

Hamlin Planning Board *Minutes*
Monday, October 6, 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 (excused), 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, Steven Baase Highway Superintendent, Cheryl Pacelli Building Inspector, Jennifer Goodrich and Jason Baxter Town Councilpersons.

Resident representatives present: Dave Matt Schultz Assoc., Ray Wenzel Clark Patterson, John Sciarabba LandTech, Frank Maggio Attorney.

Residents present: Brenda and Mark Pangrazio, Stanley Skupsky, David Markle, Edward Hendershot, John Lee, Robert H. Slocum, Jim Carholl (sp), Roberta & Ron Fey, Jeff & Lora Partyka, Dave & Barb Wilson, Jeromy Spencer, Kim Walter, Linda DeRue, Margarita Rodeman, Brian Stell, David Sheldon, Vicky Fredlund-Feathers and Dean & Betsy Brightly, Judy & Ed Doan, and James Doan.

A motion was made by Dave Wolfe, seconded by Dave Martin to approve the September 2, 2014 meeting minutes as presented.

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

AGENDA

MYLAR RESIGNING

**JOHN & LINDA DERUE
317 REDMAN ROAD, HAMLIN**

Mylar requires re-signing by the Planning Board Chairperson as the filing date to the County has expired. Linda DeRue reports there have been no changes to the plan.

A motion was made by Peter Tonery, seconded by Dave Wolfe to re-sign the Mylar for 317 Redman Road, Hamlin.

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

AGENDA

COMMERCIAL SITE PLAN

**JEFF & LORA PARTYKA
1700 LAKE ROAD, HAMLIN**

Application for Jeff & Lora Partyka for Commercial Site Plan Approval pursuant to Town Code§520-19A(2)(u) for a restaurant that will serve breakfast and lunch along with farm fresh produce to be located at 1700 Lake Road, Hamlin.

Jeff & Lora Partyka represented themselves before the Board.

They gave an overview of their proposed plans for a diner to be located at 1700 Lake Road, Hamlin. They plan on serving breakfast and lunch and sell their own produce outside against the building under a proposed awning.

Linda Morey asked if the produce stand that is there now would be removed and if the produce would be sold up against the building. Jeff remarked that is correct.

J.P. Schepp responded that the drawing presented was difficult to interpret. There are run off and drainage issues along with the tally for additional parking to be addressed. A good portion of the area will need to be paved and the snow removal/storage needs to be looked at. Per the restaurant, site lighting and signage at the site needs attention. The dumpster may not meet the buffering, set back, and screening requirements the way it is shown on the plan. The visibility at the intersection needs to be addressed. There are 2 triangles that are supposed to be kept clear, one is a 20' triangle at the corner cannot have anything in it. A larger 75' triangle that is supposed to be clear of anything higher than 4 feet. The lot to the east is residential and will need buffering and/or screening which is required.

The Partykas state they can address these issues.

Linda Morey stated that the plan is probably not to scale.

Lora responded that the east side is buffered by a hedgerow. The snow removal, like life solutions, all have the same issue, snow moved to the north. They also have the equipment ability to remove the snow. There is a variance for that property for the lot size setbacks. They know they have to screen the dumpster on 3 sides.

Steve Baase stated that all the issues that he had were already addressed by J.P., especially the corners for sight. Jeanine Klopp had no comments from conservation.

Attorney O'Toole stated that the building owner is a client of his so he will not be giving any advice on this matter. If there are any questions refer them to Town Attorney Ken Licht.

Lora Partyka stated as far as the run-off all the parking lots in the area face the road and all have the same pitch for drainage.

Linda Morey asked if they want to take all of J.P.'s comments and try to get them worked out and then come back to us after you have had the chance to do that. Jeff Partyka asked what else needs to be addressed that we haven't. Lighting: there are street lights all around that area and we are going to place some small lights around the building. Linda stated that the parking is probably the biggest issue. Try to get it to scale. On the plan the parking spaces are smaller at one end than the other. The parking spots are dependent on the seating/tables inside the building. There are a few different uses at the site so all would have to be tallied for the correct amount of parking spaces. They have planned for 15 parking spaces. There will be 8 to 10 tables in the restaurant. There will be enough parking for 3 employees per shift. All of the proposed activities are independent of each other held at different times.

