

Hamlin Planning Board *Minutes*
Monday, December 4, 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: Dane Emens, Dave Martin, Linda Morey, James Nesbitt and Chris Schlieter.

Excused: Judith Hazen

Also present: Support Boards Attorney Charlie Welch, Town Engineer J.P. Schepp, Town Board Liaison Dave Rose, Town Board member Mike Marchetti, Highway Superintendent Tom Ingraham, Building Inspector B.J. Maier, Conservation Board member Craig Goodrich, Tom Jensen, John and Margaret Bennett, Aaron LaFaro and several other interested residents.

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

The Clerk read Proof of Publication

PUBLIC HEARING
REVISED SITE PLAN APPROVAL
JEFFERY HAND

1757 BRICK SCHOOLHOUSE RD.

Jeffery Hand was present to seek Preliminary Site Plan approval for revised plans for 1757 Brick Schoolhouse Road. Mr. Hand explained that the original Site Plan was approved over a year ago. Some changes have been made to the plans. He wants to change the shape and length of the driveway, move the house closer to the road so it is located less than 600' back from the road and change the culvert pipe at the road to a round pipe. Linda Morey questioned if the site would have well or public water because the plans indicate both. Mr. Hand stated that it would have well water there is not public water or gas available on site. Mr. Hand stated that the location of well and septic was not changing from the original plan. Dane Emens asked if there were any engineering concerns. Town Engineer J.P. Schepp stated that some minor grading changes have been made that create a flat area along the east side of the driveway so he suggested either a culvert pipe across the driveway or modifying the grading a little bit to direct water across the driveway to the north. The drainage would be contained on site. It would not cause any adverse effects to the neighbors.

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

Margaret Bennett of 1735 Brick Schoolhouse Road was concerned about the safety and increased number of accidents due to the driveway being right on the curve. She stated that there are a lot of accidents there already. Mr. Hand stated that he chose that location for the driveway because it was the safest and had the best view both ways. Linda Morey asked if the driveway would have a turn around. Mr. Hand stated yes it would. Town Engineer J.P. Schepp stated that the driveway location was approved by the State DOT and there would be good site distance out of the driveway in both directions.

At this time Chairman James Nesbitt closed the Public Hearing.

A motion was made by Linda Morey, seconded by Dane Emens to grant Preliminary Site Plan approval for the application of Jeffery Hand for a single family house located at 1757 Brick Schoolhouse Road. This is a Type I Negative Declaration SEQR determination. Members polled Emens aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

Chairman James Nesbitt asked if there were any other engineering concerns. Town Engineer J.P. Schepp stated none other than the drainage suggestion.

A motion was made by Chris Schlieter, seconded by Dane Emens to grant Final Site Plan approval for the application of Jeffery Hand for a single family house located at 1757 Brick Schoolhouse Road with the issues addressed by the Town Engineer be taken into account. Members polled Emens aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

A motion was made by Dane Emens, seconded by Chris Schlieter to waive the Recreation Fee due to this being a revised Site Plan. No changes are being made to the lot lines and no new lot is being created. This is an existing lot and the Recreation Fee was already paid once. Members polled Emens aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

**LOT COMBINATION
MICHAEL CARDILLO**

4332 ROOSEVELT HIGHWAY

Daryl Moser from Schultz Associates was present to represent Michael Cardillo seeking a simple lot combination located at 4332 Roosevelt Highway. Mr. Mosher explained that Mr. Cardillo wanted to combine tax account number 019.04-3-1 and tax account number 019.04-3-2 to create a 2.9-acre lot. This would bring the lot into conformance and create one tax bill for the owner. Attorney Welch stated that this would fall under the simple lot combination code that was recently adopted by the Town Board. Town Engineer J.P. Schepp stated there were no engineering concerns.

A motion was made by Linda Morey, seconded by Dane Emens to grant Final lot combination approval to Mr. Cardillo to combine tax account numbers 019.04-3-1 and 019.04-3-2 located at 4332 Roosevelt Highway waiving all other subdivision procedures pursuant to Town Code. Members polled Emens aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

