

Hamlin Planning Board *Minutes*  
Monday, July 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.

Excused: Chris Schlieter

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Charlie Welch, Town Board Liaison Dave Rose, Deputy Supervisor Mike Marchetti, Highway Superintendent Thomas Ingraham, Conservation Board members Jeanine Klopp, Aaron LaFaro and Ed Evans, residents Debbie and Kevin Bond, Debbie and Dave Howe, Janette Baez, Thor Jensen, Matthew Capuano and Michael Lee.

A motion was made by Dave Martin, seconded by Dane Emens to approve the minutes from the June 2, 2008 meeting as recorded. Members polled Breslawski aye, Emens aye, Hazen abstain, Jensen aye, Martin aye, Morey aye. Motion carried, minutes approved.

*The Clerk read Proof of Publication*

**PUBLIC HEARING**

**REVISED DEVELOPMENT REGULATIONS**

Town Engineer J. P. Schepp explained that the original Development Regulations were done in 1997. They needed to be updated and revised. New construction techniques and codes needed to be updated. The Town held a workshop and all of the comments were addressed. The Final document is ready for approval.

At this time Chairperson Linda Morey 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 Chairperson Linda Morey closed the Public Hearing.

Tom Jensen stated that J.P. did a wonderful job on the document. Dane Emens agreed.

A motion was made by Tom Jensen, seconded by Dane Emens to adopt the revised Development Regulation document and refer it to the Town Board for approval. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.



**PUBLIC HEARING**  
**PRELIMINARY SITE PLAN APPROVAL**  
**ES&L**

**7016 BENEDICT BEACH**

Rich Maier from Maier Surveying was present to represent ES & L seeking Preliminary Site Plan approval for a single-family house located at 7016 Benedict Beach. Rich Maier explained that potential buyers of the property submitted plans for a new house on this lot. The sale is contingent on getting approvals. They received variances from the Zoning Board.

At this time Chairperson Linda Morey opened the Public Hearing and asked if there was anyone present to speak for or against this proposal.

Theresa Croce of 7008 Benedict Beach had some drainage concerns. She stated that the Master Plan says that new construction can't burden neighbors with drainage problems so she is asking for another drain to be added to the property. Town Engineer J.P. Schepp stated that if both owners agree to add another drain that is fine with him. The plan does add 2 new drains to the property and the drainage is being improved. Linda Morey stated that she visited the site and it had just rained and it was very wet. She also stated that the existing drain on the west side sits very high up. Town Engineer J.P. Schepp stated that the grading plan is directed towards the lake and if it is built per plan drainage should not be an issue. Ms. Croce stated that she has flooding issues now and she doesn't see how this plan will work. J.P. Schepp explained that there are swales that will direct the water to drains that lead to the lake. The plan is improving the drainage. Ms. Croce questioned the plan and how it would work. J. P. Schepp stated that if it were built per plan then the drainage would be improved. Conservation Board member Jeanine Klopp asked if the drains would need maintenance. J.P. Schepp stated that everything needs routine maintenance. Dave Martin asked if a new leach was being proposed. Rich Maier stated yes it is. Dave questioned it being too close to the lot line. Rich Maier stated the minimum is 10' per the Health Department.

At this time Chairperson Linda Morey closed the Public Hearing.

Dane Emens asked Rich Maier if he would be working with the developer to ensure that the neighbor's concerns were addressed and that it is built per plan. J.P. Schepp stated that the Building Inspector would need to check the grade prior to issuing a Certificate of Occupancy. It would be up to the Building Inspector to make sure it was built per plan. The revised Development Regulations require elevation certificates prior to Certificates of Occupancy being issued.

A motion was made by Judith Hazen, seconded by Dane Emens to grant Preliminary Site Plan approval to ES & L to construct a single-family house located at 7016 Benedict Beach. This is an Unlisted SEQR Action. Members polled Breslawski aye, Emens aye, Hazen aye, Martin aye, Morey aye. Motion carried.

Tom Jensen and Attorney Welch returned to the meeting.

**PUBLIC HEARING**  
**PRELIMINARY SITE PLAN APPROVAL**  
**MICHAEL LEE**

**6468 SHORE ACRES**

Rich Maier from Maier Land Surveying was present to represent Michael Lee seeking Preliminary Site Plan approval to construct a single-family house located at 6468 Shore Acres. Rich Maier explained the Mr. Lee would remove the existing structure and build a new house. They received variances from the Zoning Board.

At this time Chairperson Linda Morey 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 Chairperson Linda Morey closed the Public Hearing.

