

Hamlin Planning Board *Minutes*  
Monday, April 6, 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, Lee Nettin and Mark Reeves.

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Charlie Welch, Town Board Liaison Dave Rose, Town Board member Mike Marchetti, Highway Superintendent Thomas Ingraham, Conservation Board members Jeanine Klopp and Nick Kramer, Engineers Darryl Mosher and Brian Sorochty and residents Clark and Alice Coffey and Ken Schlecht.

A motion was made by Tom Jensen, seconded by Ron Breslawski to approve the minutes from the March 2, 2009 meeting as recorded. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Nettin aye, Reeves aye. Motion carried, minutes approved.

Chairperson Linda Morey added an LWRP approval for 7622 Newco Drive to tonight's agenda.

*The Clerk read the Proof of Publication*

**PUBLIC HEARING**

**PRELIMINARY SUBDIVISION/SITE PLAN APPROVAL**

**KETCHUM SUBDIVISION**

**101 KETCHUM ROAD**

Rich Maier from Maier Surveying was present to represent Gene Dollard seeking Preliminary Subdivision/Site Plan approval for the Ketchum Subdivision located at 101 Ketchum Road. Mr. Maier explained that Mr. Dollard is selling off a 10 acre wooded parcel on the south side. The buyer would like to build a pole barn on the lot with water and electric. He plans to build a house in 5-10 years.

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.

Linda asked if adding water and electric to the barn would change the use of the barn. Mr. Maier stated no it would still be used for storage for the buyer's business. It was asked what kind of business. Mr. Maier stated marine construction. Tom Jensen

questioned if any work would be done at the barn. Mr. Maier stated no just storage and maintenance for the business.

Town Engineer J.P. Schepp questioned if the Water Authority required a meter pit. Mr. Maier stated no that one section of the barn would be heated to keep the water lines from freezing. The type of heat was questioned. Mr. Maier stated propane heat would be used.

Judith Hazen questioned when the house would be built. Mr. Maier stated that the buyer plans to build about 5-10 years down the road and will come in for Site Plan approval for the house at that time.

Lee Nettin questioned if there would be a sewer. Mr. Maier stated no there was no bathroom being proposed. Lee questioned the sink discharge. Town Engineer J.P. Schepp stated that as long as it was just water no sewer was needed. It would be up to the Building Department to monitor the barn to see if fixtures are installed.

Tom Jensen questioned if variances for the driveway and pole barn were required. Mr. Schepp stated that there are no setback requirements for driveways and this Site Plan approval is for the barn so no variances are needed.

A motion was made by Tom Jensen, seconded by Dave Martin to grant Preliminary Subdivision/Site Plan approval to Gene Dollard for the Ketchum Subdivision located at 101 Ketchum Road. Members polled Breslawski abstain, Hazen no, Jensen aye, Martin aye, Morey aye, Nettin no, Reeves aye. Motion carried.

Rich Maier requested Final approval. Mr. Schepp questioned if they received approval from the Water Authority yet. Mr. Maier stated that he thought that was required at the time of the building permit. Mr. Schepp stated that it is under the jurisdiction of the M.C.W.A. It would be under the jurisdiction of the Building Department to ensure that there was a heated section in the barn.

A motion was made by Tom Jensen, seconded by Dave Martin to grant Final Subdivision/Site Plan approval to Gene Dollard for the Ketchum Subdivision located at 101 Ketchum Road. Members polled Breslawski abstain, Hazen no, Jensen aye, Martin aye, Morey aye, Nettin no, Reeves aye. Motion carried.

**PUBLIC HEARING**

**COMMERCIAL SITE PLAN APPROVAL**

**DAKOTA GRILL**

**913 ROOSEVELT HIGHWAY**

Brian Sorochty from DDS Engineers was present to represent Dave Danzig owner of the Dakota Grill seeking Preliminary Commercial Site Plan approval for an addition located

at 913 Roosevelt Highway. Mr. Sorochty stated that this is currently a 1300 sq. ft. bar and restaurant. The owner is proposing a 4,000 sq. ft. restaurant addition and a 3,200 sq. ft. retail addition. They are here tonight to discuss Phase 1, which is the restaurant addition. They received Concept approval in February and variances in March. Mr. Sorochty stated that the MC DOT was concerned about having three different entrances. They wanted them to eliminate two entrances. They also had concerns with cars backing out into the road. So for more traffic control along Rt. 18 a median with one-way traffic was added to the plans. This would eliminate cars backing out onto the highway. Mark Reeves asked if the number of parking spaces was the same with the addition of the median. Mr. Sorochty stated no the number of parking spaces has been reduced to 12 now with the median added. Linda Morey questioned the median height. Mr. Sorochty stated it would be a 4" curb with just grass no plantings.

