

Planning Board Meeting  
February 19, 2014

Present: Jim Ely, Chairman  
Ann Jacobs  
Ann Marie Rotter  
Michael Staub  
Rodney Terminello

Guests: Dan Fuller  
Steve Fuller

Absent: Ralph Endres  
Bessie Tyrrell

The regular February 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 the exception of Ralph Endres and Bessie Tyrrell.

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

Chairman Ely then called for a motion to approve the December 18, 2013 minutes as written. Rodney Terminello made said motion which was seconded by Mike Staub. The motion was unanimously accepted.

Old Business

Proposed Changes to the Zoning Regulations-Status Update-Chairman Ely told the board that on Monday night (2/17) he had addressed a special meeting of the Town Board with respect to the local law containing the proposed changes to the zoning regulations which the Planning Board had worked on for over two years. Mr. Ely said that he thought that he had satisfactorily answered their questions. He then said that he understood from Judy Hanley (Town Clerk) that after he had left the meeting the Town Board had approved the adoption of the proposed changes. Mr. Ely also said that Judy Hanley had told him that the next step was to forward the local law containing the changes to the zoning regulations to the State of New York so it could be filed and that a notification of filing with the State would then be sent back to the town making the changes official.

Update re the Bristol Homeowners Environmental Preservation Associates, LLC v. Town of South Bristol et al-Chairman Ely said that the attorneys for the town had submitted a brief in response to the brief the petitioners submitted to the Appellate Court. Mr. Ely said that he and Supervisor Welch had read the brief the town attorneys had submitted. Chairman Ely said that he had made one suggestion but that otherwise he felt the brief was fine.

Resignation of Board Member, Jim Schartzter-Chairman Ely told the board that Jim Schartzter had submitted a letter of resignation from the Planning Board effective January 31, 2014. He noted that a Certificate of Appreciation for Jim was being circulated at the meeting for the board members to sign.

Logging/Steep Slope Regulations Draft-Chairman Ely suggested that the board hold off their discussion on this item until later in the meeting and proceed with the item under New Business on the agenda which was an application for site plan approval from Troser Management (Bristol Mountain) in connection with a proposed Aerial Park and Welcome Center. Mr. Ely then turned the floor over to Dan and Steve Fuller.

#### New Business

Troser Management-Application for Site Plan Approval-Aerial Park/Welcome Center at Bristol Mountain-Steve Fuller began by giving the board members a little bit of background about what they were looking to do at the Mountain and how they were looking to grow from just a winter operation to a year-round facility. Steve said that he and his Dad had talked last year about ways to move beyond just the winter recreation activities consistent with their core values of family-friendly, healthy, outdoor environment activities. Steve said that they had found the aerial park which seemed to be a perfect fit.

Steve then said that with regard to what an aerial park actually is you should imagine a tree-tops rope course or the Swiss family Robinson meets Cross Fit. He said it was an athletic activity but that it takes place up in the trees. Steve went to say that what they were looking to do at Bristol Mountain was to offer seven different rope courses. He said that one of the courses would be for their youngest members (ages 4-7). He said the remaining 6 courses would all start from one main central location and each course would go off of a central hub. He said the courses would vary in difficulty of the elements and also height range on the trees so there could be elements as low as 5 to 7 feet off the ground up to 50 to 55 feet up in the air. Steve said they would be using the same classifications that are used at ski resorts now such as yellow for easy, green for easy, and then blue and black and double black for more moderate and expert courses, double black being the most difficult. He went on to say that of their seven courses there would be an average of 17 different courses elements that go from tree to tree and that those elements could include such things as a zip line, a tight rope walk and a rope bridge. He said the course would about a three hour tour. He said a person would come to the top of the mountain and for three hours be in the trees and that would be the extent of their stay.

Steve then discussed safety. He said with the system, in light of the fact that some people could be 50 to 55 feet off the ground, they would harness people into a full body harness (called a Continuous Belay Safety System). He said it was a mechanism where individuals cannot actually unclip themselves from the safety line so while someone is 50 feet in the air and transferring from line to line the technology of the mechanisms in their harness is such that one cannot ever actually unclip themselves from the safety line. Steve also added that if a person is on one life line and they transfer to another it would actually involve two clips called monster claws. He said a person would unclip one

monster claw and then clip it into the next life line. He said that the second you clip and lock into the next one, the other then has the ability to unlock. Steve pointed out that a person would always be locked in at one point, if not two, at all times while on the course.

