



**Town of South Bristol**  
6500 Gannett Hill Road West  
Naples, New York 14512-9216  
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## **Planning Board Meeting Agenda**

Wednesday, February 21, 2018  
7:00 p.m.

### **Call to Order**

### **Pledge of Allegiance**

### **Reading of Vision Statement**

*Preserve and protect our safe, clean, naturally beautiful rural and scenic environment with carefully and fairly planned commercial, residential, agricultural and recreational development.*

### **Minutes**

Approval of December 6, 2017 Planning Board Meeting Minutes

### **Old Business**

Comprehensive Plan Update

### **New Business**

#### **Preliminary Site Plan Review Application #2018-0001**

Owner: Hugh M. Jones IV, Jones Beach LLC

Address: 5721 Seneca Point Road

Tax Map #: 168.20-1-23.100

### **Other**

### **Motion to Adjourn**

## **Town of South Bristol Planning Board Meeting Minutes Wednesday, February 21, 2018**

**Present:** Mary Ann Bachman  
James Ely  
Ann Jacobs  
Ann Marie Rotter  
Sam Seymour  
Michael Staub  
Rodney Terminello  
Bessie Tyrrell

**Excused:** Ralph Endres

**Guests:** Bill Grove, P.E.  
Eric Clough, 212box Design Architect  
Sara Baldassi, 212box Project Manager  
Phil Sommer, Code Enforcement Officer  
Keith English, Deputy Code Enforcement Officer  
Judy Voss, Town Clerk

### **Call to Order**

The meeting of the Town of South Bristol Planning Board was called to order at 6:58 p.m., followed by the Pledge of Allegiance. All board members were present with the exception of Ralph Endres.

### **Reading of Vision Statement**

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

### **Minutes**

Chairperson Ely called for a motion to approve the December 6, 2017 meeting minutes as written. Michael Staub made said motion which was seconded by Ann Jacobs. The motion was unanimously accepted by all board members present.

### **Old Business**

#### Comprehensive Plan Update

Chairman Ely read the following prepared by Judy Voss, Town Clerk:

*“At the February 12 South Bristol Town Board meeting, the Town Board approved an agreement with Messineo, et al to complete the updating of the comprehensive plan. The agreement includes project management and administration, document design, content organization/integration, writing and editing, graphic design with illustrations and graphs. The Comprehensive Plan agreement has four phases: review, design, draft, and final. The agreement has a complete date of June 1, 2018 and will require a public hearing with the Town Board for approval.”*

**New Business**

Preliminary Site Plan Review Application #2018-0001

Hugh M. Jones IV, Jones Beach LLC

5721 Seneca Point Road

Tax Map #168.20-1-23.100

Chairman Ely: I am going to turn it over to you Eric to initiate the program. I have had the opportunity to review some of these plans with Phil Sommer. I think the board members would like you to do the whole show. Take your time to explain what you have here and then we will see what questions come up. Please introduce yourself for the record.

Eric Clough: Thank you for having me. My name is Eric Clough from 212box. My colleague Sara Baldassi also from 212box and Bill Grove our engineer consultant. So our application is for the Jones residence at 5721 Seneca Point. We are seeking to renovate and create an addition to an existing house. We brought a history timeline. There is a lot of history on the property both in the family residence being there for a long time and multi generations. The original cabin that was built on the property in 1951 and then in 1957 a cottage was added and that cottage was then an addition of our current house structure in 1964. Somewhere in between 1964 and 1995 both the cabin, the cottage, and the house all existed on the property. That cabin was then removed at some point and then in 1995 a large oak tree fell on the existing cottage leaving just then the house addition which is the current house left on the property. My client, Hugh Jones, said the 1964 house was built by his grandfather for his wife. He was an architect so he built the addition for her and we are now seeking to try to bring back that cottage as an addition to that original addition. That cottage was 1429 square feet and we are seeking a very similar square footage addition to that which causes us to request a 25% lot coverage which is an additional 5% from that 20% lot coverage. We would also like to extend just that front addition which is about 1,000 plus square feet and then we would like to add and extend the garage. We are absorbing some of the existing garage as storage and then two more bays of cars for the garage. That extension is also causing us to request two more variances. It would be that the existing house is off the easement of that five foot so extending that within that five feet and then also we are 47.6 feet away from the 50 foot setback on the other side of the lot.

