

Hamlin Planning Board Minutes

Monday, March 3, 2025

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 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: Steve Lauth, Dave Martin, Chris Schlieter, James Nesbitt, Steve Hitner, Sharon Steigerwald, Ed Nelson.

Present signed in: Bob Indicchia (sp), David Freda, Ken Bracker, Thomas Mattle, Conservation Advisory Board Vice-chairperson Jeanine Klopp, Attorney O'Toole, Town Engineer J.P. Schepp, Town Councilpersons Phil Hurlbutt and Rick Wright. Anthony Piano, Supervisor Steven Baase.

Approval of the February 3, 2025 meeting minutes. A motion was made by Steve Lauth, seconded by Sharon Steigerwald, to approve the meeting minutes of February 3, 2025. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, James Nesbitt aye, Steve Hitner aye, Sharon Steigerwald aye, Ed Nelson aye. Motion carried.

PUBLIC HEARING

SPECIAL USE PERMIT

ANTHONY PIANO 829 MOSCOW ROAD

Application of Anthony Piano, owner, Anthony Piano, seeking a Special Use Permit to operate his business named ADP Lawn Mowing & Property Maintenance, Inc. from a barn on the property he owns at 829 Moscow Road. This is in the R-VL Zoning District. Tax account# 005.02-001-003.2.

Anthony Piano represented himself before the board. He has purchased property at 829 Moscow Road. He is proposing to operate a Lawn & Landscaping business out of the property. There are also 2 houses on the property that he is planning on renting them out.

Chairperson Chris Schlieter opened the Public Hearing

*Letters submitted from a resident of the neighborhood will be included in these minutes.

Chris Schlieter asked for advisement of the Attorney to either close or leave open the Public Hearing. He was advised that he could leave it open or close it.

Resident Peter Tonery added that there is a loop hole in the law.

Chris Schlieter added that in the Assessors file there is an indication that 829 Moscow Road has a multi residential use. The board needs to take a very hard look at the number of vehicles to be on the property. There could also be zero turn lawn mowers, chippers, stored and serviced on the property. Will the debris be washed off onto the property?

Peter Tonery also added that the storage of gasoline should be determined along with other points, will there be a lift in the shop, Oil changes , replacing batteries, replacing belts, photos of vehicles and chippers.

Chris Schlieter added that the property is taxed for multiple residential use per the assessor. The board looks at all items and concerns. Will there be a dumpster to store debris?

Attorney suggested to not close the Public Hearing. To leave it open. Have the property cleaned up. Town Code 520-11 which is similar in nature accessory use.

Anthony Piano reported that there is a tenant in the back home. He is in the process of having him evicted. He does have an employee of his that has interest in renting the back home.

Chairperson Chris Schlieter closed the Public Hearing for public comment.

J.P. Schepp added that the documents submitted do not make a sufficient Site Plan.

Attorney O'Toole replied that the applicant will have to hire a Professional Engineer.

Cheryl Pacelli added that a fence may need to be placed in the rear yard to shelter the vehicles and the storage of materials.

Sharon Steigerwald added that a site plan will be needed to be submitted.

Steve Lauth added that this is a residential property, not for commercial use. I can look at the provided documents and know what is going on. There are many service based businesses in Hamlin. Such as gun shops and tackle shops.

Dave Martin stated so be it.

James Nesbitt added that the additionally owned property that has been spoken about can be sold.

Ed Nelson responded, what is the fence time frame? Anthony Piano stated that he has spoken to Steve Speed not sure if a fence will be in the parking area or all of it.

Attorney O'Toole added that the height of the fence will need to be provided. He recommends a real site plan be submitted.

Steve Hitner suggested that a more specific site plan should be submitted.

J.P. Schepp added that the site plan should show the inside office, storage areas, house rentals, bathrooms (port a potty), # of employees.

Chris Schlieter stated that a commercial site plan is not out of the question. Peter spoke about the fire dept. and the location of the mulch, stone, fertilizer, seeds or non-inert items. There is an example of a saw mill in Hamlin. Similar other businesses. Some pre date original zoning. Suggest a rural type of business and inventory various items. This needs a site plan and for water. To be in the building if they

would like it there. He also asked Attorney O'Toole if the Public Hearing should be left open. Attorney O'Toole stated it is at the boards pleasure. They can table it or adjourn.

