

Hamlin Planning Board *Minutes*  
Monday, March 6, 2006  
7:30pm

The regular scheduled meeting of the Hamlin Planning Board was called to order by the 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 and AED was explained for those present.

Present: Dane Emens, Judith Hazen, Dave Martin, Linda Morey, James Nesbitt and Chris Schlieter

Excused: Ralph Della Rocco

Also present: Support Boards Attorney Charlie Welch, Town Engineer representative Jeremy Delyser, Town Board member Mike Marchetti, Building Inspector Dick Bauman, Conservation Board member Craig Goodrich, Highway Superintendent Tom Ingraham, Tom Jensen, Frank DeLapa, John Clarke, Marge and Bob Ballister, Tennille Lenz, Irene Frediani and several other interested residents.

A motion was made by Dane Emens, seconded by Linda Morey to approve the minutes from the February 6, 2006 meeting as presented. Members polled Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried, minutes approved.

*The Clerk read Proof of Publication*

**PUBLIC HEARING**

**PRELIMINARY SUBDIVISION AND SITE PLAN      STEVE LIOTTA  
BARRETT RE-SUBDIVISION                      1034 LAKE RD. WESR FORK**

John Clarke from DDS Engineers was present to represent Steve Liotta who is seeking Preliminary Re-Subdivision and Site Plan approval for Lot R-1 of the Barrett Re-Subdivision located at 1034 Lake Road West Fork consisting of tax account numbers 013.03-001-006.1 and 013.03-001-006.2 and Special Use Permit approval to build a 30' x 60' pole barn prior to building the house. Mr. Clarke explained that Mr. Liotta wanted to combine Lots 1 and 2 of the Barrett Subdivision to become Lot R-1 and build a single-family dwelling and pole barn on the lot. The lot would have public utilities and existing drainage to Lake Road West Fork. They have received comments from all agencies and all comments have been addressed. Mr. Clarke stated that Mr. Liotta would like to construct a detached garage to use for storage prior to building the house. Mr. Clarke explained that the Special Use Permit would only be needed for about three months until the house was complete.

Judith Hazen asked if Special Use Permit was for a detached garage or pole barn. Mr. Liotta stated it would be a pole barn. Judith Hazen questioned the length of the Special Use Permit. Mr. Clarke stated that it would only be needed until the house was built.

At this time Chairman James Nesbitt opened the Public Hearing and asked if there was anyone present to speak for or against this proposal. There were no replies.

At this time Chairman James Nesbitt closed the Public Hearing.

Town Engineer representative Jeremy Delyser stated that there was a concern with the title of the Subdivision. Mr. Clarke stated that it would remain the Barrett Subdivision. Mr. Delyser stated that the telephone and electric service needed to be shown on the plan and if it was underground or overhead needed to be noted. Mr. Clarke stated that all utilities would be underground and he would add them to the plan. Mr. Delyser stated that there was a field inlet shown on the plan. Mr. Clarke stated that was a mistake and would be removed from the plan.

Dave Martin commented that the plan shows two separate lots. Mr. Clarke stated that they are the existing lots that will be combined into one lot and become Lot R-1.

A motion was made by Linda Morey, seconded by Dane Emens to grant Preliminary Re-subdivision and Site Plan approval for Lot R-1 of the Barrett Subdivision located at 1034 Lake Road West Fork and Special Use permit approval to construct a 30' x 60' pole barn prior to the construction of the house with the condition that the house be completed within 6 months of the construction of the pole barn. This is an unlisted negative SEQR declaration. Members polled Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

A motion was made by Chris Schlieter, seconded by Linda Morey to grant Final Re-Subdivision and Site Plan approval to Steve Liotta for Lot R-1 of the Barrett Re-subdivision located at 1034 Lake Road West Fork with corrections made to the final plan as presented and shown on a final as built. Members polled Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

**SPECIAL USE PERMIT  
DOG HAIR EVERYWHERE**

**TERRY KEISTER  
2009 N. HAMLIN ROAD**

Terry Keister was present to seek Special Use Permit approval for a dog grooming business called Dog Hair Everywhere located in her home located at 2009 North Hamlin Road. Ms. Keister stated that clients would drop off dogs at her house to be groomed, bathed and clipped and would go home in 2-3 hours. She would be grooming approximately 5 dogs per day. She would be open Tuesday through Saturday by appointment and Thursday evenings.

Chairman James Nesbitt asked where the dogs would be kept when they were done. Ms. Keister explained that they would be kept in a crate in the grooming room located in the basement of her house. The Board asked if she would be grooming all size dogs. Ms. Keister stated she would be limited to 50-pound dogs. Chairman James Nesbitt asked about the removal of the hair. Ms. Keister stated she had a wet/dry vacuum and it would be disposed of in the garbage. Building Inspector Dick Bauman asked how the dogs would enter the house. Ms. Keister stated they would enter through the front door and go down the stairs to the basement into the grooming room. Mr. Bauman asked if there was another exit in the basement. Ms. Keister stated yes through the utility room. Dane Emens asked if there was any concern with the septic system. Attorney Welch stated it shouldn't impact the septic system. Needing a sign permit for her sign was discussed.

