

Hamlin Planning Board *Minutes*
Monday, February 6, 2006
7:30pm

The regular scheduled meeting of the Hamlin Planning Board was called to order by the Chairman James Nesbitt at 7:30pm at the Hamlin Town Hall located at 1658 Lake Road, Hamlin, New York. The location of the fire exits was explained for those present.

Present: Ralph Della Rocco, Dane Emens, Judith Hazen, Dave Martin, Linda Morey, James Nesbitt and Chris Schlieter.

Also present: Support Boards Attorney Charlie Welch, Town Engineer J.P. Schepp, Town Supervisor Denny Roach, Town Board Liaison Dave Rose, Building Inspector Dick Bauman, Conservation Board member Craig Goodrich, Highway Superintendent Tom Ingraham, Richard Maier, Tom Jensen, Linda Hueser, Roger Hueser, Irene Frediani, Mark Reeves and several other interested residents.

A motion was made by Dane Emens, seconded by Chris Schlieter to nominate James Nesbitt as Chairman of the Board for 2006. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt abstain, Schlieter aye. Motion carried.

A motion was made by Dane Emens, seconded by Dave Martin to nominate Ralph Della Rocco as Vice Chairman of the Board for 2006. Members polled Della Rocco abstain, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

A motion was made by Chris Schlieter, seconded by Linda Morey to approve the minutes from the January 3, 2006 meeting as presented. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried, minutes approved.

The Clerk read Proof of Publication

PUBLIC HEARING

**SPECIAL USE PERMIT
IN LAW APARTMENT**

**RICK BOWER
21 COUNTRY CREEK LANE**

Rick Bower was present to seek Special Use Permit approval for an in law apartment located at 21 Country Creek Lane. Mr. Bower explained that the buyers were interested in building a 2400 sq. ft. home with an in law apartment for the Grandmother. The apartment would not affect the appearance of the house. Mr. Bower stated the apartment would consist of a bedroom, living room, bathroom and separate entrance. The Board asked if Town Engineer J.P. Schepp had any concerns. Mr. Schepp stated he had no

concerns. Attorney Welch stated that an in law apartment can be occupied by related parties only and can never be used as a rental. Mr. Bower stated that he understood and explained that to the buyers also.

At this time Chairman James Nesbitt opened the Public Hearing and asked if there was anyone present to speak for or against this proposal. There were no replies.

At this time Chairman James Nesbitt closed the Public Hearing.

A motion was made by Linda Morey, seconded by Chris Schlieter to grant Special Use Permit approval to Rick Bower for 21 Country Creek Lane for an in law apartment. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

PUBLIC HEARING

PRELIMINARY SITE PLAN APPROVAL ORCHARD ACRES SUB. SECTION II

3768 BRICK SCHOOLHOUSE RD

Arnold Carmichael was present to seek Preliminary Site Plan Approval for Orchard Acres Subdivision Section II located at 3768 Brick Schoolhouse Road. Mr. Carmichael explained that this lot was part of two-lot subdivision. The current owner lives in the existing house on the east lot and is proposing building on the other vacant lot. Mr. Carmichael has the Monroe County Health Department review and it has been addressed and the Monroe County Water supply has been added to the plan. Town Engineer concerns have been addressed. The location of the existing metal shed on the other lot has been added to the plan. Dave Martin questioned the side set back for the metal shed. Mr. Carmichael stated that the shed was built non-conforming. The Subdivision was approved in 1978 and an instrument survey done in 1989 shows the metal shed. Chris Schlieter questioned whether the existing shed would require a variance and if a permit was obtained. The location of the shed and the raised bed leach field was discussed. The Board had concerns about the future maintenance of the shed. Attorney Welch stated that the Code Enforcement Officer would have to determine if the permit for the shed had a variance when it was built. When the existing house is sold the owners would be required to show a permit for the shed. Town Engineer J.P.Schepp stated that the location of the leach field would be all right due to the elevation of the shed so there shouldn't be any issues. It was suggested that it be written into the deed to allow the owners to maintain the existing shed.

At this time Chairman James Nesbitt opened the Public Hearing and asked if there was anyone present to speak for or against this proposal.

Mark Reeves of 3640 Brick Schoolhouse Road questioned the water supply for the existing house and the proposed house. Mr. Carmichael stated that there was an existing

water line and easement from Lake Road West Fork that supplied water to the existing house and the proposed house would tie into that same line in the same easement. The easement is between the two houses on the lot line.

Linda Hueser of 1282 Lake Road West Fork questioned the location of the house in relation to her lot. Mr. Carmichael explained that her lot backs up to this lot. The house is 160' from the road. The location was shown to her on the map. Landscaping along the rear lot line for privacy was suggested. It was asked if the lot goes to the creek. Mr. Carmichael stated yes it does. Drainage issues were discussed. Mr. Carmichael stated that a swale is shown on both sides on the plans to keep the water on their lot.

At this time Chairman James Nesbitt closed the Public Hearing.

The Board asked if Town Engineer J.P. Schepp had any concerns. Mr. Schepp stated that all of his comments have been addressed.

Chris Schlieter pointed out that some of the neighbors that back up to this lot have drainage concerns along the back of this property and would like to see the contour lines and existing landscaping indicated on the plan for other lots along the creek.

