

## **Town of South Bristol Planning Board Meeting Minutes Wednesday, July 20, 2016**

**Present:** Jim Ely  
Ralph Endres  
Ann Jacobs  
Ann Marie Rotter  
Mike Staub  
Bessie Tyrrell  
Mary Ann Bachman  
Sam Seymour

**Absent:** Rodney Terminello

**Guests:** Bill Grove, Architect  
Jim & Caroline Ryan, Owners  
Maura & Fritz Minges, Owners  
Steve Cowley  
Judy Voss

### **Call to Order**

The meeting of the Town of South Bristol Planning Board was called to order at 7:00 p.m., followed by the Pledge of Allegiance. All board members were present with exception of Rodney Terminello.

### **Reading of Vision Statement**

Board member, Ann Jacobs, then read the Comprehensive Plan Vision Statement.

### **Minutes**

Chairperson Ely called for a motion to approve the June 15, 2016 meeting minutes as written. Ralph Endres made said motion which was seconded by Ann Marie Rotter. The motion was unanimously accepted by all board members present.

### **Public Hearing**

#### Continuation of Site Plan Discussion:

Application #2016-03-P  
Tax Map #185.10-1-2.100  
Hawks Road LLC  
6289 Old Post Road  
(Continued from 6/15/16)

Chairman Ely: This evening is a continuation of the site plan discussion for the property at 6289 Old Post Road and since this has been announced as a public hearing I shall open the public hearing. I am going to ask Diane if you would read the announcement.

Diane Graham:

Legal Notice Town of South Bristol Notice of Public Hearing

Please take notice that the Town of South Bristol Planning Board will hold a public hearing on the following application:

Review and discussion of the application of Hawks Road LLC desire to build two structures on its lot to extend the Ryan family compound to accommodate the growing Ryan family. The plan is for one family structure to house the Minges family and the second family structure to the north to house the Ryan family. However, the structures will share the same address, common patio, and beach area.

Said hearing will take place on the 20th day of July, 2016 beginning at 7:00 p.m. at the Town Hall, 6500 Gannett Hill Road, in the Hamlet of Bristol Springs, NY.

All interested parties may appear in person or by representative.

Chairman Ely: Thank you Diane. You will put that in the file? Do we have an affidavit of publication yet from the Messenger?

Diane Graham: Yes.

Chairman Ely: That will go in the file as well, correct?

Diane Graham: Yes.

Chairman Ely: Thank you. Now I am going to turn the floor over to Bill Grove.

Jim Ryan: You know Jim do you mind if I talk? I would like to introduce ourselves.

Chairman Ely: Sure. Oh, please do.

Jim Ryan: Before I do that I want to thank you in particular and the board for allowing this to happen because I know there is one particular item that is not in yet and we are working really hard to get it done. We worked hard and diligently and Bill has particularly worked hard and diligently to get us to this point. I am Jim Ryan and this is my wife Caroline we are the Ryan's. We are the ones to the north and then my sister, Maura and my brother-in-law, Fritz Minges. They are the house to the south. If I could tell you about how we got to this point. They told me to be pithy, but I have to go back a little bit in time. We really are long time Canandaigua Lakers. We grew up, since the time I can remember, were one of five. I am the second oldest, she is the youngest. We have tons of cousins and just a big family and grew up on the east side of lake. Eight miles down near the Rushville pump station. My father told me an interesting story about that the other day. His said in 1923 his father bought that piece of property for \$7.00 a foot. So under a \$1,000 he thought he was treated unfairly by the farmer. We spent every weekend we are long time Lakers. In 1980 that family my aunts and uncles and cousins got so large that my uncle ended up buying my grandmother's place. That is when in 1980 my father ventured over to the west side. The one thing I remember about that is Pat O'Hara, who a lot of people probably know, we were the first sale he had ever been given on Canandaigua Lake. It was an old abandoned house that had not been lived in for 12 years. We ended up cutting a road down in and since that time 1980 as family has expanded we now sleep 32 because we are one of five and there are 19 grandkids and now kids are getting married and now great grandchildren are coming. So anyways the four of us got together a couple of years ago and we always loved the property next door to us, the Keller property. We told the Keller's over and over that if they thought about selling, we would be very interested. So that came to fruition was that three years ago? It has got to be three in the fall. We bought it knowing that we were expanding and it would be nice to

hold on to that property. Just about a year ago we made the decision that we would do what we are doing. We both build we are going to keep the family compound. All my siblings are involved and onboard. My parents are still living at the family place. That is the background, but just to say we are really lifelong Canandaiguaers. I look at some of the places along the lake and people who are out of town probably sold Canandaigua Lake ten times. I think if we added it up it is probably in the 1,000ø. Just love the lake and love South Bristol, love Hawks Road. We are really sold on the west side and where we are and that is why we are looking to expand. Bill is doing all the work. Iø sit down and let him take it over.

