

## Hamlin Planning Board Minutes

**Monday, August 5, 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 (excused), Dave Martin, Chris Schlieter, Mark Ballerstein, James Nesbitt, Steve Hitner.

Present: Planning Board Attorney Keith 'Toole, Town Engineer J.P. Schepp of MRB Group, Joe Hens (Ingalls), Brad Blain, Linda & Alex Rasbach, Richard Jensen, Paul Berg, Scott Hepler (Ultimate Dock Systems, Conservation Board Vice-chairperson Jeanine Klopp, Town Councilperson Phil Hurlbutt.

Approval of the July 1, 2019 meeting minutes. Additions, deletions, or corrections to tonight's meeting. A motion was made by Mark Ballerstein, seconded by Linda DeRue to approve the meeting minutes of July 1, 2019 as recorded. Members Polled: Linda DeRue aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, James Nesbitt aye, Steve Hitner aye. Motion carried.

### **AGENDA**

#### **CONSERVATION DEVELOPMENT PERMIT**

#### **ALEX & LINDA RASBACH 5736 WEST WAUTOMA BEACH ROAD**

Application of Alex & Linda Rasbach, owners, Alex & Linda Rasbach, seeking Conservation Development Permit to add a 2-foot high white vinyl 50% opaque and an arbor in the rear (roadside) yard located at 5736 West Wautoma Beach Road within 100-feet of Lake Ontario. This is in the S/R Zoning District and the LWRP. Tax account# 008.160-01-001.

Linda & Alex Rasbach represented themselves before the board. They are seeking a Conservation Development Permit to add a white picket 4-foot high vinyl 50% opaque fence and arbor the rear (roadside) yard of their property which will be 68-feet from the lake.

A motion was made by Steve Hitner, seconded by Dave Martin to designate the Application of Alex & Linda Rasbach, owners, Alex & Linda Rasbach, seeking Conservation Development Permit as a Type II SEQR to add a 2-foot high white vinyl 50% opaque and an arbor in the rear (roadside) yard located at 5736 West Wautoma Beach Road within 100-feet of Lake Ontario. This is in the S/R Zoning District and the LWRP. Tax account# 008.160-01-001.

Members Polled: Linda DeRue aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, James Nesbitt aye, Steve Hitner aye.

A motion was made by James Nesbitt, seconded by Mark Ballerstein to grant the Conservation Development Permit for the Application of Alex & Linda Rasbach, owners, Alex & Linda Rasbach, seeking Conservation Development Permit to add a 2-foot high white vinyl 50% opaque and an arbor in the rear (roadside) yard located at 5736 West Wautoma Beach Road within 100-feet of Lake Ontario. This is in the S/R Zoning District and the LWRP. Tax account# 008.160-01-001.

The following documents have been submitted for review:

- Cover letter
- Conservation Development Permit Application.
- Instrument Survey with the area penciled in with x's.
- LWRP site visit - Consistent
- Photos of fencing.

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

**AGENDA**

**CONSERVATION DEVELOPMENT PERMIT**

**BRAD BLAIN  
12 LAKE ROAD EAST FORK**

Application of Brad Blain, owner, Brad Blain, seeking Conservation Development Permit to alter and expand the existing driveway located at 12 lake Road East Fork in the Conservation Overlay District. Tax account# 006.120-01-002. This is in the S/R zoning district, LWRP, and Floodplain. The following documents have been submitted for review:

- Cover letter.
- Conservation Development Permit Application.
- Instrument Survey map.
- Photo of property showing driveway.

Brad Blain represented himself before the board. He is seeking a Conservation Development Permit to alter and expand his existing driveway. As it stands at this time, he and his neighbor somewhat share a driveway with the neighbor owning most of the existing driveway access. This is a private road.

At the recommendation of Attorney Keith O'Toole, it was suggested that a surveyor may be hired to stake the lot line out. Mr. Blain stated he has done that. Chairperson Chris Schlieter also stated that he can see the stakes from his boat when on Sandy Creek.

