



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

Planning Board Zoom Meeting Agenda

Wednesday, May 20, 2020 at 7:00 pm

Join Zoom Meeting <https://us02web.zoom.us/j/88543308875> or dial 1-929-205-6099 (NY)
Meeting ID: 885 4330 8875

Please use full name on your device when joining to be entered into the meeting.
If you have not been admitted to the meeting by 7:00 pm, please email admin@southbristolny.org.

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.

Minutes

Approval of April 15, 2020 Planning Board Meeting Minutes

Old Business

Final Site Plan Approval Amended Application #2020-0001 Public Hearing

Owner: Melissa Scott and Scott Portuondo
Representative: Worden Hill Marine
Property: 6377 Old Post Road
Tax Map#: 185.10-1-13.000
Zoned: LR (Lake Residential)

Final Site Plan Approval Application #2020-0003 Public Hearing

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)

Final Site Plan Approval Application #2019-0009 Public Hearing

Owner: Seneca Point Stone House LLC
Representative: Venezia & Associates
Property: 5737B Seneca Point Rd
Tax Map #: 178.07-1-17.200
Zoned: LR (Lake Residential)

New Business

Preliminary Site Plan Approval Application #2020-0004

Owner: Gary B. Lawton and Susan G. Lawton
Representative: Venezia & Associates
Property: 5795 Seneca Point Rd
Tax Map #: 178.07-1-13.100
Zoned: LR (Lake Residential)

Other

Motion to Adjourn

Town of South Bristol Planning Board Meeting Minutes Wednesday, May 20, 2020

Present: Mary Ann Bachman
James Ely
Ralph Endres
Ann Jacobs
Ann Marie Rotter
Sam Seymour
Matthew Sousa
Michael Staub
Bessie Tyrrell

Guests: Phelps Greene
Carole Solina
Rocco Venezia
Kevin Dooley
Steve Swartout
Linda Bartsch
Jeff Baker
Gary & Susan Lawton
James Terwilliger
Phil Sommer

Call to Order

The Zoom meeting of the Town of South Bristol Planning Board was called to order at 7:02 pm. The Pledge of Allegiance was considered as being read.

All board members were present upon roll call.

Reading of Vision Statement

Ann Marie Rotter read the Comprehensive Plan Vision Statement.

Minutes

Chairman Ely called for a motion to approve the April 15, 2020 meeting minutes as written. Bessie Tyrrell made said motion, which was seconded by Ralph Endres. The motion was unanimously accepted by all board members present.

Old Business

Final Site Plan Approval Amended Application #2020-0001 Public Hearing

Owner: Melissa Scott and Scott Portuondo
Representative: Worden Hill Marine
Property: 6377 Old Post Road
Tax Map#: 185.10-1-13.000
Zoned: LR (Lake Residential)

Town of South Bristol Planning Board Meeting Minutes 5/20/2020 Approved

Legal Notice
Notice of Public Hearing

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

Amended application #2020-0001 for property owned by Melissa Scott and Scott Portuondo located at 6377 Old Post Road, Tax Map #185.10-1-13.000. The applicant and property owners are looking for site plan approval to add a 150 square foot addition to the existing dock and a 120 square foot storage shed near the shore line.

Said hearing will take place on the 20th day of May, 2020 by joining Zoom Meeting <https://us02web.zoom.us/j/88543308875> Meeting ID: 885 4330 8875 or dial 1-929-205-6099 beginning at 7:00 pm.

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

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Diane Scholtz Graham
Planning Board Assistant

Chairman Ely declared the public hearing to be open and for representatives of the application to review changes since the last meeting.

The public hearing was opened.

Phelps Greene presented the application overview since the preliminary site plan review meeting on February 19, 2020 with amended application, revised site plan, Zoning Board of Appeals granted variance for storage shed and archeological determination letter.

