

Hamlin Planning Board *Minutes*
Monday, June 7, 2010
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 Toney.

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Ken Licht, Town Board Liaison Dave Rose, Building Inspector Lee Nettin, Conservation Board members Jeanine Klopp, Jason Baxter, Nick Kramer and Ed Evans, Engineers John Clarke, John Sciarabba and Dave Matt and residents Mike and Anne Webster and Patrick Shannon.

A motion was made by Tom Jensen, seconded by Judy Hazen to approve the minutes from the May 3, 2010 meeting as recorded. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Toney aye. Motion carried, minutes approved.

The Clerk read the Proof of Publication

**PUBLIC HEARING
PRELIMINARY SITE PLAN APPROVAL
ERIC PETER**

101 KETCHUM ROAD

Dave Matt from Schultz Associates was present representing Eric Peter seeking Site Plan approval for a single family house, barn and pond located at 101 Ketchum Road. This is an existing 10 acre lot. Electric and public water will service the lot. Mr. Matt explained that the driveway already exists. Preliminary perk tests have been done but they are not official yet due to rain. They received comments from Monroe County Soil and Water and the plans have been adjusted.

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 Chairman Linda Morey closed the Public Hearing.

Building Inspector Lee Nettin stated that the driveway needs to be built to handle the weight of a Fire Truck.

There were no other Engineering concerns.

Tom Jensen questioned if the pond required an Accessory Permit per Town Code 125-52. Attorney Ken Licht stated it wasn't necessary because it was part of the Site Plan for drainage.

Dave Martin questioned if they would be able to get the slope ratio required for the pond. Dave Matt stated that this is a fill pond not a storm water facility. Therefore it is not the Soil and Water jurisdictions. The pond will have a safety bench.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Preliminary Site Plan approval to Eric Peter for 101 Ketchum Road for a single family house, barn and pond. The driveway needs to handle the weight of a fire truck. This is a Type II Negative listed SEQR determination. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**FINAL SITE PLAN APPROVAL
PAUL SEIFERT JR.**

349 WILER ROAD

John Clarke from DDS Engineers was present representing Paul Seifert Jr. seeking Final Site Plan approval to construct a single family house, barn, leach and pond located at 349 Wiler Road. Mr. Clarke explained that they received Concept and Preliminary approval. Engineering concerns have been addressed. They submitted the proposal to Monroe County Soil and Water. All of their comments have been addressed. Soil erosion protection changes and silk fence detail changes were made to the plan.

There were no other Engineering concerns.

A motion was made by Judy Hazen, seconded by Peter Tonery to grant Final Site Plan approval to Paul Seifert Jr. for the construction of a single family house, barn and pond located at 349 Wiler Road. This is a Type II Negative Declaration SEQR determination. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin abstain, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION
SHANNON SUBDIVISION**

276 DRAKE ROAD

John Sciarabba from Land Tech was present to represent Patrick and Teresa Shannon seeking Simple Subdivision approval for the Shannon Subdivision located at 276 Drake Road. Mr. Sciarabba explained that they were waiting for DRC comments. They have received comments and there were no issues. No changes have been made to the plan.

Town Engineer J.P. Schepp stated that a note stating that Lot 2 is not approved for building has been added to the Mylar.

A motion was made by Dave Martin, seconded by Judy Hazen to grant Simple Subdivision approval to the Shannon Subdivision located at 276 Drake Road. This is a Type II Negative Declaration DEQR determination. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION
DEPOT SUBDIVISION**

91 RAILROAD AVE.

Town Engineer J.P. Schepp explained that this Subdivision cleans up the Town's right-of-way for the road. There was a land swap between the Town and the owner of 52 Railroad Ave.

Attorney Ken Licht stated that Mr. Manna the owner of 52 Railroad Ave. got a strip of land to the rear of his property from the Town. Both properties were cleaned up.

A motion was made by Tom Jensen, seconded by Peter Tonery to grant Simple Subdivision approval to the Town of Hamlin for the Depot Subdivision located at 91 Railroad Ave. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**CONSERVATION OVERLAY DISTRICT PERMIT
MICHAEL AND ANNE WEBSTER**

13 COUNTRY CREEK

Michael Webster was present seeking approval to put an 8' x 10' plastic shed on his property located in the Conservation Overlay District per Town Code 125-34. Mr. Webster stated that he spoke to the Highway Superintendent and got approval to put the shed in the drainage easement. He got approval from Monroe County Sewer to place the shed in their sewer easement. Now he is requesting approval from the Planning Board. The shed will be for storage of his lawn tractor and patio furniture. No animals.

