

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes

Wednesday, November 6, 2019-7 pm

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

Public Present: William Grove of Grove Engineering, Gordon Stringer, Todd & Suzanne Fess, Rocco & Pat Venezia of Venezia & Associates.

Agenda: Draft Minutes – November 6, 2019

Site Plan Reviews –

1. App. #103119-SPR/Richard & Lynn Lersch, representing the Gary Paul Hoffman Management Trust of 890 South Lake Road, represented by William Grove of Grove Engineering requests Site Plan Review for onsite installation of a Presby Wastewater Treatment System & Site Improvements, Tax ID #11.82-1-11 (LR)
2. App. #19-103019-SPR/Richard & Lynn Lersch of 867 South Lake Road, represented by Venezia & Associates requests Site Plan Review for a Lot Line Reconfiguration, Tax ID # 21.02-1-1 (LR)

Conceptual Review-

3. App. # 110119-SPR/Robert & Laurie Ann Bailey of 478 E. Lake Rd./represented by Venezia & Associates requests Site Plan Review for construction of a tram and boardwalk, Tax ID # 11.27-1-1, (LR)

Chairman Marty DeVinney called the Planning Board meeting to order at 7:00 p.m.

Draft Minutes from October were reviewed and approved by the Planning Board. Board Member Mincer offered a motion to accept the draft as written with Board Member DeVinney offering a second. The motion so carried with all Board Members voting in favor.

Site Reviews:

1. App. #103119-SPR/ Richard & Lynn Lersch, representing the Gary Paul Hoffman Management Trust of 890 South Lake Road, represented by William Grove of Grove Engineering requests Site Plan Review for onsite installation of a Presby Wastewater Treatment System & Site Improvements, Tax ID #11.82-1-11 (LR)

CEO Kane summarized the application for Board Members, stating the parcel was currently in the process of being sold by Gary Hoffman of 891 S. Lake Road to the Lersch family, and the Lersch's are in attendance to represent the landowner and their future interests. CEO Kane introduced Bill Grove, P.E., to present the application for the Lersch's and answer Board inquiries. He stated the parcel had an existing holding tank system which had been reviewed by the Canandaigua Watershed

Inspector last July and had recently approved the proposed Presby design. It was indicated that the parcel would benefit a Presby Wastewater Treatment System using the existing (3) holding tanks, adding a high flow alarm, and replacing a section of the force main. A 3-sided timber retaining wall at a maximum exposed height of 24" would contain added fill in the area between the existing garage and also protect the rear of the house foundation. The parcel was a non-conforming and pre-existing lot measuring 50 ft width and approximate 184 ft. depth from road to lakeside originally built with 10 ft. setbacks, whereas current code requires setbacks of 15 ft.

The application also proposed to enlarge the current entryway on the north side of the property line. Proposed was an enclosed entryway bump out of 15 ft. x 8.6 ft. and roof extension over a covered walkway leading to a stone walkway providing access to the road. Also proposed was a 4 ft. stone walkway at grade from the north side of the garage to the north entryway.

Bill Grove stated excavation would be minimal, with house modifications planned to start over the winter months and the septic scheduled for installation in the spring. The slope on the north side is a minimum graduating slope of 15 – 25 % slope with the greater percentage up to 25 % + on the south side road embankment, evident in the overlay slope site map, Sheet 2 of 6..

Board Member Mincer inquired if the septic system design measurements were typical for a 3- bedroom house. Engineer Bill Grove, stated the 16 x 32 ft. Presby System design was typical and was used with great benefit on tight lakeside properties, and a beneficial upgrade as well from the old holding tank systems now considered sub-standard.

Board Member St. Lawrence inquired if variances would be sought.

Code Enforcement Officer stated that the Lersch application was being heard by the Zoning Board of Appeals on Thursday night, Nov. 6th , for two setback variances from the northern property line. The proposed stone walkway at 2.3 ft from the property line would run parallel from the north side of the detached garage and another variance for the proposed modification to an existing entryway proposed to be located 1 ft. from the northern property line.

Board Member St. Lawrence stated the retaining walls on the north and south side property lines were also infringing on the side setbacks and requested they be added to the variance requests on Thursday if possible. Also noted, on the survey provided, was a corner of the existing pump house for the lake water lines was partly on the neighboring parcel to the south.

CEO Kane stated she would make a call to the Town Attorney if this could be reviewed at the Thursday night hearing. If not, another variance request could be applied for and rescheduled.

Applicants Richard and Lynn Lersch presented their reasons for application to Site Plan Review and the proposed site modifications stating the request was driven because of the future need to have safe wheelchair accessibility from the road to the house.

Comments from the contiguous neighbor to the north were acknowledged. The Fess's were concerned about accessibility for emergency vehicles to the property, the proposed modifications might lower their property values, and water run-off from the proposed roof extension onto their property with the substantial variance request applied for with the proposed modifications to the house entryway. The Planning Board referred to all concerns within the scope of Site Plan Review, stating that all concerns had been mitigated through the Engineer's submitted Site Plan to include

appropriate erosion control management for the proposed addition and the stone walkway, except for the variance requests and these would be determined by the Zoning Board of Appeals. After their determination, the Planning Board would proceed with their final determination on the submitted application.

After a short discussion, the Planning Board explained to those in attendance about the Site Plan Review process and the Zoning Board of Appeals process before tabling the application to be rescheduled until after all variances were determined by the Zoning Board of Appeals.

2. App. #103019-SPR/Richard & Lynn Lersch of 867 South Lake Road, represented by Venezia & Associates requests Site Plan Review for a Lot Line Reconfiguration, Tax ID # 21.02-1-1 (LR)

CEO Kane summarized the application stating the Lersch's are requesting a Lot Line Reconfiguration in the Lake Residential Zoning District to annex a portion of their property with road frontage on South Lake Road, (35 ft. strip or 0.657 acres) to a contiguous parcel to the south, making their parcel, Lot 1 to become 49.011 acres and the contiguous pre-existing and non-conforming parcel, Lot 2 to become 2.986 acres which made it more conforming after annexation. The application was presented by Rocco Venezia of Venezia & Associates.

After a short discussion on non-conforming road frontage, Chairman DeVinney made a motion to approve the Lot Line Reconfiguration as submitted. Board Member St. Lawrence provided a second and the motion so carried with all Board Members present voting in favor.

Conceptual Review-

3. App. # 110119-SPR/Robert & Laurie Ann Bailey of 478 E. Lake Rd./represented by Venezia & Associates requests Site Plan Review for construction of a tram and boardwalk, Tax ID # 11.27-1-1, (LR)

CEO Kane summarized the applications stating the Bailey's are replacing an existing set of stairs to access their shoreline, with a tram which would allow them easier access. The upper tram landing would start at 752' elevation and come to a landing at shoreline at 690' elevation and onto a proposed 312 sq. ft. break-wall to be constructed to connect with an existing timber break-wall and an existing 964 sq. ft. of cribbing/dock. The Bailey's had over 400 linear feet of shoreline and all structures were allowed in the UDML.

The Board advised that installation details and erosion control management methods used for the tram's installation would be an important part of the Board's determination. The application will be scheduled for a complete review in December.

Without further discussion, Chairman DeVinney moved to adjourn the Planning Board meeting. Board Member St. Lawrence provided a second. The motion so carried with all Board Members present voting in favor.

Meeting adjourned at 7:55 p.m.

Next Meeting December 4th
Draft Minutes submitted by L. Lersch
Minutes approved on December 4, 2019