

Hamlin Planning Board *Minutes*  
Monday, October 3, 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, Tom Jensen, Dave Martin, Linda Morey, Mark Reeves and Peter Toney.

Excused: Judith Hazen

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Ken Licht, Town Board Liaison Dave Rose, Highway Superintendent Steve Baase, Building Inspector Lee Nettin, Conservation Board members Jeanine Klopp, Jason Baxter, Nick Kramer and Ed Evans, Engineers Bob Winans, Robert Fitzgerald, Adam Freeman, Darryl Moser and John Clarke and residents Mike and Jackie Leturneau, Nina Hansel, Robin Hansel and Dan Shapiro.

A motion was made by Mark Reeves, seconded by Peter Toney to approve the minutes from the September 6, 2011 meeting as recorded. Members polled Breslawski 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  
101 WILER ROAD**

Bob Winans from LaDieu Associates was present representing Mr. and Mrs. Leturneau seeking Preliminary Site Plan approval to construct a single family house located at 101 Wiler Road. Mr. Winans stated it was a 10.5 acre lot that is zoned R-M. It is compliant with the code requirements. A 36" pure waters sewer line runs through the property. They have proposed to tie into the existing sewer line on the east side of the road. Monroe County Pure Waters has approved the plan. The Highway Superintendent has approved this plan. DRC comments have been received and there are no issues. The wetlands have been delineated by the DEC. No work is taking place within the 100' buffer.

Town Engineer J.P. Schepp stated that his comments have been addressed. The sewer issue has been resolved. They will be extending the sewer on the eastside and repairing the existing manhole.

Building Inspector Lee Nettin stated that a Conservation Development Permit is required. The Board can request that a 100' natural vegetation buffer remain on the property.

Highway Superintendant Steve Baase stated that the sewer tie-in plan is suitable for the town.

Attorney Ken Licht stated that the manhole is outside the right of way and questioned if there was an easement. Mr. Winans stated that they would prepare an easement with descriptions and get it to Mr. Licht to review.

No Conservation Board issues.

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.

Dave Martin questioned why they couldn't connect to the existing sewer line on the west side. Mr. Winans explained that Monroe County prefers to limit the number of connections to their sewer line. To connect on the west side they would have to bore and add a manhole which would be more costly than boring under the road and connecting to the existing manhole on the east side. Highway Superintendant Steve Baase stated that the manhole on the east side is currently the Town's. They will get a bond for boring under the road. Town Engineer J.P. Schepp stated that the portions in the right of way typically get dedicated to the Town. That portion is owned and maintained by the Town. Outside of the right of way is the owner's responsibility.

Peter Tonery questioned the 4" pipe being used and if the Town had the equipment to clean it. Mr. Winans stated that they have increased the pipe to 8". It will be 4" under the road. Mr. Baase stated that was acceptable. That is standard for all existing laterals.

Mark Reeves questioned what would happen with the tie-in if a subdivision was being proposed. Mr. Winans stated that the County would allow one connection that would service the entire subdivision.

Tom Jensen questioned if there was a Conservation Development Permit application. Mr. Winans stated that they hadn't filled one out.

Chairperson Linda Morey stated that an easement is required and they need to decide on the 100' vegetation buffer. Mr. Nettin stated that per Town Code 520-24D(1)(b)(2) the Board can request that an 100' vegetation buffer should remain. He also added that the

Conservation Development Permit mirrors the Site Plan application and the same information is required.

The Board discussed the vegetation buffer from the wetlands.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Preliminary Site Plan approval to Mr. and Mrs. Laturneau to construct a single family house located at 101 Wiler Road contingent on providing an easement for the sewer connection, submitting a Conservation Development Permit application and maintaining a 100' natural vegetation buffer from the wetlands to the greatest extent possible. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**PUBLIC HEARING  
SPECIAL USE PERMIT  
NINA HANSEL**

**1765 LAKE ROAD**

Nina Hansel was present seeking a Special Use Permit to have a Hair Salon in her house located at 1765 Lake Road. She explained that the salon would be open Tuesday through Saturday from 8:00am until 8:00pm.

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 Ron Breslawski, seconded by Tom Jensen to grant Special Use Permit approval to Nina Hansel for a Hair Salon located in her house located at 1765 Lake Road. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**PUBLIC HEARING  
PRELIMINARY SITE PLAN APPROVAL  
2180 BRICK SCHOOLHOUSE RD.**

John Clarke from DDS Engineers was present representing Steve Bubel seeking Preliminary Site Plan approval to construct a single family house located at 2180 Brick Schoolhouse Rd. Mr. Clarke explained that his client owns the 12.6 acre parcel and would like to sell it contingent on Site Plan approval. This lot was previously approved in 2000. This is an amended Site Plan. All of the Engineering concerns have been addressed. DRC comments have been received and addressed.

