

# Town of Middlesex

1216 Route 245  
Middlesex, New York 14507

**PLANNING BOARD**  
**Wednesday, July 6, 2022 • 7:00 p.m.**

## MINUTES

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*The following minutes are the official and permanent record of the actions taken by the Town of Middlesex Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions.*

*The meeting was conducted at the Middlesex Town Hall.*

- Meeting called by:** Case Smeenk, *Co-Chairperson*
- Board members present:** Gordon Stringer  
Nate Duffy
- Board members excused:** Marty DeVinney  
Terry Mott
- Alternate:** Position vacant
- Staff present:** Dawn Kane, Code Enforcement Officer  
Robert Brenner, Esq., Planning Board Attorney  
Thomas Palumbo, Town Engineer (Stantec Consulting)

- In Attendance at the Town Hall:**
- Edward Carman
  - Win Harper
  - Heather Lersch
  - Richard and Lynn Lersch, 890 South Lake Rd, Middlesex, N.Y. 14507
  - Brennan Marks, P.E., Marks Engineering, 42 Beeman Street, Canandaigua, N.Y. 14424
  - Jason McCormick, Architect
  - Logan Rockcastle, Marks Engineering, 42 Beeman Street, Canandaigua, N.Y. 14424
  - Brian and Ingrid Watkins, 76 Roosevelt Rd, Rochester, N.Y. 14618

**1. SITE PLAN REVIEW**

**APP. #021722-SPR Brian and Ingrid Watkins, 76 Roosevelt Rd, Rochester, NY 14618; owners of property at 1327 South Lake Road, Middlesex, N.Y. 14507.**

Requesting a Site Plan Review for renovation of existing home, which includes adding three-car garage, and upgrading existing driveway.

Mr. Smeenck reconvened the public hearing on this application.

Mr. Rockcastle stated that, even with a 2-car garage, it is impossible to obtain a 2:1 slope gradient throughout the entire site due to the north property line. Also, according to Mr. Marks, a 3-car garage is needed for turnaround space.

Mr. McCormick stated that the wall design is the same for the outside retaining wall and the garage wall.

Mr. Palumbo said that a different symbol should be used for what is not reinforced.

Mr. Stringer expressed concern about erosion during construction. Mr. Marks responded that a detailed construction was provided with the updated site plans, which he then briefly reviewed with the board. Also, the contractor is required to complete a DEC-endorsed erosion and sediment control training.

Mr. Duffy inquired about septic approval. Mr. Rockcastle stated that the septic system was designed for a four bedroom house, and the house will only have three bedrooms, so the septic system design will be sufficient.

Mr. Stringer expressed concern that construction would be rushed since it is commencing in late summer. Mrs. Watkins and Mr. Marks stated that the contractor, Timothy Lafler, estimated that the project will take 10 to 12 months to complete. Thus, there is no hurry to get the project done before snowfall.

Mr. Smeenck stated that he feels a 33-foot, 3-car garage is unnecessary. He would be more likely to grant a waiver from the steep slope protection permit if the garage was smaller and only fit 2 cars.

Mr. Smeenck asked for public comment.

Mr. Carman urged the board to consider whether the amount of development is appropriate for the site.

Mr. Marks suggested that periodic inspections of the construction site be done to ensure that the erosion and sediment control practices are in place.

A motion was made by MR. DUFFY, seconded by MR. SMEENCK, that the application of Brian

and Ingrid Watkins, 76 Roosevelt Rd, Rochester, NY 14618, owners of property at 1327 South Lake Road, Middlesex, N.Y. 14507, requesting a Site Plan Review for renovation of their existing home, which includes upgrading existing driveway and adding three-car garage, be approved on the conditions that bi-weekly inspections would be done to ensure that the erosion and sediment control practices are in place and that the architectural plans would be updated based on the latest set of comments dated 6/29/22 from Stantec.

Motion carried by voice vote.

**2. SITE PLAN REVIEW**

**APP. #030222-ZBA Richard and Lynn Lersch, owners of property at 890 South Lake Road, Middlesex, N.Y. 14507.**  
Seeking dock approval.

Mr. Smeenck opened the public hearing on this application.

