

Hamlin Planning Board *Minutes*
Monday, May 3, 2010
7:30pm

The regular scheduled meeting of the Hamlin Planning Board was called to order by the Chairperson Linda Morey at 7:30pm at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The location of the fire exits and AED was explained for those present.

Present: Ron Breslawski, Judith Hazen, Tom Jensen, Dave Martin, Linda Morey, Mark Reeves and Peter Tonery.

Also present: Town Engineer J.P. Schepp, Support Boards Attorney Ken Licht, Town Board Liaison Dave Rose, Highway Superintendent Steve Baase, Building Inspector Lee Nettin, Conservation Board members Nick Kramer and Ed Evans, Engineers John Clarke and Dave Matt and resident Patrick Shannon.

A motion was made by Dave Martin, seconded by Judy Hazen to approve the minutes from the April 5, 2010 meeting as recorded. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried, minutes approved.

The Clerk read the Proof of Publication

**PUBLIC HEARING
PRELIMINARY SITE PLAN APPROVAL
PAUL SEIFERT JR.**

349 WILER ROAD

John Clarke from DDS Engineers was present representing Paul Seifert Jr. seeking Preliminary Site Plan approval to construct a single family house, barn, leach and pond located at 349 Wiler Road. Mr. Clarke explained that Mr. Seifert owns a 53 acre vacant lot on Wiler Road. Mr. Clarke addressed the Town Engineer comments. They have received the County DRC comments and they are insignificant. The only change to the plan is the pond which has been moved to the west.

At this time Chairperson Linda Morey 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 Chairperson Linda Morey closed the Public Hearing.

Dave Martin stated that he had some soil and water concerns. The soil classification on the property is subject to flooding and poor stability. Dave stated that he has lived here for 38 years and in the past grain crops on that lot have flooded. If it is a dry year it is ok. The soil is not favorable for home sites. Engineer John Clarke stated that they have addressed that issue by making the basement above the seasonal high water mark. A lot of fill is required. Dave stated that he is concerned that the Board will approve this Site Plan and the homeowner will come back to the town with flooding issues. John Clarke

stated that the first floor will be 8' above grade. Multiple sump pumps will be up to the owner. Drainage has been directed away from the house. Building Inspector Lee Nettin stated that he contacted Monroe County Soil and Water and a SWPP is required to be submitted for this proposal. Town Engineer J.P. Schepp stated that a SWPP is only required for 5 acre single family developments. J.P stated that they are aware that the area is prone to flooding and a note has been added to the plan. The house is being built at a high spot on the lot and drainage is directed away from the house. They are making the property useful. Currently it isn't even good for farming.

Conservation Board Liaison Ed Evans stated that they walked the property and they agree with Dave Martin. The area is prone to flooding however the house and barn are far from the creek so the Conservation Board has no issues.

Tom Jensen stated that the soil is not suitable for building on the lot but the Engineer has addressed that issue. He would still like Monroe County Soil and Water to review the pond specs. He is concerned that the pond will flood during the high water season. Town Engineer J.P. Schepp stated that they have reviewed the pond location and drainage. Dave Martin stated that he is concerned that the sides of the pond will erode and cause flooding. Engineer John Clarke stated that there is no water movement in the pond so erosion won't be an issue. They have added stone at the channel of the pond to reduce erosion at that location. There are several other ponds in the area and they don't have any flooding issues.

Judy Hazen questioned if the barn location was in front of the front foundation of the house. John Clarke stated no it is behind the house.

A motion was made by Dave Martin, seconded by Tom Jensen to refer the plan to Monroe County Soil and Water to review the proposal. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves no, Toney aye. Motion carried.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Preliminary Site Plan approval to Paul Seifert Jr. for the construction of a single family house and barn located at 349 Wiler Road. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Toney aye. Motion carried.

Chairperson Linda Morey stated that no comments have been received back from the County DRC for the other proposals on tonight's agenda so they won't be able to make any Final motions.

**ACCESSORY PERMIT
DAVID ISABELLA****BRICK SCHOOLHOUSE ROAD**

David Isabella was present seeking approval for an Accessory Permit to have a pond on his vacant lot located at 021.02-1-5.2 Brick Schoolhouse Road per Town Code 125-52. Mr. Isabella explained that he would like to construct a pond on his vacant lot for recreational purposes. Chairperson Linda Morey stated that a Site Plan with specs for the pond, elevations and a safety fence is needed. Tom Jensen stated that this property is located close to a subdivision and he is concerned that children will go back to the pond and fall in and no one would know. He would like a detailed map with the specs for the pond to be reviewed by Monroe County Soil and Water.

Town Engineer J.P. Schepp stated that a plan to scale with the slope and depth of the pond shown is needed. Safety benches in the pond are required. Setbacks need to be shown on the map. He questioned where the spoils from the pond would be going. Mr. Isabella stated that they would be taking the spoils to a nursery. It was explained that the town doesn't allow the striping of topsoil for sale of distribution to another town. Mr. Isabella stated that he wasn't aware of that so he would just spread the top soil out on his lot. Mr. Schepp stated that West Creek runs along the property and needs to be shown on the map. The pond cannot conflict with the current drainage plan for the property. An Engineered drawing is needed. Safety fencing and signs need to be added per the Board.

