

Hamlin Planning Board *Minutes*
Wednesday, July 5, 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. The location of the fire exits and AED was explained for those present.

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

Also Present: Support Boards Attorney Charlie Welch, Town Engineer J.P. Schepp, Town Supervisor Denny Roach, Town Board Liaison Dave Rose, Town Board member Mike Marchetti, Building Inspector B.J. Maier, Walter R. Foertsch, Laurie Ann Pearse, Tom Jensen, Rich Maier, Irene Frediani and several other residents.

A motion was made by Linda Morey, seconded by Dane Emens to approve the minutes from the June 5, 2006 meeting as presented. Members polled Della Rocco abstain, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

The Clerk read Proof of Publication

PUBLIC HEARING
SPECIAL USE PERMIT

LINDA ROBINSON
2228 ROOSEVELT HIGHWAY

Linda Robinson was present to seek Special Use Permit approval to operate a Country Sage Shop in her home located at 2228 Roosevelt Highway. Ms. Robinson explained that she would be selling herbs, spices, candles, soaps and etc. in her shop. Dane Emens asked if she had any certification. Ms. Robinson stated that certification is not required but she does have certification. Chairman James Nesbitt asked the hours of operation. Ms. Robinson stated 10:00-5:00 Tuesday through Saturday and closed Sunday and Monday. Attorney Welch asked about a sign. Ms. Robinson stated that what she was allowed per code would be too small for the location so she would go for a sign variance. Attorney Welch stated that it would need to be setback 15' from the front property line.

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.

Ralph Della Rocco asked if the business would be retail sales only or if there would be training or lectures at the location. Ms. Robinson stated it would be retail sales only. Ms. Robinson stated that she could have occasional meetings with her down line in the future.

Attorney Welch stated that use doesn't fit any of the businesses listed in the code but does have the same general character as those listed.

A motion was made by Dane Emens, seconded by Linda Morey to grant Special Use Permit approval based on the business being the same general character as approved businesses to Linda Robinson to operate a Country Sage Shop in her home located at 2228 Roosevelt Highway. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

PUBLIC HEARING

PRELIMINARY SITE PLAN/SUBDIVISION

**WALTER FOERTSCH
6528 SHORE ACRES**

Mr. Foertsch was present to seek Preliminary Site Plan/Subdivision approval for Lots 6 & 7 of the Collamer Subdivision located at 6528 Shore Acres. Mr. Foertsch explained that he was proposing to improve and upgrade his existing house. He would upgrade the electric and plumbing, increase the porch to 12' x 12', extend the second story, add a deck area, street side porch, accessory building and add a simulated lighthouse. Mr. Foertsch stated that he received approval for all variances from the Zoning Board except the height variance needed for the lighthouse. He also stated that he received a letter from the Coast Guard stating what was acceptable for the lighthouse.

Town Engineer J.P. Schepp stated that the proposed plans are minimal site increases. There are no drainage concerns. No septic system concerns because the number of rooms is being decreased. All other engineering concerns have been addressed.

Craig Goodrich stated that the Conservation Board had concerns with the septic system, gutters and run off. Mr. Foertsch stated that he has approval from Monroe County Health Department for the septic system and he plans to gutter the entire house but not drain it towards the lake. Craig stated that the Conservation Board would like the gutters to drain towards the lake to reduce the contamination from the lawn and to reduce run off issues. Craig also asked about the tree on the beach. Mr. Foertsch stated that most of the tree had been removed there were only branched left.

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

Lee Mckinney of 6524 Shore Acres stated that he had drainage concerns. He is lower than the Foertsch property and has a lot of standing water. Mr. Foertsch stated that he would run the gutters towards the lake so drainage should improve.

At this time Chairman James Nesbitt closed the Public Hearing.

Attorney Welch stated that the height of the structure is an issue. One factor in getting a height variance is if it is necessary for the function of the building. He asked why the lighthouse needed to be higher than 35'. Mr. Foertsch stated for appearance purposes it needs to extend above the roofline. The spacing for the second floor to allow storage space brings it over the 35'. No one's view of the lake will be blocked by the structure. There is a row of trees already existing along the property line.

