

Hamlin Planning Board *Minutes*  
Monday, June 4, 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, Dave Martin, Linda Morey, Mark Reeves and Peter Tonery.

Also present: Town Engineer J.P. Schepp, Town Attorney Ken Licht, Town Board member Jason Baxter, Conservation Board members Jeanine Klopp, Ed Evans and Nick Kramer, Engineer Darryl Mosher, Rick and Felicia Westurn, Lorraine Vyverberg, Allen Wanamaker and Rocky and Pat Ellsworth.

A motion was made by Mark Reeves, seconded by Ron Breslawski to approve the minutes from the May 7, 2012 meeting as recorded. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Tonery aye. Motion carried, minutes approved.

**SPECIAL USE PERMIT  
LORRAINE VYVERBERG**

**811 CHASE ROAD**

Lorraine Vyverberg was present seeking Special Use Permit approval to sell Chihuahuas from her house located at 811 Chase Road. Ms. Vyverberg stated that she has about 15 dogs. She had a Harboring Dog Permit but was advised because she is selling puppies she needs a Special Use Permit. She stated that 9-11 puppies are born per year. She has a website and sells the puppies there. She also sells to friends and family. There are no signs for the puppies in the yard. She is registered with the State and follows all the State regulations. She shows some of the dogs. She does keep some of the puppies.

Chairperson Linda Morey questioned the current status of her State license. Ms. Vyverberg stated that it was good until November 2012. Chairperson Linda Morey stated that the application was not completed. She questioned where the puppies were being kept; inside or outside. Ms. Vyverberg explained that she received a variance from the Zoning Board to keep the puppies in the insulated shed that is heated and has air conditioning. She stated that some of the dogs stay inside and some stay outside.

There were no Engineering concerns.

Attorney Ken Licht stated that the application was not complete. He stated that approval was granted from the Zoning Board to keep dogs in the shed and that shed should be

shown on the map. Ms. Vyverberg asked for clarification. Attorney Licht explained that the building that the dogs are being kept in needs to be clearly shown on the map.

Chairperson Linda Morey explained that the Site Plan needs to be cleared up and the application needs to be completed.

Judy Hazen questioned what the framed building on the map was used for. Ms. Vyverberg stated that it was used for hay and the other lean to structure was for the Alapcas. Judy questioned how many acres she has. Ms. Vyverberg stated she has 10 acres. Attorney Ken Licht questioned how many acres this lot was. Ms. Vyverberg stated 5.5 acres. She stated that she is an agricultural farm. Attorney Licht explained that the Special Use Permit is only for this property and it is not a farm operation.

A motion was made by Mark Reeves, seconded by Dave Martin to table the application for Lorraine Vyverberg seeking a Special Use Permit to sell Chihuahuas at 811 Chase Road until next month so the application can be completed and a clear Site Plan submitted. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION  
ROCKY ELLSWORTH**

**507 HAMLIN PARMA TOWNLINE ROAD**

Rich Maier from DDS Engineers was present representing Rocky Ellsworth seeking Simple Subdivision approval for the Jersey Acres Subdivision located at 507 Hamlin Parma Townline Road. Mr. Maier explained that the owner wants to subdivide a portion of his land off and sell it to the neighboring farmer. No construction is being proposed. It will remain farmland.

There were no concerns. DRC comments have been received and there were no concerns.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Simple Subdivision approval per Town Code 520-66J(1) to Rocky Ellsworth for the Jersey Acres Subdivision located at 507 Hamlin Parma Townline Road. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**COMMERCIAL SITE PLAN  
LAKESHORE LUXURIES**

**1675 LAKE ROAD**

Rich Maier from DDS Engineers was present representing Philip Wegman seeking Commercial Site Plan approval for a retail business called Lakeshore Luxuries located at

1675 Lake Road. Mr. Maier explained that the owner is proposing a retail hardware business. No changes are being made to the building. A dumpster enclosure, pedestrian access and lighting was added to the plans per the Engineers comments. Hours of operation will be Monday through Saturday 7:30am-8:00pm and Sunday 7:00am-5:00pm all year.

Chairperson Linda Morey questioned the lighting in back. Mr. Wegman stated that there are currently lights on the building in back. There shouldn't be much traffic back there at night. She questioned if the bathroom would be handicap accessible. Mr. Wegman stated that it would be handicap accessible and he added a ramp in the front for access.

Town Engineer J.P. Schepp stated that Mr. Maier touched on his concerns. The lighting may need to be addressed at the Public Hearing. The curb cuts have been shown on the plans. The other access needs to be shown and the ones not being used need to be cleaned up. The property to the north and west are zoned residential and buffering is required per the code.

Attorney Ken Light questioned signage. Mr. Wegman stated that they will be using the existing free standing sign. No changes to the sign just the wording will be changed. He may add another sign on the fence later.

Chairperson Linda Morey questioned what would be in the show room. Mr. Wegman stated that it would be a specialty hardware store in the back with outdoor pizza ovens, docks and break walls up front in the showroom. No construction would take place on site. Just displays.

Judy Hazen questioned what the back building was used for. Mr. Wegman stated that it is currently being rented out. Just used for storage of machinery. It would just be used for storage in the future.