Bill Grove: May I step in for a minute. I can see you lost some of the board members.

Rodney Terminello: Now the lot coverage is more than 25%?

Bill Grove: No. The proposed lot coverage is 25%.

Rodney Terminello: Including the garage?

Chairman Ely: Introduce yourself.

Bill Grove: I am Bill Grove, Grove Engineering, being the civil engineer on the project. So to talk about what Eric is saying I could see some of the eyes looked a little confused about the three structures at one point. Think of it as initially structure A, then structure B then an addition to structure A which is now the house that exists there. Right Eric?

Eric Clough: Yes.

Bill Grove: So there was structure A with a big addition which is what is there now plus a cottage which is structure B. An oak tree fell on structure B that got demolished because of that. The original structure A was also taken off leaving only the addition as the house. It is a pretty good size footprint for that structure on the lot. To give them the space back that they lost from the cottage that was lost to the oak tree they are proposing the addition on the south side of the house as well as a garage addition that will help change the orientation how the cars get into the garage. So does that help some? I think Eric's got plans.

Eric Clough: I am so sorry. The original cottage was here and this is the main house. So that cottage also went over an easement. What we are trying to do is bring back that same square footage by twisting it back and attaching it closer to the house so that it does not fall within that easement. It just replaces that square footage.

Bill Grove: The easement that you are talking about is the fifteen foot easement?

Eric Clough: Yes.

Bill Grove: Okay. So there is a property that fronts on Seneca Point Road that is separate from this property that has an existing fifteen foot easement along the west and south property.

Chairman Ely: That is to enable the owners to reach the lake?

Bill Grove: Yes.

Chairman Ely: Do they have a dock or something at the end of that?

Eric Clough: No.

Bill Grove: Not currently but it does afford them the opportunity to have that.

Chairman Ely: Presently that easement is not operable because there is a structure on that?

Eric Clough: That lot is empty. It is actually owned by my client's cousin. There is no plans to build anything.

Bill Grove: He is talking about this structure. Correct to stay within the easement it would be almost impossible to get to the lake.

Chairman Ely: Is this easement gravel or paved?

Bill Grove: Just lawn. As if somebody just cut that piece out on paper and this is going to remain with the parcel that is not lakefront parcel so they have access to the lake.

Chairman Ely: Okay. So this was granted in favor of the people who have the parcel up on Seneca Point Road, I take it right?

Bill Grove: Correct.

Chairman Ely: Any maintenance responsibilities spelled out here?

Bill Grove: Not that I know of. How the easement is written is on the site plan. It is a fifteen foot easement for vehicular and pedestrian use, utilities and lake access and right to erect and maintain boat dock to Emma Rae Hershey, who is the owner of the lot. Separate lot that is not even contiguous to this.

Chairman Ely: That is the one on Seneca Point Road?

Bill Grove: Correct.

Sam Seymour: Do you have to cross the neighbor's property to get to this easement?

Bill Grove: Correct. There may be another easement on the neighbor's property. I am not sure.

Eric Clough: They would share the same drive to access that.

Sam Seymour: I got you.

Bill Grove: It is one of those classic cases of it was owned by one family at one point and everything sounded good.

Chairman Ely: Easements granted years ago can cause all kinds of confusion.

Bill Grove: The proposal is not to encumber that easement. It is actually going to open it up.

Chairman Ely: You are going to remove the encumbrance, right?

Bill Grove: Yes. As Eric said that the old structure the cottage that was demolished because of the tree actually extended into that easement. We are not pushing it to that limit.

