

Conservation Board Meeting Minutes

Monday, March 25, 2013

7:00 pm

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

Present: Ed Evans, Walt Fisher, Jeanine Klopp, Paul Nau, Steven Rutherford, and Dave Walch.

Excused: Merritt Ackles

Other: Town Board Rep Marty Maier, Robert Westcott, Greg Pasinski, Melissa Burslin.

A motion was made by Ed Evans, seconded by Steve Rutherford to approve the minutes of the February 25, 2013 meeting as recorded. Motion carried, minutes approved.

Public Forum Opened**REPORTS**

Jeanine Klopp reported on the March 6 Planning Board Meeting. The meeting ran long and had been moved into the Gym due to the large number of people. First on the agenda was the Preliminary Site Plan for the Library. The Chairman had amended that to a Sketch Conference. There was an attorney speaking before the Engineer for the Library. He said they had received their variance from the Zoning Board. The Engineer stated they had addressed all the concerns of the Town Engineer. The Building Inspector had no concerns. The Town Attorney had no comments. One of the topics brought up by a board member was the parking lot. There was a concern about the dead end parking and backing up. Also a concern was garbage pickup that might hinder parking in the lot, and, there were questions about snow removal. The Attorney for the Library stated that the parking lot was fully compliant with the Town Code. The Board still asked for a larger parking lot. The Board also asked about a crosswalk. The Library Attorney stated that was not something the Planning Board can require of this project. It is an off-site issue. The Board also questioned the drop off on the south end of the building. The engineer stated they would look into that in regards to the sidewalk. The Attorney for the Library wanted to move forward for a Public Hearing. The Board was not comfortable with that. They wanted to see the parking lot revisions before they would do that. They motioned and all agreed, except one abstained, to schedule a Sketch Conference as opposed to a Public Hearing.

The second thing on the agenda which does concern the Conservation Board because of the LWRP was Commercial Site Plan approval for the Air Soft field. They will not rezone the property because it is allowable as a members-only club. It is for Air Soft games to be played over the summer, mostly on weekends, during daylight hours. They have limited use to no use of the building on the property. There is a requirement for landscape and buffering for adjoining residence. The representative for the Air Soft said they would put trees in any exposed areas. The Town Engineer mentioned they would have to have bathroom facilities and septic. There was discussion about paving the parking lot which is a requirement in our code. There was concern about the ammo being bio-degradable. The Board would like more information on that. One of the representatives for Air Soft stated the ammo would not harm deer if they ate it; it is vegetable based. The PB would still like to see something in writing stating it was safe. There was another concern about the mesh fencing that would be put up to keep people out of the area who were not wearing proper protective gear. There was a concern about this hindering wildlife in the area. One thing that was not in the minutes, but that Jeanine spoke about, was the need for a bridge over the water on the property. It is a tributary to Yanty Marsh. Even if it dries up in the summer, she thinks people

should not be walking through disturbing the wetland vegetation. She will talk more about that in the Referral. One member thought this required a long EAF, another member disagreed. That was not decided. Air Soft will be going to Zoning seeking relief on paving the parking lot. The motion was made to give them a 60 day extension.

A Conservation Development permit was issued with contingencies to Robert Jones at 7360 Sandy Harbor Dr. He wants to construct a front porch and move an existing shed. The Zoning Board gave the applicant a variance for the shed. However, the Building Inspector is saying that New York State Code requires the shed to be 5' from the property line. The variance gave him 18". The Zoning Board Variance cannot change the State requirement. The Building Inspector will look into it.

Applicant for 6496 Shore Acres was combining two lots into one. An applicant at 971 Redman Rd was changing two contiguous lot sizes. An Applicant at 1769 Redman Road is also combining two lots into one.

There was discussion at the end of this meeting. Jeanine brought up what had been discussed at the previous Conservation Board Meeting about Breakwalls. She brought up Merritt's comments. He felt it was sufficient to grant approval with just DEC approval not Army Corps. This was discussed. All agreed DEC approval was sufficient as long as any other approvals were the applicant's responsibility. She also mentioned that the Conservation Board Members were delivering magnets.

Steve Rutherford attended the Zoning Board meeting. He states there was a public hearing for George and Judy Fridd requesting two area variances at 1259 Hamlin-Parma Town Line. One was to build a residence behind an existing barn. That was approved. The second was to split the lot into two. They were seeking relief for a setback which was also approved.