Conservation Advisory Board Vice-chairperson Jeanine Klopp has been at the location and there is approx. 12-feet from the edge of the new driveway to the side lot line. She had a concern of the driveway area but the Engineer J.P. Schepp added this location is the only reasonable location for the improvement.

A motion was made by Mark Ballerstein, seconded by James Nesbitt to designate the application of Brad Blain, owner, Brad Blain, seeking Conservation Development Permit as a Type II SEQR to alter and expand the existing driveway located at 12 lake Road East Fork in the Conservation Overlay District. Tax account# 006.120-01-002. This is in the S/R Zoning District, LWRP, and Floodplain.

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

A motion was made by Mark Ballerstein, seconded by James Nesbitt to grant the Conservation Development permit for the Application of Brad Blain, owner, Brad Blain, seeking Conservation Development Permit to alter and expand the existing driveway located at 12 lake Road East Fork in the Conservation Overlay District. Tax account# 006.120-01-002. This is in the S/R zoning district, LWRP, and Floodplain. The following documents have been submitted for review:

- Cover letter.
- Conservation Development Permit Application.
- Instrument Survey map.
- Photo of property showing driveway.
- LWRP site visit – Consistent, with a concern of the driveway area.

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

**AGENDA**

**CONSERVATION DEVELOPMENT PERMIT**

**RICHARD JENSEN  
7016 BENEDICT BEACH ROAD**

Application of Richard Jensen, owner, Richard Jensen seeking Conservation Development Permit to install an 8' x 60' dock in Lake Ontario located at 7016 Benedict Beach Road. This is in the S/R District. Tax account# 007.010-01-017. The following documents have been submitted for review:

- Cover Letter
- DEC Permit
- Instrument Survey Map
- Building Diagram of Dock
- Photos of Property
- Joint Application Form
- Short EAF Form
- LWRP Form
- Coastal Erosion Hazard Area Permit Granted by Zoning Board of Review – 7/15/2019

Scott Hepler of Ultimate Dock Systems represented the owner before the board. An 8' x 60' dock is proposed. This request is for a renewal without change as it was approved over 1 year ago. There were no legal or engineering concerns.

A motion was made by Mark Ballerstein, seconded by James Nesbitt to designate the Application of Richard Jensen, owner, Richard Jensen seeking Conservation Development Permit to install an 8' x 60' dock in Lake Ontario located at 7016 Benedict Beach Road as a Type II SEQR. This is in the S/R District. Tax account# 007.010-01-017.

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

A motion was made by Mark Ballerstein, seconded by Linda DeRue to grant the Conservation Development Permit for the Application of Richard Jensen, owner, Richard Jensen seeking Conservation Development Permit to install an 8' x 60' dock in Lake Ontario located at 7016 Benedict Beach Road. This is in the S/R District. Tax account# 007.010-01-017. The following documents have been submitted for review:

- Cover Letter
- DEC Permit
- Instrument Survey Map
- Building Diagram of Dock
- Photos of Property
- Joint Application Form
- Short EAF Form
- LWRP Form
- Coastal Erosion Hazard Area Permit Granted by Zoning Board of Review – 7/15/2019

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

## **AGENDA**

### **CONSERVATION DEVELOPMENT PERMIT**

**PAUL BERG  
7770 NEWCO DRIVE**

Application of Paul Berg, owner, Paul Berg, seeking Conservation Development Permit to install an 8' x 70' open dock with staircase from dock into Lake Ontario located at 7770 Newco Drive. This is in the S/R District. Tax account# 006.07-2-6. The following documents have been submitted for review:

- Cover letter
- DEC Permit
- Instrument Survey Map

- Building Diagram of Dock
- Photos of Property
- Joint Application Form
- Short EAF Form
- LWRP – Deemed Consistent-Minutes From 2/25/2019

Scott Hepler of Ultimate Dock Systems represented the owner before the board. An 8' x 70' open pile dock with a staircase is proposed. There were no legal or engineering concerns.

