



Town of South Bristol
6500 West Gannett Hill Road
Naples, NY 14512-9216
585.374.6341

Planning Board Meeting Agenda

Join Zoom Meeting <https://zoom.us/j/802208648> Meeting ID: 802 208 648
Wednesday, April 15, 2020
7:00 p.m.

Call to Order

Pledge of Allegiance

Reading of Vision Statement

As stewards of both the land and the lake, we will preserve and protect our safe, clean, naturally beautiful, rural and scenic environment with thoughtfully planned residential, agricultural, recreational, and commercial development.

Meeting Etiquette

Minutes

Approval of February 19, 2020 Planning Board Meeting Minutes

Old Business

Final Site Plan Approval Application #2020-0002 Public Hearing

Owners: RSPS Applewood LLC
Representative: Fields Construction
Property: 5709 Applewood Drive
Tax Map #: 168.20-1-16.000
Zoned: LR (Lake Residential)

Proposing a local law on events

Review Code §170-38(C) request additional residential structures on same lot must have same postal address

New Business

Preliminary Site Plan Approval Application #2020-0003

Owner: Frank and Teresa Pupparo
Representative: Brawdy Marine Construction Inc
Property: 6313 Old Post Road
Tax Map#: 185.10-1-7.000
Zoned: LR (Lake Residential)

Other

Motion to Adjourn

Town of South Bristol Planning Board Meeting Minutes Wednesday, April 15, 2020

Present: Mary Ann Bachman
James Ely
Ralph Endres
Ann Jacobs
Ann Marie Rotter
Sam Seymour
Matthew Sousa (late entry)
Bessie Tyrrell

Excused: Michael Staub

Guests: Jeremy Fields
Carole Solina
Phil Sommer
Dan Marshall
Judy Voss

Call to Order

The Zoom meeting of the Town of South Bristol Planning Board was called to order at 7:06 pm. The Pledge of Allegiance was considered as being read.

All board members were present upon roll call except for Matthew Sousa and Michael Staub.

Reading of Vision Statement

Ralph Endres read the Comprehensive Plan Vision Statement.

Minutes

Chairman Ely called for a motion to approve the February 19, 2020 meeting minutes as written. Bessie Tyrrell 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 #2020-0002 Public Hearing

Owners: RSPS Applewood LLC
Representative: Fields Construction
Property: 5709 Applewood Drive
Tax Map #: 168.20-1-16.000
Zoned: LR (Lake Residential)

The public hearing opened at 7:08 pm

Legal Notice
Notice of Public Hearing

Please take notice that the Town of South Bristol Planning Board will hold a rescheduled public hearing on the following application:

Application #2020-0002 for property owned by RSPS Applewood LLC located at 5709 Applewood Drive, Tax Map #168.20-1-16.000. Applicant/owners are looking for site plan approval to add 320 square feet addition to the existing dock.

Said hearing will take place on the 15th day of April, 2020 by joining Zoom Meeting <https://zoom.us/j/802208648> Meeting ID: 802 208 648 beginning at 7:00 p.m.

All interested parties may join the meeting and/or provide written comments.

Diane Scholtz Graham
Board Assistant

Ap 09, 86766

Chairman Ely: Jeremy please introduce yourself and describe the project.

Jeremy Fields: I am Jeremy Fields representing the 5709 Applewood project. It is an expansion of an existing dock currently at 350 square feet. It is just for final review from the preliminary hearing we did. We are asking for an expansion to the existing dock of 320 square feet, which would be a total of 670 when 720 is allowed. It is a slight expansion to the east and a small watercraft slip. Does everybody have the map?

Diane Graham: I am going to share my screen with map.

Chairman Ely: While she is doing that you are well within the Docking and Mooring Law, is that correct?

Jeremy Fields: That is correct. The Docking and Mooring Law allows you to have 720 square feet total. There is the drawing. You will notice on there is says dock existing square foot at the top right corner 350 square feet of dock. Then our proposed expansion dock addition is 320 square feet for a total of 670 when 720 is allowed.

Chairman Ely: Any more questions on the map? You can take the map down now. Anything further Jeremy or is that it?

Jeremy Fields: No. That is it.

Chairman Ely: I understand from the last meeting this is for a jet ski situation, is that right?

Jeremy Fields: That is right. Personal water craft.