A motion was made by Chris Schlieter, seconded by Linda Morey to grant Preliminary Site Plan/ Subdivision approval to Mr. Foertsch for Lots 6 & 7 of the Collamer Subdivision located at 6528 Shore Acres. This is a Type I Negative SERQ declaration. Members polled Della Rocco aye, 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 Site Plan/Subdivision approval to Mr. Foertsch for Lots 6 & 7 of the Collamer Subdivision located at 6528 Shore Acres contingent on the gutters being added with drainage towards the lake, septic system inspection and receiving a height variance from the Zoning Board. Members polled Della Rocco aye, 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 refer Mr. Foertsch to the Zoning Board of Appeals for a height variance for the proposed structure located at 6528 Shore Acres. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

Chairman James Nesbitt asked the Board if they would be willing to approve Mr. Foertsch getting a building permit to start construction on the other part of the proposal before he received the variance from the Zoning Board for the lighthouse structure. Chris Schlieter stated that he didn't have Site Plan approval without the height variance being approved therefore he could not get a building permit for any of the construction. The Board agreed.

PUBLIC HEARING
SPECIAL USE PERMIT

JOSEPH LANCIA
75 WALKER ROAD

Joseph Lancia was present to seek Special Use Permit approval to operate an Equine Assisted Psychotherapy Practice on his vacant lot located at 75 Walker Road.

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.

Ralph Della Rocco stated that this was a vacant lot and asked if he would be building a barn for the business. Mr. Lancia stated yes he was in the process of getting a variance from the Zoning Board to build the barn. The Board asked the hours of operation. Mr. Lancia stated by appointment only. He expected about 10-15 appointments per week.

Town Engineer J.P. Schepp stated there were no engineering concerns. He would need to get a permit from Monroe County DOT for the driveway.

Judy Hazen asked if there would be one person at a time at the location. Mr. Lancia stated no there could be 1-2 cars there per appointment or a bus with 5-6 people at one time.

Chairman James Nesbitt asked the number of horses being used. Mr. Lancia stated three horses would be used for the practice.

A motion was made by Dane Emens, seconded by Dave Martin to grant Special Use Permit approval to Mr. Lancia for an Equine Assisted Psychotherapy Practice located on his vacant lot located at 75 Walker Road. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

PUBLIC HEARING
PRELIMINARY SITE PLAN

JERRY ROWELL
87 KING STREET

Rich Maier was present to represent Jerry Rowell seeking Preliminary Site Plan approval to build a pole barn located at 87 King Street. Mr. Maier explained that Mr. Rowell wanted to build a 70' x 200' pole barn for storage on his property with water, gas, electric and sewer.

Town Engineer J.P. Schepp stated that the parking concerns were addressed.

Chairman James Nesbitt asked what the building would be used for. Mr. Rowell stated storage of boats, cars, RVs, etc. He stated it would be a metal pole barn. Mr. Nesbitt asked the Building Inspector B.J. Maier if sprinklers would be required. Mr. Maier stated no. Mr. Nesbitt asked the number of storage units. Mr. Rowell stated there would be space for about 65 boats. Mr. Nesbitt was concerned with the number of boats being stored with full tanks of gas.

Chris Schlieter stated with no heat in the building the batteries should be pulled from the boats first.

Chairman James Nesbitt asked how long ago the fire was in Mr. Rowell's other storage barn. Mr. Rowell stated about 3 years ago. Mr. Nesbitt asked if the trash from the fire was still at the other barn. Mr. Rowell stated that a gentleman bought the debris for his worm farm. Mr. Nesbitt asked when it would be cleaned up. Mr. Rowell stated that wasn't his property any more.

Linda Morey asked if the Town Engineer had any concerns. Mr. Schepp stated that there were no drainage issues. No traffic concerns now that it was determined that the building would be used for storage the traffic should be minimal. If the building would be unheated with water there should be a meter pit to avoid freezing. All water hook ups should be in accordance with Monroe County Water Authority. Mr. Rowell understood.

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

Leon Holberton of 51 Orchard Avenue stated he had some concerns with Mr. Rowell's current storage building located on Orchard Avenue being a mess. Boats and cinder blocks are left in the driveway. No maintenance is done on the existing storage barn. It does not have a working sprinkler system. He has addressed this issue with B.J. Maier. Trash is behind the building attracting rats. After the fire he had rats coming in his house from the storage building.

Mr. Rowell stated there are no rats in his storage building. The rats were coming because of the dog food Mr. Holberton stores in his basement for his dogs.

