

**TOWN OF MIDDLESEX**  
**PLANNING BOARD**

Minutes

Wednesday, October 1, 2014, 7 pm

Board Members present: Marty DeVinney, Chair; John Gilbert, Lynn Lersch, Bob Mincer, Bruce St. Lawrence; Dawn Kane, CEO, Town Councilmen Peter Gerbic and Alan Button

Others Present: Stan Olevnik, Gordon Stringer, TJ Didion, Paul Dreher, Rocco Venezia

Agenda: Draft Minutes from 8/20, 9/03 and 9/17

Old Business:

1. Application #081214-SPR/Mr. Paul Drehr, representing agent is Mr. R. Venezia, surveyor requests Site Plan Review for a proposed structure and request of a deeded ROW in order to enter parcel at 614 East Lake Rd., Tax ID #11.42-1-3.1, a subdivided Lot #2 (0.488 acres) by way of a proposed driveway. (LR)
2. Review of reformatted Steep Slope Draft Law (9/22 rev.)

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

Code Enforcement Officer, Ms. Kane brought an application #081214-SPR to the Board for additional advisement since last reviewed by the Board on September 3<sup>rd</sup>. Mr. Rocco Venezia, as surveyor and agent requested time with the Board to review Town Attorney's response to Ms. Kane's request for legal review of the application. Application #081214-SPR/Mr. Paul Dreher is seeking to purchase a subdivided parcel at 614 East Lake Rd. contingent on Site Plan Approval to gain access to the lot via Genundewah Drive, a private road by purchasing a piece of the parcel currently owned by neighbor, Mr. Nathan Sirvent.

After a short discussion, it was determined that further clarification was needed because of questions raised by the Planning Board during the review process. Clarification of whether the parcel of land originally requested for a deeded right of way, in lieu of purchase of the parcel by Mr. Drehr from owner Mr. Nathan Sirvent would in itself create further violations on the parcel they are proposing to purchase for the intent to build a garage and eventually a house. Ms. Kane will contact the Town Attorney for further clarification also as to whether the private drive; Genundewah Drive is deeded to the center of the road or to the side of the road.

Chairman DeVinney stated that the Planning Board would next start review of revisions from our Town Attorney of the reformatted Draft Steep Slope Law.

Board Member St. Lawrence stated that revisions were both substantive and cosmetic. He went through those revisions that were relevant:

1. Sect. #707.4.2 was rewritten in the positive for clarification
2. Sect. #707.6.1 to include requirements for preliminary site plan review to be separate from those requirements requested for final site plan review to keep engineering costs down on the initial application in case a project does not get preliminary site plan approval.

3. Sect. #707.6.1.2 to combine two similar bulleted items to not be repetitive.
4. Substantive part of the law is now at 10 pages without the required pages for the law to be filed with NYS Dept. of State. He stated that it is the substance not the length of any law that is relevant.

After a short discussion Chairman DeVinney entertained a motion to recommend by resolution to send the draft document to the Town Board for review on October 9<sup>th</sup>, prior to it going to the county for review.

Board Member St. Lawrence offered a motion to approve a resolution to do so and Board Member Mincer provided a second. The following roll call vote was recorded and the motion carried:

<i>Martin DeVinney, Chair</i>	<i>aye</i>
<i>John Gilbert</i>	<i>aye</i>
<i>Lynn Lersch</i>	<i>aye</i>
<i>Robert Mincer</i>	<i>aye</i>
<i>Bruce St. Lawrence</i>	<i>aye</i>

The Town Board, as Lead Agency, shall review the SEQRA process on October 9<sup>th</sup> completing a Full Environmental Assessment Form for the Draft Local Law Amendment at that time.

The Planning Board reviewed draft minutes for August 20, September 3, and September 17<sup>th</sup> and the following vote was cast by the Board Members present:

- Aug. 20<sup>th</sup> was motioned for approval as drafted by Board Member Mincer with Board Member Gilbert providing a second. All Board Members present voted in favor. Motion carried.
- Sept. 3 was motioned for approval as drafted by Board Member Gilbert and seconded by Board Member Mincer. All Board Members present voted in favor and the motion carried.
- Sept. 17 was motioned for approval by Board Member Mincer with Board Member St. Lawrence providing a second. All Board Members present except for one voted in favor. Board Member Gilbert abstained due to his not being in attendance for the meeting. Motion carried.

A motion to adjourn was offered by Board Member Gilbert and a second to the motion offered by Board Member St. Lawrence. All Board Members present voted in favor. Motion carried.

Meeting adjourned at 8:30pm

Draft Minutes submitted by L. Lersch. Minutes approved on November 5, 2014