

**TOWN OF MIDDLESEX**  
**PLANNING BOARD**

Minutes - September 21, 2010 - 7:30pm

Board Members present: Marty Devinney, chair; Loretta Henrie, John Gilbert, Lynn Lersch; Robert Mincer; Bruce St. Lawrence

Public Present: Dan O'Brien, Linda Sheive

Agenda: Site Plan Review of 1163 South Lake Road, Middlesex - Site Revisions  
Lu Engineer Review; Summary of Draft Zoning Law Amendment to address changes to sections that permit private roads in the Lake Residential District by Special Use Permit.

Board reviewed current status of site issues that created a stop work order onsite the O'Brien project. A 9/21 letter of summary review provided by Lu Engineers was jointly reviewed with property owner, Mr. O'Brien.

Board determination recommended a partial Stop Work Order release, allowing for the following work activities to take place to provide for site stabilization:

- . Remove cobblestone and drain pipe from the northern property swale and reshape / rebuild to match design drawings, to include check dams. Complete to roadside.
- . Install (2) new catch basins along roadside per drawings.
- . Tie in existing roadside drain piping, and provide new drain piping as necessary, to complete the catch basin and drainage system along the west side of the property. Provide for proper collection and transition of discharge from lower end of northern swale into new catch basin.

No other site work is being recommended for release from the stop work order at this time. The base stop work order should remain in force until the following has occurred: survey information showing as-built conditions of foundation and septic system is submitted for review; the results of a pending site meeting between Owner's engineers and Lu Engineers to address foundation integrity are presented and evaluated; and there is a final review of the issues cited in the Lu Engineering letter dated 9/21/10. An easement shall be filed with the County for specific grading activities showing time sequences with neighbor Mr. Donald Sheive, as well as any encroachment of property to the south, once a new survey determines waste water system and foundation placement. Mr. O'Brien will oversee that project engineers shall meet with Town Highway Superintendent for advisement on appropriate road connection of (2) catch basins to be installed for site water drainage. A letter stating all conditions for the temporary release shall be sent to all involved parties.

Board will seek legal advisement of Town Attorney on appropriate data submission by Engineer Mr. Ray Teeter to address all liability concerns.

Board Chairman, Marty DeVinney provided the Board Members a review summary of the Draft Zoning Law Amendment that is to be posted on the Town's website for public review before the Town Board's Public Hearing on October 14<sup>th</sup>. After discussion, the Board determined that the process summary should be more clearly defined before posting. It will be sent to our Town Attorney for advisement of law definition.

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Next Meeting agenda - October 5: Site Plan Reviews for the following applications:  
Minor Subdivision for applicant Mr. Thomas McCann of West Ave., Middlesex; Minor Subdivision for applicant Mr. Floyd Grover of 96 & 100 Rte. #245, Rushville; Site Plan revisions from Venezia & Associates, agent for New Home Construction for property owner Dr. Jay Yates of 708 East Lake Road, Rushville; New Home Construction for Mr. Don Miller, agent for property owners Ms. Fumia & Tedeschi at 991 Old Vineyard Road, Middlesex.

Agenda for Work Session -October 19: Process Review for Site Plan Applications, and Review of Draft Steep Slope Law with Town Engineer, Ken Hurley, P.E.

Motion to adjourn was made by Chairman DeVinney and seconded by Robert Mincer.  
Meeting adjourned at 9:20pm

Minutes submitted by L. Lersch. Revisions to: [lynn.lersch@gmail.com](mailto:lynn.lersch@gmail.com)