Tom Jensen questioned buffering for the property to the south. It was stated that the property to the south is zoned C-GB also.

Peter Tonery questioned deliveries. Mr. Wegman stated just small trucks delivering tools and hardware. They asked if he would be staging materials there for the docks and break walls. Mr. Wegman stated no he wouldn't. These materials would come directly from the yard to the customer's property. No tractor trailer deliveries. Just small truck deliveries 1-2 times a month.

A motion was made by Tom Jensen, seconded by Peter Tonery to schedule a Public Hearing for Philip Wegman seeking Commercial Site Plan approval for a retail business called Lakeshore Luxuries located at 1675 Lake Road. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**CONSERVATION DEVELOPMENT PERMIT**

**CYRIL FARRAO**

**9 and 10 SUMMER HAVEN**

Application for Cyril Farrao and Judith Pinto seeking Conservation Development Permit approval for a break wall located at 9 and 10 Summer Haven. No one was present for this application. The Board had questions for the owner. Waiting for DEC permit.

Engineer J.P. Schepp stated that there is an existing break wall there. Looks like they are extending it and repairing it.

A motion was made by Judy Hazen, seconded by Tom Jensen to table this application until next month for the DEC permit. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Toney aye. Motion carried.

**CONSERVATION DEVELOPMENT PERMIT**

**LEON SAWYKO**

**7678 NEWCO DRIVE**

Application for Leon Sawyko seeking Conservation Development Permit for an 18' x 40' garage and porch addition located at 7678 Newco Drive. No one was present for this application. The Board had set back questions and a Site Plan is required.

Conservation Board member Jeanine Klopp stated that a DEC permit has been applied for. The tree locations need to be noted on the Site Plan also. If trees are being removed that needs to be indicated.

A motion was made by Tom Jensen, seconded by Mark Reeves to table this application so a Site Plan with necessary information and DEC permit can be submitted. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Toney aye. Motion carried.

**IN LAW APARTMENT**

**RICKY AND FELICIA WESTURN**

**717 DRAKE ROAD**

Ricky Westurn was present seeking Special Use Permit approval for an IN-Law apartment located at 717 Drake Road. Mr. Westurn explained that they have a ranch house. They would like to put a second story addition on for an In-Law apartment.

Town Engineer J.P. Schepp recommended that they check the septic system capacity since they are adding a bath, kitchen and bedroom.

Attorney Ken Licht stated that an affidavit would need to be filed and updated annually stating that it is occupied by a relative. It can't be sold as a duplex because it isn't.

Mark Reeves questioned how the septic could be certified. J.P. Schepp stated he recommended checking with the Health Dept. Mr. Westurn stated that it is a 2 bedroom house now and will be a 3 bedroom with the In-Law addition.

Tom Jensen questioned if there would be a private entrance. Mr. Westurn stated yes.

A motion was made by Tom Jensen, seconded by Mark Reeves to schedule a Public Hearing for Mr. and Mrs. Westurn seeking Special Use Permit approval for an In-Law apartment located at 717 Drake Road for July 2, 2012 after 7:30pm. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE LOT COMBINATION  
DAVID AND BARBARA ROBBINS**

**5913 WAUTOMA BEACH**

Darryl Mosher was present representing David and Barbara Robbins seeking Simple Lot Combination approval for the Robbins Subdivision located at 5913 Wautoma Beach. Mr. Mosher explained that they were just combining two lots together making one 1.69 acre lot. It is closer to conforming. No construction is proposed.

A motion was made by Judy Hazen, seconded by Tom Jensen to grant Simple Lot Combination approval per Town Code 520-66J(2) to Mr. and Mrs. Robbins for the Robbins Subdivision located at 5913 Wautoma Beach. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE LOT COMBINATION  
THOMAS AND LINDA MACKIN**

**160 HAMLIN CLARKSON T.L. RD.**

Darryl Mosher was present representing Thomas and Linda Mackin seeking Simple Lot Combination approval for the Mackin Subdivision located at 160 Hamlin Clarkson Townline Road. Mr. Mosher explained that they were just combining two lots together making one lot. No construction is proposed.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Simple Lot Combination approval per Town Code 520-66J(2) to Mr. and Mrs. Mackin for the Mackin Subdivision located at 160 Hamlin Clarkson Townline Road. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**SIMPLE LOT COMBINATION  
CYRIL FARRAO/JUDITH PINTO**

**9 and 10 SUMMER HAVEN**

Darryl Mosher was present representing Cyril Farrao and Judith Pinto seeking Simple Lot Combination approval for the Lots 9 and 10 of the Summer Haven Subdivision located at 9 and 10 Summer Haven. Mr. Mosher explained that they were just combining two lots together making one 2.76 acre lot. No construction is proposed.

A motion was made by Dave Martin, seconded by Peter Tonery to grant Simple Lot Combination approval per Town Code 520-66J(2) to Mr. Farrao and Ms. Pinto for lots 9 and 10 of the Summer Haven Subdivision. Members polled Breslawski aye, Hazen aye, Martin aye, Jensen aye, Morey aye, Reeves aye, Tonery aye. Motion carried.

**DISCUSSION**

**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, Martin aye, Jensen 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, July 2, 2012 at 7:30pm. Deadline for all fees is June 18, 2012 at 12:00 noon.**