



**Town of South Bristol**  
6500 Gannett Hill Road West  
Naples, New York 14512-9216  
585.374.6341

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## **Planning Board Meeting Agenda**

Wednesday, September 12, 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.*

### **Meeting Etiquette Review**

### **Minutes**

Approval of June 20, 2018 Planning Board Meeting Minutes

### **Old Business**

#### Final Site Plan Approval Application #2018-0003 Continuation

Owners: Robert & Pamela Sands / Seneca Point Properties LLC

Property: 5735 Seneca Point Road ó Main Residence

Tax Map #: 178.07-1-2.100

Board review of docks, boat house and boat stations

### **New Business**

#### Preliminary Site Plan Approval Application #2018-0008

Owners: Thomas Hawks II

Property: 6202 Stemple Hill Road

Tax Map #: 185.00-1-32.111

#### Preliminary Site Plan Approval Application #2018-0009

Owners: Robert Harris et al.

Buyer: Mark O'Connor

Property: 6521 Longs Point Drive

Tax Map #: 185.17-2-4.000

Define wording for sheds 144 square feet or less

Define wording for §170-70 natural gas transfer

**Other**

Evergreen Way Planned Development subdivision update

Everwilde project update

Discuss combining November/December Board meetings

**Motion to Adjourn**

## **Town of South Bristol Planning Board Meeting Minutes Wednesday, September 12, 2018**

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

**Excused:** Bessie Tyrrell

**Guests:** Rob & Pamela Sands  
Jeremy & Cathy Fields  
John Meyer, Meyer & Meyer Architecture  
Nancy Sedecki, RA, Meyer & Meyer Architecture  
Marisa Sasso, Meyer & Meyer Architecture  
Bill Grove, P.E.  
David Crowe  
Katie Levin  
Rob Brenner, Esq.  
Tom Hawks II  
Frank Lindbloom  
Phil Sommer, CEO  
Keith English, Deputy CEO  
Judy Voss  
Cathy Harris  
Mimi Gotham  
Barbara Howard

### **Call to Order**

The meeting of the Town of South Bristol Planning Board was called to order at 7:00 p.m., followed by the Pledge of Allegiance. All board members were present except for Bessie Tyrrell.

### **Reading of Vision Statement**

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

### **Meeting Etiquette Review**

Chairman Ely reviewed meeting etiquette.

### **Minutes**

Chairman Ely called for a motion to approve the June 20, 2018 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**

Final Site Plan Approval Application #2018-0003 Continuation from June 20, 2018

Owners: Robert & Pamela Sands / Seneca Point Properties LLC

Property: 5735 Seneca Point Road

Tax Map #: 178.07-1-2.100

Chairman Ely: I think a few words from me may be in order at this point. We conducted our public hearing back in June and we were unable to go forward at the July or August meetings. Having no other business scheduled for those meetings I cancelled them. I told members before that I will not bring the Board members here if we have nothing to talk about. In any event, we now have come to what I hope will be the final go around on the Sands project. I must say the delay, and I am sure it has been frustrating to many people, had nothing to do with Town officials or anything of this Town's control. It all had to do with waiting on the Department of Environmental Conservation and their processes are completely out of our control. In any event, I think we have surmounted that obstacle. I do want to take a moment to thank up front publicly our Code officers, in particular Phil Sommer, for having put in an extraordinary amount of time in on this project. I relied very heavily on his good counsel throughout this. I think LaBella Associates and Kevin Olvany both gave us expert advice. I want to give a shout out to both Kevin and Mike Simon of LaBella for their assistance. I also like to mention that the entire Sands team, in my mind, has been very professional. You have been very helpful and very responsive as questions have come up, and I think together we hopefully are moving forward. That brings me to tonight's agenda item. I already told members of the Sands team I do not expect or want you to rehash everything you did at the public hearing in June. Been over all that and need not do it again. I have prepared a list of specific items to which I am going to ask if appropriate members of the team would address and then I will open it up to the Board members for any further questions based on their reading of the plans. Let me start by saying that County Planning has made no recommendation in this case. They offered a few comments. These will be attached as an appendix to the minutes of this meeting, but County Planning had nothing further to say. The floodplain development permit I understand is required. Has that been submitted?

Nancy Sedecki: Yes.

Chairman Ely: Yes. The answer is yes.

