

Planning Board Meeting
May 20, 2015

Present: Anne Caprini
Jim Ely, Chairman
Ralph Endres
Ann Jacobs
Ann Marie Rotter
Mike Staub
Rodney Terminello
Bessie Tyrrell

Guests: Phil Sommer, CEO

Absent: Mary Ann Bachman

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 the exception of Mary Ann Bachman.

Board member, Michael Staub, then read the Comprehensive Plan Vision Statement out loud.

Chairman Ely called for a motion to approve the April 15, 2015 minutes as written. Ralph Endres made said motion which was seconded by Mike Staub. The motion was unanimously accepted by all board members, with the exception of Anne Caprini, who did not vote, as she was absent at that meeting.

Chairman Ely called for a motion to approve the April 29, 2015 minutes, as written, from the Special Meeting. Mike Staub made said motion which was seconded by Ralph Endres. The motion was unanimously accepted by all board members, with the exception of Anne Caprini, who did not vote, as she was absent at that meeting.

Old Business

Chairman Ely: Let me just report on a couple of items that I think will be of interest. First, I can report that the Town Board has approved our proposal to extend site plan review to the LR--Lakefront Residential district.

They have approved our recommendation to tighten, or you might say, institute Logging regulations; and they also have approved our recommendation to tighten up the steep slopes law. The only change there, you will recall, is to make it crystal clear that our code officer, if he wishes, could get expert help to examine the issues pertaining to the slopes. I thought it was implicit, but now it is crystal clear.

So, as I understand it, all these have now been sent to the State for registry and then they will become effective shortly.

Lot Coverage

Chairman Ely: We have recommended a tightened definition of lot coverage and that has been sent to the Town Board and it has been forwarded on to County Planning. The County didn't act on it. Maria (Rudzinski) told me that this just means now the Town Board is free to go ahead. I understand the item will be on the June agenda, at the Town Board meeting, and they will have a public hearing on it.

Ralph Endres: What did we come up with for the lot coverage? What is the percentage?

Chairman Ely: The percentage hadn't changed any. Right Phil?

Phil Sommer: Twenty percent (20%).

Chairman Ely: The percentage remains the same. But what we did do is change the definition of what is coverage.

Ralph Endres: Like tennis courts?

Chairman Ely: We put in everything from solar panels to anything that's erected.

Ralph Endres: It's like what you are talking about, 20%--you can't have more on an acre lot than 8,200 square feet?

Phil Sommer: I actually made a chart of what's going to be allowed.

Chairman Ely: It's quite a inclusive definition. And, it's going to cut out some of what we are seeing down there right now, I believe. I think it's going to be a big improvement.

Ralph Endres: I'm not worried about open spaces so much on Seneca Point Road, because there aren't that many, on the lake side. There are a few on the west side. But what I am worried about is people coming in, taking down a cottage and then filling that lot with a house.

Phil Sommer: That will be addressed later in this meeting.

Chairman Ely: That will be addressed later in this very meeting.

Ralph Endres: First of all, I know there are some of the Finger Lakes that require that a portion of an old house be retained. I don't think that's a great idea either, spending a lot of money to become energy efficient, but I do think we need to scale down the types of houses that are going to get built, and I think the square footage limitation is an excellent idea.

Phil Sommer: I think you will like what Jim and I have proposed.

Chairman Ely: That's the lot coverage issue. Now on to new business.

New Business

Structure

First item of new business, and I think I circulated this to you, is the redefinition of 'structure'. I think our present definition of structure, like our present definition of lot coverage, leaves a lot to be desired. Phil and I are proposing this revised wording. I don't think this will be very controversial and I'm hoping we can get a recommendation to send on to the Town Board.

Phil, do you have anything to add?

Phil Sommer: One thing Jim and I added on is those free standing solar panels. That seems to be more popular than putting them on your roof. So we thought, you have this 15-panel array on a post, so that needs to meet part of your coverage on your lot. So we added that, and we are covering parking areas, tennis court, anything you can think of putting in down there. We are going to start saying that that is considered a structure and those are the sizes of the lot coverage.

Mike Staub: Are there special permits for the solar panels when they go in, if they are hooked up to the grid?

Phil Sommer: Just an electrical permit. That's all there is to it.

Mike Staub: Just an electrical permit change?

Phil Sommer: And then whoever the parent company is, whether it is NYSEG or RG & E, they have to go do the final inspection, along with a third party inspector, and that's basically it.

Mike Staub: What if they're not hooked up to the grid, like if they are hooked up to a greenhouse or battery recharging system?

