

Hamlin Zoning Board of Appeals *Minutes*
 Monday, September 21, 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, and Klaus Pohl
 Also present: Attorney Ken Licht, Town Councilperson Jennifer Voelkl, and Conservation Advisory Board Member Merritt Ackles.
 Residents present: Cindy Lutwiller, George Vanderstow, and Lee Kelsey.

A motion was made by Klaus Pohl, seconded by Ed Haight to approve the meeting minutes of August 17, 2015. Additions, deletions, or corrections to tonight’s meeting.
 Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Klaus Pohl aye, and Jerry Hoffman abstain. Motion carried.

Proof of Publication

The Clerk showed the *Proof of Publication* to those present.

PUBLIC HEARING CONTINUATION
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.

Mr. Heberle was not present at the meeting. The October 19, 2015 meeting is the deadline to submit the plans/drawings of his project to the board. If the plans/drawings are not ready he will have to re-submit at a later date.

PUBLIC HEARING
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 requires 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. His son has always wanted chickens. Mr. Kelsey did read the code and he misunderstood the code in which chickens are only allowed on a parcel of land more than 1 acre. He has 10 chickens on the premises. He did have 4 roosters but they have been removed. At this time he is removing the droppings and placing them in a spot in his back yard where a garden will be started. The

chickens are now in a 10' x 10' fenced in area behind his house. His son is 15 years old and he has stated that when his son goes off to college; the chickens will be gone.

Chairperson Norman Baase opened the **Public Hearing**.

It was asked that anyone wishing to speak to please stand and state their name and address.

George Vanderstow of 90 Hidden Creek Lane had concerns about the chickens. He resides 2 houses down from 74 Hidden Creek Lane. This summer on 90 degree days he could smell the chicken waste and it smelled bad. He is glad to see that Lee's son has a project. Mr. Kelsey will do further research on how to reduce the waste smell.

Rocky Ellsworth stated that he is a farmer himself and he knows that chickens can be a problem. He is dairy farmer and chickens are not allowed on dairy farms. He is sympathetic to both sides. He would like to see a 1 year variance granted to see if the improvements worked concerning the smell.

Chairperson Norman Baase closed the **Public Hearing**.

A motion was made by **Klaus Pohl**, seconded by **Ed Haight** to grant relief 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 requires 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. The following conditions will apply: The variance is valid for 5 years from date of issue; which would cease on September 21, 2020. A maximum of 10 chickens allowed with no roosters. Also to have a waste management program in place. This is a Type II SEQR. Members polled: Klaus Pohl aye, Rocky Ellsworth aye, Norman Baase aye, Ed Haight aye, and Jerry Hoffman aye. All in favor. Motion carried.

AGENDA

AREA VARIANCE

RICHARD IUPPA

1107 WALKER LAKE ONTARIO ROAD

Application of Richard Iuppa; owner; Richard Iuppa; seeking relief from Town Code§520-22C(1)(a) for a .24 acre lot where the code requires a minimum lot size of 2 acres; Town Code§520-22C(10)(b) for a lot width of 52.73 feet where the code requires a minimum lot width of 140 feet; Town Code§520-22C(2)(a)[2] for a 7.7 foot North side setback where the code requires a 15 foot side setback; Town Code§520-22C(2)(a)[2] for a 10.3 foot South side setback where the code requires a 15 foot side setback; Town Code§520-22C(2)(a)[3] for a 48.9 foot front (water side) setback where the code requires a minimum front (water side) setback of 100 feet; Town Code§520-22(5) for a % impervious surface where the code requires a maximum lot coverage with impervious surface of 30% for property located at 18 Lake Road East Fork in an R-CW zone. A single family cottage is proposed.

Mr. Iuppa was not present to submit his proposed plans before the board. He will have to contact the office to be placed on the Agenda for October 19, 2015.

DISCUSSION

Attorney Licht reported that the Zoning Board Workshop will begin on September 24, 2015 at 7:00 pm.

The Town has purchased 30 acres of land (Duffy Mott Plant) with various ponds on the property.

Town Councilperson Jennifer Voelkl reported that the Town of Hamlin is pursuing talks with the Town of Clarkson to form a municipal agreement to share an assessor. The town is also discussing purchasing a truck to be shared by the Building Department and the Assessor Office.

Conservation Advisory Board Member Merritt Ackles had nothing to report at this time.

Chairperson Norman Baase had a request on behalf of the Zoning Board of Appeals that all boards be required to go on site inspections. **Klaus Pohl** added that site visits help to make intelligent decisions.

ADJOURNMENT

A motion was made by Ed Haight, seconded by Klaus Pohl to adjourn tonight's meeting barring no further business was made by, seconded by
Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Jerry Hoffman aye, and Klaus Pohl aye. All in favor. 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 October 19, 2015 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is October 6, 2015 at 12 noon.