

Hamlin Planning Board *Minutes*  
Monday, January 5, 2009  
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, Judith Hazen, Tom Jensen, Dave Martin, Linda Morey and Mark Reeves.

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Charlie Welch, Town Board Liaison Dave Rose, Highway Superintendent Tom Ingraham, Building Inspector Charles Hungerford, Conservation Board members Jeanine Klopp and Ed Evans, Engineers Dave Matt and Randall LaDieu and residents Jim Peters, Gene Dollard, Anthony and Michelle Farrell, Gianfranco and Melissa Natoli, Linda Eichas, Maureen David, Linda Wietz and Alice and Michael Leutze.

Chairperson Linda Morey welcomed new member Mark Reeves to the Board and informed the members that Chris Schlieter has resigned from the Planning Board. She stated that Chris was invaluable to the Board and will be greatly missed.

A motion was made by Tom Jensen, seconded by Judy Hazen to approve the minutes from the December 1, 2008 meeting as recorded. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves abstain. Motion carried, minutes approved.

*The Clerk read Proof of Publication*

**PUBLIC HEARING**

**COMMERCIAL SITE PLAN APPROVAL**

**GOOD TIMES SALOON**

**1480 LAKE ROAD**

Anthony and Michelle Farrell and Gianfranco and Melissa Natoli were present to seek Commercial Site Plan approval for the Good Times Saloon located at 1480 Lake Road. Mr. Farrell explained that they would like to open a family restaurant where people can come and have a good time, eat dinner, play pool and hang out with friends. He stated that they are aware of the reputation of the former business and they would like to change that. They are a very family orientated group. Their kids will be there on the weekends and they don't want them exposed to any inappropriate behavior there either. They would like to ease the concerns of the public and open a family restaurant with good food.

Building Inspector Charlie Hungerford stated that he recently did a walk through and looked at capacity and parking. He stated that if the upstairs was not going to be used then it should be blocked off so no one could get up there. They agreed to block it off.

He gave some issues to the owner that needed to be repaired and they have been taken care of. He didn't have any other concerns.

Attorney Welch stated that they have been working on the parking issue. They have calculated the numbers several different ways and they have come up with 32 parking spaces being required. The post office is on the same parcel as this building so some parking spaces will be used behind the post office. It was stated that the area along the south needs to be kept clear for a fire lane for emergency vehicles to get through. This is a State Law and it needs to be marked as a fire lane also. 32 parking spaces need to be labeled and marked also.

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

Linda Weitz of 1461 Lake Road stated that she is concerned about the drinking and noise on the porch. She questioned if there was an open container law and asked if there would be any supervision outside. She explained that in the past there has been fighting and swearing on the porch that disturbs the neighbors. She explained that she realizes that it is a bar but the noise and drinking outside on the porch is a concern.

Attorney Welch stated that drinking is allowed on the porch. He does agree that this is an issue though and there should be some supervision on the porch.

Mr. Farrell stated that they plan on having security to control the situations on the porch.

Linda Weitz stated that they shouldn't be allowed to take alcohol outside on the porch.

She stated that someone could be giving the alcohol to minors outside.

Mr. Farrell stated that they would have security out there to make sure that doesn't happen. They will do their best to control the noise and situation outside. Mr. Natolli stated that their goal is to have a different group of people at their business so these situations don't occur. They want to have a place where you can come and have a good time without any fighting or other situations.

Chairperson Linda Morey asked if there was anyone else that wished to speak. There were no replies. At this time the Public Hearing was closed.

Town Engineer J.P. Schepp stated that there are no engineering concerns since this is the same use. He stated that the parking concerns needed to be worked out.

Tom Jensen stated that there are three different entrances into the bar area. He questioned how they are going to control the bar area and keep minors out. Mr. Farrell explained that they would have a mandatory ID check at the bar. The servers will check IDs before serving anyone. Tom Jensen questioned if the staff would be watching the drinks that were going into the dining area to ensure that no minors were being served. Mr. Farrell stated that yes the staff would watch for that. Tom Jensen also questioned the parking.

Attorney Welch stated that in the motion they should include that 32 marked parking spaces are required, no public use of the upstairs is allowed and security is required.

Judy Hazen questioned if the building was handicap accessible and asked if there was a ramp there now. Mr. Farrell stated that according to the code no updates have to be made at this time because the use hasn't changed. If updates are required then that should be taken up with the owner of the building. Judy Hazen asked if the restrooms were handicap accessible. Mr. Farrell stated no they aren't. Building Inspector Charlie Hungerford explained that unless the business or ownership changes no updates are required according to the code. If renovations are made to the building then the code stated that 20% of the renovations have to be towards making the building handicap accessible. Judy Hazen asked the owner Mr. Dollard if he was willing to update the building to meet code. Mr. Dollard stated that he has spent several thousand dollars in repairs to the building already.

