

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes

Wednesday, December 3, 2014, 7 pm

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

Others Present: Ms. Shanna Williams, David Cox from Passero Assoc., Sam Imburgia, William Grove

Agenda: Draft Minutes from November 5th

New Business:

1. App. # 103014-SPR/ Mr. and Mrs. Thomas Clutz, represented by Architect Shanna Williams and Engineer William Grove requests Site Plan Review for construction of an addition to an existing single family residence on property located at 1385 South Lake Road, Tax Map ID # 31.01-1-1 (LR)

2. App. #102314-SPR/Mr. Andrew Komarek (Kairos, LLC), represented by Passero Associates requests Site Plan review for proposed site development of vacant property on East Lake Rd. to build a Single Family Residence, Tax Map ID # 002.03-1-22, (LDR)

Chairman DeVinney brought the meeting to order at 7:05pm.

1. CEO Dawn Kane summarized Application #103014-SPR/ Mr. & Mrs. Clutz for a proposed addition to an existing single family residence at 1385 South Lake Road, stating the application had received (2) area variances from the Zoning Board of Appeals in November. She then introduced Architect Ms. Williams and Engineer Mr. Grove to present the application. Architect Williams submitted preliminary architectural plans for the proposed addition at 1385 South Lake Road for Board review. Engineer Grove presented the Site Plan for the application, stating the major challenge of this project was managing foundation drainage around the dwelling and an existing retaining wall because the existing cottage sat low on the property close to lake level, making it next to impossible to use footer drains to channel it away from the foundation. He has incorporated gravel splash pads along the southeast section of the proposed addition and proposes to continue it along the front side where pea gravel will be added. The retaining wall as shown could be redesigned to convey water more to the south.

A large tree which sits to the corner of the property was requested by the Planning Board to be protected, as it was one of the largest on South Lake Road. Any changes to the retaining wall design to improve drainage would be helpful and could be managed through the Office of Code Enforcement without further Site Plan Review.

A motion to approve the proposed Site Plan with comments as discussed was made by Board Member St. Lawrence and seconded by Board Member Mincer. All Board Members present voted in favor and the motion carried.

A SEQR on the property was reviewed by the Zoning Board of Appeals in November and declared at that time as a Type II action, needing no further review.

2. Application # 102314-SPR for Kairos LLC (Andy Komarek), owner of vacant parcel Tax Map ID # 002.03-1-22 on the upland portion of East Lake Road (County Rd. #39), and represented by Mr. David Cox of Passero Associates, requesting Site Plan Review to construct a Single Family Residence. (LDR)

Ms. Kane stated this application had received (3) reviews from Town Engineers - Lu Engineers and then introduced Passero Associates Engineer, Mr. Cox to present.

Mr. Cox stated the property had received Planning Board approval a year ago, then owned by another individual, but that owners of the parcel had changed, as well as the footprint of the proposed dwelling; therefore requiring new application for site plan review. A redesign of the Site Plan was submitted in order to avoid the need for applying for variances. An existing septic design approval, still appropriate to the new plans, was obtained on Nov. 20, 2012, current until next November. An onsite well had been reviewed by NYSDOH and was recommended to be reviewed by the Town Code Enforcement Office.

Chairman DeVinney advised the best management practice in this area would be to drill the well before installing the septic, because the soils in the proposed area could harbor pockets of brackish water and might need relocation.

Mr. Cox stated that they had also reduced the grade slope in back to a 1:3, and stated as well that Lu Engineers had written they had met all of their comments. Also mentioned was a letter to Attorney Marsh, referencing the Town's inquiry of possible SEQR segmentation of this project to Mr. Komarek's Major Subdivision across the road. This letter provided the project's intent, projected time schedule for completion as requested and references noting "segmentation" was not intended with the proposed project.

Chairman DeVinney advised Mr. Cox of Passero Assoc. to continue to work closely with the site contractor during construction, as the proposed amount of ground disturbance was very close to requirements needing a SPDS Permit.

Board Member Lersch inquired about the grading easement with the neighbor and Mr. Cox stated that Mr. Komarek now owned the property to the south in question and therefore any concerns did not apply.

Board Member St. Lawrence sited three locations that needed additional silt fencing, and inquired what was planned for containment of fill to the north side of the house and driveway. Mr. Cox stated the driveway would be left without disturbance, remaining a gravel/grass pathway. Mr. St. Lawrence advised against tracking construction debris from the site onto the County Road during project installation to which Mr. Cox replied an application of stone would be applied at the entrance which is fairly flat. Mr. Cox also stated that most of site spoils would be used for onsite fill and not hauled offsite.

Ms. Kane requested an onsite pre-construction meeting with the project's contractor, prior to start of construction. Also requested was the presence of the project's engineer onsite during construction and an "as-built" at project completion.

Board Member Lersch stated that because the project was located on a county road, the application would be readied for submittal to the Yates County Planning Board for review on December 18th. The Applicant's agent would receive a letter stating the details of this review and attendance requirements.

Chairman DeVinney stated the Planning Board would then make a final review for determination purposes on January 7th after the County review was received.

Chairman DeVinney closed the Site Plan Review portion of the meeting in order to discuss current Planning Board business.

Draft Minutes for November 5th was reviewed and a motion to approve was offered by Board Member St. Lawrence with a slight revision. Board Member Mincer seconded the motion to include the revision and all present voted in favor. The motion carried.

The Board reviewed the current draft of the Draft Steep Slope Law (9/22) , noting the County recommendation for approval on November 23rd, and voted to recommend by resolution (attached for review), the draft's readiness without revisions for Town Board review to provide readiness for adoption. Chairman of the Planning Board, Mr. Marty DeVinney, offered a motion and Board Member Lersch seconded the motion. The motion carried with all Board Members voting in favor.

Mid-month meeting agenda: It was decided a mid-month work session this month was unnecessary.

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

The Planning Board meeting adjourned at 8:40p

Draft Minutes were approved on January 7, 2015.