

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes – June 5, 2013 7pm

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

Others present: Ms. Dawn Kane, CEO; Mr. William Johnston, Mr. Douglas Miller, P.E., Mr. Dean Ellison

Agenda: Application #052013-SPR/Mr. William Johnston of 44 East Lake Rd. (LR) represented by engineer & agent Mr. Douglas Miller, P.E., requesting Site Plan approval to install a personal tram from cliffside to shoreline; 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 #052213-SPR/Mr. George Domm of 314 Newell Rd. (LDR) represented by Mr. Rocco Venezia, requesting Site Plan Approval to construct a Single Family Residence and septic on property.

The Planning Board Meeting came to order at 7pm.

Approval of Minutes: May 15th

Board Member Mincer made a motion to accept draft minutes from May 15th and Board Member Gilbert seconded the motion. The motion carried with all Board Members present voting in favor.

Chairman DeVinney opened the meeting, with Application #052213-SPR for Mr. George Domm first to be reviewed and noted that Application #03113-SPR/Mr. Agnello, represented by Mr. Don Miller would be rescheduled at a later date, as both agent/owner were not in attendance.

CEO summarized the application for the Board Members and introduced representing Mr. Rocco Venezia, representing agent for owner Mr. George Domm. Mr. Venezia stated the owner was requesting approval to install an OWL manufactured 3 bedroom single family residence on a concrete slab. The foundation would be a solid pour on footers below frost level. Drainage for the site would be piped out to daylight into a gully that handles run-off on the property. Site also includes an approved gravity fed septic and a driveway with a good line of sight site at or under 10% of slope.

After a short review and discussion the Planning Board Members moved to approve the application with the following conditions:

1. Add slope of driveway to map revisions
2. Notation stating existing well on site map is currently abandoned
3. Notations that septic design is currently in approval stage by the Canandaigua Watershed Inspector, Mr. G. Barden.

Board Member offered the motion to conditionally approve the application with a second offered by Board Member Gilbert. The motion carried with all Board Members present voting in favor.

A SEQR was reviewed and determined by the Board Members to be a Type II action which needed no further action.

2. Application #052013-SPR/Mr. William Johnston of 44 East Lake Rd., requesting Site Plan approval to install a personal tram from cliffside to shoreline. Agent Mr. Douglas Miller, P.E. presenting.

Ms. Kane summarized the application to Board Members and introduced agent/Engineer Mr. D. Miller to present the installation details and site plan.

Mr. Miller stated that the personal tram is a model made by Marine Innovations who have a few trams in the area and do a nice job. The length of the tram is 110 ft. with a vertical rise of 125 ft. There will be a 15 ft. landing at the top and at the bottom which will comply with setbacks and the High Mean Water Mark. The pilings for the tram will be anchored into the bedrock at 20 or 25 ft. apart for the full width of the stations on both sides of the track. The tram will adhere to ASME requirements as required by our law. An evacuation plan has been provided for your review. All spoils will be taken offsite, although we don't think there will be much as there is not much topsoil existing on cliff. No trees will be removed. The cliff will be notched creating a rock shelf as needed, using a hand held chipping hammer. All equipment will be battery operated. Utilities will provide power to the tram with a 50 AMP, 240 Bolt line piped through conduit to a box at cliffside where it will eventually be permanently attached. This will not however serve to provide power to the shoreline.

After review, the Board Members requested the following information from Engineer Mr. Douglas Miller on his personal letterhead and/or from the tram manufacturer, Marine Innovations:

1. Notation on plans that only hand-held equipment will be used on Cliffside.
2. Notation on plans of silt fence entire length of shoreline.
3. Construction Execution Plan noting how materials and manpower used during tram installation will be brought to site from East Lake Road or by access from the lake. The Board is particularly interested in how the installation procedures will be impacting the parcel, cliffside and shoreline.
4. Emergency evacuation plan noting tram location on site, address and contact information to be submitted to Fire Chief Jason Basset of the Middlesex Hose Co. Inc., Middlesex NY.
5. Plan close-up detail of top and bottom landings showing dimensions, material, how adhered to ground and to tram showing setbacks and High Mean Water Mark.

Ms. Kane suggested the above documentation to be sent to her office in pdf format and she would forward it to the Board Members. It was suggested that if all documentation has been received the Board would accommodate another review at their mid-month Work Session.

A SEQR will be reviewed once the conditions placed on the application have been resolved for final determination.

Code Enforcement Officer Report:

Ms. Kane brought a project by owner Mr. Dean Ellison that was installed on his vacant land without Planning Board review, requesting advisement from the Board, whether they felt Site Plan Review was necessary. She summarized the project as having been installed piece meal through the Code Office, each receiving permits as they were needed. Mr. Ellison owned vacant land on Old Vineyard Road, a pre-existing private road. His septic was engineered by Mr. Grove, approved by G. Barden and installed. Utilities were added after the Fire Dept. gave Mr. Ellison an address. A shed was placed on property with a permit in the Spring. Next Mr. Ellison placed a park model camper, permitted by current code with a 14 day renewable permit. The camper sits on concrete blocks without a foundation and will be lived in for 5 months seasonally. Recently Mr. Ellison added a 550 gallon above ground bladder tank to hold drinking water for the camper. The site meets all current code requirements, setbacks etc; however I am requesting advisement on whether such an installation on a vacant lot should fall under Site Plan Review.

Ms. Kane stated she had contacted the NYSDOH inquiring on the possible harm of sunlight and heat to water potability in the above ground bladder tank. Another concern was the possible need for a screen buffer for the 550 gallon water tank.

Mr. Ellison offered the following code references to justify his installation decisions:

1. Schedule 1 Camping Units refer to #501.3a
2. Site Plan Requirements: #700.3.4.1 exemptions: not listed
3. Water restrictions by the NYSDOH are requirements for new construction only. Hauling of personal water is allowed by NYSDOH.

The Board advised the Code Office that Mr. Ellison's installation, though done incrementally, was within code and therefore did not need Site Plan Review at this time. Mr. Ellison was advised to screen the bladder tank.

Mr. Ellison stated he would install a buffer lattice screen with bushes, so that the tank was not seen from the road. Mr. Ellison inquired of the process for installing a deck to the camper at some future time, and Ms. Kane told him to submit a Site Plan for the deck construction and bring it to the Code Office for review prior to permitting.

Other Business:

A Term of Office extension was recommended for Board Member John Gilbert from 2013 to 2018. Ms. Lersch will give the Board recommendation to Town Clerk, Kathy Pelton for placement on the Town Board's Agenda this month. Board Member Mincer offered a motion to approve of this recommendation, and Board Member St. Lawrence provided a second. The motion carried with all Board Members present voting in favor.

Chairman's Report:

The Town Board in conjunction with the Planning Board continues to make progress towards acquiring outside professional assistance in drafting revisions to the current Steep Slope Draft Law to include resident comments and concerns and those from the Canandaigua Watershed Council, and the Yates County Planning Board.

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

Meeting adjourned promptly at 9:29pm.

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

Minutes were approved on August 7, 2013