Chairman Ely: To your knowledge is anyone making use of the easement at this time?

Bill Grove: Not that I know of.

Chairman Ely: Thank you. Enough on easements.

Bill Grove: So I do not know if you want to talk specifically about what the additions are?

Eric Clough: Yes. So a quick rendering of the addition. What we are proposing is extending the garage forward along the driveway and then building a new addition here which is that 1400 square feet and a second floor to the existing second floor that is just a pop up here and extending it here and in the front so it makes a homogenous design element to now the whole house.

Chairman Ely: The driveway reaches Seneca Point Road?

Eric Clough: Yes.

Chairman Ely: Is the driveway owned outright or is that another easement?

Bill Grove: Must be another easement.

Eric Clough: Yes because our property line stops right at the length of the driveway.

Bill Grove: This property, the Jones Beach property does not have any road frontage. It does not connect physically to the road.

Chairman Ely: You have to use the right-of-way which we will assume for the moment is an easement.

Bill Grove: An easement or right-of-way. I am not sure which one. They have legal right to get to that property.

Chairman Ely: That is good to hear. That is one thing we have to inquire into.

Rodney Terminello: So I am still confused. So you said you are adding 25% and then you said were adding the garage.

Bill Grove: I am sorry. I guess I did not understand the question. The total lot coverage is going to be 25% after the additions.

Rodney Terminello: Including the garage?

Bill Grove: Including the garage yes.

Chairman Ely: Hence the request for the variance, right?

Bill Grove: Yes. One of the three variances is lot coverage. So 20% is allowed. We are proposing 25% which is within a tenth of a percent or something of what it was prior to that house that got demolished from the tree. That is one variance. The second variance is because the garage is going to be in line with the existing house but that house is already five feet from the property line. So we have to ask for a variance to extend that the same distance but also the garage ends up being too close to what we consider the rear property line the road side property line where 50 feet is required and we are at 46.7 feet. Those are the three variances.

Chairman Ely: Eric is there more you would like to share?

Eric Clough: Was that clear enough? Did you want exact numbers or anything to the additional square footage?

Rodney Terminello: No, thank you.

Bill Grove: In addition to that, because of the way the town's lot coverage regulations are it is pretty strict and probably for good reason, you have to include any impermeable surfaces which is the house, the addition, the garage, any of the out buildings, any patios, any driveway. So when we factor all that in then were way over if it is conventionally paved. So what we have decided to do in this case is to make all the new patios permeable, retrofit the existing patio to make them permeable and the driveway will become permeable. We will remove a good portion of the existing driveway that goes to that out building that's in the easement. So the outbuilding will go away as well as a good portion of the driveway that gets there

and will be restored to lawn. We are making an attempt to keep the potential runoff from the impermeable surfaces down. The one thing we have going for us is we have great soil there. It helps us on the septic as well as infiltration for storm water.

Chairman Ely: How do you go about converting the patio from where it is now to permeable?

Bill Grove: Rip it up and get to a subbase. I think we are still working on what that is. I think the driveway can be permeable pavers or they make a permeable asphalt which is remarkable stuff. We take a five gallon bucket of water and pour on it and it runs right through it but it looks like normal blacktop. I do not know if it we decided on which method to go with yet. So we have to remove the structure that is there to get down to a permeable subbase and build it back up from there.

Ann Jacobs: So are you going to have a new driveway because it says here that the enhanced septic system connected to the house across the existing driveway?

Bill Grove: May I ask what that is from?

Eric Clough: We have a new driveway on our property so it is a gravel road all the way down as far as that easement and from our property we would have the permeable asphalt.

Bill Grove: I did not catch that comment before. It is kind of strange. I can show you to on the plan if you do not mind. So the existing driveway goes to this building. It's a gravel driveway. It comes over to here. I am sorry it comes down to here and right now the garage is an end load in this section. The driveway is essentially all of this. What we are going to do is restore this triangular section to grass and we are going to restore all of this to grass and just have this driveway that comes in and now the cars will enter the garage from the south side.