Phil Sommer: Anything that is even battery back-up is on the grid. The only thing, with battery back-up, if the grid goes down you have power. Without the battery back-up, when the power goes down, you don't have power.

Mike Staub: So that's hooked up to the grid. But I'm saying what if you have a greenhouse that you are using that solar for?

Phil Sommer: It's just an electrical change. So it's just an electrical permit, and that gets inspected by a third-party electrician. If it's hooked up to the grid, RG & E or NYSEG, whoever the parent company who owns the grid—they come down and do the inspection from that point to the wires. All the internal electric panels are inspected by the third-party electrical inspector for which the Town recognizes—there are 6 of them we have.

Ralph Endres: A lot of that is going to go away after this year anyway, because the federal subsidy drops.

Phil Sommer: Governor Cuomo mysteriously has a pot of money somewhere that he's trying to get towns to be the 'leader of the band'--to get solar into our towns.

Ann Marie Rotter: I attended the training last Thursday and one of the workshops was on solar. Funding has been extended. There is also a great deal of recommendation that there be a solar-permitting process installed in every town. So I can report on that, maybe, at the next meeting.

Rodney Terminello: May I ask a question? We are starting to put in anything we can think of. What about a wind turbine or a satellite dish? Is that going to be part of this deal too?

Phil Sommer: The days of the big satellite dishes are gone. The reason we put solar panels in is because they could take up hundreds of square feet.

Chairman Ely: It should be noted that these items are included, but not limited to. This list is giving some common examples, but it isn't a conclusive list.

Phil Sommer: This is a starting point. It is open to whatever you guys think—we're trying to get the juices flowing. This is the best Jim and I could come up with, but we are open to any suggestions anyone has. But what this is, is 100% better. It can always change—it's a living document.

Chairman Ely: Any other questions? Do we have a motion to recommend this to the Town Board?

Mike Staub: We were talking about solar panels. Are you talking about the structure definition here? Is this what we are proposing to send to the Town Board?

Chairman Ely: We are proposing to send this definition of structure.

Mike Staub: As opposed to the definition that already exists? The original said anything constructed or erected, as a dwelling, shelter, or place for human activity. Then the correction was anything constructed or erected with a fixed location to the ground. And if you put up a shed, does that mean it has to be anchored with posts to the ground?

Ralph Endres: No, sets on the ground.

Mike Staub: No, just sets on the ground? So any shed that you would put up for a tool shed, would be a structure that needs a permit?

Chairman Ely: It would be a structure that would be defined for the purpose of 'structure' in the Code. It doesn't have to have a permit necessarily.

Mike Staub: So then this would be required to be on a tape map?

Phil Sommer: Would be on a site plan. Still subject to setbacks and all those things. One hundred forty-four (144) square feet or less doesn't need a permit in this Town.

Mike Staub: Then how about structures that would come under this new definition that are currently existing without that site plan?

Ralph Endres: They are grandfathered in. Can't retroactively go back.

Chairman Ely: Yes, it would be hard to act retroactively.

Mike Staub: Oh, I know it's hard. The reason it's hard is because a lot of people would be upset if you tried.

Chairman Ely: It's very hard to undo everything.

Mike Staub: Once we wave this magic wand, I don't want to upset a whole big apple cart of people with things that would now become 'structures' and have to have permits or put on tape maps, or anything else.

Bessie Tyrrell: So Jim, the way it reads now, there's a whole lot more in here than what we have. It says for the purposes of this chapter: fences, retaining walls, flagpoles, mailboxes, paved areas, walk ways, patios, septic systems, wells and other minor structures. You just chose not to put them in?

Chairman Ely: Give me that page number. Page 170-26?

Bessie Tyrrell: Doghouses, swings, play apparatuses...

Chairman Ely: These shall be excluded!

Bessie Tyrrell: Oh ok.

Mike Staub: No one's living in a septic tank.

Chairman Ely: Most of this existing definition are things not to be included.

Phil Sommer: Right, that's what it says there. All those are to be excluded, so you don't consider them.

Chairman Ely: I also think that any place for human activity is very vague. Some attorney would have a good time with that. But those Bessie, that entire paragraph, are things that are excluded, not included.

Bessie Tyrrell: I understand, but you don't think we need dog houses—we have enough in there?

Chairman Ely: We can add dog houses, if you think? Phil?

Phil Sommer: Don't take this the wrong way, please. I'm not here to be argumentative. How far do you want to push this? Do you want a mailbox, do you want a dog house? The meat and potatoes are the big things that they are trying to put down there. The houses, the sheds, the tennis courts, the driveways, the parking lots, the patios, the decks--those are things you can control. Do you want to control everything that they put down there? I don't want to.

