

**Hamlin Public Hearing Meeting
June 11, 2012**

The Hamlin Town Board held a Public Hearing in the Hamlin Town Hall located at 1658 Lake Road, Hamlin, New York. The meeting was called to order at 6 pm by Supervisor Breslawski.

Present: Councilperson Jason Baxter, Councilperson Craig Goodrich, Councilperson Martin Maier, Councilperson David Rose, Supervisor Thomas Breslawski, and Attorney Ken Licht.

LOCAL LAW REVISING THE ACREAGE REQUIREMENTS FOR THE KEEPING OF ANIMALS AND POULTRY

Supervisor Breslawski briefly explained the Public Hearing was to discuss a proposed local law to make amendments to sections of our Zoning Code, as follows:

Section 1: The definition of "Lot Area" in Section 520-9, "Word Usage and Definitions" of the Town of Hamlin Zoning Law of 1991, is modified to provide as follows:

LOT AREA - Except for the computation of area required for the keeping of animals and poultry, lot area shall mean the computed area contained within the lot lines, said area to be exclusive of street or alley rights-of-way or future rights-of-way, if such have been determined. For purposes of computing lot area for the keeping of animals and poultry (other than hens and chickens), lot area shall include the area of a deeded lot within the right-of-way of any street, highway or alley and future rights-of-way if such have been determined.

Section 2: Section C(1) of Section 520-41 of the Town of Hamlin Zoning Law of 1991, entitled "Farm Animals; Required Enclosures and Fences" is replaced in its entirety by the following:

C. Farm animals; required enclosures and fences

(1) Animals

(a) type and amount allowed

(1) hens and chickens.

Ten chickens or hens are allowed on a lot of one acre, and an additional ten chickens or hens are allowed for each additional acre. Notwithstanding the foregoing, no roosters are allowed on any lot of less than five acres.

(2) Farm Animals and Other Poultry

(a) For lots of five acres, which shall, for purposes of this section only, include that portion of a lot within a street, highway or alley right-of-way, the following will be allowed:

- (1) Two adult horses or cattle or swine;
- (2) two juvenile offspring of horses, cattle or swine;
- (3) four sheep or goats or other fur-bearing animals;
- (4) twenty-five poultry other than chickens and hens;
- (5) twenty-five juvenile poultry.

- (b) For each additional acre, the following will be allowed:
- (1) One horse or cattle or swine per acre;
 - (2) one offspring of horse, cattle or swine per acre;
 - (3) one sheep or goat or other fur-bearing animal per acre;
 - (4) five poultry other than chickens or hens per acre;
 - (5) five juvenile poultry, other than chicken or hens per acre.
- (c) Domestic game birds on shooting preserves. On shooting preserves permitted by special use permit pursuant to the provisions of S520-11-(A)(3)(e) of this chapter, the number of domestic game birds permitted is not restricted by any restrictions on the amount of poultry allowed by this Section 520-41.

Section 3: This local law shall become effective upon filing with the Secretary of State.

No one wished to speak for or against this local law.

PUBLIC HEARING CLOSED

Resolution # 198 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, requesting Town Board resolution to close the Public Hearing at 6:02 PM as all business was concluded.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

LOCAL LAW REVISING REGULATIONS REGARDING DOGS IN THE TOWN OF HAMLIN

Supervisor Breslawski briefly explained the Public Hearing was to discuss a proposed local law to make amendments to sections of our Zoning Code, as follows:

Section 1: Subparagraph A of Section 520-41 of the Town of Hamlin Zoning Law of 1991 is hereby replaced by the following:

- A. No dwelling unit in a residential building containing a single dwelling unit shall be used to harbor more than three adult dogs six months or older or more than two pups for longer than six months without a harboring of dogs accessory permit issued by the Town Clerk; all dogs must be personally owned and licensed by a resident of the dwelling unit. No dwelling unit in a duplex, apartment house or other residential building containing more than one dwelling unit shall be used to harbor more than one adult dog six months or older or more than two pups for longer than six months without a harboring of dogs accessory permit issued by the Town Clerk; the adult dog must be personally owned and licensed by a resident of the dwelling unit.