J.P. Schepp suggests that all of these items are addressed so that when you come back to the Board they have been all addressed. He also explained the clear view required at the intersection.

Mark Reeves asked that a more professional plan be submitted, showing clear visibility, the depths and widths for parking areas are defined. The interior seating, booths, tables and stools at the counter labeled better.

Linda Morey stated that it is even more important for this piece of property because you are dealing with 2 major highways and there is not a lot of space and I think it is paramount that it be done to scale. It will also give you the inside of the building a better sense of how much space you need for everything in here.

Peter Tonery added that because it is in the center of town we really need a good record. The 75% buffer with impervious surface you would be well off to get someone to help you to put this together.

Mark Reeves added that it needs a buffer on the east side. Not sure if existing hedge will make it or a privacy fence may be needed.

A motion was made by Peter Tonery, seconded by Dave Wolfe to table the application for Commercial Site Plan indefinitely until the issues brought up are addressed.

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

AGENDA

SITE PLAN MODIFICATION

**DAVID MARKLE
1422 LAKE ROAD WEST FORK, HAMLIN**

Application for David Markle seeking “Preliminary & Final” Site Plan modification pursuant to Town Code §520-65(5)(b) to add a recycling compartment to the property located at 1422 lake Road West Fork, Hamlin in a “C-GB(Commercial/General Business) zoning district”.

Mr. Markle represented himself before the Board.

Mr. Markle came before the Board earlier for a site plan for a Bottle & Can Redemption Center business. He has since that time added a non-conforming container to the north side of the property where he stores his redemption cans & bottles for pick up.

Linda Morey added that the structure is already on the premises.

Dave Martin commented that Mr. Markle brought in the storage container.

Town Engineer, J.P. Schepp commented that it is a dumpster and there is nothing in the code to refer to it as anything else. It should be labeled on the site plan as a dumpster and the setback and the screening needs to be addressed.

Linda Morey added that the container needs to have a 10’ setback from the existing building. It now has an 8.5’ setback.

Dave Martin added that it is not a dumpster.

Linda Morey responded that it will need a Public Hearing for a change on the property.

Attorney O’Toole added that it needs a site plan

Conservation board had no concerns.

Mark Reeves suggested that Mr. Markle take pictures and that it needs a site plan and a Public Hearing.

A motion was made by Dave Wolfe, seconded by Mark Reeves to schedule a Public Hearing for the application of David Markle for a Commercial Site Plan Approval for November 2, 2014 at 7:30 p.m. at the Hamlin Town Hall.

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

AGENDA

SITE PLAN APPROVAL

**JEROMY & ELIZABETH SPENCER
292 WALKER ROAD, HAMLIN**

Application for Jeromy & Elizabeth Spencer seeking “Preliminary & Final” Single Lot Subdivision Approval pursuant to Town Code§520-65C for subdivision to be located at 292 Walker Road, Hamlin in an “R-VL(Residential/Very Low Density) zoning district”.

Dave Matt from Schultz Associates represented Jeromy & Elizabeth Spencer before the Board.

It is a 34 acre parcel with 3 lots located at 292 Walker Road, Hamlin. They proposal will split a portion of the parcel into two 5 acre lots and leave the remaining land whole. He leach field is in a good area. There will be a shared driveway and it will have a maintenance agreement. The house will be 300 feet off the roadway and they propose to build the barn before the house. They plan on building the house within 2 construction seasons.

J.P. Schepp added that according to the development regulations a shared driveway needs to be a 16’ paved driveway. There has to be enough room for emergency vehicles. As a result of 2 homes sharing one driveway there will be more wear and tear on the driveway.

Linda Morey added that the driveway width is important and that the entrance and ROW has to be paved per DOT.

Dave Martin stated that the new map should show the culverts.