Bessie Tyrrell: So out of this list, everything big is included. I see. Thanks.

Mike Staub: So it's an inclusive list instead of a restrictive list?

Chairman Ely: This is a list with things that are not covered. This proposed list is everything which is covered. We tried to put the big enchiladas in.

Mike Staub: Structures that are included, but not limited to. So that opens a big area of interpretations as what structures you can have. I agree with your object here to target big things like swimming pools, but is that just an in-ground pool or is that any pool?

Phil Sommer: Any pool, in-ground pool, above ground pool, that's all covered.

Ann Marie Rotter: Kiddie pool?

Phil Sommer: Has to be over 24" deep.

Rodney Terminello: If you have a kiddie pool, we are going to have to come pull the plug!

Bessie Tyrrell: What about boat houses?

Ralph Endres: That's covered under docking and mooring, isn't it?

Chairman Ely: We are going to get there. Boathouses are getting to be an issue. You see the boathouses they are building down there?

Anne Caprini: Even if it's covered under docking and mooring, is it going to be covered under the 20%?

Phil Sommer: No, the stuff on the water, doesn't come under the 20%.

Ralph Endres: I think the docking and mooring is pretty descriptive on what they allow.

Phil Sommer: As far as anything on the water, we just give them a permit, inspect it. But as far as lot coverage--I'm a pond person, not a lake person. Anything from mean low- and high-water mark, the State owns, so anything from mean high water mark on, is the lot and that's what we are trying to accomplish here by the lot coverage.

Ralph Endres: Aren't the boat houses restricted based on the mountain frontage of the lake. It's based on a lot of different factors.

Chairman Ely: Ok, can I have a motion to send this to the Town Board?

Motion was made by Bessie Tyrrell, seconded by Ralph Endres. Motion was unanimously carried.

Site Plan Review for LR Districts

Chairman Ely: Now we come to the piece de resistance. That is why I asked Phil to be here. The Town Board, as I just mentioned, has already approved our proposal for Site Plan Review for LR Districts. Now that raises the question of what is the criteria for site plan review. There are some general criteria already existing in the Town Code that all site plans have to meet. And that gives us some bases to look at, to amend. None-the-less, it is the thought of the informal watershed group, with which Phil and I have been meeting. As well as our thought are that we really should, in fact, adopt special criteria relative to the lakefront district.

Now, I think in your packet, you will find—I've not circulated this and I'm not proposing any action tonight, I just wanted to call this to your attention. Phil's going to offer his thoughts. I think you will find a planned proposal for site plan review for LR districts. Again, I want you to take some time between now and our next meeting to look it over.

I think it is fair to say, and Phil has worked on this. This is largely a copy of what they do in the Town of Gorham. Correct me if I'm wrong, Phil.

Phil Sommer: I'm very proud to say that I'm not afraid to steal things from the Town of Gorham. They have a very, very good site plan review demolition policy. Some of the things Jim and I reviewed were a little overboard for us, as far as how that Town got into how to do your landscaping. I don't feel that's part of our business here. Basically, the buildings and the stormwater control are the parts Jim and I kind of focused on. Demolition was one of them, where in this group, we are proposing

that you can take down a structure, but you can only rebuild within the same footprint of the structure that was taken down. That would kind of eliminate some of the mc-mansions that are going up.

Chairman Ely: Phil, you prepared this bullet list of things, right? Maybe you just want to speak to those just for a moment. Correct me if I'm wrong, but every one of the bullet points is included in this proposal, right? Maybe you would like to speak to some of these issues and then see what questions you have from the Board.

Phil Sommer: Ok, first one—Lots bisected by right-of-ways. Right-of-ways, private driveways—we have some of them down there. What Gorham has is the lakefront portion of the lot shall have a maximum coverage of 40%. The total lot coverage for our case still shall not exceed 20%. So that means if you burn up a whole lot on the lakefront, and still within the 40% and you want to build another pole barn or something on the site you couldn't do it for the whole lot. So lakeside is looking at 40%, whole lots still 20%.

Bessie Tyrrell: What happens if you sell the empty lot? You'd have to retain some of it in other words?

Phil Sommer: You tell me. I have no idea. Your subdivision says they could. So if they let them sub-divide it, then you just let them know 40% of the lot. That would be a Town Zoning Board decision, if they want to do the sub-division I would believe. Is that a correct statement or no?

Chairman Ely: That would require getting a variance, is the question?

