



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

Planning Board Meeting Agenda

Wednesday, January 20, 2021

**Meeting will be in-person at the Town Hall with face masks and social distancing
(Seating capacity is limited due to COVID restrictions)**

**Short-Term Rentals will be starting at 6:30 pm with the
regular meeting to follow at approximately 7:00 pm**

Join Zoom for listening and viewing only

Zoom Link: <https://us02web.zoom.us/j/81127093743?pwd=RzZKRkxkbDJ2ZFISaHpEV0tOTDRvQT09>

Join Zoom Meeting ID 811 2709 3743, Passcode 191822

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 September 16, 2020, October 14, 2020, October 21, 2020 and December 9, 2020
Planning Board Meeting Minutes

Short-Term Rental Old Business

Short-Term Rental Application #2020-0034 (Public Hearing)

Owner: Lucky 4 Us LLC
Representative: David Walker
Property: 45 Cliffside Drive
Tax Map #: 168.16-1-6.045
Zoned: PD (Planned Development)
Sleeping Occupancy: 6

Short-Term Rental Application #2020-0035 (Public Hearing)

Owner: Annie Brink & Gary Brink
Representative: Annie & Gary Brink
Property: 5864 Eagles Nest Drive
Tax Map #: 178.00-1-21.000
Zoned: R3 (Residential 3 Acre)
Sleeping Occupancy: 8

Short-Term Rental Application #2020-0039 (Public Hearing)

Owner: 115 Grant JC LLC
Representative: Marcus Franz
Property: 7077 St Rt 21
Tax Map #: 195.05-1-14.000
Zoned: LR (Lake Residential)
Sleeping Occupancy: 8

Short-Term Rental New Business

Short-Term Rental Application #2020-0040 Preliminary)

Owner: Jordan Lack and Tamar Kopel
Representative: Finger Lakes Premier Properties
Property: 24 Golfside Circle
Tax Map #: 168.15-1-29.240
Zoned: PD (Planned Development)
Sleeping Occupancy: 6

Short-Term Rental Application #2020-0041 (Preliminary)

Owner: Keith Johnson
Representative: Kellie Sick (ski season)
Noreen Egger (rest of the year)
Property: 7 Northstar Drive
Tax Map #: 167.71-1-7.000
Zoned: PD (Planned Development)
Sleeping Occupancy: 9

Regular Old Business

Final Site Plan Approval Application #2020-0029 (Public Hearing)

Owner: Richard H. Glazer
Representative: Fields Construction Inc
Property: 5691 Applewood Drive
Tax Map #: 168.20-1-5.000
Zoned: LR (Lake Residential)

Final Site Plan Approval Amended Application #2020-0010 (Public Hearing)

Owner: Andrew & Marie McNabb
Representative: Venezia & Associates
Property: 5697 Applewood Drive
Tax Map #: 168.20-1-9.000
Zoned: LR (Lake Residential)

Proposing a local law on events

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

Regular New Business

Preliminary Site Plan Approval Amended Application #2020-0008

Owner: Philip & Lucy Sheils

Representative: Wendy Meagher, PE

Property: 6847 & 6877 Walton Point Drive

Tax Map #: 191.09-1-2.110 & 191.09-1-4.000 (retired) 191.09-1-4.100 (new)

Zoned: LR (Lake Residential)

Preliminary Site Plan Approval Application #2020-0042

Owner: Joan W. Goldberg 12 Irrevocable Trust

Representative: Charles Kenton

Property: 5803 Seneca Point Road

Tax Map #: 178.11-1-1.210

Zoned: LR (Lake Residential)

2021 Planning Board Meetings

Other

Motion to Adjourn

Town of South Bristol Planning Board Meeting Minutes Wednesday, January 20, 2021

Present: Mary Ann Bachman (Attended via Zoom)
James Ely
Ralph Endres
Sam Seymour
Matthew Sousa
Michael Staub
Bessie Tyrrell

Excused: Ann Marie Rotter

Guests: Anthony Venezia
Cathy & Jeremy Fields
David Walker
Marcus Franz
Gary & Annie Brink
Peter Dwyer
Nellie Egger
Dan Fuller
Daniel Hackett
Pete Heintzelman
Marie & Andrew McNabb
Lucy & Phil Sheils
Charles Kenton
Stephen Cowley

Call to Order

The meeting of the Town of South Bristol Planning Board was called to order at 6:30 pm. All board members were present except for Ann Marie Rotter.

Reading of Vision Statement

Matthew Sousa read the Comprehensive Plan Vision Statement.

Minutes

Chairman Ely moved to approve the September 16, 2020 and October 14, 2020 meeting minutes as written. Said motion was seconded by Michael Staub. The motion was unanimously adopted by all board members, except for Mary Ann Bachman and Ann Marie Rotter.

Short-Term Rental Old Business

Legal Notice of Public Hearing

Please take notice that the Town of South Bristol Planning Board will hold a public hearing on the following short-term rental applications where the applicant/owners are seeking a short-term rental operating permit:

Town of South Bristol Planning Board Meeting Minutes 01.20.2021 Approved

2020-0034 for property owned by Lucky 4 Us LLC located at 45 Cliffside Drive, Tax Map #168.16-1-6.045;

2020-0035 for property owned by Annie Brink and Gary Brink located at 5864 Eagles Nest Drive, Tax Map #178.00-1-21.000;

2020-0039 for property owned by 115 Grant JC LLC located at 7077 State Route 21, Tax Map #195.05-1-14.000;

Said hearing will take place on the 20th day of January, 2021 beginning at 6:30 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

All interested parties may provide written comments, appear in person or by representative.

Diane Scholtz Graham
Board Assistant
De 30
94635

Chairman Ely declared the public hearing open.

Short-Term Rental Application #2020-0034 (Public Hearing)

Owner: Lucky 4 Us LLC
Representative: David Walker
Property: 45 Cliffside Drive
Tax Map #: 168.16-1-6.045
Zoned: PD (Planned Development)
Sleeping Occupancy: 6

Chairman Ely: Do we have a representative here? Please introduce yourself for the record please.

David Walker: My name is David Walker.

Chairman Ely: You are representing?

David Walker: Yes. I am one of the owners of the LLC.

Chairman Ely: I know you were here at our previous conversation. Do Board members have any further questions? No. Are we ready to proceed?

James Ely moved that based on review of application #2020-0034 and the testimony presented at the Planning Board meeting on December 9, 2020 and public hearing on January 20, 2021, the Planning Board hereby approves the granting of a short-term rental permit to the applicant/owner. Said motion was seconded by Ralph Endres.

All in favor.

Ayes: 6; J. Ely, R. Endres, S. Seymour, M. Sousa, M. Staub, B. Tyrrell
Nays: 0

Motion carried.

Short-Term Rental Application #2020-0035 (Public Hearing)

Owner: Annie Brink & Gary Brink
Representative: Annie & Gary Brink
Property: 5864 Eagles Nest Drive
Tax Map #: 178.00-1-21.000
Zoned: R3 (Residential 3 Acre)
Sleeping Occupancy: 8

Chairman Ely: Please introduce yourself for the record.

Gary Brink: Hi, I am Gary Brink.

Annie Brink: Hi, I am Annie Brink.

Chairman Ely: Nice to have you with us.

Gary Brink: Thank you.

Chairman Ely: Do Board members have questions?

Michael Staub: Is this for final approval?

Chairman Ely: Let me turn then to see what you make of the letter we received from Mr. Dwyer.

Diane Graham: Emails were sent to you.

Michael Staub: This is the one about the parking at the bottom? Are both parties represented here tonight?

Diane Graham: The son of Mr. Dwyer is here and Paul Dwyer is on Zoom listening.

Chairman Ely: Is Mr. Dwyer's son here?

Peter Dwyer: Yes.

Michael Staub: Has there been any resolution to the complaints?

Peter Dwyer: There is not.

Michael Staub: So the problem as I see it is parking by guests at the bottom of the hill obstructing your driveway and entrance. A possible hazard of coming in and out of your driveway or people collecting down there. This rental is all year? Does this go on all year?

Gary Brink: Yes. It is primarily in the summer season. It is available all year to rent. Yes.

Michael Staub: It looks like a bottle neck at the driveway. It seems there should be some kind of amicable solution between the two property owners. A recompense or a meeting of the minds as to renters coming up there and using the other person's driveway without permission.

Gary Brink: I can give you a little background. I have some context to the complaint. We have a right of way to use and access our home. That right of way services three lots. There are three properties that own land on that right of way. Not necessarily the same three that utilize the right of way. We have had numerous conversations with both Paul and Sharon, primarily Paul, about coming to some sort of agreement on how to address the neighbor's concerns on that driveway. It is indeed in need of some maintenance, but we are not the ones to perform that maintenance based on my understanding of the deed. It is to be performed by either David Koester or Paul Dwyer. We are responsible for shared financial interest in that. We have tried to be amicable about this. We understand that neither one who is on the hill may want to maintain that road since it only services three. We offered to pay the full cost of maintaining the road. Paul Dwyer has insisted in order to do so we do not even, I guess have the option of, maintaining the right of way to what is stated in the deed. We offered to bring that current. It is an old deed. Everyone on the hill is in favor or updating that deed with the exception of Paul and Sharon Dwyer. Putting that aside we have addressed a lot of their concerns. We require four wheel drive and all-wheel drive so there are no issues with people having to park on their property. We have also requested that people do not park and block the driveway. We requested if they have a third party delivery that has to be done at Route 21 at the main entrance not at our house. We do not know if they have four wheel or all-wheel drive so instead of them attempting to make delivery to the house we have asked that they do that at Route 21 entrance where there is a pull-off. Every issue I think that Mr. Dwyer and Sharon Dwyer have raised we either mitigated already or would be mitigated if we were able to negotiate some sort of resolution to maintenance that is required on that upper road. We believe a lot of their concerns as detailed in the email have been exaggerated to an extent for purposes of trying to get our... I am sorry I am a little emotional about this because I thought they were friends, about the emails we received.

