

Hamlin Planning Board *Minutes*
Monday, August 6, 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, Tom Jensen, Dave Martin, Linda Morey and Peter Tonery.

Excused: Mark Reeves

Absent: Judith Hazen

Also present: Town Engineer J.P. Schepp, Town Attorney Ken Licht, Town Board Member Craig Goodrich, Building Inspector Chad Fabry, Conservation Board members Jeanine Klopp, Ed Evans and Nick Kramer and residents Rick and Felicia Westurn and Lorraine Vyverberg.

A motion was made by Tom Jensen, seconded by Ron Breslawski to approve the minutes from the July 2, 2012 meeting as recorded. Members polled Breslawski aye, Martin aye, Jensen aye, Morey aye, Tonery aye. Motion carried, minutes approved.

**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 submitted a revised plan with the stairs to the second story apartment enclosed. The stairs are on the same side as the garage. The existing side door will be converted into an archway and access the hallway that leads to the stairs for the apartment. They will use the front door to access the house.

Chairperson Linda Morey stated that the doorway wasn't shown on the map. Building Inspector Chad Fabry stated that he would make sure that they conform to the intent at this meeting. Chairperson Linda Morey stated that she was concerned because there was no map showing the door conversion. Attorney Ken Licht stated that the motion could specify having a door access the existing house and apartment.

A motion was made by Tom Jensen, seconded by Ron Breslawski to grant Special Use Permit approval to Mr. and Mrs. Westurn for an In-Law apartment located at 717 Drake Road with the stipulation that an adequate doorway connecting the existing house and apartment be added per the Building Inspector approval. Members polled Breslawski aye, Martin aye, Jensen aye, Morey 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 high end, specialty hardware store. A revised map was submitted addressing the lighting.

Chairperson Linda Morey questioned buffering between the neighboring property, the handicap ramp and the handicap accessible bathroom. Mr. Wegman stated that he has discussed options for the handicap ramp with the Building Inspector but he hasn't decided yet where the ramp would be located.

Town Engineer J.P. Schepp stated that the dumpster location has been shown on the map, the parking is shown, curb cut changes have been shown, the buffering issue needs to be resolved and stamped drawings have been received.

Peter Tonery stated that there is a 60' access to the north zoned residential which requires buffering per the code. Town Engineer J.P. Schepp stated that the code calls for a buffer. Attorney Ken Licht stated that the buffer issue can be addressed in the motion.

A motion was made by Dave Martin, seconded by Peter Tonery to grant Commercial Site Plan approval to Mr. Wegman for Lakeshore Luxuries located at 1675 Lake Road with the conditions a handicap accessible bathroom be added, a handicap ramp be installed and a buffer to the north be installed by August 2013. Members polled Breslawski aye, Martin aye, Jensen aye, Morey aye, Tonery aye. Motion carried.

Building Inspector Chad Fabry stated that the bathroom cannot be made fully compliant and per NYS Code the owner is only required to make a certain percentage of the remodel compliant. Peter Tonery stated that a budget would need to be required to determine the percentage that has to be made compliant. Some discussion regarding the handicap bathroom took place. Dave Martin suggested making the existing utility room smaller so that the bathroom can be made handicap accessible. The owner agreed that he could do that. After the discussion the Board agreed that the motion would stand.

**COMMERCIAL SITE PLAN
ROCHESTER PALLET AND CRATE**

60 KING ST.

James Rusin was present seeking Commercial Site Plan approval to have a pallet business called Rochester Pallet and Crate located at 60 King Street. He explained that he recycles and rebuilds pallets. His equipment that he uses is not loud. This is a part time side business so he would be there mostly nights and weekends.

Chairperson Linda Morey questioned the parking. Mr. Rusin stated that this would be across the street in front of the building. Chairperson Linda Morey questioned if the parking was shared with the other business and Mr. Rusin stated yes it was.

The Board questioned deliveries. Mr. Rusin stated that he uses a 24' box truck to pick up and deliver pallets. He just uses small tools. He would have 3 part time employees. He would be adding 3 phase electric for his equipment.

Tom Jensen questioned the lack of a bathroom facility. Mr. Rusin stated that the owner has made an agreement that he could use the bathroom in another business across the street.

