

Hamlin Planning Board *Minutes*  
Monday, June 6, 2005  
7:30pm

The regular scheduled meeting of the Hamlin Planning Board was called to order by Chairman James Nesbitt at 7:30pm at the Hamlin Town Hall located at 1658 Lake Road, Hamlin, New York. The location of the fire exits was explained for those present.

Chairman James Nesbitt welcomed new Planning Board member Linda Morey and thanked the other candidates for applying for the position.

Present: Ralph Della Rocco, Judith Hazen, Dave Martin, Linda Morey, James Nesbitt and Chris Schlieter.

Excused: Dane Emens

Also present: Support Boards Attorney Charlie Welch, Town Engineer J.P. Schepp, Town Board Liaison Dave Rose, Building Inspector Dick Bauman, Conservation Board Liaison Craig Goodrich, Pat MacIntosh, Yvette Candela, Tom Jensen, Richard and Linda Luther, Mike Marchetti and several other interested residents.

A motion was made by Chris Schlieter, seconded by Dave Martin to approve the minutes from the May 2, 2005 meeting. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey abstain, Nesbitt aye, Schlieter aye. Motion carried, minutes approved.

*The Clerk read Proof of Publication*

**PUBLIC HEARING**

**SPECIAL USE PERMIT**

**MR. AND MRS. LUTHER  
218 MONROE OLEANS COUNTY LINE RD.**

Mr. and Mrs. Luther were present to seek Special Use Permit Approval for a Quilt Shop in an accessory building at their residence located at 218 Monroe Orleans County Line Road. Mr. Luther explained that they received variance approval for a detached building to be built in front of the front foundation of their house to be used for the Quilt Shop from the Zoning Board. Chairman James Nesbitt asked the hours of operation. Mrs. Luther stated Tuesday through Saturday 10:00am-4:00pm and closed on Sunday. Chairman James Nesbitt asked about classes and parking. Mrs. Luther stated that she would hold classes in the spring and fall and they would be limited in size and would be 1-3 hours long. Mr. Luther stated there was parking for 8 additional cars. At this time Chairman James Nesbitt opened the Public Hearing and asked if there was anyone present to speak for or against this proposal. No one spoke. At this time Chairman James Nesbitt closed the Public Hearing.

Judith Hazen asked when the classes would be held and if there would be any employees. Mrs. Luther stated that the classes would be held during the day and there would be no employees.

A motion was made by Ralph Della Rocco, seconded by Judith Hazen to grant Special Use Permit Approval for Mr. and Mrs. Luther of 218 Monroe Orleans County Line Road for a Quilt Shop in a detached accessory building as presented. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey abstain, Nesbitt aye, Schlieter aye. Motion carried, Special Use Permit granted. Chairman James Nesbitt advised that there would be a \$25.00 permit fee due to the Clerk annually and an annual inspection would be required. This Special Use Permit Approval is good for one year.

## **PUBLIC HEARING**

### **SPECIAL USE PERMIT**

**GARY HOLLAND  
1745 APPLE HOLLOW LANE**

Mr. Holland was present to seek Special Use Permit Approval to operate an electric generator business, Lakeside Power at his residence. Mr. Holland explained that he would be doing business over the phone and having the generators delivered to his home by tractor-trailer trucks then taking them to the locations to be installed. Chairman James Nesbitt asked where the generators would be coming from. Mr. Holland stated that they are shipped from the factory in Wisconsin.

At this time Chairman James Nesbitt opened the Public Hearing and asked if there was anyone present to speak for or against this proposal.

Peter Tonery stated that he was concerned with granting retail business in Residential neighborhoods.

Judith Hazen had concerns with the truck deliveries. Mr. Holland stated that trucks have come down Apple Hollow in the past and there were no problems. Chairman James Nesbitt asked if there was an alternative. Mr. Holland stated that his only other option would be to deliver the generators to a friend's house in Kendall. Having the generators delivered to the site was suggested. Mr. Holland stated that would be hard because someone would have to be there and the generator would be delivered outside the house and if he had more than one generator being delivered he couldn't be in two places at one time. Attorney Welch asked how many generators he would be storing at his house. Mr. Holland stated maximum would be 4 generators. Attorney Welch questioned the number of sales per month. Mr. Holland stated that it depends on the public. Judith Hazen questioned the size of the generators. Mr. Holland stated that the most popular unit was 2' x 4' and weighed 550 lbs. Larger units weigh 1300 lbs and would have to be delivered to the site. It was asked how Mr. Holland would unload the generators. Mr. Holland stated that he would slide them down PVC pipes into his garage off of the trucks. Building Inspector Dick Bauman questioned the noise level. Mr. Holland stated it was less than an air conditioner. Chris Schlieter questioned freight charges. Mr. Holland stated he gets a break on the freight when multiple units are delivered.

Tom Jensen of Roadside Drive suggested getting a 2-wheel hand truck for unloading and stated that it didn't matter where the deliveries were made because all the roads in Hamlin are residential streets.