On the agenda were Mark and Andrew Greenwell seeking approval for a pre-existing, non-conforming residence on Church Road; they needed a 68.4' setback. The Public Hearing for that was set for April 15. The Air Soft gaming sought approval for the driveway at 832 Moscow Rd. They were seeking relief from Town Code §520-44(G)(7) paved parking. They are expanding 22% with crushed stone and gravel as currently being used. That was approved. Next was the application for Katherine Spohr for a pre-existing, non-conforming residence at 1928 Moscow Road seeking relief from Town Code §520-11B minimum Lot Size Variance of .686 acres. She was requesting a second variance seeking relief from Town Code 520-27C for a pre-existing, non-conforming barn needing a rear setback of .8' and a side setback of 2.2'. That Public Hearing was set for April 15.

Ed Evans attended two Town Board meetings. The regular scheduled one was March 11. The agenda had pages of letters from people wanting to support the Library. At the Public Forum, Chad Fabry, the Building Inspector, spoke about the Library and that from his perspective as a Code Enforcement officer, all requirements had been met. He said he could no longer work for the Planning Board. He stated Sketch Conferences can only be scheduled by the applicant. The Planning Board cannot make somebody do that. There were inconsistencies that were not normal procedure. Another woman spoke in favor of the Library as did another person in the back of the room.

There was a resolution requesting Town Board support the Second Amendment concerning Gun Control.

A request was made for Town Board resolution about the Storm Water easement on Drake Road that was not shown properly on the map. The resident wanted this corrected. This was finally resolved.

They requested a resolution to hire Richard Horowitz, an independent contractor for legal expenses concerning the library. The Attorney that sits for the Town Board and Support Boards announced that he could no longer work with the Planning Board. The Town Board is in full support of the Library. Someone posted on the computer that towns are only required to have a Zoning Board not a Planning Board, but, the Town Board would have to take over the responsibilities of the Planning Board.

There was discussion about Engineering Fees. Currently, the Town pays much of those fees rather than the applicant. The Dog Ticket has been resolved. Departmental Reports are going to continue. Insurance is rather low coverage for computer theft and computer-generated crimes. The Grant Writer is looking for suggestions.

Magnets are being delivered.

On March 14, 2013, the Town Board held another meeting about hiring an attorney for the Planning Board; Daniel Shum was hired. This Wednesday the Planning Board has scheduled a meeting for 7:00 pm to meet with the attorney. That meeting will probably go into Executive Session.

Paul Nau attended the Fishing Advisory Board State of the Lakes Meeting. A lot of information was reported. He touched on the highlights. The stocking for 2012 the Kings or Chinook Salmon was up to 1.5 million. Brown Trout was down. Walleyes are in, which is fairly new. The egg collection up at the Salmon River exceeded expectations. The Rainbow stocking will be meeting their target of 600,000 yearlings. Brown Trout will be down due to severe disease at the hatchery. Catch rate is up for Chinook Salmon, close to where it was in 2003. They are looking to change the laws regarding hooks and weights of lines in the streams. Also, they are looking to increase the minimum size of Muskies to 54". The total trap for salmon fishing success for 2012 is the second highest in the 28 years. The average size of the salmon is down, but the size in the hatchery is up. This is the 15th year of the volunteer-based pen rearing project. The lake is being stocked with Sturgeon and four varieties of Cisco. They are trying to get some native fish back.

Dave Walch reported on the Environmental Management Council. The County was there to discuss GIS and the services they offer the towns for Site Plans. There is a GIS truck that goes out to sites for specific projects.

Ed Evans reported on Hamlin Beach State Park. The Park Manager sent Ed a report on general activities at the park. The electrical service disruption has been postponed. It will be mid-April before the installation of the new switch gear. So, it will be then that we can expect the electrical service disruption. May 10 is still the substantial completion date. The final site restoration of the park's radio tower will be on or about April 1. The joint DEC/Office of State Parks project to trim back some of the overgrown vegetation at the Sandy Creek Boat Launch facility will require Conservation Board oversight. That is tentatively scheduled for this spring. The camping area has had over 400 trees cut.

Ed reported about the Niagara Falls POW project. They will be turning some historical buildings that were used by POWs into Bed & Breakfasts and restaurants. They are asking us for input. Prisoner #2 sent Ed more information. One of the stories in Hamlin history books mentions people on Moscow Road hearing gun fire. This prisoner gave us the straight information. He saw what happened. It was an American GI just back from Europe on guard duty who went crazy. Nobody was worried about getting shot though, because the guns in the tower were set up only able to shoot out. There is a new CCC photo collection from a man who was in a CCC camp in Tennessee. Photo collections are rare. Ed printed some of those photos to a CD.