Received 3/23/2020
March 17, 2020

*Town of South Bristol Planning and Zoning
South Bristol Town Hall*

To Whom It May Concern:

We are writing in reference to the amended application #2020-0001 for property owned by Melissa Scott and Scott Portuondo located at 6377 Old Post Rd, Tax Map #185.10-1-13.000.

We live next door to this property and are concerned about this variance and the precedence it sets. Our additional concern stems from the fact that the flat piece of property, where we believe this “storage shed” is supposedly going, seems to be right on our property line. It is also on land that was never there 20 years ago. We watched the previous owners move rocks from another location to build the cribbing

and then hand carry 250 50-lb bags of soil down the steps to extend their beach out into the water. I think I may have pictures that show the previous landscape, but they would be at our Old Post Rd property. We assumed the Pictometry photos would show the change, unfortunately, the waterfront photos we have seen are afterwards.

We would be happy to discuss any of this with you. We are in Florida until the end of May.

Thank you.

R. Macy Harris III and Louise W. Harris

Chairman Ely noted that this letter was considered by the Zoning Board of Appeals.

The public hearing was closed.

A motion was made by James Ely that this Board concurs with the Zoning Board of Appeal's SEQR determination that this was a Type II action requiring no further review and said motion was seconded by Bessie Tyrrell.

All in favor.

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

Nays: 0

Motion carried.

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.
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 James Ely to approve findings 1-5 and said motion was seconded by Michael Staub.

All in favor.

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

Nays: 0

Motion carried.

A motion was made by James Ely to grant both preliminary and final site plan approval to amended application #2020-0001, Melissa Scott and Scott Portuondo, 6377 Old Post Road and said motion was seconded by Michael Staub.

Roll Call Vote:

Mary Ann Bachman – Aye
James Ely – Aye
Ralph Endres – Aye
Ann Jacobs – Aye
Ann Marie Rotter – Aye
Michael Staub – Aye
Bessie Tyrrell – Aye

Motion carried.

Final Site Plan Approval Application #2020-0003 Public Hearing

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

Legal Notice

Notice of Public Hearing

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

Application #2020-0003 for property owned by Frank and Teresa Puppato located at 6313 Old Post Road, Tax Map #185.10-1-7.000. The applicant and property owners are looking for site plan approval to replace an existing storage shed with an eight foot by fifteen foot storage shed and add a ten foot by eighteen foot covered boat station to the existing dock.

Said hearing will take place on the 20th day of May, 2020 by joining Zoom Meeting <https://us02web.zoom.us/j/88543308875> Meeting ID: 885 4330 8875 or dial 1-929-205-6099 beginning at 7:00 pm.

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Diane Scholtz Graham
Planning Board Assistant

Town of South Bristol Planning Board Meeting Minutes 5/20/2020 Approved

Chairman Ely: I will declare the public hearing to be open. Let me ask in our Zoom audience is there a representative for the Puppas who would now like to speak and discuss any changes since the preliminary site plan review of a month ago?

The public hearing was opened.

Carole Solina: Yes. Good evening. This is Carole from Brawdy Marine Construction.

Chairman Ely: Good evening Carole.

Carole Solina: There have been no changes to the site plan since our initial meeting.

Chairman Ely: Alright. Can I ask you then to briefly describe it to refresh our recollection?

Carole Solina: As Diane described, the owners are looking to replace an existing shed with an eight foot by fifteen foot shed. The current shed I believe is eight foot by ten foot so they are only adding five feet onto the shed. They are adding a covered hoist of eighteen feet by ten feet to an existing dock.

Chairman Ely: The length of the dock is not being extended, is that correct?

Carole Solina: That is correct. The dock is not going to change at all.

Chairman Ely: Diane, do we have any written comments?

Diane Graham: This application, no.

Chairman Ely: I did receive an email I thought maybe by you from a Michael Gordon indicating he had no objection. Did you not receive that?

Diane Graham: Oh yes. I am sorry. You are right. He asked to see the site plan and emailed back that he had no issue.