Annie Brink: I think what Gary is trying to say is, we have tried to do the right thing because like Gary said, we thought we were friends with our neighbors. Even before this all surfaced we were meeting with a contractor that Paul and Sharon recommended to us. We are not from the area. We live in Horseheads like we mentioned last time. We do not know the contractors in the area. From day one Paul and Sharon have talked about this driveway and how can we make this better. They suggested a contractor. We met with him in early May. He suggested drainage, chip and tar whatever that is all this sort of stuff. We pitched it to Koester, which is one of the neighbors and Paul Dwyer, which is the other neighbor again it is a whole right of way access with three properties. David Koester was fully on board and I remember him saying to me on the phone "*I am sure Paul Dwyer is not going to have a problem with this*" and I said "*I bet you are wrong.*" So I emailed Paul because, of course, neither of us has his number. We are transitioning houses and what not. No response back, but a few days later he happened to call Gary on a separate incident, the COVID guest incident that I think he surfaced around town.

Gary Brink: That is very typical about a lot of what was written here on the complaint. It was exaggerated. Maybe some of the Board members are aware of that complaint. I am surprised it is not listed in here. Probably they recognized the fact that it was not true. I believe it was a verbal complaint because there was no information on what was actually said when he called the Town, but that complaint was alleged that we had people or guests staying at our house that were quarantined and COVID positive. That information was then disseminated to the town.

Annie Brink: So instead of calling us like neighbors should do, whether he agrees or not about the short-term rental, he had interaction with our inflicted guest who did not have COVID on a Saturday.

Gary Brink: It was a day after they arrived back from Florida and if anyone should have been quarantined it should have been the Dwyers. They intercepted a package that was intended for them, handed it to them personally and had their hands on their cars. Just the reality of the situation is so different from what you are seeing or reading.

Annie Brink: Whether they thought the people had COVID. It is up to them. We were not there for the conversation.

Indiscernible with multiple people talking at the same time.

Gary Brink: That was a verbal complaint that was raised to the Town.

Annie Brink: We emailed Dan Marshall about it.

Michael Staub: We did not hear anything about the COVID. I am more concerned that you have addressed the problems. Did you change your rental agreement?

Annie Brink: Absolutely.

Michael Staub: To inform your renters?

Annie Brink: A thousand times. We put it in the listing.

Gary Brink: Prior to the first complaint where a car did not make it up the hill we recommended strongly that they have four wheel or all-wheel drive. After that car did not make it, we now require it and request that they confirm they acknowledge that three different times. It is in our email, our listing and we also have it on a signed contract and a second email that is sent before their arrival.

Michael Staub: You also put it in writing about the deliveries?

Annie Brink: Absolutely.

Michael Staub: That is all in your contract?

Annie Brink: All of that is in there. Yes.

Chairman Ely: You keep referring to a right of way. Who actually owns this driveway?

Gary Brink: Three different properties own a portion of the right of way.

Chairman Ely: So you do not own the whole thing, each own portions?

Gary Brink: Each own portions. Yes.

Chairman Ely: The right of way over the other portions? An easement over the other portions?

Diane Graham: Over peoples land.

Gary Brink: It is between properties or across a property. Yes.

Peter Dwyer: Property questions for my father's property you are referencing is owned in trust so I myself am also an owner. First, I am sorry for the emotions and that it reached that point. So I apologize. To address your question to the easement or right of way over our property it could be shared by David Koester as well and not aware of it. I am aware that a portion of that is over our property. In terms of the comments right at the beginning of the meeting. The intention is to cause or preserve scenic or peaceful enjoyment of the land. This affects our family that has been there nearly forty years. It affects our experience of the property because of the proximity of the road to our home. In addition to that, while I am aware there has been what sounds like a requirement for a four wheel vehicle that is very difficult to monitor and enforce. Just today I attempted to access the property and was unable to. I entered by way of the road that leads to their property due to steepness and snow. It appears it was plowed today, which causes a sediment fall so beyond snow when a sediment fall over all roads you cannot go in even with a four wheel drive Jeep Grand Cherokee I cannot go over that sentiment fall that access our own property. One suggestion I have to Michael's comment would be an independent review and some type of arbitration so there is amicable resolution to both parties concerns. I think that is very feasible.

Michael Staub: How do you feel about that?

Gary Brink: When we met the Dwyers our first interaction with them, they noticed our New Jersey plates. They asked us if we intended to live there. We had told them our story, which we were originally from the area. We have been intending to move back here for a number of years. I had that one more year syndrome. When purchased the house and they noticed we had New Jersey plates they were curious as to what our intent to use with the property. Our intentions for the property was to live there. We told them our plan was to move there and live there. They were very relieved by that. They said if we rented, it would change the nature of the hill. That was their perspective before we even decided to rent. Ironically in part the reason why we decided to rent was because of the access road not being able to be resolved in a timely basis. They continuously moved the goal post. They said we could do one thing as far as chip and tar. They recommended a contractor. We could do everything they recommend to the point of paying the entire expense even though that is not how the deed is outlined. You cannot be fairer then we offered to be. They basically changed their mind on that. I agree, but a lot of even in their complaint I think it points to their whole purpose of this is to exaggerate it so they have some sort of leverage in our negotiations on the road itself. By the Board not taking a stand and punting this I think is exactly what they want. They want us to not have our application approved. We have done everything that we can. Even in their complaint itself.

Michael Staub: The Board has not taken a position yet. You are here at a public hearing.

Gary Brink: I understand. I am saying I think that is their intent. They even write in their response "*We would be more supportive of their application if they committed to maintain the driveway access road up the hill as previous owners have done with additional gravel and raking.*" There has been a history in the past that the people who owned our house did the maintenance and paid for it. That is not what is in the deed. We were not aware of that when we purchased it.

Sam Seymour: There is a lot of confusion though about this because there are a number of houses on this driveway and each house splits off at different locations.

Gary Brink: There is only Dwyers and ours that utilize that right of way. There is a third property, but it is just a lot. It is an empty lot.

Sam Seymour: Which way are you talking about because it looks like the driveway goes up to a turn? You turn left to go up to your house and go straight to go into the Dwyers.

Gary Brink: Right. That is correct.

Annie Brink: There is another lot of land for sale.

Sam Seymour: There is another lot up further north and west of you then?

Gary Brink: To the west I believe...

Sam Seymour: Is it Don Krieg?

Gary Brink: It is Don Krieg. Yes.

Sam Seymour: So that is for sale and the access would be by your house then to get there?

Gary Brink: It would be before our house. The same road that goes up towards our house though.

Sam Seymour: He would split off to the right and you would split off to the left sort of speak. What I got from your letters was that the challenge for the road was really after the turn off from your driveway. Where you turn and go up further.

Peter Dwyer: Typically people resort to parking or utilizing our driveway, whether it is delivery vehicles or tenants themselves because of their inability to go up the hill.

Sam Seymour: It is steeper, gravelly and slippery and all that business.

Gary Brink: I would say it is a rare occurrence. I know it makes it seem like that is a daily occurrence based on the way this was written, but that is not as frequent as it is portrayed. Based on the mitigation efforts that we have made it was much less at the end of the year. We did not hear from the Dwyers at the end of the year because we have mitigated to a large extent.

Sam Seymour: Where does the pavement end? It is paved at the lower part.

Gary Brink: It is closer to the pole barn. A hundred yards from where it splits off.

Sam Seymour: Would that be the Day's pole barn?

Gary Brink: Yes.

Sam Seymour: How is the stretch between the pole barn and your driveway's turn off?

Peter Dwyer: The slope is very reasonable. That has never caused an issue with anyone. Visibility is difficult there, but both parties have placed signage to finally eliminate the fact their turn off is to the left and our turn off is to the right with no relief.

Chairman Ely: You reference in the Dwyer letter to the one summer where they said there was 15 cars per day for a wedding?

Annie Brink: There was a wedding there. We did not know about it beforehand. We only found out about it I think when Judy Voss called us because again, Mr. Dwyer had called the Town. She emailed us rather.

Gary Brink: After the wedding was over and we could not respond to it.

Annie Brink: In fact, we called the guest and said hello this is Annie and Gary Brink, we just want to ask you a question. Did you have a wedding? She said, "Yes. We had a wedding there." Well, we are in big trouble with the Town and the neighbor is saying there were thirty people there. She said, "There was at no point thirty people." She said, "The officiant, the caterer were there for fifteen minutes and left." Paul said, the catering truck was blocking his driveway and she said, of course, the catering truck came up and could not make it up and started to proceed back down. Paul and Sharon were coming home. Paul and Sharon, which is typical, approached the caterers and said, "What is happening, what is going on?" to get all this information to lodge a complaint. Insisted that they park there even though they offered to go back down the hill. Insisted that they park there. Then Paul and Sharon took pictures and sent it in to lodge the complaint. We did not ask our guest first of all obviously to have a wedding. It is restricted as you know and that is disclosed in the listing no events allowed. The guest went ahead and reached out to the caterer who then emailed the bride the series of events in which the caterer said, we were totally willing to drive back down, but Paul and Sharon insisted that we park in his driveway. They insisted that they could help us bring the food up.

