



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

Planning Board Meeting Agenda

Wednesday, July 21, 2021

Short-Term Rentals will start at 6:30 pm with the regular meeting immediately following

Meeting will be in-person at the Town Hall

Zoom is for public listening and viewing only

Join Zoom Meeting

<https://us02web.zoom.us/j/87224780758?pwd=bWVUbUpFV2REK0wrL1MwUnliRC9aQT09>

Meeting ID: 872 2478 0758, Passcode: 662437

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 June 16, 2021 Planning Board Meeting Minutes

Short-Term Rental Old Business

Short-Term Rental Application #2021-0023 (Public Hearing)

Owner: Bogie's Place LLC
Representative: Richard Corbett
Property: 5713 Applewood Dr
Tax Map #: 168.20-1-19.000
Zoned: LR (Lake Residential)
Sleeping Occupancy: 12

Short-Term Rental Application #2021-0025 (Public Hearing)

Owner: McNair Legacy LP
Representative: John E. Lawler / Chris Albert
Property: 6909 Walton Point Drive
Tax Map #: 191.09-1-6.000
Zoned: LR (Lake Residential)
Sleeping Occupancy: 7

Short-Term Rental New Business**Short-Term Rental Application #2021-0026 (Preliminary)**

Owner: Adam Tesavis & Nicole Tesavis
Representative: Adam & Nicole Tesavis
Property: 45 Cliffside Drive
Tax Map #: 168.16-1-6.045
Zoned: PD (Planned Development)
Sleeping Occupancy: 6

Short-Term Rental Application #2021-0027 (Preliminary)

Owner: Benjamin Hinton & Marian Hinton
Representative: Amanda Golden
Property: 40 Cliffside Drive
Tax Map #: 168.16-1-6.040
Zoned: PD (Planned Development)
Sleeping Occupancy: 6

Short-Term Rental Application #2021-0028 (Preliminary)

Owner: Christopher Bennem & Lisa Moore
Representative: Finger Lakes Premier Properties
Property: 5680 Seneca Point Rd
Tax Map #: 168.20-1-36.000
Zoned: R-3 (Residential 3 Acre)
Sleeping Occupancy: 11

Short-Term Rental Application #2021-0029 (Preliminary)

Owner: Sara C. Corona, Dominic A. Corona
Galina Campanella, Michael J. Campanella
Kate Marie Zobkiw and Jason Spencer Zobkiw
Representative: Galina Campanella
Property: 6069 Hicks Road
Tax Map #: 168.00-1-52.000
Zoned: R-3 (Residential 3 Acre)
Sleeping Occupancy: 7

Regular Old Business**Site Plan Approval Application #2021-0024 (Public Hearing)**

Owner: Daniel P. Crowley
Representative: Bill Grove
Property: 6830 Co Rd 34
Tax Map #: 177.00-1-33.000
Zoned: R3 (Residential 3 Acre)

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

Informational presentation on proposed project tax map #167.00-1-30.000 State Route 64 vacant land owned by Matt Cubiotti

Other

Motion to Adjourn

Town of South Bristol Planning Board Meeting Minutes Wednesday, July 21, 2021

Present: Mary Ann Bachman
Ralph Endres
Jason Inda
Michael McCabe
Sam Seymour
Matthew Sousa

Excused: Michael Staub

Guests: John Lawler
Chris Albert
Michael Campanella
Benjamin Hinton
Melissa Beach
Matt Cubiotti
Stephanie & David Whittaker
Adam & Nicole Tesavis
Lindsay Bolton
Daniel Crowley
Timothy Crowley
Bill Grove
Phil Sommer
Steve 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 Michael Staub.

Reading of Vision Statement

Mary Ann Bachman read the Comprehensive Plan Vision Statement.

Minutes

Ralph Endres moved to approve the June 16, 2021 meeting minutes as written. Jason Inda seconded the motion. The motion was unanimously adopted by all Board members present.

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 07.21.2021 Approved

2021-0023 for property owned by Bogie's Place LLC, 5713 Applewood Drive, Tax Map #168.20-1-19.000;

2021-0025 for property owned by McNair Legacy LP, 6909 Walton Point Drive, Tax Map #191.09-1-6.000;

Said hearing will take place on the 21st day of July, 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
Jul 7, 99503

Short-Term Rental Application #2021-0023 (Public Hearing)

Owner: Bogie's Place LLC
Representative: Richard Corbett
Property: 5713 Applewood Dr
Tax Map #: 168.20-1-19.000
Zoned: LR (Lake Residential)
Sleeping Occupancy: 12

Chairman Sousa: Please introduce the project a little bit and give a bit of synopsis similar to last meeting.

Lindsay Bolton: I am Lindsay Bolton. I am with Finger Lakes Premier Properties. We are the property manager for Bogie's Place. It is a new property in our program. It has not had any rentals. The calendar has just recently been opened starting in a couple of weeks for renters. It will be a year-round rental. It has four designated parking spots that is off street for this home. There is a shared driveway with the neighbor. We will have signage up specifically for the parking. We do not do any events. We screen all of our guests. We have been managing properties in this area for a while.

Chairman Sousa: Do we have any questions?

Diane Graham: My understanding is that we are changing the local contact to ownerservices@flpp.com as the contact email?

Lindsay Bolton: Yes. Thank you. I forgot to mention that.

Diane Graham: Do you have any information about Bogie's Place?

Lindsay Bolton: Yes. I actually went to the property and met the owners. The property initially was owned by Humphrey Bogart's family and he spent quite a bit of time there. That home was flooded and torn down. Then a second home was built and that home burnt down. Hopefully this is lucky number three for the family.

Chairman Sousa: Yes. Hope so. Seeing no questions from the Board. Do we have anyone here who would like to speak from the public?

Chairman Sousa moved that based on a review of short-term rental permit application #2021-0023 and the testimony presented at the Planning Board meeting on June 16, 2021 and public hearing on July 21, 2021, the Planning Board hereby approves the granting of a short-term rental operating permit to the applicant/owner. Mary Ann Bachman seconded the motion.

Roll Call Vote

Mary Ann Bachman – Aye
Ralph Endres – Aye
Jason Inda – Aye
Michael McCabe – Aye
Sam Seymour – Aye
Matthew Sousa – Aye

Motion carried.

Short-Term Rental Application #2021-0025 (Public Hearing)

Owner: McNair Legacy LP
Representative: John E. Lawler / Chris Albert
Property: 6909 Walton Point Drive
Tax Map #: 191.09-1-6.000
Zoned: LR (Lake Residential)
Sleeping Occupancy: 7

Chairman Sousa: I would invite you to introduce your project a little bit.