Dave Martin questioned the debris. Mr. Rusin stated that he brings it to an offsite location in a dump trailer so no dumpster would be required on site.

Town Engineer J.P. Schepp stated that he has a better picture of what type of business is being proposed now. There are no traffic issues at this location. He questioned if the parking would be along side of the building. Mr. Rusin stated yes. Mr. Schepp stated that there are no site changes being proposed. No customers would be coming to the site. The business won't interfere with other neighboring businesses. The water supply and sanitary facility needs to be addressed.

Building Inspector Chad Fabry questioned if this was the gray building on the north side of the road. Mr. Rusin stated yes. He questioned a loading dock. Mr. Rusin stated no dock. He questioned if the building was heated. Mr. Rusin stated no it isn't. Mr. Fabry stated that this was storage previously and now light industry is being proposed so improvements and requirements need to be discussed. Bathroom and sanitary facility needs to be addressed.

Tom Jensen questioned when the bathroom across the street was available for them to use. That all needs to be addressed.

Chairperson Linda Morey stated that a Site Plan map is required and asked if Mr. Rusin would be ready next month. Mr. Rusin explained that his lease at the other location is up and he needs to get moved into the location. The board explained that a Public Hearing is required due to the use of the building changing. Attorney Licht stated that a Public Hearing is required for Commercial Site Plan per the code. A Site Plan is required.

Peter Tonery stated that they need to know the hours that employees will be there and if a bathroom is required. The parking needs to be shown also. The documents that are submitted need to come in for legal purposes. A Site Plan is required and they need to follow a legal process for everyone.

A motion was made by Tom Jensen, seconded by Peter Tonery to table the application for Mr. Rusin until the Sept. 4 meeting so a Site Plan could be submitted. Members polled Breslawski aye, Martin aye, Jensen aye, Morey aye, Tonery aye. Motion carried.

A motion was made by Ron Breslawski, seconded by Tom Jensen to schedule a Public Hearing for Mr. Rusin for October 1 at 7:30pm for a Commercial Site Plan approval for Rochester Pallet and Crate located at 60 King Street. Members polled Breslawski aye, Martin aye, Jensen aye, Morey aye, Tonery aye. Motion carried.

**SPECIAL USE PERMIT
LORRAINE VYVERBERG**

811 CHASE ROAD

Lorraine Vyverberg was present seeking Special Use Permit approval to sell Chihuahuas out of her house located at 811 Chase Road. Ms. Vyverberg explained that when she was here last the Board requested a map showing the distance from the house to the structure for the puppies. On the map it shows that the 16' x 16' structure is 69' from the house and 30' from the fence. It is mainly an internet business. No employees and no hours of operation. She is licensed by NYS and is inspected by them annually. She has a website that she uses to sell the puppies.

There were no Engineering concerns.

The map was discussed and the location of the structure was shown.

A motion was made by Peter Tonery, seconded by Tom Jensen to grant Special Use Permit approval to Lorraine Vyverberg to sell Chihuahuas from her house located at 811 Chase Road. Members polled Breslawski aye, Martin no, Jensen aye, Morey aye, Tonery aye. Motion carried.

**SIMPLE SUBDIVISION APPROVAL
HILL SUBDIVISION**

4212 ROOSEVELT HIGHWAY

No one was present for this application.

Town Engineer J.P. Schepp stated that they are creating a flag lot. Lot 2 has accessory structures without a primary structure now. Lot 2 needs the note "not approved for building" added to the map. The septic location needs to be shown for Lot 1. The lot to the west needs an access easement for the shared access.

Attorney Ken Licht stated that the existing structure on Lot 2 doesn't meet the setback requirement per the code. The lot line should be modified to meet the setback.

The driveway width was discussed.

No motion was made at this time.

DISCUSSION

Town Board Member Craig Goodrich stated that there have been some issues with the kennel that the Town rents. The Hamlin Parade is this Friday. The milling of the road will take place after the parade. J.P. Schepp did an excellent job explaining the proposed sewer line along the shoreline at the workshop.

ADJOURNMENT

A motion was made by Tom Jensen, seconded by Ron Breslawski to adjourn tonight's meeting barring no further business. Members polled Breslawski aye, Martin aye, Jensen aye, Morey 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, September 4, 2012 at 7:30pm. Deadline for all fees is August 20, 2012 at 12:00 noon.