

Hamlin Planning Board *Minutes*  
Tuesday, January 3, 2012  
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, Linda Morey and Mark Reeves.

Excused: Dave Martin 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, Nick Kramer and Ed Evans, Engineers Rich Maier and Darryl Mosher and residents Kristen Peters, Ralph and Eileen Preston, Dan Wilson, Linda Rabjohn, Robert Fitzgerald, Mark DeHaan, Sal and Bo Anselmo and Stephen and Barbara Worden.

A motion was made by Ron Breslawski, seconded by Tom Jensen to approve the minutes from the December 5, 2011 meeting as recorded. Members polled Breslawski aye, Hazen aye, Jensen aye, Morey aye, Reeves aye. Motion carried, minutes approved.

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

Rob Fitzgerald from Razak Associates was present representing John and Debra Wilfeard seeking Final Subdivision/Site Plan approval to construct a single family house and create the Jones Walker Subdivision located at 1243 Walker Lake Ontario Rd. Mr. Fitzgerald stated that they had a couple issues they were working on. He added a turnaround to the plans. He also talked to the Health Department regarding the old junk yard located on the site. There is no permit issued by the Health Department and he learned that they don't sign off indicating that the site is safe. Their signature on the Mylar is their approval. He recommended to his clients to do a deep hole test. His clients' have walked the property and are comfortable with the condition.

There were no other concerns. Attorney Ken Licht stated that he would need to review the easement to the Town of Hamlin prior to signing the Mylar.

Chairperson Linda Morey commented that she was hoping the Health Department would give them something in writing stating that the site was safe.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Final approval to Mr. and Mrs. Wilfeard to construct a single family house and create the Jones-Walker Subdivision located at 1243 Walker Lake Ontario Rd. contingent on review and approval of the easement to the Town of Hamlin by the Attorney. Members polled Breslawski aye, Hazen aye, Jensen aye, Morey aye, Reeves aye. Motion carried.

**LUCKY JACKS REVISION  
1486 LAKE ROAD**

Kristen Peters was present seeking revised hours of operation approval for Lucky Jacks located at 1486 Lake Rd. Ms. Peters stated that she would like to extend the hours for her shop to 9:00am to 9:00pm.

Judy Hazen questioned the days she would be open. Ms. Peters stated Monday through Saturday.

A motion was made by Mark Reeves, seconded by Judy Hazen to approve the hours of operation for Kristen Peters to 9:00am-9:00pm Monday through Saturday for Lucky Jacks located at 1486 Lake Road. Members polled Breslawski aye, Hazen aye, Jensen aye, Morey aye, Reeves aye. Motion carried.

**SIMPLE LOT COMBINATION  
JS DEHAAN SUBDIVISION**

**287 CHASE ROAD**

Rich Maier from DDS Engineers was present representing John and Sue DeHaan seeking Simple Lot Combination approval for the JS DeHaan Subdivision located at 287 Chase Road. Mr. Maier explained that his clients own all four lots with one residence. They would like to combine the lots together for tax purposes. There is no new construction being proposed.

There were no concerns.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Simple Lot Combination approval to Mr. and Mrs. DeHann for the JS DeHaan Subdivision located at 287 Chase Road. Per Town Code 520-66J the Board waives the need for a Public Hearing. Members polled Breslawski aye, Hazen aye, Jensen aye, Morey aye, Reeves aye. Motion carried.

**CONSERVATION DEVELOPMENT PERMIT  
122 LAKE ROAD EAST FORK**

Sal and Bo Anselmo were present seeking Conservation Development Permit approval for a 4' x 24.6' front addition to their house located at 122 Lake Road East Fork. Mr. Anselmo stated that they would like to extend their front room out 4'. It would not go past the existing concrete slab.

There were no Engineering concerns.

Building Inspector Lee Nettin stated that per the code there is a 35' front setback from the creek so a variance is required.

Jeanine Klopp questioned if a DEC permit had been obtained. Mr. Anselmo stated that they received a DEC permit.

A motion was made by Tom Jensen, seconded by Judy Hazen to refer Mr. and Mrs. Anselmo to the Zoning Board of Appeals for a front setback variance. Members polled Breslawski aye, Hazen aye, Jensen aye, Morey aye, Reeves aye. Motion carried.

**SIMPLE SUBDIVISION APPROVAL  
LIVING HOPE SUBDIVISION**

**2168 ROOSEVELT HIGHWAY**

Darryl Mosher was present representing Living Hope seeking Simple Subdivision approval for the Living Hope Subdivision located at 2168 Roosevelt Highway. Mr. Mosher passed out a map of the future expansion of the Church. No construction is being proposed at this time. The Nicots are selling some of their property to Living Hope and to their neighbors to the north. This will create a less conforming lot. The other two lots will be conforming. The Church would like the existing metal barn. They like the straight lines this proposal creates.

Chairperson Linda Morey stated that there are several spelling errors and the addresses on the map are incorrect. Mr. Mosher stated that he would correct them.

Town Engineer J.P. Schepp stated that the existing drive to the barn should be removed so an easement wouldn't be needed. The proposal doesn't meet the Town's setback for the pond so a variance would be needed for that property. Each property would need a separate variance application. The setback for the existing pole barn was questioned. Mr. Mosher stated that was just a concrete pad.

Building Inspector Lee Nettin stated that he had several setback and variance concerns. The creating of the non conforming lot was an issue. Lot 2 requires a variance for the

barn located in front of the house. He questioned the date the DRC was submitted by the Engineer to the County.

There were no Conservation Board concerns.

Chairperson Linda Morey stated that each parcel would need variances. She explained that the Zoning Board might not approve the variances. She would like the map to be corrected prior to any motion being made. Each property owner would need to submit a separate variance application and if the variances aren't granted then the project cannot move forward. This Board cannot create a non conforming lot. Certain hardships are required for variances. She questioned if everyone understood and if they wanted to change the map or apply for the variances. Mr. Mosher stated that they would like to try for the variances.

A motion was made by Mark Reeves, seconded by Tom Jensen to refer this proposal to the Zoning Board of Appeals for several variances for all properties associated and corrections to the map. Members polled Breslawski aye, Hazen aye, Jensen aye, Morey aye, Reeves aye. Motion carried.

### **DISCUSSION**

The Board discussed a memo from Attorney Ken Licht regarding hours of operation. The Planning Board does not have the authority to impose conditions regarding hours a business may be open.

Town Board Liaison Dave Rose stated that the Zoning Workshop will be Jan. 12 at 7:00pm. The Town Board appointed Jason Baxter to the Town Board tonight. Jan. 18 will be the vote for the Fire District Consolidation.

Judy Hazen stated that over the holidays she visited the Hamlin Station and there was no increased parking for the new addition that was just added. The parking lot hasn't been paved or stripped and there was no lighting in the parking lot. It was dark and covered in ice when she was there. The Hometown Café doesn't have any outside lighting either. Judy questioned why this isn't being addressed. Building Inspector Lee Nettnin stated that the addition at the Hamlin Station was just completed and didn't increase the occupancy so no additional parking was required. The parking lot should be marked. He spoke to the owner regarding the lighting and they are going to meet and discuss the options due to how close the parking lot and building is to the road. The Hometown Café has several open safety violations that don't get resolved.

**ADJOURNMENT**

A motion was made by Mark Reeves, seconded by Judy Hazen to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Hazen aye, Jensen aye, Morey aye, Reeves 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, February 6, 2012 at 7:30pm. Deadline for all fees is January 13, 2012 at 12:00 noon.**