

## Hamlin Planning Board Minutes

Monday, August 6, 2018

7:00 p.m.

The regular scheduled meeting of the Hamlin Planning Board was held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin and was called to order by the Chairperson, Chris Schleiter at 7:00 p.m. with the locations of the fire exits and AED explained for those present. It was asked that all cell phones and pagers be turned off for the duration of the meeting.

**Roll call:** Linda DeRue, Steve Lauth, Dave Martin, Chris Schlieter, Mark Ballerstein, Linda Morey, James Nesbitt.

**Present:** Attorney Keith O'Toole, Town Engineer J.P. Schepp, Matthew LaDue, Ronald Soule, Don & Carol Teringo, Cindy Harper, Conservation Advisory Board Vice-Chairperson Jeanine Klopp, Kevin Klees, Richard Duffy, Town Councilperson Marty Maier, Rich Maier of Maier Land Surveying, Elizabeth Henner, John DeRue, Jack Shevlin.

**Approval of the July 2, 2018 meeting minutes.** Additions, deletions, or corrections to tonight's meeting. A motion was made by Linda Morey, seconded by Steve Lauth to approve the meeting minutes of July 2, 2018 as recorded. Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

**Approval of the July 18, 2018 Planning Board Special Meeting Minutes.** Additions, deletions, or corrections to tonight's meeting. A motion was made by James Nesbitt, seconded by Linda DeRue to approve the Special Meeting minutes of July 18, 2018 as recorded.

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein abstain, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

### AGENDA

#### **CONSERVATION DEVELOPMENT PERMIT**

**KEVIN KLEES**

**7310 SANDY SHORES DRIVE**

Application of Kevin Klees, owner, Kevin Klees seeking a Conservation Development Permit to have two (2) sheds in his front (waterside) yard within 100 feet of the Lake Ontario Shoreline. All required setback variances have been approved. Tax account# 007.09-1-14. This is in the S/R zone and the LWRP.

Kevin Klees represented himself before the board. He has one existing shed in the front (waterside) yard of his home at 7310 Sandy Shore Drive. The Zoning Board of Appeals approved the variance for the existing shed and granted a variance to add an additional shed to the front (waterside) yard. The new shed is made of a plastic material with metal reinforcements. It will be placed on piers with a wood platform and will be located on the west side of the property and will not restrict views of the lake.

There were no engineering or legal concerns.

A motion was made by Steve Lauth, seconded by Linda Morey to designate this application as a Type II Neg SEQR.

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

A motion was made by Steve Lauth, seconded by Linda DeRue to grant the Conservation Development Permit for the application of Kevin Klees, owner, Kevin Klees seeking a Conservation Development Permit to have two (2) sheds in his front (waterside) yard within 100 feet of the Lake Ontario Shoreline. All required setback variances have been

approved. Tax account# 007.09-1-14. This is in the S/R zone and the LWRP. The following documents have been provided:

- Letter of Intent
- Conservation Development Permit Application
- Instrument Survey Map
- LWRP – Consistent

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

## **AGENDA**

### **CONSERVATION DEVELOPMENT PERMIT**

**VINCE HARPER  
7572 SANDY HARBOR DRIVE**

Application of Vincent Harper, owner Vincent Harper seeking Conservation Development Permit to place a fence and gate (for dog(s)) within 100 feet of the lake. Measurement taken was landward boundary. Tax account# 006.08-1-22. This is in the S/R zone, Floodplain and Conservation Overlay.

Cindy Harper represented the application before the board. The proposal is to add a fenced in area for their dogs. It will be placed behind the dwelling, not on the lake side but is within 100 feet of the lake.

There were no engineering or legal concerns.

A motion was made by James Nesbitt, seconded by Linda Morey to designate this application as a Type II Neg SEQR. Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

A motion was made by James Nesbitt, seconded by Dave Martin to grant the Conservation Development Permit for the application of Vincent Harper, owner Vincent Harper seeking Conservation Development Permit to place a fence and gate (for dog(s)) within 100 feet of the lake. Measurement taken was landward boundary Tax account# 006.08-1-22. This is in the S/R zone, Floodplain and Conservation Overlay. The following documents have been provided:

- Letter of Intent
- Conservation Development Permit Application
- Instrument Survey
- Quote from NYS Fence
- Photo of property

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

## **AGENDA**

### **PRELIMINARY AND FINAL SITE PLAN APPROVAL**

**ELIZABETH HENNER  
7658 NEWCO DRIVE**

Application of Elizabeth Henner, owner, Elizabeth Henner seeking Preliminary & Final Site Plan Approval to re-build a dwelling on property located at 7658 Newco Drive. Tax account# 006.08-1-2. This is in the S/R zone, LWRP.

Rich Maier of Maier Land Surveying represented Elizabeth Henner before the board. She plans to re-build a dwelling that was demolished due to soil contamination. The dwelling will be a one-story structure. The application has gone through the re-approval process with other agencies. The current septic system has some damage and will not be replaced but will be repaired as a Presby system. No extra fill will be required.

There were no further engineering or legal concerns.