Gary Brink: That is consistent theme of every single complaint. They insisted that they park there.

Annie Brink: That is why we insist in our guest email please do not approach them. Please do not ask for help.

Michael Staub: This is all history. What we are worried about is how you addressed it and it appears that you have addressed those issues in your contract with guests. The second issue is the road and how it is going to be repaired or restored or maintained. That is an issue that both parties would have to come to an agreement on.

Gary Brink: I agree 100%.

Michael Staub: It doesn't have for me you have met all of the requirements demanding your guests have four wheel drive, that there are no weddings and that they maintain a distance from the other persons driveway that they always come up to yours or they park down by the road so they do not obstruct it.

Annie Brink: Not even down by the road.

Michael Staub: You have put that in writing.

Annie Brink: Yes.

Michael Staub: Now your guests sign the contract. If a guest violates that contract that is between you and them to resolve that, but you cannot be responsible for guests actions after they sign the contract. That is a legal and binding agreement. You can go after them for violating it and recover costs or whatever to make justifications. It seems to me that you have done all the reasonable things to compensate for the argument. The only remaining issue is the repair of the road.

Bessie Tyrrell: This is my own personal opinion. If I had a rental property with an impassable driveway, I would not rent it until it was passable and whatever it took. I would not be renting it unless it was resolved.

Gary Brink: What we are saying is that is their whole intent. We had a contract and Paul and Sharon were in favor of it and then they pulled the plug on it. In fact they told us to sell the property. I do not know how you separate the two. They are playing this game.

Bessie Tyrrell: I guess I may be saying if you do not have control of the driveway, maybe you should not rent your property.

Gary Brink: I understand. I take your point.

Bessie Tyrrell: If I were opening a store, I would be sure the parking lot was paved. I do not want to say who is right and who is wrong. I am just saying the person who is providing the service has a contract with the public and that is part of the contract to make it safe to get there. Sorry, I do not mean it personally.

Gary Brink: I understand that.

Bessie Tyrrell: Not everybody may agree with me.

Matthew Sousa: I think it key. The purpose of this Board is not to arbitrate land disputes between neighbors. The purpose of this Board is, in this case, to issue a permit for a short-term rental and part of that is ensuring access to a property is key. It is somewhat silly to rent a property that is not accessible by any vehicle. That it has to be a four wheel or all-wheel drive vehicle. I understand your issue. I understand why that is a problem. I understand that you are more than willing to mitigate that. Although you seem to be unable to due to disputes between neighbors.

Gary Brink: Until I saw the complaint from the Dwyers I was thinking that we were moving in that direction again.

Matthew Sousa: I will say it again. The point of this Board is not to arbitrate land disputes or disputes between neighbors. I think as far as issues with deed enforcement I do not think it is largely relevant to our evaluation of the short-term rental permit. I appreciate the context. I think as far as the impact on the decisions we make tonight. I do not see how it is relevant in what we arrive on the decision. I think some of the most relevant information is that you seem to have a somewhat inaccessible driveway at this point. I absolutely believe that you would want to mitigate that.

Ralph Endres: The way I see it you have two choices. Hire an attorney both of you and get a written agreement on the maintenance of that road or you go to an arbitration hearing and have a third party arbitrate it. Know that when you do that the person that is arbitrating that's it. Whatever they come up with that is going to be the solution.

Matthew Sousa: Ideally it does not get to that point.

Bessie Tyrrell: That is not our job.

Matthew Sousa: It seems like you are close to that point, but our job is not to arbitrate that.

Gary Brink: Obviously, I have to come to terms without having to go to that extent.

Matthew Sousa: I understand that from all the comments.

Gary Brink: Just to be clear, it is not an impassable driveway. Yes, if somebody from New York City comes down in a minivan with bald tires, it had rained the previous day and the ground is soft they are not going to be able to get up the hill. On a normal day if the road is plowed and on a normal day in the summer time as long as it is not pouring rain at the time even a two wheel drive nine times out of ten you can make it up the hill. I think to characterize it as impassable is not correct. A lot of properties around here that on a hill on a gravel driveway there are times when it becomes an issue. As long as you have four wheel and all-wheel drive it is not an issue.

Ralph Endres: Bessie, you understand that, right?

Bessie Tyrrell: I have a very steep driveway.

Peter Dwyer: If I may make one comment. I would disagree with that statement, however, it is indicated by my family statement as submitted by my father. We are not opposed to the commercial aspect to short-term rentals. The challenge for us is when a permit is issued for a short-term rental it creates an opportunity for multiple tenants. Again, not just one tenant over a course of a month. Limiting the number of people up and down the hill. It allows for multiple tenants of enforcement. If you have a fixed amount of time let's just say with a summer rental you have a new family or a new tenant every weekend there are multiple challenges there. Rather than one tenant over the course of the summer who grows accustomed to the hill and who is familiar on how to get up it. Bessie, it sounds like you have a driveway like that. You learn to access your property. The point of me being here today is not to further challenge the Brinks on a land dispute. That is not my intent. It is to express concern and the say there is a current issue. My family would be interested in knowing how we can lodge future complaints to acknowledge the challenges we are having with them in spite of what my father has submitted over the course of last year.

Chairman Ely: If the permit should be issued, there is, of course, a procedure for complaints to be received and we are open to possible revocation of the permit. It is not a home free situation. If a permit should issue, they are in a sense conditional along as you do not have complaints. I am sorry about what seems to be this dispute because the Brinks seem to be making good faith efforts to try to deal with some of the issues. Under the Town law, they have a right to rent the property. We have been trying to clamp down on events. A lot of communities have been trying to clamp down on events in recent years. We have joined with that group. Obviously, our policing things is very important. Should this Board choose to issue a permit tonight it is not the end of the trail. If the Code Officer were to receive some of the

complaints that have been outlined here after the permit has been issued, I think he would, in fact, investigate and could recommend revocation. It is all in our code. We have thought about the possibility of a permit being abused. I realize that the renters, in this case, let's say the Brinks cannot always control their guest's behavior, but it does sound to me that they have made some good faith efforts to tighten up on that with changing their contract with people. Unfortunately, some people could abuse it. That is hard to know in advance. I think that the idea of discouraging events, which probably will include caterers and that kind of thing is a separate issue. I do not know how other Board members want to proceed. Your opinions on coming to some sort of resolution tonight?

Bessie Tyrrell: I think living at home with an incredible driveway there are just some times it is not safe. Maybe it is hard to say when that is going to happen when there is ice. Like our oil delivery person will not deliver in the winter. There is just times when it is not safe to come to my house. My husband and I are used to that. It would certainly impact when we could rent it if you decided to.

Gary Brink: Would we alleviate your concerns if we did not rent in the wintertime?

Bessie Tyrrell: I do not know your driveway.

Michael Staub: That sounds like a logical solution.

Gary Brink: I would be willing to do that.

Bessie Tyrrell: There may be some ways of engineering your driveway so it is safe.

Gary Brink: We do think it is, but until then I think we would be willing to just not rent in the winter time.

Michael Staub: That sounds like a reasonable solution to me because that is when it is the most impassable or could be.

Multiple people speaking at the same time.

Michael Staub: Later on when this gets resolved they could revisit it. That sounds like a reasonable solution to me. I am all for people being able to use their property. It is their property. It seems you have been more than measured in your response and taking everything seriously. I do not see any reason why you should not be able to have a permit knowing, of course, afterwards if there is more complaints or a problem. I would be willing to make such a motion.

Chairman Ely: Let me just understand your suggestion you would provide a conditional permission, but not for the winter months?

Michael Staub: December through...

Bessie Tyrrell: That is not when a driveway is worse. It is spring when it rains. I am sorry folks. You can do whatever you want.

Michael Staub: That is why we have a discussion, right? I have a driveway like yours. It is a steep driveway. I shovel it to make sure I have access, but I bought myself a four wheel vehicle this year. Now I can get out of it without shoveling all that.

Bessie Tyrrell: If we granted this two months ago, we already have a complaint. Why would we be granting something that already has a complaint? I am sorry that's... I am not sorry. That is my feeling.

Chairman Ely: Of course, if we get a complaint, Bessie, the code officer also has to examine the facts of the complaint. It does seem to me they have spoken to at least some of these concerns.

Michael Staub: Can I make a motion?

Chairman Ely: Make a motion.

Sam Seymour: I think you would take responsibility for that stretch of the driveway and fix it.

Annie & Gary Brink: We would love to.

Sam Seymour: So why is that a problem? You have a right of way.

Gary Brink: *There was a comment made about the deed.*

Sam Seymour: There is no changing the deed. You have the right of way.

Gary Brink: We would like to change where the maintenance responsibility falls on ourselves. We would take that responsibility on, but we also want to stay within the guidelines of what is in the deed and bring it up to date in the sense make it clear what we can do with that. It is a twenty foot wide right of way. There is plenty of room to have an extra place for a car to pass so you do not have a safety issue or concerns for instance. She talks about blocking the scenic view coming down the hill. There are a lot of things we can do, but we need to have that control. We are not responsible for maintaining it. It is either Koester or Dwyer. You may have a better idea than I do.

Sam Seymour: That doesn't make sense to me, but as a lay person I do not know what your deed says. I would think you would pave the road and the driveway up the hill to your place. The steep section that is really treacherous and tough to get through when it is wet.

Gary Brink: Did you say pave the road?

Sam Seymour: Pave it or fix it. Gravel on a steep road is very difficult.

Gary Brink: That is what the deed says gravel.