Nancy Sedecki: Yes it has been submitted.

Chairman Ely: It has been submitted correct. I think Phil has that actually in his office.

Phil Sommer: Yes. That is not going to be until the site plan gets approved.

Chairman Ely: Gets approved right. Thank you. I wanted to get that on the table. Now next question is the pedestrian tunnel. There was a little confusion over the course of the summer. Am I correct the tunnel is definitely in as part of the plan?

Nancy Sedecki: Yes it is in the plan we are presenting tonight.

Chairman Ely: The plan is to include that correct?

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Nancy Sedecki: Yes.

Chairman Ely: Fine thank you. Jeremy a question for you. When will you anticipate working on the tunnel?

Jeremy Fields: If we decide to move forward with it, it will be in the off season and we have coordinated that with the highway department.

Chairman Ely: Off season you mean any time now?

Jeremy Fields: Exactly. Now and on. That is correct. Yes.

Chairman Ely: You said if we move forward. Is there some question then?

Jeremy Fields: Whether we decide to actually install it. It is obviously in the approval process and we want to move forward with it. It is a client decision.

Chairman Ely: We have had questions raised about the pool. I wonder if you or Bill Grove could speak to the pool.

Jeremy Fields: Is that what you want the backsplash portion of it?

Chairman Ely: Exactly. We have had a lot of back and forth with the DEC on this. I want you to bring the whole board up to speed on this.

Jeremy Fields: Right. I have the drawing with me. I already submitted all the new drawings. The pool backwash the way it is designed currently and we have gone through the DEC and met all their requirements is that we will have a 1,000 gallon holding tank. The pre the holding tank there will be a filtration system that actually does not require environmental discharge of the water. What we did is an extra step is we connected the filter system directly to the 1,000 gallon tank and it is pulling directly in and when a backwash does occur then it is held in the 1,000 gallon tank. Then water during the winter months or at the end of the season will be pumped into that tank and then taken off site. We also included a maintenance contract that would be done and handled per the DEC requirements.

Chairman Ely: These points you have made are all responsive to DEC recommendations, is that correct?

Jeremy Fields: That is correct. Yes.

Chairman Ely: In fact all the DEC recommendations have been met?

Jeremy Fields: That is correct. Yes.

Chairman Ely: These are incorporated into the site plan you have submitted?

Jeremy Fields: They are.

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Chairman Ely: Thank you. That brings us to the creek. You and I met early one morning along with some other intrepid persons to check the creek. The question was whether it was intermittent or not. That was the first question, right?

Jeremy Fields: That is correct.

Chairman Ely: That was resolved?

Jeremy Fields: It was resolved. One of the engineers is in the audience tonight. We had two separate engineers review that along with Kevin Olvany as part of the process. They made the determination it is an intermittent stream. Kevin Olvany reviewed that and had asked for just a couple items to be mindful of. One of them was to hold a buffer. We are preparing a buffer which we did and that is showed on the plans as well. The second item one was to have a J-hook at the end of the stream to allow it to discharge and we did show that on the plans.

Chairman Ely: Both the J-hook and the repairing buffer that he requested are incorporated in your plans?

Jeremy Fields: That is correct.

Chairman Ely: Alright fine. Thank you. Now we come to the big \$64,000 question that I know gave DEC and you a lot of heartburn, the septic.

Jeremy Fields: I will let Bill Grove speak to that.

Bill Grove: We were close all along with the septic design on getting DEC approval. The last correspondence we had from DEC was about the reserve area. The DEC requires in their design manual that you have a 100% future reserve area. In the previous version of the design I had split that into two 50% future reserve areas instead of one continuous piece in order to not impact the huge Sycamore that is in the middle of the yard. DEC did not like that. They wanted to be one continuous 100% future reserve area. I revised the drawing in the area of the Sycamore. They did allow me to put a note on the plan that the Sycamore may stay until such time that the future reserve area may be needed. It is my opinion that it will not ever be needed because of the size of the system and the enhanced treatment that we are putting into the system. It is not likely we would have any kind of failure from usage of the system over time, therefore, I do not think we will ever need the future reserve area. If it were a more conventional type of septic system septic tank and leach lines over time they do fail just by the nature of the anaerobic activity in the septic tank. So you get biofouling in the lines and eventually after twenty, thirty, forty years of continuous usage they could fail. The reason DEC requires the reserve area for that instance, but in this case we have enhanced treatment ahead of that so we do not anticipate any kind of failure to the system.