A motion was made by Steve Lauth, seconded by Sharon Steigerwald, to table the application for one month, April 7, 2025 at 7:00pm, until the fire marshal can inspect and file a report. An engineered interior and exterior site plan supplied by a design professional will be required. These items will need to be submitted by March 18, 2025 at 12 noon. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, James Nesbitt aye, Steve Hitner aye, Sharon Steigerwald aye, Ed Nelson aye. Motion carried.

A motion was made by Chris Schlieter, seconded by, Steve Lauth, to designate the Application of Anthony Piano, owner, Anthony Piano, seeking a Special Use Permit to operate his business named ADP Lawn Mowing & Property Maintenance, Inc. from a barn on the property he owns at 829 Moscow Road as an Unlisted Action Under SEQR. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter aye, James Nesbitt aye, Steve Hitner aye, Sharon Steigerwald aye, Ed Nelson aye. Motion carried.

PUBLIC HEARING

COMMERCIAL SITE PLAN APPLICATION

ALI ALYAFAI

1800 LAKE ROAD - TOPS PLAZA

Application of Ali Alyafai, owner, Four Points Property Management, is proposing to rent a storefront located at 1800 Lake Road. He is proposing to operate a Tobacco, Smoke and Vape Shop. The business shall be used solely for the purpose of tobacco sales and other products related to the same. There will be no sale of marijuana products or illicit substances not allowable by both local and federal law. A sign permit will be applied for at a later date. This is in the C-GB Zoning District. Tax account# 021.03-3-23.1.

Ken Bracker represented the applicant before the board. The Short EAF form was provided. There will be no exterior construction.

Town Engineer J.P. Schepp had no engineering concerns. The parking is ample per the original site plan.

Attorney Keith O'Toole added a condition that there will be no cannabis sold or consumed on the site.

Chairperson Chris Schlieter polled the board.

Sharon Steigerwald asked what would be sold at the location. The applicant Ali Alyafai answered cigars, cigarettes, tobacco bags, papers, zero nicotine and menthol.

Steve Lauth had no concerns.

Dave Martin added that the 1st smoke shop that was in the town didn't go so well. Will everyone be ID'd. The applicant stated they will be ID'd at the door. Dave asked if they would be ID'd at the time of a purchase.

James Nesbitt remarked that his wife buys their groceries at Tops and would not like to see empty wrappers or packaging around the outside of the area. He also wanted to make sure that the age limit is 21 to enter the store. The applicant Ali Alyafai stated that no one under 21 will be allowed into the store.

Ed Nelson asked if there would be any type of gummies sold. The applicant said none of that.

Town Board member Rick Wright of Huntington Parkway was concerned about the traffic at the plaza. Chris Schleiter added that Tops does not sell tobacco at all. He would like to have a copy of the lease agreement.

Town Board member Phil Hurlbutt asked where the other store is. The applicant stated Norwich (sp) and he has partners.

A motion was made by Steve Lauth, seconded by, Ed Nelson, to designate the Application of Ali Alyafai, owner, Four Points Property Management, is proposing to rent a storefront located at 1800 Lake Road. He is proposing to operate a Tobacco, Smoke and Vape Shop as a Type II Action Under SEQR. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter yes, James Nesbitt yes, Steve Hitner aye, Sharon Steigerwald yes, Ed Nelson aye. Motion carried.

A motion was made by Steve Lauth, seconded by, Ed Nelson to approve the Application of Ali Alyafai, owner, Four Points Property Management, is proposing to rent a storefront located at 1800 Lake Road. He is proposing to operate a Tobacco, Smoke and Vape Shop. The business shall be used solely for the purpose of tobacco sales and other products related to the same. There will be no sale of marijuana products or illicit substances not allowable by both local and federal law. A sign permit will be applied for at a later date. This is in the C-GB Zoning District. Tax account# 021.03-3-23.1. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter no, James Nesbitt no, Steve Hitner aye, Sharon Steigerwald no, Ed Nelson aye. Motion carried.

PUBLIC HEARING

COMMERCIAL SITE PLAN APPLICATION

JOHN SAVAGE – LIFE SAVER APPLIANCE 1800 LAKE ROAD – TOPS PLAZA

Application of John Savage of Life Saver Appliance, owner, Four Points Property Management, is proposing to rent a storefront located at 1800 Lake Road. He is proposing to operate a business for the retail sales of appliances. A sign permit will be applied for at a later date. This is in the C-GB Zoning District. Tax account# 021.03-3-23.1.