Ann Jacobs: Okay and the septic is here, right?

Bill Grove: So the septic actually comes out of the building. The existing is there now. So the proposal is to capture that where it comes out now. So there is no lines across the driveway. That is just an electrical conduit to the control panels.

Eric Clough: So we are replacing the entire septic system as well, but not using the well and actually drawing from the lake.

Bill Grove: Correct.

Bessie Tyrrell: I have a question. Do the proposed patios have roofs?

Eric Clough: No. Permeable surface. There is just one connection that is a glass enclosure from the new addition to the existing living room and that will also have a permeable surface enclosed and the doors will be open. That exists in the bridge here.

Bessie Tyrrell: Okay.

Chairman Ely: You made reference to the septic system and, of course, the key question is whether you had any consultation with George Barden?

Bill Grove: Yes. I can speak to that. I submitted an initial set of plans to George for his approval. He kicked it back with a few comments. We talked to him this morning on conference call to iron out some minor details about how many shower heads will be in each shower. It is one of his points that he wants to be careful of and rightly so. I have to send him a revised set of plans. He asked about the number of beds in the kidø bedroom and the number of shower heads in each shower. Those are the things I have to address with him. I do not anticipate any problems. Like I said there is good soil there and we are going to keep above the 691.0 elevation.

Chairman Ely: In your best judgment that will proceed in due course?

Bill Grove: I do not see any issues with that at all.

Chairman Ely: Good.

Michael Staub: You say that is an enhanced septic system?

Bill Grove: Yes. The size of the leach field area is such that we do not technically need the enhanced treatment, but I know George pretty well and I know what he is trying to do to protect the lake. We designed it with the enhanced treatment which is called an aerobic unit. It has the aquarium vomer in it. It aerates. Which one? This one is a jet because of the size of it. It is a 900 gallon per day design flow on this house, so it is a 1,000 gallon per day jet. There are not a lot of manufacturers that make economical 1,000 gallon per day enhanced units. Not a lot to choose from. It could be any NSF standard class 1 approved unit.

Michael Staub: This is for a permanent residence, right?

Bill Grove: It would be designed for a permanent residence for the septic. I am not sure how the property will be used but it is certainly designed for a peak loading of every bedroom being full.

Michael Staub: The owner would not live there full-time?

Eric Clough: The client comes during the summer and then during the winter two or three times but we are doing this addition in planning his retirement. He would then live here year round.

Michael Staub: There is no rental issues with this? They are not going rent out the property at certain times of the year?

Eric Clough: Not at all. This house has been in the family for multi-generations and in fact some of that history they inherited from their father in 2006 and he then bought a portion of it from his sister in 2008.

Michael Staub: So the intention is for the property owner to live there after retiring?

Eric Clough: Yes.

Michael Staub: So there will not be any rental of the property?

Eric Clough: Yes.



Michael Staub: Okay. That was my concern. We have run into issues with that before. Someone will buy a property, build it up and rent it out then forty people show up on the residence.

So you are putting a lot of roofs on. This drainage from the roofs is that going into some kind of retainer? It looks like you have it going to splash garden going into the lake.

Bill Grove: Yes. That is initially what I have. I guess I can revisit that and do some infiltration with it.

Michael Staub: Some drywells or something to collect that.

Bill Grove: They would work well there.

Rodney Terminello: You say you are renovating the house. What you are doing to this house is more than a renovation basically building a new house, right? You are adding a second story and a garage. How much more square footage are you adding to the house that is there now?

Eric Clough: So the ground floor is barely touched as far as renovation. Most of the square footage is being taken up by the existing pool. This is one of the first enclosed pools that was built in upstate New York. As far as square footage it is 1,400 square feet on the addition and then the total square footage for the upstairsí

Rodney Terminello: And the garage. What percentage of increase of what is there are you adding to second story, garage, and an addition? It seems like you are building a whole new structure to me.