Judy Hazen questioned Mr. Isabella's address and was concerned about having a pond on a vacant lot. Peter Tonery stated that the map should show Mr. Isabella as the property owner. Peter also requested details on where the spoils would be spread on the property so they don't cause flooding for neighboring properties. Judy Hazen stated that the property is very marshy and wet. She stated that the pond needs to be maintained to eliminate flooding and she is concerned that this will be difficult because the lot is vacant.

Chairperson Linda Morey stated that Mr. Isabella would need to submit an Engineered Site Plan to the Clerk by the deadline to be placed on next month's agenda.

**SIMPLE SUBDIVISION
SHANNON SUBDIVISION****276 DRAKE ROAD**

John Sciarabba from Land Tech was present to represent Patrick and Teresa Shannon seeking Simple Subdivision approval of the Shannon Subdivision located at 276 Drake Road. Mr. Sciarabba explained that Mr. and Mrs. Shannon own a 55 acre lot with a farm house on it currently. They would like to subdivide off the farm house along with 5 acres and have a 50 acre vacant lot. They have a buyer for the farmland and a buyer for the lot with the house. A 40' drainage easement is included in the plan.

Town Engineer J.P. Schepp stated that a note that Lot 2 is not approved for building needs to be added to the plans.

Chairperson Linda Morey explained that because we have not received comments back from the County yet they cannot take any action. The Shannon Subdivision will be added to next month's agenda.

**SITE PLAN APPROVAL
LINDA GRANT**

500 COOK ROAD

Rich Maier from Maier Land Surveying was present representing Linda Grant seeking Site Plan approval for a single family house located at 500 Cook Road. Mr. Maier explained that there was an existing barn on the lot that was purchased by deed only. The barn has been converted into a house. There are outstanding issues with the lot that we are trying to clean up. A septic and well have been added to the property. Variances for the lot are needed.

Town Engineer J.P. Schepp explained that this lot was approved in 2004 contingent on Monroe County Health Dept. approval. Since then we have new Development Regulations so the driveway is required to be paved now. There is a new driveway to the west that is not shown on the plan.

Some discussion took place regarding a preexisting lot and variances needed.

Attorney Ken Licht explained that the lot is not a legal subdivision. It was created in 1993 by deed. A Building Permit to convert the barn into living space was issued but a Certificate of Occupancy was never issued. The lot should be made legal and it should be referred to the Zoning Board for variances. Lot size, lot width and front setback variances are needed.

A motion was made by Tom Jenson, seconded by Peter Tonery to refer Linda Grant of 500 Cook Road to the Zoning Board for variances for a Site Plan. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves no, Tonery aye. Motion carried.

**SITE PLAN APPROVAL
ERIC PETER**

101 KETCHUM ROAD

Dave Matt from Schultz Associates was present representing Eric Peter seeking Site Plan approval for a single family house, barn and pond located at 101 Ketchum Road. Mr. Matt explained that the lot was previously subdivided and a Site Plan for the barn only was approved. The barn was never constructed. The owner is now proposing a single family house, the barn location has moved and a pond has been added. The leach is

located in front of the house and drainage is towards the ditch at the road. A bathroom has been added to the barn. Water and septic tie-ins have been added to the plans. The barn will be used for storage only. The pond has been moved to 40' from the property line per the code. The pond will be used for fill. A portion of the property will continue to be farmed.

Town Engineer J.P. Schepp stated that the water and sanitary lines to the barn need to be shown on the map and heating in the barn needs to be addressed. The driveway needs to be paved per Development Regulations. A portion of the existing driveway is on the neighbor's property and should be cleaned up. Setback for the pond needs to be shown. Clearing limits for the woods need to be added to the plans.

Attorney Ken Licht stated that the owner of the neighboring property needed to be added to the plan. J.P. stated that this is already an approved subdivision.

Tom Jensen questioned if the barn would be used for business. Mr. Matt stated not to his knowledge.

A motion was made by Tom Jensen, seconded by Dave Martin to grant Conceptual Site Plan approval to Eric Peter for 101 Ketchum Road and to schedule a Public Hearing for Preliminary approval for June 7 at 7:30pm. The plan referred to Monroe County Soil and Water for pond review also. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

DISCUSSION

The Board discussed reviewing the properties on the agenda together. They decided to continue to review them individually.

Ed Evans from the Conservation Board thanked the Board for their support with the CCC Camp and wanted to thank one member that donated the use of a chipper for a day and another that made a donation to the CCC Camp. It is greatly appreciated.

Town Board Liaison Dave Rose stated that the Public Hearing for the In Law apartment Code change would be held at 6:30 on May 10.

Peter Tonery questioned if there was any way to expedite the agreement with the County for DRC referrals. Attorney Ken Licht stated that he would look into it.

ADJOURNMENT

A motion was made by Mark Reeves, seconded by Ron Breslawski to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Peter Toney 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, June 7, 2010 at 7:30pm. Deadline for all fees is May 24, 2010 at 12:00pm.