Ralph Endres: Yes, and we are only talking about a couple pieces of property.

Phil Sommer: And the reason this caught my eye, there was—one of the Points down there—it was bisected by a right-of-way to another cottage. The gentleman wanted to build something and he would have been close to the setbacks, the way it was. It would have been way over, so he decided not to build at all. Whew! I didn't know how to handle it at the time. But you could run in to that, so it's good to have something in there, in writing. So when they do want to build and they get their application for building permit, all the information is in there—this is what you can do. Then it will be up to them to try to fit whatever they wanted into the size the Town decides they could have in that site. We are trying to eliminate the size of the things getting built.

Chairman Ely: We have a number of bisected lots, but not as many as some of the other towns, I don't believe.

Phil Sommer: No, but I guess another thought process with this is why should you penalize someone that has a smaller lot and can only build 'x amount' on the lake and you have someone with a bisected lot that theoretically could build a huge house on the 20% if you encompass the whole lot selection. So it's kind of what Gorham was thinking of. I kind of like how they did it, because it's kind of a balancing act—you have a bisected lot, we'll going to give you this, but you can still only have this

total. I don't know if it's right, but I think it's something we may want to look at. All these things here is just to get the juices flowing. Just to get people thinking.

Chairman Ely: What about the demolition and reconstruction?

Phil Sommer: Demolition--they have to be within the form of the footprint of the dwelling is what we are proposing. So if you knock down a 2,000 square-foot house, you can build one in that same footprint. You still have to have the same setbacks and requirements as you would now in the LR District. You still have to have your stormwater setup there. What they have in Gorham, which I like, is where your run-off is treated in a designed stormwater treatment system for a 25-year storm event for a 24-hour period. So when they build down there, they have to be able to sustain what we had last year. That would have to be engineered into the site plan for you to look at. Again, these are thoughts.

Chairman Ely: Do you think we will get kickback from people wanting to buy a seasonal place but knock it down for a mansion?

Phil Sommer: You are, but--do you want to go on the way you're going now down there, and listen to all the complaints, from the many, or do you want to listen to the complaints from a few who try to come in and shove something through? That's the balancing act.

I've been here 2 ½ years and I've heard more bellyaching from people on the lakeside. A lot of its justified, but do you want to keep hearing that?

Chairman Ely: Other towns have similar restrictions, is that correct?

Phil Sommer: Yes, and Gorham's Zoning Board is very, very strict on granting variances to exceed the structure that was knocked down. What my counterpart from Gorham said is that Zoning Boards have to learn to say 'no'. There's some things you just need to be told no, you cannot do that! Town Boards need to get a little back bone and say 'no' you cannot do this, this is what you can do! You can build a very nice home in this square footage, but you can't have your 6,000 square-foot home.

Ralph Endres: Well you know, a lot of these houses, without getting into what house on Seneca Point Road, you hate the most--the house that I'm thinking of--the house was torn down, it's been a year since rebuilding it and they aren't even close to being ready for a C of O.

Phil Sommer: Which one?

Ralph Endres: It's the one closest to the Vine cottage--closest to the one you just issued the permit to--Doc Pleger's.

Phil Sommer: Oh, that one.

Ralph Endres: That house that they tore down, that footprint could have actually been a much larger house just by going up another story. And still been within our height limits. But what they did

with that house, is they made it so huge and massive, the house takes up at least 50% of the lot, maybe 60% with the driveway.

Anne Caprini: How could it? We had the 20% in.

Phil Sommer: Actually to be honest with you, I was sweating bullets on that house. With how our codes read, that house is just within the 20% coverage. Because we don't have driveways and all that other stuff in it.

Chairman Ely: That's why we need to redefine coverage.

Anne Caprini: Yes, but they don't have a lot of excess things; tennis courts, pools, etc.

Ralph Endres: They don't have room for it.

Anne Caprini: Well I know, but they are not exceeding the 20%, with all that other stuff. It's just the house. I couldn't believe it either, that it's only 20%.

Ralph Endres: If you look at the back of the house that faces the lake, there's going to be patios.

Anne Caprini: That's not in our current definition.

Phil Sommer: No, patios aren't, decks are.

Ralph Endres: What I'm saying is that piece of property forever changed and I don't view it as a positive change, even though it's a beautiful home.

Anne Caprini: No, and I don't consider it rural. If we are all hung up on 'rural'.

Ralph Endres: That's a city place.

Chairman Ely: That's a Pittsford mansion.