A motion was made by Dave Martin, seconded by Mark Reeves to schedule at Public Hearing for December 1, 2014 for the application for “Preliminary & Final Site Plan Approval for 292 Walker Road, Hamlin for Single Lot Subdivision Approval in an “R-VL (Residential/Very Low Density) zoning district”.

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

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.

This application was tabled from the September 2, 2014 meeting. The engineer will provide the requested information. This application has been deemed consistent with the policies of the LWRP.

Ray Wenzel for Clark-Patterson represented the applicant before the Board.

The applicant is back with the information requested by the Board on the map. The deck width from the house to the water edge will be reduced by 2.5' to meet the 35 foot front setback code requirement.

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

Conservation remarked that it is consistent with the policies of the LWRP.

Attorney O'Toole had not comments.

Building Inspector Cheryl Pacelli asked about the footers on the new portion of the deck. Ray Wenzel stated that they will use new materials.

A motion was made by Peter Tonery, seconded by Mark Reeves to grant approval for the application for Stanley Skupsky for "Conservation Corridor Development Permit" located at 6330 Shore Acres Drive, Hilton on the condition that the deck be 35' from the water. This a Type II Negative SEQR. The permit is valid for one year.

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

AGENDA

CONSERVATION CORRIDOR DEVELOPMENT PERMIT

**DAVID & BARBARA WILSON
7850 NEWCO DRIVE, HAMLIN**

Application for David & Barbara Wilson seeking a "Conservation Corridor development Permit pursuant to Town Code§520-24(C)(1) to add a 12' x 20' extension to an existing deck. This application has received all variances requested from the Zoning Board and has been deemed consistent with the policies of the LWRP.

Mr. & Mrs. Wilson represented themselves before the Board.

They propose to add an extension onto the existing deck which would bring the total deck area to 8' from the water. The code states that in an S-R (Shoreline /Residential) zoning district a minimum setback on the water (front) side is 35 feet.

Judith Hazen asked if a consideration could be as a result of the neighborhood.

Linda Morey responded that the Zoning Board has no jurisdiction on this matter.

A motion was made by Mark Reeves, seconded by Peter Tonery to deny the application for David and Barbara Wilson proposing a deck addition which would place the deck 8' from the water.

Members polled: Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen nay, and Dave Wolfe aye. Motion carried.

AGENDA

SITE PLAN APPROVAL

**EDWARD HENDERSHOT & JOHN LEE
1250 ROOSEVELT HIGHWAY, HAMLIN**

Application for Edward Hendershot & John Lee seeking “Preliminary & Final” subdivision approval pursuant to Town Code§520-11B(1) for a 1.7 acre parcel that contains an existing barn in an “R-VL(Residential/Very Low Density) zoning district”. Also, a Special use Permit pursuant to Town Code§520-11(3)(a) to use the building for a plant/tree development nursery which is a principal use permitted subject to a Special Use Permit Approval by the Planning Board.

John Lee represented himself and Edward Hendershot before the Board.

There is an orphaned barn located on 1.7 acres. The barn is not utilized. The proposal is to use the barn for indoor plants, outdoor small trees. It is his hobby and there will be no retail sales involved.

Linda Morey stated that no SUP is needed.

Town Engineer J.P. Schepp had no comments as it is not retail sales.

Conservation Board had no issues.

John Lee stated that it has been used for storage for many years. All plants would be in the barn for the winter. No heat is needed. The small seedlings will be in small pots. There will be no traffic in or out and no lighting needed. All the electric has been updated by National Grid and is well maintained.

Attorney O’Toole stated that no site plan is needed. It is an AG operation and is a permitted use.

No motion is needed.

Proof of Publication

The clerk read the proof of publication.

PUBLIC HEARING

SINGLE LOT SUBDIVISION

CREEKSIDE ESTATES SUBDIVISION

DIAMOND BUILDERS & REMODEL, INC.

4300 BRICK SCHOOLHOUSE ROAD, HAMLIN

Application for Diamond Builders & Remodel, Inc. seeking “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”.

