

SOUTH BRISTOL TOWN BOARD MEETING

January 7, 2019

REGULAR MEETING

The regular meeting of the South Bristol Town Board was called to order January 7, 2019 at 7:15 pm at the South Bristol Town Hall, 6500 W Gannett Hill Road, Naples, NY 14512.

PRESENT

Daniel Marshall, Supervisor
Donna Goodwin, Councilwoman
Stephen Cowley, Councilman
Scott Wohlschlegel, Councilman
Jim Strickland, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Brian Perkins, Alan & Kristie Braun, Todd & Laura Cook, Ashley Champion, Paul Lamphier, Mark & Donna Buckley, Joe Charlton, Jim Wight

I. ROLL CALL

Supr. Marshall opened the meeting with roll call.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

On a motion made by Councilman Wohlschlegel and seconded by Councilman Strickland the minutes of the December 10, 2018 Regular Town Board minutes were ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

IV. PRIVILEGE OF THE FLOOR

V. COMMITTEE REPORTS:

HIGHWAY

Councilman Cowley reported that Alan Pearce has been working on the roof of the Wilder Barn and is coming along quite well.

Supt. Wight said the Highway Dept. is working on building the carrier beams for the Wilder Barns which will support roof.

VI. OLD BUSINESS:

A. COMPREHENSIVE PLAN

Supr. Marshall noted that the Board has documentation with regards to the proposed or potential edits to the Comprehensive Plan. Two of the lines that are currently in the Comprehensive Plan will be deleted in its entirety:

The Town of South Bristol will strictly enforce existing zoning laws for R3 and R5 properties to prevent R3 and R5 properties from being converted to commercial or planned development areas.

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Investigate zoning options, including floating zones, to create a firm, informed position that will become an amendment to the Comprehensive Plan.

Both of these statements will be eliminated and the following language will be in its place:

- *Ensure that commercial and residential development are of a scale that is in harmony with the surrounding neighborhoods and that maintain the rural character of the town.*
- *Protect Canandaigua Lake and its watersheds and continue to support the implementation of the Canandaigua Lake Watershed Management Plan.*
- *Identify important scenic vistas, forestlands/natural features, and the rural landscapes that define the Town's character to give direction to changes in the Town's planning and zoning regulations.*
- *Continue to encourage the preservation of our open, unspoiled, and uncluttered spaces.*
- *Support agriculture and farming throughout the Town subject to the provisions of Article 25-AA of the NYS Ag and Markets Law. Also support applicable county agricultural and farmland protection plans as created under Article 25-AAA of the NYS Ag and Markets Law.*
- *Update existing land use regulations (zoning map; zoning code, subdivision regulations, etc.) as necessary to be consistent with the goals of this plan and maintain the rural character of the Town.*
 - *Identify provisions in these regulations that lead to development or redevelopment that are inconsistent with maintaining the rural character, historic resources, protection of open space and agricultural resources, and environmental quality.*
 - *Identify planning and zoning tool options for addressing the identified inconsistencies.*

Ensure that Future Generations Desire to Live in South Bristol

The lifeblood of a community depends on its residents and future generations. We seek to maintain an environment that is conducive to raising families, supporting livelihoods, encouraging recreation, and providing services as we age.

Action Plans

- *Encourage and support community business when and where needs have been identified and provide guidance as to where they would be most appropriate.*
- *Encourage tourist-related businesses that are appropriately scaled to complement the Town's rural character.*

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- *Encourage a "right to farm" community.*
- *Continue to identify ways of preserving traditional agricultural lands, including vineyards and timber farming.*
- *Continue to monitor other area towns' methods of preserving agricultural lands and promote information sharing.*
- *Continue to protect property owners' rights.*
- *Ensure zoning and subdivision laws reflect the comprehensive plan.*
- *Explore development of senior housing facilities within commercial zones already existing in the township.*
- *Increase resident awareness to the availability of public transportation.*
- *Explore the potential of working with Ontario County and/or other area towns to improve or expand recreational facilities at the Ontario County Park.*

Supr. Marshall asked Councilman Wohlschlegel if he had any response from the Comprehensive Plan committee members.

Councilman Wohlschlegel said he did have contact with them and sent out the changes and they had a chance to review and didn't receive any comments.

Supr. Marshall noted that the proposed changes were as a result of discussion he had with the Ontario County Planning Department and these are their suggestions. Supr. Marshall asked the Board if they would like to proceed?

Councilman Wohlschlegel agreed and said read the changes (same as above). This was written with the help of the Ontario County Planning Dept.

Supr. Marshall agreed and they made reference that we hadn't said anything about Canandaigua Lake and added the language.

Councilman Wohlschlegel agreed.

Supr. Marshall asked Board members for input.

Councilman Cowley asked what was added to *Ensure future generations desire to live in South Bristol?*

Councilman Wohlschlegel agreed, and read *Encourage and support community business when and where needs have been identified and provide guidance as to where they would be most appropriate.*

Councilman Cowley said that language was in the previous draft, the added statement was added. "*Encourage tourist-related businesses that are appropriately scaled to complement the Town's rural character.*"

Supr. Marshall read the rest of the bullet points or Action Plans. Supr. Marshall noted that the language for developing Senior Housing was all ready in the Plan but they are emphasizing it again. We discovering there is a serious lack of Senior housing in the County and whether that is something we need to explore.

