

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes – Wednesday, February 12, 2014 - 7pm

Board Members present: John Gilbert, Lynn Lersch, Bruce St. Lawrence; CEO - Ms. Dawn Kane

Public Present: Mr. Tom Hanson, Mr. Mark Laese, Mr. Quintin Schwartz, Mr. Ron Davis, Mr. Tom Mahaney, Mr. Jon Schick

Agenda: App.#100113-SPR/Mr. Robert Bailey represented by agent, Marathon Engineering – Mr. Mark Laese, Builder requests Site Plan Review for application submittals for the construction of additions to a two-story Single Family Residence located at 478 East Lake Road, on County Rte. #39, Tax Map ID # 11.27-1-1, (LR); App.#11414-SPR/Mr. Dan & Mrs. Kiki Mahar, represented by Mr. R. Jon Schick, AIA requests Site Plan Approval for new construction of a three story garage on vacant land east side of 968 South Lake Road, (LR). Tax Map ID # 21.33-1-2

Board Member Lersch opened the Planning Board Meeting at 7:06 pm.

Draft Planning Board Minutes for December 4th were approved. Motion offered by Board Member St. Lawrence was seconded by Board Member Gilbert and the motion carried with all Planning Board Members present voting in favor.

Site Plan Reviews:

1. App. #100113-SPR/Mr. Robert Bailey represented by agent, Marathon Engineering – Mr. Mark Laese, Builder requests Site Plan Review for application submittals for the construction of additions to a two-story Single Family Residence located at 478 East Lake Road, on County Rte. #39, Tax Map ID # 11.27-1-1, (LR).

Ms. Kane, CEO summarized for the Board the most recent submittals of map revisions in response to Lu's review dated Dec. 3, 2013. Entered into the minutes was a letter of response to Lu Engineer's review and also to Yates County Soil & Water Conservation District addressed to Mr. Rick Ayer from Marathon Engineering. Submitted for Board review was a Construction Execution Plan requested by the Planning Board to review sequencing of site work during Phase I and Phase II of the development. Board determination would involve a sign-off on revisions from Lu and tonight we would be reviewing what had been submitted for a clear understanding prior to development of both phases.

Mr. Laese stated Marathon Engineering had met with Lu Engineers and the submitted maps reflected revisions based on that meeting.

Board Members discussed in detail with Mr. Mark Laese, agent for Mr. Robert Bailey, questions that arose from reviewing the Construction Execution Plan. After a short discussion involving these specifics, it was determined that the Board would check with Lu Engineer and get back to Marathon Engineering prior to determination.

Board Member Bruce St. Lawrence requested to see more detail in the Construction Execution Plan to make sure all construction activity, both temporary and permanent, is being planned to minimize and mitigate potential erosion issues on the steep site. Heavy material delivery and staging is a key concern. Rip rap indicated on the maps should state the size and quantity to be used.

Ms. Kane summarized current completed site work: Piers as yet were not in place, although the site had been prepared. The piers will be 12" SoNo tubes which will not disturb a great amount of earth. Trees have been cut in area where the previous deck and Jacuzzi tub had been demolished. A double row of silt fence was currently in place with straw bales staked appropriately as requested on the steep slope.

Boards' inquiries of Mr. Laese, agent to clarify further:

1. Submitted letter from neighbor owning the parcel to the south, agreeing to use of his land for the purpose of installing a drainage pipe in Phase II to control storm water run - off which would flow to that parcel. Mr. Laese stated he would forward this to the Code Office.
2. Need for a temporary siltation pond to settle out discharge from the retaining wall drain tile.
3. Manufacturers' specifications from Keystone were requested by the Board to be submitted to the Code Enforcement Office.
4. More specific detail to be added to the Construction Execution Plan for Phase I and II from Mr. Johnson as discussed and submitted to the Planning Board for the original file. If there would be additional work onsite after pouring concrete, this should be mentioned. How the materials would be brought to the site and where they would be stored for either of the Phases was not mentioned. The Construction Execution Plan (CEP) for Phase II did not mention previously proposed plans for temporary improvements to the existing driveway for safe construction vehicular access and the installation of Jersey Barriers near the switchback of the driveway loop nor the installation of a perforated drainage pipe to be placed at tree line to the south side of this part of the driveway. Also previously discussed but not mentioned was either soil borings or a test pit which had been highlighted in both the 12/3 Lu Review and from the Yates County Soil & Water. Mention of the time frame to start Phase II should be included as well. Mention of appropriate silt fencing to be staked and maintained with straw bales throughout project installation to completion, as well as how disturbed ground would be stabilized using appropriate materials recommended for steep slopes after excavation during non-growing months. The Board was concerned with the site being left open to storm erosion all winter and what plans were in place to resolve surface run-off, driveway drainage controlled during probable spring storm events.
5. Revisions to be submitted to Lu Engineer who would review and provide the Planning Board with a sign-off letter, prior to Board determination.