A motion was made by Tom Jensen, seconded by Dave Martin to grant Final Commercial Site Plan approval to the Good Times Saloon located at 1480 Lake Road with the stipulations that 32 marked parking spaces are provided, no public use of the upstairs is allowed, security is provided to control the drinking and noise outside and that the fire lane be marked. Members polled Breslawski aye, Hazen no, Jensen aye, Martin aye, Morey aye, Reeves aye. Motion carried.

## **FINAL SUBDIVISION/SITE PLAN APPROVAL**

### **MOSLEY SUBDIVISION**

### **624 HAMLIN CLARKSON T.L. RD.**

Dave Matt from Schultz Associates was present to represent Joanne Mosley seeking Final Subdivision/Site Plan approval for a 2-lot Subdivision located at 624 Hamlin Clarkson T.L. Rd. Mr. Matt explained that they received Preliminary approval last month for the 2-lot subdivision located on the north side of the road. They are proposing a single-family house on Lot 2. The house is located within the existing sewer and water districts. A Preliminary Letter of Credit has been submitted to the Town Engineer. Mr. Matt explained that at the Public Hearing last month some Fawn Meadow neighbors had drainage concerns. They have increased the eastside swale that runs behind the proposed house to the swale along the west then leads to the wetlands to the north. This should reduce some of the drainage issues for Fawn Meadow.

Town Engineer J.P. Schepp stated that all of the engineering concerns have been addressed.

Tom Jensen questioned if the swale behind the house was being increased. Dave Matt stated yes it is. It starts at the road, goes behind the house to the swale along the west property line then goes to the wetlands. This should improve the Fawn Meadow water problems.

A motion was made by Dave Martin, seconded by Tom Jensen to grant Final Subdivision/Site Plan approval to the Mosley Subdivision located at 624 Hamlin Clarkson T.L. Rd. with only Lot 2 being approved for building. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye. Motion carried.

### **CONCEPTUAL SITE PLAN APPORVAL SPAKER/GALLOWAY**

### **770 MARTIN ROAD**

Randall LaDieu from LaDieu Associates was present representing Markus Spaker and Donna Galloway seeking Conceptual Site Plan approval to construct a single-family house located at 770 Martin Road. Mr. LaDieu stated that this lot was approved in 2002 and then sold. The new owners want to change the location of the house. The septic location and everything else is staying the same. They have submitted to M.C.W.A. to approve a 1 1/2 inch tap and meter. Due to the setback of the house a sprinkler system is being proposed.

Town Engineer J.P. Schepp stated that since the approval in 2002 the Town has adopted a new set of Development Regulations. Plan notes need to be added to the plans and there are new driveway requirements. Mr. Schepp stated that he would meet with Mr. LaDieu to go over the changes that are needed. Mr. Schepp questioned the source of fill that is required. Mr. LaDieu stated that they would have to buy it. Most of the fill is needed for the septic system. Mr. Schepp stated that the property is located in the Conservation Overlay District and that needs to be shown on the map. The Conservation Board needs to review the proposal also. It is located near Brush Creek.

Conservation Board member Jeanine Klopp questioned the lot width. Attorney Welch stated that public water is available so lot width is not an issue.

Tom Jensen questioned the 740' driveway and asked if there were other requirements. Building Inspector Charlie Hungerford stated that the width is 12' so that is good and they have proposed a sprinkler system so that is not an issue.

A motion was made by Judy Hazen, seconded by Ron Breslawski to grant Conceptual Site Plan approval for a single family house located at 770 Martin Road and to schedule a Public Hearing for February 2, 2009 at 7:30pm. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye. Motion carried.

Mr. LaDieu was reminded to have his maps and fees into the Clerk by the deadline.

**DISCUSSION**

Town Board Liaison Dave Rose stated that he would be the Liaison for the Planning Board for 2009 also. They will advertise for the Planning Board vacancy and have interviews for the Conservation Board and the Planning Board on January 26, 2009 starting at 6:00pm.

**ADJOURNMENT**

A motion was made by Tom Jensen, seconded by Judy Hazen to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves 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, February 2, 2009 at 7:30pm. Deadline for all fees is January 16, 2009 at 12:00pm.**