

Hamlin Planning Board *Minutes*  
**Monday, July 6, 2015**  
 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:** Linda DeRue, Steve Lauth, Peter Tonery, Dave Martin, Linda Morey, Judith Hazen, and Dave Wolfe.

Also present Town Councilperson David Rose

Resident representatives present: Rich Maier of Maier Land Surveying

Residents present: Dan Gaesser, Patricia Young, Kathy Ingham, Dan Ingham, Chip White, Linda Collini, Andrew Collini, Sara Lafaro, Carmen Collini Jr., Jeanine Klopp, Lauren Nice, Ogugwa Uzorka, Bruce Proctor, Jeff Ackles, and Andrew J. Leja.

A motion was made by Judith Hazen, seconded by Dave Martin to approve the June 1, 2015 meeting minutes as submitted.

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

**Proof of Publication**

The clerk read the Proof of Publication to those present.

**PUBLIC HEARING**

**SINGLE LOT SUBDIVISION**

**ESTATE OF WALTER G. GAESSER  
 GAESSER SUBDIVISION 579 MORTON ROAD**

Application of the Estate of Walter G. Gaesser; owners: Estate of Walter G. Gaesser; for "Preliminary & Final" Single Lot Subdivision located at 579 Morton Road in an R-L zone. Tax account# 011.04-1-17.

Rich Maier of Maier Land Surveying represented the applicant before the board. He gave an overview from the previous meeting. There has been a slight modification. The frontage has been altered from 15 feet to 30 feet per the DOT.

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

Conservation Board Member Jeanine Klopp had no issues.

Planning Board Attorney O'Toole had no legal issues.

Chairperson Linda Morey opened the Public Hearing.

It was asked that anyone wishing to speak to please stand and state their name and address.

There were no comments or concerns from those present

.Chairperson Linda Morey closed the Public Hearing.

A motion was made by Steve Lauth, seconded by Dave Martin to grant "Preliminary Approval" for the application of the Estate of Walter G. Gaesser; owners: Estate of Walter G. Gaesser; for "Preliminary & Final"

Single Lot Subdivision located at 579 Morton Road in an R-L zone. Tax account# 011.04-1-17. The following items are received; application, site plan, site plan checklist, county comments, and AG data statement. This is a Type II Neg SEQR.

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

A motion was made by Steve Lauth, seconded by Dave Martin to grant "Final Approval" for the application of the Estate of Walter G. Gaesser; owners: Estate of Walter G. Gaesser; for "Preliminary & Final" Single Lot Subdivision located at 579 Morton Road in an R-L zone. Tax account# 011.04-1-17. The following items are received; application, site plan, site plan checklist, county comments, and AG data statement. This is a Type II Neg SEQR.

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

**PUBLIC HEARING**  
**SINGLE LOT SUBDIVISION**

**ANDREW & MARK GREENWELL**  
**336 CHURCH ROAD**

Application of Mark & Andrew Greenwell; owner; Mark D. Greenwell; for "Preliminary & Final" Single Lot Subdivision located at 336 Church Road in an R-VL zone. Tax account#015.03-1-3.

Rich Maier of Maier Land surveying represented the applicants before the board. He gave an overview from the previous meeting. The property is on the North side of Church Road and is a part of the homestead for the boys. The mother currently resides in the house. The County Comments are back. There were comments received from the DEC concerning the wetlands on the property but the wetland is very far from the house so this application is not affected by that concern. There is no plan to develop Lot #6.

J.P. Schepp had no engineering concerns.

Conservation Board Member Jeanine Klopp had no environmental concerns.

Attorney O'Toole had a concern about the variances on the lot width. Rich Maier explained that the house does have public water. The current water service is at the barns and is extended to service the house. He inserted a clause onto the site plan that stated that if the house were ever to be sold to anyone other than family that the new owners would have to install a private water line from the water authority to the house.

The line is now on the same lot.

J.P.Schepp explained that the service line is at the barn and it is metered and then split after the barn and then it feeds over to the house.

Dave Martin asked if there are two meters. Rich Maier was unsure if there are two meters. There is a well on the property .

Attorney O'Toole asked to be shown where on the plan the water service runs. It shows that the house is serviced but not directly serviced from the proposed lot to the right of way.

J.P. Schepp asked if the Water Authority was ok with this. Rich Maier stated that he did not run it by them. J.P. Schepp added that he thought that it is a relatively new district, so that would have another EDU that would be paying in the debt service.

Keith O'Toole stated that it could be an issue when the lot is sold. If someone puts in an offer to buy this house 5 years from now and the neighbor turns off the water. That is not good. Forget the lot width issue, it's kind of an awkward arrangement. Maybe some sort of water easement would be appropriate. Rich Maier asked what

width water easement would be acceptable. J.P. Schepp added that 10 feet – 15 feet would be appropriate. It would be along the service.