Ann Marie Rotter then asked Steve if there would be staff members to guide the participants. Steve said that there would be. He did say that it would be a little bit different than a traditional ropes course where, for example, with the Boy Scouts, there would be 5 or 6 people in a group with a staff member leading them through the elements. Steve said with the Safety Belay System where no one can ever become totally unattached it becomes a self-guided tour up there with staff members on the ground to help provide any assistance participants may need.

Steve then gave the board a little history on aerial parks. He said the first parks in the United States were put up in 2009, one in Catamount near the New York/Massachusetts border and one at Adirondack Extreme in Bolton Landing, NY. He said that aerial parks have been around in Europe for about 20 years and that there were about 2,000 parks now in Europe so they were well established there. He said he had been told that aerial parks in Europe are just like golf courses in the US. Steve said apparently, from what he had been told, if you go to visit family or friends in Europe you check out where the nearest aerial park is located. He also said that people in Europe actually have their own harnesses, etc. just like people in the US have their own golf clubs. Steve then added that, currently, there were only about 30-50 aerial parks in the US and that closest one was located down in Ellicottville and then the next one would be in Bolton Landing so there was really nothing in our area. He then said there their aerial park ropes course was much different in that it would be self guided and in the forest canopy so it was not built on trees. He said that they had been working a company called Tree-Mendous.

Steve then went on to say that he and Dan had went on a tour of aerial parks in the Northeast and that they have been popping up at ski resorts because of a natural progression as you have the outdoor facilities. He said that they had liked what they had seen and that every park had something different and unique and that most all of them had used their current facilities such as their lodge and rental shops, for example. Steve then told the board that the last trip that they had made was to Adirondack Extreme up in Bolton Landing. He said they were completely independent because the operation was not located at a ski resort. Steve said as soon as they pulled into the place they were just blown away by what they had accomplished. He said that they had built a fantastic welcome center that fit in with the environment. Steve said the style of the building was very "Adirondacky" was about 1300-1440 square feet in size. He said there was a great covered porch area where they did demonstrations to teach people how to use the equipment. Steve said you could see the trees growing up through the porch and that the table tops were made from trees.

Steve next spoke about the company that they had been working with, Tree-Mendous. He said that the company had caught their eye because of their use of sustainable building techniques. He said that, therefore, when they do a "build", everything is raised

by hand so they don't cut trees down due to the fact that they want to leave as many trees as possible as this is an outdoor activity in the forest. Steve said they actually climb the trees without using spikes by using harnesses and hanging ropes over the limbs. He also said that they construct the platforms without using nails and screws into the trees. He also told the board that they use a tensioning and bracing technique that allows the platform to grow as the tree grows. Steve added that each platform can hold three people and that they were very sturdy. He said also that when they climb the trees they don't use spikes and that all the wood that they use is indigenous to the Northeast so they really stick with sustainable building techniques. Steve added that he had spoken with the company about working in the woods and whether they would need electric power in the area and that the designer had looked at Steve and said they would be working in the woods and questioned why they would need electricity which was not something one would expect a builder to say.

Steve then repeated that they were looking at having 6 courses at the park along with one course for children for a total of 7 courses. He said that Tree-Mendous looked at their site and came up with a layout for the park. He then explained the layout to the board as displayed on a large version of the site plan. Steve said there would be places where the courses overlap. He said there might be a location where one tree might have two platforms on it where the easy course is only about 10 feet off the ground and at 50 feet above the ground you have the black course so you have multiple layers on the same location.

Steve next told the board that they would like to have their Welcome Center located at the corner of Haley's and utilize the existing gravel roadway off of South Hill Road and the existing buildings that they have in that area. He also said that the driveway they propose to use would be the same existing gravel driveway they use for the Nordic facility and that they would use the same parking and the same driveway structure and put in a chipped barked pathway going from the bus turnaround into the woods and then bring it to a raised boardwalk that would allow them to get the same gradient as the first level of their Welcome Center. He added that the boardwalk would wind around a couple of trees to give people the feeling that when they arrive they are already in the trees when they arrive to take part in the activity.

