

Hamlin Planning Board *Minutes*
Monday, April 7, 2008
7:30pm

The regular scheduled meeting of the Hamlin Planning Board was called to order by Chairperson Linda Morey 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: Ron Breslawski, Dane Emens, Judith Hazen, Tom Jensen, Dave Martin, Linda Morey, and Chris Schlieter.

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Charlie Welch, Town Board Liaison Dave Rose, Highway Superintendent Tom Ingraham, Building Inspector B.J. Maier, Conservation Board members Aaron LaFaro and Ed Evans, residents Bradley and Andrea Tomaszewski, Brian Sorockty, Janet Baez, Jason Wosmsley, Jan Miller and Michael Lee.

A motion was made by Dave Martin, seconded by Judy Hazen to approve the minutes from the March 3, 2008 meeting as recorded. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Schlieter aye. Motion carried, minutes approved.

CONCEPTUAL SUBDIVISION/SITE PLAN APPROVAL

ROWELL SUBDIVISION

HAMLIN CLARKSON T.L. RD.

Janet Baez of DDS Engineering was present to represent Gerald Rowell seeking Conceptual Subdivision/Site Plan approval for a 5 lot Subdivision called Rowell Subdivision located on Hamlin Clarkson T.L. Rd. Tax account no. 029.01-1-1. Ms. Baez stated that this is currently a 30.5-acre lot that will be subdivided into 5 lots. Lot 1 will access Hamlin Clarkson T.L. Rd. Lots 2-5 will have a private drive. All lots will have public water and private leach systems. There will be a driveway/utility easement on the lots. Chairman Linda Morey questioned Lot 4 being in the Federal Wetlands and the house being located 100' outside of the buffer. Town Engineer J.P. Schepp explained that Hamlin has a Conservation Overlay District that requires a 200' buffer area around Federal Wetlands. This would require a permit from the Planning Board. The idea is to protect the wetlands. No portion of the septic system can be within 150' of the wetland therefore the location of the tank for Lot 4 needs to be moved. At Final approval the limits need to be shown on the map. Chairman Linda Morey questioned if the driveway would remain private. Ms. Baez stated that it would remain private. Mr. Schepp explained that the code allows for up to 4 lots to be accessed by a private drive. The driveway would be over 600' therefore it either needs to be 20' wide, have a sprinkler system or have a dry hydrant. A dry hydrant is being proposed. Mr. Schepp requested the volume and calculations of the pond be added to the maps and also the details and accessible location of the dry hydrant be noted. Mr. Schepp suggested they talk with the Fire Marshall to see if the driveway is adequate for Emergency equipment. Mr. Schepp

also stated that the code requires that the pond be 40' from the property line so the location of the pond would have to be relocated. He also stated that there is currently no water district for those lots so they would have to be added as out of district users or have the district extended. Chris Schlieter questioned the water service and the flow rates. He requested to see the calculations. He also questioned the width of the driveway and suggested widening the road in sections or adding pullovers. It was suggested that they get the Fire Marshal's input. Dave Martin questioned the size of the houses being proposed. Ms. Baez stated 1200 sq. ft. 2 story homes. Dave also questioned why Lot 1 would access on Hamlin Clarkson T.L. Rd. Ms. Baez stated that it would be easier access and the code only allows for 4 lots to be served by a private drive. There would be a 500' driveway for Lot 1.

A motion was made by Chris Schlieter, seconded by Dane Emens to grant Conceptual Subdivision/Site Plan approval to the Rowell Subdivision located on Hamlin Clarkson T.L. Rd. and to schedule a Public Hearing for Preliminary approval for May 5, 2008 at 7:30pm with all of the issues discussed tonight being addressed. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Schlieter aye. Motion carried.

Chairman Linda Morey reminded Ms. Baez to have everything into the Clerk by the deadline.

**SIMPLE LOT COMBINATION
MR. AND MRS. TOMASZEWSKI**

7858 NEWCO DRIVE

Rich Maier of Maier Land Surveying was present to represent Mr. and Mrs. Tomaszewski of 7858 Newco Drive seeking approval to combine their two lots together on Newco Drive. Mr. Maier explained that currently they own 2 separate lots divided by a private drive. They would like to combine them into one tax account number. Tom Jensen asked if there were any plans for expansion. Mr. Maier stated not at this time.

A motion was made by Tom Jensen, seconded by Chris Schlieter to approve the Simple Lot Combination located at 7858 Newco Drive. The Board waived the need for a Public Hearing per Town Code 125-74E10. This will not change the character of the neighborhood. This is a Type II Negative SEQR declaration. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Schlieter aye. Motion carried.

