

**TOWN OF MIDDLESEX**  
**PLANNING BOARD**

Minutes – Wednesday, August 1, 2012, 7pm

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

Public Present: Mr. Robert Samardjian, Ms. Debbie Samardjian, Mr. Gary Hoffman

Agenda: Site Plan Reviews:

Application #060612-SPR/Mr. David Rusin & Mrs. Lori-Farr Rusin, represented by Ms. Wendy Meagher, P.E., Application #07112-SPR/Mr. John Meagher, represented by Mr. Jeremy Fields; Application #122011-SPR/Mr. Jason DeKouski requests SPR for outside storage of commercial boats and trailers in AG District.

Chairman DeVinney opened the floor at 7:08pm

Chairman DeVinney entertained a motion to approve June 6 and June 20 minutes. The motion was seconded by Board Member St. Lawrence with all Board Members present. Motion carried.

Site Plan Reviews:

1. Application #060612-SPR/Mr. Jason DeKouski requesting a Special Use Permit for commercial storage of boats and trailers at 843 Elwell Rd., (A/R)

Chairman DeVinney summarized the application: Mr. Terry DeKouski, owner of the property, has given permission for Mr. Jason DeKouski to store commercial boats on his AG property. Because it is neither a permitted nor a listed use under current zoning, this application requires a variance for a Special Use Permit granted through the Zoning Board of Appeals

Ms. Kane, CEO summarized that she had been recently made aware of further development by Mr. Terry DeKouski who has requested permission to construct a 94 ft. x 108 ft. pole barn on his AG property which extends from Elwell Rd. to South Vine Valley Road and also the corner of Elwell & Route #364. Mr. DeKouski's intent is to store, approximately fifty boats inside the barn seasonally, during the winter months, from Jason DeKouski's FL Boat Repair & Storage. Mr. Terry DeKouski will also store personal farm equipment, RV Trailers and use the space to hang & dry garlic for his agricultural business. His new intention is to store commercial boats on his property both inside and outside. Under current zoning, Ms. Kane was required to advise the Planning Board that this application would be required to go to the Zoning Board of Appeals for a Special Use Permit determination.

After a short discussion, a motion was made by Board Member Lersch to recommend that this application be sent back to the Code Office for determination that the Land Use which was not listed in current zoning and so would be reviewed by the Zoning Board of Appeals for determining criteria for a Special Use Permit. Once granted, this application would then come back to the Planning Board for final determination. Board Member Gilbert seconded the motion. All Board Members present voted in favor and the motion carried.

Code Enforcement Office/PB Advisement:

Ms. Kane, CEO brought the following applications before the Planning Board for advisement: Application # #41112-SPR: Mr. James Fonzi; Application #060612-SPR: Mr. David Rusin & Mrs. Lori-Farr Rusin represented by Engineer Wendy Meagher; and a “zip line structure” constructed without a permit at the Mahar property at 967 South Lake Rd. Board advisement was offered and all applications require further board review and final determination before permitting. It was recommended by the Planning Board that the Mahar zip line structure come before the Planning Board for full Site Plan Review and a permit would be required by the Office of Code Enforcement for this Land Use before further development commenced.

Ms. Kane requested PB to request further action by Town Attorney, Alaine Espenscheid to address property concerns at the Elli property on S. Lake Rd. referencing Mr. Dan O’Brien, attorney as contact person. Board Members voted to formally request this action in order for determination of this application, currently on hold, to move forward. Board Member Lersch offered the motion and Board Member Gilbert seconded. Motion carried.

Work Session:

Chairman DeVinney stated that because the evenings’ applicants were not in attendance at this time, that the Board would enter into a Work Session for further discussion on revisions to the Draft Steep Slope Law in order to ready it for County Review.

After discussion and review, Board Member St. Lawrence and Board Member Gilbert offered to make final revisions to the draft law as discussed and forward a new revision to all Board Members for review.

Resident Mr. Gary Hoffman requested of the Board to offer an update of present research completed on our “Moratorium for Prohibition of Gas and Petroleum Exploration and Extraction Activities, Underground Storage of Natural Gas and Disposal of Natural Gas Or Petroleum Extraction, Exploration And Production Wastes”

Chairman DeVinney stated that Town Attorney, Alaine Espenscheid had contacted the Land Use Attorney, Mrs. Helen Slottje, who had offered her services to work with the Town of Middlesex on our Zoning and Master Plan Ordinances during the Moratorium timeframe. A meeting was scheduled sometime in August.

A motion to adjourn was made by Board Member St. Lawrence and seconded by Chairman DeVinney. The motion carried with all Board Members present voting in favor.

Adjournment was at 8:51pm.

Minutes submitted by L. Lersch/revisions to [lsammy5@frontiernet.net](mailto:lsammy5@frontiernet.net)  
Minutes approved on October 17, 2012