Chairman Ely: Was DEC also concerned about something being placed on top of this reserve area?

Bill Grove: Yes. One of the earlier iterations the site plan showed a putting green and some irrigation lines feeding that so they wanted those removed to be maintained as lawn. The irrigation lines I think have all been removed from the site plan.

Chairman Ely: All those have all been taken care on the site plan is before the Board tonight?

Nancy Sadecki: Yes.

Bill Grove: Yes.

Chairman Ely: Very good. My sense is that DEC has at least verbally approved?

Bill Grove: Yes. The holdup wasn't the septic plan or the waste water plan. It had to do with that backwash water from the pool. They wrapped that into their review documents. I think we addressed that in the way the DEC wanted. We found a best management practice for pool backwash water that the DEC felt is published which says if you put the backwash into a holding tank for at least ten days it allows the chlorine to dissipate such that you can use it as irrigation water. That was the initial proposal. That was the purpose of the 1,000 gallon tank. I think Jeremy and the team have taken it a step further and included a maintenance contract whereby that water is pumped and taken offsite by a waste hauler instead of being used for irrigation.

Chairman Ely: At this point we are still awaiting written approval from the DEC, is that correct?

Bill Grove: That is my understanding. Yes.

Chairman Ely: Okay fine.

Bill Grove: I think that Phil Sommer has talked with Karis Manning at DEC and Don Cardinal and they both said that as far as the waste water system goes they were good with that.

Chairman Ely: Okay fine. Thank you. I did not mean to monopolize this Board members. I thought I could telescope some of the questions. Open for Board members to speak. Nothing further?

Well with your kind approval then should we move to the SEQR review? Alright.

LaBella our independent experts has already concluded that this is a type II proceeding and, therefore, it does not need any further review.

[SEAF Part 2 ó Impact Assessment questions were read by the Chairman and the Board answered no to questions 1-11.]

May I have a motion to answer all these questions in the negative?

A motion was made by Michael Staub to answer questions in the negative and said motion was seconded by Ann Jacobs.

All in favor.

Aye: 7; M. Bachman, J. Ely, R. Endres, A. Jacobs, A. Rotter, M. Staub, R. Terminello; Opposed: 0

Motion carried.

May I also have a motion directing me to sign this report when Diane gets it prepared?

A motion was made by Ann Jacobs to sign the report and said motion was seconded by Michael Staub.

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All in favor.

Aye: 7; M. Bachman, J. Ely, R. Endres, A. Jacobs, A. Rotter, M. Staub, R. Terminello; Opposed: 0

Motion carried.

[Chairman Ely read the proposed findings to the Board.]

Findings:

1. The proposed project is consistent with the comprehensive plan.
2. The proposed project is consistent with the zoning district in which the project is located, as modified by a variance granted by the Zoning Board of Appeals on March 28, 2018.
3. The proposed project will not have an adverse impact on the physical or environmental conditions of the district.
4. The proposed project will not adversely affect the character of the neighborhood.

A motion was made by Rodney Terminello to approve finding numbers 1-4 and said motion was seconded by Michael Staub.

All in favor.

Aye: 7; M. Bachman, J. Ely, R. Endres, A. Jacobs, A. Rotter, M. Staub, R. Terminello; Opposed: 0

Motion carried.

Chairman Ely: You may see I submitted to you a resolution that the Board hereby grants preliminary and final site plan approval to application #2018-0003, 5735 Seneca Point Road, Tax Map #178.07-1-2.100, on condition that no general building permit shall be issued until the Code Enforcement Officer for the Town of South Bristol has reviewed architectural plans and received written approval of the proposed septic system from the New York State Department of Environmental Conservation, and upon further condition that a building permit limited to site work in order to remove the subpar soil and replace it with building grade soil to go through a freeze/thaw cycle may be issued.

A motion was made to approve the preliminary and final site plan with conditions by James Ely and said motion was seconded by Ralph Endres.

All in favor.

Aye: 7; M. Bachman, J. Ely, R. Endres, A. Jacobs, A. Rotter, M. Staub, R. Terminello; Opposed: 0

Motion carried.