Mr. Holberton passed around pictures of the current storage building.

Dane Emens asked how far from the barn was Mr. Holberton's house. Mr. Holberton stated about 80' away. He added that during the fire his siding started to melt.

Rich Maier stated that the focus should be on 87 King Street not the other buildings owned by Mr. Rowell. He stated that the condition of existing buildings should be the Code Enforcement Officer's job.

Chairman James Nesbitt stated that everyone has a right to speak at a Public Hearing and explained that the Board doesn't want to approve another building that won't be maintained in the community.

Judy Hazen asked if Mr. Rowell could clean up the existing building. Mr. Rowell stated that it is an industrial site and is zoned for construction vehicles. The property has deteriorated over the years. He does repair the roof and does clean up around the property but people dump stuff off there and break the windows. It is not all his. It is a sturdy building. Painting the whole building would be expensive. He did agree to clean up the existing building. Judy asked if the building was full now. Mr. Rowell stated no it is empty now but will be full in the fall.

At this time Chairman James Nesbitt closed the Public Hearing.

Judy Hazen asked if the Code Enforcement Officer had any concerns. Mr. Maier stated that we would take a look at the property and address any issues with Mr. Rowell.

A motion was made by Chris Schlieter, seconded by Dane Emens to grant Preliminary Site Plan approval to Jerry Rowell for 87 King Street to construct a storage barn with the property maintenance issues being addressed. This is a Type I Negative SEQR declaration. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

A motion was made by Ralph Della Rocco, seconded by Dave Martin to grant Final Site Plan approval to Jerry Rowell for 87 King Street to construct a storage barn. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

Chairman James Nesbitt stated that Mr. Maier was late with the fees for the Public Hearing and asked him to stick to the schedule for being placed on the agenda in the future. Mr. Maier agreed.

Attorney Welch and Board member Dane Emens excused themselves for this proposal.

PUBLIC HEARING
PRELIMINARY SITE PLAN

AGENT ESTATES
422 LAKE ROAD WEST FORK

Laurie Pearse of Barden Homes was present to represent the owners of 422 Lake Road West Fork seeking Preliminary Site Plan approval to construct a single family home. Chairman James Nesbitt explained that this was originally approved in 2000. According to Town Code the approval is good for 1 year. It has been 6 years so Ms. Pearse is here to have it approved again. No changes have been made to the plans.

Town Engineer J.P. Schepp stated there were no engineering concerns. They received Monroe County Health Department and Monroe County Water Authority approvals.

Judy Hazen asked the size of the house. Ms. Pearse stated the house is 2282 sq. ft. and the garage is 530 sq. ft.

Linda Morey asked how far the leach field was from the property line. Ms. Pearse stated about 18' away from the line.

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.

Judy Hazen questioned the size of the lot. Town Engineer J.P. Schepp stated it was a 5.13 acres lot.

A motion was made by Chris Schlieter, seconded by Linda Morey to grant Preliminary Site Plan approval for Agent Estates located at 422 Lake Road West Fork. This is a Type I Negative SEQR declaration. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

A motion was made by Chris Schlieter, seconded by Judith Hazen to grant Final Site Plan approval to Agent Estates located at 422 Lake Road West Fork. Members polled Della Rocco aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

Attorney Welch and Board member Dane Emens returned to the meeting.

PUBLIC HEARING
SPECIAL USE PERMIT

KELLI BOWER
1520 CHURCH ROAD

Kelli Bower was present to seek approval to increase the number of dogs allowed for her current Special Use Permit from 9 to 16 dogs for her business located at 1520 Church Road. Chairman James Nesbitt thanked the two board members that toured the property with the Building Inspector. Ms. Bower stated that the reason she would like to increase the number of dogs is so she can prepare for the future retirement of her dogs and still provide them with a place to live, she can take back dogs while she finds a replacement home for them and to increase the number of puppies for her business. She has adequate housing for 16 dogs. Ms. Bower read a letter from a neighbor Kate Almeter of 1382 Church Road. Ms. Bower stated that she had letters from other breeders also stating why you need to increase the number of dogs to continue the business.

Judith Hazen asked about annual inspections. Ms. Bower stated that the Town does an annual inspection and twice a year Ag. and Marketing does an inspection.

Dane Emens asked if there has ever been any situations that the dogs have gotten loose. Ms. Bower stated never.