Eric Clough: The current house is 4,600 and then we are proposing a 2,200 house addition, and a 455 garage addition. That is the total square footage upstairs.

Rodney Terminello: So you are doubling it?

Eric Clough: It is 60%.

Rodney Terminello: 60% above where it is now?

Bill Grove: Maybe now is a good time to go to the model to talk about what part is going to be left and what you are going to add on to.

Eric Clough: This is the house. This is the pool enclosure. This is the garage. We just extending that and building an addition here and then an addition here just as two stories. There is already an existing two story here that they will be tying into. The addition just outside of that structure.

Bill Grove: Adding the second story here and here.

Rodney Terminello: And the garage and the addition. You are going up another 60% than what is already there.

Bill Grove: Living space?

Eric Clough: In living space.

Michael Staub: The only real extensions to the garage as far as the footprint goes, right?

Rodney Terminello: No. They are adding an addition too.

Eric Clough: That is just this extension.

Michael Staub: That was the original?

Eric Clough: That was similar in size which is reconfigured now that this was the existing house.

Michael Staub: That's how you shifted it?

Eric Clough: Yes.

Mary Ann Bachman: The pool house is that part of the 6,000 square feet?

Eric Clough: Yes. That's what is absorbing a lot of our square footage.

Mary Ann Bachman: Okay. Thanks.

Sam Seymour: So right now this house has a stone finish across the front, single story, kind of low profile from the lake with a natural sort of finish. The rear is stained wood siding. Is this the rendition of what it will look like after?

Eric Clough: No. It is just conceptual. We have not gone through all the materials on the thing.

Sam Seymour: This would be a real eye sore from the water.

Eric Clough: Okay.

Sam Seymour: Anything that is white will be obnoxious to look at.

Eric Clough: Oh. I am sorry all this is not colored.

Sam Seymour: Okay. So final siding will be some kind of a stained siding or natural finish?

Eric Clough: I had brought some examples of permeable paving that we are looking at and then also that we have been showing the client. We have had a couple different configurations based on different square footage strategies and wanted to get past this.

Sam Seymour: I know the place next door is over a hundred years and it is stained dark. The one to the north, and of course, with the close proximity to the property line, the north line and the adding of the two stories that will look like quite a substantial wall right down the line.

Eric Clough: What I would like to do is break that down with various datum lines of stonework. So we are keeping some of that main stone work. We are also doing an additional field stone as part of that datum on the addition. Then clapboard or board and baton will then blend in with the surrounding house.

Sam Seymour: Good.

Eric Clough: We hesitated on the renderings. I just wanted to show you.

Sam Seymour: It is really close to the water. I do not know if the town has any setback.

Bill Grove: Twenty-five feet. Did we meet that?

Eric Clough: Yes. We are actually ten feet beyond that.

Sam Seymour: Okay.

Eric Clough: Additionally there are Sycamore trees we are saving along the front.

Sam Seymour: So they will break up the profile.

Eric Clough: Absolutely. There are three in particular beautiful trees that provide great shade.

Rodney Terminello: What is this black line with all the squares? Is that a wall?

Bill Grove: Silt fence for construction.

Rodney Terminello: Okay.

Chairman Ely: Anything else that you would like to share in terms of your construction plans?

Eric Clough: I do not think so. If anyone has any other questions? I just want to reiterate again that Hugh and his family love the lake. He has grown up here his entire life. He is very conscious of both the water concerns as well as having all the neighbors approval. He is dear friends with almost everyone along that lake. I am sorry along that Seneca Point. He thanks everyone for his time.