[Chairman Ely, Ralph Endres, and Michael Staub thanked the Sands team for their professionalism on their presentations.]

Appendix

Ontario County Planning Board Comments:

1. The applicant and referring agency are strongly encouraged to involve the Canandaigua Lake Watershed Inspector and the Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and placement of on-site septic.
2. The applicant and referring agency are strongly encouraged to involve the Canandaigua Lake Watershed Manager and the Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
3. The applicant and referring agency should consult with the Ontario County Department of Public Works and ensure that the sight distances for the proposed driveway comply with standards established by the American Associate of State Highway and Transportation Officials (AASHTO).
4. Comments from OCSWCD: The wastewater system is being proposed as a residential design assuming this is a single family residence. In fact, it is a two family residence on a single parcel with separate bath and kitchen facilities for the main portion of the house and the master suite. Since this is not a single family residence, but a double occupancy dwelling, NYSDOH Appendix 75-A does not apply. It would fall under NYSDEC's Design Standards for Intermediate Size Systems.

Final recommendation: With the exception of applications described in Policy 5 part A and B, the CPB will make no formal recommendation to deny or approve applications involving one single family residential sites, including home occupations.

[Intermission was approximately 7:18 to 7:22 p.m.]

Board review of docks, boat house and boat stations

Chairman Ely shared that Phil Sommer, CEO had raised a question whether we should have site plan review for permanent docks, boat houses and boat stations on properties adjoining the lake. Upon reviewing the zoning code we find that site plan review already extends to permanent docks, boat houses and boat stations. The Code Enforcement Office will be referring those applications for our review. They probably should have been referred to the Board all along, but it will be hence forth be sent to this Board.

**New Business**

Preliminary Site Plan Approval Application #2018-0008

Owners: Thomas Hawks II  
Property: 6202 Stemple Hill Road  
Tax Map #: 185.00-1-32.111

Chairman Ely: Please introduce yourself for the record and explain your project.

Tom Hawks: I am Tom Hawks and live at 6202 Stemple Hill Road, a beautiful vista looking over Canandaigua Lake. I have been developing it for the last forty years. Recently I have built a cabin on the property with the intention I was going to be building a house someday. The site plan you see in front of you is the plan for the house. The house is going to be a one bedroom house to begin with, the possibility of a second bedroom. The current cabin, I am calling it, does have a residence on it. So, therefore, the septic system and leach field are already in place. It was built back in 2010 and designed for two residences, basically one bedroom in one residence and two bedrooms in the other residence.

Chairman Ely: Do we have any indication from George Barden does the septic system actually extend?

Bill Grove: Bill Grove with Grove Engineering. So back in 2010 when Tom came to me and I developed septic system plans for this property. The system went in sometime between then and 2012. I did the final inspection in 2012. That system was designed and installed for a three bedroom house. Tom switched gears and did the cabin with the idea that he could do a future house. That is how I submitted the As-built drawing to George Barden showing the setback distances or the tie dimensions from the tank to the existing structure and also where the future house would be. We reached out about a month ago to George to see what he would need to approve it for the new house knowing that we were still within the three bedroom maximum limits there. He got back to us and needed a copy of the site plan that shows this connection with the new house into the system. We provided that to him. It is my understanding he is on vacation a couple of days and tied up with a bunch of different stuff and real busy. I have not heard from him yet.

Chairman Ely: That is in the works.

Bill Grove: It is in the works. I do not anticipate any issues with it because the system is there and it is designed for three bedrooms. It is the way we laid it out and an easy connection from the new house into the existing system. It needs a new septic tank and the existing cabin has its own septic tank so there will be two septic tanks on the property. That is not a problem. We will tie into the leach system there.

Ralph Endres: The leach field is common?

Bill Grove: Yes. A conventional system. It is all gravel the whole lot. I guess that whole ridge runs all the way up to Guy Rogers and Warner's pit is all gravelly.

Chairman Ely: Other questions for Mr. Hawks?

Sam Seymour: With that new tank take both flows and then go to the leach field?

Bill Grove: The way I have it designed, yes, I was going to take from the cabin tank and go into the new tank and then also the new house will go into the new tank. We are getting double.

Ralph Endres: Does that act as an overflow for the small existing house?

Bill Grove: Essentially yes. We would not need that tank anymore. The tank by the house would be sized properly for three bedrooms just that new tank, but since we have the existing tank I toyed with the idea with bypassing that new tank. It made sense to leave the new tank.