Town Engineer J.P. Schepp stated that engineering comments have been addressed.

Building Inspector Lee Nettin stated that his concerns have been addressed.

There were no Conservation Board issues.

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.

Dave Martin questioned the driveway width. Mr. Clarke stated that it will be the required 12' width.

A motion was made by Dave Martin, seconded by Mark Reeves to grant Preliminary Site Plan approval to Steve Bubel to construct a single family house located at 2180 Brick Schoolhouse Rd. This is a Type II Negative SEQR determination. DRC comments have been received from the County. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

A motion was made by Dave Martin, seconded by Mark Reeves to grant Final Site Plan approval to Steve Bubel to construct a single family house located at 2180 Brick Schoolhouse Rd. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION  
ROONEY SUBDIVISION**

**4091 ROOSEVELT HIGHWAY**

Jim Glogowski was present representing the owners of 4091 and 4109 Roosevelt Highway seeking Simple Subdivision approval for the Rooney Subdivision. Mr. Glogowski explained that they received area variances for both lots from the Zoning Board.

Town Engineer J.P. Schepp stated that they received DRC comments from the County.

Attorney Ken Licht stated that they received the legal description for the piece of land that is being conveyed to 4109 Roosevelt.

Tom Jensen questioned if it should be separate motions because it involves two separate lots. Attorney Licht stated that both owners submitted consent. It is one subdivision. Just involves altering lot lines. No new lots are being created.

A motion was made by Peter Tonery, seconded by Tom Jensen to grant Simple Subdivision approval to Mr. Rooney and Mr. Salonen for Lots 1 and 2 of the Rooney Subdivision located at 4091 and 4109 Roosevelt Highway. The Board waives the need for a Public Hearing per Town Code 520-66J. This is a Type II Negative SEQR determination. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION  
HUNT CLUB SUBDIVISION**

**2264 M.O.C.L. RD.**

Fred Paye was present seeking Simple Subdivision approval for the Hunt Club Subdivision located at 2264 Monroe Orleans County Line Rd. and Special Use Permit revision for F & B Upland Birds, Inc. Mr. Paye explained that they are dividing the parcel up between himself and Janet and William Surrudge. The Special Use Permit will still involve both lots.

Town Engineer J.P. Schepp had no engineering concerns.

Building Inspector Lee Nettin stated that the existing shed is located on the new lot line. Sheds are required to be a minimum of 5' from the property line. Mr. Paye stated that he would move the shed so it is in compliance. Mr. Nettin stated that a Building Permit would be required.

Attorney Licht stated that they received the DEC license. They also received documents conveying title to F & B Upland Birds, Inc. but now it needs to be reversed since the deeds have changed. They need a new license agreement from F & B Upland Birds, Inc. to Fred Paye and Jane and William Surrudge. 100 acres are required so each lot needs to be conveyed for the Special Use Permit. Currently the DEC Shooting Preserve license is issued to Fred Paye so the corporation has to lease the property back to Paye and Surrudge. Both parcels need to be conveyed to the corporation to meet the 100 acre requirement per the code. There is a legal issue with the driveway. There needs to be a driveway easement. The easement needs to be recorded in the County Clerk's office. Attorney Licht explained that they are creating two separate lots and two separate ownerships of the lots so a common driveway easement is required for access to Lot 2. If ownership should ever change access needs to be maintained to Lot 2. Attorney Licht suggested that the Board address the driveway issue and the shed issue. The location of the shed needs to meet the code and be shown on the map. He stated that a shed permit and revised map would be required.

A motion was made by Peter Tonery, seconded by Mark Reeves to grant Simple Subdivision approval to Fred Paye and William and Janet Surrudge for the Hunt Club Subdivision located at 2264 Monroe Orleans County Line Road contingent on receiving a Building Permit for the shed, shed location being compliant with the code and new

location shown on map and easement document for driveway being received. This is a Type II Negative SEQR determination. The Board waives the need for a Public Hearing per Town Code 520-66J. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

Peter Tonery made a second motion but after some discussion that motion was withdrawn. Attorney Ken Licht stated that it is necessary that the revised Mylar of the subdivision be filed so that the proposed deeds conveying both parcels of said subdivision to F & B Upland Birds, Inc can be filed. Upon transfer of both parcels to the corporation, the corporation would be required to lease both parcels to Frederick Paye for a shooting preserve. After the Mylar is signed, filed and the deed is recorded then the Special Use Permit revision request can be addressed.

