

TOWN OF MIDDLESEX

PLANNING BOARD

Minutes - May 18, 2011, 7pm

Board Members present: Marty DeVinney, chair; John Gilbert, Lynn Lersch, Robert Mincer, Bruce St. Lawrence, Dawn Kane, CEO

Public present: David Harrington, Todd Nellis, Jason Johnson, Wayne R. Warren, Sue A. Warren, Mike Mancini, Tracy L. Mancini, William Whitney, Jon Schick, Linda Sheive, Donald Sheive

Agenda: App. #32311-SPR: Mr. Wayne Warren-Minor Subdivision of property at 1828 Shay Rd., (A/R); App. #42911-SPR: Site Plan Review for building construction for Middlesex Ambulance Corps on property at 817 Rte. #245, (HB); App. #50411-SPR: Site Plan Review for property owned by Mr. Dan Mahar at 968 So. Lake Rd., (LR) for site revisions & septic; SPR Conditions determined on Mr. Patrick Dimpfl single family residence driveway (527') at 5786 Underwood Hill Rd., (A/R) for emerg. Vehicle access; Draft Steep Slope (Rev. 5/16)

Chairman DeVinney opened the meeting at 7:15pm

Site Plan Reviews:

1. App. #32311-SPR: Mr. Wayne Warren. Minor Subdivision of 10 acres from property located at 1828 Shay Road (Agriculture/Residential Zoning District, Tax Map ID #44.02-1-8.1 bordering Shay Rd. with 250 ft. of road frontage.

Chairman DeVinney reminded applicant that the term Minor Subdivision allows up to (3) parcels to be subdivided. Mr. Warren has currently applied for (2) such subdivisions and will be allowed (1) more. A motion to approve the Minor Subdivision as presented was made by Mr. Mincer and seconded by Mr. St. Lawrence. The motion carried with all board members present voting in favor. A SEQRA determination was completed with board voting to declare a Negative Determination for environmental impact. Chairman DeVinney stamped and signed a Mylar and (2) paper prints for filing with the County Clerk's Office in Penn Yan.

2. App. # 42911-SPR: Middlesex Valley Ambulance Corps Site Plan Review of new building construction at 817 Rte. #245, Middlesex. Mr. Todd Nellis, representing agent presented the site plan. (Highway Business Zoning District).

Dawn Kane, CEO updated the Planning Board that engineered stamped plans from Hanlon Architects had been received just prior to the meeting for the proposed new Ambulance building. Ms. Kane stated also that she had procured legal advisement from Town Attorney, Espenscheid and explained to the Planning Board that stamped plans are a requirement by General Municipal / Education Law and the only exemption from this requirement are residential homes under 1500 sq. ft. and agriculture

buildings.

Chairman DeVinney asked the board for discussion. There was none and declared the application complete. A SEQRA declaration of negative environmental impact was determined by the board. A motion was made by Board Member John Gilbert and seconded by Bruce St. Lawrence to accept the declaration and approve the application, pending Yates County Planning Board review on the 26th of the month. All members present voted in favor. The motion carried.

3. App. #50411-SPR: Mr. and Mrs. Dan Mahar -Site Plan Review for site revisions and new septic approval for residential property at 968 South Lake Road - Lake Residential Zoning District.

Mr. Jon Schick, Architect, representing agent, presented the Site Map revisions. These revisions included tree removal for the purpose of placing a peat module leaching system; a water diversion swale and grade work on the upland parcel across the road; a septic pumping station to be installed between the two dwellings on the lakeside parcel; a dry laid stone wall placement at roadside; and the replacement of an 12" culvert pipe with an 18" at roadside.

Septic & Pumping Station Plans/Erosion Control: Mr. Schick stated that a new septic design by Bernie Pulver, P.E. will replace an existing inferior one and Canandaigua Watershed Inspector, Mr. George Barden had already approved the design and will be onsite during installation. Detailed information about the Peat Module System was provided by Jon Schick to the Planning Board. The system will be inspected annually by the firm Aqua Source. The leach system for the septic will be located on the upland parcel and requires some tree removal. It was stated these trees are presently either dead or in poor condition due to a viral blight and the dense wet condition of the land. Stumps will be ground to grade leaving the root ball intact, the ground will be scarified and the leach system will be placed above existing grade.

Chairman Devinney inquired if George Barden was aware of an underground cistern possibly creating water flow since the area was once a vineyard. Schick replied that Barden was aware of it.

Board Member St. Lawrence voiced concerns about the septic sliding without being benched in and inquired if this was a certified installation and Mr. Schick explained that the system was designed to adhere to the ground once scarified and thus allowed the tree roots to remain intact. Mr. St. Lawrence stated that the process should be duly noted on plans.

Mr. Schick stated an upland parcel water diversion swale was planned for the northern property line. It's purpose was diverting water offsite into a culvert that ran under road and requested Board approval for grade work to begin as soon as possible in order to divert current storm event water existing onsite into the swale. Board member St. Lawrence inquired about check dams placed at intervals within this swale and at a 90 degree turn where water empties into the culvert, stating that it should be noted on the plans.

