



**CONSERVATION DEVELOPMENT PERMIT  
WAYNE HEALEY****7924 NEWCO DRIVE**

Mr. Healey was present seeking Conservation Development Permit approval for a 22' x 26' front porch located at 7924 Newco Drive. Mr. Healey explained that they were before the Board and were referred to the Zoning Board for variances. The variances were granted and DRC County comments have been received and there were no issues. Town Engineer J.P. Schepp had no issues. Building Inspector Lee Nettnin questioned the height of the finished floor on the porch. Mr. Healey stated that he wasn't sure. The current house elevation is 252'. Mr. Healey stated that the porch would be on a concrete pad and would have doors and windows. Mr. Nettnin stated that the porch would have to be at 252' due to the flood level. Conservation Board member Ed Evans stated that the porch was consistent with the LWRP.

A motion was made by Tom Jensen, seconded by Dave Martin to grant Conservation Development Permit approval to Mr. Healey to construct a 22' x 26' front porch located at 7924 Newco Drive. County comments have been received. The permit will expire 1 year from the date the Building Permit is issued. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SPECIAL USE PERMIT APPROVAL  
LORRAINE VYVERBERG****811 CHASE ROAD**

Lorraine Vyverberg was present seeking Special Use Permit approval to have an Alpaca and Dog breeding business located at 811 Chase Road called Dakotacreek's Chihuahuas/Alpacas. She explained that she would breed the Alpacas and sell them and keep some for shows. She would also be selling their fleece. They have 1 baby per year. They are about 100-150 lbs. They have a small pasture, love the cooler weather and are very clean animals. At the moment she has 4 Alpacas and 2 horses. Chairperson Linda Morey stated that only 4 Alpacas are allowed per the code. Ms. Vyverberg stated that she breeds and shows Chihuahuas. They are kept in a room in the house. She does sell the puppies. She has a license from the Department of State and has a Harboring Permit from the Town of Hamlin. The Board questioned the location of the Alpacas. Ms. Vyverberg stated that they are kept in a fenced area. They will have a shelter for them. They like the cold weather but need shade in the summer. There are several trees along the lot line for shade.

Town Engineer J.P. Schepp stated that the Alpacas fit the code. The setbacks for the buildings were questioned due to the lot only being 192' wide. The fence and structure meeting the setbacks per the code might be tough. Building Inspector Lee Nettnin stated that the Harboring Dog permit from the town is good for 1 year. He stated that this proposal is exempt from the County DRC referral per our agreement. Chairperson Linda Morey questioned if this should be a Special Use Permit or a stable. Mr. Nettnin

explained that the owner is selling animals and product from the animals so the Special Use Permit fits. She is technically not a farm due to the lot size. Ms. Vyverberg stated that she has bought another lot across the street. Attorney Ken Licht questioned if the property was adjacent to her lot. It was determined that it was on another road. Attorney Licht explained that lots on different streets or across the street cannot be combined so the lots cannot be considered one lot. Attorney Licht stated that this is intended to be a Home Occupation Use per the code. A complete application hasn't been completed from the applicant though.

Tom Jensen suggested treating the Alpacas and dogs separately. Attorney Ken Licht stated that per the code 4 Alpacas are allowed. The setbacks for the building and fence were questioned. Attorney Ken Licht stated that the Board hasn't been given sufficient information. Per Town Code 125-50 the fence and buildings have to meet setback requirements from the lot lines and neighboring houses but those details haven't been provided.

Chairperson Linda Morey stated that she might have more Alpacas than 4 also. Tom Jensen asked if she planned on keeping the young Alpacas. Ms. Vyverberg stated that she plans on keeping only the females. Attorney Ken Licht stated that it is a 5-acre lot zoned R-VL. Per the code the fence, building and manure have to meet the setbacks. Tom Jensen questioned the distance the fence is from the lot line. Ms. Vyverberg stated about 6' from the property line. Chairperson Linda Morey stated that the fence, building and manure would require a variance to be that close to the lot line per the code. Tom Jensen stated that the location of the neighboring houses is needed so that the setbacks can be determined. It was explained that the lean-to for the Alpacas would need to be 50' from the lot line. Attorney Licht explained per Town Code 125-50C(3)(f) a roofless structure is a fence and it needs to be 30' from the lot line and 150' from nearest dwelling unit on adjoining lot. Ms. Vyverberg stated that she is not getting rid of her Alpacas.

Conservation Board member Ed Evans stated that there were no issues.

A motion was made by Tom Jensen, seconded by Peter Tonery to refer Mr. Vyverberg to the Zoning Board of Appeals for variances for setbacks for the fence, building and manure for the keeping of Alpacas at 811 Chase Road. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**MYLAR SIGNING  
HOWE SUBDIVISION**

**2728 CHURCH ROAD**

Kris Schultz from Schultz Associates was present representing Dennis Howe seeking Mylar signing for a Site Plan to construct a single family house located at 2728 Church Road. Mr. Schultz explained that this lot was originally approved in 1993 but the owner changed his mind. Then it was approved again last year but the Mylar was never signed. There are no changes to the plans. Town Engineer J.P. Schepp stated that the Site Plan was approved in November 2008. County DRC comments were received and addressed

then. There are no engineering concerns. Building Inspector Lee Nettin stated that per the code the driveway is required to be paved in the right-of-way. Conservation Board member Ed Evans had no concerns. Attorney Licht stated that he didn't review the 2008 minutes but had no issues.

A motion was made by Peter Tonery, seconded by Tom Jensen to grant Mylar signing approval to Mr. Howe for the Site Plan to construct a single family house located at 2728 Church Road. Members polled Breslawski aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

### **DISCUSSION**

Town Board Liaison Dave Rose stated that the Town Board had a Public Hearing tonight and the 2011 Budget was passed. He explained that the total taxable value went down due to the recent assessment. It is 3 ½ % less. They will vote on re-zoning Country Creek at the November Town Board meeting. The next Zoning Workshop will be November 11 at 7:00pm.

Chairperson Linda Morey questioned if the outline sheets explaining the County DRC process were complete. Attorney Licht stated they would be done shortly.

### **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, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery 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, December 6, 2010 at 7:30pm. Deadline for all fees is November 22, 2010 at 12:00 noon.**