

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes – December 2, 2009

Board Members Present: Marty DeVinney, chair; Loretta Henrie, John Gilbert, Lynn Lersch, Bruce St. Lawrence, Dawn Kane, CEO

Public Present: James H. Smith, Stephen J. Smith, Linda Sheive, Donald Sheive

Agenda: Site Plan Review Final Determination for a Minor Subdivision for owner, Mr. James Smith of 118/120 East Lake Road, Middlesex for reconfiguration of property deeds

Marty DeVinney opened the meeting at 7:15pm by summarizing the application of Mr. James Smith. He invited Mr. Smith to present his new application boundary plans that have changed since his first application of 7/23/09. This new plan redraws the boundary line of 118/120 so that the parcel with the northern orientation (#118) will now border the access gravel accessway from the south which ends up at East Lake Road. This allows access to the lot without needing to upgrade or extend it.

Discussion followed questioning building plans in the future. It was noted that if the applicant plans to expand the footprint of the existing cottages on the property, the grand-father clause is lost. Future plans to develop steep slope areas of the property could become problematic with future pending laws that restrict such action. Mr. Smith stated his tentative plans to build on #120 parcel possibly 5 yrs. from now.

A short form SEQR determination was completed by applicant and sponsor being the Planning Board as Lead Agency. It was determined that this project was an Unlisted Action and was a Negative Declaration. A motion was made by Lynn Lersch to accept the SEQR Declaration as determined, John Gilbert seconded the motion and the vote carried with all present in favor.

A motion was made by Lynn Lersch to conditionally accept the application as proposed. Board member St. Lawrence seconded the motion. Conditions would be:

- Yates County Planning Board approval
- new survey with reconfigurations as discussed

A vote sealed the determination with all present in favor with discussed conditions.

Another SEQR Declaration was determined by the Planning Board for application for a Single Family Residence on Bare Hill, Rushville represented by agent Win Harper. This application for a Site Plan Review was determined conditionally approved with SEQR. The board determined a Negative Declaration. A Negative Declaration was determined. Loretta Henrie made a motion to accept this declaration and John Gilbert seconded it. The motion carried to a vote with all present in favor.

Part 2 of 2

Marty DeVinney reported that the G/FLPC had responded to his request for assistance with review of steep slope laws and our Master Plan. Mr. David Zorn advised the Board to contact the Yates County Planning Board as a start in funding this process. Chairman DeVinney will contact Mrs. Shawna Bonshak in reference to our request. It is important to prioritize the areas of concern within this request.

Marty reported that Alaine Espensheid will have a draft Moratorium Law this week for us to review at our next meeting.

The board voted to not meet on the 16th as many members will be on vacation. A motion was made by Chairman DeVinney and was seconded by everyone. A vote carried with all present in favor.

Next month's agenda: January 6th

1. Mr. Lou Carter/ Mr. Robert Vanderberg of 689 East Lake Rd. – Minor Subdivision (reconfiguration of property deeds) LR District
 2. Ms. Sue Sage of 1315 S. Lake Road represented by Drew's Docks – application includes review of entire project to-date: permanent dock, accessory boat structure and retaining wall at shoreline. (LR District)
 3. Review and Resolution for Draft Moratorium Law to be sent to the TB
- Motion to adjourn was made at 9:15pm by Loretta Henrie and seconded by Lynn Lersch. Motion carried with all present voting in favor.

Minutes submitted by L. Lersch; Revisions to: Lsammy5@frontiernet.net.