Ken Bracker represented the applicant before the board. An appliance store to be named Lifesaver Appliance would like to open at a location at 1800 Lake Road. He will sell new and used appliances.

Chris Schleiter opened up the Public Hearing.

It was asked if there were any attendees wishing to speak. There was no one present wishing to speak.

Chris Schleiter closed the Public Hearing.

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

Attorney Keith O'Toole added that it is listed as a Type II Action Under SEQR.

Dave Martin asked of the hours of operation. The applicant stated that they are flexible; possibly 11-7 and 10-7. The hours will be posted on the door of the location.

Chris Schlieter asked about the placement of a dumpster. The applicant stated that the cardboard would be recycled and the rear door would be used for deliveries.

James Nesbitt had no concerns.

Ed Nelson had no concerns other than there would be no storage of junk outside.

Sharon Steigerwald had no concerns.

Steve Lauth had no concerns.

Steve Hitner had no concerns.

A motion was made by Dave Martin, seconded by Sharon Steigerwald to designate the Application of John Savage of Life Saver Appliance, owner, Four Points Property Management, is proposing to rent a storefront located at 1800 Lake Road as a Type II Unlisted Action Under SEQR. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter yes, James Nesbitt yes, Steve Hitner aye, Sharon Steigerwald yes, Ed Nelson aye. Motion carried.

A motion was made by Dave Martin, seconded by, Steve Lauth, to approve the Application of John Savage of Life Saver Appliance, owner, Four Points Property Management, is proposing to rent a storefront located at 1800 Lake Road. He is proposing to operate a business for the retail sales of appliances. A sign permit will be applied for at a later date. This is in the C-GB Zoning District. Tax account# 021.03-3-23.1. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter yes, James Nesbitt yes, Steve Hitner aye, Sharon Steigerwald yes, Ed Nelson aye. Motion carried.

PUBLIC HEARING CONTINUATION

UPDATED SITE PLAN AMENDMENT APPROVAL

THOMAS MATTLE HIDDEN PINES SECTION 3

Application of Thomas Mattle, owner, Thomas Mattle, seeking amended site plan approval for Hidden Pines Section 3 located at 1931 Lake Road. This is in the R-L Zoning District. Tax account# 029.01-2-16.1, 029.010-1-005.111

Kris Schultz represented the applicant before the board. The DEC mapping is accurate. The entire area has been walked and there are no significant changes from an earlier walk thru. The fire marshal and the Town Engineer have reviewed the plans and the area. 4 large lots are proposed. The owner and his son plan to build 2 homes on the site.

Supervisor Steve Baase has looked at the plans. Kris Schultz has added that there will be one entrance in and out and will not be connected to the earlier lots. It will be a private drive to a hammerhead. There will be 4 lots off the private drive. The sanitary sewer is in. There will be 1 acre of land per house, the rest will be woods. There will be a bridge across the wetlands for no disturbance.

Chairperson Chris Schleiter opened the Public Hearing.

A motion was made by James Nesbitt, seconded by, Steve Lauth, to close the Public Hearing. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter yes, James Nesbitt yes, Steve Hitner aye, Sharon Steigerwald yes, Ed Nelson aye. Motion carried.

Jeanine Klopp and J.P. Schepp looked over the plans. NYS just updated restrictions. The Town's Overlay map and the wetlands map have been reviewed. It appears that the old map is obsolete. There are Federal wetlands on lots 3,2,&1. Kris Schultz stated that the new plan shows that the grading will not affect any wetland.

Attorney Keith O'Tools stated that this application is an Unlisted Action for SEQR. He is asking that the plan be reviewed for the easements by him before the plan is filed.

Sharon Steigerwald remarked that Lot 1 will be required to have sprinklers.
Steve Lauth had no comments.

Dave Martin commented if the snow plowing would be done privately.

Chris Schleiter had no comments.
James Nesbitt had no concerns.
Ed Nelson said it all looked good.
Steve Hitner also stated that it looked good.
Jeanine Klopp added that the new wetland regulations were a 7.5 and not 12.

