

Hamlin Planning Board *Meeting Minutes*
Monday, May 3rd, 2004
7:30pm

The regularly scheduled meeting of the Hamlin Planning Board was called to order by Chairman Dane Emens at 7:30pm with the location of the fire exits explained for those present.

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

Also present: Building Inspector Dick Bauman, Support Board Attorney Charlie Welch, Town Engineer J.P. Schepp, Conservation Board liaisons Craig Goodrich and Glenn Quetschenbach, Planning Board liaison Dave Rose and several interested citizens.

A motion was made by Chris Schlieter, seconded by James Nesbitt to approve the minutes of the April 5th, 2004 meeting. Members polled Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin abstained, Nesbitt aye, Schlieter aye.

THE CLERK READ THE PROOF OF PUBLICATION

PUBLIC HEARING

PRELIMINARY APPROVAL

Jeffrey Hand
1845 Brick Schoolhouse Road

Jeffrey Hand seeks Preliminary Approval to construct a single family residential dwelling at 1845 Brick Schoolhouse Road. He was not present at the meeting. 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. Chairman Emens then closed the Public Hearing. Town Engineer J.P. Schepp stated that the engineer had submitted a revised set of plans and had addressed those concerns pertaining to drainage calculations and culvert sizing. They have addressed all engineering concerns. This is a TYPE I Negative Declaration under SEQR. Board Member Chris Schlieter stated that it should be noted that a \$250.00 Recreation Fee is due prior to receiving final approval. In addition the development engineer reviewed the capacity of the proposed driveway culvert and there was some upgrading done regarding size to accommodate some down stream and upstream issues. Also drainage calculations were submitted and approved.

A motion was made by James Nesbitt, seconded by Chris Schlieter to grant Preliminary Approval to Jeffrey Hand to construct a single family residential dwelling located at 1845 Brick Schoolhouse Road. 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.**

**JEFFREY HAND-
1845 BRICK SCHOOLHOUSE RD.**

A motion was made by Chris Schlieter, seconded by Judith Hazen to grant Final Approval to Jeffrey Hand of 1845 Brick Schoolhouse Road 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.

SPECIAL USE PERMIT

**Mr. and Mrs. DiMuro
169 Church Road**

Mrs. DiMuro was present to seek a Special Use Permit to construct an in law apartment onto their residence located at 169 Church Road. Town Engineer J.P. Schepp asked the developers to provide data stating that the existing septic system is adequate. Mrs. DiMuro replied that the current septic system is a 500 gallon, however they will be installing a 1500 gallon tank. 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. Building Inspector Dick Bauman asked if the DiMuro's had received Health Department approval in regards to upgrading the septic system? Mrs. DiMuro replied that she had gotten two quotes and was told that she only needs to increase her tank size. Town Engineer J.P. Schepp said that it would be appropriate to check with the Health Department. They might be able to pull the original designs and verify if the leachfield is adequate.

A motion was made by Chris Schlieter, seconded by James Breslawski to grant Mr. and Mrs. DiMuro of 169 Church Road a Special Use Permit to construct an in law apartment at their residence. This Special Use Permit is based on receiving final approval of the septic system by the Health Department and the Certificate of Occupancy being issued by the Building Department. Members polled Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Special Use Permit granted.

LOT COMBINATION APPROVAL

**Mr. Peter Unterborn
733 Lake Road West Fork**

Mr. Peter Unterborn was present to seek lot combination approval to combine two lots located at 733 Lake Road West Fork. Mr. Unterborn explained that he wished to combine these two lots so that he would have enough property to build a separate garage onto the site. Board Member Chris Schlieter stated that on the drawing it shows the incorrectness of the acreage, it references the property being measured from the centerline. The Town of Hamlin references to acreage for lot totals are to the right of way line. Town Engineer J.P. Schepp stated that this is already a pre-existing, non-conforming lot.

**PETER UNTERBORN
733 LAKE ROAD EAST FORK**

A motion was made by James Breslawski, seconded by Ralph Della Rocco to grant Lot Combination Approval to Mr. Peter Unterborn of 733 Lake Road West Fork to combine two lots. It should be noted that the lots in the drawing were shown to be measured from the center line not to the right of way as required by the Town of Hamlin. Members polled Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Lot Combination Approval granted.