**CONCEPTUAL SITE PLAN APPROVAL
MIKE LEE**

6468 SHORE ACRES

Rich Maier of Maier Land Surveying was present to represent Mike Lee seeking Conceptual Site Plan approval to construct a single-family house located at 6468 Shore Acres. Mr. Maier explained that Mr. Lee would like to demolish the existing house and

rebuild a smaller house set back further from the shoreline and closer to the road. Mr. Maier explained that variances are needed from the Zoning Board. Mr. Maier explained that they would like to move the house 15' closer to the road to stay out of the Coastal Barrier Protection Zone. New maps showing this move would be required. Town Engineer J.P. Schepp questioned the setback from the shore. A discussion took place regarding setbacks. J.P. Schepp asked that the zoning, owners name and address and Flood Plain be added to the maps. Some grading changes were discussed. The swale along the property line needs to be defined and the piping needs to be looked at before Final approval. Tom Jensen questioned the house being moved closer to the road. It was determined that a rear setback variance would be needed. Dave Martin asked the height and size of house. Mr. Maier stated a 2-story 1200 sq. ft. house, about 25' in height. 35' is allowed per code.

A motion was made by Tom Jensen, seconded by Dane Emens to grant Conceptual Site Plan approval to Mr. Lee to construct a single-family house located at 6468 Shore Acres and to refer the project to the Zoning Board of Appeals for several variances. A Public Hearing for Preliminary approval will be scheduled for June 2, 2008 pending variance approvals from the Zoning Board. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Schlieter aye. Motion carried.

**SPECIAL USE PERMIT RE-APPROVAL
MARCIA HOVER**

179 CHURCH ROAD

Jason Wosmsley was present to represent Marcia Hover. Jan Miller read a letter from Marcia Hover explaining that she did receive a renewal notice from the Town and thought her manager was going to take care of it. She did receive a phone message stating that if she didn't renew the Special Use Permit it would expire but she never called the Town. She found the paperwork 2 weeks ago and called the Town and was told she would have to come before the Board again. The letter stated that she is struggling to keep her business going and would like the SUP reinstated. Dane Emens asked how many horses are there now. Jason stated there are 22 now but there is room for 35 horses. Chris Schlieter asked the Building Inspector B.J. Maier if there are any issues with the SUP. Mr. Maier stated there were no issues. Attorney Welch stated that the code requires an annual inspection. Another Public Hearing would be needed. Chris Schlieter questioned if the SUP is currently revoked. Attorney Welch stated that currently they are operating without a permit. It is 6 months over due. Judy Hazen asked how many acres the property is. Jason stated 32 acres. Judy Hazen stated that she would be in favor of extending the Special Use Permit. Attorney Welch stated that it is 6 months past due and a Public Hearing would be required. Chris Schlieter asked if they were currently operating without a permit. Attorney Welch explained that they are but the enforcement is up to the Building Inspector not this Board. The Building Inspector could send them to court and they would have to pay a fine for operating without a permit but that is up to the Building Inspector not the Planning Board.

A motion was made by Dane Emens, seconded by Tom Jensen to schedule a Public Hearing for May 5, 2008 at 7:30pm for Marcia Hover seeking Special Use Permit approval to operate a horse boarding business located at 179 Church Road. Chris Schlieter asked the Building Inspector to look at the property prior to the Public Hearing. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Schlieter aye. Motion carried.

DISCUSSION

Chairman Linda Morey welcomed Town Board Liaison Dave Rose back from Florida. Dave stated they had a Town Board meeting tonight regarding Health Care. The Wind Tower Code Public Hearing is April 10 at 7:00 and the vote on the code is April 24.

Conservation Board member Aaron LaFaro stated that the Conservation Board is hosting Hamlin's Earth Day at the Park on April 26 from 10-2. This will also be the tree give away. All Board members are invited to join them.

Chairman Linda Morey stated that the Zoning Workshops would resume April 15. They will be reviewing the Developmental Regulations at that meeting. Judy Hazen nominated Tom Jensen as the Planning Board representative for the workshops.

Chairman Linda Morey stated that the Planning Board presentation to the Town Board is August 11, 2008. If anyone has anything for the report please get it to Linda.

Several training opportunities were discussed.

ADJOURNMENT

A motion was made by Dane Emens, seconded by Judy Hazen to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey 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 5, 2008 at 7:30pm. Deadline for all fees is April 21, 2008 at 2:00pm.