

Hamlin Planning Board Minutes

Monday, April 1, 2019

7:00 p.m.

The special scheduled meeting of the Hamlin Planning Board will be held at the Hamlin Town Hall located at 1658 Lake Road, Hamlin and will be called to order by the Chairperson, Chris Schlieter at 7:00 p.m. with the locations of the fire exits and AED explained for those present. It will be 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, James Nesbitt.

Present: Attorney Keith O'Toole, Town Engineer J.P. Schepp, Rich Maier of Maier Land Surveying, Michelle & Mark Johnson, Charlie Hungerford, Conservation Advisory Board Vice-Chairperson Jeanine Klopp, David Paye, Fred Paye, Drazen Gasic of Labella, Dave Matt of Schultz Assoc., Kyle Burm, Joann Lentz, Rich Iuppa, Town Councilperson Phil Hurlbutt.

Approval of the March 4, 2018 meeting minutes. Additions, deletions, or corrections to tonight's meeting. A motion was made by Mark Ballerstein, seconded dually by Linda DeRue & Steve Lauth to approve the meeting minutes of March 14, 2019 as recorded.

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

The clerk read the notice of publication for those present.

PUBLIC HEARING

PRELIMINARY & FINAL SITE PLAN APPROVAL

DAVE PAYE

2258 MONROE ORLEANS COUNTY LINE ROAD

Application of Dave Paye, owner, Dave Paye, seeking Preliminary and Final Site Plan Approval for property located at 2258 Monroe Orleans County Line Road. A single- family dwelling is proposed. Tax account# 027.02-1-2. This is in the R-VL zone and consists of 1.6 acre.

- All required forms were submitted in February 2019.

Drazen Gasic of Labella represented the applicant before the board. The owner proposes to build a single- family dwelling on a 1.6- acre parcel located at 2258 Monroe Orleans County Line Road. Lot width and lot size variances have been granted.

Chairperson Chris Schlieter opened the Public Hearing.

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

There was no one present wishing to speak

Town Engineer J.P. Schepp stated that all engineering concerns have been addressed.

Attorney Keith O'Toole recused himself as he represents a family member.

Building Inspector Cheryl Pacelli had no concerns at this time.

Linda DeRue, Steve Lauth, Dave Martin, Chris Schlieter, Mark Ballerstein and James Nesbitt had no concerns.

The applicant stated that he is thinking about geo-thermal ad that the ground is good for that.

Chairperson Chris Schlieter closed the Public Hearing.

A motion was made by Mark Ballerstein, seconded by James Nesbitt to designate this application as an Unlisted Neg Dec SEQR.

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

A motion was made by Mark Ballerstein, seconded by Steve Lauth to approve the application of Dave Paye, owner, Dave Paye, seeking Preliminary and Final Site Plan Approval for property located at 2258 Monroe Orleans County Line Road. A single- family dwelling is proposed. Tax account# 027.02-1-2. This is in the R-VL zone and consists of 1.6 acre and this action is designated as an Unlisted Neg Dec SEQR. The following documents have been submitted for review:

- Letter of Intent
- Site Plan Application
- Site Plan
- MCDRC Referral sent for
- Site Plan Checklist

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

AGENDA

PROPERTY MERGE - BURM SUBDIVISION

KYLE BURM

2527 ROOSEVELT HIGHWAY

Application of Kyle Burm, owner, Kyle Burm, seeking a Property Merge of 2 separate parcels that he owns into 1 parcel. Tax account# 029.02-001-001.112 & 029.02-001-001.111. These are in the R-M Zoning District. The following documents have been submitted for review:

- Letter of Intent
- Property Merge Application
- Site Plan

Rich Maier of Maier Land Surveying represented the applicant before the board. These two lots were two (2) pre-existing subdivisions. Mr. Burm owns both of the lots and would like to combine them into one tax account number.

Town Engineer J.P. Schepp had no engineering concerns.

Attorney Keith O'Toole stated that this does not require a Public Hearing and it is considered an Unlisted Neg Dec SEQR.