A motion was made by James Nesbitt, seconded by Linda DeRue to designate the Application of Paul Berg, owner, Paul Berg, seeking Conservation Development Permit to install an 8' x 70' open dock with staircase from dock into Lake Ontario located at 7770 Newco Drive as a Type II SEQR. This is in the S/R District. Tax account# 006.07-2-6. Members polled: Linda DeRue aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, James Nesbitt aye, Steve Hitner aye. Motion carried.

A motion was made by James Nesbitt, seconded by Mark Ballerstein to grant the Conservation Development Permit for the Application of Paul Berg, owner, Paul Berg, seeking Conservation Development Permit to install an 8' x 70' open dock with staircase from dock into Lake Ontario located at 7770 Newco Drive. This is in the S/R District. Tax account# 006.07-2-6. The following documents have been submitted for review:

- Cover letter
- DEC Permit
- Instrument Survey Map
- Building Diagram of Dock
- Photos of Property
- Joint Application Form
- Short EAF Form
- LWRP – Deemed Consistent-Minutes From 2/25/2019

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

**AGENDA**

**COMMERCIAL SKETCH CONFERENCE CONTINUATION**

**EUGENE DOLLARD/HELIOS ENERGY NEW YORK 2 LLC  
980 REDMAN ROAD**

Application of Helios Energy New York 2 LLC, owner, Eugene Dollard, seeking Commercial Sketch Plan for a proposed 9MWAC solar farm with associated access road and fencing. This is in the R-VL Zone. Tax account# 012.02-1-3. The following new materials have been submitted for review:

- Landowner consent, lease, and agreements
- Revised plans stamped by a NYS Licensed Engineer
- Written acknowledgement from National Grid
- Operating, maintenance, and decommissioning plan
- Revised SWPPP
- Revised ESC Plan
- Access road alteration

This was deemed a work session by Chairperson Chris Schlieter for the proposed Helios Solar Project at 980 Redman Road. As a result of the size there was talk in the beginning of splitting the property into two parcels. The proposal now has two separate projects on the one lot. On a question of screening it was noted that not all of the screening provided is on the property. Some of the screening is provided on surrounding properties. The question came up what if the

surrounding properties decide to eliminate the screening. In the soil types the nutrients substantial. The owner will lose the AG exemption and pay a fine. What is the life of a panel? 10-25 years. A bond could be asked for either at final approval or in a building permit at the time of issuance.

Town Engineer J.P. Schepp read the entire Long Form EAF. There were some items that need to be changed and updated.

A motion was made by Mark Ballerstein, seconded by Linda DeRue to designate the Application of Helios Energy New York 2 LLC, owner, Eugene Dollard, seeking Commercial Sketch Plan for a proposed 9MWAC solar farm with associated access road and fencing as a Type 1 action. A workshop will be scheduled when the EAF as corrected and received. This is in the R-VL Zone. Tax account# 012.02-1-3.

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

A motion was made by Mark Ballerstein, seconded by Linda DeRue to table the Application of Helios Energy New York 2 LLC, owner, Eugene Dollard, seeking Commercial Sketch Plan for a proposed 9MWAC solar farm with associated access road and fencing until the corrected information is provided. This is in the R-VL Zone. Tax account# 012.02-1-3. A workshop will be scheduled when the Full EAF is corrected and received.

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

#### **DISCUSSION**

There were no items for discussion.

#### **ADJOURNMENT**

A motion was made by Linda DeRue, seconded by Dave Martin to adjourn tonight's meeting barring no further business. Members polled: Linda DeRue aye, Dave Martin aye, Chris Schlieter aye, Mark Ballerstein aye, James Nesbitt aye, Steve Hitner aye. Motion carried.

**The next scheduled meeting of the Hamlin Planning Board will be held on Tuesday, September 3, 2019 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is August 20, 2019 at 12 noon.**