

TOWN OF MIDDLESEX
PLANNING BOARD

Minutes

Wednesday June 7, 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: Jan Daum, Chet Feldman of Distributed Sun; Marc Maser of Maser Engineering; Ryan Wallace of QwikSolar; Phil Greene and David Samantulshi of Worden Hill, Inc.; Rocco & Pat Venezia of Venezia & Associates, Richard Lersch

Agenda:

1. Public Hearing/App.# 010217-SPR/J. Daum, represented by DSUN/SUN8 PDC LLC - Community Solar PV Installation at 4450 Town Line Rd.- Minor Subdivision Tax ID # 3.01-1-4 (AG/Res)
2. App # 040217-SPR /Worden Hill Inc. / Donohoe requests Site Plan Review for the installation of a permanent dock and boat hoists.at shoreline property at 370 East Lake Rd., referencing the UDML (LR)
3. App. # 040117-SPR/Lersch/Minor Subdivision and Site Plan Review for the new construction of a single-family residence to be located on property at 867 S. Lake Rd., Tax Map ID #21.02-1-1 (LR)
4. App. # 053117-SPR/QwikSolar/Ostrander requests Site Plan Review for the installation of a residential solar system at 1686 Shay Road, Tax ID # 32.04-1-22, (AG/Res)

Chair DeVinney opened the meeting at 7:05 pm

Draft Minutes from May 3rd were approved with slight revisions. Board Member Mincer provided the motion which was seconded by Board Member St. Lawrence. Motion so carried with all Board Members present voting in favor.

Chair DeVinney opened the Public Hearing at 7:13pm to hear the following application and invited those in attendance to comment if interested. No comments ensued:

1. Public Hearing/App.# 010217-SPR/J. Daum, represented by DSUN/SUN8 PDC LLC – Community Solar PV Installation at 4450 Town Line Rd.

CEO Kane summarized the application to Board Members and those in attendance, stating that a final SWPP had been submitted to the code office by Masur Engineering with revisions requested at the May Planning Board Meeting.

Chair DeVinney stated they would keep the Public Hearing open in case anyone might show up to comment later in the meeting, and the Board could continue with the nights' agenda, coming to determination on this application later.

2. Application #040217-SPR/Sean Donohoe of 370 East Lake Road, represented by Phil Greene of Worden Hill, Inc. requesting Site Plan Review for a reconfiguration of a pre-existing and non-conforming permanent docking system per the UDML. Mr. Greene had appeared in front of the Planning and Zoning Boards in April receiving denial from both boards based on UDML requirements. Mr. Greene had returned with a new reconfiguration of design components for review. This new reconfiguration provided the applicant with 1421 sq. feet of docking whereas 1440 were allowed for the applicant's linear feet of shoreline of 195.22. The existing dock would be redesigned to become narrower walkway and the additional boat slip and dock would total below the allowed square footage per the UDML.

A variance for the pre-existing dock length of 75 ft. would be requested at a Public Hearing of the Zoning Board of Appeals on June 15th and a recommendation from the Planning Board would be considered.

Without further discussion, Board Member Mincer offered a motion to approve the application stating he felt it satisfied the intent of the UDML and Board Member St. Lawrence seconded the motion. The motion carried with all Board Members present voting in favor.

3. Application # 053117-SPR/QwikSolar/Ostrander requests Site Plan Review for the installation of a residential mounted ground-solar system at 1686 Shay Road, Tax ID # 32.04-1-22, (AG/Res)

CEO Kane summarized the application, stating the agent, Ryan Wallace from QwikSolar was in the audience to answer any questions.

Mr. Wallace stated the proposed 8.4 KW array would serve the residence and would be located behind the rear plane of the house, being naturally buffered from view from the road. The array would be 9 ft. in depth and 8.5 feet tall, and 50 ft. long.

Board Member Gilbert inquired if there were any excess electricity generated, and Mr. Wallace answered that yes, any excess generated would serve the residence first and then be reconciled by credit back on the monthly billing.

Board Member St. Lawrence called for rear setback verification.

Without further discussion, Board Member Mincer gave a conditional approval to approve the application pending setback verification measurement of the rear boundary

line. Board Member Gilbert provided a second. The motion carried with all Board Members present voting in favor.

4. Application #040117-SPR/Richard and Lynn Lersch of 867 So. Lake Rd., represented by Rocco Venezia of Venezia & Associates requesting Preliminary Review for new construction of a Single-Family Residence with detached garage, driveway and septic on property at 867 So. Lake Rd, (LR).

Mr. Venezia presented a conceptual plan to the board, pending a septic perk on property. Once this was established, he would provide the Board with a stamped subdivision of property. This was a Preliminary Review solely for the applicants' ability to purchase a modular home.

Ms. Kane stated the location of the residence met all setback and area requirements for Lake Residential with adequate road frontage on South Lake Road. Preliminary approval would be contingent on the septic being able to perk.

Without further discussion, Board Member Mincer made a motion to give Preliminary approval pending septic design approval. Board Member St. Lawrence provided a second. All Board Members present voted in favor. Board Member Lersch recused herself from voting.

Chairman DeVinney asked if anyone in attendance wished to comment on the proposed Community Solar Application for Distributed Sun/Sun 8 PDC LLC on property owned by Jan Daum of 4450 Town Line Road. There were no comments. Ms. Kane stated that a Public Hearing for the project was set for June 15th at 9am at Town Hall to respond to a required Pilot Program.

Chairman DeVinney motioned to close the Public Hearing at 8:05pm. and entertained a motion to approve the proposed Community Solar Array application. Board Member St. Lawrence made the motion which was seconded by Board Member Mincer. Motion so carried with all Board Members present voting in favor.

CEO Kane stated she had a project application she would like advisement from the Planning Board on which had received approval previously by the Planning Board. The completed work to improve a stream bank which had eroded would need additional work due to ongoing storm water erosion events since the initial work was completed. The owner, John Mulligan of 1129 S. Lake Rd., Tax Map ID # 21.48-1-10, would hire the same firm, Marathon Engineering, to complete the work, and the Engineer on Record was Mr. Bringley. Ms. Kane assured the Board she had been onsite and had no concerns with what was proposed. Board comments were favorable and they provided their approval to provide an extension to the old walls to improve stormwater runoff. A motion to approve the project was offered by Board Member St. Lawrence and seconded by Board Member Lersch. The motion carried with all Board Members present voting in favor.

Chairman DeVinney invited the Board to enter discussion on researching the need for a Moratorium to research current municipalities that had Local Laws to regulate Solar Energy projects within the Town of Middlesex due to the current interest in renewable energies. After a brief discussion, it was proposed the Board would work with the Town Attorney on drafting a Solar Law from what currently was in place by other municipalities, rather than putting a Moratorium in place to suspend proposed solar applications for a designated period.

Without further discussion, Chair DeVinney entertained a motion to adjourn. Board Member Mincer offered the motion with Board Member Gilbert providing a second. The motion so carried with all Board Members present voting in favor. The meeting adjourned at 8:25p

Next meeting July 5th.

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

Minutes approved on July 5, 2017