Ed also took an LWRP walk through areas 5 and 6 at the State Park. He showed pictures of some of the trees that have come down over the winter. It appears we may be getting more wind in this area. One of the parks proposals was to make the park more user friendly by setting up trails in Areas 5 and 6. Now there is a trail with numerous signs not to step off the path. The stumps and brush are no longer being dumped in the area of the CCC Camp.

Jeanine Klopp reported on the Zoning Workshop. There was discussion about restricting the number of dogs allowed in the trailer parks. Two people spoke up about the new law at the Public Hearing. Most parks have their own requirements. This will be discussed again further after the Trailer Parks get back to the Town with their respective restrictions. There was discussion about restricting peddler's permits altogether. Also discussed were possible exemptions for sheds less than 12'x12' unless they were in Conservation Overlay districts. The assessor said a shed that small would not have a substantial effect on the property value. Then the question was posed, what if a variance was needed but not a permit. It was decided at that meeting that permits for sheds would be required in the Conservation Overlay and Shoreline Residential Districts.

Dave Walch confirmed everyone was good with their times for next month. Earth Day will be April 20th from 9 am-3 pm in the Hamlin Beach State Park. Friends of Hamlin Beach State Park will be held on April 10th at 7:00. There will be a museum set up, also.

Paul Nau brought up a non-profit fishing tournament that happens on Sandy Creek every year called the Sandy Creek Shootout. Information on this can be found on line at "sandycreeksshootout.com". He thought there might be some way the town can help promote this. Money is raised for the Pen Rearing Project and North Star Youth Camp. It is held the last weekend in July as that is peak fishing in this area. This year it will be July 27th. Typically attendees come in on Friday. Last year there were 42 teams with four people on each team. This year 50 teams are expected. There is a pre-tournament get-together at Nuts Corners. Marty Maier, Town Board Member, was asked if this could be posted on the town's website. Rob Westcott was in attendance requesting support for this project. He explained this is the fourth year of this tournament. The first year they had 29 entries. It is a small money tournament attracting the smaller boats. Paul explained Rob is also the coordinator for the net pen project. The babies will arrive April 15.

ASSIGNMENTS

Jeanine Klopp	PB
Steve Rutherford	ZBA
Ed Evans/Walt Fisher	TB
Paul Nau	FAB
Dave Walch	EMC
Ed Evans	HBSP
Jeanine Klopp	ZW

ADJOURNMENT

A motion was made by Ed Evans, seconded by Paul Nau to adjourn this portion of tonight's meeting.

HAMLIN WATERFRONT ADVISORY COMMITTEE

Meeting called to order.

Present: Ed Evans, Walt Fisher, Jeanine Klopp, Paul Nau, Steven Rutherford, and Dave Walch.

Excused: Merritt Ackles

REFERRALS

Jeanine Klopp reported the she and Ed Evans did an inspection at 832 Moscow Road. They came in from the south and found that just beyond the barn it is all wet. This creek is labeled Yanty Marsh Tributary. It is an environmentally sensitive area. They were not able to cross it anywhere and could not tell how deep the water was. They then came in from the Parkway. There is enough brush on the North end to serve as a barrier from the Parkway. Again, this did not show up in the Planning Board minutes, but Jeanine had mentioned that the applicant should put a bridge over this area. A temporary bridge would suffice. This is a good 50' to 60'. Even if it dries up in the summer, they should not be walking over it.

DISCUSSION

Jeanine Klopp suggested two changes to the Conservation Corridor Development Permit application, adding Westcreek under #7 and removing the word "required" next to the "Scaled site plan.....". The code does not say "required", it says materials deemed appropriate. The Planning Board would have to decide how to word that.

There was discussion about a possible Conservation Overlay Form separate from the LWRP form. Jeanine and Ed can create this form and the Planning Board should review it to see if it will meet their needs.

There was more discussion on how delivery of the magnets would be completed.

Ed Evans handed out articles about Carbon Dioxide, Wind Power, Fracking and Climate change. Then he discussed the VVS where their Future Farmers of America program has a maple syrup retrieval system that has already retrieved 700 gallons of maple syrup. That is an incredible amount of syrup for a season that is not ideal for such. The project is very green. The biggest problem for them has been the freezing of the lines.

ADJOURNMENT

A motion was made by Steve Rutherford, seconded by Paul Nau to adjourn tonight's meeting barring no further business.

Respectfully submitted,

Deborah Rath
Clerk to Support Boards

The next scheduled meeting of the Hamlin Conservation Board will be held on Monday, March 25, 2013 at 7:00 pm.