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Chairman Ely: Have we received any written communications in connection with this application?

Diane Graham: No.

Chairman Ely: Do we have anybody from the audience who wishes to participate and speak to this?

Diane Graham: Let me make sure everyone is unmuted. All but Judy Voss is unmuted. I guess anybody can speak if they want to.

Chairman Ely: I do not hear any comment.

Ralph Endres: I do not see this as a big problem.

Ann Marie Rotter: I move to approve.

Diane Graham: We have some more steps yet.

Ann Marie Rotter: Alright let's go.

Chairman Ely: We have received a written comment. Archeological approval letter from the Division of Historic Preservation.

Diane Graham: Do we want to close the public hearing?

Chairman Ely: We are ready to close the public hearing. Yes exactly.

The public hearing was closed at 7:13 pm.

Chairman Ely: Now we should turn to the SEQR determination. It seems to me, as I have read it and hope you all have had a chance that we can answer the various SEQR questions no or small impact may occur. I will make a proposal that we answer these no or small impact and further declare this to be a Type II proceeding with no further action required and lastly that you as a Board authorize me to sign this document. Bessie Tyrrell made said motion and said motion was seconded by Ann Marie Rotter.

All in favor.

Ayes: 7, M. Bachman, J. Ely, R. Endres, A. Jacobs, A. Rotter, B. Tyrrell, S. Seymour

Nays: 0

Motion carried.

Chairman Ely: I have proposed findings that I think have been circulated to you already.

Diane Graham: No. They have not.

Chairman Ely: Let me then read them to you.

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.
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.
5. The proposed project complies with the Docking and Mooring Law.

A motion was made by Ann Jacobs to approve findings 1-5 and said motion was seconded by Mary Ann Bachman.

All in favor.

Ayes: 7, M. Bachman, J. Ely, R. Endres, A. Jacobs, A. Rotter, B. Tyrrell, S. Seymour
Nays: 0

Motion carried.

Chairman Ely: That brings us to our last item of business here.

A motion was made by James Ely to approve the preliminary and final site plan application #2020-0002, 5709 Applewood Drive and said motion was seconded by Ralph Endres.

Roll Call Vote:

Mary Ann Bachman – Aye
James Ely – Aye
Ralph Endres – Aye
Ann Jacobs – Aye
Ann Marie Rotter – Aye
Bessie Tyrrell – Aye
Sam Seymour – Aye
Matthew Sousa – Absent
Michael Staub – Excused

Motion carried.

Chairman Ely: You have your site plan approval for this project.

Jeremy Fields: Thank you. This worked very well. It was efficient. Thank you guys.

Chairman Ely: A little awkward getting into a new thing. Phil Sommer did you have any comments on this?

Phil Sommer: No. I am good.

New Business

Preliminary Site Plan Approval Application #2020-0003

Owner: Frank and Teresa Pupparo
Representative: Brawdy Marine Construction Inc
Property: 6313 Old Post Road
Tax Map#: 185.10-1-7.000
Zoned: LR (Lake Residential)

Chairman Ely: Let us move on if we may. The next item of business is a new item for us. It is preliminary site plan approval project 2020-0003. We are going to have a presentation I think from Carole?

Carole Solina: Yes. Good evening everyone.

Diane Graham: Let me put up her map to share. Is that okay?

Carole Solina: Yes. I apologize I do not have a camera on any of my computers.

Chairman Ely: Can you introduce yourself to the Board?

Carole Solina: Yes. I am Carole Solina. I am with Brawdy Marine Construction on behalf of Frank and Teresa Pupparo.

Chairman Ely: Alright. We would like to hear a little bit about your project so please describe it to us.

Carole Solina: Frank and Teresa currently are the owners at property 6313 Old Post Road. The project is two phased. They have an existing shed that they would like to replace and they do have an existing dock next to which they want to build a covered boat hoist. Their existing shed currently they want to go to an eight foot by fifteen foot shed. The existing shed is an eight by ten. They do not have an existing covered boat hoist. The project is proposed to build a twenty-four foot by twelve foot covered hoist.

Chairman Ely: Is the boat hoist supposed to go onto an existing dock?

Carole Solina: That is correct. If you look at the drawing there, the dock is already 770 square feet and it would go off to the side of that.

Chairman Ely: Are you just enclosing that dock?

