

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes

Wednesday, October 3, 2018-7 pm

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

Public Present: Robert Brenner, Julie McCormick, John Cake, Robert & Lisa Dreeste, Rocco Venezia, Richard Testa

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

Draft Minutes from September 5, 2018 were reviewed by the Board. A motion to approve was offered by Board Member Robert Mincer and seconded by Board Member John Gilbert. The motion so carried with all Board Members present voting in favor. None opposed.

Agenda:

Site Plan Reviews:

1. App. #073018-SPR/Lakeshore Ventures LLC – owning 4 contiguous parcels at 1103 & 1105a,b South Lake Road requests Site Plan Review for (two) 2-lot Minor Subdivisions of property, Tax Map ID # 21.48-1-4.1 & 5 (LR)
2. App. #091118-SPR/Daniel O. Bagley represented by Don Schneider request Site Plan Review for a Minor Subdivision at 574 Bagley Road, Tax ID #13.01-1-5 (AR)
3. App. #091218-SPR/Robert & Lisa Dreeste of 1151 S. Lake Rd. request Site Plan Review for a proposed deck, permanent dock & boat slip, refacing an existing break wall and proposed improvements to an existing shed on 123.71 linear feet of shoreline property per the UDML Regulations, (LR)

Code Enforcement Officer, Dawn Kane stated to the Board that the Bagley application would be rescheduled at a later date, due to lack of attendance of owner or representing agent.

Site Plan Reviews:

1. App. #073018-SPR/Lakeshore Ventures LLC – owning 4 contiguous parcels at 1103 & 1105a,b South Lake Road requests Site Plan Review for (two) 2-lot Minor Subdivisions of property

Code Enforcement Officer Dawn Kane gave an update to the history of the application to Board Members, stating after Planning Board denial of the proposed Subdivision back in August due to non-compliance with frontage requirements in Lake Residential Zoning District, the application was heard by the Zoning Board of Appeals and denied in September. John Cake and Julie McCormick represented by their Attorney Robert Brenner are now requesting Site Plan Review for two 2-lot

Minor Subdivisions. The four contiguous parcels had been reconfigured to be compliant with our Zoning Code's requirements of 100 ft. of lake frontage on each parcel. John Cake, owner of the parcels gave a brief overview of the request.

Board Member Gilbert inquired if any easements would become part of the review. Mr. Cake stated he did not at the present time, but this could become a future discussion with prospective buyers. Access or responsibility of perspective buyers to existing shoreline improvements had not been determined as yet.

Attorney Brenner stated a note had been drafted on the map that the lots must comply with the minimum requirement of zoning without any ground disturbance. Easements could still be granted post Board approval as the Town's Subdivision Law did not state to the contrary.

An Unlisted Action SEQR Part I submitted for each parcel to be subdivided by the Applicant was reviewed by the Planning Board. After review the Planning Board Chair entertained a motion to deem both parcel addresses 1103 and 1105 a, b South Lake Road consecutively with negative declarations. Board Member Mincer offered a motion to approve both entertained motions and Board Member St. Lawrence provided a second. The motions so carried with all Board Members present voting in favor. None opposed.

After some discussion the Planning Board gave conditional approval, contingent on the following map revisions to be resolved through the Code Enforcement Office prior to permitting:

Lot 1: Off-Road Setback scales show road centerline measurement should be 60 ft., the scale used on map, shows more than 60 feet. Also, the rear setback line shows 40 ft and should be 30 ft.

Lot 3: Map shows the existing metal barn is encroaching on the property's' boundary line.

A motion to approve by resolution, the application for subdivision of 1103 South Lake Road into two compliant parcels was offered by Board Member Gilbert and seconded by Board Member Mincer. A motion by resolution to approve the application for subdivision of 1105a, b South Lake Road into two compliant parcels with the Towns' Zoning Code was offered by Board Member Mincer and seconded by Board Member Lersch. Roll call vote for both motions were:

Martin DeVinney	aye	Robert Mincer	aye
John Gilbert	aye	Lynn Lersch	aye
Bruce St. Lawrence	aye		

The motions so carried with none opposed.

2. App. #091218-SPR/Robert & Lisa Drete of 1151 S. Lake Rd.. represented by Rocco Venezia of Venezia & Associates request Site Plan Review for a proposed deck, permanent dock & boat slip, refacing an existing break wall and proposed improvements to an existing shed on 123.71 linear feet of shoreline property per the UDML Regulations, (LR).

Code Enforcement Officer Kane summarized the application's history updating the Planning Board Members with pertinent revisions to details of the project. She stated the Drete had recently purchased the property. They wanted to improve the shoreline structures by creating a dock consolidation of a 674 sq. ft. proposed dock area to an existing 156 sq. ft. dock; repair to an existing

timber breakwall by refacing it with vinyl sheet pile; and proposed improvements to an existing shed to be rebuilt within the original footprint.

A Board inquiry about the dock's appendage drafted as coming off 156 sq. ft of existing dock, dimensioned at a width of 8.8 ft whereas the UDML requires appendages to have a minimum of 6 ft. Board Member St. Lawrence and Rocco Venezia confirmed that the measurement of the dimension width had been drafted on the diagonal and so did comply with the UDML requirements. Distance of 57.4 ft out into the water complied as well. A 15 ft. stepdown off the (4) boat slips had been figured into the total sq. footage allowed.

The refacing of the breakwall had received approval by the NYSDEC for a maximum of 12 inches. Code Enforcement Officer Kane requested a copy of the approval letter for the files.

Proposed improvements on the existing shed were discussed with owner/applicant and representing agent. Intent by owner was to rebuild the shed offsite with dimensions to remain within the existing footprint. They would like to use the rebuilt shed for storage of kayaks to be able to stand upright and for recreational purposes, allowing room for a maximum of 4 people to obtain cover from inclement weather when at shoreline. The height of the shed had not been established. Board members stated they would require the dimensional location of the building off existing property lines to be clearly established on the site map - prior to demolition of the shed.

After further discussion, the Planning Board stated they would give conditional approval of the proposed dock and boat slips as submitted per the UDML. The proposed shed improvements and refacing of the breakwall would need to be applied for separately.

A motion to approve the application as discussed was made by Board Member Mincer and seconded by Board Member Gilbert, contingent on the following, to be resolved prior to permitting through the Office of Code Enforcement:

- a. Provide on Site Map clear indication of the existing dimensions on the shed to include the height and distance from a fixed point such as existing property lines. This is required in order to establish the footprint of the pre-existing shed prior to demolition.
- b. Provide a construction execution plan to the Code Office with clear indication of how complete sitework will be executed onsite with contractors prior to permitting.

The motion carried to approve the application, contingent on the above restrictions, with all Board Members present voting in favor. None opposed.

Without further discussion, a motion to adjourn was offered by Board Member Gilbert and seconded by Board Member Mincer. Motion so carried with all Board Members present voting in favor. None opposed.

Meeting adjourned at 8:15p.m.
Draft Minutes submitted by L. Lersch
Minutes approved on November 7, 2018