

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

Wednesday, October 7, 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: Nancy Robinson, Tim Murphy, Tim Lafler

Agenda: Old Business:

1. Tim Murphy/Business Plan – 208 Bagley Road
2. Application #060915-SPR/Robinson – 1431 South Lake Road

Other Business: Draft Minutes from September 21<sup>st</sup> Public Hearing are pending review from W. Marsch, Attorney

Chairman DeVinney brought the Planning Board Meeting to order at 7:02pm

1. Tim Murphy Business Plan – Bagley Road

CEO, Ms. Kane summarized the history of Mr. Murphy's project plan. In 2006, the Town rezoned a portion of Bagley Rd. from Hamlet Residential to Highway Business. Mr. Murphy's parcel borders this zoning district. Mr. Bagley is submitting his business plan to the Planning Board for review. Mr. Murphy has requested of the Planning Board a written letter of recommendation to the Town Board for possibly rezoning his 2.8 acre parcel on Bagley Road from Hamlet Residential to Highway Business. This rezoning would allow him to apply for a small home operated machine shop and automotive repair at 208 Bagley Road.

Mr. Murphy presented his business plan stating he may apply for a NYS Vehicle Inspection license possibly in the future. He expected there would not be any employees hired nor did he intend to expand the business in the future. He stated the business would provide a service to the community and would also add to the town's tax base. He had attached letters of approval from owners of neighboring parcels.

After review of the business plan, the Board requested Mr. Murphy to supply a list of any materials of environmental concern that he may use in the business and to include his plan for disposal of these materials. Also to be submitted for Board review, would be a plan for parking vehicles and a traffic flow pattern onto Bagley Rd. The Board stated their first consideration in providing a recommendation for rezoning a parcel of land would be to research the projects' impact on the integral character of the neighborhood as this land use would stay with the property.

2. Application #060915-SPR/Robinson – 1431 South Lake Road

Ms. Kane stated to the Planning Board that Mr. Tim Lafler, representing agent for Ms. Nancy Robinson was requesting of the Planning Board time to discuss the possibility of a waiver from the Town's Site Plan Review process. She stated that the Code Office had not received any new submissions from Mr. Lafler to date.

Mr. Lafler requested clarification on requested allowances and restrictions that the Planning Board had sent to Mr. Lafler. He also submitted for Board review, a letter from Mr. Rick Ayers of Yates County Soil & Water with site visit comments. After a lengthy Board review and discussion, Mr. Lafler requested a waiver from the Site Plan Review process.

Chairman DeVinney concluded from the Board review, that based on the fact that three different plan details had been submitted for this site, and that no additional information had been received by the Board since it's September 17<sup>th</sup>'s request for a complete site plan showing all site plan requirements per current Town Laws, that the Board could not grant any waivers from Site Plan Review. Once a site plan was submitted, the Board could then address determination of the site application request. A September 28<sup>th</sup> review by Town Engineer, Stantec Consulting had been sent to Mr. Lafler in confirmation of the board's request and what they considered was still pending.

Mr. Lafler requested if, while awaiting a set of complete engineering site plans to be drafted and submitted for Board Review, could the Board make allowance for him to add stone rip rap to the gully at the base of the current deteriorating retaining wall to support the wall during future storm events. This proposal had been approved by the Planning Board on Engineer Grove's July 2015 submitted site plan.

Board Member Lersch requested if Mr. Lafler had completed all Phase I work requested in a letter dated August 5<sup>th</sup> providing Mr. Lafler with a phased construction sequence schedule. Phase I would be to prepare the gully for further proposed stabilization work. Mr. Lafler stated he had completed all of Phase I.

Upon request, CEO Kane stated she would supply Mr. Lafler with an electronic copy in pdf of GIS Topography map showing the parcels' slope.

After further discussion, Board Member St. Lawrence made a motion to allow Mr. Lafler to apply appropriate sized rip rap for the slope, as stated in the Grove plan, in the gully at the base of the current deteriorating retaining wall until the time when a complete engineered site plan could be submitted, also stating that no digging would be allowed and that all disturbed areas needed to be stabilized within 5 days by straw mulch. Board Member Lersch seconded the motion. All Board Members present voted in favor. The motion carried.

Next meeting agenda – November 4<sup>th</sup>

Motion to adjourn was made by Board Member St. Lawrence and seconded by Board Member Lersch. All Board Members present voted in favor. Motion carried.

Meeting adjourned at 8:15pm.

Draft Minutes submitted by L. Lersch/revisions to [lynn.lersch@gmail.com](mailto:lynn.lersch@gmail.com)

Minutes approved on November 4, 2015