Linda DeRue, Steve Lauth, Dave Martin, Chris Schlieter, Mark Ballerstein and James Nesbitt had no concerns.

Building Inspector Cheryl Pacelli had no concerns at this time.

A motion was made by Dave Martin, seconded by Steve Lauth to designate this application as an Unlisted Neg Dec SEQR.

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

A motion was made by Dave Martin, seconded by Steve Lauth to approve the Application of Kyle Burm, owner, Kyle Burm, seeking a Property Merge of 2 separate parcels that he owns into 1 parcel. Tax account# 029.02-001-001.112 & 029.02-001-001.111. These are in the R-M Zoning District and this action is an Unlisted Neg Dec SEQR.

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

AGENDA

PROPERTY SPLIT

**TAMMY HUFFER (HENDERSON) AND BOBBI J. HUFFER
1473 REDMAN ROAD**

Application of Tammy Huffer (Henderson) & Bobbi J. Huffer, owners, Tammy Huffer (Henderson) & Bobbi J. Huffer seeking a Property Split of 1 parcel that contains 2 dwellings into 2 separate lots with 1 dwelling on each lot. Tax account# 012.03-001-034. This is in the R-VL zoning District. Area variances have been granted for lot size and front setback. The following documents have been submitted for review:

- Letter of Intent
- Property Split Application
- Site Plan

Rich Maier of Maier Land Surveying represented the applicants before the board.

J.P. Schepp stated that the lots will require variances. The septic system and the water supply are sufficient and there are no encroachments.

Attorney O’Toole added that this is a subdivision (see the abstract) and will require a Public Hearing. It is also n Unlisted Neg Dec SEQR. Then reputed area of the septic will need to be called out. Drainage is not a town issue.

Building Inspector Cheryl Pacelli had no concerns.

Linda DeRue, Steve Lauth, Dave Martin, Chris Schlieter, Mark Ballerstein had no concerns.

James Nesbitt asked if the two properties were on private water lines and if there was a private easement?

A motion was made by Steve Lauth, seconded dually by Linda DeRue and James Nesbitt to schedule a Public Hearing on May 6, 2019 at 7:00 pm for the application of Tammy Huffer (Henderson) & Bobbi J. Huffer, owners, Tammy Huffer (Henderson) & Bobbi J. Huffer seeking a Property Split of 1 parcel that contains 2 dwellings into 2 separate lots with 1 dwelling on each lot. Tax account# 012.03-001-034. This is in the R-VL zoning District. Area variances have been granted for lot size and front setback.

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

AGENDA

PRELIMINARY AND FINAL SINGLE LOT SUBDIVISION

**CHARLIE HUNGERFORD
1300 CHURCH ROAD**

Application of Charlie Hungerford, owner, Charlie Hungerford, seeking a Preliminary & Final Single Lot Subdivision for property located at 1300 Church Road. Tax account# 014.03-001-004.1. This is in the R-VL Zoning District. It is not in the AG District but has an AG Exemption. The following documents have been submitted for review:

- Preliminary & Final Single Lot Subdivision Application
- Special Use Permit Application
- Short EAF
- AG Data Statement
- Special Use Permit Code
- R-VL Zoning Code
- House Plans
- Subdivision/Site Plan

Rich Maier represented the applicant before the board. There is one (1) dwelling on Martin Road and one (1) dwelling on Church Road. All variances required have been granted. This is a 4-lot subdivision. The new dwelling will be on the 6-acre parcel.

Town Engineer J.P. Schepp stated that the variances have been granted. An easement will be needed for the overhead lines on lots A, C, & D. This is on a town road. The house plans appear to be a 4- bedroom home design with 2 kitchens, 2 living rooms, and the potential for 5 bedrooms.

Attorney Keith O'Toole stated that a Special Use Permit would be required and the entire project is an Unlisted SEQR action and will need a Public Hearing. There are two (2) separate front entrances. Fahy Design recreated the single apartment in a single-family dwelling for the project at 271 Walker Road.