Chairman James Nesbitt suggested a delivery schedule or a restriction on the number of deliveries per month.

Peter Tonery suggested alternative delivery sites at other businesses in town. Mr. Holland stated that he has thought about that but has not pursued it.

At this time Chairman James Nesbitt closed the Public Hearing.

A motion was made by Chris Schlieter, seconded by Ralph Della Rocco to grant Special Use Permit Approval for Mr. Holland to operate an electric generator business, Lakeside Power at his residence located at 1745 Apple Hollow Lane as presented with the restriction of only 2 deliveries per month or he will have to come back before the Board for review. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey abstain, Nesbitt aye, Schlieter aye. Motion carried, Special Use Permit granted. Chairman James Nesbitt advised that there would be a \$25.00 permit fee due to the Clerk annually and an annual inspection would be required. This Special Use Permit Approval is good for one year.

## **COMMERCIAL SITE PLAN APPROVAL**

### **A.C. AUTO REPAIR 1420 LAKE ROAD WEST FORK**

Mr. and Mrs. Candela were present to request Commercial Site Plan Approval for A. C. Auto Repair formerly Larry's Auto Service located at 1420 Lake Road West Fork. Mrs. Candela stated that the business is staying the same just new owners. Mr. Candela stated that he worked for Larry's Auto Service as the mechanic and now will own the business. Chairman James Nesbitt asked if they were buying the entire building and what were their plans for the other spaces. Mrs. Candela stated that they would try to rent them out and if not it would be used for storage or office space. Chairman James Nesbitt asked if there would be any collision work or painting. Mrs. Candela stated mechanical work only. Chairman James Nesbitt asked if they would be selling cars. Mr. Candela stated no. If they had one they might put it out by the road to sell it but not part of the business. A motion was made by Dave Martin, seconded by Chris Schlieter to grant Commercial Site Plan Approval for Mr. and Mrs. Candela to operate an auto repair shop, A. C. Auto Repair at 1420 Lake Road West Fork. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried, Commercial Site Plan Approval granted. Chairman James Nesbitt stated that an inspection by the Building Inspector needed to be done before opening.

## **FINAL SITE PLAN APPROVAL**

## **RECREATION BUILDING**

Chairman James Nesbitt explained that after the Public Hearing for this project the Board had a workshop to address all of the comments. Mr. Nesbitt thanked everyone who attended and stated that no public was present. Town Engineer J. P. Schepp stated that he read the notes from the workshop and made changes to the site plan. More trees were added along the west and east property lines and behind 2796 Roosevelt Highway for added buffering and it was shown that the driveway would be paved from the road to the property line and crushed stone the rest of the way. Chris Schlieter questioned the distance between parking rows. J.P. Schepp stated that there was a 25' alley and 20' from the last parking space to the edge of the parking lot. Chris Schlieter questioned if that was enough room for a fire truck. It was stated that 25'-30' was needed for a fire truck. Bumping out the parking lot to the north to accommodate a fire truck was suggested. J.P. Schepp stated that wasn't a problem.

A motion was made by Chris Schlieter, seconded by Judith Hazen to grant Final Site Plan Approval for a Recreation Building and parking lot located at 1658 Lake Road with access from 2806 Roosevelt Highway with the added bumping out of the parking lot to the north. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey abstain, Nesbitt aye, Schlieter aye. Motion carried, Approval granted.

## **LOT COMBINATION**

## **RON KINGSBURY 666 REDMAN ROAD**

Ron Kingsbury of 666 Redman Road was present to seek Lot Combination Approval for 0.237 acres of 660 Redman Road to be added to Lot R-1 of the Kingsbury Subdivision located at 666 Redman Road. Mr. Kingsbury explained that he was purchasing the adjacent diamond shaped property with an existing garage on it to be used for additional storage. The current lot is 4.216 acres and by adding 0.237 acres it would become 4.452 acres. The Board stated that this is a pre existing non-conforming lot and the combination would just make it closer to the 5-acre requirement. It was noted that the zoning should be corrected on the plans to R-VL. Some discussion on lot size was discussed. J.P. stated he would look it over and double-check the lot sizes.

A motion was made by Chris Schlieter, seconded by Judith Hazen to grant Lot Combination Approval for Ron Kingsbury of 666 Redman Road to add 0.237 acres to Lot R-1 of the Kingsbury Subdivision with review and corrections by the Town Engineer. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

## **LOT COMBINATION**

## **WILSON SUBDIVISION 647 DRAKE ROAD**

A. J. Barea was present to request Lot Combination Approval for Mr. Wilson to add a 45' x 91' square to the existing Lot #1 of the Wilson Subdivision located at 647 Drake Road. Mr. Barea explained that Mr. Wilson wanted to add a 45' x 91' square piece of land of land back into his property on the south east corner of his lot.