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

This is for 2 lots consisting of 2 acres. There is a proposed house on one lot and a barn on the other. There is public water and sanitary sewer. The development needs to be coordinated with Hamlin. The line on Lot #2 needs to be shown.

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

Steve Baase, Highway Superintendent had no issues.

Conservation asked for all natural vegetation to be retained as much as possible.

Attorney O’Toole had no legal comments.

Building Department concerns had been addressed.

Chairperson Linda Morey opened the *Public Hearing*.

It was asked that anyone wishing to speak to stand and state their name and address for the board. There were no comments or concerns from those present.

Chairperson Linda Morey closed the *Public Hearing*.

A motion was made by Dave Wolfe, seconded by Judith Hazen to grant "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". This is a Type II Negative SEQR.

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

CONTINUATION OF PUBLIC HEARING
FARM MARKET

JOSEPH BRIGHTLY
525 DRAKE ROAD, HAMLIN

Application for Joseph Brightly seeking "preliminary & Final" Site Plan Approval pursuant to Town Code§520-65 and Special Use Permit pursuant to Town Code§520-11 for a proposed farm market to be located at 525 Drake Road, Hamlin in an "R-L(Residential/Low Density) zoning district".

John Sciarabba of LandTech represented the applicant before the Board.

There has been a lot of feedback from the neighbors in the area. As for the wetland issue, the Army Corps of Engineers were on site today and there was a determination of no wetlands in the 400' x 400' area for the proposed farm market. So they have no jurisdiction in the area of the proposed farm market. The traffic study was submitted at an earlier meeting. The DOT did not like any lot access off Route 18 (Roosevelt Highway). They are asking for final approval tonight.

Linda Morey asked about the Farm traffic on route 18. On the west end of Route 18, there will be seasonal access by farm equipment. They stated that they have applied to the Town for farm equipment access in June 2014.

J.P. Schepp stated that all of his engineering concerns have been satisfied.

Linda Morey asked if you do not get farm equipment approval for Route 18, what will you do.

Dean Brightly responded that they do have access to the area on 18 without a culvert, but they would like a culvert.

Dave Wolfe asked about the services to be provided, greenhouse, pumpkins, corn, bakery, and kitchen.

John Sciarabba responded that the intent was to sell pies and snacks and beverages. Those have been removed from the plan and there will be no restaurant there and it is no longer on the plan. If a restaurant is needed they would apply for an SUP and go back to the Board.

Jeanine Klopp of the *Conservation Board* had nothing to add.

Steve Baase, Highway Superintendent, does not like the distraction at that intersection while the State is working on the other driveway.

Peter Tonery commented that he would like to see the driveway shown for the farm machinery and the low truck traffic for the business on the plan.

John Sciarabba added that they don't plan to have 18 wheelers on the property.

Dave Wolfe stated that he was at that intersection on Sunday and there was a lot of traffic with no issues or disruption of traffic.

Jeanine Klopp asked about the parking lot. Will it be paved pavement?

John Sciarabba stated that they would check out stone.

Steve Baase stated that there would be approval needed for type of payment.

Attorney O'Toole asked that the 400' area of wetland be drawn on the map.

Chairperson, Linda Morey opened the *Public Hearing* and asked that anyone wishing to speak to please stand and state their name and address.

Mike Mitchell of 2819 Church Road, Hamlin stated that this farm market would be good for the Town of Hamlin. We are an agricultural area and I think it will be good for the competition. It will be a good asset to the Town of Hamlin.

Brian Stell of Drake Road, Hamlin lives right across the street where the driveway is going to be and he has talked to Dean and have discussed his issues, overflow traffic parking in his yard and 18 wheeler trucks. He feels that Dean has covered what he wants to see.

Ed Doan of Redman Road, Hamlin is a long time resident and I think that I would have liked to have seen this stand up earlier in the year. Somehow there has been miss-communications with policies and I think it should have all been displayed in the beginning.