Resident Linda Sheive asked if there was a swale to the south of the property which bordered the old Adriance residence. Mr. Schick replied that there was none there.

Shoreline Seawalls/ Structure:

Mr. Schick stated that Mr. Bob Fladd had done a wonderful job of rebuilding the existing seawalls and they were very professionally done with imported stone and an existing shed had been refurbished for a 10' x 12' Boat Accessory Structure. Roofwork was still to be done.

Chairman DeVinney inquired whether the seawalls and the indicated 10' x 12' Structure were on the original site map, the board had reviewed on Sept. 7, 2010? Mr. Schick replied that both had been indicated.

Chairman DeVinney inquired if there were any existing water or electric lines coming in or out of the structure, referencing the accessory structure on the plans in the southwest corner of the property at shoreline. Mr. Schick replied that the company Aqua Source would be bringing waterlines in for a hose bib. Chairman DeVinney stated that it was probable that neither electric or waterlines were allowed to go into the structure but would refer to the Uniform Dock and Mooring Line for definition. Mr. Schick stated that an existing water line was being utilized from an existing pump house structure that now garaged a hose bib. Board member St. Lawrence stated that the plans showed waterlines from house to boat accessory structure that was not allowed per our UDML. The drain line from the house that daylight at the southwest corner should have stone added at the discharge point and noted as such on the plans.

Landscaping and wall design:

Mr. Schick explained that due to a 4 ft. change of grade from roadside to the house, Dry Laid Stone Walls at a maximum of 30" high were planned by Bob Fladd and would terrace down to the house. Full Landscape Plans by Mr. William Whitney were designed and hydro-seeding and landscape plantings would further stabilize the site. A detail on the structural design of the Dry Laid Stone Walls was requested by the Board for Lu Engineer review referencing load bearing weight, the gravel base, drain to daylight etc.

Concern was that these walls were a new structure that were being built into the road setback and might need a variance for proposed placement.

Mr. Schick requested approval as soon as possible because the owners would like to utilize the property this summer. The Planning Board reminded Mr. Schick that the Town Engineer would need to review the recently submitted plans after further detail discussed was added. The process would be expedited as fast as possible. Meanwhile, plans to start the septic installation could start immediately. Mr. Schick was reminded to obtain permission to access neighbor's land to the north, if necessary, to work on diversion swale. Mr. Schick stated that construction sequencing would keep all parking on the upland hillside parcel and the road would be kept as clean as possible. Road closing would be coordinated with Mr. Reifsteck, Town Highway Supervisor and all necessary materials needed for the culvert installation would be kept handy for ease of installation.

A SEQRA was determined to have a Negative Declaration to environmental impact by the Board and a

motion to approve plans for the septic was made by Board Member Mincer and seconded by Board Member Gilbert. The motion carried with all Board Members present in favor. The Site Plan will be sent to Lu Engineer for review and a determination of such will be reviewed at a later date.

Old Business:

App. #033111-SPR: Mr. Patrick Dimpfl of 5786 Underwood Hill Rd, (A/R) requested Site Plan Review for construction of a single family residence with a 527 ft. access driveway. Board requested advisement from the Town's Fire Department as an expert resource for emergency vehicle access to the residence.

Advisement was procured from the Middlesex Fire Dept. The Board then reviewed the Town's *Standards for New Roads* which is referenced by our *Private Driveway/Private Road Law*. The radius of driveway turn-around referenced in the reviewed laws was 20 ft. , with a 15 ft. driveway width. A midway pass lane was recommended by the Board, but not required, because the driveway has a clean line of vision which would define a vehicle already on the driveway. The angle of the plans drawn up by D. Marks, Inc. for the construction access drive and turnaround created a problem for emergency vehicle access because of an existing tree. (It was later determined by reviewing the building plans from CEO Kane by Board Members Lersch and Mincer that building plans drawn up by Architect Hintenach III, would allow appropriate radius, width and appropriate access to the residence). Board determined that required driveway standards will be adhered to. A copy of the referenced law shall be sent to applicant and contractor with determination of approval.

Board member St. Lawrence reminded the Board that with the adoption of the Draft Steep Slope Law, a passing lane will be required on any driveway 200 ft. or longer.

CEO, Ms. Kane asked for board advisement on waiving residential greenhouses for private use from Planning Board Site plan Review. The board agreed with request, however will still review Greenhouse applications for retail and commercial purposes.

Next month's agenda: Steep Slope Draft Law Review (5/16 rev); Site Plan Review of Mr. DeKouski's property at 843 Elwell Road for the construction of (2) greenhouse structures. Application is currently under County Review on 5/26. Ambulance Corps Bldg determination currently under YCPB review on 5/26; Mr. Jon Schick/Mahar Site Plan of property at 968 S. Lake Rd., currently under Lu Engineer review; Steve Cunningham Site Plan for driveway remediation of property at 1265 S. Lake Rd., representing agent-Venezia & Assoc. currently under Lu Engineer review.

Motion to adjourn was made by Board Member Lersch and seconded by Board Member Gilbert. Motion to approve was voted in favor by all Board Members present and motion carried.

Meeting adjourned at 9:35p. Minutes submitted by L. Lersch/Revisions to LSammy5@frontiernet.net