John Lawler: Good evening. I am John Lawler and with me is Chris Albert. We were here at the June meeting for the preliminary hearing on 6909. Again my compliment to the Board for using a full pledge of allegiance as we started the last meeting in June. Good to see. I came up from Virginia today for two reasons. Of course, the hearing and then I am out of grape pies. I am with 6909 Walton Point. It is a three generation house that has been in our family's names. It has occasional short-term rental. We are not out on any of the typical rental sites VRBO. We are inviting guests back as family. People that have been there for many different seasons over the weeks. We do not hold events. One of you had a question last time in June if there are wedding events. We do not have events. It is a small point. Three generational house. There are occasional times we accept rent. It is otherwise used by family and friends. That is 6909 Walton Point.

Chairman Sousa: Do we have any questions?

Ralph Endres: Since you live in Virginia do you have a local manager?

John Lawler: Yes. Chris Albert is here and we added a back-up for Chris. Another person that is also local.

Diane Graham: Is the back-up person name going to be communicated to Phil and I?

Chris Albert: She is the head house keeper for Ashton Place in Clifton Springs. She is a friend of mine and she does the clean ups on Saturdays when people come out and go in. She is pretty capable of doing anything.

Diane Graham: Okay. So you will be the main one?

Chris Albert: Yes. They will call me and then I can call her. Her number will be in the book if they need something.

Diane Graham: So we will have you listed on the permit.

Chris Albert: Yes.

John Lawler: Yes. Chris Albert is listed on the permit.

Michael McCabe: I have some questions about an email that was received today.

Chairman Sousa: Any more comments? I would invite anyone who is here to speak on behalf of this application.

Diane Graham: We do have three written comments that were forwarded to the Board. Do you want them read aloud or appendix to the minutes?

Chairman Sousa: We can appendix them. In the interest of time.

Diane Graham: Did everybody get a chance to read them?

Mary Ann Bachman: Yes.

Diane Graham: That would be the comments. Whether you want to talk about them or not.

Chairman Sousa: Are there any questions?

Michael McCabe: One of the comments refers to allowing the maximum number of people on site at any time. I do not know if your rental agreement specifies that or not?

John Lawler: The rental agreement does not specify a maximum number of people that ever could be on at any one time. I just saw the email today. I think the Planning commission has done a very good job on addressing the number of occupants that can stay overnight. I cannot even imagine a property or Planning Board being able to consider limiting the number of people that might ever be on somebodies property at any point and time in a recreational area. In response we had a very positive letter from Capron who are the immediate adjacent owners and there have never been any complaints. I have not heard directly from neighbor who wrote the email today. Prior to coming down just to take a look. The profile of the people there I can tell you tonight. It is a husband and wife and a little five year old girl that were sleeping. There were three people there. They have been returning for a number of years. We specify the limit consistent with the regulations that were adopted on who could be there. The same with the parking.

Michael McCabe: I have read the other positive comments as well.

Mary Ann Bachman: Occupancy of seven is pretty reasonable.

Ralph Endres: Absolutely.

Mary Ann Bachman: I am wondering if this particular neighbor may not be familiar with your property and be thinking what is his rental agreement. When people hear rental, they automatically assume even it is during the day there is going to be a big gathering. I do not know how well you know this neighbor or how often they have seen your property. That is my guess.

John Lawler: I think it is a very natural assumption. They point out a couple things in the email that think are good. One they say they want to recommend that there is an official rental agreement that will be signed. That answer is yes. There is one. That was provided in the application. They would like a local individual to be responsible. Prior to even that email the answer was yes. We have Chris who is responsible and we established a back-up. We try to be very good citizens on the point. They are the newest ones on the point, but they have lived there for a number of years. They are from Rochester. All of us from multiple generations that in the houses that are there. It is a very small point. It is not a high density area.

Chairman Sousa: Any more questions or comments?

Chairman Sousa moved that based on a review of short-term rental permit application #2021-0025 and the testimony presented at the Planning Board meeting on June 16, 2021 and public hearing on July 21, 2021, the Planning Board hereby approves the granting of a short-term rental operating permit to the applicant/owner. Mary Ann Bachman seconded the motion.

Roll Call Vote

Mary Ann Bachman – Aye
Ralph Endres – Aye
Jason Inda – Aye
Michael McCabe – Aye
Sam Seymour – Aye
Matthew Sousa – Aye

Motion carried.

Chairman Sousa made a motion to close the public hearings. Mary Ann Bachman seconded the motion.

All in favor.

Ayes: 6, M. Bachman, R. Endres, J. Inda, M. McCabe, S. Seymour, M. Sousa

Nays: 0

Motion carried.

Short-Term Rental New Business

Short-Term Rental Application #2021-0026 (Preliminary)

Owner: Adam Tesavis & Nicole Tesavis

Representative: Adam & Nicole Tesavis

Property: 45 Cliffside Drive

Tax Map #: 168.16-1-6.045

Zoned: PD (Planned Development)

Sleeping Occupancy: 6

Adam Tesavis: This is our first short-term rental property as owners. We are just picking up where the previous owner left off. It comes with rentals on the books. Six maximum occupancy. Not hosting events either. Very quiet. They were very fastidious about the property and who they rented to. We intend to maintain the status quo with regard to their policies and everything along those lines. No changes to the property.

Mary Ann Bachman: I appreciate the fact that you recognize that the permit goes with the owner not the property. Thank you for reapplying.

Adam Tesavis: I attribute that to my better half. She is on top of the paperwork.

Mary Ann Bachman: Thank you. This unit has two and half baths, two bedrooms, sleeps six. Do you have beds for six?

Adam Tesavis: There are two queens in the lower level of the bedrooms. Then there is a full pull out and a twin pull out. A chair and a half that pulls out into a twin bed.

Mary Ann Bachman: Okay.

Ralph Endres: These rentals from Bristol Harbour are pretty much cut and dry. There are only four types of apartments there. I am familiar with this apartment. It was in the rental program before. We have heard nothing bad from the previous owner.

Adam Tesavis: It is our intention to pick up where they left off and maintain what they had.

Ralph Endres: Are you going to advertise this on VRBO?

Adam Tesavis: It is on VRBO. We worked with the previous owner to transfer it over. We are working hand in hand with them now. There were nine prior rentals on the calendar that we are working with them.

Ralph Endres: So you inherited them?

Adam Tesavis: Yes. They are positive reviews. They do not have any negative reviews.

Ralph Endres: A lot of those people will be back year after year.

Adam Tesavis: Yes. They were mentioning that they have a lot of repeat clientele. We are looking forward to inheriting that.

Ralph Endres: Are you the one who is going to be responsible? Does your condo association have somebody they would contact you if there was a problem?

Adam Tesavis: With regard to the exterior we are not responsible.

Ralph Endres: I am talking about unruly people.

Adam Tesavis: That is a good question. We will make a contact with somebody.

