

Hamlin Planning Board Meeting
Monday, January 5th, 2004
7:00pm

The regularly scheduled meeting of the Hamlin Planning Board was called to order by Chairman Dane Emens at 7:00pm with the location of the fire exits explained for those present.

Present: James Breslawski, Ralph Della Rocco, Dane Emens, Judith Hazen, David Martin, James Nesbitt and Chris Schlieter.

Also present: Building Inspector Dick Bauman, Support Board Attorney Charlie Welch, Town Engineer J.P. Schepp, Conservation Board liaison Craig Goodrich, Town Councilman Dave Rose, Highway Superintendent Tom Ingraham and several interested citizens.

A motion was made by Dave Martin, seconded by Dane Emens to appoint Jim Breslawski as Vice Chairman of the Planning Board. Members polled Breslawski abstained, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, appointment granted.

A motion was made by Judith Hazen, seconded by Dave Martin to appoint Dane Emens as Chairman of the Planning Board for 2004. Members polled Breslawski aye, Della Rocco aye, Emens abstained, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, appointment granted.

A motion was made by Chris Schlieter, seconded by Ralph Della Rocco to approve the minutes from the December 1st, 2003 meeting. Members polled Breslawski aye, Emens aye, Della Rocco aye, Hazen abstained, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, minutes approved.

PUBLIC HEARING

The Clerk Read the Proof of Publication.

PRELIMINARY APPROVAL

**Mr. and Mrs. Testa
5700 Wautoma Beach Road**

Mr. Robert Fitzgerald of Avery Engineering was present to represent Mr. and Mrs. Testa of 5700 Wautoma Beach Road who wish to construct a single family residential dwelling. He explained that this will be a year round residence. There will be a private septic system, public water. Several variances were granted at last month's Zoning Board meeting. The existing house will be demolished. At that time Chairman Emens opened the Public Hearing and asked if there was anyone present to speak for or against this

PUBLIC HEARING-TESTA

variance that was given would affect the Federal Flood Insurance program along the Lakeshore? Attorney Charlie Welch stated that FEMA is affected if development is below the flood plain level. This particular property shouldn't have any effect on FEMA. Town Engineer J.P. Schepp stated that a variance was granted, saying they could build in the coastal erosion zone. He also addressed some of his engineering concerns. Mr. Schepp said he would like to see the septic system and perk test location, and also the west side grading plotted on the plans. Also show the coastal erosion hazard lines and flood plain elevation on the plans. The underground utilities appear to be off on the neighbor's property, an easement might be needed, or try to get the utilities there another way. He said he needs to see the number of bedrooms, and the \$250.00 Recreation Fee should be noted. The finished floor and grade elevation needs to be revised. Mr. Fitzgerald replied that he could easily fix these problems. Chairman Emens asked if there were any questions from the Board about this proposal? Board Member Chris Schlieter noted that the plans call for a 27' wide driveway and asked if it would be entering into a garage? Mr. Avery replied that, yes it would be entering into a garage. Mr. Schlieter also stated that the East side planner is on the neighbor's property, and that will that be deflecting water to the north. The plans need more definition of grade to be shown. Mr. Fitzgerald said he would do some spot elevations. Frank DeLapa further voiced his concern over the water situation that has worsened over the years on Wautoma Beach Road and asked the architect and engineer to take a good look at the drainage process. At that time Chairman Emens closed the Public Hearing.

A motion was made by James Nesbitt, seconded by Judith Hazen to grant Preliminary Approval to Mr. and Mrs. Testa to construct a single-family residential dwelling. This is a TYPE I Negative Declaration under SEQR. Members polled Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Preliminary Approval granted.

PUBLIC HEARING**Mr. and Mrs. Pangrazio
2284 Church Road**

Mr. and Mrs. Pangrazio of 2284 Church Road were present to request a Special Use Permit to open an income tax service at their residence. He explained that at the most 2 extra cars would be parked in his driveway at one time. At that time Chairman Emens opened the Public Hearing and asked if there was anyone present to speak for or against this proposal? There were no replies. He then declared the Public Hearing closed. Board Member Judith Hazen asked about the hours of operation? Mr. Pangrazio explained that he would be open Monday-Friday 9am-7pm, Saturdays 9am-6pm. Board Member James Breslawski asked how many employees he would have, and what type of sign would be installed? Mr. Pangrazio replied that he would be the only employee. He will also be installing an 18" x 18" wooden sign, not lighted.

PUBLIC HEARING-PANGRAZIO

A motion was made by Chris Schlieter, seconded by James Breslawski, to grant a Special Use Permit to Mr. and Mrs. Pangrazio of 2284 Church Road to open an income tax service at their residence. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Special Use Permit granted.

PUBLIC HEARING

Joseph Selvaggio
HAMLIN RE-CON AUTO SALES
45 King Street

Mr. Joseph Selvaggio of 45 King Street was present to seek a Special Use Permit to open Hamlin Re-Con Auto Sales. Mr. Selvaggio explained that he would have about 30 cars at one time for sale on the lot. He stated that he would be allowing approximately 7 feet apart per each per car. It was stated that this would not be enough room to even open the car doors.

