

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

Minutes

Wednesday August 2, 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: Bill Grove, Peter Gorman, Burnell Rieff, Rocco & Pat Venezia, Jon Bagley, Ryan Mitchell, Alice and Michael Messina, Shawn Ritchie, Brian Mosch, Andy and Debbie Coots

Agenda: Site Plan Reviews:

New Business:

1. App # 071217-SPR /Marathon Engineering for owner Michael Messina, requests Preliminary Site Plan Review for demolition and new tram installation to shoreline at 344 East Lake Rd., Tax ID #001.076-1-1.1 (LR)
2. App. # 071617-SPR/William Grove, P.E., representing owner Andrew Coots request Preliminary Site Plan Review for new construction of a single-family residence on vacant lot, new driveway and septic, at 581 East Lake Road, Tax ID # 11.02-1-1.112 (LDR)
3. App. # 071717-SPR/Jay Ladue LLC, representing Jon Bagley requests Site Plan Review for a 3-Lot Minor Subdivision and Site Plan Review at 1233 Kaltenback Rd., Tax Map ID #22.03-1-10.1 (LDR & AG)
4. App. # 072117-SPR/Qwiksolar LLC, representing Peter Gerbic requests Site Plan Review to install a ground-mounted residential solar system on property at 5945 Wolfanger Rd., Tax ID # 32.03-1-24 (LDR & AG)

Old Business:

5. 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)

Other Business on Advisement:

6. Ben Campbell, represented by Edward Campbell, for construction of a 900-ft. driveway to access a proposed Storage Pole Barn at 3055 Hagerty Rd., Tax ID # 23.03-1-10.
7. Mark Lindner, represented by Burnell Rieff, for construction of deck and steps at 1315 S. Lake Rd., Tax id # 21.79-1-3 (LR)

Chairman DeVinney called the Planning Board meeting to order at 7pm.

Draft Minutes from July 5<sup>th</sup> were reviewed for approval. Mincer made a motion to approve as submitted and St. Lawrence provided a second. Motion carried with all Board Members present voting in favor.

#### New Business:

Code Enforcement Officer Dawn Kane summarized the first application for the Planning Board Members in attendance. The application for Mr. and Mrs. Messina for the demolition of an existing tram system and the installation of a new one to the shoreline at 344 East Lake Road, in the LR Zoning District. Town Engineer, Stantec will be reviewing the application for site erosion control and will be scheduling a site visit to the tram installation site next week to inspect culvert discharge in a waterway to the shoreline. A geo-technical report by Foundation Design, P.C. was submitted as part of the application, showing no significant impact to the overall slope formation.

After a preliminary review, the Planning Board recommended the following items be addressed prior to final determination:

- Sediment Control Log might be undersized & overwhelmed with disturbed material during substantial rain events.
- Compliance with the UDML (Canandaigua Uniform Docks and Mooring Law), requires square footage of all structures beyond the HMWM to be calculated to part of the 1040 square footage allowance. Note that part of the new 65 sf wood walkway should be added to what is existing.
- Protect all trees 6" diameter or over outside of the existing construction area.
- Referenced 4" PVC Pipe at 776.82 contour should be identified prior to start of construction. Its underground location should be staked to avoid damage during support leg installation.
- Referencing 30-year storm culvert at shoreline, tram pipe stations should be carefully adjusted so as not to impact the drainage flow or build-up of storm debris.
- All setbacks are required to be shown on the site map. Compliance with a 60-ft. front setback from the road centerline will need a variance to be applied for.
- Demolished material should be carefully contained to avoid DEC violations because of lake contamination.
- Clear up Tram Installation notation as "1A" to reflect hand-driven pilings, not installation with a "324 mini-excavator" as listed as "1A" of the Tram Installation notes.
- Provide more notation of the demolition process as most site disruption occurs during construction.
- Remove notation #10/Erosion Control Notes if there are no fill areas.
- Revise notation # 2/Geotechnical Report to be spot checked every two days and coordinate schedule with the Code Enforcement Office to coordinate possible inspections.

Ms. Kane, CEO summarized the next application for Preliminary Review of new construction of a single-family residence, driveway and septic at 581 East Lake Road. Owners, Andrew and Debbie Coots are represented by Bill Grove of Grove Engineering. Ms. Kane gave a history of the parcel, which had been purchased and sold by Finger Lakes Land Trust. The parcel had received an area variance as it lacked the five-acre lot area requirement in LDR Zoning District.

Bill Grove, P.E. stated the pre-existing house and shed on the lot had been demolished and the owners proposed building a 3-bedroom, two story single family residence with a detached 3 car garage. The

driveway would slope up at an 18% grade for most of its' access to the garage, with the aerobic raised bed septic system was positioned in front of the house and by the road.

After some discussion and various recommendations for revisions to the site, the Planning Board recommended the following options in their review the following revisions:

- Revise location of structural components on the site plan to get the driveway slope in compliance with Town Law by reducing the driveway grade and improving its line of sight for safety concerns.
- Application for a variance either to the law for required driveway slope or to the lots required front setbacks to the road.

Next on the agenda, was Jon Bagley of Jay Ladue LLC, requesting Site Plan Review for a 3-Lot Minor Subdivision and Site Plan Review at 1233 Kaltenback Rd. in the LDR & AG Zoning Districts.

CEO Kane summarized the application stating it met all frontage and lot size zoning requirements and was currently listed for sale separately as three parcels.

