

Planning Board Meeting *Minutes*
Monday, August 2nd, 2004
7:30pm

The regularly scheduled meeting of the Hamlin Planning Board was called to order by Vice Chairman James Breslawski at 7:30pm with the location of the fire exits explained for those present.

Present: James Breslawski, Ralph Della Rocco, Judith Hazen, Dave Martin, James Nesbitt and Chris Schlieter.

Excused: Chris Schlieter

Also present: Building Inspector Dick Bauman, Support Board attorney Charlie Welch, Supervisor Austin Warner, Highway Superintendent Tom Ingraham, Town Engineer Paul Chatfield, Conservation Board liaison Craig Goodrich, Town Councilman Dave Rose.

A motion was made by James Nesbitt, seconded by Dave Martin to approve the minutes of the July 5th, 2004 meeting. Members polled, Breslawski aye, Della Rocco abstained, Hazen abstained, Martin aye, Nesbitt aye. Motion carried, July minutes carried to the September meeting for lack of votes for the legal quorum.

THE CLERK READ THE PROOF OF PUBLICATION

PUBLIC HEARING

PRELIMINARY APPROVAL

**Mr. and Mrs. Stevens
6512 Shore Acres**

Mr. and Mrs. Stevens of 6512 Shore Acres were present along with their architect Chris Karelus of Schultz Associates. Mr. Karelus explained that the Stevens would be building their new house in a Shoreline Residential district. They will be demolishing the older, existing home. There will be public water, electric and gas on the site. The Monroe County Health Department has approved the septic system. The absorption unit will be odor free and will discharge into the ground rather than the Lake. Also the zoning variances have been approved.

At that time Vice Chairman Breslawski re-opened the Public Hearing from the July 5th, 2004 meeting and asked if there was anyone present to speak for or against this proposal? There were no replies. Vice Chairman Breslawski then closed the Public Hearing. Town Engineer Paul Chatfield stated that the system should be odor free like the manufacturer states. Board Member James Nesbitt inquired as to the time frame on the maintenance system. Mr. Karelus replied that the Stevens have a three year contract. It was recommended that the Stevens have a generator at the home in case of power failure to keep the septic system running. Mr. Karelus replied that this system is gravity fed. There was general discussion regarding the drainage and operation of the waste treatment unit. Chris said the only maintenance is the motor. Conservation Board Member Craig

STEVENS-6512 SHORE ACRES

Goodrich said that this system is basically a NYDAC system, which will be discharging waste into a leaching field instead of the Lake. Building Inspector Dick Bauman said that these systems still have to be pumped out on a periodic basis.

A motion was made by James Nesbitt, seconded by Ralph Della Rocco to grant Preliminary Approval to Mr. and Mrs. Stevens of 6512 Shore Acres to construct a single family residential dwelling. This is a TYPE I Declaration under SEQR. There will be a contingency stating that the Town of Hamlin would like more info pertaining to the waste removal contract. This pertains to the maintenance contract regarding the life of the unit. In addition the Town of Hamlin must be notified if the waste treatment service is ever terminated. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, Preliminary Approval granted.

Chris Karelus at that time asked the Board if Final Approval could also be granted at this Meeting?

Vice Chairman James Breslawski said that is possible since they have already received the Monroe County Department of Health approval.

A motion was made by James Nesbitt, seconded by Ralph Della Rocco to grant Final Approval to Mr. and Mrs. Stevens of 6512 Shore Acres to construct a single family residential dwelling.

SPECIAL USE PERMIT

**CHARLES HUNGERFORD
1300 CHURCH ROAD**

Mr. Charles Hungerford of 1300 Church Road was present to seek a Special Use Permit to construct an in law apartment at his residence. Mr. Hungerford explained than he will be constructing an in law apartment at his residence for his mother in law. In addition he stated that the current septic system would be adequate to cover the additional living space.

At that time Vice Chairman James Breslawski opened the Public Hearing and asked if there was anyone present to speak for or against this proposal? There were no replies. He then closed the Public Hearing.

A motion was made by Dave Martin, seconded by Judith Hazen to grant a Special Use Permit to Mr. Charles Hungerford of 1300 Church Road to construct an in law apartment onto his residence. This approval is based on the plans that were presented and all necessary permits being in place. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, Special Use Permit granted.

August 2nd, 2004

LOT COMBINATION APPROVAL

**James Poole
16 Church Road**

Mr. James Poole of 16 Church Road was present to seek Lot Combination Approval to combine three lots into one lot for the purpose of selling the three lots as one parcel. He stated that he has already sold his house which is on the property. Mr. Poole stated that his lawyer mandated that the three lots be combined into one lot. James Breslawski stated that this new combination will become Lot R-7.