Sam Seymour: The bottom half is paved.

Gary Brink: The bottom half is paved, but it is a separate right of way for the bottom half from the top. The deed says gravel for the top. Chip and tar would be a better solution.

Bessie Tyrrell: That is not for us to decide.

Sam Seymour: That is not for us to decide. You could say we are going to pave it from your driveway on up.

Gary Brink: We thought we had an agreement to go forward.

Sam Seymour: You have another guy on the hill that is going to buy the ten acres.

Gary Brink: We talked to them and they are also on board with us. The rest of the residents are also on board about bringing deeds current. There is no dispute over who has what responsibility and who has the obligation of paying for it.

Michael Staub made a motion that based on review of application #2020-0035 and the testimony presented at the Planning Board meeting on December 9, 2020 and public hearing on January 20, 2021, the Planning Board hereby approves the granting of a short-term rental permit to the applicant/owner and said motion was seconded by Matthew Sousa.

Sam Seymour: Would that be seasonally limited or not?

Michael Staub: Based on my conversations tonight they are not going to rent in the winter.

Gary Brink: We have somebody planning on renting in February. Other than that there is nobody else that is contracted to stay there.

Matthew Sousa: A signed agreement yes.

Michael Staub: A signed agreement and you will take care of making sure they get there and all is fine. Based on our conversations tonight and what we agreed. There is a motion on the floor and seconded.

All in favor.

Ayes: 5; J. Ely, R. Endres, S. Seymour, M. Sousa, M. Staub

Nays: 1; B. Tyrrell

Motion carried.

Chairman Ely: Phil Sommer Code Officer will issue a permit in due course. If we have continued problems, we have procedures to police that.

Gary Brink: We understand. We are concerned so we are going to have to pay close attention.

Michael Staub: Hopefully the parties can come together with an agreement on the road so they can be maintained and traversed properly to the course in the coming year. It is your property. I believe that you have met all the conditions of the complaints that were addressed so far. If anything comes up in the future, you have recourse through the office.

Peter Dwyer: I appreciate that.

Chairman Ely: We will put the Dwyer emails in an appendix to the minutes.

Short-Term Rental Application #2020-0039 (Public Hearing)

Owner: 115 Grant JC LLC
Representative: Marcus Franz
Property: 7077 St Rt 21
Tax Map #: 195.05-1-14.000
Zoned: LR (Lake Residential)
Sleeping Occupancy: 6

Chairman Ely: You are?

Marcus Franz: I am the owner, Marcus Franz.

Chairman Ely: Thank you. You were, of course, before us. Your property is in Woodville, is that right?

Marcus Franz: It is about three houses north of Smith Boys Marina.

Chairman Ely: You are managed by Premier Properties, is that right?

Marcus Franz: That is correct.

Chairman Ely: Are there other questions here? Diane have we received any written or verbal comments on this?

Diane Graham: No.

Chairman Ely: Is there anyone in the room who wishes to speak to this application?

Bessie Tyrrell: Do you have lots of parking spaces?

Marcus Franz: Yes. This property is blessed with parking four comfortably and five creatively.

Bessie Tyrrell: On the same side of the road or opposite?

Marcus Franz: Same side of the road. Again, it is through Woodville on State Route 21, but nothing where it is close to being on the road or anything like that. If anything, sometimes neighbor guests or anything like that they will park there.

Bessie Tyrrell: Nice. Thank you.

Chairman Ely: If I do not have any other questions. Any other questions?

James Ely made a motion that based on review of application #2020-0039 and the testimony presented at the Planning Board meeting on December 9, 2020 and public hearing on January 20, 2021, the Planning Board hereby approves the granting of a short-term rental permit to the applicant/owner. Said motion was seconded by Michael Staub.

All in favor.

Ayes: 6; J. Ely, R. Endres, S. Seymour, M. Sousa, M. Staub, B. Tyrrell
Nays: 0

Motion carried.

Chairman Ely closed the public hearing.

Short-Term Rental New Business

Short-Term Rental Application #2020-0040 (Preliminary)

Owner: Jordan Lack and Tamar Kopel
Representative: Finger Lakes Premier Properties
Property: 24 Golfside Circle
Tax Map #: 168.15-1-29.240
Zoned: PD (Planned Development)
Sleeping Occupancy: 6

Diane Graham: The next applicant for preliminary this is their second preliminary and the representative is not here again.

Chairman Ely: This is the one at Golfside Circle?

Diane Graham: Yes.

Chairman Ely: We have to defer it. That was easy.

Matthew Sousa: Can we contact the owner and make sure they still want to rent the property?

Diane Graham: I am going to have a telephone conversation. They live in Canada so they themselves cannot attend. Their representative is Premier Properties and they have not come.

Chairman Ely: So they are in Canada?

Diane Graham: Yes.

Ralph Endres: Their property is being rented as we speak.

Diane Graham: Probably. I do not know.

Chairman Ely: Then that can be reported to the Code Officer. Will you make a note of that, Diane?

Diane Graham: Yes. You know it is rented?

Ralph Endres: There have been cars parked there since Christmas.

Matthew Sousa: Is it a long term rental?

Ralph Endres: It is right next to my daughters so that is why I pay attention to it.

Chairman Ely: Phil can check that out.

Short-Term Rental Application #2020-0041 (Preliminary)

Owner: Keith Johnson
Representative: Kellie Sick (ski season)
Noreen Egger (rest of the year)
Property: 7 Northstar Drive
Tax Map #: 167.71-1-7.000
Zoned: PD (Planned Development)
Sleeping Occupancy: 9

Dan Fuller: My name is Dan Fuller from Bristol. I am here because Keith Johnson is a Canadian citizen and unable to be here this evening or anytime this winter. Mr. Johnson placed his unit in our rental pool at the Mountain. Kellie Sick is the person on our staff that is responsible for the rental. I believe she and Keith have worked together to submit an application. I agreed to be here this evening to answer any questions that you folks might have.

Diane Graham: We can only put one person on as a representative. Would it be Kellie or Noreen?

Dan Fuller: Kellie would be the best person.

Noreen Egger: Keith just wanted me to come just to observe.

Chairman Ely: Dan, can you describe briefly the Bristol Mountain Rental Pool operation for us?

Dan Fuller: We have since Northstar Village was originally constructed back in the 80's. We will have a agreement with various homeowners to allow them to put the unit in our rental pool. What we do is field the calls. We arrange for the cleaning and renting the units out for the individuals. Since Airbnb has been a big part of our world these days actually Keith's unit is the only one in our rental pool currently.

Chairman Ely: Is this renting primarily seasonal?

Dan Fuller: No. It is a minimum of two day rentals. That is a more practical way to do it. You cannot for one night because the cost of renting and maintaining and all that.

Ralph Endres: Do you have long term rentals like months?

Dan Fuller: We do have that not necessarily in the winter time, but we will have that from April to late fall many times. That is usually by folks that are either relocating the area and have not got a place or they moved out of their house temporarily because of remodeling.

Chairman Ely: Do you have events in these rentals?

Dan Fuller: At the units? No. Actually my son keeps a really good eye on this because he lives right next door. He and his family lives in Unit 6 right next door.

Chairman Ely: Where do most of the rental people come from? Are they local or from far away?

Dan Fuller: This year they come from really the greater Rochester area because of the crowd restrictions we do not have any people coming from Canada at all. Iowa has been a big market as well as Michigan. None of those folks will really be able to travel. It does not really make any sense for them to quarantine.

Chairman Ely: Right. Exactly. After that would people come from far away?

Dan Fuller: A lot of Canadians.

Chairman Ely: Any other questions for Dan? I move that we accept the short-term rental permit application as completed and set the application for final review/public hearing on February 17th and the motion was seconded by Michael Staub.

All in favor.

Ayes: 6; J. Ely, R. Endres, S. Seymour, M. Sousa, M. Staub, B. Tyrrell

Nays: 0

Motion carried.

There was a discussion around STR application 2020-0040 Jordan Lack being on Zoom requesting to present. The Board recommended to defer the application for an in-person representative at the February 17 meeting.

Regular Old Business

Final Site Plan Approval Application #2020-0029 (Public Hearing)

Owner: Richard H. Glazer
Representative: Fields Construction Inc
Property: 5691 Applewood Drive
Tax Map #: 168.20-1-5.000
Zoned: LR (Lake Residential)

Legal Notice of Public Hearing

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

2020-0029 for property owned by Richard H. Glazer located at 5691 Applewood Drive, Tax Map #168.20-1-5.000. The applicant/property owner is looking to add a boat station to the existing dock for a total dock size of 658 square foot.

Said hearing will take place on the 20th day of January, 2021 beginning at approximately 7:00 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

All interested parties may provide written comments, appear in person or by representative.

Diane Scholtz Graham
Board Assistant
De 30
94637

Chairman Ely: Please introduce yourself for the record.

Jeremy Fields: I am Jeremy Fields. I am here on behalf of Richard Glazer for final review of adding boat station to an existing dock structure.

Chairman Ely: You were here in October as I understand it.

Jeremy Fields: That is correct.

Chairman Ely: You are adding a boat station and hoist of some kind, right?

Jeremy Fields: That is correct. The hoist goes within the boat station.

Chairman Ely: You are adding a ski jet?

Jeremy Fields: That is correct. Yes. A slip.

Chairman Ely: That is what we decided it is a boat station addition?

Jeremy Fields: Yes.

Chairman Ely: As I understand it from my checklist you now have all your archeological determination and eagle determinations in, right?

Jeremy Fields: That is correct.

