

Hamlin Planning Board *Minutes*  
Monday, August 1, 2011  
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 Ken Licht, Town Board Liaison Dave Rose, Building Inspector Lee Nettnin, Conservation Board members Jeanine Klopp, Nick Kramer, Jason Baxter and Ed Evans, resident Paul Keller and Engineer Jim Glogowski.

A motion was made by Peter Tonery, seconded by Judy Hazen to approve the minutes from the July 5, 2011 meeting as recorded. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves abstain, Tonery aye. Motion carried, minutes approved.

*The Clerk read the Proof of Publication*

**PUBLIC HEARING  
PLANNING BOARD  
DEVELOPMENT REGULATIONS ADDITION**

The Hamlin Planning Board seeks approval to add the use of recycled asphalt per NYS specifications to the Development Regulations for the Town.

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.

A motion was made by Dave Martin, seconded by Tom Jensen to approve the use of recycled asphalt per NYS specifications to be added to the Town of Hamlin Development Regulations effective upon approval by the Hamlin Town Board. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**PUBLIC HEARING  
PRELIMINARY SITE PLAN APPROVAL  
ELIZABETH HENNER**

**7658 NEWCO DRIVE**

Rich Maier from DDS Engineers was present representing Elizabeth Henner seeking Preliminary Site Plan approval and Conservation Development Permit approval to re-construct a single family house located at 7658 Newco Drive. Mr. Maier explained that they received variances from the Zoning Board. Due to a previous fuel oil spill they need to re-build their existing house. All County and Engineer comments have been addressed.

Chairperson Linda Morey questioned DEC and Army Corp. of Engineers permits. Mr. Henner stated that no permits from the DEC and Army Corp. are needed.

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.

Town Engineer comments have been addressed.

Building Inspector Lee Nettnin stated that he doesn't have anything from the DEC and Army Corp. stating that permits are not required. He also questioned where the contaminated soil is being taken. Mr. Henner stated he would get him that information.

There were no Conservation Board comments.

Town Attorney Ken Licht stated that a motion could be made subject to a letter from the DEC and Army Corp. being received by the Town.

A motion was made by Peter Tonery, seconded by Judy Hazen to grant Preliminary Site Plan approval to Elizabeth Henner to re-construct a single family house located at 7658 Newco Drive contingent on the Town receiving a letter from the Dec and Army Corp. of Engineers. This is a Type II Negative SEQR determination. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

A motion was made by Mark Reeves, seconded by Tom Jensen to grant Conservation Development Permit approval to Elizabeth Henner to re-construct a single family house located at 7658 Newco Drive contingent on the Town receiving a letter from the DEC and Army Corp. of Engineers. This is a Type II Negative SEQR determination. Permit expires 1 year from date Building Permit is issued. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Final Site Plan approval to Elizabeth Henner to re-construct a single family house located at 7658 Newco Drive contingent on the Town receiving a letter from the DEC and Army Corp. of Engineers. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION APPROVAL  
ROONEY SUBDIVISION**

**4091 ROOSEVELT HIGHWAY**

James Glogowski was present representing John Rooney seeking Simple Subdivision approval for the Rooney Subdivision located at 4091 Roosevelt Highway. Mr. Glogowski explained that Mr. Rooney would like to combine his two parcels and convey a small piece of land on the west side to his neighbor.

Chairperson Linda Morey explained that they are 2 non-conforming lots and will need variances.

There were no Engineering concerns and no Conservation Board concerns.

Building Inspector Lee Nettin stated that the DRC comments have not been received yet and the lots need variances.

Attorney Licht stated that he received the deed description and application for the neighbor. Zoning Board approvals are needed.

A motion was made by Peter Tonery, seconded by Mark Reeves to refer the Rooney Subdivision to the Zoning Board for variances for both parcels. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**COMMERCIAL SITE PLAN  
KELLER INTERNATIONAL**

**1431 LAKE ROAD**

Paul Keller was present seeking Commercial Site Plan approval for Keller International located at 1431 Lake Road. Mr. Keller explained that he received a variance from the Zoning Board to reduce the number of paved parking spaces from 25 to 17.

Chairperson Linda Morey stated that at the last meeting there were some concerns with parking against the building in the fire lane, dumpster location, lighting and the right-of-way easement. Mr. Keller stated that they don't have a dumpster just weekly garbage pickup. There are two existing lights along the side of the parking now. Linda stated that due to the garage business in the rear and vehicles being parked back there it prohibits

emergency vehicles having enough room to turn around back there. Mr. Keller explained that once it is all paved and lined he can label the parking and illuminate the parking issues. He explained that he has a 20' right-of-way.

Town Engineer J.P. Schepp stated that the main concern is proper egress for a fire lane. The parking lot needs to be marked and have proper signage. Mr. Keller stated that he would work with the neighbor and get the parking organized.

Building Inspector Lee Nettnin stated that the area to the south along the fence that is labeled "Fire Lane" needs to be removed. It is not a fire lane. The area where the handicap parking is always gets congested. The area needs to be organized and left clear for Emergency responders if needed. Mr. Keller stated he would get signs for parking.

There were no Conservation Board issues.

Attorney Ken Licht questioned the easement for the 20' egress. Mr. Keller provided the deed description. Attorney Licht reviewed the deed and easement. He suggested having a provision added for no parking in the easement so the right-of-way can't be obstructed in the future. Mr. Keller stated that he would clean up the easement with his Attorney.

Peter Tonery discussed Ambulance and Fire truck access. There is no access into the fenced area for Emergency vehicles. Building Inspector Lee Nettnin added that the area in the fence is never plowed in the winter therefore it cannot be used as a fire lane.

Tom Jensen questioned the distance required for parking to be away from a building. He questioned if a curb is required. Town Engineer J.P. Schepp stated the regulations are in the Development Regulations for Commercial Business.

Chairperson Linda Morey stated that when she was there another customer was there parked to the left of the door and that is where people will be backing up. Mr. Keller stated that he would have it lined once it is paved and it would be organized.

Tom Jensen questioned the handicap parking space and if there was access to the building. Mr. Keller stated that he would add a ramp if needed.

A motion was made by Peter Tonery, seconded by Mark Reeves to schedule a Public Hearing for Paul Keller for September 6, 2011 at 7:30pm for Commercial Site Plan for Keller International located at 1431 Lake Road. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

Mr. Keller was reminded to have his fees into the Clerk by the deadline.

**CONSERVATION DEVELOPEMNT PERMIT  
EDWARD ROETHEL**

**130 LAKE ROAD EAST FORK**

No one was present for this application.

Chairperson Linda Morey stated that she had some questions and County comments have not been received back yet.

A motion was made by Tom Jensen, seconded by Ron Breslawski to table this decision until next month's meeting due to no one being present and County comments not being received back yet. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**DISCUSSION**

Town Board Liaison Dave Rose stated that the Public Hearing for the Town Code update is scheduled for August 2, 2011. General Code Publishers did a real good job. He also reported that they had a meeting for the APO and due to the public response they are not pursuing this at this time.

Peter Tonery questioned the code changes and discussed tree removal before a building permit is issued being added to the code. Attorney Licht stated that it could be discussed and added to the code but this is not the appropriate place to add the regulation. Town Engineer J.P. Schepp stated that different protective areas can be added to the code. Farmland and Agricultural districts were discussed.

**ADJOURNMENT**

A motion was made by Tom Jensen, 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, Reeves aye, 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 Tuesday, September 6, 2011 at 7:30pm. Deadline for all fees is August 22, 2011 at 12:00 noon.**