

Hamlin Planning Board Minutes  
**Tuesday, September 2, 2014**  
 7:30 p.m.

The regular scheduled meeting of the Hamlin Planning Board was called to order by the Chairperson, Linda Morey at 7:30 p.m. at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The location of the fire exits and the AED were explained for those present. It was asked that all cell phones and pagers be turned off for the duration of the meeting.

Members present: Steve Lauth, Peter Tonery, Dave Martin, Linda Morey, Mark Reeves, Judith Hazen, and Dave Wolfe.

Also present: Jeanine Klopp Conservation Advisory Member, Keith O'Toole Planning Board Attorney. J.P. Schepp Town Engineer excused.

Resident representatives present: Dave Matt Schultz Assoc., Rich Maier DDS, Ray Wenzel Clark Patterson.

Residents present: Brenda and Mark Pangrazio, Stanley Skupsky, Joe Heberle, Paula Reis.

A motion was made by Dave Wolfe, seconded by Judith Hazen to approve the August 4, 2014 meeting minutes as presented.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Mark Reeves abstain, Judith Hazen aye, and Dave Wolfe aye. Motion carried.

### **Proof of Publication**

**Chairperson Linda Morey** stated that the Brightly Continuation of Public Hearing has been cancelled until October 6, 2014 due to no new submittals. The Cook Road Agenda item was inadvertently advertised as a Public Hearing.

### **AGENDA**

#### **CONSERVATION CORRIDOR DEVELOPMENT PERMIT**

**STANLEY SKUPSKY**  
**6330 SHORE ACRES DRIVE, HILTON**

Application for Stanley Skupsky seeking "Conservation Corridor Permit" pursuant to Town Code §520-24(2) (a) (b) for proposed additions to an existing house located at 6330 Shore Acres Drive, Hilton. The applicant has been before the Zoning Board and has received all of the necessary variances for the proposed development.

Ray Wenzel from Clark Patterson represented Mr. Skupsky before the Board.

**Dave Wolfe** asked about the contour map at one foot intervals. Ray Wenzel responded that he does not have a contour map. The site is real flat and I'm not even sure that there is a 1 foot difference between the lakeshore edge to the street side. Dave commented that the application states that it is on here but it is not here. Ray Wenzel states that he does not have a contour map.

**Steve Lauth** had a comment that the addition is being pushed a little farther towards the water. Doesn't it block the neighbor's view? Ray Wenzel responded that actually the neighbor's house to the east is forward of the addition and the neighbor's house to the west I believe it is far enough away. There have been no issues brought up by neighbors at Public Hearing.

**Linda Morey** commented that the new proposed structure (deck) is close to the lake. The Conservation Overlay requires a 35' front setback. Is there any way of putting the addition in any other direction rather than closer to the water.

Ray Wenzel responded that there were a couple of modifications and figured that the one towards the lake was the best location for the addition and deck.

**J.P. Schepp's** comments had been received and one of them pertained to the proximity to the lake.

**Cheryl Pacelli** stated that all should adhere to the 35' minimum setback from the lake as required by the Town Code. On the other hand a lot of the lots along the lake are all varied sizes and I think you are going to find a lot of them are closer than that. I would like to see 35' adhered to if at all possible.

**Keith O'Toole** added that there was a LOMA submitted that took the existing structure out of the Flood Hazard Zone. If you are adding the addition then conceivably you are building right back into the Flood Hazard Zone. I would like to see a plan that shows the base flood elevation relative to the proposed structure. Then not only do we have to deal with the site plan considerations you normally do but there is also a Flood Hazard Code and they are required no matter what this board does to build at least 2 feet above the base flood elevation for any residential structure including the basement floor. Depending on what the base flood elevation is that could prove problematic. When you add an addition where the basement is way up in the air to accommodate the base flood elevation and it doesn't match up with the existing structure. I'm not sure how that works. I would also like to add it would also affect the site plan in terms of grading and topography and drainage and so on. Nothing else.

**Jeanine Klopp** stated that the *Conservation Advisory Member* that completed the site visit stated that it is consistent with the LWRP but there are concerns about the required 35' front setback.

**Peter Tonery** added that they should look at Town Code§520-24 of the Conservation Overlay District. There are quite a few things that are required to be on the map. He commented on the earlier comment made about other properties along the lake being close to the water's edge. So many of these predate any of these laws. Ray Wenzel suggested that per the site plan, if the deck were removed then the proposed project would meet the 35' setback. Then the addition would be kept and the 35' front setback would remain.

**Mark Reeves** asked that the Flood Elevations be on the map.

**Dave Wolfe** also stated that the contour should also be on the map.

**Keith O'Toole** added that the 100 year Flood Plain Line should show on the map.

A motion was made by Peter Tonery, seconded by Dave Wolfe to table the application for Stanley Skupsky until the October 6, 2014 Planning Board Meeting for the submittal of changes to the plan.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Mark Reeves aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

## **AGENDA**

### **SINGLE LOT SUBDIVISION**

### **CREEKSIDE ESTATES SUBDIVISION**

Application for Diamond Builders & Remodel, Inc. seeking "Preliminary & Final" Single Lot Subdivision Approval pursuant to Town Code§520-65C for Creekside Estates Subdivision to be located at 4300 Brick Schoolhouse Road, Hamlin in an "R-M(Residential/Medium Density) zoning district".

