

Hamlin Planning Board *Minutes*
Monday, December 1, 2014
 7:30 p.m.

The regular scheduled meeting of the Hamlin Planning Board was called to order by the Chairperson, Linda Morey at 7:30 p.m. at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The location of the fire exits and the AED were explained for those present. It was asked that all cell phones and pagers be turned off for the duration of the meeting.

Members present: Steve Lauth, Peter Tonery, Dave Martin, Linda Morey, Judith Hazen, and Dave Wolfe. Also present: Jeanine Klopp Conservation Advisory Member, Keith O'Toole Planning Board Attorney, J.P. Schepp Town Engineer, Cheryl Pacelli Building Inspector, Jennifer Goodrich & Dave Rose Town Councilpersons.

Resident representatives present: Dave Matt Schultz Assoc., Rich Maier Surveyor, Dave Strabel.

Residents present: Jeromy & Liz Spencer, Lora & Jeff Partyka, Peter Yackel, Kevin & Virginia Truelson.

A motion was made by Dave Wolfe, seconded by Judith Hazen to approve the November 3, 2014 meeting minutes as submitted.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

Proof of Publication

The clerk read the proof of publication.

PUBLIC HEARING

SINGLE LOT SUBDIVISION APPROVAL

**JEROMY & ELIZABETH SPENCER
 54 HIDDEN CREEK LANE, HAMLIN**

Application for Jeromy and Elizabeth Spencer, property owners, for Preliminary & Final Single Lot Subdivision Approval to split 1 parcel into 3 parcels; at property located at 292 Walker Road, Hamlin in an R-VL zone. Tax Account# 023.03-1-1.2.

Dave Matt of Schultz Assoc. represented the applicants before the board.

Mr. Matt reviewed the project with the board. They have received the necessary variances from the Zoning Board of Appeals to build a barn before the house for storage of building materials.

Chairperson Linda Morey opened the Public Hearing.

It was asked that anyone wishing to speak to stand and state their name and address.

There were no comments or concerns from those present.

Chairperson Linda Morey closed the Public Hearing.

A motion was made by Dave Martin, seconded by Peter Tonery to grant "Preliminary" Single Lot Subdivision Approval for the application of Jeromy & Elizabeth Spencer for lot#1 of 3 on property located at 292 Walker Road, Hamlin in an "R-VL(Residential/Very Low Density) zoning district" on the condition that the necessary easements are provided to the town. This is a Type II Neg SEQR. The county comments are in.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried. A motion was made by Steve Lauth, seconded by Peter

Tonery to grant “Final” Single Lot Subdivision Approval for the application of Jeromy and Elizabeth Spencer for lot# 1 of 3 on property located at 292 Walker Road, Hamlin in an “R-VL(Residential/Very Low Density) zoning district” on the condition that the necessary easements are provided to the town. This is a Type II Neg SEQR. The county comments are in.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

PUBLIC HEARING
COMMERCIAL SITE PLAN

JEFF & LORA PARTYKA
1420 MONROE ORLEANS COUNTY LINE ROAD, KENDALL

Application for Jeff & Lora Partyka, property owners, for Commercial Site Plan Approval for a restaurant that will serve breakfast and lunch and ice cream along with farm fresh produce to be located at 1700 Lake Road, Hamlin in a C-GB zone. Tax Account # 021.03-2-40.

Dave Matt of Schultz Assoc. P.C. represented the applicants before the Board.

He gave an overview of their proposed plans for a diner to be located at 1700 Lake Road, Hamlin. They plan on serving breakfast and lunch and sell their own produce outside against the building under an awning. They have been granted the necessary variances from the Zoning Board of Appeals.

There were discussions about the dumpster location, and the buffer between the commercial site and the neighboring residential home to the east.

Chairperson Linda Morey opened the Public Hearing.

It was asked that anyone wishing to speak to please stand and state their name and address.

Kevin Truelson of 89 Roths Cove, Hamlin expressed his concern on the side setback close to Route 18.

There were no other comments from those present.

