

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes

Wednesday May 3, 2017 - 7 pm

Board Members present: Chair – Martin DeVinney; Board Members: John Gilbert, Bruce St. Lawrence, Lynn Lersch, Robert Mincer; Dawn Kane – Code Enforcement Officer

Others Present: Josh Rossi, Jan Daum, Cliff Scher of Distributed Sun; Marc Maser of Maser Engineering; Donald Sheive

Agenda:

1. Application #010217-SPR/J. Daum, represented by DSUN/SUN8 PDC LLC for Preliminary Site Plan and Minor Subdivision Review for a proposed Solar PV Installation at 4450 Townline Rd. (AG)

Chair DeVinney opened the meeting at 7:08pm

Draft Minutes from April 5th were approved with a slight revision. Draft Minutes from April 11th were approved as submitted. Board Member Mincer provided the motion which was seconded by Board Member Gilbert. Motion so carried with all Board Members voting in favor.

Chairman DeVinney stated Yates County had submitted their April 27th reviews from the Planning Board and the Soil & Water Conservation District. The County Planning Board had recommended approval for Site Plan and Subdivision Review. The Soil and Water Conservation District had reviewed the submitted application and had made recommendations on April 20th, based on the submitted Site Plan Drawings and SWPPP document. Maser Engineering had provided revisions on 4/21/17 to the SWPPP and to the submitted Erosion and Sediment Control Plan Referencing Sheet C-03 for tonight's review.

Chairman DeVinney reviewed the submitted Minor Subdivision of 2 lots from Tax Parcel # 3.01-1-4 owned by Jeanette L. Daum, and read the Action Resolution for Final Subdivision Plat referencing the Type I SEQRA FEAF that was given a Negative Declaration without significant environmental impact, recommending approval without conditions at a Special Meeting on April 11, 2017.

Without further discussion, the Planning Board moved to approve by resolution, the subdivision as submitted. Board Member Mincer made the motion to approve and Board Member St. Lawrence provided a second. The motion so carried with all Board Members present voting in favor.

It was stated that the ZBA Public Hearing for May 4th had been rescheduled for a later date of Thursday, May 18th at 7pm. The Public Hearing would include an Area Variance and Special Use Permit. The Planning Board would provide the Zoning Board of Appeals a recommendation for the Special Use Permit as specified in the local zoning code.

After careful review of all revised SWPPP and Site Plans, the Planning Board made the following comments:

1. Silt fence revisions to be made on the site plan as recommended by Yates County Soil & Water and New York State.
2. Stockpiling of stump removal to be deposited on the parcel's perimeter boundary lines would not be acceptable. Stumps may be hauled offsite, or ground down below grade and the stump could be chipped above grade. Burning is not allowed. Straw rather than chipping from tree and stump removal is the desired mulch for establishing grass cover as referenced by NYS Standard and Specification for Mulching.
3. Contractor must provide the Code Office with a Construction Execution Plan stating the onsite sequence of events to manage erosion and storm water control, provide a description of the process used for tree removal, regrade of land and the re-seeding plan for all disturbed ground. Also, to include under Section VII of the SWPP: the construction entrance, driveway construction and the installation of the u/g electrical.
4. A pre-construction onsite meeting between the project's contractor and the Code Enforcement Officer is required prior to commencement of project construction.
5. A completed copy of the revised SWPPP with all comments, required signatures and notice of intent must be on file with the application in the Code Enforcement and Planning Offices.
6. Weekly inspection reports from a NYS Erosion Control Inspector must be copied to the Office of Code Enforcement throughout the project's implementation.
7. Clarify the type of equipment used and the plan for installation of an underground electrical trench. Drwg. C-02, Site Plan Note 2 states that the electrical trench will be 2 ft. wide x 2ft. deep. This will create a substantial disturbance.
8. Clarification in SWPPP and to be noted on submitted plan that "impervious" maintenance road is not intended to be "boxed out" and will be installed above grade with a #2 stone. It is designed to let surface run-off pass through and not be a barrier to surface run-off in the area.
9. Clear indication of what the terminology for "bankruptcy remote" means for the protection of the landowner and for the Town of Middlesex as it pertains to the contracted lease term agreement between landowner and Distributed Sun.
10. Section II a) in the SWPP needs to be reworded to delete mention of a future gravel driveway. Only one driveway per the plans will be installed.

Resident Josh Rossi commented on the proposed project, located on contiguous parcel to his and requested tax information on land value. The Board referred him to Pat Grimaldi, the Town's Assessor for appropriate information.

It was noted that the Planning Board would submit a recommendation to the Zoning Board of Appeals Public Hearing for Area Variance and Special Use Permit which would be scheduled sometime mid-May

Without further discussion, Chairman DeVinney entertained a motion to approve the Preliminary Plat Application for Site Plan Review as submitted with revisions as noted. Board Member Lersch offered the motion and Board Member St. Lawrence provided a second. The motion so carried with all Board Members present voting in favor. Final Determination to be scheduled for June 7th.

Board Member Lersch entertained a motion to renew Martin DeVinney's term at the next Town Board Meeting for another 5-year term. Board Member Gilbert provided a second. The motion carried with all members present voting in favor.

Code Enforcement Officer Kane requested advisement from the Planning Board on a project on South Lake Road with structural 7-8 ft. walls that were being constructed out of a unit block wall system. After a brief discussion, it was decided to bring the project to Site Plan Review as the walls would need an engineer's stamp and plans.

Without further discussion, a motion to adjourn the Planning Board meeting was offered by Board Member Gilbert and seconded by Board Member St. Lawrence. The motion so carried with all Board Members present voting in favor.

Meeting adjourned at 9:02 pm

Next meeting on June 7, 2017

Draft Minutes submitted by L. Lersch / Minutes approved on June 7, 2017