

Hamlin Planning Board *Minutes*  
Monday, April 2, 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: Dane Emens, Judith Hazen, Tom Jensen, Dave Martin, Linda Morey, James Nesbitt and Chris Schlieter.

Also present: Town Board Liaison Dave Rose, 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 and Conservation Board member Craig Goodrich.

A motion was made by Tom Jensen, seconded by Linda Morey to approve the minutes from the March 5, 2007 with the addition to the discussion on the furniture store to state that a motion and a second was made at the February meeting to schedule a Public Hearing but it was never paid for or advertised. Members polled Emens abstain, Hazen aye, Jensen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried, minutes approved.

**COMMERCIAL SITE PLAN APPROVAL  
KEVIN NOON**

**1675 LAKE RD.**

Kevin Noon was present to seek approval to have a Nursery/Farm Market located at 1675 Lake Road. Mr. Noon explained that he wants to open High Noon Nursery at 1675 Lake Road. He is retired now and has always had a love for food, flowers and retail. He would like to sell perennials, annuals and woodstock. He would offer a variety of different plants. He would like to make it a non-alcoholic meeting place. He would like to sell muffins, coffee, hamburgers, hot dogs, ice cream, pop, etc. He plans to make it an attractive meeting place. He wants to sell alternative fuel sources and the fuel for them. Possibly small tractors, lawn furniture and swing sets also. Chairman James Nesbitt asked if he would be keeping the out buildings. Mr. Noon stated yes he would fix them up and keep them. Mr. Nesbitt asked if he planned to keep the same entrance. Mr. Noon stated yes he planned to keep it the same. Parking was discussed. Mr. Noon stated that he figured 28 parking spaces. Attorney Welch stated that they needed to know what he plans to do first. Mr. Noon stated the majority of the business would be a nursery. He would have a small menu with hot dogs and hamburgers. Linda Morey asked if he planned to sell ice cream this summer. Mr. Noon stated no he didn't think so. Linda mentioned that she was concerned about the parking lot with children running around if ice cream was going to be sold. Linda asked about the contamination and tanks from the previous business. Mr. Noon stated that he had an environmentalist conduct a Phase I study and nothing was found. The fertilizer and the chemicals that are there will dissipate

in 3 years. The SEQR was negative. There is less contamination there than on a farm. Attorney Welch asked where the plants would be located. Mr. Noon stated they would be outside. Inside would be the fireplaces and fuel, a coffee bar and 3 or 4 tables. Attorney Welch mentioned Cruise Ins. Mr. Noon stated that he planned to have Cruise Ins on Monday nights to benefit the Fire Department. It would be a fundraiser and they would sell hot dogs and hamburgers and pop during the Cruise In also. Attorney Welch stated that there was no problem with the multiple uses but a Special Use Permit would be required because according to the code if any part of the business is being conducted outside a Special Use Permit and a Public Hearing to notify the neighbors is required. It was stated that the Special Use Permit goes with the property. Chris Schlieter asked about the tractors that were going to be sold. Mr. Noon stated they are small farm tractors. Attorney Welch stated that complete disclosure now of what Mr. Noon plans to do there is good so he doesn't have to come back later for approval. Chris Schlieter stated that a list of the uses, parking, display area and events planned was required for the Special Use Permit. It was a similar use to the previous business. A floor plan would be required. Linda Morey asked if the building was up to code currently. Building Inspector B. J. Maier stated that an inspection would need to be done before opening. Town Engineer J. P. Schepp stated that his concerns were with egress and ingress, traffic issues, parking and emergency vehicle access. There are no concerns with the building because no site changes are being proposed. Chris Schlieter stated that traffic flow and parking needed to be added to the plan. Mr. Maier stated that the handicap parking needed to be in front of the building. Mr. Schepp stated the parking spaces needed to be 9' x 18' with a 22' isle. The gravel parking was discussed. There were no issues with the gravel parking. Dave Martin asked if the public would be in the buildings in back with the chemicals. Mr. Noon stated no they wouldn't be back there. The buildings would be used mostly for storage. Mr. Noon stated that no stains or chemicals were found in the buildings in the back.

A motion was made by Linda Morey, seconded by Dane Emens to schedule a Public Hearing for May 7, 2007 at 7:30pm for a Special Use Permit and Site Plan approval for Kevin Noon to have a Nursery/Farm Market located at 1675 Lake Road. Members polled Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter absent. Motion carried.

Chairman James Nesbitt reminded Mr. Noon to get the revised maps and fees into the Clerk prior to the deadline to be on the agenda.

### **DISCUSSION**

The Board reviewed and discussed house plans for 6456 Shore Acres. Chairman James Nesbitt explained that Matt Capuano wants to demolish the existing house at 6456 Shore Acres and rebuild a house on the existing footprint. Chairman James Nesbitt explained that in the past they have brought these applications before the Planning Board so that the Building Inspector wouldn't have to stand alone on these big projects along the lake. If the addition exceeds more than 50% of the existing house it needs to come before the Board. Building Inspector B.J. Maier passed around pictures of the existing house and

lot. He had some concerns with the distance between the houses being a fire hazard and the fact that the existing house is on pillars. He also was concerned with how close the house was to the shoreline. Building a large house on a small lot close to the lake was discussed. Attorney Welch stated that this is a rebuild and a Site Plan would be required. Chris Schlieter stated that different material could be used for the siding to prevent a fire hazard. Enough space between the structures is needed to maintain both structures. Drainage and Coastal Hazard area was discussed. A complete Site Plan is required. Tom Jensen stated that per the code the house needs to be moveable. Attorney Welch stated that they can get a variance for that. The Board agreed that a Site Plan would be required for the project. Building Inspector B.J. Maier would let the builder know their decision.

Chairman James Nesbitt stated that Tom Jensen offered to be Vice Chairman of the Board. A motion was made by James Nesbitt, seconded by Linda Morey to appoint Tom Jensen as Vice Chairman of the planning Board for 2007. Members polled Emens aye, Hazen aye, Jensen abstain, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

Chairman James Nesbitt discussed the letter from the Supervisor asking for comments and concerns with the new flexible zoning proposal. Mr. Nesbitt stated that if anyone had comments to get them to the Town Board.

Training opportunities were discussed. Judith Hazen asked if the Town Board approved the courses. Mr. Nesbitt stated yes they approved all of the main ones. If there was something else other than those approved that she wanted to attend then she could bring it to the Town Board for approval.

The Board welcomed Town Board Liaison Dave Rose back.

Highway Superintendent Tom Ingraham mentioned that the house for Lifetime Assistance is out for bid and should be started soon. He also mentioned that there is a new plan for the Senior Development ready to come back before the Board.

Conservation Board member Craig Goodrich mentioned the tree give away at Tops on April 28, 2007.

**ADJOURNMENT**

A motion was made by Dane Emens, seconded by Linda Morey to adjourn tonight's meeting barring no further business. Members polled Emens aye, 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, May 7, 2007 at 7:30pm. Deadline for all fees is April 23, 2007 at 2:00pm.**