A motion was made by Steve Lauth, seconded by Linda Morey to designate this application as a Type II Neg SEQR. Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

A motion was made by Steve Lauth, seconded by Linda Morey to grant Preliminary Site Plan Approval for the Application of Elizabeth Henner, owner, Elizabeth Henner seeking Preliminary & Final Site Plan Approval to re-build a dwelling on property located at 7658 Newco Drive. Tax account# 006.08-1-2. This is in the S/R zone, LWRP. The following documents have been provided:

- Letter of Intent
- Site Plan
- Fresh Water Wetlands Determination
- Photos
- LWRP

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

A motion was made by Steve Lauth, seconded by Linda Morey to grant Final Site Plan Approval for the Application of Elizabeth Henner, owner, Elizabeth Henner seeking Preliminary & Final Site Plan Approval to re-build a dwelling on property located at 7658 Newco Drive. Tax account# 006.08-1-2. This is in the S/R zone, LWRP. The following documents have been provided:

- Letter of Intent
- Site Plan
- Fresh Water Wetlands Determination
- Photos
- LWRP

The applicant will be on the Planning Board schedule for September 4, 2018 for a Conservation Development Permit. Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

## **AGENDA**

### **CONSERVATION DEVELOPMENT PERMIT**

**MATTHEW LADUE  
7564 SANDY HARBOR DRIVE**

Application of Matthew LaDue, owner, Matthew LaDue seeking Conservation Development Permit to raise his cottage at 7564 Sandy Harbor Drive. This request also includes replacing the front and rear decks and steps. This request is a result of the flooding of 2017. Tax account#006.08-1-25. This is in the S/R zone, Floodplain and the LWRP.

Matthew LaDue represented himself before the board. He is proposing to raise his cottage on piers with flood vents to a height of 253. This is to prevent future flood damage to the structure. He proposes to also replace/raise the existing decks on the front (waterside) and rear yards. All floodplain requirements for raising the cottage and the decks will be adhered to.

There were no engineering or legal concerns.

A motion was made by Mark Ballerstein, seconded by Linda DeRue to designate this application as a Type II Neg SEQR. Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

A motion was made by Mark Ballerstein, seconded by Linda Morey to grant the Conservation Development Permit for the application of Matthew LaDue, owner, Matthew LaDue seeking Conservation Development Permit to raise his cottage at 7564 Sandy Harbor Drive. This request also includes replacing the front and rear decks and steps. This

request is a result of the flooding of 2017. Tax account#006.08-1-25. This is in the S/R zone, Floodplain and the LWRP. The following documents have been provided:

- Letter of Intent
- Conservation Development permit Application
- DEC letter of no Jurisdiction
- Memo from Floodplain Advisor
- Photos of cottage during flood
- Instrument Survey map
- Photo showing neighborhood

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried

#### **\*ADDITION TO THE AGENDA**

#### **CONSERVATION DEVELOPMENT PERMIT**

**DONALD TERINGO  
7882 NEWCO DRIVE**

Application of Donald Teringo, owner, Donald Teringo seeking Conservation Development Permit to add new components to his existing deck, wood deck surface, stair surfaces, and wood railing located at 7882 Newco Drive. Tax account# 006.07-1-41. This is in the S/R zone and the LWRP.

Donald Teringo represented himself before the board. He has an existing deck in the front (waterside) yard of his dwelling. He would like to repair and replace components of the deck that have weathered and rotted with a weather resistant material. The span of the joists is 16" on center.

There were no engineering or legal concerns.

A motion was made by Dave Martin, seconded by Linda Morey to designate this application as a Type II Neg SEQR. Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

A motion was made by Dave Martin, seconded by Linda DeRue to grant the Conservation Development Permit for the Application of Donald Teringo, owner, Donald Teringo seeking Conservation Development Permit to add new components to his existing deck, wood deck surface, stair surfaces, and wood railing located at 7882 Newco Drive. Tax account# 006.07-1-41. This is in the S/R zone and the LWRP. The following documents have been provided:

- Letter of Intent
- Conservation Development Application
- Instrument Survey
- Photo of existing deck
- Supply list
- LWRP sent for

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried

#### **DISCUSSION**

Town Councilperson Marty Maier reported that Local law 4 was passed to upgrade the CN-B & C-GB codes regarding Public Hearings.

Chairperson Chris Schlieter remarked that the Comprehensive Plan for the Town of Hamlin was last updated 10 years ago. Usually a Comprehensive Plan is updated every 5 (five) years. J.P. Schepp mentioned that there are grant funds available for assistance in re-working a Comprehensive Plan.

A motion was made by Linda DeRue, seconded by Steve Lauth to send a letter to the Town Board requesting an update to the current Comprehensive Plan.

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

Resident Jack Shevlin spoke on his concerns on notifications to residents on Large Scale Solar Facilities. All residents within 500 feet of a project are notified when the Public Hearing is to be held. All meeting minutes, Planning, Zoning, and Conservation are posted on the Town of Hamlin website for residents to keep informed of projects in the Town.

#### **ADJOURNMENT**

A motion was made by James Nesbitt, seconded by Linda DeRue, to adjourn tonight's meeting barring no further business.

Members polled: Linda DeRue aye, Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, Linda Morey aye, James Nesbitt aye. All in favor. Motion carried.

Minutes respectfully submitted by:

Cheryl J. Pacelli  
Clerk to the Support Board

**The next scheduled meeting of the Hamlin Planning Board will be held on Tuesday, September 4, 2018, 2018 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is August 21, 2018 at 12 noon.**