Ralph Endres: It is operating, right?

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Bill Grove: Yes. It cannot hurt anything for the extra flow and it is not going to get extra flow. It is just a one bedroom cabin back there.

Chairman Ely: If you are done with septic for a minutes let me raise this issue. This is the second residence on the property, correct?

Tom Hawks: Yes.

Chairman Ely: You know you have to get a special use permit. I do not know that will be a problem, but the Zoning Board of Appeals is its own Board. Do you have an application pending for that?

Tom Hawks: Yes.

Chairman Ely: That is very good. In an appropriate time will this require floodplain development permit?

Bill Grove: No. Well above the lake.

Chairman Ely: Any other questions?

Ralph Endres: Since we are authorizing two homes on one piece of property do they become forever linked that you cannot sell one without the other? We made an exception on lakefront property two years ago where they built two houses on 4.3 acres on the cliff. Both of those houses have to be sold as one. One cannot be sold without the other being sold together. They have to be sold together to the same person.

Bill Grove: Yes. I believe it is still going to remain as one parcel.

Tom Hawks: It will.

Bill Grove: The one you are referring to is Ryan. I know your code stipulates the requirements for that second dwelling on the same parcel. That it could not be separated and to have the same mailing address I believe, which is strange to me maybe an A or B.

Ralph Endres: I think that was part of the problem with the fire department too. They needed to have the same address.

Tom Hawks: I need a clarification. I have two children and my legacy plan is this will go to the kids. So I could at one point want to have a second building on a separate parcel to be able to divide that off. Are you saying that I cannot do that?

Ralph Endres: How large is the parcel?

Tom Hawks: Thirteen acres.

Bill Grove: There would be enough room for that.

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Ralph Endres: The reason that Ryan was on 4.3 acres and I think it required more acreage to separate them. As long you have that amount of acreage you are fine. You would have to come and apply to do it, but I do not see any reason why it could not be done.

[Sam Seymour and Michael Staub asked about leach field.]

Bill Grove: They would have to figure out whether that would be on an easement. The system could technically be shared by two parcels. It is not preferred. Being that it is all gravel there it would be easier to put in a separate system.

Chairman Ely: Any other questions for Mr. Hawks? Let me suggest this then I will set this for public hearing at our next meeting and hopefully final site plan approval will be granted at that time. This, of course, is obviously conditional upon the ZBA giving you the special use permit. You have an application pending and I think that would be the next thing to pursue with the ZBA, but if that is done. I am not seeing any great difficulty here of our Board.

We will refer this to County Planning for their input. Any other questions?

Bill Grove: A question on the procedure from your Board. Does Tom need site plan approval for a residence on an R-3?

Diane Graham: Yes.

Bill Grove: Typically they do not for R-3. Is that what I understand? I assumed the Planning Board needed to at least refer it to the Zoning Board that they are onboard with the idea so he could get the special use permit. It is only a difference of a week or so anyway. That is fine.

Michael Staub: There was some added material on the end of this on an archeological site?

Bill Grove: In the SEQR form when filling it out online we use a GIS system that lets you specify the tax parcel. It will generate the answers to a lot of those questions. So one of the triggers was archeological sensitive question. I think that came up and triggered the bald eagle answer to.

[Multiple board members speaking]

Tom Hawks: The bald eagles are over on Longs Point, but ironically the red tail hawks are on Cooks Point.

Diane Graham: The Ontario County Agricultural Data Statement initially when I looked at it I did not see if there was active farms nearby, but there was. Katherine Brahm is listed.

Tom Hawks: Across the gully.

Diane Graham: Adjoining your property.

Tom Hawks: It is still across the gully.

Diane Graham: So we have added it to notify her of the project.

Tom Hawks: She needs to know?

Diane Graham: Yes.

Chairman Ely: The public hearing she will get one anyway. The neighbors will all get a notice to the public hearing.

Tom Hawks: Yes.

Chairman Ely: Bear in mind Mr. Hawks typically at the public hearing nobody comes. This is a monster crowd for us tonight. Are we done?

Tom Hawks: Yes.

Chairman Ely: Thank you. Before we turn to the Harris proposal Phil is back. I earlier mentioned to the Board that under the town code we are going to begin reviewing docks, correct?