Keith O'Toole has seen old easements particularly before public water came along that wells were shared. There has to be some sort of building arrangement, but this would build presumably to the master lot.

Peter Tonery recalled that when he got water on his street that the county didn't want any-more private water lines. The intention was that when a line came down everybody got their own line.

J.P. Schepp stated that once a house is serviced they don't want the well used, they want it abandoned.

Linda Morey asked if it should go to the Water Authority to get this straightened out before we make any approvals. Keith O'Toole added that he didn't think that the Water Authority would approve this if he had to guess. Linda Morey added that maybe they would give some idea of what is needed. Keith O'Toole asked how much it would cost to run a service there. J.P. Schepp added that the Water Authority tap-in fee is about \$1,400.00. and then the cost to run it from there into the house. J.P. Schepp suggested what if we said that part of the subdivision plan is that a separate service is required if needed by the Water Authority. Keith O'Toole said either require the Water Service or Plan B put in some sort of easement agreement so when it comes time to sell it is in the abstract title so the buyer and their attorney can see the issue. The easiest step would be for them to get their own service to the house. It has to happen one way or another.

Chairperson Linda Morey opened the Public Hearing.

It was asked that anyone wishing to speak to please stand and state their name and address.

There were no comments or concerns from those present

The Public Hearing will be left open until the board reconvenes in August.

A motion was made by Dave Wolfe, seconded by Peter Tonery to leave the Public Hearing open for the application of Mark & Andrew Greenwell; owner; Mark D. Greenwell; for "Preliminary & Final" Single Lot Subdivision located at 336 Church Road in an R-VL zone; Tax account#015.03-1-3, until August 3, 2015 at 7:30 p.m., At that point the applicant will have more information from the county concerning providing the house with its own water service.

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

## **AGENDA**

### **COMMERCIAL SITE PLAN MODIFICATION**

### **NIAGARA MOHAWK POWER CORP. 3627 ROOSEVELT HIGHWAY**

Application of Niagara Mohawk Power Corp; owner; Niagara Mohawk Corp; seeking a Commercial Site Plan Modification for property located at 3627 Roosevelt Highway in a zone. Tax account# 020.04-2-25./KEND.

Andrew Leja, Lauren Nice, and Ogugwa Uzorka represented Niagara Mohawk Corp. before the board. The plan is for a modest expansion of the property. It will add a second transformer and hook into the current system. It will double the size that exists now. The footprint will increase to the south by 25% – 30% to a size of 191' x 157'. There will be an 850 sq. ft. impact to the wetlands. The fencing design is a chain link fence 7 ½ feet tall.

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

Conservation Board Member Jeanine Klopp had no environmental concerns.

Planning Board Attorney O'Toole had no legal issues.

A motion was made by Peter Tonery, seconded by Linda DeRue to schedule a Public Hearing on August 3, 2015 at 7:30 p.m. for the application of Niagara Mohawk Power Corp; owner; Niagara Mohawk Corp; seeking a

Commercial Site Plan Modification for property located at 3627 Roosevelt Highway in a zone. Tax account# 020.04-2-25./KEND. The following items have been submitted: application, site plan checklist, site plan, and letter of intent.

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

**AGENDA**

**CONSERVATION CORRIDOR DEVELOPMENT PERMIT      VIRGINIA MATTLE TRUELSON  
7898 NEWCO DRIVE**

Application of Virginia Mattle Truelson; owners; Richard & Viola Mattle LU; for Conservation Corridor Development Permit for property located at 7898 Newco Drive in an S/R zone. Tax account# 006.07-1-5.

No one was present to present application to the board. The board determined that a survey map needs to be provided.

A motion was made by Peter Tonery, seconded by Judith Hazen to table the application of Virginia Mattle Truelson; owners; Richard & Viola Mattle LU; for Conservation Corridor Development Permit for property located at 7898 Newco Drive in an S/R zone ( Tax account# 006.07-1-5) until August 3, 2015 at 7:30 p.m. Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Linda Morey aye, Peter Tonery aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

**AGENDA**

**CONSERVATION CORRIDOR DEVELOPMENT PERMIT      MERRITT ACKLES  
7940 NEWCO DRIVE**

Application of Merritt Ackles; owner; Merritt Ackles; for a Conservation Corridor Development Permit for property located at 7940 Newco Drive in an S/R zone. Tax account# 006.06-1-33.

Jeffrey Ackles represented the applicant before the board. He will be the contractor for the project. The applicant wants to build a sunroom in the front (waterside) yard on an existing deck. No variances are needed.

A motion was made by Dave Wolfe, seconded by Judith Hazen to grant the application of Merritt Ackles; owner; Merritt Ackles; for a Conservation Corridor Development Permit for property located at 7940 Newco Drive in an S/R zone. Tax account# 006.06-1-33. The following items were submitted: application, site plan, LWRP, and letter of intent. This is a Type II Neg SEQR.