Carole Solina: No. They are not enclosing the dock. They will be driving four steel piles and basically putting a roof over it and putting up the hoist.

Ann Jacobs: So the hoist that is in the picture that will be removed and a new one put in its place?

Carole Solina: There is no hoist there. That is a proposed hoist.

Ann Jacobs: In the picture? Not in the map. We have a picture of a hoist.

Ann Mary Bachman: The hoist that is in the picture.

Carole Solina: That will be removed.

Mary Ann Bachman: That will be removed?

Carole Solina: Correct.

Mary Ann Bachman: Will there be another hoist in its place with a covering over it?

Carole Solina: That is correct.

Chairman Ely: Will the size of the hoist be larger than the existing hoist?

Carole Solina: I apologize. I do not know what the size of the existing hoist is. I do not have that information. I would have to gather that for you. The proposed structure is twenty-four by twelve feet.

Chairman Ely: Does this require any approval from the Zoning Board of Appeals? Need a variance in other words for the shed?

Carole Solina: There is an existing shed there so basically he is making it a little larger. No. When I spoke to Phil it does not require one if we stayed within the one hundred twenty square feet.

Phil Sommer: That is what is allowed for a steep slope parcel.

Chairman Ely: So Phil they do not need anything from the Zoning Board of Appeals?

Phil Sommer: That is the law. The proposed shed was bigger and I talked to Carole and they can only be one hundred twenty square feet for a parcel with steep slopes. That is what is allowed.

Chairman Ely: They will be in compliance that is all I am looking for?

Phil Sommer: Yes.

Chairman Ely: Any more questions about the map? I do not want to hurry you. Diane, you can take the map down I think. Okay thank you. I think you need an archeology letter about disturbing historic sites, but you may already have that?

Carole Solina: Yes. We do. I worked with Phil on that. We do have the letter dated March 23rd and their review does not include a potential environmental impact in New York State Parklands.

Chairman Ely: You do not need a letter I gather saying you are not going to disturb any eagle habitats?

Carole Solina: Not that I am aware of. No.

Phil Sommer: None is required.

Chairman Ely: Thank you Phil. Any other questions at this point for Carole?

Ralph Endres: I have one Jim.

Chairman Ely: Go ahead Ralph.

Ralph Endres: Is the extension of that shed looking at the picture going over the existing dock or are they adding square footage to the dock?

Carole Solina: No. It will not. It will be just as wide as the existing shed currently is. It is just going to be longer.

Ralph Endres: Okay. Thank you.

Mary Ann Bachman: I have a question about the hoist area. The hoist that is there. I am looking at the map it is eighteen by ten, is that correct and what you are proposing is twenty-four by twelve?

Carole Solina: I believe that the eighteen by ten is the inside measurements.

Mary Ann Bachman: Yes. Okay.

Carole Solina: It looks like the way the surveyor did it was the outside was twelve by twenty-four. The outside parameters you take into consideration the steel piles. Probably takes into consideration the overhang of the roof.

Mary Ann Bachman: Yes. I get it. It is almost the size of a garage.

Carole Solina: Yes.

Mary Ann Bachman: Okay. Hmmm.

Chairman Ely: Any other questions for Carole? We will have a chance to look at this again, but at this point are we prepared to move forward?

Ann Jacobs: Yes.

Ralph Endres: I do not see any reason not to.

Chairman Ely: Carole, let me explain this. We will schedule this for a public hearing at our May meeting. Heaven knows if we will be able to have a meeting in the Town Hall or back to perfect our Zoom techniques.

Carole Solina: I hope not.

Chairman Ely: As you know at the public hearing, Diane will advertise it. Could be some comments from the community. That is very hard to predict. At that time we may be able to give you your final site plan approval.

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Carole Solina: Is there anything that I need to attend to in the interim?

Chairman Ely: Based on your answers of the questions I would say we have the information that we need. Phil Sommer would you agree we have it complete?

Phil Sommer: Yes. If I see anything else Carole, I will reach out to you.

Carole Solina: Okay. Thank you.

Chairman Ely: Then we will schedule this for our May meeting Carole. We look forward either meeting you in person or chatting with you on Zoom again.

Carole Solina: Okay.

Diane Graham: It will be May 20th.

Carole Solina: Okay.