### **DIAMOND BUILDERS & REMODEL, INC.**

### **4300 BRICK SCHOOLHOUSE ROAD, HAMLIN**

Dave Matt of Schultz Associates represented Diamond Builders & Remodel Inc.

This subdivision is named Creekside Estates located at 4300 Brick Schoolhouse Road, Hamlin. This is a 2 acre parcel with Town land on two sides and in proximity ( more than 100 feet away ) to Sandy Creek in an "R-M (Residential/Medium Density) zoning district". It is in proximity to the old Hamlin Waste water treatment Plant so it is actually on sewers as opposed to the normal leach fields. It also has public water, electric and will tap into all of those utilities. The comments from J.P. have been received. His first comment was that it is almost entirely in the Conservation Overlay District. There are Federal Wetlands that run along the back side of the

property. The 200' overlay encompassing almost the entire piece. Since the property is only 109 ' long. So we know that and I had some conversations with the Chairman of the Conservation Board so that was discussed. The east boundary information will be added to the plan. A drainage easement over the top of the swales on the eastern side which takes road side drainage. It was asked that the developer talk to the Town of Hamlin Sewer before any sewer work is started.

**Linda Morey** asked if there was a letter of credit for the proposal. J.P.Schepp did not mention that in his correspondence concerning the proposal. Dave Matt responded if there is one it probably will deal with the sanitary lines and connections.

**Attorney O'Toole** had no strong opinion on the Letter of Credit.

**Jeanine Klopp** that it is in the Conservation Overlay District and there is heavy vegetation that would be needed to be cleared for the house and barn.

Dave Matt stated that is in the 100 year flood plain but the property has already been filled in. The homeowner is eager to start this project.

**Mark Reeves** asked that a "do not clear past here line" could be added to the plan.

**Mark Reeves**, Steve Lauth, and Dave Wolfe all agreed that a stipulation be put in place that all permits shall be pulled at one time.

**Mark Reeves** asked if the floor of the barn would be concrete. Dave matt explained that it would basically be a detached garage for the storage of belongings until the house is built.

A motion was made by Dave Wolfe, seconded by Mark Reeves to grant "Preliminary" Single Lot Subdivision Approval pursuant to Town Code§520-65C for Creekside Estates Subdivision to be located at 4300 Brick Schoolhouse Road, Hamlin in an "R-M (Residential/ Medium Density) zoning district. This a Type II negative SEQR. A Public Hearing will be scheduled for November 3, 2014.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Mark Reeves aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

## **AGENDA**

### **MURPHY SUBDIVISION**

**CRAIG MURPHY**

**505 COOK ROAD, HAMLIN**

Application for Craig Murphy seeking "Preliminary & Final" Single Lot Subdivision Approval pursuant to Town Code§520-66J(1) to subdivide a 10 acre parcel off a 66.850 acre parcel that includes an existing house located at 505 Cook Road, Hamlin in an "R-VL (Residential/ Very Low density) zoning district". The Conservation Board has completed the LWRP site visit required for all applications north of the LWRP boundary line.

Rich Maier of DDS represented the applicant before the Board.

The Planning Board clerk contacted the County to get the County Comments which were not received.

It was determined that the Ag Data statement needed to be presented and it was not completed by the deadline.

Linda Morey asked Rich Maier if he had seen the comments and he responded yes.

Building Department had no comments.

Attorney O'Toole had no legal issues.

Conservation Advisory Board had no comments.

Chairperson, Linda Morey stated that since the application has been before the Board for 30 days would they like to do a conditional approval until the AG statement is received.

A motion was made by Dave Martin, seconded by Peter Tonery to grant “Preliminary” Single Lot Subdivision Approval pursuant to Town Code§520-66J(1) to subdivide a 10 acre parcel off a 66.850 acre parcel that includes an existing house locate at 505 Cook Road, Hamlin in an “R-VL (Residential/ Very Low Density) zoning district”. The county comments are in. This is a Type II negative SEQR. This is conditional on receiving the Ag Data Statement. The LWRP has been completed by the Conservation Advisory Board.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Mark Reeves aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

A motion was made by Dave Martin, seconded by Peter Tonery to grant “ Final” Single Lot Subdivision Approval pursuant to Town Code§520-66J(1) to subdivide a 10 acre parcel off a 66.850 acre parcel that includes an existing house locate at 505 Cook Road, Hamlin in an “R-VL (Residential/ Very Low Density) zoning district”. The county comments are in. This is a Type II negative SEQR. This is conditional on receiving the Ag Data Statement. The LWRP has been completed by the Conservation Advisory Board.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Mark Reeves aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

## **DISCUSSION**

Dave Rose, in absence, had nothing to report from the Town.

Linda Morey asked if a Zoning Workshop had been scheduled for the month of September.

There was an informal discussion by the Board members on the Brightly Farm Market.

## **ADJOURNMENT**

A motion was made by Mark Reeves, seconded by Dave Wolfe to adjourn tonight’s meeting barring no further business.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Mark Reeves aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

Minutes respectfully submitted by:

Cheryl J. Pacelli  
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Planning Board will be held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin on Monday, October 6, 2014 at 7:30 p.m. The deadline for all applications is Wednesday, September 17, 2014 at 12 noon.