Chairman Ely: Bill all yours. Please introduce yourself again for the record.

Bill Grove: Sure. I am Bill Grove with Grove Engineering. Hired by the Ryans and Minges to develop the site plan that you guys have in front of you. Is it okay if I sit here while talking or would you prefer I stand?

Chairman Ely: Sure.

Bill Grove: We were here in June on the 15<sup>th</sup> in front of the planning board to go over the original site plan proposal which included both houses, two individual septic systems one for each house and it was just prior to that meeting is when we found out that we had to switch gears on septic design for the south house. We were hoping to do that as a repair and replacement. That one had been approved and then the approval was rescinded once they found out we were going to do a full tear down and rebuild. So at that time we did not have a full septic approval. We had an idea what we were going to do but we had not done it yet. So what I has happened in the meantime is that on June 22 we came before the zoning board of appeals and were granted a special use permit to allow two single-family residential structures on the lot. We have got that out of the way. We are good from that stand-point. What we donø have right now and we were hoping to have it before this meeting, in an email from George Barden he tells me that we are a couple of days away from having it, is the full septic approval on what you see in front of you. I believe that at one meeting we talked about the need to go in and modify the slope for the north septic system and retest the soil to verify that it would support the septic system. Basically it was over 15% slope and we were able to do site modification to get it below 15%, redid the soil testing and everything came through just fine. It doesnø look like itø changed much and it really hasnø other than it was designed for four bedrooms. The blueprints that Jim had had developed they decided to go with just three bedrooms. So we modified the septic system based on that. It is a three bedroom design for each of the houses. Like I said we expected to have septic system approvals in the next couple of days. That is the septic side of things.

On the steep slope side of things I talked with Kevin Olvany after the last meeting we had and went over the email that I had sent him previously and I know we had addressed each of the individual points in his letter. He had written a review letter on June 8. So I had replied to that prior to the last planning board meeting on June 15, but the plan that you have in front of you now incorporates all those changes. So I can go through the important points on there that were probably four or five that were kind of key to the development. So I will just go through those quickly. His first comment was about the total disturbed area that we had proposed on the project. Initially, I did not include that spur driveway that comes from the old family, Ryan family compound. So what I did on the plan that you see there is an orange dash line that surrounds the entire property all of the disturbed area. When I did the calculations on that, we are still under an area. Its 40,000 square feet where an acre is 43,560. We are under an acre so we do not need to submit any notice of intent to disturb more than an acre to the DEC, but it also Kevin wanted me to add a pretty strong statement to the plans to the effect that the contractors to strictly adhere to the limits of

disturbance. If they do not stay within those limits of the disturbance, then they risk going over that acre threshold requiring engineering and submittal to DEC for that disturbance of more than an acre.

Chairman Ely: And that is in the general notes?

Bill Grove: That's in the general notes and it's on the very left hand side is a big note on the site plan.

Chairman Ely: Thank you.

Bill Grove: Can't remember which general note it is. Number 2. And that was the language that Kevin gave me to put in there. So we copied his information and tried to keep it as strong as I can. It also gives Phil Sommer something tangible to go out if he is inspecting the property. If he sees that the contractor is way outside of that delineated area, then he can call him on it. It gives him more of a visual cue to what might be the area that is disturbed.