Ralph Endres: I would contact your condo board president. You are not the only one in that building that is renting. They have some bylaws too. That would be your best bet.

Adam Tesavis: Yes. We live in close proximity within a forty minute drive. Any emergency I would come out myself and try to rectify.

Ralph Endres: Most emergencies by the time you get here it would be taken care of. Let's hope so anyway.

Chairman Sousa: I do not have any more questions. Anybody else?

Chairman Sousa moved that the Planning Board accept the short-term rental permit application #2021-0026 as completed and the set the application for final review/public hearing on August 18, 2021. Ralph Endres seconded the motion.

All in favor.

Ayes: 6, M. Bachman, R. Endres, J. Inda, M. McCabe, S. Seymour, M. Sousa
Nays: 0

Motion carried.

Short-Term Rental Application #2021-0027 (Preliminary)

Owner: Benjamin Hinton & Marian Hinton

Representative: Amanda Golden

Property: 40 Cliffside Drive

Tax Map #: 168.16-1-6.040

Zoned: PD (Planned Development)

Sleeping Occupancy: 6

Chairman Sousa: The next application do we have Amanda Golden as representative?

Diane Graham: Benjamin Hinton, Marian Hinton, Amanda Golden anybody? Benjamin come on up. That is what we have as the local contact.

Benjamin Hinton: I am unfamiliar with that name. That could be the previous owner.

Chairman Sousa: So you do not know Amanda Golden?

Benjamin Hinton: I do not.

Chairman Sousa: Alright.

Diane Graham: It was on the application.

Benjamin Hinton: Oh she might be our cleaner.

Chairman Sousa: She is listed as the local contact on the application.

Benjamin Hinton: Oh got it.

Diane Graham: That is why I put representative because she could speak on your behalf or be the one that we contact if there is an issue.

Benjamin Hinton: She is our local cleaner.

Diane Graham: Okay.

Benjamin Hinton: First of all my name is Ben.

Chairman Sousa: Should we amend the permit application to list you as the local contact name?

Benjamin Hinton: Well, we are based in Michigan. We came out here fell in love with the place and properly decided to buy in the way all interest in vacation homes begin. We fell in love with the place and then we found a cleaner. I think that is her name. My wife is driving a lot of that. So I wanted to be here in person to be part of the process. She is our local contact yes, but my wife and I will be running the rental process.

Mary Ann Bachman: So you are managing it? You are advertising it? You are making the reservations? You are arranging the check in and check out? You are self-managing. Would Amanda be the person to contact in the event of an emergency? Whether it is the renter or a neighbor?

Benjamin Hinton: Depending on the nature of the emergency. Are we talking about noise complaints or mechanical stuff?

Ralph Endres: Could be a myriad of things.

Mary Ann Bachman: Both. A contact person.

Benjamin Hinton: So she would be the person to contact. I may have just found a potential management company.

Chairman Sousa: It is a nice networking place for that sort of thing.

Benjamin Hinton: I am very glad I came here in person. Not that nothing has been discussed because we were listening politely.

Ralph Endres: Not that we anticipate there are going to be any problems, but I can say if there are 30 places there for rent one of them this year will have a problem that somebody needs to be able to handle. If you are in Michigan, you are not going to be able to do it.

Benjamin Hinton: Completely understand that. Yes.

Ralph Endres: I would make the suggestion is that you contact the president of your condo association and find out who you might contact to do that.

Benjamin Hinton: Yes.

Ralph Endres: If he knows Ms. Golden then that would be fine as long as she can be reached because when we have these things listed we want to make sure if there is a problem that you can get in touch with somebody and they are going to do something.

Benjamin Hinton: Exactly. That is the nature of all these things. Michigan is much closer in about a month when Canada allows border to be opened again. It is a lot further when you cannot go through Canada. Long story short she is a legitimate one ultimately we are hoping to use this a lot ourselves because the reason we bought it is we fell in love with the place. The short-term rentals are when we are not using it.

Mary Ann Bachman: Your condo association has a rental policy too. Maybe it was left behind for you. I do not know. If you get to know your neighbor at 45, the ones who just left.

Ralph Endres: He is not far from you.

Diane Graham: They want to know if you are doing the rentals because you have to follow their policy too.

Mary Ann Bachman: Was this granted a permit from the previous owners?

Phil Sommer: Number 45 was. Number 40 is a new one.

Benjamin Hinton: I would be surprised if it had because it did not have any of the standard smoke detectors or carbon monoxide. None of that was there when we moved in. We had to put all those in.

Mary Ann Bachman: How many bedrooms?

Benjamin Hinton: Two bedrooms. One and a half bathrooms. We have queen beds in both rooms. We have a bunk in one of them. There is a bed under the stair well.

Mary Ann Bachman: It sleeps six so would the sleep six be part of what is under the stairs?

Benjamin Hinton: Yes.

Mary Ann Bachman: The parking. You have the one reserved spot and the extra spot across.

Benjamin Hinton: Yes. The shared.

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Mary Ann Bachman: During high season if you are renting to someone in July and August it gets pretty crowded in those garages. Just so you know because you are new the community center also is an overflow.

Benjamin Hinton: Yes. I actually put a U-Haul up there when I brought a whole bunch of stuff in.

Mary Ann Bachman: You did get a permit for that I hope through the management company?

Ralph Endres: If you are putting a boat, motorhome or U-Haul trailer up there you need a permit. If you did not know that now, you do.

Benjamin Hinton: The main thing I discovered was the U-Haul height versus the garage height. I discovered that without hitting it unlike others.

Ralph Endres: You can always take the air out of the tires.

Mary Ann Bachman: It is some food for thought during high season those garages get pretty crowded. It sleeps six so you could have people with that many cars.

Benjamin Hinton: I used it a lot this summer since we owned it. I had to be out of here working remotely so I have seen how busy it is.

Chairman Sousa: Are there any more comments or questions?

Chairman Sousa moved that the Planning Board accept the short-term rental permit application #2021-0027 as completed and the set the application for final review/public hearing on August 18, 2021. Mary Ann Bachman seconded the motion.

All in favor.

Ayes: 6, M. Bachman, R. Endres, J. Inda, M. McCabe, S. Seymour, M. Sousa
Nays: 0

Motion carried.

Short-Term Rental Application #2021-0028 (Preliminary)

Owner: Christopher Bennem & Lisa Moore
Representative: Finger Lakes Premier Properties
Property: 5680 Seneca Point Rd
Tax Map #: 168.20-1-36.000
Zoned: R-3 (Residential 3 Acre)
Sleeping Occupancy: 11

Chairman Sousa: You know the drill.

