

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes – October 5, 2010

Board Members present: Marty DeVinney, Chair; Loretta Henrie, John Gilbert, Robert Mincer, Bruce St. Lawrence
Others Present: Scott Hartar, Ty Allen, Vicki Fumia, Don Miller, Rocco Venenzia, Erin Joyce, Linda Sheive, Tom McAnn, Debra McCann, Richard DeMallie, Marilyn Tedeschi, Jay Yorssen, Ann Flax

Agenda:

Site Plan

Reviews:

1. Application #071410-SPR, Dr. Jay Yates - owner of property at 708 East Lake Road, Middlesex (LR District), and represented by Ms. Erin Joyce, P.E. of Venezia & Associates. Applicant requests Site Plan Review of New Home Construction of a single family residence on property with non-conformance of side and front yard setback codes (ZBA hearing 10/21);
2. Application #091310-SPR, Ms. Fumia/Ms. Tedeschi – owner of property at 991 Old Vineyard Road, Middlesex (LDR District), and represented by Mr. Don Miller, agent requests Site Plan Review of New Home Construction of a single family residence on property;

Minor Subdivision Site Plan Reviews:

3. Application # 081310-SPR, Mr. Thomas McCann – owner of property at 1168 West Avenue, Middlesex (HR, LDR District) requests a Minor Subdivision.
4. Application #082510-SPR, Mr. & Mrs. Floyd & Sylvia Grover of 96 Route #245, Middlesex (HR District) requests a Minor Subdivision to split residential/commercial property.

Old Business: 5. Site Plan Review of new revisions to Mr. O'Brien's property at 1163 South Lake Road, Middlesex (LR District) referencing a Stop Work Order placed on property.

Meeting came to order at 7:30p

Board determined Site Plan Reviews on the following applications:

1. Application #071410-SPR: Dr. Jay Yates of 708 East Lake Road, Middlesex.

Areas of Concern resolved:

- a. Drainage - So. Side: swale, stone check dam added.
- b. Drainage from watershed sheeting to So. Side: expanded topographic area to include contour information which creates a natural swale draining to underground catch basin (oil drum). c.

Relocation of secondary electric line: Once electric put in, pole will be relocated or underground service provided to resolve concerns with overhead interference and with neighboring property.

Chairman DeVinney will attend the Zoning Board of Appeals on 10/21 to advise Board of areas resolved by the Planning board. Applicant was advised to proceed with Septic Approval from DOH before Site Plan Review could be determined by the Planning Board.

2. Application # 091310-SPR: Ms Fumia/Ms. Tedeschi owners of property at 991 Old Vineyard Road, Middlesex (LDR), represented by Mr. Don Miller, agent. Applicant requests preliminary review of New Home Construction on pre-existing, non-conforming lot with new dwelling to stay within existing

structure's footprint. Board determined that proposed structure met all setbacks as presented and approved preliminary plans. Site Plan is pending final approval before development proceeds.

3. Application #081310-SPR: Mr. Thomas McCann; Minor Subdivision of property at 1168 West Ave., Middlesex (HR & LDR). Property is proposed to be divided from (2) existing lots. Parcel A: 8.220 acres (Tax Map ID # 22.04-1-4, vacant land parcel, to be conveyed to Debra McCann and combined with her property which borders West Ave. (Tax Map ID # 22.04-1.5) and Parcel B: 1.038 acres (Tax Map ID # 22.04-1-4) to be split from Parcel A (Tax Map ID #22.04-1-4) and sold with existing pole barn to neighboring Baptist Church. Board approved the Subdivision with Conditional Determination pending signing by the Board Chairman DeVinney of a revised Mylar showing clearer indication by survey of proposed subdivision for Town and County records.

Motion to approve was made by Board Member Gilbert and seconded by Robert Mincer. Motion carried with all members present in favor.

4. Application #082510-SPR, Mr. & Mrs. Floyd & Sylvia Grover of 96 Route #245, Middlesex (HR District) requests a Minor Subdivision to split property at 96 and 100 Rte. #245 from a pre-existing, non-conforming lot which combined residential and commercial structures into separate parcels. Parcel A: at #100 Rte. 245 , commercial property - Rushville Motors Garage on 3.728 acres and Parcel B: at #96 Rte. 245 residential property on 1.062 acres. Board determined request for Minor Subdivision approved as presented.

Motion to approve was made by Robert Mincer and seconded by Loretta Henrie. Motion carried with all members present in favor.

Old Business:

5. Application # 052109-SPR:Site Plan Review of new revisions to Mr. O'Brien's property at 1163 South Lake Road, Middlesex (LR District) referencing a Stop Work Order placed on property.

Board determined temporary release to a Stop Work Order placed on property development to include the following to be redrafted on Final Map revisions:

- Rework swale excavation site
- Silt fencing redrafted as
- Placement of appropriate
- Onsite
- Code plans

south to north on uphill side of septic area to keep drainage from reaching by re-stoning and reshaping to keep drainage away from site excavation (foundation). added in (4) places to accommodate onsite drainage/erosion control management and such on map revisions.

Foundation Block wall to a point whereby the excavation site maybe safely backfilled as for site stabilization.

placement of check dams, as originally proposed for drainage concerns, will be reviewed by Kevin Olvany, George Barden and Lu Engineers to provide final determination to the Planning Board.

Office will be called for interim inspection once site stabilized. Code office will review final plans with Planning Board before final release from Stop Work Order.

Motion to provide applicant with temporary release from Stop Work Order with Board placed conditions was made by Board Member Robert Mincer and seconded by Board Member St. Lawrence. Motion carried with all board members present in favor.

Public comment on ZL Draft Amendment for the Regulation of Private Driveways/Private Roads Law. It was decided that the Planning Board would post Public Notice in the paper and on the website as well as Richard DeMallie's SOS News Online for an invitation for Public comment at November's Planning Board Meeting,

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November 9th from 8-9pm, during which time the Planning Board will allow, those with specific concerns or questions to come for a Q & A information session.

Next Meeting agenda: October 19th to work on Draft Steep Slope Law in Board review.

Motion to adjourn was made by Chairman DeVinney and seconded by Loretta Henrie. Motion carried with all members present in favor.

Meeting adjourned at 10:15pm / Minutes submitted by L. Lersch. Revisions to lynn.lersch@gmail.com