Town Engineer J.P. Schepp stated that the creek is located to the south of the property. There is a 200' buffer for the Conservation Overlay District. There are several decks and sheds along the neighboring properties along the creek already. The shed will be on the high side. There are no Engineering concerns.

Building Inspector Lee Nettin stated that he was concerned about what would be stored in the shed. If there was a chemical or gasoline spill in the shed his main concern would be the protection of the Conservation Overlay and the creek.

Attorney Ken Licht stated that the Conservation Board should make a determination on the proposal. The motion should include the 4 conditions listed in Town Code 125-34F along with any other concerns like the storing of hazardous materials in the shed.

Conservation Board member Jeanine Klopp stated that they were not allowed on the property so they tried to see the location and compared it to the map. It looks like the shed will be outside of the flood plain. They are also concerned about the storage of hazardous materials in the shed and if there was a spill it would get into the swale or possibly the creek. They did not have a chance to walk the property.

The Chairperson asked Jeanine for verbal approval as long as there are assurances that hazardous materials will not be in the shed. She said that was the concern, yes.

Mr. Webster stated that they would not be removing any trees for the shed placement. They have a dog and a grandson and they would never put either one in harm's way. They are aware of the Conservation area. They respect their property and would be willing to agree not to store any oil or gasoline in the shed.

Tom Jensen questioned the type of floor the shed had. Mr. Webster stated it is a Rubbermaid type shed. It will be placed on gravel and anchored down.

Building Inspector Lee Nettin stated that he would be concerned when the property changed hands.

Mark Reeves questioned if there would be plastic under the shed. Mr. Webster stated yes there would be. Mark stated that would help if there was any type of spill in the shed.

Peter Tonery questioned the number of homes affected by the Conservation Overlay District. It was determined about 9 properties along the south side of the road. Peter suggested having an expiration date on the permit. He also asked the Conservation Board for some criteria for building in the Conservation Overlay District.

Attorney Ken Licht questioned the expiration date for the permit. He stated it doesn't make sense. Per Town Code 125-34G the permit can be revoked if it is violated.

A motion was made by Peter Tonery, seconded by Tom Jensen to approve the application for Mr. and Mrs. Webster to place an 8' x 10' plastic shed on their property at 13 Country Creek Lane located in the Conservation Overlay District. This permit will terminate upon the sale of the property. Approval based on the 4 conditions listed in Town Code 125-34, no storage of hazardous materials in the shed and plastic being placed under the gravel. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

DISCUSSION

Chairperson Linda Morey stated that they had 2 requests to be put on the agenda after the deadline. Both were refused. One was Rick Bower for Country Creek Sections 3 and 4 and the other was for the Dakota Subdivision resigning.

Town Engineer J.P. Schepp explained the Country Creek proposal. The Developmental Regulations state that dead end roads can only go back 800'. Country Creek Lane already exceeds that. Therefore Sections 3 and 4 would require a second means of egress. Before Mr. Bower spends the money on maps he would like to address the Board and get their feeling on this. He will make application for next month's agenda.

Ed Evans from the Conservation Board stated that he was not comfortable with the Webster approval. They need to be allowed access to the property in order to make a determination. The code states that a determination from the Conservation Board is needed and that didn't happen. If approvals are going to be made without the Conservation Board then the code needs to be changed. Attorney Ken Licht stated that a clause can be added to the applications giving consent for the Board members to go on the property. Approvals should wait for the Conservation Board determination. It was suggested that the application be sent to the Conservation Board agenda prior to the Planning Board. Town Engineer J.P. Schepp stated that most come through the Planning Board at the Site Plan process. This case was different. Streamlining the process was discussed.

Town Board Liaison Dave Rose stated that the next Zoning Workshop is this Thursday. The asbestos contract was signed today and will be attached to the demolition bid for 1715 Lake Road. Demolition should take place in September or October.

Judy Hazen asked Dave Rose if the Town was looking into keeping Hamlin Beach State Park open. Dave Rose stated that they have discussed it but it is under the jurisdiction of the State. The recent cut back only affected the swimming at the Park not the Park or camping.

Dave Martin questioned why the State was adding guard rails along the Parkway. Dave Rose stated that it was stimulus money that needed to be spent.

ADJOURNMENT

A motion was made by Mark Reeves, seconded by Ron Breslawski to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Peter Toney 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 Tuesday, July 6, 2010 at 7:30pm. Deadline for all fees is June 21, 2010 at 12:00pm.