Lindsay Bolton: I do. So this home Glen Hollow. It has been in our program for a few years. We call it a compound. There is actually two dwellings. There is a main house, which has two bedrooms and one and a half bath. There is an additional cottage attached to it. That door can be locked if there are going to be

two separate parties renting it out. That dwelling has a whole full kitchen, another bedroom and a bathroom. In total the home can occupy a maximum of eleven people. If it is just the main house, it is seven people. If it is just the cottage, it is four people. The cottage also does have a loft in the top area as well. As I said, we have managed it for a while. There is off-street parking. Plenty of parking to that home. It is a historical home.

Chairman Sousa: It has six spaces is what is says.

Lindsay Bolton: Yes. We have this listed for a few years. It is a beautiful home.

Ralph Endres: I am trying to place it on Seneca Point.

Lindsay Bolton: Do you know where the creek is where the waterfalls are? It is that historic house right on the right hand side.

Ralph Endres: Just as Hicks Road goes up?

Phil Sommer: Right across from Applewood.

Ralph Endres: Oh okay. I know where it is then.

Lindsay Bolton: No events.

Diane Graham: Are the owners occupying?

Lindsay Bolton: Once in a while the owners do stay there.

Diane Graham: They are not living there?

Lindsay Bolton: They are not living there. Sometimes they stay there seasonally.

Diane Graham: Their statement said that they are and that they rent part of it.

Lindsay Bolton: I will have to double check that. They were not last I knew, but maybe they have moved in. I would think that they would be here today if they were staying locally.

Phil Sommer: Their statement to me when I did the inspection is they rent year round and they do not stay there.

Lindsay Bolton: They live in New York City.

Diane Graham: In the application packet they had it in writing:

Glen Hollow is the primary residence for Christopher Bennem and Lisa Moore and is marketed by Finger Lakes Premier Properties.

It is not owned or operated by an LLC or any other form of business.

Its primary rental period is during the months of July and August during which both the main house and guest house are made available.

In the fall (September-November) the guest house is available.

Lindsay Bolton: I think they stay there seasonally, but not year-round.

Chairman Sousa: We will make sure we clarify that before final approval.

Lindsay Bolton: We can definitely clarify that.

Chairman Sousa: Any more questions?

Mary Ann Bachman: I want to reiterate you said plenty of off-street parking?

Lindsay Bolton: Yes. There is a large parking space.

Chairman Sousa moved that the Planning Board accept the short-term rental permit application #2021-0028 as completed and the set the application for final review/public hearing on August 18, 2021. Mary Ann Bachman seconded the motion.

All in favor.

Ayes: 6, M. Bachman, R. Endres, J. Inda, M. McCabe, S. Seymour, M. Sousa
Nays: 0

Motion carried.

Short-Term Rental Application #2021-0029 (Preliminary)

Owner: Sara C. Corona, Dominic A. Corona
Galina Campanella, Michael J. Campanella
Kate Marie Zobkiw and Jason Spencer Zobkiw
Representative: Galina Campanella
Property: 6069 Hicks Road
Tax Map #: 168.00-1-52.000
Zoned: R-3 (Residential 3 Acre)
Sleeping Occupancy: 7

Chairman Sousa: Do we have an owner representative?

Michael Campanella: I, my wife, my sisters and their husbands all the names listed just bought the house. We plan on using Finger Lakes Premier Properties to manage it. It is a three bedroom two full bath home. Sleeping for seven. Beds for everybody no sleeping on couches or pull-outs or anything like that. No events. Plenty of parking.

Chairman Sousa: It says you have parking for six cars?

Michael Campanella: At least six. There is plenty of parking there.

Chairman Sousa: Okay.

Mary Ann Bachman: Would the parking be right near the house or would it be in the driveway?

Michael Campanella: The driveway butts up against the house so there are two or three spots right in front of the garage. The house is kind of an L. There is parking all the way along the front of it as well.

Chairman Sousa: Are you planning on renting year-round?

Michael Campanella: Yes.

Chairman Sousa: Are there any more questions from the Board?

Mary Ann Bachman: You said no events.

Chairman Sousa: No events. Adequate parking.

Mary Ann Bachman: No shooting off of fireworks things like that.

Michael Campanella: No.

Mary Ann Bachman: I live across the street that is why I am asking.

Michael Campanella: Oh okay. Great.

Chairman Sousa moved that the Planning Board accept the short-term rental permit application #2021-0029 as completed and the set the application for final review/public hearing on August 18, 2021. Mary Ann Bachman seconded the motion.

All in favor.

Ayes: 6, M. Bachman, R. Endres, J. Inda, M. McCabe, S. Seymour, M. Sousa

Nays: 0

Motion carried.

Regular Old Business

Site Plan Approval Application #2021-0024 (Public Hearing)

Owner: Daniel P. Crowley

Representative: Bill Grove

Property: 6830 Co Rd 34

Tax Map #: 177.00-1-33.000

Zoned: R3 (Residential 3 Acre)

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:

2021-0024 for property owned by Daniel P. Crowley located at 6830 County Road 34, Tax Map #177.00-1-33.000. The applicant/property owner is looking for site plan approval to build a new single family residence and septic system.

Said hearing will take place on the 21st day of July, 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
Jul 7, 99500

Chairman Sousa: Do you mind introducing the project?

Daniel Crowley: Sure. Hi. I am Dan Crowley. With me is my brother Tim Crowley and the premier engineer in Ontario County everybody knows Bill Grove. This is kind of a home coming for me. I bought this property. I was born and raised up in Farmington. With the advent of COVID there is a silver lining to everything I guess. We can work from wherever we want model. I decided I wanted to work from here. Bought the property in December of last year. Had been through the short-term rental process. There is an existing structure on the property. When it came to light that I cannot build a house at the same time on the same property while I am renting it, I put that process on pause. Hooked up with Bill and started laying out on the site where we want to build our home. My wife and I and her mom will be there. We plan to retire there. Knock on wood that would be the last stop. We are going to put up about a 2400 square foot ranch home with full basement and walk-out. Also a pole barn that is 24 by 48 feet.

Ralph Endres: For toys?

Daniel Crowley: Yes. It is for the things I used to keep the honey do list short. It is kind of a unique property as you can see as it is laid out. The nine acre piece where the house proposed is I took one look over the knoll and fell in love with it. Put an offer in that day and closed on it. Got it accepted a couple days later and we are off and running. I love the area. We are both ride snowboards. So we are thrilled to be near Bristol. Really looking forward to becoming part of the community.

Chairman Sousa: Great. Are there any questions?

Ralph Endres: Are you going to enter this house from County Road 34?

Daniel Crowley: Yes sir. There is 300 feet of frontage on County Road 34 so I am going to keep the existing access. There have been some discussion at the prior meeting we were at about long term plans for the existing structure and I do plan to be before the Board most likely to seek a subdivision. That was part of the issue in terms of frontage requirements and having it become a dedicated private drive. A lot of things I would have to go through that I just thought my primary reason for owning the property is to build the house.

