

**TOWN OF MIDDLESEX**  
**PLANNING BOARD**

Minutes

Wednesday, January 8, 2020-7 pm

Board Members present: Chair – Marty DeVinney; Board Members: Bruce St. Lawrence, Lynn Lersch, Robert Mincer, Terry Mott, Gordon Stringer; Dawn Kane – Code Enforcement Officer

Public Present: Ted Carman, Denise Adam, Brendan Gooding of Venezia & Associates, Christine Rohr Cimino, Barbara & Neil Ross, Jeff Meyer, Richard Lersch

Agenda: Draft Minutes – December 4, 2019

Site Plan Reviews –

1. App. #112219-SPR/ -SPR/Christine Cimino of 350 State Rte. #364 requests Site Plan Review for construction of a 36 x 24 ft. accessory pole barn, Tax Map ID # 2.04-1-4 (A/R)
2. App. # 121819-SPR/Neil Ross of 6129 N. Vine Valley Rd., requests Site Plan Review for a Minor Subdivision, Tax Map ID's, # 12.03-1-4.121 & 12.03-1-4.212 (AG)
3. App. #103119-SPR/Richard & Lynn Lersch, representing the Gary P. Hoffman Management Trust, requests Site Plan Review for revisions to site plan for installation of a Presby Septic System, stone walkway and rear addition to an existing residence at 890 S. Lake Road, Tax ID # 11.82-1-11 (LR)

Applications on advisement from Code Office:

- App. #111819-SPR/Dan Irby & Bill Sanford of 5960, 5965 & 5970 Widmer Road/represented by Venezia & Associates requests Site Plan Review for a Lot Line Reconfiguration, Tax ID # 31.70-1-1, 2 and 3 (LR)
- App. #092119-SPR/Richard Thompson of 120 East Lake Road, Tax Map ID # 02.46-1-4 & 5, (LR)

Chairman Marty DeVinney called the Planning Board meeting to order at 7:04 p.m.

Draft Minutes from December 4<sup>th</sup> were reviewed and approved as submitted by the Planning Board. Board Member Mincer offered a motion to accept as written with Chairman DeVinney offering a second. The motion so carried with all Board Members present voting in favor.

Site Reviews:

1. App. #112219-SPR/ -SPR/Christine Cimino of 350 State Rte. #364 requests Site Plan Review for construction of a 36 x 24 ft. accessory pole barn, Tax Map ID # 2.04-1-4 (A/R)

CEO Kane summarized the application for Board Members, stating the applicant was in attendance to present the application. Ms. Cimino requested review for a proposed Pole Barn for storage to be located approximately 100 feet from the centerline of the road with access off of #364. The

application met all Zoning setback requirements. Pre-existing access will be graveled, and a concrete pad poured for the Barn.

After a short discussion, a motion to approve the application was offered by Terry Mott and seconded by Robert Mincer. The motion so carried with all Board Members present voting in favor.

2. App. # 121819-SPR/Neil Ross of 6129 N. Vine Valley Rd., requests Site Plan Review for a Minor Subdivision, Tax Map ID's, # 12.03-1-4.121 & 12.03-1-4.212 (AG)

CEO Kane summarized the application for Board Members stating the application had two pre-existing and non-conforming access points to the property, approximately 56 ft. and 71 ft. She referenced Section #704.2 of local Zoning, stating what was proposed did not increase or change access to the properties. The Ross' would like to subdivide the eastern portion of the property for future intent to build. Brendan Gooding of Venezia & Associates was in attendance to answer any Board questions.

Mr. Gooding stated the Ross' would like to annex a portion of Tax ID # 12.03-1-4.212 to # 12.03-1-4.121 shifting the line between the two properties.

A pond built by a neighbor across the road was in close proximity to the most eastern access point. The ROW leading around the pond was owned by the Ross family. The neighbor's pond's berm was located on the Ross property. It was stated by the Board, that any future concerns about the roads' proximity to the pond must be resolved between landowners and any future modifications to the proposed subdivision map would need to come back to the Planning Board again for due process.

Without further discussion, Board Member St. Lawrence made a motion to approve the Minor Subdivision as submitted. Board Member Mincer provided a second. The motion so carried with all Board Members present voting in favor.

