

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes

Wednesday, June 5, 2019-7 pm

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

Public Present: Justin DeMity, William Brewer, Dave Moynihan, Nancy Evans, Tom Drennen, Brendan Gooding

Agenda: Draft Minutes – May 1

Site Plan Reviews –

New Business:

1. App. #052019-SPR/Richard Milham/Gary Polisseni & Gallagher, represented by Venezia & Associates request Site Plan Review for a Lot Line Reconfiguration to annex 27.272 vacant parcel acres onto Tax Map # 21.04-1-20 from Tax Map # 21.04-1-16 (LDR)
2. App. #051519-SPR/Daryl Dunton & Barbara Ames, represented by Venezia & Associates request Site Plan Review to annex a portion of Tax Map # 22.02-1-10.1 (Ames property) onto Tax Map ID # 22.60-1-2.1 (Dunton property) creating a Lot Line Reconfiguration on vacant land located on State Route #364, (HB)
3. App. #051619-SPR/Eugene Cardamone, represented by Venezia & Associates request Site Plan Review for installation of a drainage system at 1435 South Lake Road, Tax Map ID # 31.01-1-8, (LR)
4. App. #051719-SPR/Tom Drennan of 1089 South Lake Road, represented by William Grove, P.E. of Grove Engineering request Site Plan Review to install a wastewater replacement system, Tax Map # 21.48-1-1, (LR)
5. App. #051919-SPR/John Cake, represented by William Grove of Grove Engineering, request Site Plan Review for installation of a driveway at 1113 So. Lake Road, Tax Map ID #21.48-1-4.1&5 (LR)
6. App. #051819-SPR/David Moynihan, represented by Brennan Marks of Marks Engineering, request Site Plan Review for new construction of an addition to an existing Single-Family residence located at 6367 Vine Valley Rd., Tax Map #11.75-1-7 (LR)

Conceptual Review: Ferrell Gas storage facility proposal - location #364

Chairman Marty DeVinney called the Planning Board meeting to order at 7:03pm.

Draft Minutes from May were reviewed. Board Member St. Lawrence offered a motion to accept as submitted with Board Member Mincer offering a second. The motion so carried with all Board Members present voting in favor. None opposed.

App. #052019-SPR/Richard Milham/Gary Polisseni & Gallagher, represented by Venezia & Associates request Site Plan Review for a Lot Line Reconfiguration to annex 27.272 vacant parcel acres onto Tax Map # 21.04-1-20 from Tax Map # 21.04-1-16 (LDR)

Code Enforcement Officer summarized the application for the Board Members, stating the application was complete, compliant to all area zoning requirements. A portion of the 27.2 acres was being annexed to the contiguous parcel.

Board Members reviewed the submitted maps from Venezia & Associates. Chairman DeVinney entertained a motion to approve by resolution. Board Member St. Lawrence motioned to approve the application as submitted with Board Member Mincer offering a second. The motion so carried by all Board Members present voting in favor.

App. #051519-SPR/Daryl Dunton & Barbara Ames, represented by Venezia & Associates request Site Plan Review to annex a portion of Tax Map # 22.02-1-10.1 (Ames property) onto Tax Map ID # 22.60-1-2.1 (Dunton property) creating a Lot Line Reconfiguration on vacant land located on State Route #364, (HB)

Code Enforcement Officer summarized the application for the Board Members, stating the application was complete, compliant to all area zoning requirements. A portion of the acreage was being annexed to the contiguous parcel.

Board Members reviewed the submitted maps from Venezia & Associates. Chairman DeVinney entertained a motion to approve by resolution. Board Member Mincer motioned to approve the application as submitted with Board Member St. Lawrence offering a second. The motion so carried by all Board Members present voting in favor.

App. #051619-SPR/Eugene Cardamone, represented by Venezia & Associates request Site Plan Review for installation of a drainage system at 1435 South Lake Road, Tax Map ID # 31.01-1-8, (LR)

Ms. Kane, CEO gave a summary of the application, stating the parcel had a history of drainage issues due to storm water erosion washouts. The Code Office had received a complaint that on-site excavation work had been initiated to remove pipes onsite. Ms. Kane, in working in tandem with landowner and Venezia & Associates and the Town of Middlesex Highway Supervisor, have reviewed the Lu Engineer study referencing this parcel. Ms. Kane brought the project to the Planning Board for Site Plan Review, requiring engineered plans for appropriate sizing of culverts and drainage on the site to protect both landowner and the road from further damage. Venezia & Associates has worked with Lu Engineer on the site and has submitted plans for Board review. Brendan Gooding, representing Venezia & Associates to present and answer Board questions.

