

Hamlin Planning Board *Minutes*  
Tuesday, September 2, 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, Chris Schlieter.

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Charlie Welch, Building Inspector Charles Hungerford, Conservation Board members Jeanine Klopp and Ed Evans, Engineer David Matt and residents Don and Matthew Capuano and Scott M. Mooney, Esq..

A motion was made by Dane Emens, seconded by Dave Martin to approve the minutes from the August 4, 2008 meeting as recorded. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen abstain, Martin aye, Morey aye, Schlieter aye. Motion carried, minutes approved.

*The Clerk read Proof of Publication*

**PUBLIC HEARING**

**PRELIMINARY SITE PLAN APPROVAL**

**MARY JANE DREYER**

**6676 GREENWOOD PARKWAY**

David Matt from Schultz Associates was present to represent Mary Jane Dreyer seeking Preliminary Site Plan approval to construct a single-family house located at 6676 Greenwood Parkway. Dave Matt explained that they received concept and were referred to the Zoning Board. They received variances from the Zoning Board. The owner purchased the property and wants to remove the existing 3100 sq. ft. house, garage and other structures and build a 4200 sq. ft. house with garage. The loop driveway will loop in front of the house and they will use pavers to reduce the impervious surface. They have Preliminary perks on the property.

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.

Town Engineer J.P. Schepp stated that he sent a letter August 29 with his comments. There were some drainage concerns. Dave Matt stated that the property would use

existing drainage towards the roadway. J.P. stated that the property is very flat and it only drops a foot towards the road. J.P. would like to review the drainage plan with Dave Matt. Chris Schlieter questioned the sq. ft. of the roof. Dave Matt stated that the house would be 4200 sq. ft. Chris suggested down spouts to the lake to eliminate some of the run off towards the road. Drainage was discussed. J.P. also mentioned that new Flood elevations are in effect. Tom Jensen questioned the location of the gazebo on the property. Dave Matt stated that it would remain in the location that is shown on the map. Dave Martin questioned the need for a treatment plant. Dave Matt explained that it allows for a smaller system and improves the function of the leach. It allows for fewer solids to go to the leach.

A motion was made by Chris Schlieter, seconded by Dane Emens to grant Preliminary Site Plan approval to Mary Jane Dreyer to construct a single family house located at 6676 Greenwood Parkway. 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.

## **PUBLIC HEARING**

### **PRELIMINARY SITE PLAN APPROVAL DONALD CAPUANO**

**6456 SHORE ACRES**

Rich Maier from Maier Land Surveying was present representing Donald Capuano seeking Preliminary Site Plan approval to construct a single-family house located at 6456 Shore Acres. Rich Maier handed out a revised Site Plan to the Board. The septic system has been revised. Rich Maier explained that the owner planned on removing the existing house and building a new one. They have 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.

Town Engineer J.P. Schepp sent comments to DDS Engineers on August 29 for review. No drainage plan, lack of address on title, utilities need to be shown on plan, number of rooms and stories need to be shown, neighboring elevations need to be shown, grading needs to be added, plan notes need to be added, new Flood Plain regulations need to be met, septic elevation needs to be raised above flood plain, parking needs to be added per Town Code, signature block needs to be per Town Code. Rich Maier stated that they received a variance for the septic.

Tom Jensen stated that the variance for the septic was not for the elevation. Some discussion on the septic elevation took place. Rich Maier stated that they would add two parking spaces per the code and they would raise the entire septic system to meet code. J.P. Schepp stated that drainage needed to be shown on the Final plan also.

A motion was made by Tom Jensen, seconded by Chris Schlieter to grant Preliminary Site Plan approval to Donald Capuano to construct a single-family house located at 6456 Shore Acres. 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.

## **PUBLIC HEARING**

### **PRELIMINARY SUBDIVISION APPROVAL COLOPIETRO SUBDIVISION**

### **918 REDMAN ROAD**

Rich Maier from Maier Surveying was present to represent John Colopietro seeking Preliminary Subdivision approval for the amended map of the Colopietro Subdivision located at 918 Redman Road. Mr. Maier explained that this subdivision was previously approved then he received some additional information regarding the lot line for Lot 3 that needed to be changed. 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.

Town Engineer J.P. Schepp, Building Inspector Charlie Hungerford and Conservation Board all had no issues with the proposal.

A motion was made by Dane Emens, seconded by Tom Jensen to grant Preliminary Subdivision approval to John Colopietro for the amended map of the Colopietro Subdivision located at 918 Redman Road. 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.

Town Engineer J.P. Schepp stated that a note for Subdivision only needed to be added to the Final Plan.

A motion was made by Dane Emens, seconded by Tom Jensen to grant Final Subdivision approval to John Colopietro for the amended map of the Colopietro Subdivision located at 918 Redman Road with the note added. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Schlieter aye. Motion carried.