**COMMERCIAL SITE PLAN APPROVAL K and K Mini Mart
1449 Lake Road**

Mr. Kevin Noon was present to seek commercial site plan approval to construct a car wash behind the K and K store at 1449 Lake Road. Mr. Noon explained that he has moved back here and will now be a resident of Hamlin and stated that he would like to build a car wash behind the store. It would consist of a one hand bay and one touchless car wash. Attorney Charlie Welch stated that this parcel is zoned Commercial General Business. Town Engineer J.P. Schepp stated that under Code 125-25 C 2 it states that in a CGB zone, only one principle building for one lot is allowed. Attorney Charlie Welch stated that the title on the site plan should identify the car wash also. Town Engineer J.P. Schepp said the site plan shows the zoning to be S-R (shoreline residential), when it actually is CGB, also the lot size restrictions are for S-R not CGB. In addition the plans need to show the final grading, the water service supply, a backflow preventer should be shown, sanitary and storm sewers, water separators, the building type, and lighting and signage plans. In regards to parking requirements, there is a lot of parking used for the west end of the site for the other businesses, the whole handle on the parking issue needs to be addressed. Mr. Noon stated that he would create a curbing circular, that would open up 6 new spaces. Parking in the rear is just a good neighbor parking situation. Mr. Schepp also stated that he would like the plans to show the traffic flow. Also head light glare and buffering should be addressed on the site. Storage for snow and dumpsters should be shown on the site plan. The plan restricts the amount of non-impervious surface on the site. There is a drainage concern to be addressed. There is no storm water detention on the site at this time. Mr. Schepp suggested that the site be looked at as a whole, as the site is getting larger and more developed, the impervious surface is increasing. The total impervious surface allowed is 75% of the site. Also check with the Town Highway Department regarding the driveway cut, make sure they are satisfied. Attorney Charlie Welch stated that a front setback of 70' is required, also the issue of a second principle building on the site needs to be addressed. Three potential variances could be needed. It would be up to the Zoning Board of Appeals to determine what variances are required. Mr. Welch explained that the Zoning Board meets the third Monday of each month. Board Member Judith Hazen stated that Mr. Golterman had contacted her and stated that he wanted Mr. Noon to realize that they are going forward with their own carwash that will be built next to the Dollar General Store on Lake Road.

**HAMLIN K AND K MINI MART
1449 LAKE ROAD**

Mr. Noon said he was aware of that and didn't feel that the other car wash would affect his business. He thanked the Board for their time.

**BEEHLER/BOWER SUBDIVISION
HAMLIN PARMA TOWNLINER ROAD**

Board Member James Breslawski stated that a Public Hearing was requested by Mr. Bower to construct 30 single family residential homes on Hamlin Parma Townline Road. Tax acct #:023.01-01-007.1. Building Inspector Dick Bauman stated that the Building Department is still waiting for the State DEC comments. All other information has been received.

A motion was made by James Breslawski, seconded by Dave Martin to schedule a Public Hearing for the Beehler/Bower Subdivision located on Hamlin Parma Townline Road, tax acct# 023.01-01-007.1. The Public Hearing is scheduled for Monday, June 7th, 2004 at 7:30pm. Members polled Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Public Hearing scheduled.

SPECIAL USE PERMIT

**Mr. and Mrs. Harry Bower
1520 Church Road**

Mrs. Kelly Bower was present to seek to upgrade her Special Use Permit and request to harbor a maximum of 25 adult Cane Corso dogs. Board Member James Breslawski stated that the names on the application should read Audrey, Harry and Kelly Bower since Audrey Bower is the official owner of the property. Mrs. Bower said she would bring documentation from the AG and Markets stating that they have given their approval to harbor and breed Cane Corso dogs on the premises. Attorney Welch said some information is needed prior to the Public Hearing. She needs to provide an insurance policy showing proof of the amount of required insurance, also proof of a waste removal contract. Also prior to the Public Hearing an inspection of the kennels and dogs needs to be completed. Mrs. Bower said an understanding needs to be established as to what constitutes an adult dog. She said her vet would write a document stating that her breed of dog does not fully mature until they are 24 months old. Attorney Welch said that it needs to be determined at what age a dog is considered fully matured. Board Member Dave Martin asked where the breeding is being done? Mrs. Bower replied in the back yard. She explained that a normal litter consists of 12-14 pups, with 4 litters being born each year. She currently owns nine adult dogs and one puppy. Attorney Welch asked that Mrs. Bower be prepared to present this information at the Public Hearing and explain to the Public how many pups and litters will be born each year and a definition as to what an age an adult dog is. The Board also needs to see proof of waste disposal, and a current insurance policy.

**MR. AND MRS. HARRY BOWER
1520 CHURCH ROAD-SUP**

A motion was made by James Breslawski, seconded by Chris Schlieter to schedule a Public Hearing for Mr. and Harry Mrs. Bower of 1520 Church Road who seek to upgrade their Special Use Permit to harbor a total of 25 Cane Corso dogs. The Public Hearing is scheduled for Monday, June 7th, 2004 at 7:30pm. Members polled Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Public Hearing scheduled.

EXECUTIVE SESSION

A motion was made by James Breslawski, seconded by Judith Hazen to go into Executive Session on a legal matter at 8:15pm.

A motion was made by Chris Schlieter, seconded by Dane Emens to come out of Executive Session at 9:00pm.

ADJOURNMENT

A motion was made by Chris Schlieter, seconded by James Breslawski 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. Motion carried, meeting adjourned.

Respectfully submitted,

Cindy Olds
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Planning Board will be held on Monday, June 7th, 2004 at 7:30pm. Deadline for fees is Monday, May 17th, 2004.