Judy Hazen stated that when she was there for the tour the dogs were very friendly and the children were running around and playing with the dogs.

Chairman James Nesbitt asked out of the 16 dogs how many males and how many females. Ms. Bower stated she would like to have 4 adult males and 12 adult females.

Mr. Nesbitt asked how many puppies she sells now. Ms. Bower stated under 25 puppies a year.

Attorney Welch asked with the increase in adult dogs if the number of puppies would increase to 40 a year. Ms. Bower stated no the number would not double.

Building Inspector B.J. Maier stated he had a letter from the Dog Control Officer stating that there were no issues at the property. They went to the Humane Society and they put it in the Town's hands. There have been no calls for the Dog Control Officer to the house.

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

Lt. Sanbourn from the Monroe County Sheriff's Department Zone C Sub Station stated that it is the recommendation of the Monroe County Sheriff's Department that the current Special Use Permit be pulled for this business. There is still a concern that the dogs are a threat to Public Safety Officers, members of the house and to others in the community. Upon Mr. Bower's release from prison there is a concern that the dogs would be used against Public Safety Officers again. If Mr. Bower does return to the house he could be in control of the dogs again and that could pose a threat to any first response officer that responds to the house for an emergency situation. Since the incident with Mr. Bower the Sheriffs have responded to 4 less significant calls to the house.

Dave Bower asked if Mr. Bower would be released with any restrictions. Lt. Sanbourn stated that he couldn't comment on that at this time.

Dane Emens asked if the motion could be void if Mr. Bower returned to the home. Attorney Welch stated that violations to the Special Use Permit have to be significant in order to pull the permit. This Board can't make that a condition for the Special Use Permit.

Ms. Bower stated that her husband is doing his time and he deserves a second chance. He is starting over. The dogs didn't hurt anyone. They are not violent dogs.

Attorney Welch stated that the Emergency Plan was provided and the required insurance was provided. The Special Use Permit is a way to control the situation. The Special Use Permit does need to stay in place. The question is whether or not to increase the number of dogs allowed.

Ms. Bower stated that if she cannot increase the number of dogs she would not be able to maintain her business.

Denny Roach of 575 Martin Road stated that neighbors have been into his Supervisor's office with concerns but were afraid to attend the Public Hearing. They asked Mr. Roach if he would relay their concerns to the Board. Several of the concerns dealt with the

incident with Mr. Bower. Mr. Roach read the concerns pertinent to the business. One concern was with business being conducted after 10:00pm and he would like to ask the Board to consider putting a limit on the hours of operation for the business. The other concern was with the Accessory Permit in the file to harbor 14 dogs and asked if that was still valid and if that meant that 23 dogs were permitted there now. There are also a couple of new neighbors that weren't provided a copy of the Emergency Plan. Mr. Roach asked that the new neighbors be given a copy of the Emergency Plan and that the 911 responding warning be checked into to ensure that that is still in place.

At this time Chairman James Nesbitt closed the Public Hearing.

Dave Martin asked the number of dogs Ms. Bower has now. Ms. Bower stated 9 adult dogs. She also stated that she does not have any business hours after dark.

Chris Schlieter asked the number of adult dogs in the house. Ms. Bower stated there are three at a time and they rotate which dogs are inside.

Lt. Sanbourn stated for a first responder to a situation the dogs are protective of their house and their family and this poses a threat to the officer and delays the response time. These dogs were used in the past to threaten the officers. By increasing the number of dogs allowed it increases the threat to the officers.

Chris Schlieter was concerned for the officers entering a situation at the house and asked if the Sheriff's Department was involved in the Emergency Plan. Another Officer stated that she has not been trained at the property and she has been assigned to this area for the past 6 years. She stated that it would be hard to train all of the officers because they rotate. The dogs cause hesitation for the officer. The dogs are protecting their property, which causes the officers to hesitate and re-evaluate the situation. In an emergency situation hesitation can cause someone to be hurt.

Lt. Sanbourn was concerned with the dogs being used as a threat towards officers in the future.

Ms. Bower stated that most of the dogs are in the outside kennel that has a fence around it.

Chairman James Nesbitt asked if the website was still called Dogs of War. Ms. Bower stated that yes it was but said to scroll down and read why her husband named the kennel that.

At this time Chairman James Nesbitt closed the Public Hearing.