Phil Sommer: Correct.

Chairman Ely: Can say some words as to why that is particularly helpful and important?

Phil Sommer: To me it only makes sense. In the LR, R-3, C-1 that touches the lake you are doing a site plan review anyway. The houses, the whole nine yards, sheds. It only makes sense to do docks too. Some of these docks are getting pretty elaborate and it is always good to have a second set of eyes looking at something especially when they go out past the 60 foot mark where they have to have accurate measurements if they are too shallow for their boat at 60 to be able to go out where they cannot get a boat in. It is there and I think it is time we start doing it. To be consistent with everything else.

Chairman Ely: How many applications for docks do you expect to be getting in?

Phil Sommer: This year I think so far we have had four boat houses and boat stations. Boat houses since I have been here since 2013 I have never done a boat house. I do not think they are common anymore. It is more the permanent docks and boat stations.

Chairman Ely: For my own curiosity everybody seems to have a dock.

Phil Sommer: What you are seeing are the people with the seasonal docks that now want a permanent dock. If they have the room and they fit the criteria they can put a permanent dock in.

Ralph Endres: I think some of the permanent docks you can actually leave your boat in them all year round. You save storage money. Over a period of years it will probably pay for itself.

Phil Sommer: I think you are right Ralph.

Preliminary Site Plan Approval Application #2018-0009

Owners: Robert Harris et al.

Buyer: Mark O'Connor

Property: 6521 Longs Point Drive

Tax Map #: 185.17-2-4.000

Chairman Ely: Now we come to the Mark O'Connor application and you are representing him, is that correct?

Bill Grove: Correct. Bill Grove with Grove Engineering here representing Mark O'Connor. He is the purchaser of the property. The property is owned by the Harris family currently. Did you get my emails Diane about the permission?

Diane Graham: Yes. They have them.

Bill Grove: Okay. The lot is .356 acres so just over a third of an acre on Longs Point and the idea is that the existing cottage be taken down and a new cottage be put up in its place. We were able to fit it in such that we do not need any variances for setbacks. We are well under the maximum height. If you look at the plan it looks like the septic system is kind of cramped into the back side, but actually it is there by design it's proposed to be enhanced treatment ahead of an absorption bed. It was very similar to what we did on Jones Beach project. In the type of design. It does not have to be as big because it is only four bedrooms proposed house that was six. The design in to George Barden for his review and approval. I was hoping to have that by the meeting then the meeting was moved ahead a week so that kind of goofed that up a little bit. We do not have approval or any comments from George on the septic system yet. We meet the 100 foot setback from the shoreline. We far off of the property lines. There is an existing well that services the existing house, but that well is actually on the neighbor's property. It will have to be decommissioned before they can put this system in. The new house will a lake water intake for their water supply. It is a strange lot. Is very much at an angle compared to what you anticipate it would be. If you are there looking at the house you would assume is perpendicular to the house right up to the lake, but it is really skewed quite a bit.

Ralph Endres: What is on there now?

Bill Grove: There is a cottage there now.

Ralph Endres: Seasonal use cottage?

Bill Grove: I think they rent it quite often. I know the family uses it and they rent it. There is a shed in the rear of the property and there is a cottage. You can see it on the site plan. It is a honeycombed hatch underneath the footprint of the existing house pretty much. We are staying with that same general orientation of the house. It pretty much looks right out onto Bare Hill.

Sam Seymour: So this house will be rebuilt?

Bill Grove: The last I heard they were going to take that house apart. Have a firm come in and dismantle the house and take it offsite and reuse what they can. The new house is going to be completely new.

Sam Seymour: Very similar footprint though?

Bill Grove: Yes.

Michael Staub: How far are they going out in the lake for input of their water?

Bill Grove: I do not know. I know they do not have to go very far to be in fairly deep water.

Ralph Endres: I think if you are in 60-70 feet of water and not too far. Maybe no more than 50 feet off shore.

Bill Grove: I was going to say 50 or 60 feet of pipe out in the lake would get you down plenty deep enough there.

Chairman Ely: Other questions? I am not trying to hurrying anyone.

Ann Marie Rotter: No. I know the property.

Chairman Ely: Is this in the floodplain?

Bill Grove: Yes.

Chairman Ely: In due course you will have to file.