3. App. #103119-SPR/Richard & Lynn Lersch, representing the Gary P. Hoffman Management Trust, requests Site Plan Review for revisions to site plan for installation of a Presby Septic System, stone walkway and rear addition to an existing residence at 890 S. Lake Road, Tax ID # 11.82-1-11 (LR)

CEO Kane summarized the application for the Board, stating the application had been reviewed by the Board back in November, at which time variances were required. The original application was withdrawn, changing the required variances for the pre-existing and non-conforming lot. The variances were granted by the Zoning Board of Appeals in December. The application has a proposed new Presby septic design approved by the NYSDOH to be installed in the Spring. The current application includes Site Plan Review for the removal and enclosure of the existing east-facing porch for the purpose of creating an entry and additional habitable space and the construction of a basement underneath the addition part only in order to locate a furnace. The basement and onsite soil and erosion concerns were reviewed by the Planning Board.

After a short discussion, the Board determined conditional approval of the application with the following revisions to be submitted through the Office of Code Enforcement prior to permitting:

1. Revise the site map noting there will not be any proposed grading or ground disturbance at the #711 elevation contour adjacent to the existing deck at the west side of the house. Noted was

grade-work necessary for forming drainage swales along the north and south sides of the property.

2. Revise the site map to show an extension of the proposed “limits of disturbance” in the southeast corner of the property which will be trenched when installing the new 2” force main and new 4” discharge to and from the existing holding tanks.
3. Provide the Code Enforcement Office with a statement of where the onsite spoils will be hauled.
4. Replace the unnecessary “mesh silt fence detail” shown on the site map with a more typical residential silt fence detail. Silt fence should be shown along the west side of the property outside of all disturbed areas, with ends curved towards the east up the property lines.
5. Clarify on site map where the new addition footer drain discharges to. If it will connect to proposed curtain drain on the north side, trenching should be shown.

A motion to approve with contingencies was offered by Terry Mott and seconded by Gordy Stringer. The motion so carried with all Board Members present voting in favor except Lynn Lersch who recused herself.

Applications on advisement – Code Enforcement Office:

- App. #092119-SPR/Richard Thompson of 120 East Lake Road, Tax Map ID # 02.46-1-4 & 5, (LR) CEO Kane updated the Planning Board on the current status of the Thompson application for a septic installation on a vacant parcel contiguous to the parcel residence is located at 120 East Lake Road. She stated the Planning Board had reviewed the application last October and had stated they would determine Conditional Approval contingent on the landowner combining both parcels, Tax ID # 2.46-1-4 and #2.46-1-5 to make it more conforming. Ms. Kane stated she had received legal documentation that the landowner will be filing both parcels combined with Yates County Clerk’s Office and filing will be in place prior to septic installation. A motion to approve the application as resolved was made by Board Member Robert Mincer and seconded by Board Member Bruce St. Lawrence. The motion so carried with all Board Members present voting in favor. None opposed.
- App. #111819-SPR/Dan Irby & Bill Sanford of 5960, 5965 & 5970 Widmer Road, Tax ID # 31.70-1-1, 2 and 3 (LR) CEO Kane stated the application was represented by Venezia & Associates, and had come back to the Planning Board for administrative changes in Lot acreage on the parcels. This application had received approval last month by the Board and will be rescheduled at a later date to review these revisions, as the application’s representative had left.

Chairman DeVinney noted Board Members Bruce St. Lawrence and Robert Mincer had submitted their resignations with tonight’s meeting being their last. He stated his appreciation for their faithful and meaningful years of service. He acknowledged two new members, Terry Mott and Gordon Stringer and welcomed them to the Planning Board.

Chairman DeVinney presented an overview of the responsibilities of the Planning Board, its’ Board Members and its’ review process, stating the Planning Board worked in tandem with other local Boards and sometimes outside resources when necessary, under the jurisdiction of Town Law enforced by the New York State Department of State which had many resources available to all Town officials. All application for Site Plan Review to the Planning Board are based on the Town’s Municipal Laws, its’ Zoning Ordinance, in accordance with the Master Plan. He stated the importance of Planning Board Members working in tandem with the Code Enforcement Office and other Boards

such as the Town Board, and the Zoning Board of Appeals. The Planning Board's general duty is to review applications and Town Laws in order to maintain the protection of the health, safety and well-being of the Town and its' residents, while keeping an important focus on the environmental impact of development of land on it's natural resources.

Without further discussion, Chairman DeVinney entertained a motion to adjourn. Board Member St. Lawrence made the motion which was seconded by Board Member Mincer. The motion so carried with all Board Members present voting in favor.

Meeting adjourned at 8:48p.m.

Next meeting February 5th  
Draft Minutes submitted by L. Lersch  
Minutes approved on February 5, 2020