

Hamlin Zoning Board of Appeals *Minutes*  
 Monday, December 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, Rich Maier of Maier Land Surveying, and Town Councilperson Jennifer Voelkl.

Residents present: Gary DeFilipps, Emily DeFilipps, Kristin Iuppa, Alyssa Kalen, Patrick Pullinzi, Reid Foertsch.

A motion was made by Klaus Pohl, seconded by Ed Haight and Rocky Ellsworth to approve the meeting minutes of November 16, 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.

A motion to nominate a Chairperson for the Zoning Board of Appeals for 2016. A motion was made by Rocky Ellsworth, seconded by Klaus Pohl to nominate Norman Baase for the position of Zoning Board of Appeals Chairperson for 2016 to be submitted to the Town Board for approval and appointment.

Members polled: Norman Baase abstain, Rocky Ellsworth aye, Ed Haight aye, Klaus Pohl aye, and Jerry Hoffman aye. Motion carried.

**PROOF OF PUBLICATION**

The clerk showed the proof of publication to those present.

**PUBLIC HEARING CONTINUATION**  
**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(1)(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 South side setback where the code requires a 15 foot side setback; Town Code§520-22C(2)(a)[2] for a 10.3 foot North 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 for property located at 18 Lake Road East Fork in an R-CW zone. A single family cottage is proposed.

Rich Iuppa represented himself before the board. He has purchased a cottage that he would like to alter. He is going to leave the garage and one wall of the existing structure intact.

Mr. Iuppa represented himself before the board and gave an overview of his proposed project from last month. The foundation is not good so he decided to replace the cottage and leave the garage and one wing wall in place. He has agreed to decrease the size of the proposed deck to 12' x 16'. The deck will come from the north corner of the house.

Chairperson Norman Baase opened the Public Hearing.

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

Patrick Pullizni residing at 16 Lake Road East Fork is concerned of the side setback. He is asking the board to consider a 12' side setback on the north side for the purpose of allowing access for construction vehicles and/or fire apparatus vehicles.

Gary DeFilipps; whose cottage is located at 20 Lake Road East Fork is concerned about his line of sight view in relation to the proposed deck. Since the deck is now going to be smaller there should be no issue.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Klaus Pohl to grant the following variances for the 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(1)(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 South side setback where the code requires a 15 foot side setback; Town Code§520-22C(2)(a)[2] for a 12.2 foot North 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 for property located at 18 Lake Road East Fork in an R-CW zone. This is a Type II SEQR.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Klaus Pohl aye, and Jerry Hoffman aye. Motion carried.

**PUBLIC HEARING**  
**AREA VARIANCE**

**WALTER FOERTSCH**  
**6528 SHORE ACRES ROAD**

Application of Walter Foertsch, owner; Walter Foertsch, seeking relief from Town Code§520-31B for a side setback of less than 5 feet for a shed on property located at 6528 Shore Acres Road an S/R zone.

Mr. Foertsch represented himself before the board and gave an overview of his proposed project. He proposes to place a shed 2 feet from the side property line.

Chairperson Norman Baase opened the Public Hearing.

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

There were no comments or concerns from those present.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Klaus Pohl, seconded by Ed Haight to grant the application of Walter Foertsch, owner; Walter Foertsch, seeking relief from Town Code§520-31B for a 3 foot variance for a side setback of 2 feet for a shed on property located at 6528 Shore Acres Road an S/R zone. This is a Type II SEQR.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Klaus Pohl aye, and Jerry Hoffman aye. Motion carried.

**PUBLIC HEARING**  
**AREA VARIANCE**

**EDWARD A. DEMPSKI JR**  
**1497 WALKER LAKE ONTARIO ROAD**

Application of Edward A. Dempski Jr, owner; Edward A. Dempski; seeking relief from Town Code§520-18B(2)(b) for a side setback of 3.7 feet for an addition to an existing barn where the code requires a 10 foot side setback for property located at 1497 Walker Lake Ontario Road in a C/NB zone.

Rich Maier of Maier Land Surveying represented the applicant before the board. Mr. Maier gave an overview of the proposed project.

Chairperson Norman Baase opened the Public Hearing.

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

There were no comments or concerns from those present.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Klaus Pohl, seconded by Jerry Hoffman to grant the application of Edward A. Dempski Jr, owner; Edward A. Dempski; seeking relief from Town Code§520-18B(2)(b) for a side setback of 3.7 feet for an addition to an existing barn where the code requires a 10 foot side setback for property located at 1497 Walker Lake Ontario Road in a C/NB zone. This is a Type II SEQR.

Members polled: Norman Baase aye, Rocky Ellsworth aye, Ed Haight aye, Klaus Pohl aye, and Jerry Hoffman aye. Motion carried.

### **DISCUSSION**

Town Councilperson Jennifer Voelkl reported that the Clerk for the Assessor Office has started and is working out quite well. The Assessor position has been posted and applications are due by December 23, 2015 at 4:00 pm. A new local law was passed stating that there will be no parking on town roads from November 15, 2015 until April 16, 2016 for plowing purposes.

### **ADJOURNMENT**

A motion to adjourn tonight's meeting barring no further business was made by Ed Haight, seconded by Klaus Pohl and Rocky Ellsworth.

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 January 18, 2016 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is January 5, 2015 at 12 noon.**