Chairman Ely: Questions?

Sam Seymour: We talked about this last time. The way I see it is a perceived danger by creating this long narrow slip in between these docks without a roof overhead to give you an idea to know when you are at the edge about to fall in. Would the owners consider moving the dock over to that side and put it next to the whip right next to the existing dock to make it a safer place?

Jeremy Fields: Yes. You brought it up and brought it back him and he just wanted his jet skis there next to the dock.

Sam Seymour: So what happens when he realizes the danger of this and decides to cover that whole slip?

Jeremy Fields: He will have to take it out or come back to the Planning Board.

Sam Seymour: He exceeds the limit on the surface area at that point.

Jeremy Fields: I do not think he can change it. I think he would have to move his boat station. I think that is what you would tell them if they have to move their boat station if they do not have the square footage allowed.

Sam Seymour: So why did you guide him into this predicament?

Jeremy Fields: I did not guide him. It is not my job to tell somebody how to build their house or design their house and what they can or should or shouldn't do. You are not guided into it.

Sam Seymour: I would ask my colleagues to decline this permit because of perceived danger and the probability that the remedy to that danger would be to cover that slip and exceed the square footage of our regulations.

Chairman Ely: They could not cover it, without coming back to the Planning Board.

Bessie Tyrrell: Right.

Sam Seymour: It has been done in the past, Jim.

Jeremy Fields: You have to follow the process. You cannot just decide to fill it in. He would have to get approval and get a permit.

Sam Seymour: The Planning Board is not out there looking at this stuff and either is Phil.

Jeremy Fields: I cannot be the police. I cannot do all the parts of this. I understand your concern, but that is only your concern. You could argue with the other guy. You have to follow the letter of the law. If it is allowed, it is allowed. Whether you like it or not it is allowed.

Sam Seymour: Whether it is allowed or not is not the Board's decision. Our decision encompasses everything else. You would not be here if it was not allowed. You would not get past Phil if it was not allowed.

Jeremy Fields: Right. So what is your point?

Sam Seymour: My point is that you are building an unsafe structure here. The Town has lost a kid to drowning next to a dock.

Jeremy Fields: First of all I had a child that drowned so I do not want to go down that road, but you drown anywhere on the lake. You can drown off the end of the dock.

Sam Seymour: So why create a dangerous situation.

Jeremy Fields: It is no more dangerous at the edge of a dock. I cannot follow your reasoning other than you have a personal thing against it.

Sam Seymour: It is a dock with a hole in the middle of it.

Jeremy Fields: I do not know what to say.

Bessie Tyrrell: So you believe that this area between the dock and the hoist is dangerous, is that what you mean?

Sam Seymour: Yes. That long narrow slip. The so-called Jet Ski slip.

Jeremy Fields: Six foot wide. You are saying a six foot wide slip is more dangerous than a twelve foot or a ten foot?

Sam Seymour: It says it is five foot wide.

Bessie Tyrrell: It is five feet. It says five feet.

Sam Seymour: Five feet wide and 27 feet long. That is a giant jet ski.

Jeremy Fields: It is a double slip. It is a Jet Ski slip. I do not know what to tell you.

Bessie Tyrrell: The existing dock will still be there, correct?

Jeremy Fields: That is correct. Yes.

Bessie Tyrrell: You are worried someone might fall off that existing dock and be pinned between the two?

Sam Seymour: Because it is an open area there is no roof over that stretch. There is no perception of where you are when you are out there playing around. It is easy to fall off that edge into that slip. That is my premise.

Bessie Tyrrell: Okay. In an area where there are a lot of slips do you think it would be easy to fall off? I am not sure I am following.

Sam Seymour: If you have a jet ski it is about six or seven feet long.

Jeremy Fields: No. They are more than that. They are fifteen feet long.

Sam Seymour: So you are going to put two of them in there?

Jeremy Fields: I do not know. The guy could potentially put two. I do not think there is a rule or a law.

Sam Seymour: If he moves the whole thing over that five feet.

Jeremy Fields: Again, you are telling a guy how to design what he wants. It is no difference in telling somebody hey you cannot have...

Sam Seymour: You are not telling him to design it a different way so you do not have my vote of this.

Jeremy Fields: Okay.

Chairman Ely: Is this in compliance with the Docking and Mooring Law?

Jeremy Fields: Yes it is.

Bessie Tyrrell: So you and I are five feet apart. That is pretty far.

Sam Seymour: Yes. It is close enough to jump across and far enough to get hurt trying.

Bessie Tyrrell: I do not see it that way.

Chairman Ely: The record says here on my list to a water rights survey. That has been completed.

Jeremy Fields: That is correct. That is what the offset line is.

Chairman Ely: Alright other questions or concerns? Are we ready to address the SEQR?

Diane Graham: Have you asked about written or verbal comments?

Chairman Ely: Oh yes. Are there any written or verbal comments? Thank you Diane.

Diane Graham: No. Just one person requested to see the site plan. Nothing else.

Chairman Ely: Okay. Anyone in the room wish to speak to this application? Alright, the SEQR statute...

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

Chairman Ely: Yes. We will close the public hearing. I move that we declare this to be a type II action requiring no further precedence from this Board. That we answer the questions no or small impact and that you authorize me to sign the SEQR form. Said motion was seconded by Bessie Tyrrell.

All in favor.

Ayes: 6, J. Ely, R. Endres, S. Seymour, M. Sousa, M. Staub, B. Tyrrell

Nays: 0

Sam Seymour: Nay.

Diane Graham: On SEQR?

Sam Seymour: Oh, I am sorry.

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. Said motion was seconded by Michael Staub.

Ayes: 6, J. Ely, R. Endres, S. Seymour, M. Sousa, 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 application #2020-0029. Said motion was seconded by Ralph Endres.

All in favor.

Ayes: 4, J. Ely, R. Endres, M. Sousa, B. Tyrrell

Nays: 2, S. Seymour, M. Staub

Motion carried.

Chairman Ely: Thank you Jeremy.

Jeremy Fields: Thank you. Appreciate it.

Final Site Plan Approval Amended Application #2020-0010 (Public Hearing)

Owner: Andrew & Marie McNabb

Representative: Venezia & Associates

Property: 5697 Applewood Drive

Tax Map #: 168.20-1-9.000

Zoned: LR (Lake Residential)

Legal 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 2020-0010 for property owned by Andrew McNabb and Marie McNabb located at 5697 Applewood Drive, Tax Map #168.20-1-9.000. The applicant/property owners are looking for site plan approval to demolish the existing residence and rebuild new single family residence and septic system.

Said hearing will take place on the 20th day of January, 2021 beginning at approximately 7:00 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

All interested parties may provide written comments, appear in person or by representative.

Diane Scholtz Graham
Board Assistant
Ja 06
94694

Chairman Ely: Please introduce yourself for the record.

Anthony Venezia: My name is Anthony Venezia representing the McNabbs with a tear down/rebuild. I represent the engineer and surveying firm.

Daniel Hackett: I am Daniel Hackett. I am the landscape architect.

Chairman Ely: Thank you. I know you were here before, but I going to have to ask if you could briefly describe your project.

Anthony Venezia: Briefly describing, it is your typical tear down/rebuild. There is a couple of different factors. The tear down of the existing structure and existing septic and relocating it on the other side of Applewood Drive farther away from the lake. Since the last meeting there were a couple questions and recommendations that the Planning Board wanted to look at regarding the septic and then also some of the permanent drainage facilities and temporary drainage facilities. We did get the approval for the septic system and we have the letter. That was one of the conditions for approval. Also an extra dry well is to be added to the south east of the building to take a little bit more water and create some more storage area for storm water runoff. In this system that we have designed if there is any type of event the water is going to go to an underground system and it will slow down and hold back water. If there is a larger event that exceeds the capabilities of the system, the system won't flash the water to the lake it will make it a little more gradual way to the lake instead of a point discharge. We are using some underground infiltration trenches around the building and some grass on swales. There was also one comment that was outstanding was a temporary sediment basin along the north side to take any construction runoff. It would hold it back so there was no danger of having an event going into the lake.

Chairman Ely: The letter that the County Planning Board recommended denial of this project. Then Erin Joyce wrote a letter in response.

Anthony Venezia: The original plan that we had that the County saw had a different shape driveway in the lot coverage was a lot higher. Since that meeting we got rid of the u-shape driveway. We brought down the coverage and we did get the variances requested we needed. Since then the County asked us to work with Kevin Olvany and make a little bit better of a plan for protecting the waters of the lake. We have gone back and forth quite a few times and Kevin has approved this design. He feels this is the appropriate way to manage the storm water on site.

Chairman Ely: In connection with your septic I notice you now have a recorded easement, is that correct?

Anthony Venezia: The easement has been filed. Yes.

Chairman Ely: We have a copy of it in connection with the septic arrangement.

Anthony Venezia: That all has to do with the approval. The new easement off the other side of Applewood farther away from the lake. That system has been designed and approved by the Watershed Inspector.

Ralph Endres: Is that the leach field that you are talking about? Is that where the easement is?

Anthony Venezia: It is an easement for the leach field. The components for the system are near the house and then it will be pumped back to the leach field distribution box.

Ralph Endres: Yes.

Chairman Ely: The Zoning Board of Appeals has granted you two variances and one of them was with written conditions. That the third drywell be added, you had to show tree protection details, and a temporary sediment trap had to be placed.

Anthony Venezia: That is the extra sediment trap at the north side.

Chairman Ely: Okay. Those all been incorporated in the site plan, is that correct? In a sense you have met those condition?