The next big item was the silt fence on the lower side of all the disturbance. In the previous plan I had a single row of silt fence on the entire lower side of everything - all of the disturbed area. There was a iteration before the plan you see here so I have added staked straw bales to reinforce that silt fence and it was Phil's request that I add a second row of silt fence on the lower side. It seemed to make sense to me to do as much as possible to protect below the areas of disturbance. The plan we see shows double rows of silt fence backed up by straw bales all along the bottom side. It looks like a lot of straw bales there but they'll end up a lot of them being used onsite after the site starts to get stabilized they can remove some of those straw bales and use that as mulch in the lawn areas. There was a note about check dams that had been accidentally left on the previous plan. I took that off. I do not have any proposed check dams on the project, but what we do have, what you see now, is where the two driveways converge at the X marks the spot there above the south septic system if you follow the outside of the two driveways, you will notice that I put a rip rap lined ditch, which is essential to cutting off any storm water from above the development skirting it around any of the proposed developed areas so that we do not have to deal with the potential for erosion running through areas that are disturbed by the house construction. I have got one on the north side that heads over to a rip rap splash pad area on the north side of the property and then there is one towards on the south side that will go into a rip rap splash pad before going into the existing swale, gully, or ditch or whatever you want to call it that is there. So that was one of Kevin's comments was to try to control any upstream storm water before it gets to any disturbed areas.

I did calculations on the pipe sizing. There is an existing 36 inch culvert on the spur that heads over to the Ryan house south of this property. The culvert was put in before I got involved in the project, so to me it was an existing culvert, but it was not put in much more prior to me getting involved. Kevin wanted to verify that the sizing of that was done properly. When I ran my calculations, I came up with numbers that showed that it was well sufficient, but then Kevin brought up a point that I guess I had missed out on was that in order to accomplish the flow through that pipe that I had quoted you it would need like 12 or 15 feet of head on the uphill side. It would basically it would have had to had a dam on the upper side for it to push that much water through. I had to redo the calculations in order to find the actual flow. The calculations worked out and to add on to that immediately upstream where this ditch crosses Hawks Road the existing culvert up there is only a 24 inch. It goes from a 24 inch, it collects a very small drainage area, before it goes through a 36 inch. The size of the culvert is not a concern.

He had a questioned the tramway. The tramway is existing and no disturbance is proposed on the steep slope really for the tramway or the house construction.

Along those same lines, the south house has been moved back. I know that was one thing that I told you we were working on doing and it was one of Kevin's comments was that it appeared to be too close. I know builder Dale Stoker has been out there a few times I think with Jim and they looked at the placement of both houses and decided it would best to slide the south house further from the top of the bank. Rotate it counter clockwise and then I don't believe the Ryan house on the north side but I believe it did rotate counter clock sorry clockwise.

Jim Ryan: It came back just a little bit and a turn.

Bill Grove: Okay.

Jim Ryan: Both are well behind what the existing, the previous house was.

Bill Grove: So you will see on the plan there is an orange footprint of the existing cottage that was demolished. So you can see how close that was to the extreme edge of the steep bank compared to where we are going to be with the new houses. Along those lines we are not going to take out, we are not going to need to take out trees on the steep bank part. There may be some tree trimming to open up windows through there, but it is not the intention to remove any large trees on that side.

One of the comments was about the shared driveway, but I do not think that is an issue anymore because we have established that there are current easements on that driveway that give access to this property off of Old Post Road.

I think that was it for Kevin's comments.

Chairman Ely: So you believe it covers the waterfront as far as Kevin is concerned?

Bill Grove: Yes. I believe so. I know that Phil asked me to email a set of these plans to Kevin and I never heard any comments back. I talked to him just before I made all the changes. So I incorporated everything that we had talked about.

Chairman Ely: Well I actually have heard from Kevin and what he said is let me quote, "I think Bill made many of the changes I was looking for. Ultimately it will be the sequencing and the follow through by the contractor that will make or break this project. Let me know if you have any questions."

The sequencing, of course, I am sure is very important that would be more in Phil's department than this board.

Bill Grove: I guess I should have brought that up. I did add, I modified the construction sequence which is on page two in the lower left hand corner. Just kind of strengthened up the order in which the events have to happen. Basically they are not to disturb any areas if they are going to have any disturbed areas, they are supposed seeded within three days if they are going to stay disturbed. I know I put in some notes about using a new type of erosion control measure called bonded fiber matrix. Think of it as a sticky glue. It is hydro seeded on but it is even stickier and more rugged than the typical mulch and tackifier that you would get in hydro seed slurry. I talked with the landscape contractor there that is what he has been using quite effectively on various steep slope sites. In fact, the Pleger site on Seneca Point Road, that is what

they got a lot of steep slopes and he was able to stabilize very effectively using this bonded fiber matrix. I put it on the plans that the contractor is to use that to help stabilize the steeper slope areas.

