

Town of Middlesex Planning Board

August 5, 2026, Meeting Minutes

7:00 p.m. • 1216 Route 245, Middlesex, New York 14507

The following minutes are the official and permanent record of the actions taken by the Town of Middlesex Planning Board, as recorded by the Planning Board Clerk.

Meeting called by: Case Smeenck

Board members present: Nathaniel Duffy
Terry Mott
Gordon Stringer
Andrew Coots

Alternate: (vacant)

Staff present: Elizabeth Altemus, *Planning Board Clerk*

Mr. Smeenck called the meeting to order at 7:00 p.m.

NEW BUSINESS:

1. **App# 2026-33-SPR:** Venezia Land Surveyors is seeking a site plan review for construction of a dock addition and two boat stations at 1265 South Lake Rd., Middlesex, NY, 14507, Tax ID# 21.71-1-2.

Anthony Venezia of Venezia Land Surveyors was representing. He explained the proposal to redeck the existing dock and construct an addition of two more boat slips to the south side. The property has approximately 126 feet of frontage, thus they are allowed two docks, which can be combined if the total square footage stays under 1,080 sf. However, if two docks are combined, the right to a second dock is waived.

Mr. Smeenck made a motion that this project be classified as a Type II Action under the SEQRA regulations as it's construction or expansion of a primary or accessory nonresidential structure involving less than 4,000 ft gross floor area and not involving a change in zoning or a use variance and, accordingly, this project shall be exempt from further SEQRA procedures, including preparation of an Environmental Assessment Form.

Mr. Stringer seconded. All Board members voted in favor, none opposed, and the motion passed.

Mr. Stringer made a motion to approve the project with the conditions that the new dock shall be consolidated with the existing, this consolidation shall be filed with Yates County, and the rights to a second dock will be waived. Mr. Duffy seconded. All Board members voted in favor, none opposed, and the motion passed.

Town of Middlesex Planning Board Minutes: August 5, 2026

- 2. App# 2026--SPR:** Wayne Dunton is seeking a site plan review for a lot line revision between 1431 Route 245, Middlesex, NY, 14507, Tax ID# 32.02-1-7.1, and 1444 Shay Rd., Naples, NY, 14512, Tax ID# 32.02-1-7.10.

Wayne Dunton, owner of property at 1431 Route 245, and Elizabeth Grant, owner of property at 1444 Shay Rd., were representing. Mr. Dunton explained that the lot line revision will allow Ms. Grant to access her property without needing the right of way through his property.

Mr. Mott made a motion to approve the lot line revision as shown on the survey map and to classify it as a Type II Action under the SEQR regulations because it is a lot line adjustment and, accordingly, this project shall be exempt from further SEQR procedures, including preparation of an Environmental Assessment Form.

Mr. Stringer seconded. All Board members voted in favor, none opposed, and the motion passed.

- 3. App# 2026-34-SPR:** Richard Bolton is seeking a site plan review for an extension of a tram at 258 East Lake Rd., Rushville, NY, 14544, Tax ID# 2.61-1-1.

Mr. Bolton was representing. He explained that he was approved by the Planning Board in 2025 to refurbish his existing tram and would now like to get approval to continue the tracks towards the lakeshore. He indicated that he would consider stopping the tracks forty feet from the lakeshore to meet the setback requirement from the Mean High Water Mark. He also presented a site plan to the Board. He indicated that no large trees would be removed.

Mr. Mott commented that the work could be dangerous for Mr. Bolton to do himself as the slope may be more than forty-five degrees. Mr. Bolton commented that he believes it's not more than forty-five degrees, and the tram will be separated to accommodate two different slope angles.

Mr. Mott indicated that the site plan needs to show more detail, including the tram location, setbacks, platform locations and details, and contour lines. Mr. Smeenck commented that Mr. Bolton should also review sections 707.6.1 and 707.6.1.2 of the Steep Slope law for more site plan requirements.

It was agreed that the Town Engineer should review the geotechnical report submitted by Mr. Bolton and to table the application until such review is completed.

