

Hamlin Planning Board *Minutes*
Monday, December 5, 2011
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, Building Inspector Lee Nettnin, Conservation Board members Jeanine Klopp and Ed Evans, Engineers Rich Maier and Dave Matt and residents Kristen Peters, Chris Cramen, James Peters, Marty Maier, Tim and Laura DeRycke and Michael Viva.

A motion was made by Mark Reeves, seconded by Peter Tonery to approve the minutes from the November 7, 2011 meeting with the correction of Mark's name on page 2. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried, minutes approved.

A motion was made by Mark Reeves, seconded by Peter Tonery to approve the minutes from the November 17, 2011 meeting as recorded. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried, minutes approved.

A motion was made by Tom Jensen, dually seconded by Mark Reeves and Judy Hazen to nominate Linda Morey as Chairperson for 2012. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey abstain, Reeves aye, Tonery aye. Motion carried.

A motion was made by Ron Breslawski, seconded by Tom Jensen to nominate Dave Martin as Vice Chairperson for 2012. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin abstain, Morey aye, Reeves aye, Tonery aye. Motion carried.

The Clerk read the Proof of Publication

**PUBLIC HEARING
COMMERCIAL SITE PLAN APPROVAL
LUCKY JACKS**

1486 LAKE ROAD

Kristen Peters was present seeking Commercial Site Plan approval to have a Candle and Incense retail shop located at 1486 Lake Road. They would like to sell candles, incense, soaps, body oils, etc. The hours would be 4:00-9:00pm.

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.

Judy Hazen questioned if they would have a sign. They stated they were looking into getting a sign for the window. Judy Hazen questioned the days of the week they would be open. They stated Monday through Saturday from 4:00-9:00pm.

A motion was made by Mark Reeves, seconded by Judy Hazen to grant Commercial Site Plan approval to Kristen Peters to have a Candle and Incense Retail Shop located at 1486 Lake Road. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**PUBLIC HEARING
COMMERCIAL SITE PLAN APPROVAL
1800 LAKE ROAD SUITE 5**

Tim DeRycke was present seeking Commercial Site Plan Approval to open a Bottle and Can Redemption Center located at 1800 Lake Rd. in the Tops Plaza. They will occupy two spaces, one immediately to the south of Tops and one next to the Hair Salon. The space next to the Hair Salon would be just to store the empties. Hours would be Monday through Friday 9:00am-6:00pm, Saturday 9:00am-5:00pm and Sunday 10:00am-3:00pm.

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.

Chairperson Linda Morey requested a new map for the Hamlin location. She also questioned the parking issue in front of the building. Mr. DeRycke stated the Fire Lane is marked now. He suggested putting a sign inside the store and making carts available for their customers.

A motion was made by Peter Tonery, seconded by Tom Jensen to grant Commercial Site Plan approval to Laura DeRycke to have a Bottle and Can redemption center located at 1800 Lake Rd. Suites 5 and 7 in the Tops Plaza. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**FINAL SUBDIVISION/SITE PLAN APPROVAL
JONES-WALKER SUBDIVISION
1243 WALKER LAKE ONTARIO RD.**

No one was present for this presentation.

**SIMPLE LOT COMBINATION
VESTY SUBDIVISION
81 ROTHS COVE**

Rich Maier from DDS Engineers was present seeking Simple Lot Combination approval for the Vesty Subdivision located at 81 Roths Cove. Mr. Maier explained that the owners just purchased the property and would like to combine the 2 existing lots into 1. The house is existing. Variances are required from the Zoning Board.

Attorney Ken Licht requested the map be amended to show the current owners for deed reference.

A motion was made by Tom Jensen, seconded by Peter Tonery to refer this application to the Zoning Board of Appeals for several variances as needed for the Vesty Subdivision located at 81 Roths Cove. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**MYLAR RE-SIGNING
HESS SUBDIVISION**

A motion was made by Tom Jensen, seconded by Peter Tonery to grant Mylar re-signing approval to the Hess Subdivision. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**MYLAR RE-SIGNING
DANZIG-JIACOBBE SUBDIVISION**

A motion was made by Peter Tonery, seconded by Dave Martin to grant Mylar re-signing approval to the Danzig-Jiacobbe Subdivision. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE LOT COMBINATION
TOWN OF HAMLIN
1658 LAKE ROAD**

Dave Matt was present from Schultz Associates representing the Town of Hamlin seeking Simple Lot Combination approval to add the property to the south to the Town property located at 1658 Lake Road.

Attorney Ken Licht suggested labeling the lots and adding acreage totals to the map for clarity.

Building Inspector Lee Nettnin added that the lot to the south was re-zoned by the Town Board to R-M. This is a Type II SEQR and a local DRC matter.

Mark Reeves noted a typo on that map that needed to be corrected. Dave Matt agreed to correct the map.

A motion was made by Tom Jensen, seconded by Mark Reeves to grant Simple Lot Combination approval to the Town of Hamlin Subdivision located at 1658 Lake Road contingent on the map being corrected. The Board waives the need for a Public Hearing per Town Code 520-66J. This is a Type II SEQR determination. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**CONSERVATION DEVELOPMENT PERMIT
7920 NEWCO DRIVE**

Dave Matt from Schultz Associates was present representing Mike Viva seeking Conservation Development Permit approval for a single family house located at 7920 Newco Drive. Mr. Matt explained that a renewal was needed for the Conservation Development Permit due to the single family house located at 7920 Newco Drive not being completed. The Building Permit has also expired and needs to be renewed in order to complete the interior of the house.

Building Inspector Lee Nettnin stated that all inspections are current.

There were no additional comments from the Conservation Board.

A motion was made by Peter Tonery, seconded by Ron Breslawski to grant Conservation Development Permit approval to Mike Viva for a single family house located at 7920 Newco Drive. Members polled Breslawski aye, Hazen aye, Jensen aye, Martin aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

DISCUSSION

The Board discussed an email from Peter Tonery regarding Special Use Permits. Attorney Ken Licht explained that the SUP approval runs with the property and can't be limited to an individual. He suggested the Board focus on the use and the extent of the use. By putting specific restrictions in the motion the use can be regulated. SUPs are allowed per the code. The Zoning Workshop can review the code if other conditions are needed in the code. Once the use is granted it can't be changed. By being specific in the motions the use can be enforced at the annual inspections. The Board agreed to make specific regulations in the motions for SUPs.

Town Board Liaison Dave Rose said it was good to be back. The Zoning Workshop for December has been canceled and will start again the second Thursday in January. Happy Holidays to everyone.

Conservation Member Jeanine Klopp stated that they have been discussing environmental issues. Hydro-fracking was discussed.

Tom Jensen thanked the Town Board for the Resolution they made regarding the letter to the I.J.C. regarding the water level and he thanked the Conservation Board for their hard work and information that they provided to the Board.

ADJOURNMENT

A motion was made by Mark Reeves, seconded by Tom Jensen to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Hazen 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 Tuesday, January 3, 2012 at 7:30pm. Deadline for all fees is December 19, 2011 at 12:00 noon.