Chairman Ely: Exactly. That should be part of our record his written comment. We had no verbal comments.

May 11, 2020 Email

Michael Gordon, 6305 Old Post Road stated "I have no objections. Thank you for sending."

MaryAnn Bachman: Is he the next door neighbor?

Chairman Ely: Yes. I believe so.

Sam Seymour: He is the neighbor to the north.

Chairman Ely: Is there anybody in the Zoom audience who wishes to speak to this application? Do members of the Board have any questions for Carole? With no questions, I will declare the public hearing closed.

The public hearing was closed.

Chairman Ely: You have your archeological determination letter of no impact, correct?

Carole Solina: Yes. That is correct.

Chairman Ely: It does not need review by County. County Planning does not review dock applications. It looks to me like all your other data is in fact in place, which brings us to the SEQR determination.

I move that this Board declare SEQR to be a Type II action requiring no further determination, that I be directed to answer questions 1-11 no or small impact and to sign the SEQR form on behalf of the Board.

A motion was made by James Ely and said motion was seconded by Michael Staub.

All in favor.

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

Nays: 0

Motion carried.

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.
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 James Ely to adopt findings 1-5 and board members unanimously agreed.

A motion was made by James Ely to grant both preliminary and final site plan approval to application #2020-0003, Frank and Teresa Puppato, 6313 Old Post Road 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

Michael Staub – Aye
Bessie Tyrrell – Aye

Motion carried.

Final Site Plan Approval Application #2019-0009 Public Hearing

Owner: Seneca Point Stone House LLC
Representative: Venezia & Associates
Property: 5737B Seneca Point Rd
Tax Map #: 178.07-1-17.200
Zoned: LR (Lake Residential)

Legal Notice
Notice of Public Hearing

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

Application #2019-0009 for property owned by Seneca Point Stone House LLC located at 5737 B Seneca Point Road, Tax Map #178.07-1-17.200. The applicant and property owners are looking for site plan approval for construction of a new residence and septic system.

Said hearing will take place on the 20th day of May, 2020 by joining Zoom Meeting <https://us02web.zoom.us/j/88543308875> Meeting ID: 885 4330 8875 or dial 1-929-205-6099 beginning at 7:00 pm.

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Diane Scholtz Graham
Planning Board Assistant

Chairman Ely: I will declare the public hearing to be open. This was before us for a preliminary site plan review way back in January. I would now invite a representative of the applicant if they would wish to discuss changes since preliminary review.

The public hearing was opened.

Rocco Venezia: Yes. My name is Rocco Venezia from Venezia Associates. We are the site engineers. I believe Steve Swartout was in the meeting. I see him back again now. Hey Steve.

Steve Swartout: Hi.

Rocco Venezia: We were hear back in January like you said Jim. We have had some changes. Most of it has been some technical stuff that we have had to address. One of the big items was we did an annexation of the parcel, got rid of a parcel and created a new type of parcel that the house actually sits on. So this

new site plan reflects that new parcel. That new parcel has been created and is on file in the County Clerk's Office. To go over some of the main issues the septic system has now been approved. We found that out this afternoon. The old home is coming down and a new home is going be... Steve, correct me if I am wrong. Are we configuring some of the old house?

Steve Swartout: Very little Rocco. It is essentially in the same footprint. This is an 1870 structure, which we know at the stone house. It is built from stone from the area. It is really magnificent. In 1966 my grandmother added a wood addition to the south end. Over that time period it, unfortunately, had become damaged by the weather. We made the decision because there was a substantial amount of mold in the house to take the wood portion down and rebuild it with a new modernized structure, which was healthier for the family. We are going to preserve the 1870 stone structure.

Rocco Venezia: We are saving some portion of it, right?

Steve Swartout: Yes.