Councilman Wohlschlegel agreed and noted that Tom Harvey from Ontario County Planning discussed that with the committee. People that live in the community out here and lived here their whole lives and it would be nice if there was something for them in South Bristol.

Supr. Marshall said that anybody that wants to develop a Senior facility like that; they don't think of us as being a large enough population to do so.

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Councilman Wohlschlegel suggested that the Board move forward with these changes that they suggested; for both parts: *Maintain the rural character of the Town of South Bristol* and *Ensure the future generations desire to live in South Bristol* and adopt these and change the Comprehensive Plan accordingly.

Supr. Marshall noted that the changes warrant another Public Hearing.

On a motion made by Councilman Cowley and seconded by Councilman Wohlschlegel, a Public Hearing for the Comprehensive Plan changes and updates for Monday February 11, 2019 at 7:00pm was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

B. BSDC RATE DISCUSSION

Supr. Marshall said the rate discussion with regards to the Bristol Sewerage Disposal Corp. and does not plan on making any decision tonight. This morning the 2017 Financial Information was received from the Corporation and will be reviewing that. Hopefully we will have a conclusion in February.

Laura Cook spoke: Mr. Supervisor, could we please note that we took consideration in listening to Donna Goodwin along with the other Board members that did not receive that in 2019 which was a misunderstanding, I think a miscommunication in the fact that when you said Financial Statements it wasn't defined as Reviewed or Audited, Todd & I. Then, in listening in going away with that we decided to pay for that on our own personally for 2017 reviewed statements. In speaking with you Jim and Scott and Steve and listening to your frustrations, so that is done. I'd like to introduce our new accountant in which I am very pleased that we had worked hard to interview accounting and decided on Mr. Kern and he has done an excellent job I understand by Ashley Champion in regards to representing what you had asked for.

Councilwoman Goodwin and the Board thanked Mrs. Cook.

VII. NEW BUSINESS

A. DOG CONTROL AGREEMENT

Supr. Marshall noted that every year we are required to make an agreement with Ontario County for dog control services. The amount is \$4,511.00 which is less than year.

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland, the Ontario County Dog Control contract was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

B. PLANNING BOARD RESOLUTIONS

Supr. Marshall noted that the Planning Board has sent the Town Board 3 Resolutions that they created for minor changes that would clarify our Town Code. The situation came up where there are creek beds that often times dry up in the middle of the year and the argument that "*No structure shall be constructed within 25 feet of the bed of a stream*" and so the question is if the creek bed is dry half the year is it a stream or not. This simply tries to clarify what is needed. None of these are being requested unless the Code Enforcement Officer requested that we look into it because he clearly ran into situations as such. This would clarify that.

The second resolution is regarding the construction of playhouses or similar uses less than 144 square feet. The Planning Board wants to allow a permit exemption; you don't need to get a permit if you build a playhouse.

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The third resolution states “*Resolve that the South Bristol Planning Board recommends that the South Bristol Town Board take the appropriate steps to amend Section 170.70 Prohibition Against the Exploration for or Extraction of Natural Gas or Petroleum.*” The Planning Board wants to include in that language *Pipelines, Transfer Pipelines, Store, process or treat Natural Gas and/or Petroleum.*

Supr. Marshall noted that this is a Local Law change in all 3 cases and such changes require the Town Attorney to set up the Local Laws followed by Public Hearings. Supr. Marshall asked the Board if they feel that these changes are significant enough that we want to move forward and have the Town Attorney create the Local Laws. These are all being asked for as a result of a request from the Code Enforcement Officer.

The Board agreed to move ahead with the 3 changes.

On a motion made by Councilwoman Goodwin and seconded by Councilman Strickland, the motion was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

C. FEE SCHEDULE CHANGES

Supr. Marshall said the Fee Schedule change is the Site Plan Review by the Planning Board fee from \$50 to \$75. Also the Appeals for CEO Determination for Special Use Permit for Residential is \$75 and the Commercial fee increases from \$75 to \$150. On the fee schedule for Solar is just a wording change.

Councilman Wohlschlegel asked the reasoning behind the increases.

Clerk Voss noted that the Site Plan Review is a lot of work which costs more.

On a motion made by Councilman Strickland and seconded by Councilman Cowley the Fee Schedule Changes were ACCEPTED. Voting AYE: 4. Voting NAY: 1. Voting AYE: Marshall, Goodwin, Cowley, and Strickland. Voting NAY: Wohlschlegel.

**VIII. REPORTS:
ASSESSOR**

No Report.

CEO

On a motion made by Councilman Cowley and seconded by Councilman Strickland, the CEO Report for December 2018 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

Councilman Cowley read the CEO Report: 10 Building Permits, 42 inspections, 0 inspections on old permits. One fireworks display permit issued, fire inspections and meetings.

TOWN CLERK

No Report.

**IX. ACCOUNTING:
SUPERVISOR’S REPORT**

No Report.

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APPROVAL OF VOUCHERS

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, Abstract No. 1, Voucher No.1- 24 totaling \$85,859.15 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

X. 2nd PRIVILEGE OF THE FLOOR

EXECUTIVE SESSION

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin, the Board moved into Executive Session to discuss personnel was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Cowley, Wohlschlegel and Strickland.

The Board moved into Executive Session at 7:50pm.

The Board came out of Executive Session at 8:15pm with no action.

XI. ADJOURN: 8:15PM

Respectfully submitted:

Judy Voss
South Bristol Town Clerk