

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes – May 1, 2013 7pm

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

Others present: Ms. Dawn Kane, CEO; Ms. Susan Allison, Mr. William Allison, Mr. William Grove

Agenda: Application #110812-SPR/Mr. William Allison of 702 East Lake Rd., requesting site plan approval; Application #03113-SPR/Mr. Rick Agnello of 940 South Lake Rd., (LR), represented by agent, Mr. Don Miller requesting Site Plan Approval to construct an addition to an existing dwelling; Application #04713-SPR/Mr. Donald Tesch of 624 East Lake Rd., (LR) represented by Mr. Ted Carman requests Site Plan Approval to construct a set of stairs at shoreline.

The Planning Board Meeting came to order at 7pm.

Chairman DeVinney opened the meeting, stating that Application #03113-SPR/Mr. Rick Agnello and Application #04713-SPR/Mr. Donald Tesch would be rescheduled at a later date since applicants were not in attendance tonight.

CEO Ms. Dawn Kane updated the Planning Board Members on the current status of the application for Mr. William Allison at 702 East lake Rd., introducing Mr. William Grove, P.E. for the project.

Mr. Grove summarized progress on the application stating the house footprint of 22 x 30 feet has remained the same as previously reviewed. The deck on the western part which previously had an undetermined measurement was clarified to be 6 x 30 feet. A bump-out of 6 ft. on the architectural drawings by Ms. Robin Hargrave had been removed. Also removed was a percolation pit previously mentioned by contractor Mr. Zimmerman, currently replaced by rip rap (crushed 6-12" limestone) within a collection system around the house's footer drain which had been noted on the Site Map revisions. He noted that no gutters or downspouts would be utilized.

Board Member St. Lawrence requested the type and quantity of stone to be noted in cubic yards on the Site Map as well as a detail showing on the site map how drainage (type and quantity of stone such as pea gravel) from roofline would be handled in a 24" swath around the perimeter of the house.

Board Member Lersch inquired of where the spoils from the property would be taken since it was such a narrow lot and space was crucial to making the proposed project fit on the land. It was stated by Mr. Grove that the contractor would be removing all spoils to Clyde NY and additional soil (not taken from onsite) would be brought onsite specifically to be used for the septic.

Ms. Kane requested that stockpiling of any kind would not be allowed on this site while project was being installed due to the area's history of spring rains sometimes reaching 100 yr. storm capability. She also required a construction sequence plan to be submitted prior to permitting, stating a preliminary stake-out of excavation was imperative due to the narrow site, specifically to where footers were to be placed and where the onsite setback boundaries were.

The Planning Board moved to a vote of approval of all resolved conditions stating any requests from the Board and/or the Office of Code Enforcement were to be met prior to permitting and any building commencement.

Board Member Mincer made a motion to accept as discussed and Board Member Gilbert seconded the motion which passed with all Board Members present voting in favor.

Next on the agenda CEO - Ms. Dawn Kane offered to the Planning Board, on advisemen,t a project submitted to the Code Office by Mr. Bruce St. Lawrence of 876 South Lake Road. She distributed the project plans requesting the Board to decide whether the project met criteria for Site Plan Review. After a short discussion, the Board waived the project from Site Plan Review.

Chairman DeVinney updated the Board on progress with the Steep Slope Revisions. Possible revision of the draft law by an outside resource with legal environmental expertise and to include all comments and concerns derived from the January 24th work session with the Town Board, residents from the community and representatives from the Canandaigua Watershed Council. Planning Board Members would like to schedule a meeting to discuss possible revisions and steps to moving forward.

CEO Dawn Kane updated the Board that she had received two FOIA from Mr. Komarek's law firm, Fix Spindleman & Broitz for release of a review all zoning/planning files for the following parcels: The Highlands Group of Canandaigua LLC, Mr. Roger Byrd, Mr. Isaac Von Rhedy, and Mr. Vincent Pigula all on East Lake Road.

A permanent dock, constructed by Mr. Fields for Mr. Alesi was installed without any issues. Reconfigurations were received on the site map as requested by the Board. Mr. Alesi decided to remove the boat slip and then added the square footage to the deck. She just needed Chairman DeVinney to sign off on the revisions.

Ms. Kane updated the Board on the Elli/O'Brien project on 1091 S. Lake Road. Legal advisement from Town Attorney Espenscheid precluded that since the present zoning ordinance did not specifically require an area variance for a retaining wall within setbacks, requiring it was not necessary. She stated that an onsite review by the Town Engineer would answer most concerns on possible erosion to the neighboring parcel and the impact to the town road in the event of a storm, without further site work. Board Member St. Lawrence stated he would accompany Lu Engineer and CEO to the onsite review.

Ms. Kane provided Board Members a site update on the Fonzi project on Widmer Road. Mr. Fonzi had hired his 3rd Engineering firm after multiple problems getting the site stabilized prior to installing the footers for the foundation of the Single Family Residence into the 83% slope hillside. The original plan using sheet piling to act as a support for the back wall to the concrete foundation, though deemed possible on the engineering plans, however was not successful in practice. Soil Borings scheduled to be done, were not completed according to plan. A new design by a new Engineering Firm is suggesting a pre-constructed footer design to be installed. There were no changes to the approved footprint of the house and all changes onsite have been carefully reviewed by the Code Office. The retaining wall however went in rather smoothly due to the dry spring weather we have experienced. The wall is embedded 40 ft. into the ground for a distance of 20 feet behind the foundation of the house and is currently being backfilled.

Mid-month Agenda: Master Plan Update Outline will be drafted by Board Member Lersch for Board review and discussion of next steps. Applications for June 5th Planning Board Meeting were distributed.

A motion to adjourn was made by Board Member Mincer and seconded by Board Member Gilbert. The motion carried with all Board Members present voting in favor.

Meeting adjourned at 8:33pm

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

Minutes approved on June 19, 2013.