

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes

Wednesday June 1, 2016, 7 pm

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

Others Present: Bill Dowell, Coty Brawdy, Duncan Rioch, David Moynihan, Nancy Evans, Rocco & Pat Venezia, Eric Lundquist

Agenda: Site Plan Reviews:

1. App. #040216-SPR/ Mr. Brennan Marks of Marks Engineering, representing agent for Ms. Nancy Robinson of 1431 South Lake Rd. requests site plan review for the stabilization of a gully, Tax ID #31.01-1-7 (LR)
2. Conceptual Site Plan Review/Mr. Dave Moynihan of 6367 Vine Valley Rd., submits a proposed business Plan for 5613 Water Street (HR)
3. Review – advisement request from Code Office for a proposed remodel of an existing dwelling owned by Bill Dowell at 614 East Lake Rd., (LR)
4. Review – advisement request from Code Office for a previously approved retaining wall for new property owner Nate Bidner located at 1217 South Lake Rd., represented by Brawdy Construction (LR)
5. App. #052516-SPR/ Venezia & Assoc., representing agent for property owner Mr. and Mrs. Terry Hafler at 1468 West Avenue for a 3 lot Minor Subdivision, (AG)
6. Review – conceptual advisement from Code Office for a streambank restoration at Indian Village Campgrounds

Draft Minutes – 5/04 pending attorney release.

Chairman DeVinney opened the meeting at 7:05pm to begin scheduled Site Plan Reviews:

1. Ms. Kane summarized the agenda stating App. #040216-SPR for Nancy Robinson would be rescheduled.
2. Ms. Kane introduced Mr. David Moynihan who requested a conceptual review for a proposed business plan to purchase property at 5613 Water Street. Mr. Moynihan presented his plan to Board Members stating the Vine Valley Ventures, LLC dba Astrapouch North America wished to purchase 5613 Water Street, previously housing Document Reprocessors, from The Eric Lundquist Trust with the intended use for a light manufacturing & distribution warehouse and

office space for its packaging business. Astrapouch manufactures, markets, and distributes flexible packaging for wine, spirits and coffee consumables. Growth in the business is requiring that Astrapouch consolidate office and warehousing operations into one location in 2016. Astrapouch is looking for approval for the proposed use. Office space and/or warehouse space may be optional as rental space and the red barn would be restored and made available as rental storage space or as a possible antique shop. Normal Hours of operation are proposed to be Mon.-Fri. 7am – 8pm and some Sat. office hours, closed on Sundays and all Holidays. The business will maintain 1-3 employees onsite during normal operating times. Employee parking and entrance will be on West side of the building off of West Avenue. Shipping and receiving of shipments from FedEx, UPS will be handled daily from the southwest loading dock with truck traffic using West Avenue, with larger truck delivery on a frequency of 3-6 trucks per month. Output material from business activity would be recyclable plastic and cardboard. Physical plant modifications shall require a building permit approval and the construction of a 12 in. wide covered drainage trench to be installed on south side of building to collect rain water flowing off West Avenue.

Ms. Kane noted that neighbors, the Mahaneys, who live directly in front of these buildings have met with Mr. Moynihan and are in support of the business plan. She also stated that this property was reviewed by the Board for a Minor Subdivision with the intent to split the buildings, however the subdivision application had never been filed with the county. At this time, the use of the land is grandfathered in. Also noted was extensive damage due to roof collapse from heavy snow on the lower building and this building required stabilization prior to any new use. The existing 3,000 gallon septic tank and electric were currently shared by both buildings. Ms. Kane stated the Watershed Inspector has advised that possibly 2 septic systems would be needed to upgrade the property. Deed concerns with ROW encroachment still remain to be resolved prior to any Planning Board determination. Current use is grandfathered unless the property is subdivided.

After a short discussion, the Planning Board advised quick expedition of the application as soon outstanding concerns were resolved and a decision on the septic design was approved. It was noted that a review by the Yates County Planning Board was required and would take an additional month to complete their process. The Board assured Mr. Moynihan that his proposed business plan would be a good fit for the town and the utilization of unused building space and proposed upgrades would be beneficial to all.

Duncan Roich, representative for Eric Lundquist, stated that they were actively working with Engineer Bill Grove and the Canandaigua Watershed Inspector on proposed plans for the septic design and location of the absorption field.