A motion was made by Chris Schlieter, seconded by Dane Emens to grant Preliminary Site Plan approval to Orchard Acres Subdivision Section II located at 3768 Brick Schoolhouse Road with the requirement that prior to Final approval additional contour lines be shown towards the neighboring rear lot lines along the west property line and possible additional landscaping. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

CONCEPTUAL SITE PLAN APPROVAL AND RE-SUBDIVISION LOT R-1 A RE-SUB OF LOTS 1 & 2 OF THE BARRETT SUB LAKE ROAD WEST FORK

Rich Maier was present to seek Conceptual Site Plan and Re-Subdivision approval for Lot R-1 a re-subdivision of Lots 1 and 2 of the Barrett Subdivision located on Lake Road West Fork. Mr. Maier explained that a year ago these lots were divided in to two lots on the east side of Lake Road West Fork. The buyer has bought both lots and would like to build a house, pond and storage building on the combined lot. The owner would like to build the storage building prior to the house to store furniture and materials while the house is being built. The Board asked the material of the storage building. Mr. Maier stated it would be a metal building with gravel floor. Attorney Welch stated that the storage building would need a Special Use Permit if it was built prior to the house. Dave Martin questioned the reason for the pond. Mr. Maier indicated that a raised bed septic system was proposed and the pond is a good way of getting the dirt needed to use for fill. Chairman James Nesbitt stated that this is a significant change by adding the storage building, pond and the driveway location. Mr. Nesbitt asked if Mr. Maier would be ready

for Preliminary and Special Use Permit Public Hearing at the next meeting. Mr. Maier indicated he would be ready. Dave Martin questioned the driveway width. Town Engineer J.P. Schepp indicated that the 12' driveway was acceptable. Mr. Schepp stated that the drainage concerns with the property before have improved due to less development. He stated that he would like to see the grading improved behind 990 Lake Road West Fork. Mr. Maier stated he could do that. Mr. Schepp questioned ponds being allowed in R-L and would like to have the side slope and distance from the lot line checked. Attorney Welch stated that ponds are not allowed in R-L so he would need a variance from the Zoning Board of Appeals. Mr. Schepp stated that there were no changes to the water or septic so he had no issues.

A motion was made by Chris Schlieter, seconded by Judith Hazen to grant Conceptual Site Plan and re-subdivision approval to Lot R-1 of the re-subdivision of Lots 1 and 2 of the Barrett Subdivision located on Lake Road West Fork and to schedule a Public Hearing for Preliminary Approval and Special Use Permit approval for next month. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

RE-ZONING RECOMMENDATION WALKER LAKE ONTARIO ROAD PROJECT

Don Carpenter from DDS Engineers was present representing Kevin Truelson on a project being proposed on Walker Lake Ontario Road. Mr. Carpenter explained that they went before the town Board for re-zoning and were referred to the Planning Board for a recommendation. The project consists of 82 acres on the corner of Brick Schoolhouse Road and Walker Lake Ontario Road. The present zoning is R-VL and they are proposing it be re-zoned to R-M. Water and sewer are available on site. 90 lots are being proposed for this location. Mr. Carpenter stated that he received comments today from the Town Engineer. A secondary access was discussed. Mr. Carpenter indicated that some of the lots were shown as being less than .50 acres and that would be corrected at the Concept stage. This project is just at the re-zoning stage and the next step would be an Engineered Concept sketch. The Conservation Overlay District was discussed. Linda Morey questioned the lots along the creek needing variances for decks, pools, sheds, etc. Mr. Carpenter stated that the placement of the road and lot sizes may differ at the Concept stage. Attorney Welch stated that they are proposing 90 lots on 82 acres and questioned the time frame. Kevin Truelson stated that this would be a long-term project starting on Brick Schoolhouse Road. Mr. Truelson stated that it may end up being only 50 lots. 90 is the maximum lots that could be proposed. Town Engineer J.P. Schepp stated that this is just a re-zoning sketch. The Town Board would like to have some recommendation for leaving the front lots 2 acres and the rest .50 acres. It was discussed and determined that the parcel would need to be subdivided. Then the top half could be zoned R-L and the bottom half could be R-M. Dave Martin stated that the lots along the creek may have the same flooding problems as the lots in Lake Breeze Estates. More development means more water. Relocating the road was suggested. Chris Schlieter

suggested having deed restrictions on the lots along the creek. He also stated that no storm water facility was shown on the plan.

A motion was made by Chris Schlieter, seconded by Judith Hazen for a recommendation for the Walker Lake Ontario Road project to go to the Town Board for re-zoning. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried.

DISCUSSION

Chairman James Nesbitt stated that he had received some training opportunities in the mail if anyone was interested.

Chris Schlieter asked if his training from another municipality could be used for here also. Town Board Liaison Dave Rose stated that would be all right.

Chairman James Nesbitt stated that the senior project may be on the March agenda.

Chairman James Nesbitt asked if Building Inspector Dick Bauman had anything. Mr. Bauman stated nothing at this time.

Chairman James Nesbitt asked if Craig Goodrich had anything from the Conservation Board. Mr. Goodrich stated nothing at this time.

Town Board Liaison Dave Rose stated that the Hamlin Kendall Water meeting was going to be on February 15, 2006 to discuss the Monroe County Water proposal and the next Zoning Review meeting was going to be February 21, 2006.

Highway Superintendent Tom Ingraham told everyone to drive careful the weather had gotten bad and the plows were going out.

ADJOURNMENT

A motion was made by Chris Schlieter, seconded by Judith Hazen to adjourn tonight's meeting barring no further business. Members polled Della Rocco aye, Emens aye, Hazen aye, Martin aye, Morey aye, Nesbitt aye, Schlieter aye. Motion carried, meeting adjourned.

Minutes respectively submitted by:

Heather Norman
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Planning Board will be held on Monday, March 6, 2006 at 7:30pm. Deadline for all fees is February 17, 2006 at 2:00pm.