Ralph Endres: Yes. Build the house and worry about the other stuff afterwards.

Daniel Crowley: If I can get it done later, that would be great.

Ralph Endres: I do not see any reason why you cannot, but you are better off going in on the County Road 34 because getting a cut into State Route 64 is going to be a problem.

Daniel Crowley: I understood that. I guess there is a 100 foot requirement for access there. It is not a good spot. It is right on the corner.

Ralph Endres: I know where the property is and if you were pulling out of there you would be a sitting duck.

Daniel Crowley: For sure. That is the plan to keep access through there and whatever else ends up happening down the road we will see. Our primary purpose is get the house built and be here. If the rental works out after the fact great.

Bill Grove: We had a discussion at pretty good length when he came to me and said we are not going to short-term rental. We want to do two dwellings on one parcel. I explained by doing that it eliminates the ability to rent either of the houses. He said I am clear on that in order to rent we would have to subdivide. So everybody is on the same page that there is no intent to rent with two dwellings on the same parcel.

Ralph Endres: We have permitted that in the past two houses on one parcel, but they both have to be sold at the same time. You could not keep one. In other words the two properties would be wedded.

Daniel Crowley: If it was not subdivided.

Ralph Endres: If it was not subdivided.

Bill Grove: Right.

Daniel Crowley: Right.

Ralph Endres: Yes. We have allowed that on the lake. One maybe two years ago.

Bill Grove: It has been more common.

Ralph Endres: It is people that owned the property that is kept in the family. Now the two families want their separate place, but they are within sight of each other.

Daniel Crowley: All of my adult kids are really hoping I do not subdivide it because they want a place to come and stay. Particularly my son who lives in Virginia. He was just up over the fourth of July and he says just keep it like this. I will stay here when I come see you. We will see. I told him a \$1,000 a week is cheap. You can afford it.

Bill Grove: We have Zoning Board approval for two dwellings on one lot contingent on this Board approving it. Septic – we are not in the watershed so it is just local approval through Phil. We have sign off on SHPO I believe.

Daniel Crowley: Yes. That was the archeological.

Bill Grove: Yes. So we are clear on the SHPO archeological stuff. I provided Phil with an erosion and sediment control plan for the house site.

Ralph Endres: No eagles?

Bill Grove: No eagles on this one.

Daniel Crowley: They can move in after I am done.

Chairman Sousa: Do you have any concerns with the erosion and sediment control plan?

Phil Sommer: No. Actually Bill and I had a nice conversation after the Zoning Board. They actually added that to it – the silt fence and that.

Chairman Sousa: I know that was one of the primary concerns of the Zoning Board of Appeals that was left.

Phil Sommer: This was for the neighbor's concern with any runoff going down.

Chairman Sousa: Does anybody on the Board have any questions related to the sediment control plan?

Ralph Endres: If this isn't the Canandaigua Watershed, is it the Honeoye Watershed? Where does the water go?

Sam Seymour: It is Mud Creek.

Phil Sommer: It is not in any watersheds. Not in Honeoye or Canandaigua.

Sam Seymour: It goes up through Victor and Farmington.

Daniel Crowley: That runs by my Dad's house.

Phil Sommer: It runs right through my property.

Ralph Endres: I think I have seen it north.

Phil Sommer: Mud Creek is right there by Locks.

Mary Ann Bachman: It runs along State Route 64.

Phil Sommer: It runs back around through the state land and runs back up north.

Ralph Endres: Okay.

Daniel Crowley: A comment on the concerns from the neighbors. They were all here last time. I think it went really well in terms of them understanding my intentions in being there. I think there was one neighbor in particular that used to watch the house for the guy that rented it. Years ago there had been an

event on the lower driveway where it sort of gave way and ran down the hill. It certainly hasn't been in the last three years with the folks who raised the concern right below it. There has been no impact to them since they have been there. God knows with all the rain we have had. I have come out that last couple of times expecting with all the stories expecting some issues and there really are none.

Ralph Endres: We have had a lot of rain, but they are nothing compared to some of the ones we have had. I have lived here 20 some years and I can tell you it washed houses into the lake.

Daniel Crowley: I get that. I appreciate them. For me having equipment brought up there that was the first question I asked the person that came up there. Can you get equipment up here? They were confident it was not a problem. Whatever was done at the time there was a problem has certainly addressed it. There is good culverts and good drainage as long as you maintain them, which I have already done. It seems to hold up pretty good.

Chairman Sousa: With regards to the Zoning Board of Appeals ruling this looks like a type two action requiring no further review. Seems to be consistent with the comprehensive plan and is consistent with the purposes of our zoning law. Does not seem like it will adversely affect the character of the neighborhood. Not be detrimental to nearby properties. Will not have an adverse impact on physical or environmental conditions of the neighborhood and meets all special use requirements. It seems like we have addressed all the neighbor's concerns that they raised as appendix in the Zoning Board of Appeals meeting.

Phil Sommer: One thing when construction starts that is going to be the key point to have your contractors keep up with that erosion plan. Once you start breaking ground that when you are going to see something happen. I will be up looking at it, but have them be diligent on keeping an eye on that stuff.

Daniel Crowley: I will be here Phil. For the site work I am working with Cory Rogers local.

Phil Sommer: Good man.

Daniel Crowley: He has already been up there. Looked at Bill's proposal on the driveway. He is confident it is easily doable. I will personally be there to look at the silt fence.

Phil Sommer: Cory is good.

Daniel Crowley: I was thrilled to get a referral to him. Super kid. Looking forward to getting him up in there.

Ralph Endres: When do expect to start construction?

Daniel Crowley: I am thinking tomorrow morning. No. I my process is my fellow lumberjack is here with me. Cory Rogers laid it out for me what he needs done in terms of getting trees down and cleared. He will be in there to push the driveway in, level the site and install an improved driveway from the existing out to the site with either limestone or gravel so it will handle any equipment going in and out. I would anticipate that being complete within 45 days. I already emailed Phil Sommer the staging of the plan is this fall try to get the pole barn up so I can store things in there. I will not be breaking ground for the basement until I can get on the ground in the spring. As soon as I can get it up there. I am committed to doing a cast and place or poured concrete foundation. It is really hard find mason's that do it here in the area.

Ralph Endres: The precast ones are the big thing.

Daniel Crowley: Yes. My folks own a big place on Waneta Lake and a neighbor did that. My Dad was watching them do it. He was skeptical of it. I have heard mixed reviews on them. I have evaluated the ICF methodology, which I am not wild about. It is interesting in I am also the other renter from Michigan. I have been there almost 20 years. You cannot find a blocked basement in Michigan. They are all poured. I do not know if it is local custom or because there is a ton of clay out there or what the deal is.

