

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes

Wednesday, April 7, 2021 - 7 pm

Board Members present: Chair, Martin DeVinney, Board Members: Terry Mott, Gordon Stringer, Lynn Lersch, David Adam; Dawn Kane – Code Enforcement Officer

Public Present: Nancy and Jeffrey Wolk, Scott Powell, Jim Fonzi, Brent Rosiek, Case Smeen (virtual), Peter Gorman

Agenda: Meeting called to order at 7:02 pm

Draft PB Minutes from March 3, and March 24, 2021 were reviewed. Chairman DeVinney entertained a motion to approve both draft minutes as submitted. Board Member Stringer made the motion which was seconded by Chairman DeVinney. The motion so carried with all Board Members present voting in favor. None opposed.

Site Plan Reviews –

1. App. #0030321-SPR/James & Judith Fonzi, represented by Scott Powell AIA, of Architectura PC requests a Conceptual Review for construction of an upgrade to an existing cottage as a secondary residence at 5980 Widmer Road, Tax ID # 31.03-1-3.1, (LR)

Dawn Kane, CEO gave a brief summary of the history of the application, stating that proposed plans were to remodel an existing cottage at the shoreline, by adding a story and shifting the original footprint slightly to the north which falls under the category of new construction.

Owner Jim Fonzi stated the properties infrastructure was in need of repair and the proposed remodel would encompass an expansion in line with the needs of a growing family to enjoy gathering. The expansion from 20 x 30 ft to 20 x 38 feet includes enlargement of a covered deck, a story and added storage under the deck with a stair system to access the existing primary residence built behind on the hill. The existing septic serving the existing structures was oversized for what is there and approved as such by the NYSDOH.

After discussion the Planning Board made the following recommendation to be resubmitted to the Planning Board for Preliminary Review:

- Submit Zoning Board of Appeals application for area variance requests for front setback to HMWM & lot area coverage requirements. Indicate in bold font all area requirements for LR Zoning District. Provide color coding of what is proposed and what is existing to clarify repositioning of house/deck footprint.
- Provide an SSPA Permit Application with slope analysis and an Erosion Control Management Plan on Site Map to be in compliance with the Town's Erosion Control & Stormwater Management Law.
- Provide dimension on Site Plan for all setbacks and existing site topographical contours to be visible through structural footprint of proposed construction.
- Town Engineer – Stantec will provide additional review due to its location in a (SSPA) Steep Slope Protection Area and its close proximity to the lake.
- Provide letter from NYSDOH providing confirmation the existing septic is appropriately sized for existing home and proposed expansion.
- Submit a (UDML) Canandaigua Lake Uniform Dock & Mooring Law application for all proposed shoreline improvements.

2. App. #030221-SPR/Linda Sheive, represented by Rosiek Engineering requests Site Plan Review for a repair and replacement to an existing wastewater treatment system at 1193 S. Lake Rd., Tax ID #21.64-1-2, (LR)

CEO Kane summarized the application stating the design had been approved by the Canandaigua Watershed as a repair and introduced Brent Rosiek of Rosiek Engineering who designed the system, to present the application and answer any Board inquiries.

After Board discussion the following contingencies were requested to be submitted to Code Office prior to permitting:

- a. Provide existing % of slope on Site Map within limit of disturbance referencing the Town's Steep Slope Protection Regulations.
- b. Provide notation on site Map that access construction access and limits of disturbance will be restored to its original condition.
- c. Provide silt fence or silt sock install to be located running north to south at the west end of septic tank install and also west of upland absorption field to control run-off during a storm event.

Board Member Mott made a motion to approve the application with the above contingencies and Board Member Adam provided a second. The motion so carried with all Board Members present voting in favor. None opposed.

3. App. #030521-SPR/Mike & Rachael Turner of 1091 South Lake Road, represented by Case Smeenck, PE of Smeenck Engineering requests Site Plan Review for on-site drainage repair near a creek gully. Tax ID # 21.48-1-2 (LR)

CEO Kane provided the Board with a summary of the application, stating Case Smeenck, PE would be representing the Turners. She gave a brief history of the property of previous flooding that had occurred with the previous owners, which had resulted from a clogged gully during a storm event which impacted existing poor drainage near the foundation of the residence.