At that time Chairman Emens opened the Public Hearing and asked if there was anyone present to speak for or against this proposal? There were no replies. He then declared the Public Hearing closed. Several Board Members asked Mr. Selvaggio questions about the business. Mr. Selvaggio replied that he did have a license to sell cars. That he would not have security and would only use minimal lighting outside the building. Also there would be 6 cars inside the building at one time. There would be no painting work done on the premises. Board Member Ralph Della Rocco stated that the situation is problematic for parking right now. Mr. Selvaggio showed where the customer parking would be located. Building Inspector Dick Bauman was introduced and asked if he had any concerns. He stated that he did not at this time. Town Engineer J.P. Schepp said that he considers this a rough sketch and it is difficult to see exactly what is going on as far as the number of cars that will be concentrated on the lot. He asked Mr. Selvaggio to come back to the Building Dept. with a better site plan, or to call Mr. Schepp for further advice on how to sketch out this site plan.

PUBLIC HEARING

RONALD HOBBS-Special use Permit
478 Lake Road West Fork

This is a continuation of the Public Hearing that was held on December 1st, 2003 for Ronald Hobbs of 478 Lake Road West Fork. He wishes to obtain a Special Use Permit to install a pole barn on his property that is located on vacant land. His property is in the AG District, however the building will be a non-agricultural storage barn, therefore a Special Use Permit will be needed. Mr. Hobbs stated that he had already been issued a Building Permit for the barn by former Building Inspector Larry Gurslin. At the December meeting it was determined that Mr. Hobbs had several previous violations on that property. A Stop Work Order was issued for Mr. Hobbs to cease building his pole barn. Mr. Hobbs passed out new plans and stated that there were some slight changes

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PUBLIC HEARING-HOBBS

done to this site plan. Town Engineer J.P. Schepp stated that he this barn will actually have no adverse impact on the neighboring properties. At that time, Chairman Emens asked if there was anyone present to speak for or against this proposal since this is a continuation of the original Public Hearing? There were no replies. He then declared the Public Hearing closed. Board Member James Nesbitt stated that if Mr. Hobbins ever decided to build a home there, it would be very difficult to build a house on the lot now. Mr. Hobbins stated that he had no intentions of building a house on the lot at this time. Board Member Judith Hazen stated that this lot will now have two barns on vacant land and that the Town Zoning Book under Town Code 125-42 page 90 states that only one accessory structure is allowed on a vacant lot. Board Member James Nesbitt stated that the only way he could approve this Special Use Permit is with some restrictions.

A motion was made by James Nesbitt, seconded by Ralph Della Rocco to grant Ronald Hobbins of 478 Lake Road West Fork a Special Use permit to continue building his pole barn with the restriction stating that the Building Inspector's for the Town will periodically drive by and inspect the property to make sure all outdoor equipment is stored inside the barns.

Members polled, Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Special Use Permit granted, with restrictions.

FINAL APPROVAL

**Mr. Rich Iuppa, Sandra Estates
Walker Road tax acct#
23.03-002-001,13**

Mr. Richard Maier of D.D.S. Engineering was present to represent Mr. Rich Iuppa who seeks Final Approval to develop 3 lots on Walker Road known as Sandra Estates to building 3 single family residential dwellings. The lots are not in an AG District. Town Engineer J.P. Schepp stated that he had no engineering concerns. Board Member Chris Schlieter asked if there are any footprint changes that will affect the drainage, to please notify Town Engineer J.P. Schepp so that further review can be done.

A motion was made by Chris Schlieter, seconded by Judith Hazen to grant Rich Iuppa owner of Sandra Estates, Walker Road Final Approval to develop 3 single family residential lots of 5 acres each for constructing 3 residential houses to be located on Walker Road, tax acct# 23.03-002-001,13. If there are any changes made to the site plan that would affect drainage, he must contact Town Engineer J.P. Schepp prior to building. Members polled Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried Final Approval granted.

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Mr. Bradley Smith
6648 Greenwood Parkway

Jim Missell of Missell Associates was present to represent Bradley Smith who seeks Final Approval to construct a single family residential dwelling to be located at 6648 Greenwood Parkway. Mr. Missell stated that he had a few slight changes to the site plan for review tonight. He explained that the Monroe County Department of Health had revised the invert table slightly and that the drainage situation had been addressed. The septic location has been shifted slightly and addressed. He asked if the Board had any further questions? There were none.

A motion was made by Ralph Della Rocco, seconded by Chris Schlieter to grant Final Approval to Bradley Smith of 6648 Greenwood Parkway to construct a single family residential dwelling. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Final Approval granted.

BOUNDRY MAP

Mr. Joe Keller
1214 Lake Road East Fork

Mr. Keller was present and displayed a boundry map for all to view. Mr. Keller explained that he is seeking Planning Board approval with the instrument survey map showing the location of the structures on the property. He intends to build a pole barn on the property which consists of 5 acres. He needed Planning Board approval because the map was not on file with the Monroe County Clerk's office.