Ralph Endres: It is just like Buffalo. I am from Buffalo originally. Mostly poured concrete basements. Concrete driveways, which you do not find here. I think it is the availability of the raw materials. The big boats can come into the Buffalo area and the big cement companies are right there. Here the only place is the port of Rochester. It is quite a haul to get all the materials to where they are put together and make cement.

Daniel Crowley: As I understand it from Cory, Amazon is completely depleting local cement supplies. They are working on three facilities.

Ralph Endres: One in Bath and two in Rochester.

Daniel Crowley: A cousin of mine works for Woodstone Builders. They are working on the one out in Syracuse. They are sucking all the concrete and limestone for retaining walls and stuff like that. It is probably better for some of this I am waiting a little bit.

Ralph Endres: I have a number of friends that used Superior. The only benefit I see is that if you are going to finish the basement, it is very easily done with those because they have holes for electrical work to come through it. There is a lot of pre-work that went into it that makes it easier to make it living space.

Daniel Crowley: My only fear is the joints. That is where I have heard any questionable reviews is sticking together. As far as the house goes this is also my fellow carpenter. I know it sounds kind of corny it is a lifelong dream of ours to build a house together. Tim built houses for a living at some point. Our Dad if he cannot fix it nobody can kind of guy. So we both grew up with that and both very handy. We are going to the bulk of the work ourselves, which I cannot wait to start.

Ralph Endres: My father built a house and I wished that rather than play baseball I would have paid a lot more attention to what he was doing.

Daniel Crowley: I think that will kind of the staging and get the barn up this year. I will be reaching out to RG&E.

Ralph Endres: For electrical service?

Daniel Crowley: I hoping to come off of St Rt 64 for electric. There is an old trail that goes along the ridge and I am going to trench it up there and put it into conduit. A big one for electric and a small one for any low voltage stuff. There is a pole directly across St Rt 64 right on that corner that I could shoot it over and bring it up. Hopefully that will be this fall as well. I think the well probably will wait. I think I will try to get into at least the site work for the septic. Dale Bartlett out of Newark has been up there to look at the site. He has proposed a place for the well. His only concern was flow rate. There is an existing well with the property. I think it only runs two to two and a half gallons a minute. I will most likely be

looking at a cistern. My wife's big thing is she quite a gardener and she is going to need a lot of water. I am exploring all those options. I think it is all pretty doable.

Chairman Sousa: Great. Are there any more questions or comments?

Diane Graham: On the site plan it says garage and you mentioned pole barn.

Daniel Crowley: Yes. It is a pole barn that the portion closest to the house will be for my truck. The house will have an attached garage as well. My wife and her golf cart. It is a pole barn and accessory structure I guess from a code standpoint. Ultimately it will have a poured cement floor in the entire thing.

Ralph Endres: Will it have a bathroom in it?

Daniel Crowley: If I have my druthers, it would have a full bedroom and I could sleep next to my table saw. I would like to have that. I think I can go at it as get it finished.

Ralph Endres: It is really dependent on the septic system isn't it?

Bill Grove: No. Not if he does not have living space in there like a bedroom. The idea is you can use the bathroom in the house or use the bathroom in the garage or shop but you would not use more water because you have an extra bathroom. It becomes a plumbing question more than anything.

Ralph Endres: What I am saying is just because you have an extra bathroom is not going to increase the size of the septic or the leach field.

Bill Grove: Exactly.

Daniel Crowley: I have already heeded some of Bill's advice which is very good. I am oversizing the septic system anyway for an extra bedroom. The plan is laid out. There is two bedrooms upstairs to start with our bedroom and then there is a portion of the house that is 26 by 26 that is dedicated to my wife's Mom. It is going to a little efficiency.

Ralph Endres: An in-law apartment.

Daniel Crowley: Yes. That will be the two bedrooms on the main floor. Down the road I would think a guest room finished into the portion of the basement with some egress.

Ralph Endres: You said it would be a walkout anyway, right?

Daniel Crowley: Correct.

Ralph Endres: It is a smart thing to do.

Daniel Crowley: It is a good use of space. I have had the house prior to the one I am in now with a nice walkout access and boy we used the dickens out of it. We are looking forward to it.

Diane Graham: The tree concern with the neighbor you were going to meet with him. Did that get resolved?

Daniel Crowley: It did get resolved. It turns out that my supposition about what he was talking about was if there was anything there it was a tree that had come down from a storm. The survey was finally completed. I waited quite a while for it to get done. I spent three days in 94 degree heat clearing that top line. My entire line that borders Matt and John's place is completely cleared and the pins are clear. There is no infringement whatsoever. There was a small at the top of the driveway at the turn I had gone up the driveway and trimmed off a bunch of junk in terms of maintaining it and there was small brush pile at the top close to where his side was and I took the step of moving that anyway. So there is nothing anywhere near their property. They did not come up and look at it. I just did it.

Chairman Sousa: Are there any more questions or comments from the Board? Is there anyone in the audience that would like to speak on this?

Diane Graham: There were no new comments. There was only comments presented for the Zoning Board of Appeals meeting that I forwarded on to both Boards. I forwarded to this Board the Zoning Board of Appeals decision with concern about sediment control.

Chairman Sousa: Phil Sommer is satisfied with it. I do not think we have any more questions regarding it. I think we satisfied all the comments we received.

Daniel Crowley: Great.

The public hearing was declared closed.

Chairman Sousa moved to concur with the Zoning Board of Appeals decision of June 23 SEQR determination. Mary Ann Bachman seconded the motion.

All in favor.

Ayes: 6, M. Bachman, R. Endres, J. Inda, M. McCabe, S. Seymour, M. Sousa

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.

Chairman Sousa moved to approve findings 1-4. Mary Ann Bachman seconded the motion.

All in favor.

Ayes: 6, M. Bachman, R. Endres, J. Inda, M. McCabe, S. Seymour, M. Sousa

Nays: 0

Motion carried.

Chairman Sousa: Do we have a motion to approve the application as amended by adding the sediment and erosion control plan?

Ralph Endres moved to grant both preliminary and final site plan approval to application #2021-0024, 6830 County Road 34. Sam Seymour seconded the motion.

Roll Call Vote

Mary Ann Bachman – Aye

Ralph Endres – Aye

Jason Inda – Aye

Michael McCabe – Aye

Sam Seymour – Aye

Matthew Sousa – Aye

Motion carried.

Regular New Business

Informational presentation on proposed project tax map #167.00-1-30.000 State Route 64 vacant land owned by Matt Cubiotti

Chairman Sousa: Would you care to introduce what you are proposing to us?

