

Hamlin Planning Board Meeting *Minutes*  
Monday, December 1<sup>st</sup>, 2003  
*7:00pm*

The regularly scheduled meeting of the Hamlin Planning Board was called to order by Chairman Dane Emens at 7:00pm with the location of the fire exits explained for those present.

Roll call: James Breslawski, Ralph Della Rocco, Dane Emens, Judith Hazen, David Martin, James Nesbitt and Chris Schlieter.

Excused: Judith Hazen

Also present: Support Board Attorney Charlie Welch, Town Engineer J.P. Schepp, Planning Board liaison Ed Evans, Highway Superintendent Tom Ingraham and several interested citizens.

A motion was made by James Nesbitt, seconded by Chris Schlieter to approve the minutes from the November 3<sup>rd</sup>, 2003 meeting. Members polled Breslawski aye, Della Rocco aye, Emens abstained, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, minutes approved.

The Clerk read the Proof of Publication.

**PUBLIC HEARING**

**Mr. Rich Iuppa**  
**Sandra Estates, Walker Road**

Mr. Richard Maier was present representing Mr. Iuppa who seeks Preliminary Approval to construct 3 single residential dwellings on Walker Road. He displayed the plans for all to view. He explained that he had addressed all of the engineering concerns.

At that time Chairman Emens opened the Public Hearing and asked if there was anyone there to speak for or against this proposal? There were no replies. He then declared the Public Hearing closed. Board Member Chris Schlieter stated his concern that footprint changes must be approved by our Town Engineer prior to issuing a building permit. Mr. Maier replied that the houses might be moved further back on the lot, but not closer to the road. The land is not in an AG District. Also a \$250.00 Recreation Fee will be required per lot prior to signing of the mylar.

A motion was made by James Breslawski, seconded by James Nesbitt to grant Preliminary Approval to Mr. Rich Iuppa who wishes to construct 3 single family residential dwellings on three separate lots. This is a TYPE 1 Negative Declaration under SEQR. There were no negative comments or concerns from neighbors. Also a \$250.00 Recreation Fee must be paid to the Town prior to signing of the mylar. Members polled Breslawski aye, Della Rocco aye, Emens aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Preliminary Approval granted.

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**Ronald Hobbins  
478 Lake Road West Fork**

Mr. Ronald Hobbins was present to seek a Special Use Permit to construct a pole barn on vacant land that he owns at 478 Lake Road West Fork. He explained that the pole barn would be used for storage of equipment only. Board Member James Nesbitt stated that there was a violation letter issued July 9<sup>th</sup>, 2001 regarding tractors and other farm machinery still located around the property, and not being stored in the current existing pole barn. At the March meeting of 2000 when Mr. Hobbins was granted SUP approval one of the conditions was that any future development must have site plan approvals and that all machinery must be removed from the property or stored in the pole barn. Mr. Nesbitt said the other issue is that two barns will now be located on vacant land, this area is zoned for residential homes. At that time Chairman Emens asked if there was anyone present to speak for or against this proposal? Neighbors Mr. and Mrs. David Harding of 379 Lake Road West Fork stated their concern regarding the condition of the property with machinery located outside the pole barn and not stored inside. They also asked what a Special Use Permit was? Attorney Charlie Welch stated that a Special Use Permit is simply additional permission from the Planning Board to grant a resident a permit for something that is out of the ordinary that they want to do on their property, such as building pole barns to be used for non-agricultural storage or having a business in their homes. Robin Hansel of 456 Lake Road West Fork wanted to know if this SUP would allow an auto body shop. Mr. Hobbins stated that he has no intention of applying for an auto body shop Special Use Permit. At that time Chairman Emens closed the Public Hearing. He stated that every item that is not being stored in the current barn needs to be eliminated and taken off the property. We need to have closure to the original SUP. Attorney Welch asked what it would cost the Town to remove this property? Board Member Chris Schlieter stated his concern pertaining to the property maintenance code, the clean up of debris. He said that a performance rating should be required in writing, to give Mr. Hobbins a certain amount of days to clean up the property. In the meantime a Stop Work Order will be issued to Mr. Hobbins, stating that no further work will be done on the building.

A motion was made by James Nesbitt, seconded by Dave Martin to reopen the Public Hearing. The Public Hearing will be left open until the January 5<sup>th</sup>, 2004 meeting. A Stop Work Order will be issued. At that time the Board will review this case and see if Mr. Hobbins has come into compliance with the above mentioned concerns, namely removing all outdoor equipment and cleaning up the property to the Town's satisfaction prior to the January 5<sup>th</sup>, 2004 meeting. Members polled Breslawski aye, Della Rocco aye, Emens aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Public Hearing left open.

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**CONCEPTUAL APPROVAL**

**Jeannie Randall**

**6440 Shore Acres**

**Catherine Preston**

Chris Karelus of Schultz Associates was present representing Ms. Randall and Ms. Preston who seek Conceptual Approval to build a single family residential dwelling to be located at 6440 Shore Acres. Mr. Karelus displayed a plan for all to view and explained that his clients want to avoid disturbance and keep the new home away from the sandy beach area. It will need a front setback variance of 9'. The prior house did burn to the ground recently. Attorney Welch said additional variances would be needed. Several are for lot width, lot size, building in a coastal erosion area. Town Engineer J.P. Schepp stated his engineering concerns. He said he would like to see square footage of the house, number of stories, number of bedrooms, show utilities, what kind of driveway will be installed. Also Mr. Schepp stated the Board needs to see septic size and that impervious surface must be 15% or less. The minimum side setback should actually be 15'. A line should be shown on the plans showing the check valve, indicate whether a basement is proposed. The basement will need to be above flood plain elevation also check the wetland on the property as it relates to the septic system and the house placement. Also a note should be added including the Town of Hamlin \$250.00 Recreation Fee. Mr. Karelus said that the one shed on the property will be removed and he will indicate on the plans whether a garage will be added for storage.