Building Inspector Cheryl Pacelli had the following concerns with the design plan. According to Town Code §520-11 for R-VL zoning states that a single- family dwelling is a principal use permitted by right, a single apartment in a single-family dwelling is a principal use permitted subject to special use permit approval by the Planning Board. Under additional regulations and requirements One dwelling unit shall be allowed per parcel. This submitted house plan/design appears to be a townhouse. The house plans also need to conform with all of the conditions of Town Code§520-40 Special Use permits for single apartments in a single-family dwelling.

Mark Ballerstein added that there are two (2) front doors and no interconnection with living areas.

It was asked if either this plan could be altered or if the applicant could find another plan that would abide by the code.

A motion was made by Steve Lauth, seconded by Mark Ballerstein to schedule a Public Hearing on May 6, 2019 at 7:00pm for the application of Charlie Hungerford, owner, Charlie Hungerford, seeking a Preliminary & Final Single Lot Subdivision for property located at 1300 Church Road. Tax account# 014.03-001-004.1. This is in the R-VL Zoning District. It is not in the AG District but has an AG Exemption.

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

AGENDA

SPECIAL USE PERMIT

CHARLIE HUNGERFORD 1300 CHURCH ROAD

Application of Charlie Hungerford, owner, Charlie Hungerford, seeking a Special Use Permit for property located at 1300 Church Road. A single apartment in a single -family dwelling is proposed to be located at 1234 Church Road. Tax account# 014.03-001-004.1. This is in the R-VL Zoning District. This property is not in the AG District but has an AG Exemption.

- Preliminary & Final Single Lot Subdivision Application
- Special Use Permit Application
- Short EAF
- AG Data Statement
- Special Use Permit Code
- R-VL Zoning Code
- House Plans
- Subdivision/Site Plan

A motion was made by Steve Lauth, seconded by Mark Ballerstein to schedule a Public Hearing on May 6, 2019 at 7:00pm for application of Charlie Hungerford, owner, Charlie Hungerford, seeking a Special Use Permit for property located at 1300 Church Road. A single apartment in a single -family dwelling is proposed to be located at 1234 Church Road. Tax account# 014.03-001-004.1. This is in the R-VL Zoning District. This property is not in the AG District but has an AG Exemption.

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

DISCUSSION

More discussion ensued concerning the house plan that was submitted for 1234 Church Road. It was added by those present that the plan submitted is a townhouse. The following codes are required per R-VL zoning: Town Code§520-11C(3), Town Code§520-11A(1)(a), Town Code§520-11A(3)(f).The following codes are required per Special Use Permit: Town Code§520-40A(1), Town Code§520-40(1), Town Code§520-40(2), Town Code§520-40(3), Town Code§520-40(4), Town Code§520-40(5), Town Code§520-40(6). These will be addressed at the Public Hearing on May 6, 2019.

Attorney Keith O'Toole suggested having a few plans in the Building Office for residents to view.

Town Councilperson Phil Hurlbutt that the grant process has stard for the LWRP. There are a number of volunteers, Farmland Protection – 8, Master Comprehensive Plan – 3, LWRP – 2.

The Conservation Advisory Board Tree Seedling Giveaway will be held on Saturday, April 20, 2019 from 9:00 am – 11:00 am (or until all trees are distributed) in the Town Hall parking lot.

A motion was made by Mark Ballerstein, seconded by Linda DeRue for the Planning Board to send out it's Notice of Intent to become Lead Agency under the State Environmental Quality Review Act (SEQR) for the application/action of Mark Eastman for a 4-lot subdivision where the lots will be 4.8 acres in size located at 1410-1460 Roosevelt Highway Hilton, NY 14468. This is a class 1 action.

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

ADJOURNMENT

A motion was made by Mark Ballerstein, 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, James Nesbitt aye. Motion carried.

Minutes Respectfully Submitted by:

Cheryl J. Pacelli
Support Board Clerk

The next scheduled meeting of the Hamlin Planning Board will be held on Monday, May 6, 2019 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is April 16, 2019 at 12 noon.