Chairman Ely: Alright fine. Thank you. We could go a little out of order here. Are there any board members who have questions they would like to ask though at this point? We could come back when we get to the discussion phase. Do you have any question you want to pursue now?

Bessie Tyrrell: The house that was taken down on 6/13, whatever it was, did it have a basement?

Jim Ryan: It had a little bit of a tool shed. I do not know if I would call it a basement.

Bessie Tyrrell: So what do you do with that? Do you just fill it in or you take out theí ?

Bill Grove: It was on piers, but they had like enclosed the piers on the lower side and the way the slope was and the house was built like this.

Jim Ryan: It was where he kept his gas cans and all sorts of tools. When Guy came in to demolish it, he threw it all out. It is all in dumpster.

Bill Grove: All the construction debris went in the dumpsters and then they just backfilled it and crated it with earth from the site.

Bessie Tyrrell: Okay. I just wondered.

Chairman Ely: Any other questions?

Mike Staub: No, just a typo on general notes on #11.

Bill Grove: That does not surprise me.

Mike Staub: It is minor, but òIn the evenö

Bill Grove: òIn the eventö

Mike Staub: The event, but it is a critical section. There is a failure okay of erosion control compliance. If you put the öö in there.

Bill Grove: Let me point out that I see my numbering goes 9, 10, 11, 12, 13, 12, 13, 14.

Mike Staub: I could follow the order.

Jim Ryan: In regarding the erosion control Dale Stoker who I know you probably all know who's been a great partner with us as is Bill we really feel fortunate that we have those guys on our team. I think Dale has mentioned it about six times to me about the erosion control and the bales of hay. He wants to make sure we know it's in the rotation and it has to be done like ASAP as soon as we get the site prepared.

Ralph Endres: He has built an awful lot of houses on both the east and west side. He knows when you are building on the lake what needs to be done.

Jim Ryan: We have heard nothing but great things about him. We did our due diligence. We are really pleased. One of the reasons we are really anxious to get going is that Dale has started to lock his subs in and we are all ready and prepared to go. We got concerned why with wait put it off for another month. Dale got his subs so that is why we are really hoping that we can get approval. Only when we get the septic approval done.

Ralph Endres: In a perfect world you would have it all closed in by mid-November so the subs can work on the inside.

Jim Ryan: We did not really think about that until all of sudden and here it is the middle of the summer and he kind of has alerted us to that to you know things never go the way they schedule it.

Ralph Endres: Just because whatever we do tonight if you have approval doesn't mean that it is going just the way you plan. Chances are it won't.

Bessie Tyrrell: Sorry, I seem to have a question. Is there a lot of parking places, a lot of spaces for parking, and can you park along the roads or is that?

Bill Grove: There is quite a bit and there is going to be more. I do not know if you can see it very accurately or well, but the initial road came down along the south side. I will turn this way and show you. So this was the original road that came down the existing cottage and this kind of dive right here there was a little hammerhead area so before I got involved I had a contractor come in who put the road in the Ryan house from next door and looped the driveway around this way to make kind of a roundabout. They having parking along there, but the proposal is to add additional parking area in front of the cottages so I do not think parking will be an issue.

Jim Ryan: Across from the south house there is a pretty good amount of barrier in there and actually still some Rhododendron bushes in there. I do not know how they got there but they are actually quite beautiful. We think we can clear out pretty naturally probably get six or seven parking spots. Dale and Guy were even talking about creating a couple more over by the north house. So I think our parking is going to be and then we have a lot of them next door. In case we have to walk over.

Chairman Ely: Okay. Now the next thing is I am supposed to do is to read into the record any reports from federal, state, and county agencies. Well we have not heard anything from federal or the state agencies. The county planning, of course, has submitted a report, a copy of which I think the board members have, but I think I should probably read the three modifications into the record and then we will discuss these when we get to the discussion portion of our meeting. Diane you, of course, have a copy of these. You got a copy right?

Diane Graham: Nodded yes.

Modification #1: The referring board will not take action on granting site plan approval until George Barden, Canandaigua Lake Watershed Inspector and Sheryl Robbins, P.E. of the New York State Department of Health (NYSDOH) office have completed their review and concurred on the required onsite wastewater treatment systems and submitted their reports to the referring board.