Bill Grove: That is one thing we did not do. We will make sure we fill out the application.

Chairman Ely: I understand. Let me suggest as with the previous application we will set this for public hearing at our next meeting in October. By that time you will have heard from George Barden. We will have that behind us. We will also send it to County Planning for their opportunity for input. Hopefully we will hear from them. Yes. If we do not hear from them, we do not have wait on them as I understand it. Any other questions? I think that takes care of what we need to do tonight.

Michael Staub: The total lot size is .356 acres?

Bill Grove: Correct. 15,520 square feet.

Michael Staub: I thought you said three acres before.

Bill Grove: No I am sorry. 0.3 is a third of an acre.

MaryAnn Bachman: The footprint of the house is the same as the square footage similar?

Bill Grove: I do not understand the question. I am sorry.

MaryAnn Bachman: The existing house that is being taken down and the new one that is being built are the square footages the same?

Bill Grove: The new house is larger than the existing.

Ralph Endres: It is a two story, right?

Bill Grove: Yes. There is a second story, but the roof line the house to the east is very tall. This house will be much lower than the house to the east there. Average height will be 26 feet above final grade. I think the allowable is 35. We are nowhere near the maximum.

Ralph Endres: The footprint is larger?

Bill Grove: The footprint is larger than the existing, correct.

MaryAnn Bachman: But it meets the setbacks?

Bill Grove: Yes.

Ralph Endres: Still within the guidelines with what we have said.

Rodney Terminello: The lot coverage you mean?

Ralph Endres: Yes. .37 is about 16,000 square feet round figures.

Bill Grove: 15,500. Yes.

Ralph Endres: So it is 15 or 16 percent of the lot. There is no outside patios?

Bill Grove: No. None proposed. Just the driveway and the house.

Ralph Endres: No tennis courts?

Bill Grove: No tennis court.

Rodney Terminello: The garage is covered?

Bill Grove: The garage is part of being considered in the lot coverage. Yes.

Chairman Ely: Okay. Are we done?

Bill Grove: I am done if you guys are.

Define wording for sheds 144 square feet or less

This agenda item was deferred to the next meeting.

Define wording for §170-70 natural gas transfer

This agenda item was deferred to the next meeting.

### **Other**

Evergreen Way Planned Development subdivision update

Judy Voss confirmed that the Bristol Harbour Village Evergreen Way reverse subdivision from nine lots to three lots was approved by the Town Board.



Everwilde project update

Judy Voss shared that the Everwilde project is stalled at this time due to a miscommunication between Kathy Spencer and Frank Sciremammano. There is only a couple workshop meetings left to complete and then it will be ready for Town Board vote. The Town has reached out to set another date with no response.

Discuss combining November/December Board meetings

The Board discussed combining the November and December meetings to one meeting on Wednesday, December 5, 2018.

A motion was made by James Ely to approve combining November and December meetings and holding one Planning Board meeting on Wednesday, December 5<sup>th</sup> and said motion was seconded by Mary Ann Bachman.

All in favor.

Aye: 7; M. Bachman, J. Ely, R. Endres, A. Jacobs, A. Rotter, M. Staub, R. Terminello; Opposed: 0

Motion carried.

**Other**

Noise Ordinance

The Town Board at its September 10, 2018 meeting approved the action of having the Planning Board produce a Noise Ordinance. There was discussion about setting noise hour timeframe and rental property concerns.

Intermittent Streams

Phil Sommer suggested definition of intermittent streams be changed to build twenty-five (25) feet from any stream.

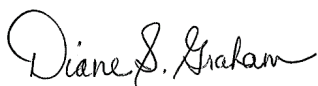
Stemple Hill Road Resident Storm Water Concern

Mary Gotham shared her concerns with storm water coming from the properties above and road onto her family properties. She was looking for it to be resolved. The Board suggested that she discuss her concerns with an attorney, an engineer, Town Highway Superintendent, and to attend the Hawks project Zoning Board of Appeals and Planning Board public hearings and bring sufficient information to show that storm water is coming from Tom Hawks property.

**Motion to Adjourn**

Being no further business, Rodney Terminello made a motion to adjourn the meeting and it was seconded by Mary Ann Bachman. The motion was unanimously accepted and meeting was adjourned at 8:12 p.m.

Respectfully submitted,



Diane Scholtz Graham  
Board Secretary