

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

Minutes

Wednesday February 14, 2018- 7 pm

Board Members present: Chair – Martin DeVinney; Board Members: John Gilbert, Lynn Lersch; and Dawn Kane – Code Enforcement Officer

Public Present: Daniel C. Hackett RLA, John Bopp, Ryan & Kristi Mitchell, Ed Bronson, Mike Volpe

Chairman DeVinney called the Planning Board meeting to order at 7:00 pm. It was noted that the regular February 7<sup>th</sup> Planning Board Meeting had been rescheduled for tonight due to bad weather.

Draft Minutes from December 6<sup>th</sup> will be reviewed for possible approval in March when the Planning Board's full board is present.

Agenda:

Site Plan Reviews:

New Business:

1. App. # 10418-SPR/SED Sun Common with John Bopp as representing agent for owners Michael & Margaret Angelo of 1106 Lincoln Avenue, requests Site Plan Review for the installation of a roof-mounted solar system, Tax ID # 22.02-1-13, (HR)
2. App. # 011518-SPR/Boudewyn Kuenan of 1513 South Lake Road, represented by Marks Engineering requests Site Plan Review to install a residential wastewater system, Tax ID #31.01-1-12 (LR)
3. App. #011718-SPR/Daniel C. Hackett, Architect and representing agent for owner, Michael H. Messina of 344 East Lake Road, requests a conceptual review for the installation of a deck addition with a porch roof, Tax ID #001.076-1-1.1, (LR)

1. App. # 10418-SPR/SED Sun Common with John Bopp as representing agent for owners - Michael & Margaret Angelo requests Site Plan Review for the installation of a residential roof-mounted solar system at 1106 Lincoln Avenue, Tax ID # 22.02-1-13, (HR)

Dawn Kane, CEO provided the Planning Board Members in attendance with a summary of the Sun Common application, stating that the representing agent, John Bopp was in attendance to present and answer any Board questions. The solar application was to be mounted on the barn metal roof and would provide the owner with service to the residence.

John Bopp, representing Sun Common, presented the application, representing the Angelo's stating the company provided design system load support information from two third party engineering firms with certified reviews submitted with the application. Also provided was a letter of Project Summary details and an aerial map of the property showing site location. The 10.37kW-DC Residential Roof-mounted Solar PV Array would connect to a single Phase Inverter

within the barn which would provide a 200-amp service to the residence without the need to bury cable underground. This project was funded by NYSERDA.

After entering into discussion, and without needing further review, Board Member Gilbert offered a motion to approve the application as presented. Board Member Lersch provided a second. The motion carried with all Board Members present voting in favor of the motion.

2. App.#011518-SPR/ Boudewyn Kuenan, represented by Marks Engineering for the installation of a residential wastewater system at 1513 South Lake Road will be rescheduled at a later date to be announced.

3. App. #011718-SPR/Daniel C. Hackett, Architect and representing agent for owner, Michael H. Messina of 344 East Lake Road, requests a conceptual review for the installation of a deck addition with a porch roof, Tax ID #001.076-1-1.1, (LR)

CEO, Dawn Kane provided a summary of the application stating Dan Hackett, Landscape Architect, would be representing the owners and was requesting a conceptual review by the Board.

The parcel, pre-existing to the adoption of local code and being a non-conforming lot with lot coverage exceeding the maximum of 20,000 sq. ft. allowed in the Lake Residential District, the owner Michael H. Messina was proposing a reduction in the lot coverage from 25.50% to 25.13% with the proposed 3 feet extension to an existing 9 ft. deck with plans to enclose the porch for year-round habitable space. The extension would be cantilevered over a 25-30% steep slope area by adding three 2 x 2 piers consisting of a total of 72 sq. ft. of ground disturbance. All soil disturbed would be carried in and out by hand. Estimated time of beginning construction would be in the spring.

Board Member Gilbert inquired about the restrictive code components of a grandfathered-in structure due to the proposed change of use from a pre-existing outside patio to a proposed enclosed heated habitable space commenting that other than this concern, it was a well-managed site and erosion control plan for the proposed design.

Marty DeVinney advised that the application should go to the Zoning Board of Appeals to request a variance from the non-conforming lot coverage, while the Planning Board would request advisement on the concerns raised from the Planning Board prior to further site plan review and determination.

Ms. Kane stated to Mr. Hackett, she would check with the Town Attorney to advise on an interpretation of the law and would convey back all findings; meanwhile the application's variance request would be heard by the Zoning Board of Appeals tomorrow night.

Projects under Advisement from the Code Enforcement Office:

Ms. Kane requested advisement from the Planning Board on the following projects:

1. Mitchell Cottage, 6335 Glenn Ave., Tax ID# 11.74-1-30, (LR). Ms. Kane provided the Planning Board with a history of the property, stating it had come to the board under advisement last year when the property was purchased by the Mitchell's. The structure on

the pre-existing and non-conforming lot which borders Vine Valley Creek and Vine Valley Rd., had suffered a fire, declared abandoned as a residence, was repaired and used by the Boyce family for storage only. The Mitchell's have since purchased the property with plans to bring the structure back to its' original use as a single-family residence to stay within the structure's footprint and apply for a well, which had been installed, and septic system which was designed by the Canandaigua Watershed. This wastewater Presby System was granted approval by the NYS DOH last December awaiting the go-ahead to install. Construction of two inside walls are planned to create an interior living space for the Mitchell's.

Ms. Kane was requesting advisement from the Planning Board to allow the existing structure to return back to a single-family residence. The Board stated once the approved septic system was installed, they would advise the Code Enforcement Office to allow permitting if all necessary code requirements had been met.

2. The Bronson Family would like to purchase three acres from the western edge of Lot 1 of the existing Button parcel located on North Vine Valley Road. The parcel met all necessary area requirements in the Agricultural Residential Zoning District, having 300 feet of road frontage. With the Planning Board's overview, it was decided this application for a Lot Line Adjustment would be handled through the Office of Code Enforcement without a full Site Plan Review.

Without further discussion or review, Chairman DeVinney entertained a motion to adjourn the meeting. Board Member Lersch so moved, and John Gilbert provided a second. The motion carried with all Board Members present voting in favor. None opposed.

Meeting adjourned at 7:45 pm.

Next Meeting on March 7<sup>th</sup>

Draft Minutes submitted by L. Lersch/revisions to [lynn.lersch@gmail.com](mailto:lynn.lersch@gmail.com)

Minutes approved on March 7, 2018