Linda Morey asked if the lawn was normally mowed. Ms. Bower stated yes it is but her lawn mower just died.

A motion was made by Judith Hazen to approve the increase of dogs from 9 to 16 for the Special Use Permit for Kelli Bower of 1520 Church Road with all of the provisions of the current Special Use Permit to still apply, the hours of operation to be during daylight hours only, the Monroe County Sheriffs Department be part of the emergency plan and be invited to participate in a drill to familiarize them with the property and a copy of the Emergency Plan be given to all new neighbors and the Sheriffs Department.

Linda Morey stated that she was concerned with the dogs being used in another situation at the house.

Ralph Della Rocco stated that the concern was with putting people responding to a situation there in jeopardy. He also stated that a list of current dogs at the house was given out and there are currently 11 dogs there now. Ms. Bower stated that there are only 10 dogs. Panzer is no longer there.

Dane Emens stated if you increase the number of dogs you increase the threat.

A motion was made by Chris Schlieter, seconded by Linda Morey to approve the increase in the number of dogs allowed from 9 to 16 for Kelli Bower's Special Use Permit for her business located at 1520 Church Road with all the provisions of the previous Special Use Permit to still apply, the Monroe County Sheriffs Department be invited to participate in a drill at the property and upon occupancy change the Board review the SUP based on complaints or situations at the house. Members polled Della Rocco aye, Emens no, Hazen aye, Martin no, Morey aye, Nesbitt aye, Schlieter aye. Motion approved.

COMMERCIAL SITE PLAN

PAM MASTRODONATO 328 LAKE ROAD EAST FORK

Pam Mastrodonato was present to seek Commercial Site Plan approval to change the use of her business located at 328 Lake Road East Fork to a Restaurant/Party house. Ms. Mastrodonato stated that they would be serving food, beer and wine. The occupancy would be 150 people. They would book parties, groups, and organizations and have some private parties. There is a full kitchen for serving food.

Linda Morey asked if it would be handicap accessible. Pam stated yes it would. Linda questioned the location of the women's bathroom and if would be wheelchair accessible. Pam stated that the drawing is very deceiving. There is enough room for a wheelchair. Some discussion on the location of the bathroom and closet took place. Attorney Welch stated those were items to be addressed by the Building Inspector.

Chairman James Nesbitt had some parking concerns. Several parking spaces were occupied by Masters Electric workers and work trucks. There are 39 parking spaces. If some are occupied by workers than the number of spaces doesn't work for 150 people. Pam stated that there is plenty of property for additional parking. Mr. Nesbitt stated that

its just grass now and couldn't be considered for additional parking. He questioned where the people would walk to get into the building.

Town Engineer J.P. Schepp stated for 150 people 39.5 parking spaces are needed. Mr. Schepp stated that a proper Site Plan is required. Actual parking spaces with dimensions and handicap parking spaces would need to be shown on the plan. Septic location for a restaurant, dumpster location, drainage needs to be shown on plan and a traffic impact needs to be done. Buffering issues, light and noise issues need to be addressed also. Pam stated that she is not willing to provide a Site Plan. She stated that this is an approved use. Attorney Welch stated that this is an allowable use with Site Plan approval from the Planning Board. The Board can require a Site Plan. This is a huge change from the current use of the building.

Pam asked what she needed. She needs an Engineered Site Plan addressing the parking, traffic flow patterns, dumpster storage, buffering, drainage, septic location and emergency equipment access shown on the plan. Mr. Schepp stated that Pam could call him with any questions.

CONCEPTUAL SITE PLAN

CAMPBELL SUBDIVISION 1 TRACIANN DRIVE

Mr. LaDieu from LaDieu Associates was present to represent Lifetime Assistance seeking Conceptual Site Plan approval for 1 Traciann Drive. Mr. La Dieu stated they are proposing to construct a 3200 sq. ft. 5 bedroom house with a basement. They need a front setback variance and a side setback variance.

Town Engineer J.P. Schepp stated the zoning needed to be shown on the plans, parking lot lighting, property lines, trash storage and erosion control needed to be added to the plan also. There were no drainage issues.