Modification #2: The referring board will not take action until full compliance with the Town Steep Slopes regulations has been met and compliance with the NYS Construction SPDES has been verified.

Modification #3: The referring board should not take action until all of the above concerns and questions brought up by George Barden from Ontario County Soil and Water Conservation District and Kevin Olvany from the Canandaigua Lake Watershed Council have been addressed to the local board's satisfaction.

We will discuss these momentarily when we close the public hearing. I am to read any communications received on the proposals. That is easy. None.

I can invite anybody in the audience who wishes to comment. This is your opportunity. I am hearing a deafening silence. I am to moderate any discussion which is easy and since there is none I will declare the public hearing closed.

Now it seems to me and, of course, we can ask more questions of Bill at this stage before getting into our discussion stage. It seems to me if we take these, if I may suggest these purposes of discussion in reverse batting order. May I ask are we generally satisfied that the concerns raised by Kevin have been addressed? That's item number three.

Bill Grove: Are you asking me?

Chairman Ely: No. I am asking my board members.

Board Member: Yes.

Chairman Ely: Are we satisfied?

Board Member: I think so.

Chairman Ely: I think so. Yes. I think that to me is the easiest one. Okay.

Second. We will not take action until full compliance with the town's steep slope regulations have been met and compliant that the NYS SPDES has been verified. Can you speak to the SPDES thing?

Bill Grove: I can. That is where I talked about the 40,000 square feet of disturbed area and delineating the area of disturbance on the plan so we are underneath the threshold that would require that we notify DEC to obtain coverage under the SPDES permit.

Chairman Ely: So the SPDES is simply no longer relevant to this project as it is now configured? Is that correct?

Bill Grove: Yes. Unless the contractor goes outside those boundaries.

Chairman Ely: Goes outside the bounds. Okay. That is what I understood from Phil, but I want to have it on the record here. Okay now. Let me ask you about the steep slopes. You have applied I understand correct?



Bill Grove: Yes.

Chairman Ely: It has not yet been issued, correct?

Bill Grove: Not to my knowledge.

Chairman Ely: Okay. Phil has told me that he is fully prepared to issue it as soon as site plan approval comes through. It is just a matter it is nothing further to it. Now that brings us then to number one which is the one we may want to discuss just a bit. First there is a reference to Sheryl Robbins of NYS DOH. What about her?

Bill Grove: Sheryl Robbins got pulled into the mix because of the slope of the north system. If the slope is over 15%, NYS considers a septic area to be non-compliant with appendix 75(a). So if it over 15%, you got to get a specific waiver which is issued by the health department in the Geneva office for Ontario County. So that's why we did the site modification. I talked with Sheryl about what options we would have. She said that site modification would be an option but we run the risk of changing soil properties. Perhaps not having enough usable soil or not being able to get the soil that's there to perk after you modify it. We talked to the Ryans and Minges about the options or the potential for problems if we did that. I talked to Guy Rogers and Dale Stoker. We all kind of felt that it was worth taking the risk to draw up the site modification. We did that and Guy was able to go down with his big excavator without even tracking onto the area of the leach field. He sat on the lower side. It was as simple as cutting about a foot on the upper side dragging that foot of material down to the bottom side. We went from slope that was like this to a slope that was like that. We re-checked the slope and we are at 14.5% across that area. We re-tested the soil and found that the same deep hole test results and same perk results. We did not lose any ground with that and, therefore, the state health department doesn't need to be involved for the septic approval. It just sent to George Barden.

Chairman Ely: So the long and short of it is Sheryl Robbins is no longer relevant because you have modified your proposal?

Bill Grove: Correct.

Chairman Ely: Is that correct? Alright. Now that seems to me leaves us at this point as a board to consider whether we are comfortable going forward and I took the liberty of preparing a motion not because it is fabulous but you got to start with something as a target that's my view of things. See if this captures it.

