

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes – June 18, 2009, 7pm

Board Members present: Marty DeVinney, chair; Loretta Henrie; John Gilbert; Lynn Lersch; Robert Mincer; Bruce St. Lawrence

Others present: Dawn Kane, CEO; Mr. Vincent Pigula, Mr. Andy Komarek, Mr. Robert Gunderman, Mr. Richard Bolton, Ms. Linda Sheive, Mr. Donald Sheive

Agenda: Approval of 5/21 and 6/4 minutes; Motion to change July 16 meeting date to July 23; Board recommends *Stormwater Management and Erosion Control Law* draft edits to the Town Board for review; discussion and presentation by CEO, Mr. Pigula and Finger Lakes Tram Mgmt., Andy Komarek with comments from neighbors of bordering parcels

Meeting began at 7pm with board discussion and approval of minutes. Bruce St. Lawrence made a motion to approve minutes and Robert Mincer gave a second. Vote was taken and the motion carried with all in favor.

Dawn Kane, CEO gave a brief review of the site failure at 198 East Lake Road, owned by Mr. Vincent Pigula and onsite visit of Wed., June 17. Points made were:

- Stop Work Order would be placed on site work and permit # 052709 dated 5/27 is revoked due to significant deviation from approved Site Plan which may have contributed to a site failure and shoreline debris which entered the lake causing silt plumes extending outward. A letter stating specific points of deviation will be sent to Mr. Pigula, owner.
- DEC will be working in tandem with the Office of Code Enforcement to review specific plans to remove excavator and debris from site and lake.
- Remediation plan would be expected from the Komarek's for site stabilization of all disturbed soil stating specific steps to stabilize site. The board shall review such plan with certified NYS Geo-tech and Town Engineer on advisement.

Neighboring property owners Mr. Rick Bolton, and Mr. Robert Gunderman spoke to concerns of on-going shale slides, property damage and diminished lake quality in front of the site and around their property at shoreline also.

Resident, Linda Sheive asked the Planning Board, the Office of Code Enforcement and the Vine Valley Beach to submit any community information for the Town Newsletter, deadline which is next Tuesday, June 23rd.

Board discussed Draft edits of the *Stormwater Management and Erosion Control Law* and motion was made by John Gilbert and seconded by Lynn Lersch to recommend edits to the Town Board for review next month.

Marty DeVinney, chair entertained a motion to reschedule July 16th meeting to be held this month on July 23rd, due to scheduling conflict with the Zoning Board of Appeals. The motion was made by Robert Mincer and seconded by Lynn Lersch. Lynn shall place a public notice in the Daily Messenger and post it on the Town's website and Town Hall bulletin board.

Next month's agenda shall be reviewing edits from the Town's Zoning Regulations for adoption as well as reviewing and possibly editing the Site Plan Review process as recommended.

Minutes submitted by L. Lersch / Revisions to Lsammy5@frontiernet.net