A motion was made by Ralph Della Rocco, seconded by Dave Martin to grant Conceptual Approval to Jeannie Randall and Catherine Preston to re-build a single family residential dwelling at 6440 Shore Acres. Members polled Breslawski aye, Della Rocco aye, Emens aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Conceptual Approval granted.

**COMMERCIAL SITE  
PLAN APPROVAL**

**Joseph Selvaggio  
45 King Street**

Joseph Selvaggio was present to request Commercial Site Plan Approval to open Re-Con Service at 45 King Street. Mr. Selvaggio explained that it would be an auto repair shop. Inside lighting and insulation were the only changes he would make. There will be no storage of fuels, no bodywork, only mechanical work will be done on the premises. There is room for 4 vehicles to be stored at the same time inside the building. Mr. Selvaggio also expressed interest in selling cars at this location. Attorney Welch stated that repairing cars is acceptable, however if he decides to sell them on the lot other issues need to be addressed. Mr. Selvaggio would need to show outside lighting, security, number of cars on the lot at the same time. A more detailed description of the business would need to be supplied to the Planning Board. Mr. Selvaggio said he would open the auto repair shop at this time and possibly at a later date begin selling cars. At which time he agreed to come before the Planning Board again.

**JOSEPH SELVAGGIO-45 King Street  
COMMERCIAL SITE PLAN**

A motion was made by James Breslawski, seconded by Ralph Della Rocco to grant Commercial Site Plan Approval to Joseph Selvaggio to open Re-Con Auto Shop at 45 King Street. This approval is for auto repairs only. Also the Fire Marshall and Building Inspector must inspect this shop on an annual basis. Members polled Breslawski aye, Della Rocco aye, Emens aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Commerical Site Plan Approval granted.

**SPECIAL USE PERMIT**

**Mr. and Mrs. Pangrazio  
2284 Church Road**

Mr. and Mrs. Pangrazio were present to seek a Special Use Permit to operate an income tax service at their residence. Attorney Charlie Welch stated that a home office occupation is allowed to have only 2 employees maximum. In addition the hours of operation in a home cannot be longer than 7:00am – 7:00pm. Mr. Pangrazio stated that he is not a CPA but he does have a Bachelor's Degree in Accounting. He stated that he would comply with the required hours.

A motion was made by James Breslawski, seconded by Chris Schlieter to schedule a Public Hearing for Mr. and Mrs. Pangrazio of 2284 Church Road who are applying for a Special Use Permit to operate an income tax service at their residence. The Public Hearing will be scheduled for Monday, January 5<sup>th</sup>, 2003 at 7:00pm. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Public Hearing scheduled.

**PUBLIC HEARING**

**East Cove Senior  
Housing/Millstream Subdivision Phase 1**

Attorney Jerry Goldman representing DeMarco Corporation was present to seek Preliminary Approval to construct a 24 unit Senior Housing Project along with a 25 lot single family residential home subdivision and a community center located at Brick Schoolhouse and Lake Road West Fork. He stated that Scott Shaw was also in attendance at tonight's meeting and is Director of Affordable Housing. Mr. Goldman explained that 134 acres were originally bought in the 1970s. The area is zone for multiple use. Hamlin Terrace Apartments were first built on this site in the mid 1980's. He stated that what he is asking for tonight will be in conformance with the zoning in this district which allows for multiple apartment dwellings. He is here tonight to present application for this. He explained that SEQR is also part of this application process and Concept Review has already been approved. The homes will be rental property. At that time Chairman Emens was informed by Attorney Welch that the Town is in severe violation of the fire code and that we are putting the Town in a very vulnerable position. Mr. Emens stated that he was

**EAST COVE SENIOR HOUSING/  
MILLSTREAM SUBDIVISION PHASE 1**

adjourning the meeting while leaving the Public Hearing open and it will reconvene at a different time and place to accommodate this number of people.

A motion was made by Chris Schlieter, seconded by Dave Martin to adjourn this Public Hearing until a larger room and place can be located. There will be another Legal Notice placed in the paper giving the new time, date and location of the Public Hearing. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Public Hearing left open and will be re-scheduled.

**DISCUSSION**

Planning Board Chairman Dane Emens made a motion, seconded by Dave Martin to re-appoint Chris Schlieter to another term on the Planning Board beginning in January 2004.

Vice Chairman James Breslawski stated that Harry Bower of 1520 Church Road had recently registered more dogs with the Town Clerk. His original SUP allows him to have no more than nine adult dogs on his property at once. Mr. Breslawski said that the Board needs to find out what constitutes an adult dog. The Board stated that they would look to Animal Control Officer Rob Farina for his expertise in this area.

**ADJOURNMENT**

A motion was made by Chris Schlieter, seconded by Dave Martin to adjourn the meeting barring no further business. . Members polled Breslawski aye, Della Rocco aye, Emens aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, meeting adjourned.

Respectfully submitted,

Cindy Olds  
Clerk to the Support Boards

The next scheduled meeting of the Hamlin Planning Board will be held on Monday, January 5<sup>th</sup>, 2004 at 7:00pm. Deadline for fees is Monday, December 15<sup>th</sup>, 2003