Anthony Venezia: Yes.

Chairman Ely: I wanted to be sure. Thank you. Any other questions, comments, thoughts?

Ralph Endres: I think they answered most of the questions.

Chairman Ely: I raised this in October when you were here last. You have two letters. One from Tom Hubbard, neighbor I believe who has no concern with the proposal. The other from Dee Crofton who had no objection to the proposal either, but she does have and I want to put this on the record and this will go in the record as an appendix. *"I do have concerns about the amount of construction traffic that will be on the lane. It is a one lane road and at times, especially in the winter, if there is a lot of snow getting through may be difficult."* They live there year round. *"I would also like to be assured that the workers keep their speed down. I worry not only about my dogs, but any small children that may dart in the road. My last concern is the wear and tear on the road itself. It already has numerous potholes and during the winter it freezes and thaws and will only get worse with a lot of heavy vehicles on the road."* Can you speak to all of her concerns?

Daniel Hackett: The owner of the home is a little bit in a unique situation also. He is actually a home builder. He will be building his own home. Being that they are his neighbors he is going to have bigger control. Things can happen. Typically what a builder would do have a protocol meeting with the subcontractors and state to the subcontractors that I do not want you on other people's lawns, signage would be put up and it would be handled in that manner. Mr. McNabb is a builder and building his home so I would think that the Crofton concerns would be addressed pretty easily being that they are neighbors.

Chairman Ely: The construction vehicles would not be being parked in there, right? I know it is a very narrow road.

Anthony Venezia: There will be no construction vehicles that are parked and blocking access. There is proper construction access to the site during the process of building.

Ralph Endres: When do you anticipate construction would start?

Daniel Hackett: I can answer that I wanted to start five months ago. Probably what is going to happen is when the weather breaks we will be coming in to get the permit for the demolition? We would start sometime in the spring.

Andrew McNabb: Hopefully the beginning of March something like that. Sure.

Anthony Venezia: The ability to take advantage of the lake being lower right now helps the site to get this done on a quicker basis because we are not going to be dealing with any kind of problems from a bright fall this year.

Ralph Endres: What is the duration of the construction?

Andrew McNabb: I would say about ten months or so.

Daniel Hackett: Ten or eleven months.

Andrew McNabb: Ten or eleven months.

Chairman Ely: Any other questions? We will put both the Hubbard and Crofton letters in an appendix to the minutes.

Diane Graham: Yes.

Chairman Ely: I will declare the public hearing closed. Unless there are other questions we can proceed to some findings.

I note that the Zoning Board of Appeals has declared this to be a Type II action under SEQR requiring no further review. I move that we adopt the findings of the Zoning Board of Appeals. Said motion was seconded by Ralph Endres.

All in favor.

Ayes: 6, J. Ely, R. Endres, S. Seymour, M. Sousa, 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 James Ely to approve findings 1-4. Said motion was seconded by Michael Staub.

All in favor.

Ayes: 6, J. Ely, R. Endres, S. Seymour, M. Sousa, 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 application #2020-0010, 5697 Applewood Drive. Said motion was seconded by Bessie Tyrrell.

Roll call vote.

Ayes: 6, J. Ely, R. Endres, S. Seymour, M. Sousa, M. Staub, B. Tyrrell

Nays: 0

Motion carried.

Regular New Business

Preliminary Site Plan Approval Amended Application #2020-0008

Owner: Philip & Lucy Sheils

Representative: Wendy Meagher, PE

Property: 6847 & 6877 Walton Point Drive

Tax Map #: 191.09-1-2.110 & 191.09-1-4.000 (retired) 191.09-1-4.100 (new)

Zoned: LR (Lake Residential)

Chairman Ely: Please introduce yourself for the record.

[Visual aids were passed out to the Board.]

Wendy Meagher: Good evening. I am Wendy Meagher with Meagher Engineering, here representing the Sheils this evening. We are looking for preliminary approval for site plan. We originally had two lots, which we combined. We have been to the Zoning Board to get a special use permit for two dwellings on one parcel being that we now have combined the lots. The Sheils only intend to use the additional cottage for family. The family do not intend on renting that cottage. We are looking to do the tear down rebuild of the existing home on this parcel or the original parcel was here.

Chairman Ely: Is that lot one?

Wendy Meagher: It was originally. Yes. Now it has been combined. It has a new address and tax map number. We are proposing a new septic system that will serve the existing cottage and the new home. We have been through two rounds with the state health department. I talked to Sheryl Robbins today and she said she will have final approved plans any day now. We are very close to getting that wrapped up. Again the lateral gravity to the septic tank from the new home as well as the existing cottage we are proposing an advanced treatment unit that will go to a pump chamber and pump up to an Eglin leach field. The reason that we did combine lots is because there was very little area to build a septic system on the original lot. We are just too close to not only the swale running down the middle of the lot, but to the lake itself. It made for a better situation to keep that leach field away from the waterways. I would like to turn it over to Pete to go over the house and the details of the structure.

Chairman Ely: Please introduce yourself for the record.

Peter Heintzelman: My name is Peter Heintzelman. I am the architect for the project, working with Phil, Lucy and Wendy. Starting with the elevations in what we are looking at for this house is something that is in resemblance to what is existing. It is definitely going to be much larger than what is there as this is going to become their primary residence. This will not be a vacation home. We are doing a one story ranch style house with a walk-out so from the lake it will only look like a two story house. We are not trying to build up above or really try to create more of a small footprint and as low as a design as we can with this project. A couple of the key elements to why we designed the way we designed besides what Wendy was getting at with the combination of the lots for the septic system. We are on a very interesting shaped parcel that is now one lot that is broken with this drainage ditch down the center. We are looking at the northern property. When we have this triangular shape and you can see a little further in the packet what Phil and Lucy they have been living there for about ten or fifteen years. Twenty-three years. I am sorry. Wrong number. They have done quite a bit of landscaping on that lake frontage. They have done quite a bit with natural stone retaining walls, plantings and vegetation. We want to maintain all of that lakeside vegetation along with a lot of those very large mature trees that you can see. A couple of sycamores and a very nice hemlock that we have out on that lake frontage. To hide the house as much as we can from the lake view, but also privatize them while they are in the house from the lake itself. We pushed the house pretty much in the same place as the existing house back towards the private drive and angled it with the triangular shape as it is. It is going to be their primary residence we are making this house a single floor and working with an aging in place design it starts to develop a certain square footage in criteria that we have. We have a future elevator shaft involved as well to get them to the lower level if ever needed. The idea is that they can pretty much live on that main level themselves. When they have guests, they will be able to use the lower level. We have a two car garage that is going on as well off the front with a little bit of a courtyard driveway. That is to help to get cars and parking off of that private drive. I do not know if you have been down there or not. It is a private road. It is not public maintained or wide so we want to make sure we can get as much car traffic off of that private road as possible. With that combination of the lots it allowed us to really give some breathing room to that property and house in general while still locating our septic field a good distance away from the lake in what Wendy was saying. We have worked the Town and the State with that to get approvals on where we are locating them.

Ralph Endres: Are you going to bring in soil to the leach field or are you going to use existing?

Wendy Meagher: It is a native soil. Oh actually take that back. It is very rapidly perking soil so we do have to bring in two feet of moderately permeable soils.

Ralph Endres: I am glad you said that. I do not think that land would perk too well.

Wendy Meagher: It perks too fast actually. We have like I said gone a couple rounds through the state health department to satisfy Sheryl and we are on the last of that, but she is having a replace two feet of soil.

Ralph Endres: Okay.

Wendy Meagher: I forgot about that. We are not building it up to a mound system though.

Michael Staub: This is a new septic system you are putting in?

Wendy Meagher: It is.

Michael Staub: Is it an enhanced septic system?

Wendy Meagher: It is. The septic tank will be an enhanced treatment unit with aeration to obviously treat the water.

Michael Staub: So it is a double chambered system?

Wendy Meagher: It is.

Michael Staub: Okay. Are you using any microbial in there or is it just all filter?

Wendy Meagher: It is an aerobic system.

Chairman Ely: You have your bald eagle determination letter?

Wendy Meagher: We did.

Chairman Ely: It looks like that is correct here.

Ralph Endres: From lot one to lot two where you are going to have to probably have a pump to pump that water. It is not going to flow by gravity.

Wendy Meagher: Actually it is, sir. From the main house it gravitates to the septic tank as well as the cottage will gravitate to the septic tank. This will be underneath.

Ralph Endres: Underneath the creek?

Wendy Meagher: Yes. It was a concern of the Zoning Board as well as the health department that the line needed to be insulated as well as housed in a separate HDPE pipe and it extends 25 feet on either side of the crossing to protect the lateral.

Ralph Endres: I am somewhat familiar with the property. Is that a seasonal flow that gully? Does it dry up during the summer? I am there in the summer. I would think that is a dry bed in the summer and not in the fall when the rains come and the weather.

Wendy Meagher: Yes.

Michael Staub: So you are actually going under that gully with your pipe from the main house?

Wendy Meagher: We are with just a four inch lateral.

Michael Staub: How far down under that gully? Is it subject to erosion?

Wendy Meagher: A foot and a half from the invert of the swale.

Chairman Ely: Did you need an archeological determination letter? You do not have one or you do not need it?

Wendy Meagher: We do not need it. [There was a conversation between owners and Wendy] We have that letter. Yes.

Chairman Ely: You have it. Okay.

Wendy Meagher: I am sorry it is hard to hear with the masks.

