

TOWN OF MIDDLESEX
PLANNING BOARD
Work Session

Draft Minutes – June 19, 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 C. Johnston

Agenda: Application #052013-SPR/Mr. William Johnston of 44 East Lake Rd., requesting Site Plan approval to install a personal tram from cliffside to shoreline; Work Session agenda – Master Plan Draft Outline – Zoning Law Amendments; Steep Slope Draft Law Revisions

Meeting came to order at 7pm.

Chairman DeVinney updated the Board stating that Mr. Johnston's application was being reviewed at our Board's Work Session, in order to expedite the applications' determination. Conditions were placed on the application at our last meeting which included the following:

- Notation on plans that no excavation equipment will be used in the installation of this personal tram. All pilings will be hand-dug and any equipment used shall be hand-carried down cliffside.
- Notation on plans of detail on construction of top and bottom landings stating dimensions, how affixed to ground, and distance from High Mean Water Mark.
- As built plan required at project completion. Photographs during installation are recommended.
- Emergency Evacuation Plan to be submitted to Jason Bassett, Middlesex Hose Fire Chief with appropriate address and location on parcel for reference in the event of an emergency as required in Local Law #5 of 2008 for the installation of trams.
- Construction Execution plan narrative on Mr. Douglas Miller's Letterhead. An email from Marine Innovations clarifying the process from an erosion/environmental reference of how installation equipment will be brought onsite from cliffside to shoreline.
- Erosion Control Plan showing silt fence at shoreline as required.

Board reviewed documentation from Marine Innovations stating installation process of tram. Also reviewed were submitted pictures of the manufacturers typical tram landings that will be installed on the Johnston property as part of Phase II of the development.

Chairman DeVinney inquired of the status of the outstanding conditions. Owner Mr. Johnston responded with what information he had received from agent Mr. Miller and from Tram Manufacturer, Marine Innovations.

After a short discussion, it was agreed that more information was needed from an erosion control/environmental standing rather than from a mechanical basis as was submitted. The criteria from a Planning Board perspective did not include how the tram would be put together, rather how the tram would be impacting the cliff and land during the installation process. For example, if cement was being used, we required knowledge of how materials, manpower and tools would be propelled down the cliffside to the shoreline.

Board Member St. Lawrence stated that since the landings would be constructed by another contractor other than Marine Innovations and most likely after the tram was installed, (2) permits would be appropriate, breaking the application into (2) phases. Phase II would involve the detail of the two landings, stating landing material, dimensions used and an explanation of how the landings would be excavated and affixed to the ground.

The Board moved to again review the application at our next scheduled meeting in August, or if the information was received sooner, the Code Office could accept the prescribed conditions to resolve in the permitting process. Any material sent to Ms. Kane would be forwarded to Board Members as it was received. Board Member Mincer moved to approve as presented, and Board Member Gilbert provided a second. The motion carried with all Board Members present voted in favor.

Planning Board Work Session:

Chairman DeVinney updated the Board on progress of the Master Plan and the need to bring the process to the community for their review and comment rather than expedite the process to accommodate current needs for changes to our Zoning Law.

Chairman DeVinney also introduced an opportunity to meet with our Town Lawyer and Environmental Lawyer Wendy Marsh to discuss options available in the process of revising the draft Steep Slope Law. The goal would be to incorporate comments and concerns from residents, the Watershed Council, Yates County Planning Board and our Town Board to bring it to a final draft. Funding was discussed as was the opportunity to have an outside source facilitate a Public Hearing prior to a 3rd review by the Yates County Planning Board.

A 6 month Moratorium on Development of Steep Slopes in the Town of Middlesex was discussed by Board Members. A motion was made by Board Member Gilbert to contact the Town Board in reference to the possibility. Board Member St. Lawrence seconded the motion.

Chairman DeVinney encouraged the Board Members to update their annual training and commented on the NYS Federal Training in July would be an excellent one to register for.

Code Enforcement Officer Kane updated the Board on current outstanding applications.

After a short discussion, Board Member Lersch made a motion to adjourn the meeting and Board Member Gilbert seconded the motion which carried when all Board Members present voted in favor.

Meeting adjourned promptly at 8:35p.m. Draft Minutes were submitted by L. Lersch/revisions to LSammy5@frontiernet.net

Minutes were approved on August 7, 2013