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 Morey asked if Flood Insurance was required. Mr. Sorochty stated no the area is very minimal and is in the southeast corner of the property so its not required.

Town Engineer J.P. Schepp stated that due to there being a significant drop off from the parking lot to the detention pond the plantings proposed on the southeast corner won't be effective as a visual screen so he has suggested that that area be flattened out so that the trees can act as a visual buffer. He understands also that the Zoning Board granted relief from a buffer but he would like to see some kind of buffer added for vehicle headlights. He suggested adding a short berm or short hedges to eliminate headlight glare without effecting site distances. Some buffering was suggested for the driveway across the road also to remain a good neighbor. A little more buffering could be added for the septic and detention pond also. The drainage easement on Rt. 18 that crosses over and ties into Hamlin Parma Townline Road was discussed. Mr. Schepp stated that neither the State or the Town want to maintain that so something needs to be in place to ensure the maintenance of that pipe. The County has requested a traffic analysis be completed and Mr. Schepp would like to review that also. A drainage report has been provided.

Conservation Board member Jeanine Klopp questioned if there were any comments from the Town of Clarkson or the Town of Parma. There were no comments received. She also questioned the parking lot and drainage and suggested that the parking lot be gravel instead of paved. Town Engineer J.P. Schepp stated that commercial parking lots are required to be paved for safety and maintenance purposes. He added that the proper design of the detention pond would ensure proper drainage on the site.

Highway Superintendent Tom Ingraham questioned if they had received comments from the DOT. Mr. Sorochty stated no official comments yet just comments included in the DRC review. Mr. Ingraham questioned if the two entrances were staying. Mr. Sorochty stated yes they were.

Dave Martin questioned the depth of the detention pond. Mr. Sorochty stated that it would be a dry pond and it would be 3' deep. Dave questioned if that would handle the runoff. Mr. Sorochty stated yes it would. It is located in the southeast corner of the property and it is maintaining the existing facility.

Dave Martin questioned if the DOT had any concerns with the safety of the intersection. Mr. Sorochty stated that there were no comments. Dave suggested maybe having a caution light at the intersection for safety reasons. Mr. Sorochty stated that that would be the State's decision. He added that usually lights are added based on the number of accidents at the site.

Tom Jensen suggested changing the angle of the parking spots along Rt. 18 so you pull in on the east and pull out on the west. Mr. Sorochty stated that they would look at it. Currently it's that way so cars don't block the intersection waiting to make a left hand turn into the parking lot. Mr. Schepp stated that a traffic analysis is required. Mr. Sorochty stated that its not a full report just an analysis.

Linda Morey added that the median and one-way traffic addition is an improvement.

At this time Chairperson Linda Morey closed the Public hearing.

Attorney Welch stated that the Board could wait for the traffic analysis to make a decision.

A motion was made by Judith Hazen, seconded by Tom Jensen to table their decision for one month in order for the traffic analysis to be completed and reviewed. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Nettin aye, Reeves aye. Motion carried.

**CONCEPTUAL SITE PLAN APPROVAL  
MR. AND MRS. SCHLECHT**

**7146 TUCKER LANE**

Darryl Moser from Schultz Associates was present to represent Mr. and Mrs. Schlecht seeking Conceptual Site Plan approval to construct a single-family house located at 7146 Tucker Lane. Mr. Moser stated that the owners are proposing a single-family house with public water and septic system. This is a 2.2-acre lot but some variances are still needed. Chairperson Linda Morey stated that this property is located in a wetland. Mr. Moser stated that the wetlands have been delineated and they are not building within the wetland.

Conservation Board member Jeanine Klopp questioned the perk tests. Town Engineer J.P. Schepp stated that the parcel is very low. They are proposing a raised fill system.

Jeanine added that the comments on the LWRP were that the structure needed to be moveable per the code and shoreline protection needs to be added.

Town Engineer J.P. Schepp stated that this property has it all. Conservation Overlay District, 100-Year Flood, Wetlands, Structural Hazard Area. Mr. Moser stated that they are aware that variances are needed. Mr. Schepp added that no access easement for Tucker Lane is shown. Mr. Moser stated that he thinks a vague easement does exist. Mr. Schepp stated that the easement needed to be shown on the plan. The Town's Development Regulations limits the number of houses served by a private road. He believes this would be the sixth house on the road. The purpose for this regulation is for safety reasons. The Fire Marshal would need to review the proposal for adequate emergency vehicle access. A turnaround at the end of the road for large vehicles also needs to be added per the Development Regulations. An erosion control plan needs to be added. Attorney Welch stated that the Zoning Board would need to see that also. Mr. Schepp stated that a perk test is needed. Mr. Schepp added that there is no fire protection at the end of the road so hydrant distance needs to be shown. Mr. Schepp stated that this property needs to be added to the Benedict Beach water district if it is not already included.

