

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes

Wednesday July 06, 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: Brennan Marks, Nancy Robinson

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 Review for owner Don Burkard of 697 East Lake Road, represented by Marks Engineering for a septic installation and a new home (LDR)

Chairman DeVinney brought the meeting to order at 7p.m.

1. CEO Ms. Kane summarized the first application for Planning Board Members stating since last we reviewed this application in May, Stantec Consultants had submitted a review and Kevin Olvany of the Canandaigua Lake Watershed Association had made comments for board review. Mr. Brennan Marks had submitted a response in June to Stantec's review dated May 17th and was present to answer Board questions, requesting Final Determination. Property owner, Nancy Robinson was in attendance.

Mr. Marks responded to each of Kevin Olvany's and Stantec's comments. Board discussion developed referencing the following points, leading to a conditional determination for approval:

- Note on Site Map that temporary silt fence may be required onsite and will be installed as needed during site disturbance.
- All critical site installation inspections will be required to be performed by the Engineer on Record, Mr. Brennan Marks who will submit reports to the Code Office periodically.
- Engineer Ray Teeter will be involved during the time of onsite installation of his design work (Reference : Stantec's 5/17 review – General Comments, 3a,3 b and 3c)
- An onsite pre-construction meeting will take place between Engineers, Contractor and Code Officer, date to be determined by above parties.
- An "As-built" showing all inspections were completed as required. This plan shall be submitted to the Code Office upon project completion, and signed by the Engineer on Record, Mr. Brennan Marks.

Noted by Board Member St. Lawrence to both owner and engineer Marks was the importance of routine maintenance of all onsite catch basins for optimal drainage response to keep from clogging with seasonal debris throughout the year. Also noted, rip rap size stated as the average for a 100 year storm in the NYS Standards (Blue Book) is actually the minimum recommended locally due to the velocity of water experienced in most recent storm events.

A review of the submitted SEQR and completion by the Planning Board of Part 2 determined the project to be a Type II action needing no further review. Board Member Mincer entertained a motion to deem the SEQR a negative declaration, having no significant environmental significance, and Board Member Gilbert provided a second. The motion carried with all Board Members present voting in favor.

Board Member Gilbert entertained a motion to approve the application as presented. Board Member Mincer provided a second. The motion carried with all Board Members present voting in favor.

2. Conceptual Review for owner Don Burkard of 697 East Lake Road, represented by Marks Engineering for a septic installation and a new home (LDR)

CEO, Ms. Kane summarized the proposed conceptual application stating the owners owned the contiguous property to the south and will be eventually building a new house. They were currently seeking a lot line reconfiguration to annex both lots to be able to install a new septic system which included retaining walls. The Code Office wishes to expedite the application as soon as a pending surveyor's plan is submitted because their present system has failed. The application seems to meet all current area requirements. The Lot Line Reconfiguration meets all area requirements pending a surveyor's stamped plan. The septic retaining wall borders a 50 foot Right of Way that is shared as a functional road as access from East Lake Road with parcels up on the hill behind the Burkard's.

After a short discussion, it was recommended that the following be revised on the submitted site map prior to the pending survey and commencement of site work:

- Move the retaining wall structure so it is clear of the ROW to keep it free from all easements and any possible setback variances that may be required.

Other Business:

The Code Office has required a proposed driveway on East Lake Road, installed without a permit, to submit within 30 days, a full Site Plan Review Application with stamped Site Plan, current survey and all required components in order to determine if the installed driveway is compliant with Town Laws, and a copy of the written agreement stating the contiguous neighbor had knowledge and agreed to the proposed driveway crossing their property.

Following submittal of Resolution and Statement of Findings -FEIS SEQR Process & Preliminary Plat Determination for Subdivision of 4 lots on East Lake Road, Mr. Komarek, owner has filed with the Supreme Court of Yates County. Attorney Wendy Marsh is currently reviewing all files referencing noted alternate steep slope properties referencing a response.

The Board reviewed draft minutes from June 1, 2016 and Board Member Gilbert motioned to approve as submitted. Board Member St. Lawrence provided a second. All Board Members in attendance voted in favor. Motion so carried.

The next Planning Board Meeting is scheduled for August 3rd.

A motion to adjourn was made by Board Member Lersch and seconded by Board Member Mincer. The motion so carried with all Board Members present voting in favor.

Meeting adjourned at 7:45Pm

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

Minutes Approved on August 3, 2016