A motion was made by Ralph Della Rocco, seconded by Dave Martin to grant Lot Combination Approval for Mr. Wilson to add a 45' x 91' piece of land in the south east corner to the existing Lot #1 of the Wilson Subdivision located at 647 Drake Road. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

## **DISCUSSION**

### **HIDDEN CREEK MOBILE HOME PARK MYLAR**

Town Engineer J.P. Schepp stated that he had reviewed the Hidden Creek Mobile Home Park Mylars submitted for re-signing and there are no changes. The water line was added per the condition of the approval. The Board had some concerns about the approval being 2 years old. Chairman James Nesbitt stated that according to the code approval expires after one year if a building permit has not been issued. Dave Martin questioned if they could start building without the water line being installed. J.P. Schepp stated no the water line has to be installed first. Chris Schlieter suggested a time restraint. J. P. Schepp suggested getting a Letter of Credit prior to re-signing. Some discussion took place on the water line and the safety of the homes in the park. J.P. Schepp agreed to write a letter stating what the Board requires before the resigning of the Mylars.

### **HERITAGE WOODS SENIOR CITIZEN DEVELOPMENT**

Larry Gursslin was present to discuss the Beehler/Kronenberg Heritage Woods Project. Mr. Gursslin gave a brief history on his experience and knowledge of similar projects. Mr. Gursslin then explained the project so the Board could have a better understanding of the proposal. Mr. Gursslin stated the project was designed to benefit the residents of Hamlin. The project would be geared towards the needs of the Senior Citizens in the community. It would consist of 1 story, 2 bedroom homes with attached 2 car garages that would be part of a Home Owner's Association. Conveniently located close to Tops for shopping and its on a bus route. They are proposing a 20' road for the project instead of the 22' that is required. Mr. Beehler explained that there would not be any bus traffic, no children, no rush hour traffic and ample parking in the garage and driveways for guests so he didn't see a need for the 22' wide roads for this project. Mr. Beehler stated that they are trying to offer comfortable and affordable housing for seniors. Judith Hazen questioned if there would be sidewalks. Mr. Beehler stated that there would be

sidewalks. Ralph Della Rocco questioned the cost difference from a 20' wide road to a 22' wide road. Mr. Beehler stated the difference was about \$500.00 additional per unit and about \$90,000 total increase. Chairman James Nesbitt explained that in 1997 the 22' wide road was adopted for snow removal reasons and safety of the residents. When he figured it out he came up with about \$300.00 increase per house. Keith O'Toole was present to give some data on surveys that were done in other Towns. Mr. O'Toole stated that in other Towns a 20' wide road was standard. Parking along these roads is seldom an issue. He suggested posting the road "no parking on street" during snow removal situations. Town Board Liaison Dave Rose stated that the 22' wide road came into effect due to the snow fence effect that takes place and the set back requirements that limit the space for storing the snow. In subdivisions there are no shoulders on the roads to give a place for the snow to go. Mr. Rose stated that Highway Superintendent Tom Ingraham checked with other Towns and in Sweden a 22' road is required and in Wheatland a 24' wide road is required. Chris Schlieter suggested a community parking lot be added. Mr. Rose stated that the road change was for safety issues also. Mr. Gurslin questioned how much of the road is plowed. Mr. Rose stated that 22' of pavement is plowed. A discussion on snow plowing took place. Mr. Gurslin asked if there were any other concerns with the project. J.P. Schepp stated that the original comments were still outstanding and there were no additional issues. Chris Schlieter suggested having the main access road be 22' wide and the other interior roads be 20' wide. No decision was made.

#### **MR. AND MRS. STEVENS OF 6512 SHORE ACRES**

Building Inspector Dick Bauman explained that Mr. and Mrs. Stevens dropped off house plans for review for a building permit for 6512 Shore Acres that was approved July 2004. Mr. Bauman stated that they received variances and the Site Plan was approved for a 40' x 40' house to be built. The plans are for a 50' x 44' house. It is closer to the break wall than what was approved. Attorney Welch stated that this made the variance that they received not valid. The Board stated that they would have to come back before the Board for approval and to the Zoning Board for variances.

#### **43 HAMLIN CENTER ROAD**

Mr. Bauman explained that the Limuti Subdivision located at 43 Hamlin Center Road was zoned R-L and was approved in 1990. The lot is only 1.36 acres. The Board stated that they would need to come back before the Board for code changes and Site Plan approval and variances from the Zoning Board.

Chairman James Nesbitt asked if Craig Goodrich had anything from the Conservation Board. Mr. Goodrich stated that they would like to have an LWRP done on new houses being built in the district. The Board agreed that would be a good idea.

Chairman James Nesbitt asked if Town Board Liaison Dave Rose had anything from the Town Board. Mr. Rose stated that he would like to add that the 22' wide road also gives room for bicycle traffic and safety.

### **ADJOURNMENT**

A motion was made by Chris Schlieter, seconded by Judith Hazen to adjourn the meeting barring no further business. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried, meeting adjourned.

Minutes respectively submitted by:

Heather Norman  
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Planning Board will be held on **Tuesday, July 5, 2005** at 7:30pm. Deadline for fees is Monday, June 20, 2005 at 2:00pm.