

# **TOWN OF MIDDLESEX**

## **PLANNING BOARD**

Minutes – April 6, 2011, 7pm

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

Public present: Donald Sheive

Agenda: Draft Steep Slope Law review

Meeting came to order at 7:25pm

### Draft Steep Slope Review:

Board Member St. Lawrence sent to Board Members the most recent draft of the law (Rev. 4/1) which included revisions to Sect. 1F; Table 2.3D; Sect.'s 3.2, 3.4, 3.5, 3.39, 3.41; Sect.'s 4.2(bottom), 4.4, 4.15; Sect. 5.1(bottom); Sect. 6.1A; Sect.'s 13.1.1.2 and 6, 13.2; Sect. 14.1.Z; and all of Sect.'s 15, 16 and 17.

### Board discussion:

Board member St. Lawrence has sent the complete "Book of Standards" referenced in Sect. 1F to Mike Hanscom of Lu Engineers with deadline of May to complete for our review. Changes to the Table 2.3D were made and to Sect. 3.2 adding "APPLICANT" as a definition which was suggested by Alaine. Sect. 3.4 clarifies that a written narrative is now required so that contractor/architect are working together on a step plan that the code office or town engineer can monitor. Sect. 3.5 clarifies the Conceptual stage by the Planning Board as no fee first step review with Planning Board. The Preliminary stage shall be charged (\$50), and all reviews thereafter. Sect. 3.38 Introduction of a Steep Slope Permit Application and Sect. 3.39 Steep Slope Conditional Use Permit was recommended by all Board members to each become a separate document to each other and to any other document currently in use. The Conditional Use Permit could first be issued for site clearing etc., and then a separate structural building permit to be filed when this stage is ready to start; Sect. 3.41 "STRUCTURE" definition was taken from Zoning Ordinance definition and was added at Alaine's suggestion; Sect. 4.2: permit is essential to have;

Sect.4.4 contains revised language suggested from TB review on 3/20. Sect. 4.15 added pass lane to driveways longer than 200ft. and with obstructed line of vision; Sect. 5.1 added the requirement for a Steep Slope Conditional Use Permit to be issued by CEO; Sect. 6.1A added a vehicle parking restriction;

Sect. 9.1A added a reference to existing Private Driveway/Private Road Law; Sect. 13.1.I.2 added a requirement for stepped building foundations and reduced basement height for steep slope sites; Sect #13.1.I.6 to add gravel as an impervious material to construction of access footpaths; Sect. 13.2 to clarify

the distinction that an approval on a Concept Plan does NOT give approval for site improvements; Sect. 14.1.Z to confirm the requirement of a construction entrance maintenance plan throughout site improvement; Sect. 15 was discussed at length to still need some clarification to what % of entire site would be referencing. Board Member St. Lawrence will refer it back to Town Attorney for more specific language; Sect. 16.5 includes a step by step explanation of fees that would be incurred in Steep Slope Review. The Planning Board suggested that the definition of Sect. 3.39 could also be added here to better describe what is expected by applicant; Sect. 17.2 included a typo change; Sect. 17.8 included language from Town Attorney. Double check alignment with other laws.

Board discussion of open items to be worked on within the Board was set as the following:

- ~ Sections of Prohibitions - Board decided not to change.
- ~ Steep Slope Application Form – Chairman DeVinney
- ~ Steep Slope Conditional Use Permit form – Chairman DeVinney and Dawn Kane
- ~ SSPA Mapping-Kevin Olvany/Ont. Co. Planning – Chairman DeVinney
- ~ Revisions to Draft Law – Bruce St. Lawrence

Revisions to Law – 50% (PD/PR Law)>40%(SS Law) for maximum angle of cut

10% (PD/PR Law) > 12% (NY State and Manual for Rural Roads – D. Orr)

10% (Road Standards) “ “

15% Highland Group of Canandaigua LLC Site Plans – R. Venezia

Board was in agreement that Town’s Local Laws should match with NYS Road requirements.

Board Member Lersch will confirm process to change laws with Kathy Pelton, Town Clerk and submit to Bruce St. Lawrence

Chairman DeVinney announced that a meeting to review the Draft Steep Slope revisions, scheduled for the 12<sup>th</sup> with the Town Board, would be rescheduled. The Overlay Map with tax parcel information on it had not been completed. A partial version would be available for Town Board review at their meeting on the 14<sup>th</sup>.

Old Business: Chairman DeVinney asked for a motion to accept Ms. Loretta Henrie’s resignation of March 31, 2011. Mr. Gilbert made the motion and Mr. Mincer seconded the motion which carried with all Board members present in favor.

A motion to extend Mr. St. Lawrence’s current year term from 2012 to 2014 was made by Mr. Gilbert

and seconded by Mr. Mincer with all Board Members present in favor of the motion, which carried.

Next Meeting agenda: Site Plan Review for Single Family Residence, Mr. Patrick Dimpfl, Site Plan Review for Middlesex Baptist Church Activity Center for onsite embankment excavation.

Motion to adjourn was made by Board Member Mincer and seconded by Board Member Gilbert. All Board Members present in favor. Motion carried. Meeting adjourned at 8:50pm

Minutes submitted by L. Lersch/Revisions to [LSammy5@frontiernet.net](mailto:LSammy5@frontiernet.net)