Board Member Lersch reminded Mr. Laese to keep the county road clean of debris and to avoid parking construction vehicles on the county road during active construction times. If this was necessary for any period of time, these vehicles would need appropriate cone flagging and notification to the Yates County Highway Department.

2. App.#11414-SPR/Mr. Dan & Mrs. Kiki Mahar, represented by Mr. R. Jon Schick, AIA requests Site Plan Approval for new construction of a three story garage on vacant land east side of 968 South Lake Road, (LR). Tax Map ID # 21.33-1-2

Architect Mr. R. Jon Schick, agent for Mr. & Mrs. Mahar, submitted new maps with revisions for the Planning Board to review. One revision changed positioning of retaining walls on the north and west sides which previously violated setback requirements. He stated that site work would commence early summer this year. The Mahars will use new sod to stabilize the disturbed ground to expedite use in the summer. Selected for the project was Builder – Tom Sawyer; Retaining wall will be dry laid by Mr. Bob Fladd; and Landscaping will be Mr. Bill Whitney.

Intended use of the garage was questioned due to the three levels. Mr. Schick stated that the lower level would be used for vehicle storage, while the upper two levels would be for storage and recreational use. No future bathroom or bedroom facilities are being planned. The water service to the building will be for exterior hose bib installation.

Architect Schick stated that the north side swale was revised to drop the grade and pitch it away from the structure for a more natural grade to the south without a major removal of soil. There were two new swales around the structure. These, along with the existing cross drain east of the project, will control run-off from the site. He further stated that there will be only minor impact to the existing drainage ditch along the north side.

Board discussion on review of revised maps showed the following areas needing more detail:

1. Review the existing culvert along the east side of South Lake Road with the Highway Superintendent. Lu Engineers South Lake Road study proposed a 30 in. pipe size for this location. An upgrade of the existing 12” CMP needs authorization from Highway Superintendent.
2. Discharge from the part of the roof and foundation drain tile on the south side of the project is not properly directed towards the inlet of the drain pipe along the east side of south lake road. Crushed stone should be placed at the discharge. Similarly, the new drainage discharge from the north side of the project needs to be relocated back onto the property to eliminate encroachment on the neighbors property to the north, and to allow space for crushed stone at the discharge prior to entering the existing drainage ditch along the north property line.
3. Eliminate the notation for a gravel berm where the road shoulder is on South Lake Road.
4. Retaining Walls that are above 3 feet will need to be stamped by a certified engineer or architect certifying the integrity of the wall.
5. Make certain that South Lake Road is maintained clear of debris daily.
6. Submit a final set of maps (pdf) with all revisions requested by the Board for a final sign-off from Lu Engineer.

Other Business:

Residents Mr. Ron Davis, Mr. Quentin Schwartz and Mr. Thomas Mahaney were in attendance to inquire of the process with the current Second Look Landscaping and Property Maintenance Special Use Permit Application. Ms. Kane, CEO summarized the current history of the application, stated that more information was required by the applicant about the septic and the review of a subdivision plat and final filing with the county. She defined what a “Special Use Permit” would mean for this parcel, and what the Planning Board would be requiring for Site Plan Review prior to making a recommendation to the Zoning Board of Appeals who had the authority to grant it.

Mr. Schwartz, owner of Document Reprocessors wanted the Board to understand that he was still using the buildings at 5611 Water Street and that Mr. Gray would be leasing two rooms in Lot #2 Building. Now that the

Town Highway Dept. had vacated Document Reprocessors and had moved back into the Town Highway Barns renovated from fire damage, Document Reprocessors was prepared to move vehicles and equipment back into the building.

Mr. Schwartz offered information on the existing 3,000 gallon tank that he had maintained while 130 employees were actively working onsite. He spoke of sediment tanks out in back used to take care of debris and waste from when chickens were onsite in prior years.

The Board stated that before Mr. Gray could move forward with his application, we needed to have Mr. Barden ascertain that what was there was adequate and in approved working order as currently there was nothing on file at the NYSDOH or the Canandaigua Watershed.

Mr. Schwartz stated he was relaying all this information to owner Mr. Lindquist who was concerned about losing his “commercial” status, if this application forced the zoning status to change. Mr. Schwartz was advised by the Board that this application would only allow this use to occur on this property. The use would be retained with the land, once allowed but would not change the Zoning District itself. This parcel’s use was grandfathered in as “commercial” by Document Preprocessors prior to current zoning within the Hamlet Residential District of the town. It will remain zoned as Hamlet Residential.

Next Meeting agenda will be for Site Plan Reviews on March 5, 2014

Motion to adjourn was offered by Board Member Gilbert and seconded by Board Member Lersch. The motion carried with all Board Members present voting in favor. Meeting adjourned at 9:15p

Draft Minutes submitted by L. Lersch/Revisions to: lsammy5@frontiernet.net

Minutes approved on: March 5, 2014