A motion was made by Judith Hazen, seconded by Dave Martin to grant Lot Combination Approval to Mr. James Poole of 16 Church Road to combine three lots into one lot and one tax parcel. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, Lot Combination Approval granted.

SUBDIVISION APPROVAL

**Shane LaDue
1949 Brick Schoolhouse Road**

Mr. Shane LaDue was present to request Subdivision Approval for Shane LaDue who wishes to subdivide 6 acres from 83 acres that he owns at 1949 Brick Schoolhouse Road. Mr. LaDue explained that he changed his original plan from 5 acres to 6 acres to include the pond. The new 6 acre lot will include the pond on it.

A motion was made by James Nesbitt, seconded by Dave Martin to grant Subdivision Approval to Shane LaDue of 1949 Brick Schoolhouse Road to subdivide 6 acres from 83 acres. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, Subdivision Approval granted.

**COMMERCIAL
SITE PLAN APPROVAL
CAR WASH**

**Kevin Noon
1449 Lake Road**

Mr. Kevin Noon along with Chris Karelus of Schultz Associates were present to seek commercial site plan approval to construct a two bay car wash at 1449 Lake Road. Mr. Noon explained that he had received the necessary zoning board approvals to construct the additional building on the property. The setbacks have been met. Mr. Noon stated that it is intention to work with the Town regarding drainage issues. There will be a backflow preventor on the service. He will not be exceeding the 75% impervious surface allowed. The kerosene and diesel tanks vents have been relocated on his property. They are not encroaching on neighboring property. The Site Plan title has been changed to reflect the car wash plan. Town Engineer Paul Chatfield stated that he had just received the revised plan today and that there are drainage concerns. Highway Superintendent

KEVIN NOON-1449 LAKE ROAD

Tom Ingraham stated that he had met with Chris Karelus to discuss drainage and traffic issues. One of the driveways has been tapered back. Tom stated that drainage should flow towards the front gutter. There will be east and west inlets to collect the water from the gutter. The gutters will be re-bar reinforced. Tom stated that the Town would be willing to supply the materials to get the drainage out into the street (King Street). The kerosene and diesel pumps will be separated. Mr. Noon said that employee parking will be relocated to the rear of the property and there will also be a separate lane for trucks at the gas pumps. He stated that he would like to receive Preliminary Approval tonight to lock up his contract. Tom Ingraham stated that Town Engineer J.P. Schepp, Mr. Noon and himself will meet together to discuss and do some further exploratory work on this project to address all of the above engineering concerns.

A motion was made by Ralph Della Rocco, seconded by James Nesbitt to grant Commercial grant Site Plan Approval to Mr. Kevin Noon owner of KTS Assoc., LLC and K and K food marts to construct and operate a 2 bay car wash behind the existing K and K store. Mr. Noon, J. P. Schepp and the Town of Hamlin Highway Department will work together closely on the details of this project. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, Commercial Site Plan Approval granted.

SITE PLAN APPROVAL

**Mr. and Mrs. Jason Humbert
1649 Walker Lake Ontario Road**

Mr. Chris Karelus of Schultz Associates was present to represent Mr. and Mrs. Jason Humbert of 1649 Walker Lake Ontario Road who seek Site Plan Approval to construct a dog kennel at their residence. Mr. Karelus explained that the Humbert's had already received a Special Use Permit for the dog kennel in March of 2004. He explained that there will be floor drains installed that will carry drainage out to a leaching system. It will be a standard system. Mr. Karelus stated that there was an issue regarding some buffering on the property. The Hamlin water authority will be the governing system. There will be erosion controls on the property. There are currently existing tree buffers around the perimeter of the property. Mr. Humbert passed out pictures of the pictures showing the many trees and dense vegetation surrounding the property. Mr. Humbert said that he feels that no additional buffering is necessary. He stated that he hasn't purchased the property yet from his in laws. However, they are in negotiations now to purchase it. Mr. Humbert said that he will be starting his business with a 20 dog kennel, then will be adding more kennels as the need arises and business grows. Attorney Charlie Welch stated that there will be individual runs, the dogs will not be outside all day. There will also be an exercise area for one dog at a time. Building Inspector Dick Bauman asked about handicapped parking and stated that there should be one handicapped parking area with an unloading area. Mr. Bauman also asked for

HUMBERT-1649 WALKER LAKE ONTARIO RD.

clarification of the size of the water service being carried back to the kennels. Mr. Humbert stated that he would check into that, but he believes it to be 1 inch in size. A motion was made by James Nesbitt, seconded by Judith Hazen to grant Site Plan Approval to Mr. and Mrs. Humbert of 1649 Walker Lake Ontario Road to construct a dog kennel to be known as Pheasant Creek Farm kennels. This approval is based on the plans that have been presented. In addition, the Code Enforcement Official for the Town will conduct an annual inspection. All trees and vegetation must remain in place to create a buffering for sight and noise. Any dead trees being used for buffering will be replaced as required. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, Site Plan Approval granted.

