

Hamlin Planning Board *Minutes*  
Monday, November 2, 2009  
7:30pm

The regular scheduled meeting of the Hamlin Planning Board was called to order by the 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, Mark Reeves and Peter Tonery.

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Charles Welch, Town Board Liaison Dave Rose, Building Inspector Lee Nettnin, Conservation Board members Nick Kramer and Ed Evans and residents Linda DeRue, Paul Lapinski, Ken, Dave and Mary Jo Schlecht, Jim and Sue Camp, Richard Duffy, Martin Emrich, Troy, Jim and Pam Nesbitt, Dave Lucas, Diane Grim, Kathy and Ted Habgood, Mary Callari and several other interested residents.

A motion was made by Tom Jensen, seconded by Ron Breslawski to approve the minutes from the October 5, 2009 meeting as recorded. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried, minutes approved.

**FINAL SITE PLAN APPROVAL  
7146 TUCKER LANE**

Dave Matt from Schultz Associates was present representing Mr. And Mrs. Schlecht seeking Final Site Plan approval for a single-family house located at 7146 Tucker Lane. Mr. Matt stated that there have been no changes made to the plans since the last meeting. Chairperson Linda Morey explained that at the last meeting the Board tabled their decision due to some serious safety concerns with the site. She explained that the Fire Marshal signed off on the proposal with the note that the trees needed to be trimmed back yearly for access. All engineering concerns have been addressed. The Board had no additional comments or concerns.

A motion was made by Dave Martin, seconded by Peter Tonery to grant Final Site Plan approval to Mr. and Mrs. Schlecht for a single-family house located at 7146 Tucker Lane. Members polled Breslawski abstain, Hazen no, Jensen no, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SPECIAL USE PERMIT  
MET TOWER****175 COOK ROAD**

Ron Breslawski excused himself from the meeting for this proposal.

Dan Murdie from Iberdrola Renewables was present seeking a renewal of the Special Use Permit for the MET Tower located at 175 Cook Road. Mr. Murdie handed out copies of the Code of Conduct. He explained that they would like to renew the permit for the tower located at 175 Cook Road to continue to collect data. They will be removing the other tower located on Redman Road some time this week or next. They are requesting to leave the existing tower up at 175 Cook Road for an additional 3 years. It has been up for 3 years already. Chairperson Linda Morey stated that the motion called for a copy of the data to be given to the town at the end of the 3 years. Mr. Murdie gave a CD with the data for the Redman Road tower to Linda. Chairperson Linda Morey explained that the code states the maximum term for a tower is 4 years. The Planning Board made a motion that granted the term of 3 years max for the towers to remain. They are both over the 3 years now. If the tower on Cook Road is renewed it could only remain up for an additional 9 months, which would be the 4-year maximum that is allowed. If they were looking for longer than 4 years they would need to go to the Zoning Board for a variance. Mr. Murdie stated that they would like to renew the permit for Cook Road for the remainder of the 4 years. There was some discussion on reading the data CD. Chairperson Linda Morey asked if they would be supplying an explanation for the data at some point. Mr. Murgie stated that he wasn't sure. Peter Tonery stated that the previous company was asked to provide the data to the town. There was a commitment that the data would be supplied to the town at the end of the term. He explained that the town needed to analyze the data. He questioned where the data was from the Cook Road tower. Mr. Murdie stated that they were hoping to provide that at the end of the data collection. Peter Tonery stated that he understood it to be at the end of the term that all of the data would be supplied. Mark Reeves questioned if the data was in meters per second. Mr. Murdie stated yes it is. Tom Jensen explained that there are many residents present that have concerns regarding the towers. He asked why the need for more data collection. Mr. Murdie stated that more is better. More data will give them a better idea of what is here and available in Hamlin. Peter Tonery questioned if the Redman Road tower data was unsatisfactory. Mr. Murdie stated that he was not sure. Mark Reeves questioned when the removal of the Redman Road tower would be completed. Mr. Murdie stated by the end of next week. Mark Reeves stated that the property had to be returned to its original condition. Mr. Murdie agreed.

Town Engineer J.P. Schepp had no engineering issues since nothing new was being proposed.

Attorney Welch explained that the Planning Board motion was very specific. There were no provisions for an extension. The code 125-68D(3) states the maximum time for any tower is 4 years. A Public Hearing is required for the renewal.

Building Inspector Lee Nettin questioned the cost of the tower removal. It wasn't included in the packet. He also questioned changing the bond issuer and who that would be. Mr. Murdie stated that the original \$6500.00 proposal is still in effect for removing the tower. Building Inspector Lee Nettin stated that \$500,000 liability insurance is required.

Mark Reeves stated that the presentation needs to be updated for the Public Hearing. This is information from 3 years ago.

Town Board Liaison Dave Rose had no comments from the Town Board.

A motion was made by Mark Reeves, seconded by Dave Martin to schedule a Public Hearing for December 7, 2009 at 7:30pm for Iberdrola Renewables to renew the Special Use Permit for a MET located at 175 Cook Road for an additional 9 months. A copy of the Cook Road data needs to be submitted with the application. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

Mr. Murdie was reminded to have the application and fee into the Clerk by the deadline.

Ron Breslawski returned to the meeting.

**SIMPLE LOT COMBINATION  
HOELPERL SUBDIVISION**

**5789 WAUTOMA BEACH**

Chris Schultz from Schultz Associates was present representing Andrew and Elizabeth Hoelperl seeking Simple Lot Combination for the Hoelperl Subdivision located at 5789 Wautoma Beach Road. Mr. Schultz explained that Mr. and Mrs. Hoelperl currently own 3 separate lots on Wautoma Beach and they would like to combine them into one lot. The Board asked if this was just for tax purposes. Mr. Schultz stated yes there are no other plans being proposed. Town Engineer J.P. Schepp had no concerns since there were no changes being proposed.

A motion was made by Tom Jensen, seconded by Judith Hazen to grant Mr. and Mrs. Hoelperl Simple Lot Combination approval for the Hoelperl Subdivision located at 5789 Wautoma Beach. Per Town Code 125-74B(10) the Board waives the need for a Public Hearing. This is a Type II Negative SEQR declaration. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**DISCUSSION**

Chairperson Linda Morey stated that the former Sunflower Restaurant on Lake Road is being sold to the owner of the Pizza Shack. It was determined that since it would be still used as a restaurant there would be no need for the new owner to come back before the Planning Board. The new owner is going to work with the neighbor on the fence between the properties.

Town Board Liaison Dave Rose questioned the status of the Barber Shop building on Lake Road. It was stated that it is too much work for the current owner to fix and make compliant. Taxes are owed on it. Dave Rose stated that it should be classified as a hazardous building by the Town Board and suggested that it be removed. He stated that the 2010 Budget was passed and that the bid for the south entrance was awarded.

Peter Tonery questioned Hamlin Meadows. Chairperson Linda Morey stated that she offered to add them to the agenda if they wanted to come before the Board but they declined. Larry Gurrslin earlier today gave her copies of a streamlined procedure but it was agreed that they need to come before the Planning Board for a re-subdivision for each house. There is no streamline procedure in Hamlin. Two houses have already been built without coming back to the Planning Board for re-subdivision approval. Town Engineer J.P. Schepp stated that once the foundation is built and surveyed then they need to file just the footprint with the County. It would be the same process as a Simple Subdivision. It is a pretty streamlined procedure already.

**ADJOURNMENT**

A motion was made by Mark Reeves, seconded by Tom Jensen to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Peter Tonery 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, December 7, 2009 at 7:30pm. Deadline for all fees is November 23, 2009 at 12:00pm.**