A motion was made by James Nesbitt, seconded by, Steve Lauth, designating the Application of Thomas Mattle, owner, Thomas Mattle, seeking amended site plan approval for Hidden Pines Section 3 located at 1931 Lake Road as a Type II Unlisted Action Under SEQR. This is in the R-L Zoning District. Tax account# 029.01-2-16.1, 029.010-1-005.111. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter yes, James Nesbitt yes, Steve Hitner aye, Sharon Steigerwald yes, Ed Nelson aye. Motion carried.

A motion was made by James Nesbitt, seconded by , Steve Lauth, to approve the Application of Thomas Mattle, owner, Thomas Mattle, seeking amended site plan approval for Hidden Pines Section 3 located at 1931 Lake Road. This is in the R-L Zoning District. Tax account# 029.01-2-16.1, 029.010-1-005.111. The following condition will apply, Approval of the easements by the Planning Board Attorney before it is filed. Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter yes, James Nesbitt yes, Steve Hitner aye, Sharon Steigerwald yes, Ed Nelson aye. Motion carried.

AGENDA

COMMERCIAL SITE PLAN APPLICATION

DAVID FREDA

NUTS CORNERS 328 LAKE ROAD EAST FORK

Application of David Freda, owners, Frank & Pamela Mastrodonato, seeking a Commercial Site Plan Approval to re-open the existing Nuts Corners restaurant to be known as Jailhouse Rock Bar & Grill at Nuts Corners located at 328 Lake Road East Fork. This is in the C-NB Zoning District. Tax account # 006.04-2-23.

Davis Freda represented himself before the board. He is interested in opening a restaurant at 328 Lake Road East Fork. This location is where the Nuts Corners restaurant was. He has been in food service for 32 years. He lives in Gates and the rental cost is much lower here in Hamlin. This will have a music theme. There will be no late hours. 4-9 wed. & thurs. 4-10 on Friday, and 10-2 Sunday. He has applied for his liquor license. The previous owner has turned in the liquor license she had for that location. He would like to have outdoor seating. Maybe have bands.

Town Engineer J.P. Schepp remarked that there is no site plan and one would be required.

The following items would need to be shown on the submitted plan.

Site Lighting
Ingress & Egress
of Employees
Site changes – drainage
Tally of capacity by the Fire Marshal
Handicap parking
Take out area
Add parking across the street.

A motion was made by, Ed Nelson, seconded dually by, Sharon Steigerwald and Steve Lauth to schedule a Public Hearing for April 7, 2025 at 7:00pm for the Application of David Freda, owners, Frank & Pamela Mastrodonato, seeking a Commercial Site Plan Approval to re-open the existing Nuts Corners restaurant to be known as Jailhouse Rock Bar & Grill at Nuts Corners located at 328 Lake Road East Fork. This is in the C-NB Zoning District. Tax account # 006.04-2-23. The following items would need to be shown on the submitted plan.

Site Lighting
Ingress & Egress
of Employees
Site changes – drainage
Tally of capacity by the Fire Marshal
Handicap parking
Take out area
Add parking across the street.

The following documents have been submitted for review:

1. Letter of intent
2. Commercial Lease Agreement
3. Certificate of Approval for Construction, Alteration or Remodeling of a Food service Establishment.
4. Certificate of Authority
5. Interior Floor Plan
6. Commercial Site Plan Application

Members polled: Steve Lauth aye, Dave Martin aye, Chris Schlieter yes, James Nesbitt yes, Steve Hitner aye, Sharon Steigerwald yes, Ed Nelson aye. Motion carried.

AGENDA

RESIDENTIAL SKETCH PLAN

**DAN WENCEK
7548 SANDY HARBOR DRIVE**

Application of Dan Wencek, owner, Richard & Tammy Hamlin, seeking to add a sewer connection to an existing garage and add a bathroom and a playroom for grandkids across from the existing dwelling. This is in the S/R Zoning District. Tax account# 006.08-1-31. The following documents have been submitted for review:

1. Letter of Intent
2. Residential Sketch Plan Application
3. Hand Drawn Proposed Floor Plan
4. DEC Notice of Complete Application
5. DEC Notice of Incomplete Application
6. Aerial Color Photo of Property

There was no one present to represent the application. This will be scheduled for the April 7, 2025 meeting as an agenda item.

DISCUSSION

ADJOURNMENT

The next scheduled meeting of the Hamlin Planning Board will be held Monday, April 7, 2025 at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The deadline for all applications and fees is March 18, 2025 at 12 noon.