Kim Walker of Fencewood Lane Is concerned about the traffic with the farm stand and the location of the entrance. This is a safety concern. Ernie Mellas was not able to be here but he also is concerned about the parking in the road. She would like a definition of seasonal activities and the impact of them in the area. Also, the lighting, noise, and foot traffic near various properties is an issue.

John Sciarabba stated that it is a residential road and we have had professionals look at this plan. The County DOT and State DOT and a traffic engineer, all licensed professionals looked at this and the use of this is in the nature of the neighborhood and should be allowed. There will be no parking on the road. The DOT has stated on their plan that they don't want that. There will be 14 parking spots. Drake Road is the safer road and the DOT doesn't want community access on Route 18.

Kim Walker is concerned about the light spill concerning residents in the area.

John Sciarabba responded there is residential lighting around the building. There are no poles out in the field. Just trying to keep it residential in nature but have activities.

Bob Slocum from Kendall stated that one thing he is looking at is the plan right now is to have a 400 ' lot. From what I've seen they are operating and I have gone there it looks like they have 160 ' between the stands as they now sit and the center of the road. So the parking right now is extremely less than what the plan they are suggesting. So my opinion is the parking problems that the lady raised will no longer be there because there will be adequate parking.

Steve Baase commented that the driveway hasn't been moved yet to the south. The driveway placement is closer to Route 18 than what it will be once it is moved further to the south.

Brian Stell commented that the parking lot is closer to the road now and Dean and he talked yesterday and last weekend when it was really nice out the cars were literally on the side of the road parked. His issue was traffic coming in and out of there and the overflow traffic.

Vicki Fredlund-Feathers of Fencewood Lane wondered why that spot was chosen because it does back up to residential land. . Maybe a better site could have been chosen without these problems. If you can bring in equipment on 18 why not use that for parking access. I understand the traffic flow, but there is also traffic flow on Drake Road as well, and you are in a residential area. There are concerns with the children in the area. It is not an ideal spot to place something like that, because I think of McCrackens and they are off in a field where they are not going to impact any residential area. This is a big change to our area. What are the parameters to the timing of when you will do things and are you going to be restricted to that area or have the wetlands been designated in there for the rest of it. Our yard is totally wet. I would like to know longevity if you are proposing to have a corn maze or something how much you are going to stipulate all of these rules for them have the lighting situation, the property situation of people coming in to it, is there going to be some kind of barrier put up. Now we are being imposed upon as possibly having a commercial thing happening to our private properties, visually. And, you could have more vandalism or something like that because we have been a private area. So, I guess I object to the placement of it. Farm markets are great if they are placed in the right place. I am concerned, the traffic flow, the area, the lighting, the security of the place and as far as 18 goes you can have two extra lanes so you can have a turn off. So you don't have to worry about slowing down traffic. You can do that on Drake as well. So, and plus with the parking situation if this go forth then why only 14 parking spots. How are you going to accommodate a larger influx of people, because everybody loves harvest time and their produce and things like that? I think that we are being naive to think that it is only going to be 14 spaces when 2 -4 of those will be taken up by employees. I also think that turning it would also help. I am very concerned about our area, very concerned about what this is going to do our residential area. It is commercializing it. I am not real happy with that even though I love the fact that there is produce. I don't like the location. I think that it is a poor choice for the people that are living there. I hope that there isn't going to be an accident. What you had addressed sir, about talking to a lawyer. It is kind of a mute point if we are already going ahead with it that is in retrospect they aren't going to change that afterwards.

Frank Maggio responded that his only point was that the experts have said that this is not going to create any further burden. If there already is a burden well that is something else not something that the Brightly's can address.

Vicki Fredlund-Feathers responded No, but if it is raised it needs to be addressed ahead of time so that they are not spending money placing it there and then to go OH, we have had 3 deaths from accidents. It is better to be proactive than reactive in that respect. So, if we as citizens in the area are saying that there is going to be a problem with that somebody should listen ahead of time.

Frank Maggio responded that DOT is the agency.

Vicki Fredlund-Feathers responded that they do not live here. Let's be realistic...that is statistical, that is not reality.