Rocco Venezia: To keep going the dark grey shaded area you see on the site plan is the new footprint of the new house. There is a covered porch to the rear on the west side. A little bit of patio work on the east side. We have some temporary silt potential up in the northeast corner. We do meet the required setbacks. The lot coverage is okay. The materials stock pile is away and to the west of the leach field. We believe it is a sound plan and we open it up to any questions you might have.

Chairman Ely: Diane, do we have any written or verbal comments?

Diane Graham: From the neighbors? No.

Chairman Ely: Does anybody in the Zoom audience have any questions about this application? Do Board members have any questions?

Bessie Tyrrell: I have one. What is the percentage of lot coverage?

Rocco Venezia: The maximum lot coverage is 20% per code and we are 19.9%. That is in a chart on the left side of the drawing. Here it is.

Bessie Tyrrell: Okay. Thank you.

Chairman Ely: Any other questions for Rocco? No other questions? Okay. I will declare the public hearing closed.

The public hearing was closed.

Chairman Ely: We should review comments in the report from County Planning. This was originally sent to County Planning in January. We decided to send the application back because there were some changes made. In so far as I understand what County Planning said, it A. made no recommendation, and B. repeated the comments it made in January. Did anybody have a different reading of that than I did?

Ann Jacobs: No.

Ralph Endres: No. You have answered it.

Chairman Ely: We have raised this issue before. County Planning noted that, apparently, the persons in the adjacent lot, they could all now be family, to access this lot. County raised questions whether an easement of access would be a good idea. Matt, I think you spoke to this didn't you at one point whether easements would, in fact, be a good idea?

Matthew Sousa: Right. My main concern at the time was that an easement would be appropriate for future transfer of the property. There was no right-of-way access to the parcel. I thought for future "proofing" of the property it would be appropriate to create an easement to a right-of-way so that any future transfer of the property it was already established. That was my concern at the time.

Chairman Ely: I understand what you are saying. Family circumstances can change, lots can change. Ultimately, I think that is really a decision for the owners to make. County Planning has simply suggested that the applicant considers it, as I read the report.

Matt Sousa: I would agree with that. My comments were purely best management practices recommendation.

Chairman Ely: I would agree. If we are looking for best practices, I would concur with your suggestion. I would recommend it personally, but it is not a matter for this Board to require them to do it. So that is something for you to think about and I will leave it at that. County made no other suggestions that I can see that the applicant has not already made. Unless we have other things that we would like to talk about this brings me to SEQR once again.

I move that this Board declare SEQR to be a Type II action requiring no further determination, that I be directed to answer questions 1-11 no or small impact and to sign the SEQR form on behalf of the Board.

A motion was made by James Ely and said motion was seconded by Ralph Endres.

All in favor.

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

Nays: 0

Motion carried.

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.
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 Michael Staub to approve findings 1-4 and said motion was seconded by Bessie Tyrrell.

All in favor.

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

Nays: 0

Motion carried.

A motion was made by James Ely to grant both the preliminary and final site plan approval to application #2019-0009, Seneca Point Stone House LLC, 5737 B Seneca Point Road, tax map #178.07-1-17.210 and said motion was seconded by Michael Staub.

Roll Call Vote:

Mary Ann Bachman – Aye

James Ely – Aye

Ralph Endres – Aye

Ann Jacobs – Aye

Ann Marie Rotter – Aye

Michael Staub – Aye

Bessie Tyrrell – Aye

Motion carried.

New Business

Preliminary Site Plan Approval Application #2020-0004

Owner: Gary B. Lawton and Susan G. Lawton

Representative: Venezia & Associates

Property: 5795 Seneca Point Rd

Tax Map #: 178.07-1-13.100

Zoned: LR (Lake Residential)

Chairman Ely: The next application is a new matter. It is here for a preliminary review. Not a public hearing at this stage. This involves application #2020-0004 by the Gary and Susan Lawton, 5795 Seneca Point Road. Do we have a representative of the Lawton's who wish to speak to this?

