

**TOWN OF MIDDLESEX**  
**PLANNING BOARD**  
Minutes – July 2, 2009

Board Members Present: Marty DeVinney, chair; Loretta Henrie, John Gilbert, Lynn Lersch  
Robert Mincer, Bruce St. Lawrence  
Other Staff Present: Dawn Kane, CEO; Town Councilmen: Wayne Dunton, Dan Paddock  
Public Present: Mr. Robert Gunderman, Linda Sheive

Meeting came to order at 7 pm

CEO, Dawn Kane opened the meeting with a slide presentation documenting the site failure and cliff shale slide on Sunday 6/14 at 198 East Lake Road property of owner Vincent A. Pigula. A summary of the current status of the failure and the DEC's involvement with the site was noted. Correspondence from DEC, Keith Levanway was read. A certified letter from our Town Attorney outlining Town's current position and plan for remediation was mailed to owner, Vincent Pigula of 198 East Lake Road, Middlesex, NY.

Resident and neighbor, Mr. Robert Gunderman presented a current summary of site failure—continued plumes of muddy water which affect their water filter system, continued minimal shale slides. Provided board with Geo-tech Engineering firm for referral.

Board discussion of plan for remediation and geo-tech involvement and also possible NYS Planning Federation.

Councilman Dunton advised board that if they felt a moratorium necessary to provide proper Regulations, that they could state their case to the Town Board for possible approval.

Dawn Kane gives site summary of future PB Site Plan Review: O'Brien, Cunningham, Klee, Smith.  
\*Suggestion of need for a Town Tri-Board Meeting of current priorities to work towards.  
\*ZBA/PB/TB Training sponsored by Yates County Planner date to be set in August.

Resolution vote was taken to recommend the current draft edits of the *Stormwater Management and Erosion Control Law* to the Town Board for final review before adoption. The following roll call vote was offered by chair, Marty DeVinney and seconded by Robert Mincer:

Marty DeVinney	aye
Loretta Henrie	aye
John Gilbert	aye
Lynn Lersch	aye
Robert Mincer	aye
Bruce St. Lawrence	aye

Board discussion on changing our next meeting date in July from the 3<sup>rd</sup> Thursday, 7/16 to the 4<sup>th</sup> Thursday, 7/23. Board vote on permanently changing our meeting date starting in August to the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of the month starting at 7pm. Board member John Gilbert made the motion, and Bruce St. Lawrence provided a second. The vote carried with all in favor. Our next meeting date shall be Wednesday, August 5<sup>th</sup>. A Public Notice of such shall be put in the Town's Newsletter, the Town's website, and the Daily Messenger.

Next meeting's agenda for 7/23: (2) Site Plan Reviews, Draft edits for Zoning Law and Site Plan Review, Sect. 700.12.15  
Meeting adjourned at 9:30p/Minutes submitted by L. Lersch. Revisions:Lsammy5@frontiernet.net