

TOWN OF MIDDLESEX
PLANNING BOARD WORK SESSION
Minutes

Wednesday, September 16, 2015, 7 pm

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

Others Present: Robert Brenner, Esq., David Moon – Marathon Engineering; Mark Bodensteiner – Smith Associates Architect; Nancy Robinson, Tim Lafler – Lafler Construction

Agenda: Old Business/Site Plan Reviews

1. Application #060915- SPR/SSR: Tim Lafler, representing agent for Ms. Nancy Robinson of 1431 South Lake Road, requesting Site Plan Review for the stabilization of a gully, Tax ID #31.01-1-7 (LR)
2. Application #072915-SPR/David Moon, representing agent for Mr. Thomas Masaschi of 640 Fisher Rd. requests Site Plan Review for the construction of an addition to an existing residence and improvements to a garage and driveway in Steep Slopes, Tax Map ID # 11.50-1-2.1, (LR)

Chairman DeVinney brought the meeting to order at 7:01pm

Draft Minutes were reviewed and approved with a minor revision. Board Member Mincer made the motion and Board Member St. Lawrence offered a second. The motion carried with all Board Members present voting in favor.

Old Business:

1. Application #060915- SPR/SSR: Tim Lafler, representing Ms. Nancy Robinson

Ms. Kane summarized the application for the Board Members stating that Mr. Tim Lafler of Lafler Construction, representing agent to owner Ms. Nancy Robinson, had recently submitted a letter and new design plans prepared by Mr. Ray Teeter, P.E. dated 9/14/15 to the Code Office and would like to discuss the new wall design with the Board.

Mr. Lafler stated that on advisement from Mr. Teeter, a Geo-technical engineer, he was submitting a new wall design plan proposing two opposing walls with strut supports between the walls and 30” rip rap in the stream bottom.

After a lengthy review, the Board requested the submission of a stamped Site Plan Map with Mr. Teeter’s new design, along with the other site plan requirements to be in compliance with Town’s Zoning Law, Steep Slope Law and the Stormwater Management and Erosion Control Law. This site map should also include a material staging and construction execution plan which would sequence action taken on the site.

Mr. Lafler stated he would like the Board to allow him to work from Engineer Grove’s drainage and erosion control plan that was previously approved in July and to then make a separate determination on this new submitted wall design, stamped by Mr. Teeter.

Resident Mrs. Robinson stated her concern with what she considered had become a lengthy process for an “emergency situation” as the next “storm event” may cause flooding that would threaten the foundation of her house.

The Board stated the history of the application as it had been submitted for review: Mr. William Grove, P.E submitted his initial site map last January. The Town's Engineer- Stantec after making a site visit and written review, requested revisions in June. Mr. Grove submitted revisions to his Site Map in July and the Board approved the revisions on June 17th. In August, Mr. Tim Lafler submitted a new wall design detail prepared by TSE Engineer and asked for Board review on Aug. 5th. The Board requested that the new wall detail be placed on a Site Plan and gave Mr. Lafler advisement on what was expected. Mr. Lafler requested that he be allowed to start to prepare the site for the new wall design while a site plan was drafted and the Planning Board granted the work be phased, allowing Mr. Lafler to complete Phase I. Phase I and Phase II were discussed with Mr. Lafler and owner and a copy of that discussion was written in a letter dated August 5th. On September 14th, Mr. Lafler submitted another wall design prepared by Mr. Teeter, P.E. which is being reviewed tonight to accommodate the applicant's concerns.

The Planning Board again requested that prior to any determination being made on the application; a Site Map must be submitted to the Code Enforcement Office showing the specifications of the new design detail prepared by Mr. Teeter, along with all the Site Plan Requirements per Section 700.20 of the local Town Zoning Ordinance. Mr. Lafler was advised that if Mr. Teeter was the "new engineer on record" rather than Mr. William Grove, than Mr. Teeter would be taking responsibility for the entire proposed project to include his presence at the site during the wall installation.

Chairman DeVinney explained to Mr. Lafler, the Planning Board's usual 21 day allowance for scheduling Site Plan Review from the first preliminary application submittal to the Code Office ending with the application receiving agenda review by the Planning Board. Mr. DeVinney stated the Board had consistently placed this application on the agenda, with only a few days' notice, in order to accommodate Mrs. Robinson and offer resolve to her situation; however to date, the Board had seen (3) three different design options for this property. Chairman DeVinney offered an option for resolve by stating the Planning Board would incur the cost of a current review by our Town Engineer of the proposed wall design by Teeter and to provide advisement and confirmation of outstanding concerns.

Two options were offered to Mr. Lafler which included:

- a. Applicant to hire a NYS licensed engineer that would certify all necessary Site Plan Requirements to include Mr. Teeter's new wall design and become the "engineer on record."
- b. Request Mr. Teeter, P.E to include all necessary Site Plan Requirements per our Zoning Ordinance with his new design plan and submit it to the Code Office to be placed on the next scheduled Planning Board agenda to expedite the application to determination.

A letter of confirmation would be sent to Mr. Lafler by the Planning Board to confirm what had been discussed and the Board would await further confirmation from the Code Enforcement Office of when the new Site Plan could be reviewed on the next available agenda.

1. Application #072915-SPR/David Moon, representing agent for Mr. Thomas Masaschi of 640 Fisher Rd.

CEO, Ms. Kane summarized the application, stating Mr. Moon of Marathon Engineering had submitted map revisions on September 15th for Board review.

After review of the submitted map revisions, Board Member St. Lawrence, referred to Stantec's review letter of September 14th, and requested the following advisement: Clear notice be given to the owner that the "drop inlet protection" would be acceptable, only if kept clean and maintained; silt fence may be necessary at the site's two construction access' if the gravel becomes rutted during construction; continued maintenance of keeping Fisher Road and East Lake Road clear of debris until project completion.

New architectural plans were provided by Marathon Engineering to review the various roof height pitches and were determined to be within compliance with Town code.

Mr. Moon stated one of the contractors was Mr. Jeremy Fields and possibly another is still being considered. They are hoping to complete the project before winter sets in. There will not be any shoreline structures to be constructed during this part of the plan as dock work was approved in another application. He inquired if the Board would allow the site to be prepared for start of the project by allowing all demolition to commence without building. Board Members stated that this would be fine with the Planning Board but must be reviewed and organized through the Code Office.

Board Member Lersch stated the application must be referred to the County for review, that it was past deadline for September but that she would inquire if the application could be placed on the September rather than the October agenda for review.

A SEQRA review was determined to be a Type II action needing no further review. Board Member Lersch offered a motion to determine the proposed action would not have any significant environmental impact. Board Member Mincer seconded the motion. The motion carried with all Board Members present voting in favor.

A motion to conditionally approve the application, pending County review, and final review by Stantec was made by Board Member St. Lawrence and seconded by Board Member Mincer. The motion carried with all Board Members present voting in favor.

Next meeting agenda – October 7th

Motion to adjourn was made by Board Member Gilbert and seconded by Board Member Mincer.

Meeting adjourned at 9:15p

Draft Minutes submitted by L. Lersch/revisions to lynn.lersch@gmail.com

Minutes approved on November 4, 2015