Rocco Venezia: I am Rocco Venezia here on behalf of Gary and Susan Lawton.

Gary Lawton: I would also like to add that Gary and Susan Lawton are here.

Rocco Venezia: There is already a dock in place that is going to be modified as shown on the drawing. We have located all the facility lines on the drawing and offsets. This is mainly an addition, which is going to allow us to put in a boat slip and a covered deck over the top of it, rooftop. The proposed addition is 147 square feet. The total dock area after the addition is 687, which meets the UDL. The porch is fifteen feet above mean high water, which also meets the UDL. That is pretty much the overview.

Chairman Ely: The proposed modification is all compliant with Docking and Mooring?

Rocco Venezia: The final product. Yes sir.

Chairman Ely: Thank you.

Diane Graham: It is not covered, correct?

Rocco Venezia: It will be covered. If you look at the south end, that U shape part of the dock will have a roof over the top.

Chairman Ely: The roof will be a permanent roof?

Rocco Venezia: Yes sir.

Michael Staub: Are you providing utilities to the dock area?

Rocco Venezia: I will defer that to Gary.

Gary Lawton: They are already there.

Michael Staub: So there will be no change to the utilities that are already there?

Gary Lawton: That is correct.

Michael Staub: Thank you.

Rocco Venezia: We did get our SEQR letter that we are okay.

Chairman Ely: Your SEQR letter?

Rocco Venezia: We did get that. That came in pretty quick. It came in within a few days. I believe Diane has that.

Chairman Ely: Okay. Diane, is that the letter for the archeology?

Diane Graham: Yes.

Chairman Ely: SEQR is something else. Any other questions for Rocco? Diane, take the map down. Thank you. I will propose that we schedule this for final approval at our next meeting in June. I am hopeful at our next meeting that we could be at the Town Hall, but who can say? Are we all agreeable? This does not have to go to County. County does not review applications pertaining to docks. Rocco that is it.

Gary Lawton: May I ask a question please?

Chairman Ely: Yes, of course.

Town of South Bristol Planning Board Meeting Minutes 5/20/2020 Approved

Gary Lawton: Since we are new to this and have never gone through this. When you mentioned about going to another meeting in the end of June?

Diane Graham: It will be in the third Wednesday in June. I will send you information.

Gary Lawton: So just so I understand it because we are trying to work with our contractor. So that means, if I am understanding correctly, nothing can be moving forward until we get final approval, is that correct?

Chairman Ely: Correct. Yes.

Gary Lawton: Okay. So if you send the letter out, I think you said the third week of June, what does that mean? Is there another meeting for final approval?

Diane Graham: Yes. That would be the final and it would be a public hearing.

Gary Lawton: The public hearing is the end of June timeframe?

Diane Graham: Yes.

Ralph Endres: June 17th.

Gary Lawton: Let's be positive. So is the June 17th meeting when an approval process happens so I can at least talk to my contractors?

Chairman Ely: As you have seen tonight, if we grant final approval on June 17 all you need to do is get your building permit from the Code Officer. This Board will have finished with your deliberations.

Gary Lawton: So at that point if I understand correctly say June 17 or 18 we get the approval does that mean we can start the actual work?

Female Board Member: Yes.

Diane Graham: As long as it meets Phil's approval.

Gary Lawton: Who?

Diane Graham: Phil Sommer the Code Enforcement Officer.

Gary Lawton: Oh yes. If for some reason we decide, we had hoped to do this early spring but obviously circumstances have happened, to move this Board to fall once we have approval does the start date of the project have observance to you folks.

Diane Graham: You have six months from the date of approval.

Gary Lawton: Okay. Thank you. Bottom line for us is we just have to decide do we want to start this in late June. Thank you. I think we are all set.

Diane Graham: There is a possibility for an extension, but that is only good one time and you would have to come back to the Board to ask for it.

Gary Lawton: No. I think that answers our question.

