

Conservation Board Meeting *Minutes*
Monday, November 27, 2006
7:00pm

The regular scheduled meeting of the Hamlin Conservation Board was held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin and was called to order at 7:00pm by the Chairman Dave Walch with the location of the fire exits and AED explained for those present.

Present: Tom Breslawski, Craig Goodrich, Jeanine Klopp, Mark Reeves and Dave Walch.

Excused: Merritt Ackles and Tammy Palumbo

Also present: Town Supervisor Denny Roach, Town Board member Mike Marchetti, Building Inspector B.J. Maier, Zoning Board member Rocky Ellsworth, Tom Jensen and Nancy Jenneahn.

A motion was made by Jeanine Klopp, seconded by Craig Goodrich to approve the minutes from the October 23, 2006 meeting as recorded. Members polled, all ayes. Motion carried, minutes approved.

Public Forum Opened

DEC Presentation

Peter Lent from the DEC was at the meeting to discuss his review of the Bromley Subdivision located on Beachwood Drive. Mr. Lent stated that he went to the site earlier today to review the proposal of the houses on the 2-lot subdivision. It is located in the Coastal Erosion Hazard Area. The land is being eroded away by the action of the lake. The Coastal Erosion Law allows municipalities to regulate this area. It was established in Hamlin in 1989. The LWRP was approved in 1992 by the Department of State for Hamlin also. The law was established to minimize damage to structures and protect the natural features of the area. The Planning Board approved this proposal contingent on DEC permits and approvals. Mr. Lent stated that the DEC has no authority over coastal erosion permits. Mr. Lent explained that there is a steep slope with vegetation that is holding the bluff together. The DEC does not want the root systems to be disturbed. Also water being discharged over the bluff is not allowed. It would be the DEC's recommendation to the owner that it should be one lot with one house on the south side. Some areas are just not developable. Dixon Rawlins from the DEC stated that a variance would be needed for the project. In general very few variances are granted for the reason they are trying to avoid building houses along the erosion area that could be lost. Dave Walch stated that it is the recommendation of the Conservation Board that the lot closest to the bluff not be developed. Mr. Rawlins stated that it must be a movable structure in the Coastal Hazard Area according to the regulations. A basement would not be allowed. Disturbing the fragile and sandy soil by building a basement would further weaken the

soil and could hasten the erosion. Mr. Lent stated that he sent a letter to the Town explaining all of this. The laws and regulations are to protect the environment and the people from building a structure that is unsafe. These regulations need to be enforced and followed. Craig Goodrich asked if the site was appropriate for building a house. Mr. Lent stated no not according to what was reviewed. Craig Goodrich asked whom the owner would sue if the land eroded away and they lost their house. Mr. Lent stated they couldn't answer that question. Mr. Goodrich stated the Conservation Board was only trying to look out for the interests of the Town, the potential buyer of the land and the environment.

A video of the erosion along Beachwood in 1993 was shown that was provided to the Town by a former Town Board and Conservation Board member and Earth Science Teacher Ed Evans.

Mr. Rawlins stated that if more than 1 acre of soil is disturbed another permit is required from the DEC also. Mr. Lent questioned if the Monroe County Health Department would give approval for the leach field because it is so close to the drainage lines. Dave Matt from Schultz Engineering stated that they do have Monroe County Health Department Approval. Jeanine Klopp questioned the steps down the bluff to the beach. Mr. Rawlins stated that beach access is not limited per the regulations.

The Board thanked both Mr. Lent and Mr. Rawlins for coming tonight and reviewing the property.

Supervisor Denny Roach asked Craig Goodrich if he was asked for input from the Planning Board and the Zoning Board for this proposal. Craig stated that yes he was and the Conservation Board's recommendation not to develop Lot 1 was given to both boards in writing. The adopted Coastal Erosion Policy specifically states the acceptable reasons to grant a variance (needs to meet all the applicable reasons) and the hardships cannot be self induced as this would be by going forward with the subdivision. Dave Walch stated that if the proposal doesn't meet the criteria then they shouldn't get a variance to build.

REPORTS

Craig Goodrich stated that minutes from the November 6, 2006 Planning Board meeting and the November 20, 2006 Zoning Board meeting were given to everyone to review.

Mark Reeves gave a report on the November 13, 2006 Town Board meeting. Mark reported that a presentation took place on the Town being a co-developer for wind turbines. The Master Plan Public Hearing is scheduled for December 13, 2006.

Dave Walch gave a report on the November 15, 2006 EMC meeting. Dave reported that they talked about flood plains and the FEMA regulations and how it was mandated. Dave had some questions that he submitted but was still waiting for the answers.

ASSIGNMENTS

Craig Goodrich	PB	12-04-06
Craig Goodrich	ZBA	12-18-06
Mark Reeves	TB	12-11-06
Merritt Ackles	FAB	12-11-06
Dave Walch	EMC	12-20-06
Mark Reeves	Comp. Plan	12-19-06

DISCUSSION

Dave Walch discussed a meeting on Local Open Space Planning at the Greece Town Hall on November 1, 2006 that Craig, Merritt and he attended. They discussed attaining Open Space before it is too late by either buying the land outright or buying the development rights. Supervisors from the Towns of Ogden, Pittsford, Penfield and Webster shared how they approach it. They would be good resources in the future if the Town of Hamlin ever considered it.

Dave Walch discussed the Mt. Morris workshop that several Board Members attended. He attended the Wind Tower session.

Dave also received an I.J.C. update in the mail explaining the potential for adjusting the lake level.

The next Conservation Board meeting is **Tuesday, December 12, 2006.**

Ed Evans stated that he had some information on Windmills to share. The Town of Centerville just passed an ordinance in favor of Wind Mills. In the Town of Fenor they have 27 windmills that can be seen from the thruway and people are providing services and concessions because they are drawing so much attention there.

Jeanine Klopp stated that a Lake Ontario Coastal Initiative Representative would be present at the next Town Board meeting.

Peter Tonery questioned the variance criteria and asked if the Coastal Erosion Hazard Area Chapter 42 regulations were reviewed by the Zoning Board before the variance was granted for the Bromley Subdivision. The answer to this question was unknown at this time.

Mark Reeves discussed a newspaper article about European Cities vowing to stay small and slow. The article stresses protecting and utilizing cultural strengths in these small cities. It promotes businesses and work to be kept in the small city. Supervisor Denny Roach discussed adding that to the Master Plan. Focusing on developing the cultural strengths in the Town.

Craig Goodrich discussed more dead spots being found in the oceans due to pollution. He also stated that New York State has joined others in going to the Supreme Courts on Global Warming Issues.

Dave Walch stated that he would send a letter to the DEC thanking them for coming to the meeting and reviewing the property.

ADJOURNMENT

A motion was made by Craig Goodrich, seconded by Mark Reeves to adjourn this portion of tonight's meeting. Members polled, all ayes. Motion carried.

HAMLIN WATERFRONT ADVISORY COMMITTEE

Meeting called to order.

Present: Tom Breslawski, Craig Goodrich, Jeanine Klopp, Mark Reeves and Dave Walch.

REFERRALS

None

DISCUSSION

ADJOURNMENT

A motion was made by Craig Goodrich, seconded by Tom Breslawski to adjourn tonight's meeting barring no further business. Members polled, all ayes. Motion carried.

Minutes respectively submitted by:

Heather Norman
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Conservation Board will be held on **Tuesday, December 12, 2006 at 7:00pm.**