Chairperson Linda Morey closed the Public Hearing

A motion was made by Judith Hazen, seconded by Dave Wolfe to grant Commercial Site Plan Approval for the application of Jeff & Lora Partyka for a restaurant that will serve breakfast & lunch along with farm fresh produce and ice cream to be located at 1700 Lake Road, Hamlin in a “C/GB(Commercial/General Business) zoning district”. All variances have been obtained. This is a Type II Neg. SEQR. The county comments are in. The Short Environmental Assessment has been received.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

PUBLIC HEARING
SINGLE LOT SUBDIVISION

RAYNAULD OEHLBECK
1390 REDMAN ROAD, HAMLIN

Application for Raynauld Oehlbeck, owner, for “Preliminary & Final” Single Lot Subdivision Approval to subdivide a 2.121 acre parcel off a 76.162 acre parcel that includes an existing house located at 1390 Redman Road, Hamlin in an R-VL zone. Tax Account# 012.03-2-22.1.

Rich Maier represented the applicant before the board.

The proposed plan is to subdivide off a 2.121 acre parcel that includes an existing house to sell the parcel to a relative. Mr. King's earlier comment was that at all possible AG should be preserved.

Chairperson Linda Morey opened the Public Hearing.

It was asked that anyone wishing to speak to please stand and state their name and address.

There were no other comments from those present.

Chairperson Linda Morey closed the Public Hearing

A motion was made by Steve Lauth, seconded by Peter Tonery to grant "Preliminary" Single Lot Subdivision Approval for Raynauld Oehlbeck to subdivide a 2.121 acre parcel off a 76.162 acre parcel that includes an existing house located at 1390 Redman Road, Hamlin in an "R-VL(Residential/Very Low Density) zoning district". This is a Type II Neg SEQR. AG statement is complete. All variances have been received and the county comments are in. The short environmental assessment is in.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

A motion was made by Steve Lauth, seconded by Peter Tonery to grant "Final" Single Lot Subdivision Approval for Raynauld Oehlbeck to subdivide a 2.121 acre parcel off a 76.162 acre parcel that includes an existing house located at 1390 Redman Road, Hamlin in an "R-VL(Residential/Very Low Density) zoning district". This is a Type II Neg SEQR. AG statement is complete. All variances have been received and the county comments and the short environmental assessment are in.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

AGENDA

REVISED SITE PLAN APPROVAL

PEOWN SUBDIVISION 816 HAMLIN CENTER ROAD, HAMLIN

Application for Peter Yackel, owner for "Preliminary & Final" Revised Site Plan Approval to revise the site of the proposed house to be located at 816 Hamlin Center Road, Hamlin in an R-L zone. Tax Account# 021.04-1-21.21.

Rich Maier represented the applicant before the board.

This site plan was approved in 2002. They now propose to build the "garage/barn" and live in it while the house is being built. There are concerns on the issue of two dwellings on one lot. The water supply, the septic system and the grading is pretty much as previously stated, just the house location changed. The proposed time frame until the house is started is about 1 year.

It was proposed that at this time we have a motion to delay a motion on this application until the end of the meeting so that we may go ahead with the other applications that are here and we can come back to it and have a discussion on how to correctly write the motion for this application if we feel there are grounds to move it forward. Motion made by Peter Tonery, seconded by Steve Lauth. Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

The board moved forward with the other items at this time.

After the remaining items were completed, a break was taken while the motion was being drafted.

A motion was made by Peter Tonery that we ask the applicant, Mr. Yackel for the Peown Subdivision to re-apply with an updated site plan. There is no second. This is a failed motion.

A motion was made by Dave Wolfe, seconded by Steve Lauth to grant Preliminary Revised Site Plan Approval for revised dwelling for Peter Yackel at 816 Hamlin Center Road in an R-L zone with the following conditions:

1. Both barn and house permits will be pulled at the same time.
2. The barn will serve as a temporary dwelling for a period not to exceed 24 months from the date the building permit is issued.
3. The C of O for the temporary dwelling will expire the day the C of O is granted for the permanent dwelling or after 24 months from the date the building permit is issued.
4. Prior to the C of O being granted for the permanent dwelling the bathroom, kitchen, and the septic line up to and including the distribution box will be removed and inspected by the Building Inspector.
5. Prior to the C of O being granted for the permanent dwelling the septic system will be hooked to the building.
6. The C of O for the permanent dwelling will only be issued if all of the above conditions are met to the satisfaction of the Building Inspector.