Peter Tonery responded that they are the ones with jurisdiction, we don't have jurisdiction over the DOT. So we can't overrule the State. So if it is their conclusion that it is safe then we have to live with it as well.

Gavin Vogt who lives on Drake Road commented that he has yet to see a major problem with traffic down there, and I think it is busy because people want it. If people didn't want it there they would not be there buying his produce. It is something that people want in this town and they are using it as it is already. You are just making it hard on the guy to put something nice on the corner that is part of the nature of this town. The people on Fencewood are mad because they lost all of their playgrounds in their back yard that they didn't own in the beginning. He cleaned it out to run his business. He owns the property. People want to buy his produce and

they are using it. I haven't seen a problem with it and I live on the road. If you don't want your kids walking on Drake Road, keep them on Fencewood. My son is here with me, we use it all the time.

Judy Doan from Redman Road stated that she would like to see this project move ahead. I understand their concerns about traffic but I do a lot of business with farm markets and you would be surprised the traffic area that some of these markets set in. I believe that these two people are responsible enough that if they want to keep customers coming to their stand they got enough land there that they are going to address this problem. They are not going to want to put anybody's life in jeopardy because they don't want to put their business in jeopardy. So I think this project should move along and let us take a chance on this thing. Let us go ahead with this and evidently people want this stand there. I have driven in there on a Saturday morning and I was concerned about getting back out of there but it was no problem getting out. Whether you want to admit it or not every road in this Town is dangerous. Everybody runs the signs. We have had a lot of accidents on roads in the town that don't have businesses on them. They have plenty of room to address this problem. The reason that employees are parking in front and taking customers spots is because they want it to look like somebody is there giving them business. They are not going to take up them spots if they are needed. They are going to park behind. That is where the deliveries are going to go. They don't want to interfere. Let me tell you, a lot of farm markets, you go to Webster, go down by Latta Road and see Green Acres; they have housing all around them. If you really want to see how these farm markets really sit. Take a tour. We got lots of farm markets in this area. Take Transit Road to Lockport see their farm markets. They deal with these problems all the time. They want a customer, they deal with the problem.

A resident commented that she doesn't object to the farm market so much. It is just the location of the entrance that concerns me. I just wanted to reiterate that. I understand that you are going to be there and there is nothing much I can do about that. I'm concerned with the entrance on Drake Road. I'd prefer it to be on 18 down further. You've got a wider shoulder on 18 to allow more traffic to allow more patrons to get in.

Jim Preston from Zig Zag Road, Albion commented that my grandmother is Helen Heberle and has lived on Redman Road for years. Everyone has always said that they should expand and be bigger but they want to stay small. He gave the example of Hurd's orchards on Ridge Road...terrible parking and they have been there for years. I don't see where there is an issue with the parking. The farm market will bring in a lot of people from outside the area.

A resident commented again, just to say about parking and the access. I still think that Rte. 18 is better. I do not want me neighbors to have the parking in their front yards.

Ron Fey of 60 Alderbush Lane commented that where the location of the stands as it is now and the location of the new building, the parking will be pushed back away from the road. The parking lot will be expanded. Is it feasible to say that if you need more parking you have room for more parking? He would like to see this move forward. It could be very beneficial to the town.

Dean Brightly responded that the parking will be towards the South.

John Sciarabba stated that they are asking for this plan and it does not show parking on Drake Road. If he wants to expand they will have to come back to the Planning Board. There is no plan to expand. They want to see how this works.

Linda Morey commented that if patrons are parking along the road that is a law enforcement issue.

A resident asked if there any way that you can use the existing parking lot as a pull off/ pull in kind of a driveway? When they are coming off of 18 to the market, maybe a turn lane off of Drake Road. Extra spots might be needed onto the farm lot for the few weeks there are busy during harvest time.