Steve went on to explain what they were looking at with regard to the Welcome Center building. He said that the building would be plus or minus 1300 square feet and have a metal roof, large deck and a large covered porch area similar to what he and his Dad had seen at Adirondack Extreme. He also said that there would be trees coming up through the deck. Steve said that they would like to have bathrooms on the first level. Steve said participants would go inside the building and sign in for their adventure. He said that they would actually suit up, get harnessed and receive instructions outside on the covered porch and then they would walk into the forest and receive more training on how to use the lobster claws and then proceed up into the forest canopy.

Steve told the board that the number of participants they expect was 300-350 which was relatively small and that it would be fewer than what they have now for Nordic. He told

the board that the hours of operation would be from 9:00 A.M. to 6 P.M. Chairman Ely then asked if the activity would lend itself at all to the handicapped. Steve said that the location would be handicap accessible but that the activity would be difficult depending upon the handicap. He added that they will have a handicap accessible bathroom on the first floor of the Welcome Center.

Ann Jacobs then asked if the South Hill Road area was gravel/dirt. Steve said that the Town of South Bristol section of South Hill Road was paved and that the Town of Bristol section was gravel.

Chairman Ely then asked what months of operation were planned. Steve said that it would be relatively flexible depending upon the weather but that most parks that he and his Dad had visited were typically open from May 1 through mid November which was one of the reasons the activity was so attractive to a winter operation as there were not many functions involved with a winter operation that can be continued throughout the rest of the year by a continuous staff. Mr. Ely said then said that he understood what Steve was saying was that some of their winter staff would be able to remain and perform functions in connection with the aerial park. Steve said that was correct.

Chairman Ely then asked Steve if he was correct that Steve had said that they could accommodate 350 people. Steve said that the 350 maximum was based on the number of harnesses that will be available and the number of courses. Mr. Ely then asked if a person came to participate and get a full workout whether they could stay all day. Steve said that the activity was physically demanding and that the next day you feel it in your arms and legs. He went on to say that most people could do about 3 courses on average and that the 3 hours time frame was pushing it. Mr. Ely then asked how many people could be on the course at one time. Steve said that at the very most they could do three people per platform and that there would be about 75 platforms for a total of 225 but he added that they would only have about 150 harnesses. Steve also said that they were currently exploring requiring reservations especially in light of the fact that you could have groups coming to take part, for example, a group in connection with a birthday party.

A question was raised about parking facilities. Steve told the board that he and his Dad had talked with aerial park operators with courses of similar size to the one they were looking at and they had said there would be a maximum of about 60-70 cars involved for a day which they are able to accommodate.

Chairman Ely then asked if the Welcome Center would have any food service. Steve said that they would like to include food service and that they were exploring that right now as far as a menu. He said they wanted to offer healthy options such as wraps, fresh juices and fresh-blended smoothies. Steve also said that they would have watering stands and disposable cups both in the Welcome Center and outside as well to prevent dehydration of the participants.

Steve was asked if they planned on offering all seven courses right away. He said that for year one they would offer 6 courses plus the one course for children. He noted that they chose the location they did due to the number of trees there which would give them the ability to expand to more advanced courses in the future.

Chairman Ely then said that he assumed that the novice course for children could also be for beginner adults. Steve said that was correct. Mr. Ely also asked if, in addition to staff on the ground giving instructions and helping people suit up, there would also be staff members up in the trees at various stations in case of any sort of emergency. Steve responded by saying that there would be. He said there would be a couple of staff members at the Welcome Center, a couple to help harness and give instructions, and that out in the park they would probably have one or two on the starting platform to guide individuals to the best course option. He added that the rest of the staff would be patrolling the grounds at strategic locations to help with any call rescues or any assists necessary. A question was raised as to whether there were any state or local safety regulations involved with regard to staff training. Steve said that the training would be done by the course manufacturer and that the actual course itself consisting of the ropes and the platforms was regulated by a national group called the ACCT (Association for Challenge Course Technology) and that the course must be inspected once a year by an ACCT certified inspector.

