

TOWN OF MIDDLESEX

PLANNING BOARD

Draft Minutes - April 20, 2011 – 7:30pm

Board Members present: Marty DeVinney, Chair; John Gilbert, Lynn Lersch, Robert Mincer

Code Enforcement Officer: Dawn M.E. Kane

Public Present: Donald Sheive, Linda Sheive, Larkin Ryan, Joyce Magin, Jeffrey Bagley, Richard Osgood, P.E.; Patrick Dimpfl

Agenda: Site Plan Review for: Middlesex Baptist Church Activity Center, 1168 West Avenue (HR); Mr. Patrick Dimpfl - Underwood Hill Road -Single Family Residence AF/RES)

Meeting came to order at 7:25pm

Chairman DeVinney introduced Student Auditor, Ms. Larkin Ryan from Geneseo College, Urban Planning Course and explained the Site Plan Review Process, the criteria involved and the reasons behind the procedure the Zoning Law of the Town provides applicants during a review, determination and NYS SEQR documentation of each applicant's Site Plan.

1. Site Plan Review for the Middlesex Baptist Church, at 1168 West Avenue, Middlesex, NY. (Hamlet/Residential Zoning District)

Code Enforcement Officer (CEO) Dawn Kane gave a brief summary of the application. The application has received a Demolition Permit to demolish a pre-existing building on the property and received from the Zoning Board of Appeals (ZBA) an Area Variance from the Town's Zoning Law in February to set a new and larger building 2ft. closer to the road's centerline setback; the applicant had revised their plans for the rear of the building to excavate a portion of the embankment and to fit the new building into the embankment using the back west wall as a retaining wall. Jeff Bagley, of JB Builders is the agent representing the Church, and Richard Osgood is the P. E. for the project. It was stated that the building would be the Baptist Church Activity Center for private and future community use.

Chairman DeVinney stated that the Town of Middlesex's Planning Board would be reviewing the application tonight but would not be coming to a determination until the next regularly scheduled

meeting on May 4th due to the Yates County Planning Board reviewing and determining this application on Thursday, April 28th. The reason for County review is because the parcel the building sits on is within 500 ft. of State Route #364. The Town of Middlesex will take the County's determination into consideration when it makes its final determination on May 4th.

Board discussion during review addressed drainage for the project, stormwater runoff plans and erosion control perforated pipe, straw bales and reseeding plans to control runoff during and after project installation, retaining wall design which will be of a cantilevered design with a keyway at the bottom to act as a footer to keep the wall from moving. Questions of how much dirt would be excavated and where this dirt would be placed. Discussion of slope grade was discussed and the aesthetic design of the exterior of the building with height pitch of 6:12. More board discussion on project's holding tank(s) placement and approval of septic/well.

Letters from George Barden, Canandaigua Lake Watershed Inspector, Town Highway Supervisor Thomas Reifsteck, Mr. Dennis McNabb, Pastor, Mr. Richard Osgood, P.E. were submitted into the minutes after board review.

Board completed a SEQR for Unlisted Action and it was determined by Board majority vote of 4-0 to declare by resolution a determination of the project to be a Negative Declaration. The resolution was offered in a motion of acceptance made by Board Member Robert Mincer and seconded by Board Member, John Gilbert.

2. Site Plan Review: Mr. Patrick Dimpfl, parcel owner, Tax Map ID # 022-04-1-9.0 on Underwood Hill Road, Middlesex (Agricultural/Residential Zoning District) requests Site Plan Review for the purpose of building a Single Family Residence.

Code Enforcement Officer Dawn Kane gave a brief summary of the property at Underwood Hill Road which is located above the Baptist Church on land previously owned by Mr. Thomas McAnn. It is presently vacant land, and a 527 ft. access drive to dwelling serviced a cornfield previously. Septic and well approval have been cleared through G. Barden.

Letter from Town Highway Supt. Reifsteck stating approval was submitted into minutes.

After a short Board discussion and review of the submitted plans from D.C. Marks, Inc., which included Driveway specs, septic, utility and grading plans, Mr. Dimpfl was advised by Planning Board to contact Mr. Gary Oppelt or Mr. Jason Bassett with concerns for emergency fire access. Driveways over 150 ft. long require a turn-around at end. Regulations were cited through our

Private Driveway/Private Road Law, Sect. 4.5, 4.6, and Sect. 5.1 (n), Sect. 8, 8.1.

Board Member Gilbert suggested placing a condition upon determination that due to the length of the driveway, it be stipulated that not only the emergency access restrictions be placed on this application, but the grade material (gravel) for the driveway should be up to regulated specs.

CEO, Dawn Kane suggested the Board could determine this application next week after the Fire Dept. has been contacted , and send us back a reply email.

Chairman DeVinney completed a SEQR for Unlisted Action for this application. A Negative Declaration by resolution was suggested. Board Member Gilbert moved to accept and Board Member Mincer gave a second. All Board members present voted to accept the SEQR as declared with a Vote 4-0.

Chairman DeVinney closed the Site Plan Review.

New Business:

CEO Kane spoke to the board about the proposed plans for a new Ambulance Corps Bldg. on Rte. #245. They are requesting that the building permit and the requirement for stamped engineer plans be waived to save approximately \$7-8,000. Plans would be designed and time and effort donated by Mr. Jerry Hoover. The new building will be a light framework in a pole barn design, energy efficient & insulated, with manufactured trusses individually stamped. They will use the existing concrete slab on which the frame will set. Funding to-date has been in-house but they are at their limit. They will be providing community demonstrations of the demolition of the building and all materials will be donated for reuse within the community. The total cost of this building is approximately \$177,000. The project will be inspected throughout its' installation by Mr. Jerry Hoover, and Town Code Inspector Dawn Kane. NYS Inspectors could also be required to be available. Chrisanthenum, Inc. will be constructing the building and have a great community reputation. A decision to waive the requirement of Engineered Stamped Plans by the Board was put on hold until input from Bruce St. Lawrence (absent tonight) could be acquired.

Chairman DeVinney reviewed to those assembled, the status of the Draft Steep Slope Overlay Map. A sample, on the wall for review, showing (3) categories of Steep Slope referenced in the proposed Draft Steep Slope Law, currently in draft form. These slope categories are: - 15%, 15-25% and 40%+. Each category will have different criteria for Site Plan Review when developed.

The criteria gets more restrictive, the steeper the slope. The Ontario County Planning Board and Kevin Olvany, Watershed Program Manager of the Canandaigua Lake Watershed Council have offered to collaborate and compile this draft map. The final will have each tax map parcel evident for review. A sample of this may be seen on Ontario County's website: www.co.ontario.ny.us. Through OnCor resources.

Resident Linda Sheive requested the Town's position on Hydrofracking, asking if it was a concern here. Chairman DeVinney stated that Town Board Member Wayne Dunton was on the Task Force which was made up of Board Members from different municipalities. It seems that it is exempt from local government placing restrictions. It appears to be exempt from SEQ. We are looking into possible road restrictions to slow it down, but basically local government is out of the picture. Linda and Don Sheive announced the Vine Valley Community Center Summer Program will be hosting a panel discussion & film presentation on the subject this summer.

Agenda for 5/4: Wayne Warren, Shay Road (AG/RES) Minor Subdivision; R.Venezia , Venezia & Assoc. agent for property on South Lake Road (LR) New Driveway

Motion to adjourn was made by Board member Mincer and seconded by Mr. Gilbert. Motion carried with all Board Members present in favor. Meeting adjourned at 8:35pm

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