

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes – Wednesday, September 5, 2012, 7pm

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

Public Present: Mr. Daniel Hare, Mr. Daniel Antocicco, Mr. Bradley A. Quayle

Agenda: Application #060612 – SPR/ Meagher/Rusin at 1217 S. Lake Rd requesting Site Approval for construction of a retaining wall and additional parking space on improved driveway; Application #071112 –SPR/Fields/ Meagher at 1255 S. Lake Rd. requesting Site Approval for a stone retaining wall; Application #081612-SPR Mr. Jeremy Fields requests Site Approval for property owned at 1443 S. Lake Rd. to construct a permanent dock and (2) Boat Hoist Slips; Application #080112-SPR/ Fields/Masachi at 640 Fisher Rd, requests Site Approval for a Permanent Dock and (2) Boat Hoist Slips and permission to remove old shoreline cribbing; Application #080212-SPR/Fields/Jerabeck LLC at 90 E. Lake Rd. requests Site Approval for a Permanent Dock and (2) Boat Hoist Slips; Application #082212-SPR/Fields/Dolan at 648 Fisher Rd. requests Site Approval for a Permanent Dock and (1) Boat Hoist Slip; #080412-SPR/Mr. Bradley Quayle requests Site Approval for a Minor Subdivision of 42 acres at the corner of Rte. #364/Pierce Hill Rd. into (2) lot parcels; Application #072612-SPR/Hare/Weidrick requests Site Approval at 1121 S. Lake Rd. for shoreline development; Application #091112-SPR/ Fromberger/Komarek requests Preliminary Site Plan Approval for a Major Subdivision on E. Lake Rd; Application #081612-SPR/Fields/Cunningham requests Site Approval at 1288 S. Lake Rd. for a Permanent Dock.

Chairman DeVinney opened the meeting at 7:12pm

Chairman DeVinney informed the Planning Board that Application #091112-SPR for Mr. Andrew Komarek's Major Subdivision on East Lake Road had been voted on August 16th to be a coordinated review by both the Planning Board and the Zoning Board of Appeals. This coordinated review pertains to Town of Middlesex Local Law #3 of the Year 2008 which allows Private Driveways and Private Roads to be constructed in the Lake Residential Zoning District by Special Use Permit which is granted by the ZBA and will pertain to the application's (4) lot Major Subdivision Preliminary Plat Review. Chairman DeVinney entertained a motion that the Planning Board vote to be Lead Agency for SEQR determination. A motion was offered by Board Member Gilbert and seconded by Board Member Robert Mincer. All present voted in favor and the motion carried.

Mr. DeVinney opened the floor to Site Plan Review:

1. Application #072612-SPR/ Mr. Daniel Hare, representing agent for owner Mr. Sidney Weidrick of 1121 South Lake Rd., requests Site Plan Approval for a shoreline project constructed without a permit. (LR District) This project included the following: a paver stone patio; a Uni-bloc Stone Retaining Wall which replaced a lower shale stone retaining wall which was damaged by Spring storms; and stone steps leading from the Retaining Wall to a stone paver walkway which was constructed on top of a 3ft. culvert recently replaced by the Town Highway Supervisor.

Code Officer, Ms. Kane stated that it was in front of the Planning Board for Site review because of the height of the structure and because it was constructed without a permit. The applicant was requested to process the application and did so correctly.

Mr. Hare stated that there had been (2) sizeable spring storms which washed away most of what was there due to a clogged culvert. Mr. Hare, family member wanted to rebuild the site for his grandparents so it would look nice upon their return from Florida. The culvert that was originally there was replaced by a much larger culvert and now extended out on top of the beach. Mr. Hare added the paver walkway and steps to his plans to make it look aesthetically pleasing and useful as well as hiding the extended culvert from view.

Chairman DeVinney explained the reason for Site Plan Reviews and the necessity for all projects, within close proximity to the lake, come under Board Review.

Ms. Kane stated that the original footprint was used for delineation of the boundaries of the project; however the side setbacks of the pre-existing retaining wall did encroach on the 15 ft. side setback under current zoning and requested of the board if the wall itself would require any further plans. After a brief discussion the Board stated that engineered plans were not necessary. She stated that the application would not need variance determination by the ZBA.

Mr. Hare stated that his closest neighbor to the South, John Mulligan as well as Highway Supervisor Reifsteck had been consulted. John Mulligan had no objections and Mr. Reifsteck's only concern was that the shoreline temporary dock was currently placed directly in front of the culvert outlet at shoreline and requested it moved to another location.

The Board completed a SEQR assessment of the project and voted to determine that the proposed action will not result in any significant adverse environmental impacts, providing reasons to support this determination. Board Member Gilbert made a motion to accept the negative declaration as presented and Board Member Lersch seconded the motion. The motion carried with all Board Members present voting in favor.

Chairman DeVinney stated that if the property sold in the future, the side setbacks would be enforced and entertained a motion to approve the Site Plan with the condition that the temporary dock was relocated from in front of the new culvert. There was no further discussion needed and Board Member Lersch made the motion with the condition as presented. Board Member St. Lawrence seconded the motion. All Board Members present voted in favor, carrying the motion.

2. Application # 080412/ Mr. Bradley Quayle owner of property at the corner of Rte. #364 and Pierce Hill Rd. in the AG District. Mr. Quayle was requesting Site Plan Approval for a Minor Subdivision of 42 acres which included a bar n. Lot #1 would become 1.355 acres and lot #2 would become 41.090 acres after subdividing.

Code Enforcement Officer Kane stated that this application met all current zoning requirements as submitted.

Chairman DeVinney entertained a motion to begin the SEQR Determination explaining the process to those present. The Board completed a SEQR assessment of the project and voted to determine that the proposed action would not result in any significant adverse environmental impacts, providing clear reasons to support this determination. Board Member Gilbert made a

motion to accept the negative declaration as presented and Board Member Mincer seconded the motion. The motion carried with all Board Members present voting in favor. After a short discussion, Board Member Lersch motioned to approve the subdivision as submitted by Action Resolution and Board Member St. Lawrence seconded the motion. All Board Members present voted in favor. Motion carried.

After a short discussion, a motion to adjourn was entertained by Board Member Lersch because other applications on the agenda did not have applicants/agents to present. The motion was made by Board Member St. Lawrence and seconded by Board Member Gilbert. All Board Members present voted in favor. The motion to adjourn carried.

Meeting adjournment: 7:38pm.

Minutes submitted by L. Lersch/revisions to LSammy5@frontiernet.net
Minutes approved on October 17, 2012