Ralph Endres: And the one next to Bob Wegman's old house. If you take the driveway, the tennis courts, they have to be using 40%. There's a piece of property down there that I understand could be sub-divided. It's up in the air whether it's going to be up for sale. It's a big piece of property. The woman that owns it bought a piece of property in the City of Canandaigua, but in her heart, can't let go of it. But that lot is huge, it could be sub-divided. It's Kennedys. The big yellow house.

After those on Seneca Point Road, the rest of them are on steep slopes. So there's another piece of zoning and other hoops to jump through to build on steep slopes. I could take you for a boat ride down through there—there's some beautiful homes that were built on steep slopes that aren't going to go anywhere, because they were built right. When we did the steep slopes, we didn't have a father/son

buy a piece of property and going to put 2 houses on a steep slope that was going to end up sliding into the lake.

If someone is going to build on that property, they need to know how to do it. There's some houses down there that are magnificent. I couldn't even afford the concrete that went in it, forget about what's in the house! That one has 260 cubic yards of cement and that's for the back part that goes up against the cliff. The rest of the house is framed—3 stories. That house isn't going to go anywhere—that was built right. I think that's what we are looking for—reasonable building down there. And I think what you proposed is good. I think this is an excellent start. If we find, in the future, that there are some other things that we want to add on to it, we can do that. But we need to get a start on it, because property—things are good now—property will start selling. I'd rather have a done deal.

Chairman Ely: Do you have anything about the Site Plan Review itself? These are all included within it—I'm going to call it the Gorham Plan.

Phil Sommer: Some of these are and some of these aren't. I'm proposing that when the architect brings the drawings in, that he puts the percentage of lot coverage, on the plans.

Chairman Ely: Is it on the Gorham plan now?

Phil Sommer: No. And I'd just as soon have you look at this, as Jim and I have changed some things and maybe there's some things in there such as seawalls, acetic seawalls. They are in the Gorham plan. I didn't go through and take those things out of it. There may be things in there you don't think is necessary to be in there.

Chairman Ely: Do you feel the acetic seawalls should be in there?

Phil Sommer: Yes, you need to go through it and look at this to see what actually pertains and what you actually want to achieve down there versus just stealing what's in the Gorham plan. It was my intent to give you something to look at, to scribble on, add, change, whatever, to get your thought process going.

Chairman Ely: It's easier to have a target which we can amend and revise any way our collective views suggest. Phil felt the Gorham Plan, for our purposes at least, is a very workable place to start.

Phil Sommer: We changed in here--they had like 5 feet from property line, 10 feet from the next structure. I took that out and put that structure needs to be at least 10 feet from property line, because that's what it is down there. So I changed all the things that works for us. Then Jim and I went through, added and deleted, with Colleen's help. Like I added here, Gorham's minimum square footage was 900+ square footage, ours is 720 square feet for a single family. You may want to look at this because this by far is not a done deal, but kind of cliff notes to look at to get your feel on it and to have you discuss it and see what you want to do with it. I know Jim and I are open to whatever suggestions anyone has on this.

Chairman Ely: We weren't planning any action on this tonight. This is really food for thought. Take it home, mull it over—is there anything in here we can drop, that we don't really need to have in? We are really open to suggestions. This is our chance to follow up with the Town Board's initiative of extending site plan review—this is our chance to get some good criteria in.

Mike Staub: What is Article 10?

Chairman Ely: That should be stricken—I'm sorry.

Phil Sommer: I apologize—I forgot to delete all of Gorham's information.

Mike Staub: I looked everywhere for Article 10! I could not find Article 10!

Anne Caprini: Just one question, Phil. If they are, in one portion of this, allowed to rebuild in footprint of the home that's taken down, suppose the home that was taken down was done at a time that setbacks were more lenient than what the current LR Code is? I see later it says *the replacement dwelling shall be cited for minimum of 10 feet from the property line*. So does that mean if the original structure was over that 10 feet to a property line...?

Phil Sommer: Anne, I think this may not. But I think on the front page "Non-Conforming Buildings and Lots" they have *Full Zoning Compliance- where more than 50% of an existing building is to be reconstructed or expanded, the entire building shall be brought into compliance with lot coverage and setbacks*. I think that answers your question.

Anne Caprini: Phil, if the original building was 2,000 square feet, but it lops over our current setbacks, then it's got to be brought into compliance?

Phil Sommer: Then next page, *if standards cannot be reasonably met, a variance may be sought*.

Anne Caprini: Ok, thank you.