Judy Hazen asked if any road improvements were planned. Mr. Moser stated that he didn't think any road improvements were planned. Lee Nettin stated that the road is not wide enough and there are trees on either side so an emergency vehicle would not be able to get through. Ron Breslawski added that fire trucks are very heavy and wide so about a 12' wide driveway is needed.

A motion was made by Judy Hazen, seconded by Ron Breslawski to grant Conceptual Site Plan approval to Mr. and Mrs. Schlecht for a single family house located at 7146 Tucker Lane and to refer them to the Zoning Board of Appeals for variances. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Nettin aye, Reeves abstain. Motion carried.

## **COMMERCIAL SITE PLAN ADAM NOWAK**

## **53 KING STREET**

Adam Nowak was present seeking Commercial Site Plan approval for a Wrestling Training Center located at 53 King Street called Pier 6 Wrestling. Mr. Nowak wanted to first apologize for not coming before the Board and getting approval prior to opening his business. He has rented from the owner Dwight Diltz and has made some changes and is ready to move forward and open his business. He plans to have 4-7 students. Four parking spaces have been added to the front of the building by the owner. There should not be more than 7 cars there at a time. They will have a graduation ceremony for the students once a month. Chairperson Linda Morey had some concerns with the parking that is shown across the street. She stated that in the winter that parking lot is not plowed. So if one of the other businesses and his business are holding an event on the

same day then there could be some parking problems. Mr. Nowak stated that he would contact the owner about keeping that parking lot cleared. Lee Nettin stated that cars are parking along the road now and his business isn't even open yet. Lee also questioned parking in front of the entrance.

Tom Jensen questioned if there would be wrestling matches there. Mr. Nowak stated that this is a training center. The students will train with music like they were in a real show so they use the curtain, dressing rooms and music. Tom questioned who would have access to the balcony. Mr. Nowak stated that people videotaping or with cameras would be allowed up there. Mr. Nowak stated that there would not be any live matches at this location. They have all of their shows at Pineapple Jacks only.

Town Engineer J.P. Schepp stated that there are parking issues. Several businesses are all using the same parking. The Fire Marshal would need to look at the site for fire code issues and if there should be a fire lane along the building. The parking for all of the businesses needs to be tallied up on an official Site Plan. He believes the owner has a Site Plan of the property already.

Attorney Welch stated that the owner of the building benefits from this business so he should make the necessary parking improvements. The Board could make it a condition of the approval that the parking concerns be eliminated.

Mr. Schepp added that commercial parking lots are required to be paved and lined with marked handicap spaces. We really need a proper Site Plan from the owner that the Code Enforcement Officer can enforce.

A motion was made by Tom Jensen, seconded by Dave Martin to schedule a Public Hearing for Adam Nowak for May 4 at 7:30pm for a Wrestling Training Center located at 53 King Street and require that the landlord provides a proper Site Plan to the Board with a paved parking lot and designated parking. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Nettin aye, Reeves aye. Motion carried.

## **LWRP**

### **7622 NEWCO DRIVE-DETACHED GARAGE**

The Board reviewed and discussed the detached garage proposal for 7622 Newco Drive.

The Conservation Board's comments included that the gutters drain to the wetlands and that a DEC permit is required.

Mark Reeves stated that he thought that the LWRP gave the Town jurisdiction to make the decision and that the DEC didn't need to be involved. Conservation Board member Jeanine Klopp stated that the Building Inspector called the DEC and they said that a

permit from the DEC is required for that location. Mark stated that he was confused because the LWRP should cover this situation.

Town Engineer J.P. Schepp stated that the Town's LWRP is for the lakefront and it gives them jurisdiction over the lakefront. However, this is located in a State wetland and the DEC has jurisdiction over the wetlands. The DEC has jurisdiction over wetlands regardless of where they are located so for this property the permit process is required from the DEC.

A motion was made by Tom Jensen, seconded by Judy Hazen to grant LWRP approval for a detached garage located at 7622 Newco Drive with the stipulations that the Conservation Board comments be followed and that DEC permit approval is obtained. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Nettnin aye, Reeves aye. Motion carried.

### **DISCUSSION**

Town Board Liaison Dave Rose stated that the Planning Board's report to the Town Board is scheduled for August 10, 2009.

### **ADJOURNMENT**

A motion was made by Dave Martin, seconded by Mark Reeves to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Nettnin 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, May 4, 2009 at 7:30pm. Deadline for all fees is April 20, 2009 at 12:00pm.**