Chairman Ely: Tell me about it. I share your view. I just want to clear these routine things because projects get snagged down then they do not have one of these letters and we cannot proceed. I am glad you have it done that is all.

Wendy Meagher: Yes. That has been taken care of.

Chairman Ely: Are there any questions? I see some docks here. Are you putting new docks in or are these existing docks to stay?

Wendy Meagher: They are existing.

Chairman Ely: Thank you.

Diane Graham: It is my understanding that we need septic system approval. That is what I believe we need.

Michael Staub: That is a proposed septic system then so it has to be approved.

Diane Graham: Right. I am saying that we do not have that approval yet.

Michael Staub: That would be pending so we need that before we could give final approval.

Diane Graham: Yes. That is the only thing that I am aware we need to have.

Wendy Meagher: We have been working with Sheryl for six months on approvals.

Chairman Ely: You understand as you well know no septic approval, no site plan approval. It is as simple as that.

Wendy Meagher: Understood.

Chairman Ely: That is a key piece.

Wendy Meagher: Understood. We were told we have to come back for preliminary so we have to come back one more time.

Chairman Ely: For the final. Yes. As long as you have it by the time of the final that is okay.

Wendy Meagher: So close.

Chairman Ely: That is why I asked you about some of those letters. I do not want you to show up and say you do not have a letter. It has happened to us and the people get put off and then they get upset. The septic is key. As soon as you get it, we will not have any problems. I do note that the Zoning Board of Appeals has granted you some variances on the letter of December 3. They grant some variances that would involve the work to be done as I read it. Those would presumably could be incorporated into any site plan approval that we would grant. We would carry those forward.

Wendy Meagher: Yes.

Chairman Ely: Other questions for our presenters? No. Then I will tentatively schedule this for a public hearing on February 17. Is that right, Diane? Is it February 17?

Diane Graham: That is why I was asking how close you were to get your septic because our deadline is the 25th for February.

Wendy Meagher: Of January?

Diane Graham: Yes.

Wendy Meagher: I talked to Sheryl today. She was going to have it in the next two day. She promised me.

Chairman Ely: We will tentatively schedule you and see what happens. We can always delay it. That is not a problem. Okay. Is that it everybody? Thank you. Hope we will see you next month.

Wendy Meagher: Thank you.

Preliminary Site Plan Approval Application #2020-0042

Owner: Joan W. Goldberg 12 Irrevocable Trust

Representative: Charles Kenton

Property: 5803 Seneca Point Road

Tax Map #: 178.11-1-1.210

Zoned: LR (Lake Residential)

Chairman Ely: Please introduce yourself for the record, sir.

Charlie Kenton: I am Charlie Kenton with Ketmar Development, Vice President.

Chairman Ely: You are here representing?

Charlie Kenton: Joan Goldberg Irrevocable Trust.

Chairman Ely: Okay. Thank you. Please describe your project to us.

Charlie Kenton: Yes. The proposal is to add about 530 square feet of additional deck to the existing residence. Lot coverage is not a problem and it is beyond the 25 rear setback from the mean high water.

Chairman Ely: So I take it no variance is required for this?

Charlie Kenton: I am assuming not. No. It is my understanding.

Chairman Ely: Alright. I will give the Board members an opportunity to look over the plans for just a minute.

Diane Graham: Did you get your archeological SHPO letter?

Charlie Kenton: I believe it was done by Venezia.

Diane Graham: I do not have a copy in my file. I see the submission in December, but I do not see the actual letter.

Charlie Kenton: I keep everything so if I have it, it is here.

Diane Graham: If you have it or get it later that is fine.

Charlie Kenton: Flood plain development permit?

Diane Graham: No. It should be an archeological SHPO letter.

Charlie Kenton: Now I did see that.

Diane Graham: The original submission was December 16 for SHPO. I do not see the final letter. I wondered if you had an update. We would need it before a final meeting.

Charlie Kenton: Okay.

Ralph Endres: This deck is not going to be covered in any way, is it?

Charlie Kenton: It is not.

Sam Seymour: When was this house originally built?

Charlie Kenton: Forty years.

Sam Seymour: Forty years ago so 1980?

Charlie Kenton: Yes.

Sam Seymour: Was it built before that?

Charlie Kenton: A little before I believe.

Sam Seymour: It was a remarkable structure when it was first built.

Charlie Kenton: It still is a remarkable structure. We have been remodeling the inside. Everything is round. I made a note and I will track that down, Diane.

Diane Graham: Okay. It may be somewhere, but I do not have it.

Chairman Ely: Do we have any questions?

Ralph Endres: It is simple.

Chairman Ely: Straight forward. Yes. Alright. If there are no other questions then I will propose that we set this for a public hearing on February 17. Please be sure to have the letter that Diane just mentioned before then. Then we should be all set.

Charlie Kenton: What is the date that you have to have that by?

Diane Graham: Monday is our submittal for February.

Charlie Kenton: Okay.

Chairman Ely: Thank you.

2021 Planning Board Meetings

The Board discussed three Wednesday dates December 1, 8 and 15 for the November/December 2021 meeting. The Board decided on December 15 for the November/December meeting.

Other

Chairman Ely welcomed Matthew Sousa to the Planning Board while he has been an alternate for a while, but at Sam Seymour's suggestion Matt is going to join the Planning Board. Sam will remain happily as Alternate #1. There is a vacancy for Alternate #2. I know that Dan Marshall would be interested in any suggestions that people might care to share.

Motion to Adjourn

Being no further business, Michael Staub made a motion to adjourn the meeting and it was seconded by Matthew Sousa. The motion was unanimously accepted and the meeting was adjourned at 8:10 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Diane S. Graham".

Diane Scholtz Graham
Board Assistant

Appendix Comments STR 2020-0035 Brink

Appendix Comments 2020-0010 McNabb

From: admin@southbristolny.org
Sent: Wednesday, January 13, 2021 2:13 PM
To: 'Ann Marie Rotter'; 'Bessie Tyrrell'; 'James Ely'; 'Mary Ann Bachman'; 'Matthew Sousa'; 'Michael Staub'; 'Ralph Endres'; 'Sam Seymour'; 'Ann Marie Rotter 2'; 'Bessie Tyrrell 2'; 'James Ely 2'; 'Mary Ann Bachman 2'; 'Matthew Sousa 2'; 'Michael Staub 2'; 'Ralph Endres 2'; 'Sam Seymour 2'
Cc: 'pvdwyer@me.com'; 'Annie Brink'; Phil Sommer (ceo@townofsbn.org)
Subject: FW: Dwyer Comments on Short Term Rentals at 5864 Eagles Nest Drive, Naples 14512

Board Members:

Please review public comments from Paul Dwyer 5858 Eagles Nest Drive on STR application #2020-0035, 5864 Eagles Nest Drive, Brink.

I will also be forwarding some emails with pictures.

Thank you.

Diane Scholtz Graham

cc: Paul Dwyer, Annie Brink, Phil Sommer

From: Paul Dwyer [mailto:pvdwyer@me.com]
Sent: Tuesday, January 12, 2021 2:04 PM
To: admin@southbristolny.org
Subject: Dwyer Comments on Short Term Rentals at 5864 Eagles Nest Drive, Naples 14512

Sharing Our Experiences with Short Term Rental owned by Annie and Gary Brink located at 5864 Eagles Nest Drive-Tax Map 178.00-1-21.000.

We have owned at 5858 Eagles Nest Drive since 1988. Our cabin is simple and we live that way in South Bristol. All the previous owners of the Brink's property since 1988 maintained the access road up the steep hill to the Brink's property with gravel and tractor maintenance and everything worked well. The access road to their property goes through our front yard and the access road is very close to our front door—about 40 feet. Our neighbor to the South, David Koester, who also owns some of the right of away is well over 100 yards away and would have to look hard to see the right of way road due to the terrain. Our experience with Short Term Rentals has not been positive. *Short Term Rentals in our experience have changed the nature and our enjoyment of where we love to live*

Since the Brinks have been renting their property we have experienced the following:

- Much more traffic daily during rentals with a peak last summer of 15 cars per day for a wedding on the property. And caterers delivering food all day and evening. We would want parties and events like this **prohibited**. We have some documentation of this event.
- We see renters unable to drive the hill and in the past we have been approached to offer advice or help on how to navigate the steep hill. We have found cars parked in our private driveway which is separate from the hill access road. We gave permission to one car last summer to park there. However, others have parked there *without permission* and some drive up our driveway occasionally. We have had to post private road and no trespassing signs on our property. This was never a concern before the rentals.

- Many times cars and some service vehicles cannot make it up the steep hill. We have had three Instacart drivers from Wegman's knock on our door asking how to deliver up there. They usually have to walk the steep hill due to road conditions or not having 4WD.
- Access is a challenge for some renters. Many come from large urban areas and driving a hill like this is difficult. We have had to put up Slow down signs for renters going too fast down the hill. David Koester allowed us to cut down a tree on his property so we could see if people were coming down the hill as we entered our property. The access road across our land and Koester's land has been subject to far more wear and tear than ever with the addition of short term rentals. The hill road needs maintenance by the rental owners and they are not present to do this after serious rain storms. *We would be more supportive of their application if they committed to maintain the gravel access road up the hill as previous owners have done with additional gravel and raking.*
- Gary and Annie are aware of many of these issues. However, they do not live there and do not see them happening as we do. I think they try to inform the renters in their advertisement. But some renters clearly disregard it and the challenges remains for us living there.
- Our very long term neighbors who have grown up in South Bristol always advise me to be thankful for the gravel road for our own safety. Our gardens and patio are very close to the access road. Paving or blacktop would increase the speeds and pose more of a danger.
- *Short Term Rentals in our experience have changed the nature and our enjoyment of where we love to live.* We are sure willing to work on rebuilding our relationship with the Brinks family to make this work for everyone. Their property is a remote business for them and our Cabin is a long term home for us.
- Our prayers are for the "hill" to become the peaceful place it has been for many years with the cooperation of the Brinks family and the support of the Town of South Bristol.

