

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

Minutes

Wednesday July 5, 2017 - 7 pm

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

Others Present: Jan Daum, Chet Feldman of Distributed Sun; Case Smeenk, Phil Greene of Worden Hill Marine., Randy Cooley of FL Hardscapes, Inc.

Agenda: Site Plan Reviews:

1. App # 061617-SPR /Worden Hill Marine/Dan & Joann O'Brien request Site Plan Review for shoreline improvements at 1163 South Lake Road (UDML), Tax ID #21.56-1-10 (LR)
2. App. # 061817-SPR/FL Hardscapes Inc./Bill & Jan Scott request Site Plan Review for the installation of multiple stone retaining walls and patio stone to replace existing structures at 845 So. Lake Rd., Tax ID # 11.83-1-31.1, (LR)
3. App. # 040117-SPR/Lersch/Minor Subdivision and Site Plan Review for new construction of a single-family residence, driveway and septic to be located on property at 867 S. Lake Rd., Tax Map ID #21.02-1-1 (LR)

On advisement:

App.# 010217-SPR/J. Daum, represented by DSUN/SUN8 PDC LLC - Community Solar PV Installation at 4450 Town Line Rd.- Lot Line Reconfiguration, Tax ID # 3.01-1-4 (AG/Res)

Chair DeVinney opened the meeting at 7:00 pm

Draft Minutes from June 7 were approved with a slight revision. Board Member St. Lawrence provided the motion which was seconded by Board Member Mincer. Motion so carried with all Board Members present voting in favor.

1. App # 061617-SPR /Worden Hill Marine/Dan & Joann O'Brien request Site Plan Review for shoreline improvements at 1163 South Lake Road (UDML), Tax ID #21.56-1-10 (LR)

Code Enforcement Officer Kane summarized the application for the Planning Board in attendance stating the property was a pre-existing and non-conforming 50 ft. parcel. The O'Brien's would like to remove the existing dock and set a new dock and boat hoist on 52.2 linear feet of shoreline. Representing agent Phil Greene was here to present the application to the board.

Mr. Greene of Worden Hill Marine stated the maps in front of the Planning Board had been revised to bring a small corner of the dock design back into compliance that would have needed a variance. The existing break wall intersects in this small corner and goes under the existing dock at the HMWL.

Without further discussion, Chairman DeVinney entertained a motion to approve the application as presented. Board Member Mincer made the motion which was seconded by Board Member St. Lawrence. The motion so carried with all board members present voting in favor.

2. App. # 061817-SPR/FL Hardscapes Inc./Bill & Jan Scott request Site Plan Review for the installation of multiple stone retaining walls and hardscape patio design to replace what is existing at 845 So. Lake Rd., Tax ID # 11.83-1-31.1, (LR)

Ms. Kane, CEO provided the Board Members with the following summary of the application. The existing wall system at the property was deteriorating and to replace the maximum height of the varying dimensions of the wall structures, this application required NYS certified engineered stamped plans which were provided by Scott Miller, P.E. Contractor, Randy Cooley of FL Hardscapes will present the application and is available to answer any board questions.

Mr. Cooley stated the existing retaining walls were of 6 x 6 timber and the wood patio as well would be replaced by hardscape stone. The existing walls were of varying heights starting from 1.5 ft. up to 7 ft. tall. The walls were Versa – Lok Mosaic Block reinforced walls and due to the existing slope, part of the wall system would be buried. One of the walls would secure a hot tub which would be moved to the east and current landscaping of 3-4 bushes would remain around the tub for safety purposes.

Board discussion centered around deviation from the engineer's plan to provide an additional grid of blocks and other small site plan revisions.

After some discussion, the Board Members determined that the application was approved with the following conditions prior to permitting:

- Site Map showing all onsite existing and proposed work, indicating height, length and width of proposed walls and possible changes to plan as discussed; all measured distances from existing onsite structures; degree of slope within proposed work site; indication of total sq. ft. of ground disturbance.
- Since only a single wall section detail is being provided, it needs to be revised to show spacing and depth requirements for the geo grid that includes the maximum exposed face height of the new retaining wall that will be built. The detail needs a scale reference. This revision needs approval from the licensed engineer who is stamping the plan. This can occur via a new stamped detail drawing, or a letter / email from this engineer that

clearly defines the construction requirements for this height of wall, and includes his signature. Send this revised information directly to the Code Enforcement Office.

- Addition of stone at perforated pipe where it discharges towards the driveway.
3. App. # 040117-SPR/Lersch/Minor Subdivision and Site Plan Review for new construction of a single-family residence, driveway and septic to be located on property at 867 S. Lake Rd., Tax Map ID #21.02-1-1 (LR)

This application was withdrawn from the agenda and was rescheduled for the August 2 meeting pending map revision submittal and septic design perk testing.

Code Enforcement Officer Ms. Kane stated that Distributed Sun/Division of SUN 8 PDC LLC would like to address the Planning Board to request a proposed Lot Line Reconfiguration in order to locate the installation of additional solar array panels due to soils analysis data. Representing agent, Chet Feldman was in attendance to present his request and answer any questions.

Mr. Feldman stated that they had received geotechnical reporting back in June that indicated the soils analysis throughout the project. The onsite contractor had recently noticed some installation difficulties in the southernmost point of the project on Parcel B was problematic for installation due to silty unstable soils. They would like to obtain a lot line reconfiguration to reduce Parcel B and enlarge Parcel A to be able to install 30 more array panels in the southern portion of Parcel A. They would also apply for a variance as this would create structures within the rear lot setback of Parcel A. They would be relocating the lot line 170 feet total and 22 feet to the east and 54 feet to the west.

Board discussion noted additional changes would require a new application and not a lot line adjustment as requested by the applicant. Process also dictated a possible need for another Public Hearing, possible changes to the submitted SWPPP, Pilot Program, additional site work involving tree cutting, reconfiguration of access road, and area variances to be scheduled through the Zoning Board of Appeals. If the original Minor Subdivision approved in June was filed with the county, a lot line adjustment would not be available for application.

Without further discussion, the Board provided the applicant with the following advisement:

- Call the Yates County Clerk's office to inquire filing of the original Minor Subdivision previously approved in June by the Middlesex Planning Board.
- Scheduling of deadlines for Town and County review after required documentation discussed

Without further discussion, Chair DeVinney entertained a motion to adjourn. Board Member St. Lawrence offered the motion with Board Member Mincer providing a second. The motion so carried with all Board Members present voting in favor.

The meeting adjourned at 8:32 p.m.

Next Planning Board meeting is on August 2<sup>nd</sup>.

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

Minutes approved on August 2, 2017