

HAMLIN ZONING BOARD OF APPEALS MINUTES

Monday, May 16, 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 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.

Roll call: Norman Baase, Rocky Ellsworth, Ed Haight, Jerry Hoffman, and Klaus Pohl.

Present: Attorney Ken Licht, Supervisor Eric Peters, Town Councilperson Jennifer Voelkl, Matthew Pray, Shane Allen, Shawna Allen, Daniel Kenney, Brooke Kenney, Hannah Kenney, Jack Kenney, Carol Nash, and Aaron Kelly.

Approval of the April 18, 2016 meeting minutes. Additions, deletion, or corrections to tonight’s meeting. A motion was made by Jerry Hoffman, seconded by Klaus Pohl to approve the April 18, 2016 meeting minutes as recorded. Members polled: Norman Baase (abstain), 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

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/3 season room 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 at a later date.

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 concerns or comments from those present.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Ed Haight, seconded by Jerry Hoffman to approve 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. This is the minimum variance allowed. This is a Type II SEQR and no negative comments were received from those present. Members polled: Norman Baase aye, Klaus Pohl aye, Rocky Ellsworth aye, Ed Haight aye, and Jerry Hoffman aye. All in favor. Motion carried.

PUBLIC HEARING
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 in the right back corner of the rear yard. There will be no roosters. He wants them for his children to learn about where eggs come from.

Chairperson Norman Baase opened the Public Hearing.

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

Shane Allen of 1365 Brookedge Drive has concerns that this is a residential neighborhood and it would set a precedent on having more chickens in the neighborhood. The houses are tight together.

Carol Nash of 40 Alderbush Lane was concerned about the clean- up of the chicken waste. What will happen to the chickens when the newness wears off.

Daniel Kenney responded that the coop will have a pull out shelf that will be emptied into a garbage bag and placed in a trash receptacle.

Ed Haight responded that they will have no more than 6 chickens. They will be able to replace but no more than 6 allowed.

Aaron Kelly of 511 Wiler Road stated that persons move to Hamlin to have chickens.

Eric Peters of 1397 Brookedge Drive asked if this would be in perpetuity...setting a precedent? Not everyone in a subdivision wants chickens. All issues of having chickens need to be addressed and not be a permanent variance.

Rocky Ellsworth addressed the issues of dogs, fox, and coyote in regards to chickens. A good fence will be needed to keep the animals out.

Chairperson Norman Baase closed the Public Hearing.

A motion was made by Ed Haight seconded by Jerry Hoffman to approve the 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. The following conditions apply: Maximum number of chickens allowed is 6. Make arrangements for manure disposal so that there is no smell by the neighbors. Location will be in the north east corner of the rear yard. There will be no roosters. This is a Type II SEQR. The board listened to the neighbors that attended the meeting understood their opinions. This decision expires on June 1, 2020. If successful, the applicant may reapply for a new variance after this variance expires.

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

DISCUSSION

There was a discussion on the topic of the keeping of chickens.

Attorney Licht stated that the demolition procedure for 1396 Lake Road is progressing. The asbestos survey of the property was completed and there will be a revised demo date provided.

Also, the easements were assigned for the sidewalks from Huntington Park to the Hamlin Plaza

Town Councilperson Jennifer Voelkl reported that there will be 2 Public Hearings on the 25th. 1st to move a section in the code from Code Enforcement to the Dog Control Officer. 2nd to revise the language in the code concerning porches, decks, and pergolas. The ZBA workshop will be May 26, 2016 at 7:00 pm.

ADJOURNMENT

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

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

The next scheduled meeting of the Hamlin Zoning Board of Appeals will be held on June 20, 2016 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is June 7, 2016 at 12 noon.