- 4. App# 2026-35-SPR:** Mark and Debra Rath are seeking a site plan review for demolition and reconstruction of a guest house at 976 South Lake Rd., Middlesex, NY, 14507, Tax ID# 21.33-1-1.

Mr. and Mrs. Rath were representing. Mrs. Rath explained that the new guest house will be on the same footprint as the existing, however the elevated lakeside deck would be extended three feet towards the lake and have a roof added.

Mr. Smeenck asked if they would consider cantilevering the deck so that the posts do not move further towards that lake, and Mr. Rath indicated they would consult with the architect but would be amenable to this. It was agreed that variances for the front and side setbacks of the extended deck will be required.

Town of Middlesex Planning Board Minutes: August 5, 2026

There was brief discussion that the square footage of the cottage is increasing due to the lower level becoming a bedroom and the addition of the porch roof.

Mrs. Rath indicated they would also like to add a small rain cover over the pad at the front door. There was discussion that the pad is preexisting but is not shown on the plans. Mr. Duffy expressed concern about the pad and rain cover encroaching into the road right of way, and it was agreed that the door could be moved to the right of the façade to keep it out of the right of way.

Mr. Smeenck made a motion to approve the application with the conditions that the porch shall be cantilevered such that the support posts do not encroach further on the front setback than the existing, the front door and pad shall not encroach onto the highway right of way, and variances for a side setback of 9.2' and front setback of 31.5' of the porch shall be obtained from the Zoning Board of Appeals.

Additionally, the project shall be classified as a Type II Action under the SEQR regulations because it is construction or expansion of a single-family residence and, accordingly, this project shall be exempt from further SEQR procedures, including preparation of an Environmental Assessment Form.

Mr. Stringer seconded. All Board members voted in favor, none opposed, and the motion passed.

- 5. App# 2026-36-SPR:** James and Romy Barbato are seeking a site plan review for construction of an addition and two covered porches to an existing home at 710 East Lake Rd., Middlesex, NY, 14507, Tax ID# 11.58-1-8.

Mr. Barbato was representing. He explained that the existing home is 1000 sf, and he would like to construct an 850 sf addition and to modify the existing deck and cover it.

Mr. Smeenck asked if the septic system is rated for the increased house size, and Mr. Barbato indicated that a new septic system and grinder tank will be installed. It was discussed that the new system will need approval by the Canandaigua Lake Watershed Inspector.

It was discussed that the site plan needs to show the location of the new septic system, the location of the propane tank, the north side setback, the gutter drain location, silt fence location, construction sequencing and seeding requirements. Mr. Mott indicated it should also be at 1:30 scale.

There was also discussion that variances for the front setback of the covered deck and the new staircase will be needed.

The application was tabled until a revised site plan is submitted.

OTHER BUSINESS:

Mr. Mott made a motion to approve the July 8th Planning Board meeting minutes. Mr. Smeenck seconded. All Board members vote in favor, none opposed, and the motion passed.

Town of Middlesex Planning Board Minutes: August 5, 2026

Mr. Smeenck explained to the Board that regarding the condition of approval for the tram at 1223 South Lake Rd. that the Town Highway Supervisor and the Town Attorney sign off on a hold harmless agreement from the property owner, The Town Attorney indicated that the Highway Supervisor does not have authority to approve construction in the right of way. Given this, Mr. Smeenck advised that the Board be diligent in the future about not allowing building in the right of way, however in this case it was impossible not to. He indicated that he would discuss the matter with the Chairman of the ZBA and CEO Pearce, but suggested that the condition could be amended to accept a release of liability document signed by the property owner and not the Highway Supervisor.

David Hudomint, Townsperson in attendance, inquired if there were further developments on "The Venue" proposal, and the Board indicated that there has been no further submittals or communications from the applicant to the Board.

Ms. Altemus distributed a site plan for a residential solar array that a Townsperson would like to bring before the Board in September. The Board commented that the plans should add the location of the inverter, whether the proposed electrical service is underground, and whether the shed is existing. Ms. Altemus will pass those comments to the potential applicant.

Mr. Smeenck made a motion to adjourn the meeting. Mr. Stringer seconded. All Board members voted in favor, none opposed, and the meeting was adjourned at 8:34 p.m.