Eric Peters of 1397 Brookedge Drive is in support of the project and any business that comes to town as far as I'm concerned is a good thing. A couple of things, Drake Road is a busy road because there are two 300 unit trailer parks that are down to the north of this proposed market. But, the bulk of the traffic issue would be in that area. This will not exasperate that situation. Most businesses would be happier than happy to have so many customers that they would have to park on the road. Overflow parking can be handled in the fields. The nature of the business, in my opinion, is a transient, people are only there for a short period of time to pick pumpkins or whatever and then they leave. We are not looking at an event where there are movies or people where they are going to sit for 2 or 3 hours and fill a parking lot with 50 or 60 cars because of a single event. The people are in and out buying produce, pies, and jellies. I think it is a good thing for the town and I would like the project move forward.

James Campbell of Hillcrest Drive and he can't wait to see the farm market go up. We have been buying fresh produce from them since the stand started. To me it sure beats seeing another housing track.

At this time, **Chairperson, Linda Morey** closed the *Public Hearing*.

Dave Wolfe had a question for Steve Baase. My background is in law enforcement and I was involved in a lot of these different projects, a big soft ball field out in Scottsville years ago that used to drive us crazy with parking. The town had to put up no parking signs. It might be a good idea to petition the County for signs for that area along the roadway. Steve Baase responded that it is a County issue.

Dave Martin asked for clarity on their intentions on including a bakery, kitchen, ice cream, etc. snacks and beverages. You will have a sit down? There will be no sit down. It will all come to the counter. Linda Morey asked that there will be no tables and chairs inside. They would have to come back for anything else.

A motion was made by Dave Wolfe, seconded by Judith Hazen in the matter of the SEQR. This matter is classified as an unlisted action and we acknowledge receipt of the environmental assessment form and a determination of no significant environmental impact therefore we do not require an environmental impact statement.

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

A motion was made by Dave Wolfe, seconded by Judith Hazen to grant the application for Joseph Brightly seeking "Preliminary" Site Plan Approval pursuant to Town Code§520-65 and Special Use Permit pursuant to Town Code§520-11 for a proposed farm market to be located at 525 Drake Road, Hamlin in an "R-L(Residential/ Low Density zoning district. To be approved pending on drawing the area of jurisdictional determination of the Army Corps of Engineers.

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

Linda Morey commented that you are going to come back to us with the wetlands shown on the map. John Sciarabba respectfully asked if they could go for Final tonight subject to the Town Engineer and/or the Town Attorney making sure that little note is on the plan. Other than that the plan is not going to change.

Attorney O'Toole responded that he does not have to review a set of plans to determine that a box has been added with a note. I think that the building department can do that to see if it is there or not.

A motion was made by Dave Wolfe, seconded by Judith Hazen to grant the application for Joseph Brightly seeking "Final" Site Plan Approval pursuant to Town Code§520-65 for a proposed Farm Market to be located at 525 Drake Road, Hamlin in an "R-L(Residential/Low Density) zoning district". This is subject to the conditions: that the drawing of the jurisdictional determination of the Army Corps of engineers is on the map and verified by the Building Inspector.

Peter Tonery has a concern about not receiving an answer about the overflow parking, the paving, which was explained by the engineer.

Mark Reeves had a comment before his vote. Green Acres, Apple Annies, Buttonwood Farm, Brown's Berry Patch, Circle R are all off Rte.18 entrances and exits on Rte. 18. Roosevelt Highway has Brown's and Circle R. I think that this is a bad spot. I think it should be off Rte. 18. I like the idea and I like the concept and people support the concept. But to me a curb cut getting off at Rte. 18 would be great. Then you could have all of the parking that you want and room to move. Right now you are boxed on the corner. You come in for something bigger; you have leach fields to contend with. You can't go anywhere north or east. You are stuck up against the corner. You are done so I vote no.

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

DISCUSSION

ADJOURNMENT

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

Members polled: Peter Tonery aye, Dave Martin aye, Linda Morey aye, Mark Reeves aye, Judith Hazen aye, and Dave Wolfe aye. 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, November 3, 2014 at 7:30 p.m. The deadline for all applications is Wednesday, October 22, 2014 at 12 noon.