CONCEPTUAL APPROVAL

**Mr. and Mrs. James Lamparella
7016 Benedict Beach Road**

Mr. Rich Maier, land surveyor was present to represent Mr. and Mrs. Lamparella of 7016 Benedict Beach Road. Mr. Maier explained that the Lamparella's are demolishing their existing home that was condemned. Their existing home has mold contamination. They are proposing to build a new 4 bedroom house, approximately 3200 sq. ft. in size. Mr. Maier stated that the side setback and front setback meets the Town Zoning requirements. The elevation is 251'.1 with a 4' crawl space. The flood zoning is A, B and C. All necessary variances have been obtained. Building Inspector Dick Bauman asked where the roof drainage will be discharged, and also about the back water valve being located in the discharge system. Mr. Lamparella explained that the roof leaders would be tied into the modified storm drainage system. Vice Chairman Breslawski asked that all variances obtained be noted on the Site Plan. In addition the Board will need to have the DRC comments before obtaining Final Approval.

A motion was made by Ralph Della Rocco, seconded by Dave Martin to grant Conceptual Approval to Mr. and Mrs. Lamparella of 7016 Benedict Beach Road. A Public Hearing for Preliminary Approval is scheduled for Tuesday, September 7th, 2004 at 7:30pm. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, Conceptual Approval granted with a Public Hearing scheduled.

BEEHLER/BOWER SUBDIVISION

Hamlin Parma Townline Road

Mr. Spiotti of Freel Engineering was present to seek Preliminary Approval for the Beehler/Bower Subdivision to construct 15 houses of a 30 lot subdivision. Mr. Spiotti explained that the entrance has been revised with Monroe County allowing a "T" intersection. He stated that there was a question regarding level of service for traffic and a traffic study has been completed. With a two vehicle household and a two lane highway

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**BEEHLER/BOWER SUBDIVISION
HAMLLIN PARMA TOWNLINE RD.**

at peak hours there will be 158 cars per hour. Regarding storm drainage; the plan has been revised showing the piping layouts and calculations and profiles. In addition the pond has been sized to accommodate the storm water quality issues. There will be a natural buffer on the north side and a 40' conservation easement was discussed. Paul Chatfield stated that he had just recently received all of the revised plans and did not have the time yet to go over them in detail. Vice Chairman James Breslalwski stated that a SEQR determination cannot be made tonight, without the adequate information, stating that we are bound by SEQR law. The Board needs some additional time, agreed upon by both the Planning Board and the applicant to review the additional revised plans.

A motion was made by James Breslawski, seconded by James Nesbitt to extend by mutual agreement the SEQR determination for another 35 days to make a decision for the Beehler/Bower Subdivision located on Hamlin Parma Townline Road. Paul Chatfield stated that numbers 9, 10 12, 16 and 17 of his memo refer to storm water drainage and these refer to SEQR. James Breslawski stated that in order for the Board to make a SEQR determination, more information is needed in time for the Board to review it prior to the next Planning Board meeting. The applicant and his representative agreed to this 35 day extension. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, Preliminary Approval tabled until the September 7th, 2004 meeting.

**SUP PERMIT FOR
1520 CHURCH ROAD**

Mrs. Kelly Bower was not present at tonight's meeting. Building Inspector Dick Bauman stated that Mrs. Bower and her attorney are working on the business plans to clear up the remaining issues pertaining to the original Special Use Permit. They have been placed on the September 7th, 2004 Planning Board agenda.

ADJOURNMENT

A motion was made by James Nesbitt, seconded by Dave Martin to adjourn the meeting barring no further business. Members polled, Breslawski aye, Della Rocco aye, Hazen aye, Martin aye, Nesbitt aye. Motion carried, meeting adjourned.

Respectfully submitted,

Cindy Olds
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Planning Board will be held on Tuesday, September 7th, 2004 at 7:30pm. Deadline for fees is Monday, August 16th, 2004.