Chairman Ely: Ok, any other questions for Phil? He's put a lot of thought into this and I want to thank him on behalf of the whole Board and thank him for coming tonight. I don't want to rush it, I want to do it right and get something in place. As Ralph points out, building is out of control down there right now. And from my limited point of view, out of control. I was walking down there last Sunday—I walk down there fairly often, and was repeatedly stopped by people just to ask what can we do--like an all-purpose complaint bureau!

Ralph Endres: I don't walk down there anymore because there are so many construction vehicles, it's hazardous.

Phil Sommer: I would like to see this keep moving along, get a little more momentum. I'm more appreciative of the more eyes that are looking at a site plan for down there,.

Ralph Endres: You know, I think we should try to set a goal at getting this to the Town Board.

Chairman Ely: At our next meeting we could have further discussion?

Bessie Tyrrell: Yes.

Ralph Endres: Further discussion and get something enacted and sent to the Town Board. There would probably have to be a public hearing.

Chairman Ely: Oh yes, a public hearing and sent to Ontario County—that will be a month right there.

Ralph Endres: So it would be nice if in November we are all sitting here and it's been approved and is done. And we are getting it put in our books next January.

Phil Sommer: I was hoping by the first of next year, but if it happens by the first of November, I'd love it.

Chairman Ely: I don't anticipate any problems at the County Planning level. My conversations, with them, have been pretty enthusiastic about some of our initiatives.

Phil Sommer: Because it does kind of blend in with the watershed zone.

Chairman Ely: Blends not only in with the watershed, but the town. The Town of Canandaigua has incredible complex regulations for site plan review work.

Ralph Endres: They've still let some houses get built down there that are gargantuan.

Chairman Ely: Please feel free to email me or email each other so we have some concrete suggestions, or things we can take out, things we can put in. I'm very open. Phil's very open.

Speed Limit

Chairman Ely: Ralph has a proposal he'd like to talk about—it's speed limits.

Ralph Endres: The speed limit now on Seneca Point Road is 40 miles per hour, from the Town of Canandaigua where it comes off Route 21 and all the way down to where it goes up Hicks Road, it becomes 25 miles per hour. Now if someone is going 40 miles per hour when they go past the golf course and start on the down grade, if they take their foot off the gas, and don't put their foot on the brake, they are doing between 65 and 68 miles per hour when they hit the bottom where the bridge is!

I live in Bristol Harbour and that Seneca Point Road is our main street. You got pedestrians crossing the road. I think when this new sub-division is built, those duplexes that they are building—there's going to be a walkway from Golfside Circle, right down to Cliffside Drive. It's supposed to be lit and going to have low-density lighting, and you are going to have all kinds of people around there, plus you have golf carts zinging down that road to go down to the marina.

I would like to lower that speed limit to 35 miles per hour, and I'd like to do it from the Town line because the Town line is actually the beginning of the golf course and where this proposed Everwilde project is going to go. I don't know what we are going to have to do to get that done, but there is so much traffic any given Sunday, you'll see literally hundreds of bicycles, motorcyclists and people walking. And I think 35 miles per hour is plenty fast enough, especially when they get down the base of that hill.

Chairman Ely: That's only lowering it 5 miles per hour.

Anne Caprini: Why go 30, when the rest of it is 35 mph?

Ralph Endres: The rest of it is 25, I don't know that 25 is realistic. Other than dragging your feet if you don't want to hit your brakes. If you put your feet on the brakes, than you can keep it at 35 fairly easily, and you don't have to have your feet on the brakes all the way down that hill. That's not to say—there's deer that cross there every day. I could have filled my freezer months on end with deer that was struck going across Seneca Point Road into Bristol Harbour. And they still are struck every day.

So my feeling is, I'd like to have it 35 miles per hour from the Town line and then it becomes 25 miles per hour at Seneca Point, then continues up to Bopple Hill. You have a tough time going 35 when you go up those hills.

Phil Sommer: Would it be feasible to—from the golf course, south, have all that section 25? And then 35 from where you are saying to that point? So that whole lake corridor would be all the same speed limit?

Ralph Endres: That would be good if we can get it through. I don't know, it's a county road so the County would have to be involved.

Phil Sommer: It's a town road. Seneca Point Road is a town road. I would suggest reaching out to Jim Wight (highway superintendent). I don't know if you are going to get the sheriff's involved to put the counters down. And they may go back to see how many accidents were in that area. But I would reach out to Jim and he could at least point you in the right direction of who to speak to.

Bessie Tyrrell: When we moved to Canandaigua, we lived in the Town of Canandaigua, and the speed limit was 55, and I had kids riding their bikes. So I petitioned the neighbors, they lowered it to 35. It was just a question of submitting the request, it was not a big deal.