A motion was made by Linda Morey, seconded by Judith Hazen to refer the Campbell Subdivision located at 1 Traciann Drive to the Zoning Board for variances. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

FINAL APPROVAL

APPLE MAC SITE PLAN 1593 HAMLIN PARMA TOWNLINE ROAD

Larry Heining from HBMA Architecture was present to represent Dave Bower seeking Final Site Plan approval for the Apple Mac Site Plan to construct a winery. Mr. Heining stated that the neighboring properties and wine barrels had been added to the

plans. Existing trees were noted on the plan also. A traffic study was provided to the Town Engineer.

Town Engineer J.P. Schepp stated that Monroe County DOT and Monroe County Health Department approvals needed to be shown on the Mylar and the name of the owner on record needed to be on the Mylar. Parking lot lighting and signs were discussed. The Board asked the hours of operation. Mr. Bower stated from 10:00am-7:00pm Monday through Saturday and Sunday 12:00-5:00pm. Mr. Schepp stated that lighting needed to be added to the plan.

Chris Schlieter stated that he had some light spill concerns and suggested using lights that are directed straight down to be sensitive of the neighbors and control the light spill. J.P. Schepp stated he had no concerns with the lighting but they needed to be shown on the plan. Drainage issues needed to be addressed also.

Chairman James Nesbitt asked the intent of the wine barrels by the road. Mr. Bower stated they were not going to be used as a sign they were just decoration and he was going to plant flowers in them. Mr. Nesbitt stated that he would need to get a sign permit if he wanted a sign. Mr. Bower understood. Mr. Nesbitt stated that for a Final Site Plan it was incomplete.

A motion was made by Chris Schlieter, seconded by Dane Emens to grant Final Site Plan approval to the Apple Mac Site Plan located at 1593 Hamlin Parma Townline Road with the conditions that the drainage and lighting be added to the plan and conform and the Mylar receives the Town Engineer's approval and signature. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

PUBLIC HEARING REQUEST

R & L SUBDIVISION 1419 LAKE ROAD

Rich Maier from Maier Surveying was present to request a Public Hearing for the R & L Subdivision located at 1419 Lake Road for Preliminary approval. Mr. Maier stated they have received all the variances from the Zoning Board and would like to schedule a Public Hearing for Preliminary approval.

Town Engineer J.P. Schepp stated he had no concerns. No construction was being proposed.

A motion was made by Dane Emens, seconded by Dave Martin to schedule a Public Hearing for August 7, 2006 at 7:30pm for Preliminary Subdivision approval for the R & L Subdivision located at 1419 Lake Road. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

PUBLIC HEARING REQUEST

TIMES SQUARE SUBDIVISION 1722 LAKE ROAD

Rich Maier from Maier Surveying was present to request a Public Hearing for the Times Square Subdivision located at 1722 Lake Road for Preliminary approval. Mr. Maier stated they have received all the variances from the Zoning Board and would like to schedule a Public Hearing for Preliminary approval.

Town Engineer J.P. Schepp stated he had no concerns. No construction was being proposed.

Attorney Welch stated that at the Zoning Board Public Hearing there was a neighbor with drainage concerns. Mr. Schepp stated that would be addressed when construction is proposed.

A motion was made by Dane Emens, seconded by Dave Martin to schedule a Public Hearing for August 7, 2006 at 7:30pm for Preliminary Subdivision approval for the Times Square Subdivision located at 1722 Lake Road. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

DISCUSSION

Chairman James Nesbitt stated that November 13, 2006 the Planning Board is scheduled to give a presentation to the Town Board. He will be out of Town that day and asked if someone could fill in for him. Town Board Liaison Dave Rose explained that the presentation is to open up communication between all of the departments and the Town Board.

Chairman James Nesbitt stated he received a letter from Larry Gurslin in reference to the senior project on Roosevelt Highway. In the letter he states he will contact the Building Inspector B.J. Maier to see if he requires that a new Concept map submitted for the next meeting. Mr. Nesbitt reminded everyone that it is not the Building Inspector's responsibility to determine what the Board requires and that Mr. Gurslin should know that. The Board agreed that a new Conceptual map should be submitted and they need to start over with the process.

Chairman James Nesbitt stated that the MET tower law was approved and as soon as it is back from the County he suggested that everyone should read and review it.

ADJOURNMENT

A motion was made by Dane Emens, seconded by Dave Martin to adjourn tonight's meeting barring no further business. Members polled Della Rocco aye, 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, August 7, 2006 at 7:30pm. Deadline for all fees is July 24, 2006 at 2:00pm.