A motion was made by James Breslawski, seconded by James Nesbitt to grant Mr. Joe Keller Boundry Lot Approval for the property located at 1214 Lake Road East Fork.. This is a 5 acre lot and he wishes to make this a legal lot to build a barn on to replace a previous barn. The only contingency would be for the instrument survey to show that the original parcel was taken out. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Boundry lot Approval granted.

BOUNDRY MAP

KENNETH MANNING
104 CHURCH ROAD

Jim Glogowski was present to represent Kenneth Manning who is seeking Lot Combination Approval to combine two lots into one lot located at 104 Church Road. Mr. Manning explained that he would simply like to combine the two lots that are currently dividing the two properties. Board Member Chris Schlieter asked if this parcel would affect any surrounding parcels? Mr. Glogowski replied no.

BOUNDRY MAP-KENNETH MANNING

A motion was made by Chris Schlieter, seconded by James Breslawski to grant Kenneth Manning of 104 Church Road Lot Combination Approval. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Lot Combination Approval granted

DISCUSSION

Carl Bauer
99 Hamlin Parma Town Line Rd.
Red Fox Run

Mr. Arnold Carmichael was present to seek Planning Board direction to build a new single family residential dwelling to be located at 99 Hamlin Parma Town Line Road. The Subdivision will be known as Red Fox Run. Mr. Carmichael explained that the north culvert has been unplugged. Town Engineer J.P. Schepp stated that a variance would still be needed specifically for the location of the septic system. Mr. Carmichael stated that it would have a modified raised fill. This will also be on a well. Board Member Chris Schlieter discussed the grading changes that had been made to the site plan.

A motion was made by Ralph Della Rocco, seconded by James Breslawski to direct Carl Bauer to the Zoning Board of Appeals to obtain a variance to build a septic system in the Federal Wetlands. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, direction to the Zoning Board of Appeals given.

DISCUSSION

James Breslawski passed out plans for all to view of the North Star History Center located at 1864 Walker Lake Ontario Road. Mr. Breslawski explained that this was a split out from the Ophardt Farm. The Town of Hamlin wishes to add additional land to its existing property. Attorney Welch stated that only hesitancy he had was that it was not officially owned yet.

A motion was made by James Breslawski, seconded by Ralph Della Rocco to give its approval of the purchase, contingent upon Lot Combination Approval of the property located at 1864 Walker Lake Ontario Road.

DISCUSSION

Kevin Truelson
1722 Lake Road

Kevin Truelson was present to seek Planning Board approval to install a laundry mat inside Bob's Store that he owns at 1722 Lake Road and also to house a U-Haul truck business on his parking lot. Board Member James Nesbitt was concerned as to where

DISCUSSION

these trucks would be parked. Chairman Dane Emens stated that the Board needs specifics as to the number of trucks that would be on the lot at any given time. Attorney Welch stated that parking was an issue and that the Board needs to see a detailed parking sketch. Town Engineer J.P. Schepp stated that Mr. Truelson might want to check with the water department and look into installing back flow preventers for the laundrymat. Mr. Truelson was directed to contact the Building Inspector and show a detailed site plan. Board Member Chris Schlieter stated that his present drawing was not acceptable and a more detailed description of what will take place needs to be provided.

DISCUSSION

Chairman Emens stated that he would draft a letter or call Demarco Development and ask them when the Planning Board can expect answers to the Public's questions that were asked at the December 18th, 2003 Public Hearing. Chairman Emens stated that a workshop needed to be held by the Planning Board pertaining to this issue. Ralph Della Rocco said that it is pertinent that the Board gets the information back from the Developers prior to the workshop being held. A date for Wednesday, January 21st, 2004 at 7:00pm was set for the workshop to be held.

A motion was made by James Breslawski, seconded by James Nesbitt stating that the Planning Board went is on record acknowledging the continuance of the Public Hearing and stating that the Town of Hamlin Planning Board will be lead agency. Chris Schlieter stated that a letter from Attorney Jerry Goldman was received informing the Town that as much time as needed would be given to the Town regarding the East Cove Subdivision project.

James Breslawski stated that the Board needed to address the issue of Harry Bower's Special Use Permit, located at 1572 Church Road. A lot has happened in the past month and now the Board needs to contact him to seek proof of insurance, and showing who is caring for the dogs. Currently there are two mature adult dogs more on the property than the original 9 that were allowed. Also the Board needs proof of ownership of the property. We need direction from Attorney Charlie Welch from a legal standpoint. Attorney Welch replied that a report from Rob Farina, Animal Control Officer needs to be obtained. Chairman Emens asked Mr. Welch to send a letter to Mr. Bower stating that the Planning Board would like to see proof that this Special Use permit is being honored. The Planning Board would like to have some representation at the next Planning Board meeting for Harry Bower to address the Board's concerns.

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ADJOURNMENT

A motion was made by James Nesbitt, seconded by Ralph Della Rocco to adjourn the meeting barring no further business. Members polled Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye.

Respectfully submitted,

Cindy Olds
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Planning Board will be scheduled for Monday, February 2nd at **7:00pm**. Deadline for fees is Monday, January 19th, 2004.