3. A proposed remodel to an existing dwelling owned by Bill Dowell of 614 E. Lake Rd. in the Lake Residential Zoning District was brought to the Planning Board on advisement from the Code Office. Mr. Dowell's property had been reviewed by the Board last month for site improvements to hardscapes and landscaping which included engineered site plans for drainage and erosion control. Mr. Dowell proposes to demolish the existing first floor of the structure and rebuild on the same foundation, keeping the same footprint. Mr. Dowell is a licensed contractor and would be doing the projected work. He has submitted a full set of engineered plans and this

project complies with all septic and code requirements. The current driveway entrance is paved and will be used for a temporary construction entrance. There will not be need to stockpile any materials on property. The Planning Board advised the applicant to contact the Code Office, documenting in written format any drainage changes during construction.

The Board completed a SEQR for Application #040116-SPR and determined it a Type II action without significant environmental impact and needing no further review. A Negative Declaration was given and Board Member Mincer made a motion to approve with Board Member Lersch providing a second. Motion so carried with all Board Members present voting in favor.

4. The Code Office brought an application to the Planning Board requesting advisement, for a previously approved replacement retaining wall with additional parking space for a property located at 1217 South Lake Road.

CEO Kane explained to the Board that this approval dated back to February 6, 2013 when the property was owned by Mr. David and Lori Farr-Rusin, now currently owned by Mr. Nate Bidner. Ms. Kane was bringing the application back for Board review with a new contractor, and new site map prepared by Wendy Meagher, P.E. who was still the project's engineer on record. Ms. Kane introduced contractor, Mr. Coty Brawdy of Brawdy Construction as representing agent for owner Mr. Bidner.

Mr. Brawdy stated the retaining wall was in still in need of replacement and the proposed new wall would cut back through the existing wall extending 50 feet from the dwelling to the road on steep slopes. He would be removing 12-15 small saplings to complete the project. The surface next to the new retaining wall would be filled in with clean stone backfill. All spoils from construction would be hauled offsite.

After a review of submitted documents, the Planning Board made the following recommendations to be resolved prior to the Code Office permitting construction to commence:

- Letter to Engineer Wendy Meagher requesting written confirmation to the Code Office, that as the engineer on record she will provide daily onsite inspections during the installation of the steel soldier piles as noted on the site map.

Board Member made a motion to approve with the above condition as noted. Board Member Gilbert provided a second. The motion carried with all Board Members present voting in favor.

5. App. # 052516-SPR/Venezia & Associates representing owner Mr. Terry Hafler for a Minor Subdivision of property located at 1468 West Avenue (AG)

Ms. Kane stated the application was in compliance with all area requirements involving 3 lots to be subdivided from a total acreage of 36.678 acres in the Agricultural Zoning District. After subdivision, Lot 1 would become 17.445 acres, Lot 2 would become 8.117 acres, and Lot 3 would become 11.116 acres.

A review of the submitted SEQR by the Planning Board determined the project to be a Type II action needing no further review. Board Member Lersch entertained a motion to give the SEQR

a Negative Declaration, having no significant environmental significance, and Board Member Mincer provided a second. The motion carried with all Board Members present voting in favor.

6.CEO, Ms. Kane brought a conceptual review on advisement to the Planning Board for a streambank restoration at Indian Village Campgrounds.

Owner Martin DeVinney explained the project which was being reviewed for erosion management and stabilization techniques by the Canandaigua Watershed Association and Council which once completed would greatly benefit Canandaigua Lake. The project involved a repair to the north side of a 3-4 foot section of the streambank and involved a joint application with the US Army Corps of Engineers, NYSDC. More information was pending and would be submitted upon receipt.

Other Business:

A SEQR short form assessment was reviewed by the Planning Board for the Town Board as Lead Agency for the proposed Vine Valley Beach Improvement Project to be submitted with an application for state funding from DASNY.

2016 Training Applications for the NYS Planning Federation Planning and Zoning Summer Schools were distributed to Board Members.

Next PB Meeting will be on July 6th

Without further discussion, a motion to adjourn was offered by Board Member Gilbert and seconded by Board Member Mincer. Motion so carried with all Board Members present voting in favor.

Meeting adjourned at 9:15pm

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

Minutes approved on July 6, 2016

