

**HAMLIN ZONING BOARD OF APPEALS MINUTES
MONDAY, April 18, 2016
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 the Vice Chairperson, Rocky Ellsworth 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.

Roll call: Norman Baase (excused), Rocky Ellsworth, Ed Haight, Jerry Hoffman, and Klaus Pohl. Present: Attorney Ken Licht, Town Councilperson Jennifer Voelkl, Matthew Pray, Magda Meissner, Rocky Billotti, Daniel Kenney, Roc Billotti Sr, Wally Rose, and Conservation Advisory Board member Christine Yager.

Approval of the March 21, 2016 meeting minutes. Additions, deletion, or corrections to tonight's meeting.

A motion was made by Klaus Pohl seconded by Jerry Hoffman to approve the meeting minutes of March 21, 2016 as recorded. Members polled: Klaus Pohl aye, Rocky Ellsworth aye, Ed Haight aye, and Jerry Hoffman aye. Motion carried.

Proof of Publication

The clerk showed the proof of publication.

PUBLIC HEARING
AREA VARIANCE

**MAGDA MEISSNER
7886 NEWCO DRIVE**

Application of Magda Meissner; owner; Magda Meissner; seeking relief from Town Code§520-21C(1)(a) for a .18-acre lot where the code states the minimum lot size is 2 acres. Town Code§520-21C(1)(b) for a lot width of 60 feet where the code states the minimum lot width to be 150 feet. Town Code§520-21C(2)(c) for a front waterside setback of approx. 15 feet where the code states that the minimum front waterside setback is 35 feet. It is proposed to demolish the existing home and garage and re build both using the existing footprint. This is for property located at 7886 Newco Drive in an S/R zone. Tax account# 006.07-1-8.

Rocky Billotti represented the owner before the board. He gave an overview from the last meeting. The proposed plan includes the demo of the house and the existing garage and rebuilding them using a small adjustment (28 x 32 for the house) to the existing footprints. The LWRP has inspected the site and deemed it consistent with the policies of the LWRP. It is not in a structural hazard area or the natural protective feature area.

Vice Chairperson Rocky Ellsworth 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 from those present. Vice Chairperson Rocky Ellsworth closed the Public Hearing.

A motion was made by Ed Haight seconded by Jerry Hoffman to approve the Application of Magda Meissner; owner; Magda Meissner; seeking relief from Town Code§520-21C(1)(a) for a .18-acre lot where the code states the minimum lot size is 2 acres. Town Code§520-21C(1)(b) for a lot width of 60 feet where the code states the minimum lot width to be 150 feet. Town Code§520-21C(2)(c) for a front waterside setback of approx. 15 feet where the code states that the minimum front waterside setback is 35 feet. It is proposed to demolish the existing home and garage and re build both using the existing footprint. This is for property located at 7886 Newco Drive in an S/R zone. Tax account# 006.07-1-8. This is a Type II SEQR with no negative comments.

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

PUBLIC HEARING
AREA VARIANCE

MAGDA MEISSNER
7884 NEWCO DRIVE

Application of Magda Meissner; owner; Magda Meissner; seeking relief from Town Code§520-27C for a garage to be built on a lot with no principal dwelling. Where the code states a detached private garage or carport or nonagricultural storage barn must be erected equal to or behind the front main foundation line of the principal dwelling or building on the lot and shall not be located nearer than 15 feet to any rear or side property lines, nor closer than 10 feet to any other building on the lot for property located at 7884 Newco Drive in an S/R zone. Tax account# 006.07-1-42.

Rocky Billotti represented the owner before the board. He gave an overview from the last meeting. The owner proposes to build a new garage structure on the lot without a principal dwelling. The garage will have a 6' side setback.

Vice Chairperson Rocky Ellsworth 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 from those present.

Vice Chairperson Rocky Ellsworth closed the Public Hearing.