Tom Jensen asked if there were any plans to extend the break wall. Mr. Lee stated that he planned on reinforcing the existing break wall. Tom Jensen stated that he is concerned about flooding and erosion. There is not much protection there now. Mr. Lee stated that it is part of the plan. Jeanine Klopp from the Conservation Board had some concerns about the break wall also. Mr. Lee stated that it is definitely in the plan.

A motion was made by Dave Martin, seconded by Tom Jensen to grant Preliminary Site Plan approval to Michael Lee to construct a single-family house located at 6468 Shore Acres. This is an Unlisted SEQR Action. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

A motion was made by Dane Emens, seconded by Judith Hazen to grant Final Site Plan approval to Michael Lee to construct a single-family house located at 6468 Shore Acres. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

**FINAL SUBDIVISION/SITE PLAN APPROVAL**  
**ROWELL SUBDIVISION**

**TAX ACCT #029.01-1-1**

Jeanette Baez of DDS Engineers was present to represent Jerry Rowell seeking Final Subdivision/Site Plan approval for the Rowell Subdivision located on Hamlin Clarkson T.L. Road. This is a 5-lot subdivision serviced by a private drive. Lot 1 will front Hamlin Clarkson T.L. Road and the other 4 lots will be serviced by the gravel private drive. Per the Fire Marshal an emergency vehicle pull over area has been added.

Town Engineer J.P. Schepp stated that the Engineering concerns have been addressed. They came up with a plan so that the dry hydrant won't freeze in the winter.

Highway Superintendent Tom Ingrahan questioned the pond easement being dedicated to the Town. It is all private so the Town should not take dedication of the pond. He

questioned no turn around being proposed at the end of the private drive. He also stated that because it is private there wouldn't be any school bus access. The kids will have to walk to Hamlin Clarkson T.L. Road to get on the bus. He asked if there would be a Homeowner's Association for maintenance. Jeanette stated yes there would be. It was stated that the mailboxes would be located on Hamlin Clarkson T.L. Road. Conservation Board member Jeanine Klopp questioned why all the driveways weren't on the private drive. J.P. Schepp explained that per the Town code only 4 driveways are allowed on a private drive. It is the County's call regarding having two driveway sites on the property.

A motion was made by Dane Emens, seconded by Dave Martin to grant Final Subdivision/Site Plan approval to Mr. Rowell for the 5-lot Subdivision located on Hamlin Clarkson T.L. Road. The Town will not take dedication of the easement for the pond. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

**CONCEPTUAL RE-APPROVAL  
HIDDEN CREEK MOBILE HOME PARK SECTION 6, COMMUNITY CENTER  
AND WATERLINE**

Don Lewis from Schultz Associates was present to represent Morgan Management the owners of Hidden Creek Mobile seeking re-approvals for Section 6, the Community Center and the water line. Mr. Lewis explained that everything was approved a year ago but they need an extension because the owners were just able to secure a loan now for the projects and they are about to expire. They have all other approvals and nothing has changed on the plans. They should be signing the water line contract in 30 days. Town Engineer J.P. Schepp stated that he doesn't have any engineering concerns however they are pressing them to get the waterline installed to improve the fire prevention at the site. Highway Superintendent Tom Ingraham stated that he was concerned with the waterline project because it is on a Town Road. He would like to make sure the Town is protected if the road is damaged. J.P. Schepp stated that could be covered under the letter of credit. He would also like to make sure that there is a pre-construction meeting scheduled. Attorney Welch stated that another Public Hearing was required for the project.

A motion was made by Tom Jensen, seconded by Dane Emens to schedule a Public Hearing for Hidden Creek Mobile Home Park Section 6, the Community Center and the waterline for August 4, 2008 at 7:30pm. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

**CONCEPTUAL SITE PLAN APPROVAL  
MATT CAPUANO**

**6456 SHORE ACRES DRIVE**

Rich Maier from Maier Land Surveying was present to represent Matt Capuano seeking Conceptual Site Plan approval to construct a single-family house located at 6456 Shore Acres. Rich Maier explained that the existing house would be removed and a new one would be built further back from the lake. Several variances are needed. Conservation Board member Jeanine Klopp questioned if the gutters would drain towards the lake.