Chairman Ely: I have a question that came up in a letter from Ralph Endres one of our board members who is not here at the moment and will be here next time we meet. Ralph said that he could recall when this property had been flooded at times in the past. I asked Phil Sommer the other day about flood plains. We have special flood plain requirements. I discovered tonight, first I have seen this, there is a map that seems to suggest that this would be in the flood plain. Do I misunderstand this?

Bill Grove: No. I am not going to say you misunderstand it. The map you are looking at is a generalized description of the flood area.

Chairman Ely: It looks like a chunk of the property is under water.

Bill Grove: In reality the floods are dictated by the elevations. The water is going to come up to an elevation which I think is 690.0.

Sam Seymour: Was that Agnes?

Bill Grove: I do not remember the number. It was close to that.

Sam Seymour: This is erroneous. This picture because Agnes did not hit the house next door. It came over the wall but it did not get to the porch of the house next door.

Bill Grove: The contour of the 690 is shown on there from the surveyor. It is just behind the break wall. There is an elevation there where it would flood to.

Chairman Ely: But it would not be as extensive as this? Is that what you are telling me?

Bill Grove: No.

Chairman Ely: Can you show me where it might be?

Bill Grove: Its 690 contour is along here and comes out there and juts back in along this wall. Essentially everything land side of that would remain dry when elevation got to 690. I believe is the ten year flood elevation. The hundred year elevation I am not sure what that number is.

Rodney Terminello: So you have a wall right in front of where the 690 is, right?

Bill Grove: There is a wall there. Yes.

Sam Seymour: I can tell you from witnessing it that Agnes came only to about here.

Rodney Terminello: Part of that is wood fence and part of it is a wall.

Chairman Ely: Are any of these structures within the flood plain? Any of the proposed structures?

Bill Grove: I think the answer is yes. The reason I say that is because we tried to get a letter map amendment to say that the structure is out of the flood plain and we would not be successful in that. We know the finished floor of the house. We know the elevations around it but I do not think the grade up against the house is sufficiently high enough that it would be considered out of the flood plain. I am not sure specifically what that number is. I can check on that.

Chairman Ely: The town has code provisions for flood plain as you know. Presumably if these structures are in the flood plain you will have to come into compliance with that, right?

Bill Grove: It is my understanding. Yes. Even if they are not in the flood plain it still has to be a certain elevation. It is an old cottage that we are plotting into and redoing. Especially the pool area. It is not as if we can raise that up very easily.

Chairman Ely: That is a potential problem. Let's leave it at that for the moment, right?

Bill Grove: Yes. I do not think it is a problem. It is something to be aware of.

Ann Marie Rotter: You mentioned that you were going to get the water from the lake, correct? Is there any variances that we need from the lake and those people?

Bill Grove: No.

Michael Staub: How far out on the lake are you going to go to draw that water?

Bill Grove: Probably do not have to go very far to get down into some decent water. It is deep enough there that you do not have to go I would say 100 feet or less would be a guess to be down twenty or thirty feet of water pretty easily. There is an existing well on the property in the corner so when I look at it from a septic design perspective because the well is on the low side of the property and theoretically I cannot make a case it is not within the direct path of the leach water getting there so that increases the separation distance from one hundred to two hundred feet. There is no way the well could remain on the property and still get a septic on there.

Michael Staub: You are removing the well?

Bill Grove: We are removing the well yes and doing lake-intake to provide water to the house.

Bessie Tyrrell: Will there be any changes to the retaining wall? Where the steps are?

Eric Clough: We do not have plans at this point. If anything, it would be aesthetic.

Bessie Tyrrell: I think there are a lot of things you cannot do. So you do not plan to touch that at all?

Eric Clough: No.

Bill Grove: If they did, they would have to get a DEC permit to do anything. DEC and Army Corp. It is not impossible but potentially probable.

Chairman Ely: Will there be a dock or expand a dock?

Eric Clough: They own a temporary dock that is placed out.

Ann Marie Rotter: And pull in every year?

Eric Clough: Yes. There is no plans.