This is a type II Neg SEQR.

Members polled: Steve Lauth aye, Peter Tonery nay, Dave Martin aye, Linda Morey nay, Judith Hazen aye, and Dave Wolfe aye. Motion carried.

A motion was made by Dave Wolfe, seconded by Steve Lauth to grant Final Revised Site Plan Approval for revised dwelling for Peter Yackel at 816 Hamlin Center Road in an R-L zone with the following conditions:

1. Both barn and house permits will be pulled at the same time.
2. The barn will serve as a temporary dwelling for a period not to exceed 24 months from the date the building permit is issued.
3. The C of O for the temporary dwelling will expire the day the C of O is granted for the permanent dwelling or after 24 months from the date the building permit is issued.
4. Prior to the C of O being granted for the permanent dwelling the bathroom, kitchen, and the septic line up to and including the distribution box will be removed and inspected by the Building Inspector.
5. Prior to the C of O being granted for the permanent dwelling the septic system will be hooked to the building.
6. The C of O for the permanent dwelling will only be issued if all of the above conditions are met to the satisfaction of the Building Inspector.

This is a Type II Neg SEQR. This is pending approval of the county comments.

Members polled: Steve Lauth aye, Peter Tonery nay, Dave Martin aye, Linda Morey nay, Judith Hazen aye, and Dave Wolfe aye. Motion carried.

RECONSIDERATION
CONSERVATION CORRIDOR PERMIT

DAVID AND BARBARA WILSON
7850 NEWCO DRIVE, HAMLIN

Reconsideration of application of David and Barbara Wilson, owners, for Conservation Corridor Development Permit to add an extension to existing deck in the front(waterside) yard at property located at 7850 Newco Drive, Hamlin in an "S/R" zone. Tax Account # 006.07-1-17.

A motion was made by Dave Martin, seconded by Peter Tonery to grant the Conservation Corridor Development Permit to David and Barbara Wilson to add an extension to an existing deck in the

front(waterside) yard at property located at 7850 Newco Drive in an "S/R" zone. This is a Type II Neg SEQR. Permit is valid one date from issue.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

SKETCH CONFERENCE

**ALTERATION OF EXISTING HOME
CONSERVATION OVERLAY DISTRICT**

**CHRISTOPHER BARNETT
6056 COLUMBIA ST. HASLETT, MI**

Sketch Conference to review proposed plans for an alteration/addition of existing home.

Dave Strabel represented the applicant before the board.

The proposed plan is to replace the existing cottage located at 9650 Beachwood Park, Hamlin with a new structure. It will remain a one bedroom. There should be no re-approval needed for the septic system. The flood hazard lines should be on the map. They will have to apply to the Zoning Board of Appeals for setback variances.

DISCUSSION

Dave Rose reported that there was a Public Hearing at the last Town Board meeting in regard to the dog penalties and also for the Peddler/Vendor. The Public Hearing was tabled because the county comments were not in.

We are looking into the container zoning which includes dumpsters. Industrial fencing not in a residential zone. The open seat for the Planning Board has been re published. The deadline for all applications is December 19, 2014 at 4:00 pm.

Jeanine Klopp reported that there will not be a Zoning Workshop in December. It will resume on the 4th Thursday in January 2015.

Chairperson Linda Morey asked for a motion to adjourn so that they may meet with their attorney on a private matter.

A motion was made by Peter Tonery, seconded by Steve Lauth.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried

ADJOURNMENT

A motion was made by Dave Wolfe, seconded by Peter Tonery to adjourn tonight's meeting barring no further business.

Members polled: Steve Lauth aye, Peter Tonery aye, Dave Martin aye, Linda Morey aye, Judith Hazen aye, and Dave Wolfe aye. All in favor. Motion carried.

Minutes respectfully submitted by,

Cheryl J. Pacelli
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Planning Board will be held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin on Monday, January 5, 2015 at 7:30 p.m. The deadline for all applications is Tuesday, December 17, 2014 at 12 noon.

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