Chairman Ely: I spoke to Barbara about this speed limit issue—Barbara Welch, Town Supervisor. I also asked Jim Wight what was particularly involved and where did the recommendation from this body go to—the Town Board, to him, or both? As of this afternoon, I had not received a response.

I told Barbara, that if we did make a recommendation, we would make it to both bodies.

Ralph Endres: It's not in our purview.

Chairman Ely: It's not in our purview, but we can always make a recommendation. I can tell you Barbara was very receptive to the idea.

Bessie Tyrrell: Any citizen can do it.

Phil Sommer: Can I ask a question? How did the southern end of Seneca Point Road get deemed 25 and the rest 40 and up?

Ralph Endres: Because the road is even narrower.

Phil Sommer: But who made that decision to make it 25?

Ralph Endres: I have no idea. It's been that since I moved here in 1998. Anne, it's been 40 mph for a long time.

Anne Caprini: As long as I can remember.

Rodney Terminello: I think if you really want to get people to slow down, you want to get it as low as you possible can, because they are still going to speed going down that hill! So if you make it 25, they are going to think 30-35 is okay. If you make it 35, they are still going to go 40 or more. That's how people are, especially when they are going down a hill.

Chairman Ely: Why couldn't they make it 25 where you begin with the golf course area. It would be 25 down the hill, hopefully some of them would slow down, and then we could make it whatever we want—30 from the town line road to the Bristol Harbour area?

Ralph Endres: There is only one piece of property past the golf course and that's Kentmar's piece of property.

Anne Caprini: Wegman's own it, but Danny's daughter-in-law lives in it.

Ralph Endres: That's the only house before the golf course starts. Start at the town line, you are only talking less than 100 yards, probably 250 feet. I would like to say 25 mph, because inside Bristol Harbour, the speed limit is 15 mph. Every once in a while you get some kids going around on two-

wheels, they might be going 35-40, but it seems like they are going 60 when you are standing on the road.

I was an expert at speed when I was with the State Police and I stood at the bottom of that hill where that parking area is and I bet my estimates are still within 5 mph, and I say some of them are 65 and 70 mph coming down that hill.

Bessie Tyrrell: Any citizen can petition to have that speed limit lowered.

Chairman Ely: If we agree on what we want to petition, I for one, would be quite comfortable saying from the town line road all the way down Seneca Point Road, make it 25 (mph).

Bessie Tyrrell: I agree.

Bessie Tyrrell made a motion to approve petitioning the Town to lower the speed limit to 25 mph from town line road all the way down Seneca Point Road, seconded by Ralph Endres. Motion unanimously carried.

Safety Issue

Anne Caprini: One more safety issue and it's the narrow portion of Seneca Point Road. Some of the homes have been bought and newly landscaped—they love to put stones or, in one case, it's a steel marker out to protect their very expensive new landscaping. I'm thinking of one in particular, it was the old Beal property, where that marker is right on practically the edge of the road. So it's already tough for two cars to pass. Doesn't anyone get to say "too bad about your landscaping, your big rock and steel marker are in the road right-of-way. Get it out!"

Ralph Endres: Well, I think probably everyone's hedges are in the road's right-of-way down there. It's fairly big enough for two cars to pass, but if people are walking on both sides, you got to wait for one care to pass another.

Anne Caprini: I was glad to see the cottage, next to the big white one, the cottage south, the one we are talking about—that was particularly bad for rental people parking 4-6 cars and some of them were so inconsiderate they'd be parking a third in the road. They have tried to make the parking larger or wider.

Ralph Endres: It's a tough situation and I feel sorry for the people who live on Seneca Point Road right now.

Anne Caprini: I just don't think you have a right to park on the road! The shoulder is one thing, but not on the road when it's already a narrow road.

Ralph Endres: I don't know how--to tell you the truth—if the cars are a little bit on the road, the other cars have to slow down going through there.

Anne Caprini: You can't have a walker and more than one car, or it creates a hazard. Especially, if you got cars coming from both ways and you have walkers.

Ralph Endres: You know the one house which has the hedge before you go up Bopple Hill? Until they cut that hedge, they took 8-12 inches of the highway up. It's a living thing, it grows out. It takes them two days to trim that thing!

Anne Caprini: So we don't have any authority group within the town to check on to see what impact someone's steel marker or big boulder has on the safety of the roadway?

Bessie Tyrrell: I bet Jim Wight does.

Chairman Ely: Are we ready to move on?