**CONCEPTUAL SITE PLAN APPROVAL
KEVIN CLARK**

5733 WAUTOMA BEACH ROAD

Kevin Clark was present to seek Conceptual Site Plan approval to convert an existing garage into a 2-story single-family house located at 5733 Wautoma Beach Road. Mr. Clark stated that they would be using the existing septic system, water tap and utilities. Chairman James Nesbitt asked if the existing house had been removed. Mr. Clark stated no not yet but it would be. The current tenant is moving out shortly. The Fire Department declined burning down the house due to insurance reasons. Chairman James Nesbitt questioned where the electrical supply would be coming from for the pump station. Mr. Clark stated that right now it is coming from the existing house but they will eventually bury a wire from the new structure. They will put in a separate panel with an alarm. Linda Morey asked if the line to the septic tank would run under the black top driveway. Mr. Clark stated yes the driveway actually is more scattered crushed stone than black top. Dane Emens questioned the size of the second story. Mr. Clark stated that it would follow the same footprint as the first story. They may add on a deck to one side later. Chairman James Nesbitt questioned the septic size. Mr. Clark stated 1250 gallons. Chairman James Nesbitt questioned going west then south to the distribution box instead of putting in a new one and going in a straight line. Mr. Clark stated that would be a lot of work. They will add a couple of clean outs along the line. Chairman James Nesbitt stated that the Building Inspector would have a list of things that need to be inspected. A Certificate of Occupancy will not be issued until all inspections have been made and the house is built per code. Mr. Clark questioned the foundation inspection and the insulation inspection. A discussion took place on the required inspections. Chris Schlieter stated that Mr. Clark would need to provide testimonial from a structural engineer. The burden of proof will be on Mr. Clark. The Town will need to see certification that everything to this point was done per code. There is no documentation that any inspections were done. The current Building Inspector will document all inspections. Mr. Clark stated that he would construct a structurally sound and safe project when it is complete. Dave Martin asked Conservation Board member Craig Goodrich if the leach field was out of the flood zone. Craig stated that it is out of the flood zone and a raised bed system exists. Chairman James Nesbitt asked the Conservation Board for their comments on this application.

A motion was made by Chris Schlieter, seconded by Linda Morey to grant Conceptual Site Plan approval to Kevin Clark for 5733 Wautoma Beach Road. A Public Hearing will be scheduled for January 2, 2007 at 7:30pm. Members polled Emens aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

DISCUSSION

Chairman James Nesbitt stated that the Board didn't give their report to the Town Board at their meeting. Chris Schlieter stated that the report was done he just didn't have clarification on the meeting date. Copies of the report will be given to the Planning Board and Town Board and they would wait to hear from the Town Board as to when they want the report to be given.

Chairman James Nesbitt mentioned that the deadline for applications for the Board opening was December 8 and interviews would be on December 13 at 5:30pm. He asked if the Town Board wanted the Planning Board members to be present at the interviews. Town Board Liaison stated yes they would like the Planning Board members at the interviews if they could make it and they would take their recommendations. Mr. Nesbitt stated that this person would be part of their team and they would like to be involved in the interview process. Mr. Rose stated that they should be present. Dane Emens questioned their input. Mr. Rose stated that the Town Board would ask the Planning Board to give them their selection and state their reasons why. That input would help with the Town Board's decision.

Chairman James Nesbitt thanked everyone for coming to the special Town Board meeting with the Support Boards. He appreciated everyone's support and he hoped this opened the door and put everyone on the same page.

Chairman James Nesbitt explained that all summer he had a job out of town and worked a lot of long hour days. He did stop in to see the Clerk every Friday. He thanked the Board for their continued support. Dane Emens stated that the Planning Board is independent from the Town Board. It is a 7-year term. The Planning Board should not be politically swayed and should make their own decisions based on the applications and the information provided. He thanked Jim for a job well done.

A motion was made by Chris Schlieter, seconded by Dane Emens to nominate James Nesbitt as Chairman of the Board for 2007. Members polled Emens aye, Martin aye, Morey aye, Nesbitt no, Schlieter aye. Motion carried.

The Board agreed to wait until the vacant spot is filled to nominate a Vice Chairman for 2007.

Chairman James Nesbitt stated that a concerned citizen approached him and asked him why the Planning Board is holding up the Senior Citizen Development. He stated they first received Conceptual approval in April 2004. Since then they have changed their plans and changed Engineers. This is not the Planning Board's fault and they are not holding up the project. Linda Morey asked if they could get some clarity on what the homes are going to be called. They need to be consistent. Town Board Liaison Dave Rose stated that the Town Board sent them a letter requesting clarification from Albany on what the structures are going to be called. They sent this letter a year ago and haven't received anything from them yet. A discussion took place on what the structures would be called. Chris Schlieter stated that they need a letter from the Department of State as to

what the structures are going to be called. Mr. Rose stated that they are welcome to build they just need to provide clarity on the classification of the dwellings being proposed. The Town is not holding anything up. Attorney Welch stated that the issue is how they will be taxed. The Town Assessor has some flexibility on how dwellings are taxed. The Board agreed that they need clarification on what the dwellings are going to be called.

ADJOURNMENT

A motion was made by Chris Schlieter, seconded by Dane Emens to adjourn tonight's meeting barring no further business. Members polled Emens 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, January 2, 2006 at 7:30pm. Deadline for all fees is December 18, 2006 at 2:00pm.