

Hamlin Planning Board *Minutes*
Tuesday, July 6, 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: Judith Hazen, Tom Jensen, Dave Martin, Linda Morey, Mark Reeves and Peter Tonery.

Excused: Ron Breslawski

Also present: Town Engineer J.P. Schepp (7:55pm), Support Boards Attorney Ken Licht (7:55pm), Town Board Liaison Dave Rose (7:55pm), Building Inspector Lee Nettin, Conservation Board member Ed Evans and Engineer Dave Matt.

A motion was made by Dave Martin, seconded by Peter Tonery to approve the minutes from the June 7, 2010 meeting as recorded. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried, minutes approved.

The Clerk read the Proof of Publication

**PUBLIC HEARING
PRELIMINARY SITE PLAN APPROVAL
LINDA GRANT**

500 COOK ROAD

Rich Maier was present representing Linda Grant seeking Preliminary Site Plan approval for a single family house located at 500 Cook Road. Mr. Maier explained that this was a pre existing non conforming lot. The Subdivision never went through the proper approvals. Improvements have been made to the property. A septic and well have been added. Variances for the lot were granted by 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 Chairman Linda Morey closed the Public Hearing.

Dave Martin questioned the gray area on the map. Mr. Maier stated that was a hand dug well for the property to the east. The Monroe County Health Department wouldn't let the two lots share a well so a well was added to 500 Cook Road. The label "proposed well" should be changed on the map to read "actual well". A new septic system was added to 500 Cook Road also.

A motion was made by Tom Jensen, seconded by Dave Martin to grant Preliminary Site Plan approval to Linda Grant for a single family house located at 500 Cook Road. This is a Type II SEQR determination. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

A motion was made by Tom Jensen, seconded by Dave Martin to grant Final Site Plan approval to Linda Grant for a single family house located at 500 Cook Road. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE LOT COMBINATION
EDWARD WEGMAN**

**E.J. WEGMAN SUBDIVISION
1292 NORTH HAMLIN ROAD**

Rich Maier was present representing Edward Wegman seeking a Simple Lot Combination approval for the E.J. Wegman Subdivision located at 1292 North Hamlin Road. Mr. Maier explained that Mr. Wegman owns two lots on the north side of North Hamlin Road and he would like to combine them to save on the taxes. Nothing is being proposed on the lot.

There were no concerns.

A motion was made by Tom Jensen, seconded by Peter Tonery to grant Simple Lot Combination approval to Edward Wegman for the E.J. Wegman Subdivision located at 1292 North Hamlin Road. The Board waived the need for a Public Hearing per Town Code 125-74B(10). This is a Type II Negative SEQR determination. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**MYLAR RE-SIGNING
DAKOTA SUBDIVISION**

913 ROOSEVELT HIGHWAY

Dave Danzig was present seeking Mylar re-signing approval for the Dakota Subdivision located at 913 Roosevelt Highway. Mr. Danzig explained that the Mylar was previously signed but was held up at DOT. He is ready now to move forward with the septic and addition. The Board advised Mr. Danzig that he had 60 days to file the Mylar with the County. Mr. Danzig understood.

A motion was made by Dave Martin, seconded by Peter Tonery to grant Mylar re-signing approval to Mr. Danzig for the Dakota Subdivision located at 913 Roosevelt Highway. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**FINAL SITE PLAN APPROVAL
ERIC PETER****101 KETCHUM ROAD**

Dave Matt from Schultz Associates was present representing Eric Peter seeking Final Site Plan approval for a single family house, barn and pond located at 101 Ketchum Road. Mr. Matt explained that they received Preliminary approval last month but needed perk tests for Final approval. The Monroe County Health Dept. has been on vacation so perk test inspection is scheduled for next week. Mr. Matt asked if he could get Final approval tonight contingent on Monroe County Health Dept. approval after the perk tests. Mr. Matt also stated that in the DRC comments arsenic levels at the location were questioned. They are required to check arsenic levels on all properties that had orchards on them previously. There shouldn't be any issues with this property because no storage barns existed previously. Monroe County Health Department conducts the testing.

Building Inspector Lee Nettin questioned if the existing driveway was built to handle the weight of a Fire Truck. Mr. Matt stated that he would add that note to the plans and they could dig a hole in the driveway to check the amount of base for the existing driveway.

Conservation Board had no concerns.