Phil Sommer: Why don't you just install some 'No Parking' signs down there? That would give you the option of calling the Sheriff and they would get ticketed.

Ann Marie Rotter: But they don't have options to park either.

Phil Sommer: Well, whose fault is that?

Comprehensive Plan

Chairman Ely: It has been called to my attention, in our Comprehensive Plan, on page 27, it says *we will do a periodic review of the Comprehensive Plan*. Now, again, as with the Site Plan Review, I'm not proposing any action tonight. But I wanted to raise the fact that we have to put our minds to some extent on what we would like to do in the way of the Comprehensive Plan.

One question I think we should think about and maybe focus a little bit on next time, is do we want to commission a survey? If so, I think I should tell the Supervisor that we are going to need a budget to get some help to help prepare a survey.

Ralph Endres: Just the mailing is substantial.

Chairman Ely: The mailing is substantial. You have to formulate the questions that are helpful and I haven't had much experience with doing it. There are engineering services which offer help on advising Comprehensive Plans. Would it be useful to get the community involved? And at some point, we would have to have a public hearing on the proposed Comprehensive Plan.

Bessie Tyrrell: You have to have a public hearing.

Chairman Ely: That's all down the road.

Ralph Endres: As far as the survey goes, I think if you look in the records you will find the survey questions and the mailers that were sent out last time.

Colleen Converse: I think those records are in my office.

Ralph Endres: Rather than invent the wheel, we may want to use those questions and just tweak them.

Bessie Tyrrell: I like the idea of dragging it by a professional. I don't think that's a bad idea.

Ralph Endres: We have to find out how much of a budget we got.

Bessie Tyrrell: I know they are expensive, but if some of these things were a little more firmly based in here, could solve some problems.

Rodney Terminello: Another thought, maybe we could include Higher Education Institutions, and that would be a project for them.

Chairman Ely: Oh that's a thought. Might have someone in that appropriate department.

Ann Marie Rotter: I know Sienna College does surveys all the time.

Bessie Tyrrell: But I don't think it's a bad idea to have professional services.

Chairman Ely: I'll try to get a sense for a budget for next time. But I'd just like you to be thinking about how we should go about this. Meanwhile, Colleen, we'll try to dig up surveys of yesteryear.

Ralph Endres: If you are going to change the Comprehensive Plan, update it and give it a new face, a new look, then I think we need to hire somebody to do it. But if we are just going to tweak the Comprehensive Plan that we have, then I think we can go back to some of the questions and maybe hire a consultant to help us with those questions--rather than have someone conduct a survey for us. You are talking about a substantial expense to the Town. Not that I'm against that, I'm just not sure they have that in the budget.

Bessie Tyrrell: Four hundred eight surveys were sent back in, eight hundred sixteen people responded.

Ralph Endres: Thirty percent of the people responded. That's a huge amount! Especially when you see where the taxes are sent in this town- they're sent all over the United States. The owners of property here live all over the United States!

Mike Staub: I agree? If it's just a review, we don't need professionals to do it, since we already have a body of information in place. We've got a trestle board, if you will, of questions, to ask, we might want to just ask a few more questions or delete some of the old questions, and then put it out with the tax notifications.

Bessie Tyrrell: No, I think we got better response if they were sent out separately.

Ralph Endres: A lot of the people who owe taxes here, never see the tax bill. It goes to their accountants.

Mike Staub: So how do you get a mailing to the people?

Chairman Ely: At the next meeting, I will try to get an idea of a budget, if any, and a list of survey questions for us to consider. With that and the Site Plan Review, we'll have some items to move forward.

Bessie and I discussed the Docking and Mooring Law. Bessie, would you like to speak to that? A question of the boathouses came up earlier. We had a presentation several years ago, but we've had quite a few changeovers in the Board, since then. Frankly, I don't know about you, but I could use an update. I was thinking I might get Kevin Olvany or someone to come in June. I'm a little concerned if we have Site Plan Review and Comprehensive Plan that might be a pretty full meeting, if I have Kevin come in too. But with your permission, I'd like to schedule him to come at a future meeting, and see what his schedule is too.

Bessie Tyrrell: I'll see if there are some other folks.

Chairman Ely: Kevin did the presentation before.

Ralph Endres: Kevin is a very excellent speaker—he'll hold your attention.

Chairman Ely: Kevin will do a good job. And he's coordinated this workshop on watersheds, Phil and I attend. So anyway, I will pursue it.

Being no further business, Mike Staub made a motion to adjourn, Rodney Terminello seconded it. The motion was unanimously accepted and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Colleen Converse,
Recording Secretary