A motion was made by Linda Morey, seconded by Chris Schlieter to schedule a Public Hearing for Terry Keister for April 3, 2006 at 7:30pm for a Special Use Permit to operate a dog grooming business in her home located at 2009 North Hamlin Road. Members polled Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

#### **CONCEPTUAL SUBDIVISION**

#### **BRUSH CREEK SUBDIVISION 710 WALKER LAKE ONTARIO ROAD**

Bob Kruger was present to seek Conceptual Subdivision approval for Brush Creek Subdivision located at 710 Walker Lake Ontario Road. Mr. Kruger stated that they were interested in dividing the house from the dairy farm so they could sell the house and continue to operate the farm. He stated that a variance would be needed for the size of the lot not being 5 acres. Attorney Welch asked if there was an actual cemetery present. Mr. Kruger stated that it was a cemetery and it had a separate tax account number. Attorney Welch asked who owned the property to the south. Mr. Kruger explained that there was a creek to the south not owned by the Kruger's. The Board asked if they were still using the barns on the other lot. Mr. Kruger stated that they are using the barns therefore the lot line couldn't be relocated to get a 5-acre lot.

Chris Schlieter stated that both lots would require a variance. The lot with the house would need a lot size variance and the remaining lot would require a set back variance to be conforming. Attorney Welch stated that the barns would require a variance under the keeping of animals code a 50' set back from the lot line is required and 150' from the residence is required.

A motion was made by Chris Schlieter, seconded by Linda Morey to refer Mr. Kruger to the Zoning Board of Appeals for several variances for the Brush Creek Subdivision located at 710 Walker Lake Ontario Road. Additional information on set back measurements and existing barns was requested. Members polled Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

**COMMERCIAL SITE PLAN  
HAIR SALON**

**TENNILLE A'SHELL LENZ  
1422 LAKE ROAD WEST FORK**

Tennille Lenz was present to request Commercial Site Plan approval to operate a hair salon at 1422 Lake Road West Fork. Ms. Lenz stated that her hours of operation would be Tuesday through Sunday 9:00am-5:00pm with some evening hours. The Board asked if the building was handicapped accessible. Ms. Lenz stated yes it is. The Board asked if she would have a sign. Ms. Lenz stated yes she would apply for a sign permit. The Board asked if there were restrooms. Ms. Lenz stated restrooms would be available. Linda Morey questioned where the second exit leads. Ms. Lenz stated it went into the other business next door.

Chairman James Nesbitt asked if Dick Bauman the Building Inspector had looked at the site. Mr. Bauman stated that he had and he had no concerns. Attorney Welch stated that the property is zoned commercial and this is a permitted business so no Public Hearing would be required.

A motion was made by Judith Hazen, seconded by Dane Emens to grant Commercial Site Plan approval to Tennille A'Shell Lenz to open a hair salon located a 1422 Lake Road West Fork as presented. Members polled Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

**CONCEPTUAL RE-SUBDIVISION APPROVAL  
JOSEPH BALLISTER RE-SUBDIVISION**

**684 WILER ROAD**

Darryl Moser from Schultz Associates was present to seek Conceptual Re-Subdivision approval for the Joseph Ballister Re-Subdivision located at 684 Wiler Road. Mr. Moser stated that the property was located on the corner of Roosevelt Highway and Wiler Road and consisted of adding a parcel of land to the existing lot with existing house to create a 5.66-acre lot. The new parcel would be dual zoned. No development is proposed.

A motion was made by Chris Schlieter, seconded by Judith Hazen to grant Conceptual Re-Subdivision approval for the Joseph Ballister Subdivision located at 684 Wiler Road and schedule a Public Hearing for April 3, 2006 at 7:30pm. Members polled Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

**CONCEPTUAL RE-SUBDIVISION APPROVAL  
PAT LAWLER SUBDIVISION**

**2018 ROOSEVELT HIGHWAY**

Darryl Moser from Schultz Associates was present to seek Conceptual Re-Subdivision approval for the Pat Lawler Subdivision located at 2018 Roosevelt Highway. Mr. Moser explained that Mr. Lawler is interested in dividing off 5 lots from the existing parcel and selling them. The new owners would be responsible for getting Site Plan approval for the

lot when they purchased it. No development is proposed at this time. Dave Martin questioned the set back of the existing barn on lot #5. It was determined that the set back was ok.

Chris Schlieter questioned the road access of the northern property. Mr. Moser stated that it was accessed from Hamlin Center Road.

A motion was made by Dave Martin. Seconded by Chris Schlieter to grant Conceptual Re-Subdivision approval to Pat Lawler for the Pat Lawler Subdivision located at 2018 Roosevelt Highway and to schedule a Public Hearing for April 3, 2006 at 7:30pm. Members polled Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

### **DISCUSSION**

Town Board member Mike Marchetti stated that there would be a Wind Tower presentation at next month's Town Board meeting.

Highway Superintendent Tom Ingraham had nothing to report at this time.

Chairman James Nesbitt stated that there would be a Wind Tower presentation at next month's Planning Board meeting also and suggested that the Board read over the code prior to the meeting. Mr. Nesbitt also suggested that the Board read over 121-5 of the Town Code pertaining to the Conservation Board reviewing all projects prior to approvals.

Conservation Board member Craig Goodrich had nothing to report at this time.

### **ADJOURNMENT**

A motion was made by Judith Hazen, seconded by Chris Schlieter to adjourn tonight's meeting barring no further business. Members polled Emens 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 Monday, April 3, 2006 at 7:30pm. Deadline for all fees is March 20, 2006 at 2:00pm.