

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes

Wednesday, August 7, 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: Todd DeVinney, Donald Miller, Rick Kaczynski, Tom Drennen, Laurel Dallmeyer, Bill Grove, Shanna Williams, James Kelley, Jake McClung, Brennan Marks

Agenda: Draft Minutes – July 3, 2019

Site Plan Reviews –

Old Business:

1. App. #062619-SPR/Douglas Brush requests Site Plan Review for installation of a boat hoist to a permanent dock at 1473 S. Lake Rd., (UDML), Tax ID # 31.01-1-17
2. App. #031319-SPR/Anthony Piazza of 6080 Widmer Rd., represented by Marks Engineering, requests Site Plan Review for revisions to Site Plan Conditional Approval, Tax ID #31.54-1-3, (LR)
3. App. #031019-SPR/Mindy Heaven of 736 E. Lake Rd., represented by Marks Engineering, requests Site Plan Review for revisions to Site Plan Conditional Approval, Tax ID #11.58-1-7, (LR)
4. App. #031119-SPR/Noah Swartele of 00 Bare Hill Rd., represented by Marks Engineering, requests Site Plan Review for revisions to Site Plan Conditional Approval, Tax ID # 2.03-1-10 (LDR)

New Business:

5. App. #071819-SPR/ Tom Drennen of 1089 South Lake Road, represented by Grove Engineering, requests Site Plan Review for new construction of a two-story residence, Tax ID # 21.48-1-1, (LR)
6. App. #071919-SPR/Todd DeVinney of 00 North Vine Valley Rd., requests Site Plan Review for a Minor Subdivision of land, Tax ID #011.02-1-4 (LDR)
7. App. #071919-SPR/Donald Miller of 371 Bare Hill Rd., requests Site Plan Review for a Minor Subdivision of land, Tax ID #002.03-1-9 (LDR)

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

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

1. App. #062619-SPR/Douglas Brush requests Site Plan Review for installation of a boat hoist to a permanent dock at 1473 S. Lake Rd., (UDML), Tax ID # 31.01-1-17

CEO Kane summarized the application stating it was a continuation from last month. The Applicant requests to install a boat hoist to the existing permanent dock at his shoreline. Amber Docks was the installer and new information and maps were submitted today to be reviewed tonight. Installer Jake was in attendance to answer Board questions, if the Board wished to review the application.

Jake McClung stated dimensional information to the Board stating the covered hoist was 15 x 32 ft in total and would be positioned on the north side of the dock. The hoist would not have any platform added to it.

The Planning Board was in agreement that based a conceptual review last month and the current submittal of information with significant changes, the request was within the allowed square footage under the Canandaigua Uniform Docking and Mooring Law.

Board Member St. Lawrence requested the maps be revised and re-stamped to clarify that no additional dock was being proposed and to remove it from the map and resubmit to the Code Office. The submitted survey must be stamped by surveyor as well. St. Lawrence made a motion to approve with these contingencies. Board Member Mincer provided a second. The motion so carried with all Board Members present voting in favor. None opposed.

2. App. #031319-SPR/Anthony Piazza of 6080 Widmer Rd., represented by Marks Engineering.

CEO Kane stated this application had previously been reviewed back in April, and Engineer Brennan Marks was in attendance for subsequent review of Board required Site Plan revisions.

Marks went through the requested revisions with the Board and after careful review, the Planning Board requested the following determination of conditional approval to be resolved prior to permitting:

- Submission of application with all requested revisions to Town Engineer Stantec for sign-off prior to permitting.
- Steep Slope Permit Overlay Map of "Zone A" which could be submitted by email from Kevin Olvany, Canandaigua Lake Watershed Council Program Manager to comply with Steep Slope Law regulations.
- Submission of Stormwater calculations
- Wastewater Treatment System Approval Letter by George Barden, Canandaigua Watershed Inspector.
- Engineer of Record must be present for all onsite critical inspections. Coordinate points and intervals with Code Office during Pre-Construction meeting.
- Revise Site Plan to show the following:
 - Provide inlet detail to Note #3 on C500 Drwg. to clarify dimensions for contractor during installation of culvert. Add rip rap where it daylight.

- Create a critical inspection by Engineer for execution of plan during installation of forced main trenching on a 60% slope, noting on Site Plan that trenching will be hand dug.
- Provide railing detail on retaining wall to clarify installation of rails for contractor.
- Show additional stair treads to clarify path to contractor where it continues over the retaining wall.

A motion to grant conditional approval with these contingencies was offered by Board Member St. Lawrence. Board Member Mincer provided a second. The motion so carried with all Board Members present voting in favor. None opposed.

3. Application #031019-SPR/Mindy Heaven of 736 E. Lake Rd., represented by Marks Engineering.

CEO Kane summarized the application stating Brendan Marks from Marks Engineering was here to review revisions requested by the Board back when last reviewed in April. A new wastewater septic system had been recently approved.