Matt Cubiotti: I am Matt Cubiotti. I just recently bought the property on State Route 64 across from Bristol Mountain Ski hill. I was part of a team in the Hilton area for desired wedding barns and changing it up from downtown Hyatt place compared to being in a rustic barn. That is why when I saw this property that I bought I came up with the idea with the views and the mountains behind it and in front of it to have a wedding venue in that area that is close to Canandaigua. With the recent one that just closed Bristol Harbour. They lost that location and kind of a grey area for something like this to generate revenue, people in the area, Bristol even if they were not for it. It will generate them business also because families are going to come in the winter. They are going to ski. The ski hill can be used in the same weekend. Pretty much it is a glorified fancy barn with heat and air event space that can be used for business meetings and Christmas gatherings. Things of all of that nature. I want to start by renting the barn itself and not be a full staffed kitchen. A scaled down wedding place.

Ralph Endres: People would have to get a caterer.

Matt Cubiotti: A caterer to start. Option when I build the barn on the back of it will have a kitchen, if this takes off, and I want to house my own food. Maybe down the road it could become a local cidery and stuff like that run out of the same building.

Ralph Endres: Some of these places have a list of caterers that they let come in. That works out for them.

Matt Cubiotti: I was part of the team and I designed a lot of it and did the interior work. I own a construction company myself do finish work. They are pretty much in Hilton in a field with an apple orchard behind it. That is all it is for the views. We started the project and there were stakes in the ground and stone for the pad for the pole barn and literally sold out for over a year and a half. The people who want these things more and more. There is not a lot of them around. People are renting little barns out in this area that are existing on the property and glorifying them up a little bit. People like that new style of wedding. My plan was obviously has to get approved by engineers. Have a parking lot in the front along the road set off to the side not too far back on the property because I want to be able to see the creek that flows back there as a ceremony area.

Ralph Endres: How many people will this barn accommodate?

Matt Cubiotti: I would market 200-240.

Ralph Endres: How many parking spaced do you have?

Matt Cubiotti: I off hand did an onyx map that I measured Bristol's parking lot and maybe half the size of it to fit on my property because I do not have a ton of property with the creek in the back. So I was figuring 200 by 150 parking lot to start. Obviously I do not build parking lots everyday so that would be an engineer or someone along that lines can tell me the exact size that I need.

Ralph Endres: Phil, what do they figure?

Phil Sommer: There is the regular calculations for parking sizes, handicap sizes. He is looking at 200 so you would to have x amount of handicap spots.

Matt Cubiotti: I am sure it is going to come to when I need that. Access into the property again would be if they let me do two entrances, an entrance and an exit or they let me have one. I think I can make both ways work, I think. I want to keep the front of the road wooded, landscaped. I would like it to be off the road and a view of the hills. I do not know if you have been there. I am sure you have. Like foliage time how nice it would be. It would be year-round use. People do weddings in the winter. Having the ski hill there would draw them there even more I think. It would also benefit all these rentals that houses are doing all the houses that are for rent. People are going to Airbnb if families are coming in from wherever like Pennsylvania, they will need places to stay. They are going to look at local houses are available for rent.

Ralph Endres: You are in a good place across from the ski area because those places especially from around mid-May until September most of them are for rent.

Matt Cubiotti: I know.

Chairman Sousa: When you are doing your parking, I would try your best to accommodate large vehicles like buses. Make sure there is appropriate ingress and egress and turn around space. I have seen with wedding barns often times on smaller properties or rural properties sometimes they will do offload and on load on the state route or in the shoulder and it does not work. So they will need to be able to pull off of the road fully, into the parking lot and turn around.

Ralph Endres: For fire.

Chairman Sousa: Yes. You will need emergency access vehicles. If you can accommodate a hook and ladder truck, you should be able to.

Ralph Endres: You have enough property to do it. I am saying you have to use it. It has to be available.

Matt Cubiotti: Even if they told me I need to have two parking lots or one that adjoined and one exit. There is quite a bit of room over there. I do not know how it conflicts with who is involved with where it can be in relation to Bristol.

Phil Sommer: Your driveway is going to have to be cleared with Department of Transportation.

Matt Cubiotti: Yes.

Phil Sommer: They are going to let you know where you can have placement of that. Another thing being in the fire department I am real annul about making sure you involve Naples Fire Department because that is there territory and Bristol which is mine for when you start designing your parking lot to be able to get their equipment in there with ladder trucks and that. The big thing is do you know that one section coming in off of St Rt 64 is in a 100 year flood plain plus it is also in a national wetland?

Matt Cubiotti: I saw that on the thing that was attached to the drawing. When I purchased the property, none of the attorney's or anything I have never seen that picture. No one found that. I knew the creek was there. I walked it. I know that whole front shelf is not. If worst case, I have to use that whole front shelf and pull things forward.

Phil Sommer: You are going to have to be consignment because you are probably going to wind up getting stuck with flood insurance. Your structure is going to have to be at above flood. As far as the wetlands, you have to find out what they are going to let you do in the wetlands.

Matt Cubiotti: Obviously, there are people we are going to have ask that have knowledge.

Phil Sommer: We are throwing this out so you know.

Matt Cubiotti: Like I said, that is the first time I saw that picture. You see how it crosses over into Bristol and they turned it into retaining ponds. I would think an engineer push me in that direction.

Phil Sommer showed Matt Cubiotti the OnCor flood and wetlands areas on map.

Mary Ann Bachman: Have you done a use study to make sure that this is something that is going to be viable in this area? It is not the first time others have come and presented prior to even buying property sharing this idea and then it not coming to fruition. You are going to start out small is what I am hearing you say. You will start with a barn and see how things go. Just build up the business from there?

Matt Cubiotti: Yes. It is not a cheap task to start at all. I am in the business of that houses and stuff.

Mary Ann Bachman: It is going to be a wedding or a banquet venue, right?

Matt Cubiotti: Yes.

Mary Ann Bachman: You are limiting it to just people within 30 miles so they might come from the west side of city. Where are they going to stay? How much lodging is there in the area? Bristol Mountain is across the way. They hold venues and weddings. Is it very successful? I do not know.

Matt Cubiotti: In my experience with the wedding venue I did it is a totally different than having a wedding at a ski hill that was a cafeteria that turned into a wedding reception. This will be strictly fancy. They are really desired. They are literally killing it. They started just like I am saying and turned into doing all their own food. They have a cidery next door. They actually offered me because they are allowed to franchise another location of their cidery. If you are willing and wanted to and say you have the wedding venue going, we would be willing to partner with you to bring a local cidery into that. That is down the road options. I have also thought of the case of because like you said it is far away, if I could fit small Airbnb cabins that would benefit for the ski hill and then say I do have an event, the bridal party wants to stay you get those three cabins for the same weekend as the wedding.

