

Hamlin Planning Board *Minutes*
Monday, March 5, 2007
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: Judith Hazen, Tom Jensen, 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 Supervisor Denny Roach, Town Board member Mike Marchetti, Highway Superintendent Tom Ingraham, Building Inspector B.J. Maier, Conservation Board member Craig Goodrich, Aaron LaFaro and several other interested residents.

A motion was made by Judy Hazen, seconded by Dave Martin to approve the minutes from the February 5, 2007 meeting as presented. Members polled Hazen aye, Jensen aye, Martin aye, Morey abstain, Nesbitt aye, Schlieter abstain. Motion carried, minutes approved.

The Clerk read Proof of Publication

PUBLIC HEARING

PRELIMINARY SITE PLAN APPROVAL

JAMES RADDER

808 WILER ROAD

Dave Matt from Schultz Associates was present to represent James Radder seeking Preliminary Site Plan approval to construct a single-family house located at 808 Wiler Road. Mr. Matt stated that this lot is Lot 1 of the Pat Lawler Subdivision. The lot is on the corner of Roosevelt Highway and Wiler Road. Driveway access would be on Wiler Road. Mr. Matt explained that Mr. Radder has a purchase offer in on Lots 1 and 2 of the Lawler Subdivision. Both lots total 13 acres. Mr. Radder is proposing a single family house with water, gas, electric and private leach. The driveway would have a turn around. A pond is proposed for fill. The application has Health Department and Water Authority approval. Town Engineer J.P. Schepp stated that Monroe County had some concerns with floodways and wetlands in the area. Mr. Schepp stated that the wetlands are to the east of the proposed site. He has no issues with this site.

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

Mrs. Gump of 782 Wiler Road asked the actual location of the house. The location of the house was shown to Mrs. Gump on the map.

At this time Chairman James Nesbitt closed the Public Hearing.

Chris Schlieter asked if the pond would act as a retention pond to prevent drainage towards the State highway. J.P. Schepp stated that most likely it would. The runoff will be reduced on the site due to converting from farmland to grass. Chris Schlieter asked if the driveway was a stone driveway. Dave Matt stated yes it is. Chris Schlieter asked that the drainage be considered so there are no issues with the highway.

A motion was made by Chris Schlieter, seconded by Linda Morey to grant Preliminary Site Plan approval for the application of James Radder for a single-family house located at 808 Wiler Road. This is a Type I Negative Declaration SEQR determination. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

Chairman James Nesbitt asked Town Engineer J.P. Schepp if he had any other engineering concerns. Mr. Schepp asked if they planned to combine the two lots in the future. Dave Matt stated no the other lot would be for his future children's house.

A motion was made by Chris Schlieter, seconded by Tom Jensen to grant Final Subdivision approval for the application of James Radder for a single-family house located at 808 Wiler Road. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

**SIMPLE LOT COMBINATION
HOWARD OPHARDT**

33 HAMLIN PARMA TOWNLINE RD.

Dave Matt from Schultz Associates was present to represent Howard Ophardt seeking approval for a simple lot combination located at 33 Hamlin Parma Townline Road. Dave Matt explained that the owner wanted to combine four existing lots into one lot. He has owned the lots for several years and now wants to combine them and sell the one lot to the current renter of the property. Judith Hazen asked if the gravel driveway was the same one used by Mr. Baxter for access to his property. Dave Matt stated no that driveway is to the south. Town Engineer J. P. Schepp questioned the Shoreline Residential zoning. It was determined that the property was zoned Shoreline Residential. Mr. Schepp stated that it would be a substandard lot but it would be going closer to conforming. Chairman James Nesbitt stated that this would be a simple lot combination recently adopted by the Town Board.

A motion was made by Linda Morey, seconded by Judith Hazen to grant simple lot combination approval for Howard Ophardt to combine 4 lots located at 33 Hamlin Parma Townline Road waiving all other subdivision procedures pursuant to Town Code.

Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

DISCUSSION

Rodney Mank requested information regarding roadside stands. Mr. Mank was not present. Attorney Welch stated that he has talked with Mr. Mank regarding this proposal and the Building Inspector has also talked with Mr. Mank. Building Inspector B.J. Maier stated that Mr. Mank wanted to purchase 5 acres from the owner of 1885 Walker Lake Ontario Road and put a temporary roadside stand on the corner with a parking lot. This would be a seasonal stand. The parking lot would hold 5-6 cars. Chairman James Nesbitt stated that Mr. Mank would need to come in for Subdivision approval. Mr. Maier stated that's what he believes Mr. Mank wants. Mr. Nesbitt stated that he would need DOT approval for the parking lot. Judy Hazen questioned if the product had to be grown on site. Attorney Welch stated that the code had been changed. It no longer required the product to be grown at the location. Town Engineer J.P. Schepp stated that the property is zoned R-VL. This being an allowable use was questioned. The code reads with Site Plan approval from the Planning Board. Mr. Schepp questioned the need for a Special Use Permit. Mr. Schepp stated that the parking would need to be shown on the site plan also. Chairman James Nesbitt stated that a subdivision map would be required.