Thanks so much for reviewing this. We appreciate all you do. We have pictures to back up many of these occurrences and other issues. We will do our best to support your decisions.

Paul and Sharon Dwyer
585-314-5800

admin@southbristolny.org

From: admin@southbristolny.org
Sent: Wednesday, January 13, 2021 2:20 PM
To: 'Ann Marie Rotter'; 'Bessie Tyrrell'; 'James Ely'; 'Mary Ann Bachman'; 'Matthew Sousa'; 'Michael Staub'; 'Ralph Endres'; 'Sam Seymour'; 'Ann Marie Rotter 2'; 'Bessie Tyrrell 2'; 'James Ely 2'; 'Mary Ann Bachman 2'; 'Matthew Sousa 2'; 'Michael Staub 2'; 'Ralph Endres 2'; 'Sam Seymour 2'
Cc: 'pvdwyer@me.com'; 'Annie Brink'; Phil Sommer (ceo@townofsbny.org)
Subject: FW: Picture of junction of our driveway and Brinks access road (old Picture)

Board Members:

Please review picture below on STR Application #2020-0035, 5864 Eagles Nest Drive, Brink

Thank you.

Diane Scholtz Graham

cc: Paul Dwyer, Annie Brink, Phil Sommer

From: Paul Dwyer [mailto:pvdwyer@me.com]
Sent: Tuesday, January 12, 2021 3:21 PM
To: admin@southbristolny.org
Subject: Picture of junction of our driveway and Brinks access road (old Picture)

this show the road going toward the lake and our driveway going off to the left. I always took pictures going toward the lake.. Paul



admin@southbristolny.org

From: admin@southbristolny.org
Sent: Wednesday, January 13, 2021 2:15 PM
To: 'Ann Marie Rotter'; 'Bessie Tyrrell'; 'James Ely'; 'Mary Ann Bachman'; 'Matthew Sousa'; 'Michael Staub'; 'Ralph Endres'; 'Sam Seymour'; 'Ann Marie Rotter 2'; 'Bessie Tyrrell 2'; 'James Ely 2'; 'Mary Ann Bachman 2'; 'Matthew Sousa 2'; 'Michael Staub 2'; 'Ralph Endres 2'; 'Sam Seymour 2'
Cc: 'pvdwyer@me.com'; 'Annie Brink'; Phil Sommer (ceo@townofsbny.org)
Subject: FW: Pictures from Dwyer 5858 Eagles Nest Drive

Board Members:

Please review pictures below on STR Application #2020-0035, 5864 Eagles Nest Drive, Brink

Thank you.

Diane Scholtz Graham

cc: Paul Dwyer, Annie Brink, Phil Sommer

From: Paul Dwyer [mailto:pvdwyer@me.com]
Sent: Tuesday, January 12, 2021 2:42 PM
To: admin@southbristolny.org
Subject: Pictures from Dwyer 5858 Eagles Nest Drive

The first picture is rain on the hill road to Brinks rental home. The second picture is a sign I got to slow drivers down.

The third is an Uber Driver parking on the hill to carry stuff up to Brinks. He could not make the hill.







admin@southbristolny.org

From: admin@southbristolny.org
Sent: Wednesday, January 13, 2021 2:19 PM
To: 'Ann Marie Rotter'; 'Bessie Tyrrell'; 'James Ely'; 'Mary Ann Bachman'; 'Matthew Sousa'; 'Michael Staub'; 'Ralph Endres'; 'Sam Seymour'; 'Ann Marie Rotter 2'; 'Bessie Tyrrell 2'; 'James Ely 2'; 'Mary Ann Bachman 2'; 'Matthew Sousa 2'; 'Michael Staub 2'; 'Ralph Endres 2'; 'Sam Seymour 2'
Cc: 'pvdwyer@me.com'; 'Annie Brink'; Phil Sommer (ceo@townofsbny.org)
Subject: FW: Typical Scene on Rental Days at Brinks Home

Board Members:

Please review pictures below on [STR Application #2020-0035, 5864 Eagles Nest Drive, Brink](#)

Thank you.

Diane Scholtz Graham

cc: Paul Dwyer, Annie Brink, Phil Sommer

From: Paul Dwyer [mailto:pvdwyer@me.com]
Sent: Tuesday, January 12, 2021 3:49 PM
To: admin@southbristolny.org
Subject: Typical Scene on Rental Days at Brinks Home

Our drive way is blocked . Paul Dwyer



admin@southbristolny.org

From: admin@southbristolny.org
Sent: Wednesday, January 13, 2021 2:18 PM
To: 'Ann Marie Rotter'; 'Bessie Tyrrell'; 'James Ely'; 'Mary Ann Bachman'; 'Matthew Sousa'; 'Michael Staub'; 'Ralph Endres'; 'Sam Seymour'; 'Ann Marie Rotter 2'; 'Bessie Tyrrell 2'; 'James Ely 2'; 'Mary Ann Bachman 2'; 'Matthew Sousa 2'; 'Michael Staub 2'; 'Ralph Endres 2'; 'Sam Seymour 2'
Cc: 'pvdwyer@me.com'; 'Annie Brink'; Phil Sommer (ceo@townofsbny.org)
Subject: FW: Dwyer Photos

Board Members:

Please review pictures below on STR Application #2020-0035, 5864 Eagles Nest Drive, Brink

Thank you.

Diane Scholtz Graham

cc: Paul Dwyer, Annie Brink, Phil Sommer

From: Paul Dwyer [mailto:pvdwyer@me.com]
Sent: Tuesday, January 12, 2021 2:58 PM
To: admin@southbristolny.org
Subject: Dwyer Photos

The first picture on the left is renters having to turn around and unload luggage on our land. The second picture is of the road which has no gravel added since Brinks purchase. The third is our cabin and the road. We have added some small rocks to prevent cars from going over land. You can see how close our Cabin is to the access road to the Brinks property. Thanks for reviewing. Paul Dwyer



R





admin@southbristolny.org

From: admin@southbristolny.org
Sent: Wednesday, January 13, 2021 2:17 PM
To: 'Ann Marie Rotter'; 'Bessie Tyrrell'; 'James Ely'; 'Mary Ann Bachman'; 'Matthew Sousa'; 'Michael Staub'; 'Ralph Endres'; 'Sam Seymour'; 'Ann Marie Rotter 2'; 'Bessie Tyrrell 2'; 'James Ely 2'; 'Mary Ann Bachman 2'; 'Matthew Sousa 2'; 'Michael Staub 2'; 'Ralph Endres 2'; 'Sam Seymour 2'
Cc: 'pvdwyer@me.com'; 'Annie Brink'; Phil Sommer (ceo@townofsbny.org)
Subject: FW: Dwyer Photos for problems on Rentals

Board Members:

Please review pictures below on STR Application #2020-0035, 5864 Eagles Nest Drive, Brink

Thank you.

Diane Scholtz Graham

cc: Paul Dwyer, Annie Brink, Phil Sommer

From: Paul Dwyer [mailto:pvdwyer@me.com]
Sent: Tuesday, January 12, 2021 2:49 PM
To: admin@southbristolny.org
Subject: Dwyer Photos for problems on Rentals

The first picture is the one rental driver from Philadelphia that could not make the hill after repeated tries. We gave him permission to leave his car there and took up luggage for him. The second picture is snow on the hill road. The third picture is Gary Brinks with his trailer in our driveway. He was going to leave it there and I called down to say we needed to get out that day. He was moving it then. Paul





admin@southbristolny.org

From: Tom Hubbard <sthubbard706@gmail.com>
Sent: Monday, August 17, 2020 2:55 PM
To: admin@southbristolny.org
Cc: riemac_99@yahoo.com
Subject: Zoning Vaiances

To Whom it may concern

I am the partial owner of the property at 5699 Applewood Dr. on Seneca point. Our property is located just south of the McNabb property.

It is my understanding that the McNabbs have applied for two variances - one to deal with the distance of the house from the shore of the Lake and the other regarding the coverage of the lot by the proposed house and driveway. The McNabbs have reviewed their plans with me and I am supportive of both variances as applied for.

Should you wish to discuss this further with me please do not hesitate to contact me.

Cordially,

Samuel T. Hubbard Jr
585-721-9409

Sent from my iPad

admin@southbristolny.org

From: Deirdre Crofton <dcrofton@rochester.rr.com>
Sent: Monday, August 24, 2020 8:54 PM
To: Diane Scholtz Graham
Subject: McNabb house

Diane

Overall I have no objection to their house. I hope they realize if we have a very wet spring and the lake is high a good deal of the yard floods.

I do have concerns about the amount of construction traffic there will be on the lane. It is a one lane road and at times, especially in the winter if there is a lot of snow, getting through may be difficult as my husband and I live here year round. Also I would like to be assured that workers keep their speed down, I worry not only about my dogs but any small children that might dart in the road.

One last concern is the wear and tear on the road itself, it already has numerous potholes and during the winter, with freeze and thaw, it will only get worse with a lot of heavy vehicles on the road.

Thank you for the opportunity to express my concerns.

Deirdre Crofton
5701 Applewood Drive
Naples, NY

Sent from my iPad