Chairman Ely then asked if Steve could explain how the aerial park would be different than a ropes course. Steve said that it was different in the amount of the environment used. He said that most rope courses were designed for groups and that rope courses were built on poles. He said the aerial park was something actually put into the woods using the existing environment (the trees) and that the elements could be similar but that the activity was self-guided which separates it from a ropes course that most people think of.

Mr. Ely then asked how long it would take to construct the park. Steve said that the park itself with all of the elements and platforms would take about 3 to 3 ½ months and that the Welcome Center would also probably take about 3 to 3 ½ months. He said that they would love to have the park open by sometime this summer. Steve was also asked who would be putting up the Welcome Center. He said that they had not quite decided that yet and that the building was designed by Mark Muller of Bloomfield, NY. Steve was asked about the plumbing up there on top of the mountain since he had indicated that there would be restroom facilities at the Welcome Center. Steve said that they would be using their current municipal sewer system. He told the board that there was currently potable water and sewer up there at the existing Ski Patrol Building and that it was municipal water from the waste water treatment facility from the resort via underground lines. Steve added that one of the benefits of having more use out of the waste water treatment facility is that you can monitor it better and have it more active during the summer months. He then pointed out that it slows down considerably in the summertime to very minimal use and that it becomes a little more difficult to maintain when you have so little flow.

A question was asked about what the view was like from up there. Steve said the view was tremendous up there at 50 feet above ground.

Chairman Ely then told the board that if they had no further questions the next step would be to schedule a public hearing on the application if the board was in agreement. Mike Staub then made a motion that the board schedule a public hearing on the application for the board's March 19, 2014 meeting. Ann Marie Rotter seconded the motion. The motion was unanimously accepted.

The board then thanked Dan and Steve for their presentation and input.

Additional Approved Townhouses at Bristol Mt. Status Update-Chairman Ely asked what the current status was for the additional townhouses at Bristol Mountain that the Planning Board approved in March 2013. Dan Fuller said that they were currently in the final process of submitting their test to market with the NYS Attorney General's Office. He said that, hopefully, they would have that back within the next week and then they could actually start talking more specifically about the project with the general public as far as projected costs, etc. He also said that at that same time they were finishing up their formal submittal to the Attorney General's Office. Dan said it was taking a lot more time that he had anticipated.

(Return to Old Business-Continued from Page 1)

Logging/Steep Slope Regulations Draft-Chairman Ely told the board that since the board had briefly discussed the proposed draft timber harvest/logging law at their February meeting he had, as promised at the February meeting, gotten some input from town attorney, Jeff Graff, who had also given Jim a copy of the Town of Gorham's ordinance which contained some things that Jeff thought the board might want to consider. Jim said he also had received a copy of the draft law containing handwritten comments from outgoing board member, Jim Schartzler, for the board to consider. Jim went on to say that he felt that some of the suggestions would be helpful for the board to seriously consider. Jim then proposed to the board that he endeavor to pull together some of Jeff Graff's and Jim Schartzler's comments and incorporate them into a revised draft for the board secretary to circulate to the board for their review prior to the board's March 19 meeting so that board could discuss the revised draft at that time. It was noted that any additions and deletions would be highlighted in the revised draft.

Other Business To Come Before The Board

Training Attendance Question-The board secretary said that she had received a last minute announcement of a training session put on by Ontario County Planning to take place last week which she had emailed to the board members as soon as she received it. She asked if anyone had attended the session so that she could see that they received training credit. None of the board members had attended.

New Board Member Town Email Accounts-The board secretary then asked if the three new Planning Board members had set up their town email accounts based on the instructions that were emailed to them by Jim Bachman. The board members indicated

that they had not done so. Rodney Terminello also indicated that his computer had crashed due to a virus and that he was currently using his wife's computer. The three board members requested that the board secretary resend the email Jim Bachman had sent them containing the instructions for setting up their town email accounts. The secretary said she would do so and also include Jim Bachman's phone number should they have any problems setting up their accounts. She also requested that they let her know when they do have their accounts set up so that she could begin sending things to them at their town email address.

There being no other business to come before the board, Chairman Ely called for a motion to adjourn. Ann Jacobs made said motion which was seconded by Ann Marie Rotter. The motion was unanimously accepted and the meeting adjourned at 8:10 P.M.

Respectfully submitted,

Debra Minute  
Recording Secretary