Please note, as you think about this, county planning has specifically said that we shall not proceed until George Barden has acted. If we adopt hypothetically my resolution, we will have to do by a super majority that is to say majority plus one because we are going against county's recommendation. Now I would like to emphasize that we are only going against county in a fairly narrow and defined way. County says take no action until George Barden acts. That would mean realistically we could not address this again until August. We can adopt the proposal that I have before you and if we do that we would be giving them, hypothetically, approval contingent upon getting Barden's approval and of course clearly you would not get a building permit until Barden's approval comes through. I heartened to hear that we may be moving forward for you but we have no control over what George does. So he is his own boss. We are still compliant with county's larger suggestion that we need George Barden's approval before any

building goes up, but my proposal that we would take this modified action of giving you a conditional approval which under New York law we can do. I checked with the town attorney on that. I had several conversations with Jeff Graff. We can do that. I am not asking you right now what you think but I would like you to reflect about it just for a moment. Do you have any questions, concerns that we should think through before we do this? We will have to take a vote on all these modifications in a few minutes. Any questions and concerns? Is this a foolish way to go? Are you comfortable going this way?

Bessie Tyrrell: I like it. I think it is a good idea. Do we then have to tell, do we then go back and tell the county look we are doing it this way?

Chairman Ely: Yes. We must file a report which I have not drafted yet. We will get to that in due course.

Diane Graham: I just want to remind about the agricultural district.

Chairman Ely: We haven't forgotten that. I've got that next coming up. My fun filled menu of options. Okay Ralph we cut you off I am sorry.

Ralph Endres: I was thinking that based on their presentation tonight. They have answered all the questions we could do a contingent approval based on Barden's and request that Barden notify us in writing at the same time he notifies you. We can have the building inspector give you a building permit and you can start.

Chairman Ely: I assume he would notify Phil.

Bill Grove: He does.

Chairman Ely: Phil is the key person. It isn't me. I'm not the key person. I do not do inspection. I went out to the site one day with Phil but I didn't add much to the deliberation. Okay. Well that's good. Let me then suggest this because we can now move along. Before we get to voting on these proposals I do want to point out as Bill already pointed out that the zoning board has granted them special use permit for the two houses so that is attended to.

County planning also, among other things, raised the question that this property is 500 feet from an agricultural district and that might trigger an agricultural data statement. Well, I have been advised by Diane and I think by our tax assessor that there is no active farm within 500 feet. When this was called to attention of county, county responded okay. The county still recommends that the agricultural district that is within 500 feet is not active should be read into the board minutes to show that the topic was addressed. I have now done that. The agricultural district is now done.

That brings me to SEQR. Let me ask you ladies and gentleman of the board this question. The ZBA took the position that this did not require any action. We are not bound by that, but of course that is the easy way out or we could go down and answer these eleven questions pretty quickly.

Ralph Endres: Why don't we do our own SEQR?

Chairman Ely: Do our own SEQR? We will answer the eleven questions?

Bessie Tyrrell: Yes. I think so.

Chairman Ely: Okay. I got the short form now I will read these off and I think I can guess the answer. Diane I can give you this form afterwards so you don't have to make them verbatim. Okay.

Diane Graham: Okay.

Chairman Ely: Are you ready members of the board?

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No.
2. Will the proposed action result in a change in the use or intensity of use of land? No.
3. Will the proposed action impair the character or quality of the existing community? No.
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? No.
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No.
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No.
7. Will the proposed action impact existing:
  - a. Public/private water supplies? No.
  - b. Public/private wastewater treatment utilities? No.
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No.
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? No.
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No.
11. Will the proposed action create a hazard to environmental resources or human health? No.

Let me ask you for a motion is the board to direct me to answer these in the negative?

Mike Staub made a motion to approve the SEQR and Bessie Tyrrell seconded the motion.  
All in favor: Aye: 7; Opposed: 0

Will you then direct me to sign the appropriate SEQR form? I will come in tomorrow to do that.

Mike Staub made a motion to approve board chairman to sign SEQR form and Bessie Tyrrell seconded the motion. All in favor: Aye: 7; Opposed: 0

Diane I will come by tomorrow and will sign that tomorrow. Okay that takes care of SEQR and takes care of the agricultural district. Now moving along on our menu of fun. We have the three modifications of county. I am taking them in reverse order.

Modification #3 ó We don't take action until all of the above concerns from Kevin have been addressed to our satisfaction.

I would propose to move that concerns raised by Kevin Olvany and George Barden have been addressed to the local board's satisfaction. Someone say second.

Mike Staub seconded the motion.

Chairman Ely: Now do you think Diane we should do a roll call on this because this is going back to county and we need super majority? We may need them.

Diane Graham: Yes.