After discussion and careful review, the following requirements for site map revisions were requested to be submitted to the Office of Code Enforcement prior to receiving final determination on the application:

- a. Revise map to show what's existing onsite and what is proposed for a clear representation of sitework to be completed to include a time frame of scheduled work. Note, if catch basins are not currently on site, do not show them on the map.
- b. Show 24 " pipe currently there as existing and indicate the proposed open swale with a section detail showing swale foundation bed, correct slope on the sides, type and quantity of rip rap stone appropriate to service the appropriate year storm event, and detail of 30 " culvert at Highway ROW, so Town Highway Department has clear stamped engineered plan to follow what is to be repaired by the Town Highway Department using the Lu Engineering Study as a basis. Contact Lu Engineer to obtain a typical runoff section detail for what would be required per their Work Study on South Lake Road done in 2005.
- c. Show a 30" flared end section as receiver end piece that channels into the pipe under the road, and preparation plans to hold in place with concrete so it is not undermined during a gully washer.
- d. Schedule an onsite pre-construction meeting through the Office of Code Enforcement with the Town Highway Supervisor, contractor, and engineer prior to start of construction.

Chairman DeVinney entertained a motion to conditionally approve the application as submitted. Board Member Mincer motioned to approve the application as submitted contingent on the above requirements. Board Member St. Lawrence offered a second. The motion so carried by all Board Members present voting in favor.

App. #051719-SPR/Tom Drennan of 1089 South Lake Road. Plans submitted by William Grove, P.E. of Grove Engineering request Site Plan Review to install a wastewater replacement system, Tax Map # 21.48-1-1, (LR)

Code Enforcement Officer summarized the application for the Board Members, stating the application was complete, with plans for a Presby Wastewater Treatment System to be installed replacing what had been onsite. George Barden, Canandaigua Watershed Inspector had reviewed the plans on and was in approval of the system in a letter dated 4/26 on file. The installer will be Barry Zink who also holds the service contract. The system will be located behind the barn onsite and Mr. Drennan, property owner was in attendance to answer any questions.

Board Members reviewed the submitted maps from Grove Engineering, and after careful review and discussion with owner, the following requirements for site map revisions were requested to be submitted to the Office of Code Enforcement prior to final determination on the application:

- a. Revise map to take off the proposed water service line shown on map as landowner states this is the wrong information.
- b. Silt fence must be added to the area of disturbance to the west side of the new leach field bed, to area around the new pump tank, and around area to be stockpiled.
- c. Note on site map who the installer will be and whom shall hold the service contract.
- d. Note all scrub debris from disturbance will be disposed of onsite by landowner.
- e. Notation that all disturbed topsoil will be stockpiled onsite and give notation of its location on site map. This area must be seeded after 72 hours to protect until pile is regraded or used elsewhere onsite.
- f. Provide Town's Code Office with an "As Built" site map at project completion.
- g. Site map must show all site dimension lines that clearly show parcel setbacks as required.

- h. Clarify on Site Map where the run-off of clean water will be discharged into ground.
- i. General Note clean-up to be sure all notes that don't specifically apply to project and/or Town.

Chairman DeVinney entertained a motion to conditionally approve the application as submitted contingent on the above requirements. Board Member Mincer motioned to approve the application as submitted with Board Member St. Lawrence offering a second. The motion so carried by all Board Members present voting in favor.

App. #051919-SPR/John Cake. Plans submitted by William Grove of Grove Engineering, request Site Plan Review for installation of a driveway at 1113 So. Lake Road, Tax Map ID #21.48-1-4.1&5 (LR)

Application was tabled to be rescheduled at a later date convenient to landowner.