A motion was made by Ed Haight seconded by Klaus Pohl to approve the Application of Magda Meissner; owner; Magda Meissner; seeking relief from Town Code§520-27C for a garage to be built on a lot with no principal dwelling. Where the code states a detached private garage or carport or nonagricultural storage barn must be erected equal to or behind the front main foundation line of the principal dwelling or building on the lot and shall not be located nearer than 15 feet to any rear or side property lines, nor closer than 10 feet to any other building on the lot for property located at 7884 Newco Drive in an S/R zone. Tax account# 006.07-1-42. This is a Type II SEQR with no negative comments.

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

AGENDA

AREA VARIANCE

**MATTHEW PRAY
1365 REDMAN ROAD**

Application of Matthew Pray; Owner; Matthew Pray; seeking variance from Town Code 520-11 for a 77.53 front setback for the existing home where the code requires a 100- foot setback. Town Code 520-11 for a 65.53 front setback for front porch where the code requires 100-foot front setback in an R-VL zone for property located at 1365 Redman Road. Tax account# 012.03-1-28.

Matthew Pray represented himself before the board. He is proposing to demo his existing porch and rebuild using the same footprint. He is seeking the variance for the house setback as he may apply for a permit to add onto the existing garage.

A motion was made by Ed Haight seconded by Jerry Hoffman to schedule a Public Hearing for May 16, 2016 for the Application of Matthew Pray; Owner; Matthew Pray; seeking variance from Town Code 520-11 for a 77.53 front setback for the existing home where the code requires a 100- foot setback. Town Code 520-11 for a 65.53 front setback for front porch where the code requires 100-foot front setback in an R-VL zone for property located at 1365 Redman Road. Tax account# 012.03-1-28. It was asked that the area be staked out for the site visit by the board which will be on Saturday, May 14, 2016 after 10:30 am.

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

AGENDA

AREA VARIANCE

**DANIEL P. KENNEY
1358 BROOKEDGE DRIVE**

Application of Daniel P. Kenney; owner; Daniel P. Kenney; seeking variance from Town Code§520-41B(1)(a)[1] to have chickens on less than one acre for property located at 1358 Brookedge Drive in an R-M zone. Tax account# 021.01-3-76.

Daniel Kenney represented himself before the board. He would like to add 4-5 chickens to his property for his children. The coop will be behind the garage and a fenced in run will extend close to the rear boundary line.

A motion was made by Jerry Hoffman seconded by Klaus Pohl to schedule a Public Hearing for May 16, 2016 for the Application of Daniel P. Kenney; owner; Daniel P. Kenney; seeking variance from Town Code§520-41B(1)(a)[1] to have no more than 6 chickens on less than one acre for property located at 1358 Brookedge Drive in an R-M zone. Tax account# 021.01-3-76.

It was asked that the area be staked out for the site visit by the board which will be on Saturday, May 14, 2016 after 10:30 am.

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

DISCUSSION

Attorney Licht had no new Legal Issues to report.

Town Councilperson Jennifer Voelkl reported that 1396 Lake Rd will be demolished by the loan company after an asbestos test is performed. There will be a free rabies clinic on May 6, 2016 from 5pm- 8pm. The Volunteer Ambulance open house is April 22, 2016. They are looking for volunteers. June 11, 2016 is Dog Days at the Dog Shelter. The History Center is open every Wednesday evening from 7:00 pm – 9:00 pm. The Zoning Board Workshop will be held on Thursday, April 28, 2016 at 7:00 pm. On May 4, 2016, Bob Kind will give a presentation on Ag & Market Law, Farm markets, and Wineries.

Conservation Advisory Board Member Christine Yager reported that the tree giveaway will be held April 23, 2016 at the Town Hall from 9:00 am – noon. The Conservation Board discussed how many of the trees each year survive. Fishing Advisory Board: In Sandy Creek Sea Lamprey infusion of a larvaecide (sp?) will be introduced to kill off the sea lampreys. The Friends of Hamlin Beach reported that the renovation of the bath house has been started and the septic tanks in the camping area are being replaced.

ADJOURNMENT

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

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

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on May 16, 2016 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is May 3, 2016 at 12 noon.