Sam Seymour: I have pictures of four or five feet of ice in front of these cottages from a couple of years ago when it blew off the lake from the south and piled up on the beaches. That is why they pull out the dock out every year.

Chairman Ely: Alright do we have other questions?

Bessie Tyrrell: What is this white line from 5723B?

Bill Grove: That is a fence.

Eric Clough: It is a small picket fence that the neighbor put up. It is actually on our property. The neighbor put it up and Hugh did not have a problem. It was fine. Meaning it does not define our lot.

Bessie Tyrrell: Right. I understand.

Bill Grove: While you are that subject I know these guys have been struggling with the fact of the lot coverage originating from a miscalculation that the county has the property lines as you see on the OnCor drawing. It is quite a bit more than what the actual survey came back with. Initially we thought we had more property to use. Once the survey came back the lot boundaries shrunk from what we initially thought. That is why we are that twenty-five percent. It is not a justification I guess because it something that is self-created but at least it is something to consider. I think they have been taxed on our first version.

Chairman Ely: Happily taxes are not the responsibility of the Planning Board.

Sam Seymour: Has Hugh Jones talked to some of the neighbors about this?

Eric Clough: Hugh has yes.

Sam Seymour: So George, Katy and Chris and all?

Eric Clough: I will not speak for them. They have talked to Hugh about it and have been supportive. We have not shown them the final drawings or anything. Manage expectations as well as we do want to study all the materials and make sure it looks beautiful.

Bill Grove: One thing you will not have to worry about is the aesthetic feel of the house once it is done.

Chairman Ely: Do we have other questions?

Diane Graham: How is the view for the neighbors, with the new plans?

Eric Clough: From their neighboring homes?

Diane Graham: Yes.

Eric Clough: Most of the house is covered and wooded. To the left there is a small, the land actually goes up and a natural break. That view would not change from the left side. The addition here we are carrying that line of the neighbor's house.

Diane Graham: What would they be looking at?

Chairman Ely: Would it block their view?

Eric Clough: The side elevation which is the narrowest of that square footage and then actually shielding and all the rest is courtyard of the pool.

Diane Graham: So the neighbors to the south will be looking at that?

Bill Grove: What Diane is asking is from this house, will our additions impact their view from the house back here or the house on this side.

Eric Clough: No it won't.

Mary Ann Bachman: Has the Jones property always had a northern and southern view of the lake?

Sam Seymour: It is a southern view.

Mary Ann Bachman: How about 5719? Is their southern view obstructed at all as a result of the project?

Sara Baldassi: I know that when Hugh went to talk to the neighbors he was actually concerned about this. They are friends and it is his interest that they approve the project and like the project as well. The only part that at the moment that will be kind of be obstructed but it is minimal it is to an accessory cottage in this back side but again it is a cottage and it is not used for daily living. It is just used for storage. Besides that this house does not get affected because right now he has a fence here that covers the garden area that goes to the pool. Right now this house the only portion of this window that faces Hugh's house already does not face the lake either way. Instead of looking at a fence they will look at the side of the house which does not obstruct the view because they did not have a view before except for the fence and wall. Now it will be a wall nicer than what they have right now. Besides that he took the liberty and I talked with him personally over the phone when he was explaining to the neighbors the project. He showed some preliminary drawings. There is no obstruction and it is our understanding that the neighbors are completely fine with the project.

Chairman Ely: Thank you. Alright other questions for our presenters? I understand that we had to change and amend the form reducing the area of total disturbance. Diane has that form been signed?

Diane Graham: Yes.

Chairman Ely: Is there anything else? No. Okay. You mentioned that you have an application for three variances pending. Is that what I understand?

Eric Clough: Yes.