COMMERCIAL SITE PLAN APPROVAL KEVIN TRUELSON

1722 LAKE ROAD

Kevin Truelson was present to discuss a furniture store located at 1722 Lake Road. Chairman James Nesbitt stated that last month a Public Hearing was scheduled for this proposal. The Board had several questions regarding the business. The code stated that a furniture store requires Site Plan approval for the Planning Board. A drawing was submitted to the Board. Mr. Nesbitt asked the Board if it was sufficient. There was a motion and a second to schedule a Public Hearing. Neither Mr. Truelson nor the owner of the furniture store was present at last month's meeting to answer questions. Mr. Nesbitt explained that this is an opportunity for a new business in the Town. There are no significant changes being made to the building. The building is currently approved for retail. This would be a change from a retail business to a different retail business. The parking was discussed. Building Inspector B.J. Maier stated that everything inside the building needed to meet the code and a floor plan of the building was needed for the fire department in case of an emergency. Some discussion took place regarding a motion for a Public Hearing and not having the hearing. Attorney Welch stated that the fee for the Public Hearing was never paid. Chris Schlieter stated that the building was previously approved for retail business. Issues were previously addressed at a Public Hearing. The code is for new buildings or significant changes in use. Last month there was not enough information provided regarding the new business. Judith Hazen asked who Tim Cook was. Mr. Truelson stated he was the owner of the business. He owned a business in Batavia for years. He sells new furniture like dinettes and hutches. Linda Morey asked if there would be trucks on site. Mr. Truelson stated that he would probably have a delivery truck but he wasn't sure if it would be left at the site. Linda Morey asked the hours of

operation. Mr. Truelson stated that he thought probable 9:00am-10:00pm. Chairman James Nesbitt asked if the current entrance would be used. Mr. Truelson stated yes it would. Dave Martin questioned if there would be a sign. Mr. Truelson stated that nothing was mentioned but Mr. Cook would need to get approval if he wanted a sign. Chairman James Nesbitt stated that not being on the agenda he wasn't sure how the Board wanted to proceed since they didn't have anything to review. Attorney Welch stated that B. J. had done some research and a Public Hearing was not held when the other businesses came into the building. They came before the Board for approval. There is no drastic change being made to the building. It is still a retail business. Parking will not be an issue. Building Inspector B.J. Maier stated that a floor plan of the building is needed and everything needs to be done per code inside the building. Chairman Jim Nesbitt stated that an employee of the Town made the comment that the Planning Board is not consistent. The Board is being criticized for the decisions that it makes. We need to all work together.

A motion was made by Chris Schlieter, seconded by Linda Morey to approve a furniture store located at 1722 Lake Road providing a detailed floor plan of the building be submitted for the file. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

DISCUSSION

Chairman James Nesbitt stated that he would like to have a hand out that provides fees, deadlines and procedures after approvals are granted. He is looking for input from the Board. He would like it to include that Mylars need to be filed with the County within 60 days of the approval. Time limits need to be noted also. He is asking for the Board's input on this.

Chairman James Nesbitt stated that the Master Plan was approved and is available on the website. He asked everyone to review it and keep up to date.

Highway Superintendent Tom Ingraham stated that the Town Board approved revising the Development Regulations book. He has met with J.P. Schepp to go over some changes. The next step is to meet with the Planning Board. Chris Schlieter stated that he would like to meet with them and add some input. J. P. Schepp stated that they would get together and go over some details.

Chairman James Nesbitt asked everyone to read the letter from the Supervisor regarding shoreline residential requirement changes.

Chairman James Nesbitt had some magazines available if anyone was interested. He also mentioned training opportunities that were available.

Highway Superintendent Tom Ingraham asked Mr. Nesbitt if the Storm water Coalition had contacted him yet. Mr. Nesbitt stated not yet. Mr. Ingraham said he would call and

look into that. Mr. Nesbitt asked if that would be considered a training session if they did a presentation for the Board. Supervisor Roach stated that yes that would be considered a training session. The Town Board did a blanket approval for different training opportunities in the area but that could be considered also. Mr. Nesbitt reminded everyone that the Town Board needs to approve all training so if you have something that hasn't already been approved take it to the Town Board for consideration.

Chairman James Nesbitt thanked everyone for coming out in such bad weather and told everyone to drive carefully.

ADJOURNMENT

A motion was made by Chris Schlieter, seconded by Linda Morey to adjourn tonight's meeting barring no further business. Members polled Hazen aye, Jensen 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 2, 2007 at 7:30pm. Deadline for all fees is March 19, 2007 at 2:00pm.