin Parma Town Line Road seeking approval to allow a 67.1' front setback for an existing residence

Amend motion to add a second variance for Lot #1 to allow accessory structure.

Ed Haight motioned, and Jerry Hoffman seconded, amending the Public Hearing scheduled for the Frid's seeking relief from Town Code §520-27C for Lot # 1 of the subdivision to build a new residence behind an existing barn and relief from Town Code §520-9(B) to allow an accessory structure without a main structure. Members polled: Baase aye, Ellsworth aye, Haight aye, Hoffman aye, Pohl aye. Motion carried.

**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 respectfully submitted by:

Deborah Rath  
Clerk to the Support Boards

**The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on Monday, March 18, 2013 at 7:30pm. Deadline for all fees is March 6, 2013 at 12:00 noon.**