

## **TOWN OF MIDDLESEX**

### **PLANNING BOARD**

#### **Minutes – March 16, 2011 7pm**

Board Present: M. DeVinney, Chair; John Gilbert, Lynn Lersch, Robert Mincer, Bruce St. Lawrence, Dawn Kane (CEO)

Agenda: Board review of Current Laws in process:

Draft ZL Amendment of Private Driveway/Private Road Laws-YCPB review 3/24  
Draft Steep Slope Law Revision (3/6/11 version)-Meeting w/TB 3/26 9am  
Draft UDML – changes at County Level/SEQR-Ontario County  
March 22<sup>nd</sup> – Yates County Training Session – Master Plan, SEQRA, County Review  
PB List of Unresolved Topics  
Old Business: Lu Engineer Invoices – O'Brien, Cunningham, Highland Group

Meeting came to order 7:25p

Chairman DeVinney stated a special meeting was held on March 9th – with board members Bob Mincer, Lynn Lersch, Marty DeVinney to create a Resolution for Board recommendation of the Final Draft of the Steep Slope Law (Rev. 3/6) for review by the Town Board as lead agency on March 10th. The Town Board has decided to review the Draft with the Planning Board along with an Overlay Map showing the (3) categories of slopes in the Town of Middlesex by parcel. This meeting was scheduled for March 26<sup>th</sup> at 9am. Chairman DeVinney entertained a motion for the entire Board to vote on a new resolution: Board member Mincer made the motion and Board Member St. Lawrence seconded the motion. Motion carried with all Board Members present in favor of recommendation. Board approved special meeting minutes from March 9<sup>th</sup>.

A letter from Mr. D. O'Brien was read stating he had submitted required Site Plan map revisions of his reflecting current status of his site. He also submitted full payment of Town's reimbursement for Lu Engineering services - Invoice date 12/8. Board accepted Mr. O'Brien's correspondence into the minutes. Board Member St. Lawrence offered to verify site map revisions with what is onsite.

Draft ZL Amendment to the Private Driveway/Private Road Law – Board member Lersch stated that the ZL Amendment to Section #703 Private Roads as a Special Use Permit issued by the Zoning Board of Appeals and reviewed by the Planning Board is currently under review by the Yates County Planning Board to be determined on March 24<sup>th</sup>. It is expected to pass. Next step is for the Town Board as Lead Agency to set a Public Hearing possibly in April on the 14<sup>th</sup>.

Draft UDML was stated to be under revision before being accepted by the separate municipalities. Ontario County will complete the SEQR as Lead Agency. The Planning Board will recommend to the

Town Board their Tier choice upon revision completion.

Draft Steep Slope Law (revision 3/6) will be reviewed by Town Board and Planning Board and Dawn Kane, CEO with legal advisement from Alaine Espenscheid on Saturday, March 26<sup>th</sup> at 9am. Board would like to see the Overlay Map showing tax parcels within the different slopes that is being developed in coordination with the Canandaigua Watershed Management and the Ontario County Planning Board to provide the Town with a user-friendly document that can be easily used in the Code Office with applicant's seeking Site Plan Review.

Board member St. Lawrence indicated that driveway slopes on steep slopes that require multiple switchbacks often create a higher % than the 12% grade that is NYS Road Standards. The switchback itself poses a problem in cutting up and requiring soil benching for access roads/driveways on these steep slopes. That in itself is environmentally hazardous when it is near a natural resource such as the High Banks or Lake tributaries.

Chairman DeVinney provided the board members with a hand-out of Growth Management Guidelines from the Trancik Study to read before the Mar. 26<sup>th</sup> meeting with the town. He stated the Trancik Study is a great resource and cites parcels at 25% slope throughout Yates County should be protected by controlled development as they often contain erodible soils and many are close to lakes and streams. Slope information included in the study can be found on pages 93, and 106 (Special Guidelines for Natural Resource Protection Districts.)

Board member St. Lawrence commented on the advantage of including community members as focus groups to review tax parcels that fit within the 25-40% and the 40%+ range which might have greater concern for environmental restrictions on development to better protect our natural resources.

Board member Lersch reminded everyone to attend the Yates County Training Session facilitated by County Planner Shawna Bonshak on 3/22, 7pm at the Fire Hall. Hours can be used for Annual Training for Member requirement.

CEO, Dawn Kane informed the Planning Board of a few sites in the Town which show development which might come for future review.

Board Member St. Lawrence stated that Lu Engineers has been released to work on (4) out of the (10) Book of Standards for an addendum to the Draft Steep Slope Law and reviewed current estimate of contacted \$2800 cost to the Town.

A motion to adjourn was made by Board Member Mincer and seconded by Board Member Gilbert. All present voted in favor. Motion carried. Meeting adjourned at 9:27pm

Minutes submitted by L. Lersch/Revisions to LSammy5@frontiernet.net