A motion was made by Dave Martin, seconded by Mark Reeves to grant Final Site Plan approval to Eric Peter to construct a single family house, barn and pond located at 101 Ketchum Road contingent on M.C.H.D. perk test approval, arsenic testing approval and existing driveway foundation being appropriately constructed for emergency vehicle access. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**CONCEPTUAL SITE PLAN APPROVAL
MYRON AND MARY ANN GREEN****7920 NEWCO DRIVE**

Dave Matt from Schultz Associates was present representing Mike Viva the developer that has a contingent offer in on the lot. He is seeking Conceptual Site Plan approval to construct a single family house located at 7920 Newco Drive. Mr. Matt explained that this lot was previously approved several years ago. They have revised the plans. They are changing the proposed house and septic system. The septic system requires a lot of fill so the house will be built up higher than the neighbor's houses on either side. The bottom level of the house will consist of a 2 bay garage and an entry way that will have the utilities and stairs up to the main first floor level. There will be a ½ story attic area. It will be a log cabin style house. There will be a side and front cantilevered deck that will require a variance on the first floor level. Mr. Matt addressed the Engineer's comments. Angles at the roadside satisfy the meets and bounds comment. This property is not located in the Coastal Erosion Hazard Area. The proposed house is 10' in front of

the neighboring house so it will not interfere with the view. The deck will be cantilevered so only the post will obstruct the view. Grading to the west can be revised. By adding a retaining wall to define the swale along the lot line it will ensure that no drainage will run onto the neighbor to the west. They are requesting impervious surface variance, lot area, lot width, septic within 150' of Lake Ontario and a deck variance from the Zoning Board. There is no issue with rare animals or wildlife on the lot due to the rest of the street being developed.

Chairperson Linda Morey questioned grading for the drainage due to the large area of black top for the driveway and parking area. Mr. Matt stated that most of the drainage was directed to the lake. Half would be towards the road. Tom Jensen questioned the actual square footage of the house. Mr. Matt stated he would double check the dimensions because it could affect the impervious surface. Building Inspector Lee Nettin questioned where the swales drain to. Mr. Matt stated they drain towards the lake to a field inlet in the break wall. Lee questioned if the break wall would be repaired. Mr. Matt stated that there was no mention of repairing the break wall. Lee stated that the deck would block the view of sunset of the neighbor's. Mr. Matt stated that the view is blocked by trees now. Lee stated that the DEC requires the house to be 100' from a protective feature which is the sand. He also questioned the lot being outside of the Hazard area. Mr. Matt stated according to the map it is outside the hazard area. Mr. Matt stated that the house cannot be moved back from the lake due to needing room for the leach field.

Chairperson Linda Morey stated that the Conservation Board completed an LWRP and submitted comments. They found the proposal to be not consistent with the LWRP. It was noted that an LWRP wasn't required for this proposal but one was completed out of courtesy.

Tom Jensen questioned the height of the structure. Mr. Matt stated that it would be below the 35' limit. It is a 2 ½ story house including the garage. The first level is garage and entryway, then the main floor and then a ½ story attic area. Mark Reeves stated that they are building these huge style houses in Greece and they are blocking the sun from the neighbors. Peter Tonery questioned if 1/3 of the first floor would be living space. Mr. Matt stated yes 2/3 would be garage and 1/3 would be living space. Dave Martin questioned if the utilities would be next to the garage space. Mr. Matt agreed. Town Engineer J.P. Schepp stated that the garage and living space elevation needed to be shown on the plan. He stated that the first level is at grade level. Dave Martin questioned if the deck was on the second level. Mr. Matt stated yes the deck would be on the main living level which is at 264.5'.

Town Engineer J.P. Schepp discussed the meets and bounds. Mr. Matt stated that is how they are shown on the deed. Mr. Schepp stated that the FEMA map encompasses the entire area so he would like to see the Flood Zone plotted per the FEMA map. The view of the neighbor's was discussed due to the amount of fill that was needed. Mr. Schepp suggested that since the bathrooms and kitchen would be on the second level the leach

could be lowered so the house could possibly be lowered. Mr. Matt stated he would rework the leach and the house elevation. Mr. Schepp suggested a check valve at the end of the storm line. Mr. Matt stated that the note is on the plans. Chairperson Linda Morey questioned if the structure was required to be moveable. Mr. Schepp stated only if the house is below the flood plain. This entire proposed house is above the flood plain. Tom Jensen requested the actual square footage of the house and asked that revised plans be submitted before they can refer this proposal to the Zoning Board.

A motion was made by Tom Jensen, seconded by Peter Tonery to table this decision until an updated Site Plan has been submitted with the changes made that were discussed tonight. Members polled Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

DISCUSSION

Town Board Liaison Dave Rose stated that a training workshop is scheduled for July 20 at 7:00pm. There will be a Public Hearing for the In Law apartment code and Unsafe Structures code prior to the Town Board meeting this month.

Ed Evans from the Conservation Board stated that he would take the Planning Board's comments regarding Newco Drive to the Conservation Board. He is very pleased with their concerns. He stated that Merritt from the Conservation Board did a nice job on the LWRP comments for this property.

Peter Tonery asked for clarification of the First floor. Town Engineer J.P. Schepp stated that according to the code definition the garage level is the first floor for the Newco Drive proposal.

ADJOURNMENT

A motion was made by Tom Jensen, seconded by Mark reeves to adjourn tonight's meeting barring no further business. Members polled 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, August 2, 2010 at 7:30pm. Deadline for all fees is July 19, 2010 at 12:00pm.