Super majority vote of the board:

Mike Staub ó Aye

Ann Jacobs ó Aye

Bessie Tyrrell ó Aye

Jim Ely ó Aye

Ralph Endres ó Aye

Ann Marie Rotter ó Aye

Mary Ann Bachman ó Aye, Alternate #1

Aye: 7; Opposed: 0

Chairman Ely: Modification #2 ó The preferring board will not take action until full compliance with town's steep slopes has been met and we already heard that the SPDES is not required. Okay.

I propose that the board recognize that there has been full compliance with the town's steep slopes ordinance and, therefore, modification #2 is satisfied.

Ralph Endres made a motion and Mike Staub seconded the motion.

Chairman Ely: Diane will you do roll call?

Diane Graham: Yes.

Super majority vote of the board:

Mike Staub ó Aye

Ann Jacobs ó Aye

Bessie Tyrrell ó Aye

Jim Ely ó Aye

Ralph Endres ó Aye

Ann Marie Rotter ó Aye

Mary Ann Bachman ó Aye, Alternate #1

Aye: 7; Opposed: 0

Chairman Ely: Alright. Then last we have with respect to modification #1 ó We already know that Sheryl Robbins's permission is no longer a factor. I circulated a draft of a motion, which I can offer it if I have a second and if you are agreeable we will go with that.

Resolved, that the Planning Board of the Town of South Bristol grant preliminary and final site plan approval for application #2016-03-P by Hawks Road LLC for 6289 Old Post Road, subject to the condition that the application receive the written approval of George Barden, Canandaigua Lake

Watershed Inspector, for the onsite wastewater treatment systems, and subject to the further condition that no building permits shall be issued for this project until such written approvals have been received.

Mike Staub seconded the motion.

Chairman Ely: Once again will you call the roll.

Diane Graham: Yes.

Super majority vote of the board:

Mike Staub ó Aye

Ann Jacobs ó Aye

Bessie Tyrrell ó Aye

Jim Ely ó Aye

Ralph Endres ó Aye

Ann Marie Rotter ó Aye

Mary Ann Bachman ó Aye, Alternate #1

Aye: 7; Opposed: 0

Chairman Ely: That I think really concludes our deliberations on this matter.

Any other business? It is possible then in August I might get back after I see Kevin Olvany again with our long term project to clarify and strengthen our criteria for site plan approval. That will be a thrilling meeting. In any event, I have just been so distracted on other things like this I have not gotten back to it. That could be a forthcoming attraction like they have in the movies. In any event, I think that is it. Do you have anything else to add Bill? I think you are done.

Bill Grove: No.

Jim Ryan: I just want to thank everybody. Dealing with South Bristol we always heard that they're a good thing, much easier than other municipalities, so I appreciate all your help.

Chairman Ely: I think the board is very anxious to work with county board and we are very anxious to enforce our code equitably, but we do not want to delay or harass people pointlessly either and so I am glad that it worked out. A little touch and go for a time as to whether we would be able to pull this together. I have got to say Bill that I think you get a lot of credit for being really moving this forward. I am going to say that publically. Phil and I had a number of conversations and I was not at all clear a week ago what we were going to do.

Bessie Tyrrell: I think that would be good to include in the minutes.

Chairman Ely: I think you did a really good job and I know Phil was really impressed with your willingness to cooperate and work with us. Some people have great difficulty I am afraid do not take that same attitude. Phil loses patience and I am going to basically back him up when push comes to shove. Anyway I wanted to mention that to you.

**Old Business**

Comprehensive Plan Update:

Chairperson Ely: The town board has named the special committee to review the comprehensive plan and to prepare an updated plan. You know that we voted to have Bessie Tyrrell be the planning board's official representative if you will. I am pleased to report that we are quite well represented on the special committee with our friends Ralph Endres and, of course, Ann Jacobs as community representatives. So we have good presence on that board. It will be chaired by Herman Arndt who you know also has been involved in town governance for a period of time. It looks to me like a good committee ó strong committee. I know that they will getting underway fairly soon. I am sure I speak for all of us when I say if there is anything the planning board as a group can do to help facilitate, be a sounding board, do not hesitate to call on us. Otherwise you folks along with your other confederates on this special committee will be preparing the new comprehensive plan.

**Motion to Adjourn**

Being no further business, Mike Staub made a motion to adjourn the meeting and it was seconded by Ann Marie Rotter. The motion was unanimously accepted and meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Diane Scholtz Graham  
Board Secretary