After Board discussion, a motion to approve the subdivision by resolution was made by Board Member St. Lawrence and seconded by Board Member Mincer. Motion so carried with all Board Members present voting in favor.

Fourth on the agenda was application by Qwiksolar LLC representing owner Peter Gerbic to install a ground-mounted residential solar system at 5945 Wolfanger Rd., in the LDR & AG Zoning Districts. CEO Kane summarized the application, stating that the owner of Qwiksolar of Geneva NY, Brian Mosch was in attendance and would present to the Board further details on the application.

Mr. Mosch stated that 60 ground-mounted arrays, 30 ft. long -2 ft. high would be installed and would provide 16.8 KW which would produce 17,000 KW hrs. per year for Mr. Gerbic's residence. Qwiksolar provided the landowner with a 5-year warranty return prior to the landowner being responsible for sole ownership and maintenance on the system. The arrays would not produce glare on #245 and Mr. Gerbic owned the surrounding property.

Without further discussion, the Board moved to approve the application as submitted, with Mincer making such motion and St. Lawrence providing a second. Motion so carried with all Board Members present voting in favor.

#### Old Business:

Application for a Minor 2-lot Subdivision and Final Determination for Site Plan Review by Venezia & Associates, representing agent for owners, Richard and Lynn Lersch for new construction of a single-family residence, driveway and septic to be located on vacant land shown as Parcel #2 of the Subdivision Map, at 867 South Lake Rd., in the LR Zoning District.

CEO Kane summarized the 2-lot subdivision as meeting all area requirements for LR Zoning District, dividing some 49.5 ± acres with an existing homestead and three-story barn into two parcels, keeping approximately 3 acres to build on.

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

Final Review for the Lersch Site Plan Application, was represented by Rocco Venezia of Venezia and Associates stating the conventional septic design by Grove Engineering had been reviewed by George Barden and was pending approvals through the NYSDOH. Mr. Venezia pointed out the revised plan for the driveway and drainage, keeping the % of slope to 15% and under. House and garage footprint would be repositioned within the setback and area of ground disturbance.

After some discussion, the Board moved to give the Site Plan Final Determination approval with the following revisions to be made prior to permitting:

- Yates County Planning Board review.
- Modification of house, and garage footprint as specified by applicant.
- Per applicant request, remove level turn parking pad at roadside, decreasing culvert length. Move parking pad to be located behind 28 x 32 ft. detached garage as part of required turnaround and parking area.
- Increase all onsite driveway culverts from 12-inch to 15-inch to reduce risk of clogging during storm events.
- Show front and rear setback measurements.
- Remove all grading notes pertaining to site specifications not applicable to the Town of Middlesex.
- Calculate ground disturbance for possible SWPPP application.
- Septic design by Grove Engineering pending NYSDOH and Watershed Inspector approval.

Board Member Mincer motioned to give Final Determination approval to the application, with Board Member St. Lawrence providing a second. Marty DeVinney voted in favor, Board Member Lersch recused herself from voting, and Board Member Gilbert was absent. The motion so carried as presented.

Other Business on Advisement from the Code Enforcement Office:

Mark Lindner, represented by Burnell Rieff, for construction of deck and steps at 1315 S. Lake Rd., Tax id # 21.79-1-3 (LR)

CEO Kane summarized to the Board her request for advisement for an application for owner Mark Lindner of 1315 South Lake Road, wanting to construct a substantial stair system and deck. Because the property was in the LR District, she wanted the Board to review the project to verify Code Enforcement Office review during permitting and installation without Site Plan Review and approval by the Planning Board.

After board review, the Board unanimously motioned to approve the project to be reviewed through the Office of Code Enforcement during the permitting process to project completion.

The Ryan's, having recently purchased the brick structure with a two-car garage, located at the corner of Glenn Avenue and County Rd. #10, would like to revert the structure, previously used for storage into a single-family residence. George Barden and Cheryl Robbins of NYSDOH have been working with the owners to recently locate a well onsite, and septic which are pending approval. The pre-existing structure had withstood a fire back in the 90's and after had been converted to storage. CEO Kane inquired of the Planning Board for their recommendation in allowing this structure, after pending approvals by the NYS Department of Health, to revert to a single-family residence if the footprint of the structure did not change. After some discussion, the Planning Board recommended filing of a stamped site map to be prepared by a NYS certified engineer showing the location and design of the proposed septic system, and the sited well location in reference to the structure's footprint to be filed with the Office of Code Enforcement for future reference.

Also on advisement was an application for owner Ben Campbell, represented by Edward Campbell, for construction of a 900-ft. driveway to access a proposed Storage Pole Barn at 3055 Hagerty Rd. Ms. Kane summarized for the Board Members that the proposed driveway was to be 20 feet wide with a 10-inch base. Electric was proposed to be brought in from the road and the proposed use was for a hunting cabin. After some discussion, Board recommendations included plans for fire and emergency vehicle access turnarounds, with two pull-offs, and a survey map with structures sited to be filed in the Code Office prior to permitting.

Without further discussion, Chairman DeVinney entertained a motion to adjourn. Board Member St. Lawrence made a motion to approve and Board Member Mincer provided a second. Motion so carried with all Board Members present voting in favor.

Meeting adjourned at 9:02pm

Next Meeting: September 6<sup>th</sup>

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

Minutes approved on September 6, 2017