Chairman Ely: You know that has to go to the Zoning Board of Appeals which is a totally separate board and they make their own independent decisions. It is my understanding that they are not able to entertain this variance until March. I feel pretty comfortable in suggesting I would not want to schedule a public hearing on this application until after the ZBA has acted. So I would be thinking in terms of setting the public hearing for April. That is assuming the ZBA grants the variances. If they do not grant the variances, then you are back to square one. If they grant the variances, I will then set this for public hearing which you will go over much of what you said tonight. There may or may not be a public audience. Public hearings vary quite a bit. That means it will be advertised and neighbors will get an official notice. If everything goes well, we would be in a position to grant site plan approval either that night or quickly thereafter. That is, of course, dependent on the ZBA but also on George Barden giving you written approval of your septic system.

I have mentioned to you as you know that County Planning has recommended against this project. Now County Planning does not bind us but we can by extraordinary vote disregard the County's plans. We have had a history generally paying close attention to their concerns. Anything that can be done in the interim that could speak to those concerns probably would be to your advantage. Beyond that I do not know if you have any more questions for us?

Yes, Phil Sommer.

Phil Sommer: Do you have a final storm water erosion plan? The reason I am asking I would like to take it over the Kevin Olvany and he and I can sit and go through it.

Bill Grove: Okay. The site plan has erosion sediment control.

Phil Sommer: I heard you say something about soil. Can you just put in something like a proposal possible drywells or something?

Bill Grove: Yes. We can put in roof run-off disconnection to maybe any kind of potential run-off.

Phil Sommer: If you can get that to me, I can get that over to Kevin.

Bill Grove: Yes. I sent him an email but I have not heard anything from him.

Chairman Ely: One of the things that County Planning specifically recommended was to coordinate with him. That would be a good thing to do. Also a good thing to do is to have a map that actually shows the area of possible flood plain and how that relates to the property. If this map is wrong, I can grant you that, but I would like to see when it is right. This is like a big chunk of the property potentially under water.

Anything else?

Sara Baldassi: I read the response that County gave us and probably from just when somebody sees a project they do not have a full explanation or background story you do not understand it as well. The owner of the property intends to retire in this house but the idea that drives the design is creating an addition that will allow the house to function partially. I know you have some concerns about the overall surface that we are building and while he has a big family and hoping for many grandkids. As far as it goes for daily use of this house, when he moves there, the idea would be for him to only use the new addition. That is why we are creating a separate addition and he has a separate entrance and the connection can be closed off. I think that is something to take into consideration because County said grant a variance because of normal use. That is a little bit vague but I think that the usage of the house has at this point been become critical also the use of water resources or general resources of the area. If you look at the plan, the addition can function by itself. I think that is something, of course, we are not there to explain to County but I think we can explain to you that the house will not fully run unless Christmas or some of the grandkids come in.

Rodney Terminello: Nevertheless it's there. You have made it big enough for a lot of people to live in there.



Sara Baldassi: Meaning that the daily use of the house and resources of land, property and lake water are not toí

Rodney Terminello: All I am saying that what is intended and what happens is another.

Sara Baldassi: Sure.

Ann Marie Rotter: Shower heads alone.

Bill Grove: We talked to George Barden about that and we decided the clients are not looking for what George considers human carwashes.

Chairman Ely: Unless you have any further for us I thank you for coming and appreciate your effort to make the presentation. Please keep me or Diane posted as to how the ZBA progresses, as well as with George Barden and with Kevin Olvany, okay?

Bill Grove: Okay.

**Other**

Docking and Mooring Law Discussion

Chairman Ely asked the board to consider whether the Planning Board should include Tier 1 site plan review or an inspection role for boat house and boat stations. This was brought up by Phil Sommer as he has received complaints from residents that their lake view is obstructed when docks have been installed. There was a discussion and it was decided to defer consideration to another meeting.

**Motion to Adjourn**

Being no further business, Ann Marie Rotter made a motion to adjourn the meeting and it was seconded by Michael Staub. The motion was unanimously accepted and meeting was adjourned at 8:05 p.m.

Respectfully submitted,



Diane Scholtz Graham  
Board Secretary