Ms. Kane summarized the application stating that the dock design was previously approved with conditions; however, a reapplication was needed since the applicant has less than the allowable square footage.

Mr. Smeenck asked for public comment. There was no public comment.

Without further discussion, a motion was made by MR. SMEENK, seconded by MR. DUFFY, that the application of Richard and Lynn Lersch, owners of property at 890 South Lake Road, Middlesex, N.Y. 14507, seeking dock approval, be approved.

Motion carried by voice vote.

**3. SITE PLAN REVIEW**

**APP. #030222-ZBA Richard and Lynn Lersch, owners of property at 890 South Lake Road, Middlesex, N.Y. 14507**  
Seeking site plan review for renovation of existing driveway.

Mr. Smeenck opened the public hearing on this application.

Ms. Kane introduced the application. The ZBA requested review of the applications by the Planning Board. The ZBA is seeking feedback on the location of the driveways from a site planning perspective. The ZBA would like a recommendation from the Planning Board before acting on the variance requests.

Ms. Lersch explained that both the Lerschs and Wolks had previously approved driveways. The Wolks have an inverted crown raised driveway. There is a 5 foot embankment at the end of the Wolks' driveway, which interferes with line-of-sight when exiting the driveway. There is also a deep swale on the south side of the Lerschs' driveway. Since there is no retaining wall or fence between the driveways, the swale is a vehicular safety hazard. In an effort to address the safety

issues, the Lerschs and Wolks hired an engineer to design parallel driveways. Ms. Lersch briefly described the new driveway design.

Ms. Lersch also stated that the variance would allow easier access to the house. The current driveway ends forty feet from the entrance of the house, and the ramp connecting the driveway to the house requires maintenance such as shoveling in the winter, which is less feasible now that Mr. and Ms. Lersch are older and Mr. Lersch's health is declining.

Mr. Smeenck inquired about the piles of topsoil at the bottom of the driveway near the rain garden. Ms. Lersch responded that the soil would be used for grading the driveways.

Mr. Duffy stated that he thinks the new design is an improvement as there is less impervious surface area. The approach minimizes disturbance to the land. Also, the new design allows the Lerschs to access their house more easily.

Mr. Smeenck expressed concern that while the property owners are on good terms at this time, the property owners may not be on good terms in the future, which would make the shared maintenance difficult. Mr. Brenner stated that the ZBA is considering a reciprocal easement agreement as a condition of variance approval.

A motion was made by MR. DUFFY, seconded by MR. STRINGER, that preliminary site plan approval be granted on the condition that the variance requests are approved by the ZBA.

Motion carried by voice vote.

#### **4. SITE PLAN REVIEW**

**APP. #051822-ZBA Jeffrey and Nancy Wolk, owners of property at 894 South Lake Road, Middlesex, N.Y. 14507**  
Seeking site plan review for renovation of existing driveway.

Ms. Wolk explained that she feels the new driveway design, as described by Ms. Lersch, is safer. Previously, the Wolks had already been granted a variance which allows them to place the driveway 5 feet off the property line; however, the Wolks wish to amend this variance so that they can place the driveway 1 foot off the property line.

Mr. Smeenck asked for public comment. Mr. Harper inquired about drainage given the impervious surface area. Mr. Palumbo responded that he does not have any drainage concerns with the design.

A motion was made by MR. SMEENK, seconded by MR. STRINGER, that preliminary site plan approval be granted on the condition that the variance requests are approved by the ZBA.

Motion carried by voice vote.

#### **5. BOARD DISCUSSION**

**A. Approval of minutes of June 1, 2022:**

A motion was made by MR. SMEENK, seconded by MR. DUFFY, to approve the draft minutes from June 1, 2022 as submitted.

Motion carried by voice vote.

**6. ADJOURNMENT AND NEXT MEETING**

The next regular meeting of the Planning Board will be held on Wednesday, August 3, 2022, at the Middlesex Town Hall.

A motion was made by MR. SMEENK, seconded by MR. STRINGER, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 8:23 p.m.

Respectfully submitted,  
S. G. Parshall  
Planning Board and Zoning Board of Appeals Clerk  
Minutes approved on 09/14/2022