Diane Graham: Okay.

Gary Lawton: If we decide to go ahead in June great. If not, then we would do it well within the six months' timeframe. Thank you all. Appreciate it. Thank you. By the way it is a 1927 Huntington Woody that we are building it for. Just so you know.

Board members commented nice, send pictures, beautiful boat.

Gary Lawton: We are really excited about getting the Woody in the water so it is really exciting. Stay safe. Thank you.

Chairman Ely: That completes the four applications that we had for this evening.

Other

Everwilde Inn and Spa Proposal

Chairman Ely: I would like to turn to the item that I raised in an email to all of you. It was last minute because it only came to me last minute and I thought the Board should take a little to consider how we wish to respond. It goes without saying that the immediate trigger from my conversation with our Supervisor, Dan Marshall was the announcement that the owners were going to close Bristol Harbour. Dan's thought that it might be helpful all away around and expedite process on the Everwilde application. If this Board did not in fact move forward with a reconsideration of the amended project, but return the matter to the Town Board for more expeditious precision making. I think I understand where he is coming from on this. The matter has gone on, as we all know, five years or more, but who is counting. In any event I thought I ought to raise this idea for you to consider and if we wish to simply send the matter back to the Town Board we can certainly do so. We only requested that we look at it again. We could not make them send it to us. We had requested to look at it again. Efforts to get LaBella and Associates down here have been frustrated by circumstances beyond our control. In any event I lay out what I think he's thinking and I wanted to get impressions from various members as to how you wish we should proceed.

Ralph Endres: I was going to make a motion when this came up at one of our meetings when we were face to face. I read over several times the FEIS Associates revised plan. Where I would like fellow our Board members that were not involved in the initial approval and its sending to the Town Board with an affirmative response. At your leisure go to the Town Planning Board Meeting Minutes and go to April 29, 2015. Basically the plan that we forwarded to the Town Board is non-existent today. This plan that is before us has no relevance compared to what we approved. What I was going to do at the meeting before we heard anything was to ask for a revote on this proposal and send it back to the Town Board with that vote. I do not think that need be done right now, but I do think that when we send it to the Town Board we would like them to know that this proposal as we see it in 2020 is nothing like what we sent to them initially. It has changed in so many ways and not all for the good. That is all I have to say.

Bessie Tyrrell: I would like to add a little history and that is five years ago that the then Town Board came to us and asked if we thought that this proposal was consistent with our Comprehensive Plan. Some of you may not remember, but there was seven people on the Board. There were five people that voted

that it did comply with the Comprehensive Plan and two people that voted at that time that it did not. We asked the Town Board to come back to us if the applicants made any changes, which is why they are here now. That was part of the original that if there were changes, we could come back and make a review again. Also, at the same time, all of us in concert with the Board of all seven of us from the Planning Board agreed to three stipulations, which are no longer in the plan. One was that the part that is not an Inn would be forever wild, the second thing we all agreed on was that the noise ordinance would have to be in place, and that it would stay a Type I in terms of Docking and Mooring. I feel like I know enough to vote on whether I think it conforms to our Comprehensive Plan, but I do not know if other people do.

Mary Ann Bachman: For historical reference there was a lot of resources that were given to both the Town Board and the Planning Board six years ago, five years ago, four years ago and updated information. I am not sure the minutes would be enough to really outline what the differences would be then and now so maybe what we need to do is kind of summarize what are the three or four items specifically that maybe we should look at or Board members who were not part of that look at in particular. If you remember, we had binders of stuff. The tram, the lift are some other changes to be specific.

Ann Jacobs: I sat through a lot of the meetings with Kathy Spencer and the Town Board. I am here to tell you that they did a complete turnaround because I did vote for it as complying with the Comprehensive Code and I walked away and today I do not feel it complies with the Comprehensive Code. Not at all. I disagree because of everything that they have thrown out and inserted in this revised plan.