Engineer Marks went through the requested revisions to the Board's satisfaction.

Board Member Lersch stated the application will be referred by the Town of Middlesex to the Yates County Planning Board for an August 22nd review due to the project's proximity to the County Road.

After a brief discussion with the Board, Board Member Mincer made a motion to approve the application pending Yates County Planning Board review. Board Member Lersch offered a second. The motion so carried with all Board Members voting in favor. None opposed.

4. App. #031119-SPR/Noah Swartele of 00 Bare Hill Rd., represented by Marks Engineering, requests Site Plan Review for revisions to Site Plan Conditional Approval, Tax ID # 2.03-1-10 (LDR)

CEO Kane summarized the application stating Brendan Marks from Marks Engineering was here to review revisions requested by the Board back when last reviewed in April.

Engineer Marks went through the requested revisions for the Board at which time, discussion developed which generated a conditional approval by the Board with the following requests to be resolved, prior to final determination prior to permitting:

- Submission of a Steep Slope Overlay for "Zone C" as required to comply with the Town's Steep Slope Law regulations.
- Revise Site Plan to delete the map detail of the timber retaining wall.
- Prior to the start of the project, permission from the Canandaigua Watershed Inspector in writing stating that the Engineer of Record, has demonstrated the septic design will be of minimal risk if installed at a 15% grade of slope, and pending NYS DOH waiver.

Without further discussion, Board Member Mincer offered a motion to conditionally approve the application with the above contingencies. Board Member Lersch offered a second. The motion so carried with all Board Members voting in favor. None opposed.

5. App. #071819-SPR/ Tom Drennen of 1089 South Lake Road, represented by Grove Engineering,

CEO Kane summarized the application stating the Drennen's had recently received Planning Board Approval and Canandaigua Watershed approval for a new Presby Wastewater Treatment System and were applying to the Zoning Board of Appeals for an Area Variance on August 8th. They plan to demolish the existing house while keeping the existing foundation, driveway, retaining wall and detached garage existing on the property. The proposed 3-bedroom residence would be built using the original foundation wherever possible. Part of the house design bumps out on the side setback which will create a new footprint, requiring it to obtain an area variance of 2.8 ft. on the south side setback.

After some discussion, Board Member St. Lawrence made the motion to approve the application with the following contingencies prior to permitting:

- Revise Site Map to note dimensions for area requirements for the south side setback not in compliance with the Lake Residential District which requires 15 ft.
- Revise Site Map to clean-up ambiguous notes #4, 12, and 19 to comply specifically with Town's Laws and regulations in effect.
- Revise Site Map notation clarifying there will be two separate lines leading to the footer drain's discharge point from the north side of the house.

Board Member Mincer provide a second. Motion so carried with all Board Members present voting in favor. None opposed.

6. App. #071919-SPR/Todd DeVinney of 00 North Vine Valley Rd., requests Site Plan Review for a Minor Subdivision of vacant land, Tax ID #011.02-1-4 (LDR)

CEO Kane summarized that the application consisted of a portion of Todd DeVinney's parcel D1 of 5.732 Acres, Tax ID # 011.02-1-4 to be conveyed to a contiguous parcel, owned by Duffy, Tax ID # 11.60-1-1.

The DeVinney parcel of 5.732 acres, being land-locked from access to N. Vine Valley Rd., would require notation of conveyance to Nathaniel J. Duffy to become a compliant building lot per local Zoning in the Town of Middlesex. All other lot requirements comply.

Mr. Kaczynski Land Surveying will submit with the required notation as soon as possible and reseal the revised survey map.

Without further discussion, the Planning Board made a conditional approval by resolution, pending submission of the revised survey to the Town's Code Enforcement Officer.

Board Member Lersch made the motion to approve with contingency and Board Member Mincer offered a second. The motion so carried with all Board Members present voting in favor except for one member abstained. None opposed.

7. App. # 071919-SPR/Donald Miller of 371 Bare Hill requests Site Plan Review for a Minor Subdivision of land, Tax ID # 002.03-1-9 (LDR)

CEO Kane summarized the application for Board Members stating Mr. Miller was conveying a portion of his property, 5.063 acres noted as Parcel M1 on the survey as being part of Lot #62 from a larger portion which after subdivision would remain 30 acres under the current Tax ID # 002.03-1-9 in the Low Density Residential District. Applicant and owner Miller would be providing a complete survey through an agricultural application soon, noted to display there was no intent of segmentation. All area requirements comply with the requested subdivision.

Without further discussion, Board Member St. Lawrence offered a motion to approve as submitted and Board Member Mincer provided a second.

A motion to adjourn was offered by Board Member Lersch and seconded by Board Member Mincer. Motion so carried with all Board Members voting in favor.

Next Meeting September 4th.
Meeting adjourned at 9:30 p.m.

Draft Minutes submitted by L. Lersch
Minutes approved on September 11, 2019