A motion was made by Tom Jensen, seconded by Judith Hazen to refer Mr. Capuano to the Zoning Board of Appeals for variances and to schedule a Public Hearing on September 2, 2008 at 7:30pm for Preliminary Site Plan approval for 6456 Shore Acres. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

**CONCEPTUAL SUBDIVISION APPORVAL  
CABLE SUBDIVISION**

**6908 BENEDICT BEACH**

Don Lewis from Schultz Associates was present to represent Cynthia Cable seeking Conceptual Subdivision approval for a 2-lot subdivision located at 6908 Benedict Beach. Mr. Lewis explained that the owner is selling the house but the buyer does not want all of the land. So she wants to subdivide the property and keep the vacant parcel and use it for beach and lake access. Tom Jensen asked if there was a driveway at the end of the property. Mr. Lewis stated yes there is. Town Engineer J.P. Schepp stated that it is all wetlands. He would like "Not approved for building" added to the plans on Lot 2. Conservation Board member Jeanine Klopp stated that it is wetlands and you can't build on it. Mr. Lewis stated that it would be for beach access only. Attorney Welch stated that he would recommend having a Public Hearing plus the maps are incorrect.

A motion was made by Tom Jensen, seconded by Dane Emens to grant Conceptual Subdivision approval and to schedule a Public Hearing for Preliminary Subdivision approval for the Cable Subdivision located at 6908 Benedict Beach for August 4, 2008 at 7:30pm. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

**CONCEPTUAL SITE PLAN APPROVAL  
MARY JANE DREHER**

**6676 GREENWOOD PARKWAY**

Don Lewis from Schultz Associates was present to represent Mary Jane Dreher seeking Conceptual Site Plan approval to construct a single-family house located at 6676 Greenwood Parkway. Mr. Lewis explained that the owner is removing the existing house and barn. She wants to build a 3-bedroom house with a loop driveway and new septic system. Town Engineer J. P. Schepp stated that he hasn't had time to review the plans. Attorney Welch stated that several variances would be needed. Conservation Board

member Jeanine Klopp suggested using pavers for the loop driveway instead of asphalt so that the impervious surface wouldn't be increased. J.P. Schepp didn't think that would change the impervious surface that much.

A motion was made by Dane Emens, seconded by Tom Jensen to refer Ms. Dreyer to the Zoning Board of Appeals for variances and to schedule a Public Hearing on September 2, 2008 at 7:30pm for Preliminary Site Plan approval for 6676 Greenwood Parkway. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

**COMMERCIAL SITE PLAN APPROVAL  
HAMLIN HOMETOWN CAFÉ**

**1722 LAKE ROAD**

Kevin Bond and Debbie Howe were present seeking Commercial Site Plan approval for a restaurant located at 1722 Lake Road. Ms. Howe explained that they are remodeling the inside of the building and removing some walls. They will have an ice cream window by the back door through the hallway. There will be 21 booths, 7 tables and 8 stools at the counter. Occupancy would be about 127. 45 parking spaces are proposed. They would be sharing a bathroom with the Chiropractor's office. They would have 19 employees total. 6 per shift. Town Engineer J.P. Schepp stated that in the past they have requested a tally of the parking for the entire building. The drawing is not to scale. Parking for all of the businesses needed to be calculated. Some discussion took place regarding the location of the ice cream window and parking. It was determined that about 51 parking spaces would be required for the building. J.P. Schepp wanted to confirm that the walk up ice cream window would be in a protected area. The area needs to be safe for children on bikes and people walking up. Ms. Howe stated that there is a patio there now and a bar for protection. There is no parking in that area. Attorney Welch asked if there would be an egress to the furniture store. Ms. Howe stated no there wouldn't be. J.P. Schepp stated that proper grease traps needed to be installed. Ms. Howe stated they would be done when the dishwasher is installed. Linda Morey questioned if there was a barrier around the existing loading dock. Mr. Howe stated that there was a fence there now. J.P. Schepp stated that there needed to be a dumpster for the grease. Mr. Bond stated there would be a dumpster and it would be fenced in. Attorney Welch asked when they would be lining the parking lot. Mr. Bond stated by the end of the month. Once the canopy is removed and the potholes are repaired. J.P. Schepp stated that it is important that the parking lot is designed properly for safety. They need to see a good layout drawn out to scale. They should have a plan on paper prior to striping the parking lot. Emergency vehicle access needs to be looked at also.

A motion was made by Dave Martin, seconded by Dane Emens to grant Commercial Site Plan approval for a restaurant located at 1722 Lake Road contingent on the owners working with the Town Engineer and the Building Inspector to show a parking plan with 51 spaces to scale. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

### **DISCUSSION**

A motion was made by Dane Emens, seconded by Judith Hazen to go into Executive Session for a personnel matter at 9:00. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

A motion was made by Dane Enens, seconded by Judith Hazen to come out of Executive Session at 9:07. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye. Motion carried.

### **ADJOURNMENT**

A motion was made by Tom Jensen, seconded by Dane Emens to adjourn tonight's meeting barring no further business at 9:10. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey 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 4, 2008 at 7:30pm. Deadline for all fees is July 21, 2008 at 2:00pm.**