After Board review with Engineer Smeenck, the following was requested to be submitted to the Code Office prior to permitting:

- Provide dimensions on Site Map and site stake-out of drain location from residence and how far west drainage pipe will be located in reference to centerline of road.
- Review scale on enlarged map to clarify the dimensions.
- Provide Erosion Control detail of silt fence on Site Map and indicate stormwater runoff protection to gully.

Board Member Mott made the motion to give conditional approval to the application with the above contingencies and Board Member Stringer provide a second. The motion so carried with all Board Members present voting in favor. None opposed.

Board Member Mott provided a motion to approve and Board Member DeVinney provided a second. The motion so carried with all Board Members present voting in favor. None opposed.

4. App # 010121-SPR/Jeff & Nancy Wolk, represented by Scott Powell AIA from Architectura PC requests Site Plan Review for a two-story Single-Family residence with attached garage and driveway improvements at 894 S. Lake Road, Tax ID # 21.26-1-4 (LR)

CEO Kane provided Board Members with a summary of the application, stating after Board Preliminary review on March 3, the Site Engineer of Record Scott Hartar had responded to Board requests in a letter dated 3/16.

Applicants Jeff and Nancy Wolk provided detail to the Board and after more discussion, a conditional approval was determined with the following contingencies to be resolved through the Code Office prior to permitting and after determination from the Zoning Board of Appeals hearing two variance appeals for the property on April 15th:

- Provide location on Site Map of all roof splash blocks.
- Provide Site Map notation of section detail showing where 4” drain daylights, adding stone to discharge point.
- Engineer on-site for critical inspection during 5 ft. high max. retaining wall installation.
- Engineer of record to provide letter that retaining wall is intended to handle vehicle load bearing for the entire length of the wall.
- NYSDOH approval.

Without further discussion, Board Member Adam made a motion to approve the application with the above contingencies and pending granting of the lot coverage and side setback variances to the Zoning Board of Appeals. Chair DeVinney provided a second. The motion so carried with all Board Members present voting in favor. None opposed.

5. App. # 030421-SPR/Brian Giordano, represented by Peter Gorman of Marathon Engineering requests Preliminary Site Plan Review for a new construction of a 2-story, Single-Family Residence w/walk-out finished basement, detached garage and new driveway at 1147 S. Lake Rd., Tax ID #21.56-1-1 (LR)

CEO Kane stated this application was given a conceptual review in February at which time the Board recommended revisions. Engineer Peter Gorman was introduced to present details of these Site Plan Revisions. The Site had been reconfigured to not need any variances and was fully compliant with Zoning. Shoreline improvements, needing variances would be applied for separately with a UDML application.

Peter Gorman stated the 4.7-acre lot was currently vacant, fairly flat at roadside with moderate steep slopes. The application includes a two-story residence with walk-out basement, two-story detached garage with electric and new raised bed septic pending NYSDOH approval. The garage and house will be screened from the lake with natural buffer, leaving the upland forest will remain intact. Approximately 25 small trees will be removed for construction. A new 12’ wide driveway with 10’ radius on either side would access the parcel in the southwest corner at a length of 15 feet. All spoils will be hauled offsite.

The Board requested the application be reviewed by Town Engineer Stantec and made the following requests to be resubmitted to the Planning Board for additional review:

- NYSDOH wastewater treatment system approval prior to final PB approval
- Apply for separate UDML application by 4/14 to be placed on the May 5th PB agenda for all shoreline improvements to include a separate survey defining lot area requirements and water rights line in compliance with local zoning and UDML law.
- Call out any area variance requests for lot area requirements.
- Provide all driveway dimensions on proposed new driveway entrance access.
- Stantec - Town Engineer will review application due to its SSPA designation, cost to be the burden of the applicant. A cost estimate to be relayed to applicant/engineer prior to proceeding with review.
- Provide notation on Site Map sequencing of on-site construction execution plan.

- Provide notation of a pre-construction meeting with code office, engineer of record, contractor prior to construction start
- Engineer inspections will be required at critical points in site preparation, septic installation and building construction.

6. App. 030121-SPR/Jeff Gerstner/represented by Jay Newswanger for a 2-story garage will be rescheduled.

It was noted the Board had received a member application from a resident with interest in joining the Planning Board which will be considered.

Without further discussion, a motion to adjourn the meeting was offered by Terry Mott and seconded by Gordon Stringer. The motion so carried with all Board Members present voting in favor.

Meeting adjourned at 9:45pm

Next Meeting May 5

Draft Minutes submitted by L. Lersch

Minutes approved on 5/5/21