Mary Ann Bachman: A lot of stuff. Alright.

Michael Staub: We all approved the basic site plan and that was when we approved of it and we made those stipulations then if there were any change to the site plan that was supposed to come back to us, which the Town Board has sent back to us. I think we have to get together as a group face to face with the engineering firm and rake them over the coals to explain themselves on why the site plan varies so much and because it does vary so much it does not comply with our original approval, but we have to give them the opportunity to explain their changes.

Mary Ann Bachman: I agree Mike.

Ralph Endres: They have had five years and this is what they came up with.

Ann Jacobs: Regardless of what we say the Town Board is the lead agency and they have the final approval.

Mary Ann Bachman: Right.

Ann Jacobs: I do not know if Bessie would like to say well maybe what we should do is revote again as to whether or not we feel comfortable with it complying with the Comprehensive Code?

Bessie Tyrrell: The other thing I think is worth mentioning is that we do serve at the pleasure of the Town Board and they are asking for this to be expedited. I have been to a lot of meetings and also they have given us a plan that we have had for a couple of months. I feel ready to make that kind of call, but I do not know about the rest of you.

Town of South Bristol Planning Board Meeting Minutes 5/20/2020 Approved

Chairman Ely: Talking to Dan Marshall it does not mean we have to do what he says. He would like to move forward on this. I think that if we try to arrange meetings with LaBella, which has already been three months in delay and may be several more months in delay I think that the neatest simplest thing would be to tell the Town Board that we are not going to consider this further, but we do not stand by the recommendations made in 2015 because of numerous significant changes. Put the ball back in their court.

Ralph Endres: That sounds great.

Ann Jacobs: I agree.

Michael Staub: Jim when you send it back to him tell him that the site plan is changed significantly for us so that our original recommendation does no longer apply.

Chairman Ely: Simply no longer applies. They can take it from there. I think that would pretty most signal our unhappiness at the same time it would not take three months to get there back to Dan. Let me take my hand in preparing something and I will circulate it.

Ann Jacobs: Okay.

Diane Graham: So you do not want to do motions tonight?

Chairman Ely: We could have a motion if you like Bessie, sure.

Bessie Tyrrell: I would like to point out that it was not Dan Marshall on the present Board who asked us to do that. Obviously, they have not asked us to do that today.

Chairman Ely: Let me move that we agree that I will on our behalf prepare a response indicating that we are going to return this matter to the Town Board and make it very clear that our 2015 recommendation no longer pertains because of the significant changes in the plan.

A motion was made by James Ely and said motion was seconded by Michael Staub.

Mary Ann Bachman: Part of me is not comfortable. I would have felt more comfortable voting on any of this until after I have heard from Kathy Spencer. I would have liked to have that meeting with LaBella.

Michael Staub: I agree.

Mary Ann Bachman: If I am voting, I am going along with it because I trust what people are saying.

Chairman Ely: All we are saying, Mary Ann, is that the approval in 2015 no longer pertains.

Mary Ann Bachman: Well okay.

Chairman Ely: We could put judgment on it. I would not feel comfortable with that until we talked with Kathy Spencer. Believe me I talked with Kathy Spencer at some length with Phil Sommer in February and I have been trying for three months or four months to get them down here.

Mary Ann Bachman: I know.

Chairman Ely: Does that make it clear?

Mary Ann Bachman: Yes. So I agree with your proposal.

Roll Call Vote:

Mary Ann Bachman – Aye
James Ely – Aye
Ralph Endres – Aye
Ann Jacobs – Aye
Ann Marie Rotter – Aye
Michael Staub – Aye
Bessie Tyrrell – Aye

Motion carried.

Motion to Adjourn

Being no further business, Michael Staub made a motion to adjourn the meeting and it was seconded by Ann Jacobs. The motion was unanimously accepted and the meeting was adjourned at 8:00 pm.

Respectfully submitted,



Diane Scholtz Graham
Board Assistant