**MYLAR RE-SIGNING APPROVAL  
SONGBIRD SUBDIVISION**

**2222 BRICK SCHOOLHOUSE RD.**

The Subdivision was previously approved. There were no changes to the plan. There were no issues.

A motion was made by Tom Jensen, seconded by Dave Martin to grant Mylar re-signing approval for the Songbird Subdivision located at 2222 Brick Schoolhouse Rd. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION  
JOSEPH BRIGHTLY SUBDIVISION**

**499 DRAKE ROAD**

Darryl Moser from Schultz Associates was present representing Dean Brightly seeking Simple Subdivision approval for the Joseph Brightly Subdivision located at 499 Drake Road. Mr. Moser explained that the owner would like to subdivide off the lot with the house for his son. No construction is being proposed. A note "Not approved for building" has been added to the plans for the remaining lands. The house and all of the utilities servicing the house are contained on the new lot being created. We have received DRC comments from the County. There were no issues.

A motion was made by Mark Reeves, seconded by Ron Breslawski to grant Simple Subdivision approval to Dean Brightly for the Joseph Brightly Subdivision located at 499 Drake Road. County comments have been received. This is a Type II Negative SEQR determination. The Board waives the need for a Public Hearing per Town Code 520-66J. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION  
BUSH CREEK SUBDIVISION                      1289 WALKER LAKE ONTARIO RD.**

Adam Freeman from Land Tech was present representing Mr. and Mrs. Wilfeard seeking Simple Subdivision approval for the Bush Creek Subdivision located at 1289 Walker Lake Ontario Road. Mr. Freeman explained that they corrected the name of the creek to West Creek. This changes the name of the subdivision to the West Creek Subdivision. All Engineering concerns have been addressed. The note “not approved for building has been added to the plans” for the acreage that is being added. Limits of the creek have been shown and labeled.

Building Inspector Lee Nettin stated that County comments have not been received yet and it has not been 30 days since it was sent in.

A motion was made by Dave Martin, seconded by Mark Reeves to table the decision for the West Creek Subdivision until next month so County DRC comments can be received. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SUBDIVISION/SITE PLAN APPORVAL  
JONES-WALKER SUBDIVISION                      1243 WALKER LAKE ONTARIO RD.**

Rob Fitzgerald from Razak was present representing Mr. and Mrs. Wilfeard seeking Subdivision/Site Plan approval for the Jones-Walker Subdivision located at 1243 Walker Lake Ontario Rd. Mr. Fitzgerald explained that this is the middle subdivision for the same lot as the West Creek Subdivision. His clients are proposing to construct a single family house and detached garage on the lot. The lot will be 26 acres and serviced by public water and sewer. Monroe County Pure Waters would prefer that they tie into the existing town manhole to the north. They have received Engineering comments and are working on the sewer tie-in details with the County and the town. Mr. Fitzgerald explained that they discovered that Federal wetlands cover a large section of this lot. The proposed house location is 300’ from the wetlands. It is currently a wooded lot and they plan to leave the existing vegetation on the lot.

Chairperson Linda Morey stated that the proposed garage is very large and questioned its intended use. Mr. Fitzgerald stated that the owners intend to use the garage for personal storage only. They are proposing a 2 bedroom house.

Town Engineer J.P. Schepp stated that comments have been submitted. They need to work out the sewer details. The driveway will require a bump out per the Fire Code.

Building Inspector Lee Nettin stated that one bump out per the Fire Code is required for this length driveway. The driveway needs to be a minimum of 12' in width with a 13.5' height clearance along the entire driveway for emergency vehicle access.

Conservation Board member Jeanine Klopp stated that the Conservation Overlay District should be shown on the map.

Highway Superintendant Steve Baase stated that he is working with the County on the sewer tie-in for this property.

Chairperson Linda Morey stated that they would need an easement from the neighbor for the sewer tie-in.

A motion was made by Mark Reeves, seconded by Peter Tonery to schedule a Public Hearing for Mr. and Mrs. Wilfeard for Subdivision/Site Plan approval of the Jones-Walker Subdivision located at 1243 Walker Lake Ontario Rd. for November 7, 2011 at 7:30pm. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

#### **DISCUSSION**

Town Board Liaison Dave Rose stated that the Town Board is working on the 2012 budget. They have started meetings. They will schedule the next Zoning Workshop at the next Town Board meeting.

Lee Nettin reported to the Board that the owner of Keller International has complied by putting up his no parking signs in the fire lane per the motion.

#### **ADJOURNMENT**

A motion was made by Ron Breslawski, seconded by Mark Reeves to adjourn tonight's meeting barring no further business. Members polled Breslawski 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 Monday, November 7, 2011 at 7:30pm. Deadline for all fees is October 24, 2011 at 12:00 noon.**