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

**AGENDA**

**COMMERCIAL SITE PLAN      JEFFREY WHITE  
SWEDEN WALKER ROAD**

Application of Jeffrey white; owner; John Prince; seeking Commercial Site Plan Approval for an automobile repair business named Chips Auto located at 1712 Lake Road in a C/GB zone. Tax account# 021.03-3.1.

Jeffrey (Chip) White represented himself before the board. Linda Morey asked if the bays were the same size. He answered yes, they are the same size, and Bay #2 has a drain. He stated that he also has a maximum of 11 spaces for vehicles. He is not aware if the restroom is ADA

compliant. He also tries to keep the roadside of the island free of cars. He site may need a fire suppression system. As of now there are fire extinguishers on site.

Linda Morey explained that there are 2 options: provide a regular engineered site plan or a beefed up surveyor plan. At this time there is neither a site plan nor a plan on record.

The Planning Board will complete a group site visit to the property on July 13, 2015 at 6:00 p.m.; this will be published in the paper.

A motion was made by Dave Wolfe, seconded by Steve Lauth to table the application of Jeffrey white; owner; John Prince; seeking Commercial Site Plan Approval for an automobile repair business named Chips Auto located at 1712 Lake Road in a C/GB zone. Tax account# 021.03-3-1 until August 3, 2015 at 7:30 p.m. after the group site visit has been completed.

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

## **AGENDA**

### **PRELIMINARY & FINAL SITE PLAN APPROVAL**

### **CARMEN & LINDA COLLINI 3 SWEDEN LANE UNIT 34, BROCKPORT**

Application of Carmen & Linda Collini; owners; Carmen & Linda Collini; seeking Preliminary & Final Site Plan Approval for property located at 7956 Newco Drive in an S/R zone. Tax account# 006.06-1-31.

Andrew & Carmen Collini represented the applicants before the board. They propose to build a one story home on slab. They are scheduled for the July 20, 2015 Zoning Board of Appeals Meeting asking relief for the septic system setback from the lake. All other variances needed have been granted.

Town Engineer J.P. Schepp asked for the following items to be placed on the site plan.

1. The zoning district and limitations such as setback, are requirements, etc, should be included on the plans.
2. The plans indicate that the septic system is to be designed by others. Site plans approval should include the MC DOH approved septic system.
3. A large amount of fill will be needed to achieve the proposed grades. The type of fill proposed should be provided.
4. The proposed grading will direct runoff to the neighboring properties to the east and west. The grading should be revised to direct runoff to the roadside swale and lake.
5. The following Town Code requirements should be addressed:  
Section 520-24 Conservation Development Permit  
Section 259 Coastal Erosion Hazard Areas  
Section 295 Flood Damage Prevention  
Section 498 Waterfront Consistency Reviews
6. The visual impact of the new house should be considered.
7. Erosion and sediment controls should be included on the plans.
8. The site will require variances for area, setback, impervious surface, etc.
9. The Town of Hamlin Standard Plan notes should be included on the plans.
10. The site plan should be stamped and signed by a NYS Licensed Engineer.

A motion was made by Steve Lauth, seconded by Linda DeRue to schedule a Public Hearing on August 3, 2015 at 7:30 p.m. for the application of Carmen & Linda Collini; owners; Carmen & Linda Collini; seeking

Preliminary & Final Site Plan Approval for property located at 7956 Newco Drive in an S/R zone. Tax account# 006.06-1-31.

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

### **AGENDA**

#### **CONSERVATION CORRIDOR DEVELOPMENT PERMIT CARMEN & LINDA COLLINI 3 SWEDEN LANE UNIT 34, BROCKPORT**

Application of Carmen & Linda Collini; owners; Carmen & Linda Collini; Seeking Conservation Corridor Development Permit for property located at 7956 Newco Drive in an S/R zone. Tax account# 006.6-1-31.

A motion was made by Steve Lauth, seconded by Linda DeRue to table the application of Carmen & Linda Collini; owners; Carmen & Linda Collini; seeking Conservation Corridor Development Permit for property located at 7956 Newco Drive in an S/R zone; Tax account# 006.6-1-31; until August 3, 2015 at 7:30 p.m. This is a result of more information needed to grant approval.

### **DISCUSSION**

Town Councilperson Dave Rose reported that the Zoning Workshops have ended for the summer and will resume again in the fall.

### **ADJOURNMENT**

A motion was made by Peter Toner aye, seconded by Steve Lauth to enter into Executive Session pertaining to Legal Matters.

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

### **ADJOURNMENT**

A motion was made by Peter Toner aye, seconded by Steve Lauth to adjourn tonight's meeting barring no further business.

Members polled: Linda DeRue aye, Steve Lauth aye, Peter Toner aye, Dave Martin aye, Linda Morey 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, August 3, 2015 at 7:30 p.m. The deadline for all applications is Tuesday, Tuesday, July 21, 2015 at 12 noon.