Section 2: Subparagraph A of Section 187-11 of the Dog Licensing and Control Law of the Town of Hamlin is hereby replaced by the following:

- A. It shall be unlawful for any owner of any dog to permit or allow the dog, while in the Town of Hamlin, to run at large. Except when a dog is on the premises of its owner or on the premises of another property owner with the knowledge, consent and approval of the owner of such premises, a dog must be restrained by adequate collar and leash or otherwise under control.

Section 3: This local law shall become effective upon filing with the Secretary of State.

No one wished to speak for or against this local law.

PUBLIC HEARING CLOSED

Resolution # 199 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to close the Public Hearing at 6:03 PM as all business was concluded.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

LOCAL LAW AMENDING CHAPTER 470 OF THE CODE ENTITLED “VEHICLES AND TRAFFIC” BY ADDING REGULATIONS REGARDING PARKING FOR HANDICAPPED PERSONS

Supervisor Breslawski briefly explained the Public Hearing was to discuss a proposed local law to make amendments to sections of our Zoning Code, as follows:

Section 1: Chapter 470 of the Code of the Town of Hamlin is hereby amended by adding Section 470-25(a) as follows:

Section 470-25(a). PARKING FOR HANDICAPPED PERSONS.

- A. Any person, firm or entity owning a retail, commercial or other facility requiring designated parking for the handicapped as specified by the Town of Hamlin pursuant to New York State Vehicle and Traffic Law shall identify and post these parking areas as follows:
 - (1) Each individual parking stall shall be clearly posted with an upright stationary sign. Signs shall be affixed so as not to be movable or portable.
 - (2) Signs shall be erected on a stationary post or structure with a ground clearance measured from the bottom of the sign of not less than five and not more than seven feet.
 - (3) The legend on handicapped signs shall clearly indicate “Reserved Parking” and shall conspicuously bear the international mobility impaired access symbol.
 - (4) All other provisions of the New York State Vehicle and Traffic Law and the Town of Hamlin Code regarding reserved parking areas for the handicapped shall hereby remain in force.
- B. Any handicapped person with a valid handicapped parking permit, lawfully issued, shall be eligible to park in any parking place designated for handicapped persons in the Town of Hamlin.
- C. The erection and posting of such signs shall be deemed to constitute the owner’s consent to the enforcement of this chapter by the Code Enforcement Officer of the Town of Hamlin or persons designated by such officer and/or by the Sheriff of Monroe County, and the entry by them on the property for such purpose.
- D. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance of the directions of a police officer, in any parking space marked pursuant to this Section 470-25(a), as reserved for handicapped persons

only, unless such vehicle properly displays a handicapped parking permit issued by the Town of Hamlin or another city, town or village of the State of New York or another state.

- E In municipal parking lots within the Town of Hamlin the spaces described on Schedule XVIII (Section 470-50: DESIGNATION OF HANDICAPPED PARKING SPACES IN MUNICIPAL LOTS) shall be reserved for handicapped parking and shall be identified as provided in Subparagraph A of this Section 470-25(a).
- F The Town Board of the Town of Hamlin shall establish by resolution the amount of fine for a violation of this Section 470-25(A), which amount may be amended from time to time by resolution of the Town Board. Any fine which remains unpaid shall double after fifteen days, and any fine which remains unpaid after thirty days shall be tripled, and any fine which remains unpaid after sixty days shall be quadrupled.

Section 2: The Town Board of the Town of Hamlin shall designate by resolution the location and number of handicapped parking spaces in municipal lots. Such designation may be amended from time to time by resolution of the Town Board.

Section 3: This local law shall become effective upon filing with the Secretary of State.

No one wished to speak for or against this local law.

PUBLIC HEARING CLOSED

Resolution # 200 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to close the Public Hearing at 6:03 PM as all business was concluded.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

ADJOURNMENT

Meeting was adjourned at 6:04 PM as all business has been concluded.

Respectfully submitted,

Kathi A. Rickman, MMC
Hamlin Town Clerk