Diane Graham: I apologize to some members who have joined us late. I did not know who they were so I did not admit them to the room because it did not say a name. So I renamed them on the screen right now. Hopefully that holds for the next time we have to use Zoom. I was leery about letting anybody in if I did not know who it was so I apologize.

Chairman Ely: Alright. Is there anything else that we should discuss briefly before wrapping up the meeting?

Diane Graham: Unless you want to talk about the other old items.

Chairman Ely: No. Not particularly.

Diane Graham: Okay.

Chairman Ely: I wanted to focus only on things that were relatively routine and I did not think would be highly controversial. I had hoped we would have Kathy Spencer from LaBella come to discuss how to go forward with the Everwilde project. I felt that such presentation should be at a hearing where we can actually interact with her on a personal basis. I rescheduled that for May. Hopefully she will be able to come in May. She has agreed if the Town Hall is open at that time. Otherwise, thank you all for your efforts. This was a very new thing. Certainly novel for me. I am the least tech savvy person on the Board I am sure. So I thank you all and unless there is anything else I would entertain a motion to adjourn.

Dan Marshall: Mr. Chairman. Dan Marshall.

Chairman Ely: Yes. Dan.

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Dan Marshall: I just wanted to let you know that we have advised the folks at Everwilde that due to Corovirus-19 situation that things are somewhat on hold with them for now. Kathy Spencer would prefer not to come out to the Town in person until things are cleared up and I really think that this conversation should be hopefully held face to face with everybody because I think there is going to be a lot of questions.

Several Board Members voice agreement.

Chairman Ely: There will be a lot of questions for her. I think that the Everwilde people will just have to know that under the circumstances that matter is on the back burner.

Dan Marshall: I have reached out to their attorney and to the applicants themselves to let them know because of the situation we are putting things on hold. Their reply was they completely understood and they will wait to hear from us.

Chairman Ely: I think that is appropriate. This matter has kicked around for a quite a few years. Under the circumstances I think we should have a face to face conversation with Kathy Spencer at a time we can really focus on what she has to tell us.

Dan Marshall: Truly no one would like to move it forward faster than I would. It is very important that we dot the i's and cross the t's and do everything exactly according to Hoyle.

Chairman Ely: I could not agree more.

Dan Marshall: I am painfully cognizant of potential law suits all the way around here. So I want make sure we are doing everything exactly the way it needs to be done.

Chairman Ely: My thought exactly and that is why we will not proceed with this until there is a time Kathy Spencer can actually come to a meeting at the Town Hall. Thank you Dan. Anything else or should we entertain a motion to adjourn?

Ralph Endres: I think we should keep this FEIS Associates thick folder for when we meet together at a real meeting at the Town Hall.

Dan Marshall: Right. That FEIS Associates you may have received an email from me with regards to that letter. Basically stating we do not necessarily agree with everything that was said on it so do not take that according to Hoyle. There are some questions with regards to that. When Maria Rudzinski and Kevin Olvany at the County saw it they practically freaked out because they thought that we had written it or LaBella had written it for us and they were very concerned about that. It was not written by LaBella, as you can see, it was written by their engineering firm and there are some discrepancies as far as our people are concerned.

Ann Jacobs: Will Kevin and Maria send us some information as to what they found in there that was not agreed to?

Dan Marshall: They will eventually. As you can imagine they are backed up to given the circumstances, but the plan was they were going to be offering their opinions on the matter.

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Ann Jacobs: Okay. Thank you.

Ralph Endres: We will welcome them I am sure.

Dan Marshall: As will I.

Diane Graham: I would like to make a note that Matthew Sousa is with us.

Chairman Ely: Hi Matt.

Matthew Sousa: Hello.

Diane Graham: He did not get to do the roll call in the beginning so I am sorry Matt.

Ralph Endres: He can make the motion to adjourn.

Diane Graham: Yes. He can.

Chairman Ely: Before we take the vote. I just want to thank Diane for all the work she did in getting this Zoom set up. Good job. Hard work.

Diane Graham: Thank you.

Motion to Adjourn

Being no further business, Matthew Sousa made a motion to adjourn the meeting and it was seconded by Ralph Endres. The motion was unanimously accepted and the meeting was adjourned at 7:32 pm.

Respectfully submitted,



Diane Scholtz Graham
Board Assistant