

Hamlin Zoning Board of Appeals *Minutes*
 Monday, August 17, 2015
 7:30 p.m.

The regular scheduled meeting of the Hamlin Zoning Board of Appeals was held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin and was called to order by Chairperson Norman Baase at 7:30 p.m. with the location of the fire exits and AED explained for those present. It was asked that all cell phones and pagers be turned off for the duration of the meeting.

Present: Norman Baase, Rocky Ellsworth, Ed Haight, Jerry Hoffman (excused), and Klaus Pohl
 Also present: Town Councilperson Jennifer Goodrich, Conservation Board Member Merritt Ackles, and Highway Superintendent Steve Baase.
 Residents present: Glenn Jackling, Lee Kelsey, Robert Jones, Joseph Heberle, and Paula Reis.

A motion was made by Klaus Pohl, seconded by Rocky Ellsworth to approve the meeting minutes of July 20, 2015. Additions, deletions, or corrections to tonight's meeting.
 Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight (abstain), and Klaus Pohl aye.
 Motion carried.

PUBLIC HEARING
AREA VARIANCE

JOSEPH E. HEBERLE
17255 LAKESHORE ROAD, HAMLIN

Application of Joseph E. Heberle; owner; seeking relief from Town Code§520-45C(2) to remove and excavate topsoil from the location site and per the DEC reclaim the soil back to its original location to be used for future agricultural use for property located at Cook Road, Hamlin in an R-VL zone;SBL#004.02-1-8-8.2.

Joseph Heberle represented himself before the Board. He gave an overview of the proposal submitted in July. The maps are not yet finished but are expected soon. It is a part of the Murphy farm that he just purchased. It is an existing 9 acre pit that has not been worked for a while. He plans to re open the pit. The DEC recommended he apply to the Zoning Board of Appeals for permit to move/store/replace the topsoil. The topsoil will be replaced back into the area and re sloped. When down he plans to plant Xmas trees and return it to AG.

Chairperson Norman Baase opened the Public Hearing.
 It was asked that anyone wishing to speak to please stand and state their name and address.
 There were no comments or concerns from those present
 Chairperson Norman Baase left the Public Hearing open until the information required is submitted.

A motion was made by Klaus Pohl, seconded by Ed Haight to leave the Public Hearing open for a minimum 30days/ maximum of 62 days for the application of Joseph E. Heberle; owner; seeking relief from Town Code§520-45C(2) to remove and excavate topsoil from the location site and per the DEC reclaim the soil back to its original location to be used for future agricultural use for property located at Cook Road, Hamlin in an R-VL zone;SBL#004.02-1-8-8.2. Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight (abstain), and Klaus Pohl aye.
 Motion carried.

PUBLIC HEARING
AREA VARIANCE

JAMES F. & JOAN G. JACKLING
2374 BRICK SCHOOLHOUSE ROAD

Application of James F. & Joan G. Jackling; owners; seeking relief from Town Code§520-11B(2)(a) for a front setback of 19.9 feet from the main front porch of the house where the code states that the minimum front setback is 100 feet; Relief from Town Code§520-11 B (2)(d) for a side yard (not front yard) setback on a corner lot of 39.3 feet where the code states that the minimum side yard (not front yard) on a corner lot to be 75 feet; Relief from Town Code§520-11 B (1)(a) for a lot size of 2.634 acres where the code requires a minimum lot size of 5 acres for property located at 2374 Brick Schoolhouse Road in an R-VL zone.

Glenn Jackling represented the applicants before the Board. He gave an overview of the impending multi-parcel auction to be held on Thursday, August 27, 2015.

Chairperson Norman Baase opened the Public Hearing.
It was asked that anyone wishing to speak to please stand and state their name and address.
There were no comments or concerns from those present
Chairperson Norman Baase closed the Public Hearing.

There are 4 lots to be auctioned. Lot #1 contains 2.634 acres with the house and a barn. Lot #2 will be sold with either Lot#1 or Lot#3. It will not be sold as a standalone lot.

A motion was made by Ed Haight, seconded by Klaus Pohl to grant the application of James F. & Joan G. Jackling; owners; seeking relief from Town Code§520-11B(2)(a) for a front setback of 19.9 feet from the main front porch of the house where the code states that the minimum front setback is 100 feet; Relief from Town Code§520-11 B (2)(d) for a side yard (not front yard) setback on a corner lot of 39.3 feet where the code states that the minimum side yard (not front yard) on a corner lot to be 75 feet; Relief from Town Code§520-11 B (1)(a) for a lot size of 2.634 acres where the code requires a minimum lot size of 5 acres for property located at 2374 Brick Schoolhouse Road in an R-VL zone. This division of lands will preserve farmland. This is a Type II Neg SEQR. Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight (abstain), and Klaus Pohl aye. Motion carried.

AGENDA
AREA VARIANCE

LEE KELSEY
74 HIDDEN CREEK LANE

Application of Lee Kelsey, owner; Melanie Kelsey, seeking relief from Town Code§520-41C(1)(a)[1] to have chickens on .44 acre of land where the code states that chickens are not allowed on less than one acre of land for property located at 74 Hidden Creek Lane in an R-M zone.

Mr. Kelsey represented himself before the Board. He gave an overview of his request of a variance to keep chickens on less than 1 acre of land. He stated that he has 10 chickens. He had 4 roosters but they are gone. The shed area is at the back of the house. The coop is a 5' x 10'coop with a 10' x 10' structure.

A motion was made by Rocky Ellsworth, seconded by Ed Haight to schedule a Public Hearing on September 21, 2015 at 7:30 p.m. for the application of Lee Kelsey, owner; Melanie Kelsey, seeking relief from Town Code§520-41C(1)(a)[1] to have chickens on .44 acre of land where the code states that chickens are not allowed on less than one acre of land for property located at 74 Hidden Creek Lane in an R-M zone. There will be a walk thru scheduled for Saturday, September 19, 2015 after 10:30 a.m. Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, and Klaus Pohl aye. Motion carried.

AGENDA

AREA AVARIANCE

ROBERT JONES

7561 SANDY HARBOR DRIVE

Application of Robert Jones; owner; Robert Jones; seeking a permit pursuant to Town Code§520-45C(2) to remove and excavate topsoil from the building location site and per the DEC reclaim the soil back to its original location and used at the building site for property located at 7561 Sandy Harbor Drive , Hamlin in an S/R zone. Tax account #006.08-1-27.1.

Robert Jones represented himself before the Board. He plans on repair/ replacement of a current cottage which will require movement of the topsoil on the site. Mr. Jones plans on moving the topsoil to location on the site and will replace the soil around the foundation of the structure. The DEC recommended that he appear before the Zoning Board so that they were aware of the topsoil movement. The LWRP representative; Merritt Ackles; has deemed this consistent with the policies of the LWRP.

The Board felt that there was no requirement for a permit for this action at this present time. A letter will be sent to the DEC of the decision for their records.

DISCUSSION

Conservation Board Member Merritt Ackles had nothing new to discuss.

Attorney Licht had no new legal concerns.

Town Councilperson Jennifer Goodrich reported that the Town now has an integrated email system in place. The Support Board Members were not included in this process. It was asked how they felt about it and they have stated that they are fine with using their personal email as it would cost \$20.00 per member each month to have the ny.org address. The Zoning Board Workshop will resume on September 24, 2015.

ADJOURNMENT

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

Minutes respectfully submitted by:

Cheryl J. Pacelli
Clerk to the Support Board

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on September 21, 2015 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is September 9, 2015 at 12 noon.

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