**LOT COMBINATION  
WARD BOWEN**

**6344 SHORE ACRES**

Ward Bowen was present seeking a simple lot combination to combine two lots of the Collamer Subdivision located at 6344 Shore Acres. Mr. Bowen explained that he purchased the two lots and they had been added by deed only. He came into the Building Department to get a permit to add on to the existing house and was told that he needed to properly combine the two lots first. Town Engineer J.P. Schepp stated that this was not a Site Plan just a Subdivision map. Mr. Bowen explained that he planned on adding up and not changing the footprint of the existing structure. He would not go over 50% of the existing structure. Some discussion regarding the addition took place. The Board explained that the lot combination would be handled by the Board and all other questions would be directed to the Building Inspector after the Mylar was filed.

A motion was made by Dane Emens, seconded by Judy Hazen to grant Simple Lot Combination approval to Ward Bowen to combine two lots of the Collamer Subdivision located at 6344 Shore Acres. The Board waived the need for a Public Hearing per Town Code 125-75 E 10. Members polled Breslawski aye, Emens aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Schlieter aye. Motion carried.

**DISCUSSION**

Chairman Linda Morey stated that the Hometown Café opened and it is different from the plan that was approved by the Board. The ice cream window had been moved to the front of the building and they have taken over the Chiropractor's office space for a party room that was not part of the initial approval by the Board. This added space increases the number of parking spaces needed also. Linda asked if the Board gives approval and then it is changed do they need to come back before the Board and who decides if and when they need to come back. Building Inspector Charlie Hungerford stated that he made them move the ice cream window because there is no sewer hook up in the back of the building so it had to be moved per code. It has been moved to the front of the building and no parking is allowed in front of the window. Linda asked if the Board gives approval and then it is altered by the Building Inspector do they need to come back before the Board. Chris Schlieter stated if the Site Plan or the use is changed then they should come back but if it is something inside the building then they shouldn't have to come back. Attorney Welch explained that moving the ice cream window is not an issue because it didn't change the use. Expanding the space and increasing the parking spaces required is an issue. The use of the Doctor's office has been changed. Charlie Hungerford stated that the island and the gas pumps need to be removed. He has given them 30 days to do that because that is where the water meter is located also. The parking needs to be striped also. Attorney Welch stated if they add a drive up window then they have to come back before the Board because that is a significant change. Tom Jensen stated that the original motion called for 51 parking spaces. J.P. Schepp stated that he went there and worked out a parking plan with the owner and the Building Inspector. Linda stated that 51 parking spaces were required prior to them taking over

the Chiropractor's office space. They can seat 33 in that additional area. Chris Schlieter stated that they have to meet the increased parking requirement now due to the increase in space. We have made other businesses come back. J.P. Schepp stated that when the space increased and the parking requirement changed they should have come back in to the Board. Judy Hazen stated that the Board needs to be consistent and fair to everyone. They slipped through and should have to come back too. Tom Jensen stated that the use inside the building has changed so they need to come back in. Attorney Welch stated that the real issue would be when the vacant space at the end of the building is rented. That will change the parking again. Then the owner would have to come back in. Chris Schlieter stated that they need an updated Site Plan for the restaurant also. If they add the drive through then that will alter the parking also. J.P. Schepp stated that he will recalculate the parking requirement and if there is enough parking then they don't need to come back in. Linda Morey stated that they need to be consistent. After some discussion Attorney Welch stated that if the parking is adequate then they don't have to come back in but if they add a drive through then they need to come back before the Board because that was never mentioned at the original approval. The ice cream window was approved as a walk up window only. Some discussion on the number of spaces needed took place. Linda Morey stated that the original motion called for 51 spaces. With the new room additional spaces are required. It was stated that one table of 4 = 1 parking space. Charlie Hungerford would check the parking if there is adequate parking then they don't have to come back if not he will tell them they have to come back in to the Board.

Linda Morey mentioned training opportunities. They are working on getting some in house training on SEQR and the waterfront.

Chris Schlieter discussed the previous proposal on Shore Acres and the parking requirement. He questioned the pre-existing non-conforming parking there. Tom Jensen stated that the footprint changed so it needs to follow the current codes. Ron Breslawski stated that they should make sure that the right-of-way was signed over also. J.P. Schepp stated that because they are changing the footprint it has to conform to all of the codes for the property. They got variances for the lot width and size. No driveway was shown on the plan at all. It is the Engineer's job to go through the codebook and know what the owner needs. The owner hires them to do the job so it gets done right.

There was nothing to report from the Conservation Board or the Building Department.

**ADJOURNMENT**

A motion was made by Tom Jensen, seconded by Judith 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, October 6, 2008 at 7:30pm. Deadline for all fees is September 22, 2008 at 12:00pm.**