App. #051819-SPR/David Moynihan. Plans submitted by Brennan Marks of Marks Engineering, request Site Plan Review for new construction of an addition to an existing Single-Family residence located at 6367 Vine Valley Rd., Tax Map #11.75-1-7 (LR)

Code Enforcement Officer summarized the application for the Board Members, stating the application was complete, with a plan submitted by Marks Engineering. Ms. Kane mentioned that since the parcel was located in two zoning districts, and had previously been noted with physical location in Low Density Residential, Mr. Moynihan had submitted a letter, stating that pursuant to Section 600.0 of the Town of Middlesex Zoning Law, a "Lot in Two Districts" was relevant to his parcel being physically located in the Lake Residential Zoning District with frontage on Vine Valley Road. Ms. Kane acknowledged the correction and stated the parcel was in compliance with all lot area requirements and also had an approved septic installed onsite last year. Mr. Moynihan owned the contiguous property to the north and south as well. A new open swale had been constructed on the northern side of the driveway to reduce stormwater runoff and to direct water to the ditch at roadside and away from the contiguous parcel.

After careful review the Planning Board entered into discussion with the landowner. Chairman DeVinney entertained a motion to conditionally approve the application as submitted, contingent on the following requirements to be submitted to the Office of Code Enforcement prior to final determination on the application:

- a. Site Map mentions using a rolled erosion control fabric. Town recommends "North American Green" to be used as appropriate to slope of land.
- b. Site Plan General Note #5 states "according to NY Standards." Reference to the *Town of Middlesex Stormwater Management and Erosion Control Law* is recommended to protect its' residents from storm events typical to the region, when adhered to by the project's contractor.
- c. General Note #2 states a generic seed mix. The Town of Middlesex recommends a specific seed mix and application which is available on the Town's website: www.middlesexny.org
- d. Recalculate the dimension of the section view of the 2 limestone courses shown, as the calculation used at a maximum of 18" exposed would create a retaining wall over 3 ft. tall from top of wall to exposed bottom.
- e. Recommend noting on the site map, the size and quantity of stone to be used for stone protection of outlet.
- f. Clarify how the existing 8" culvert pipe will be removed and replaced with a 12" culvert at the inlet/outlet when doing grade work on the stone patio grade work.

Board Member Mincer made the motion which was seconded by Board Member St. Lawrence. The motion so carried with all Board Members present voting in favor.

Conceptual Review: Ferrell Gas storage facility proposal - location State Rd. #364 on property currently adjacent to DeMity's #364 Powersports Business location.

CEO Ms. Kane stated that Mr. William Brewer, District Manager for Ferrell Gas, with business locations in Batavia, Ovid, Cantor and Prattsburgh New York, was present to provide information to the Town of Middlesex Planning Board to locate a 30,000-gallon Commercial Gas Storage Tank at 877 Rte. #364 which parcels the DeMity #364 Powersports business. This storage tank would facilitate local deliveries of propane gas to the Middlesex and outlying municipalities. Ms. Kane informed the Planning Board that current zoning does not list this proposed use and offered the following options to aid in facilitating the business proposal if desired:

- a. Amend current zoning to define the proposed use as a listed use.
- b. Zoning Board of Appeals request to make an interpretation of the Zoning Law.

Board inquiries referenced peak time traffic flow for vehicular truck loading of this product. Mr. Brewer stated the maximum traffic generated from this installation would be two tractor trailer loads with two trucks, two drivers and a service truck once per week with 4,000-5,000 gallons coming out of the site at peak times - December through March. Each truck would take 30-45 minutes to load on and could be scheduled on Saturdays, Tuesdays and Thursdays. Traffic flow in and out of the existing driveway at DeMity's would allow smooth transition onto the State Road with a good line of sight. Mr. Brewer informed the Board on routine safety inspections and perimeter fencing for the site. Mr. Justin DeMity stated that he was in approval of the storage tank installation.

Ms. Kane stated the Town of Milo had recently installed such a facility and had proceeded through all of the NYS requirements which may provide the Board with resources needed to research the proposed use and its' benefits and/or impact on the community as an alternative energy source.

After a short discussion, the Board stated they would like to further research to gather further information. Mr. Brewer stated he was hoping to schedule installation for October/November with a build time of 3-6 weeks to completion. Ms. Kane stated she would be in contact with Mr. Brewer to schedule a formal application for Site Plan Review.

Other Business:

Individuals interested in serving on the Town of Middlesex Planning Board will be invited for interview with the Planning Board Members on Wednesday June 19, from 6 to 7:30 pm for the purpose of providing recommendation to the Town Board for appointment to the Planning Board. An invitation to attend will be posted on the Town of Middlesex website.

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

Meeting adjourned at 9:02pm
Next meeting on July 3rd.

Draft Minutes submitted by L. Lersch/ Minutes approved on July 3, 2019