Mary Ann Bachman: That would be down the line?

Matt Cubiotti: Yes. Down the line.

Mary Ann Bachman: Bristol Harbour Resort were pricey.

Ralph Endres: They did three to five weddings a week from the first of May until the 15th of October. They gave that business up. The cheapest wedding there was \$50,000.

Matt Cubiotti: I know. I have been to them. A friend of mine just got married last week. An hour and a half away in the middle of nowhere spent \$12,000 on a barn that has black plastic floors kind like drape see-through and he spent \$12,000 and loved it. With COVID it pushed everyone back. My friend who owns theirs. They are almost three years now. They are getting two half – three years. It is a lot less limited supply.

Ralph Endres: What I told my daughter when she got married last year do not spend enough money the marriage lasts longer than the payments for the wedding.

Matt Cubiotti: It is crazy. I got married at a high-end place and what we spent if I do it again I would get married in a place like this and save half the money. People are wanting this more.

Ralph Endres: When you are younger, you have dreams of what it is going to be like. As you get older, you learn to modify. You anticipate less.

Matt Cubiotti: Flies by and a lot of money.

Ralph Endres: This looks like a nice project. There is a need for it.

Chairman Sousa: There is nothing like it in the Town now that Bristol Harbour is out of the running.

Mary Ann Bachman: For many reasons they were unsuccessful at it. They had the lodging on site.

Chairman Sousa: It is 15-20 minutes from Canandaigua. That is why I asked about buses. You see that all the time. Have room blocks in Canandaigua and bus twenty minutes out to your nice rural scenic wedding.

Ralph Endres: Even at Bristol Harbour there were weddings that they bused in.

Matt Cubiotti: I went to a wedding at Bristol Harbour. My wife's family actually rented a house for the week. It was \$10,000 on the lake. They all stayed there and we went back and forth with limos. It is going to generate revenue a lot of people if it takes off. Canandaigua they just did theirs to a barn. They start at \$30,000. The customers who want that and do not want to spend that it is in a perfect location, I think.

Ralph Endres: The newest place in Canandaigua isn't serving food to anybody that isn't staying there. It is because all of their help walked out. I do not care if you are a billionaire. You have to treat people right.

Sam Seymour: Is that area zoned commercial?

Phil Sommer: The area is neighborhood commercial (NC).

Chairman Sousa: That is right. A wedding venue is not listed as a permitted use, but it is an unlisted use essentially in our zoning code.

Phil Sommer: It is not listed at all in any of our districts. That is why we suggested you come for an informational to explore this to see about opening this up into certain districts that would make sense.

Chairman Sousa: Right. It is a use that is not codified in our code in any way and in any district. It is not to say that it is not permitted.

Phil Sommer: I think a neighborhood commercial (NC) would fitting place for something.

Chairman Sousa: If you look at the allowable uses in the neighborhood commercial zone this is not defined, but there are certainly more intense uses that are permitted in the district.

Matt Cubiotti: There is a bar on the street, winery or whatever.

Chairman Sousa: Right. Exactly. I know because it is neighborhood commercial obviously noise concerns with local residences in the area would be top of mind.

Matt Cubiotti: I know the houses that are neighboring to it are Airbnbs. I have noticed that.

Ralph Endres: I think you are going to fulfill a need in this area. I would encourage you to continue.

Matt Cubiotti: There is really not anything out there. Everybody I bring there to see the property the view feels like you are in a different state in New York.

Diane Graham: There are residential homes on Mountainside and on the side of the road.

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Phil Sommer: There was rental property up there. You do not know if its rental property anymore or not. There was just before your property there was two log cabins that go side by side.

Matt Cubiotti: The guy that bought both of them has been trying to buy my property from me.

Phil Sommer: It was a rental property, but I do not know if he is renting that back one anymore.

Matt Cubiotti: It is under an LLC. I spoke to his realtor. He actually tried to buy the property from underneath me. Now is having his realtor try to buy the property from me because of how much money he is making on the Airbnbs. He just recently bought the one behind the real large one in front. He is from California I guess and does not come here often.

Ralph Endres: That is good. He is putting California values on New York property.

Matt Cubiotti: That log cabin is really nice. He must have some bucks. What would the next step for me be?

Phil Sommer: For me personally I would like to see a little more of a game plan on what you want.

Chairman Sousa: We would need a preliminary site plan and a professional survey for the property. Engineer stamped drawings specked out building for print. We would have a preliminary site plan. On our end we would have to put our heads together and figure out because it is an unlisted use in the zone just how to proceed.

Ralph Endres: We will probably check with the Town's attorney. We have invented that wheel before. I have been here for 20 years and seems to me if it is not a listed use, it is permitted.

Matt Cubiotti: Yes.

Ralph Endres: I think that is the way the law reads, but we will let him tell us that.

Mary Ann Bachman: How involved should they be with this preliminary site plan?

Phil Sommer: What I am looking for is trying to help Matt. Give me an idea layout of what you are looking for in the barn. Your actual parking lot. I can help him figure out how many parking spots he is going to need. Handicapped whatever. We can go from there. Matt has to look at what do you need to do to get in the national wetlands. What kind of permitting are you going to need from US Fish and Wildlife?

Chairman Sousa: DEC wetlands might be.

Phil Sommer: It is not DEC wetlands it is national wetlands. If you talk to NYS DEC about them, they push you off to somebody else. I am not sure who that somebody else is.

Chairman Sousa: I think contacting Ontario County Soil and Water would be an advisable step too.

Matt Cubiotti: Start there?

Ralph Endres: I would not do a lot of hiring.

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Phil Sommer: I am not looking for a stamped set. I would like to see kind of what you have on here. What the layout inside is going to look like. Will it be able to hold 200-240 you are talking about.

Ralph Endres: You may have to lower that a little bit.

Matt Cubiotti: That is fine.

Phil Sommer: That way you can get an idea if it is still in your wheel house to pursue it

Chairman Sousa: Then you start doing your due diligence with soil and water and any kind of permits you would need.

Ralph Endres: Speaking for myself I think there is a need for something like this and I would encourage you to pursue it.

Matt Cubiotti: Thank you. I appreciate it.

Melissa Beach: Yes.

Ralph Endres: You are not getting negatives from us.

Chairman Sousa: We are supportive of the proposal.

Ralph Endres: I do not want you to spend a lot of money and find out it is not going to fly.

Matt Cubiotti: That is myself also.

Chairman Sousa: It is site suitability especially with the wetlands. It is some sort of a red flag.

Matt Cubiotti: I have never seen this picture. All my maps that I pull up never showed it there. They showed it down the street. If they tell me I can build it, I am for it. So I can adapt to that if I need to.

Ralph Endres: I think you can build it, but it may be in a different place.

Matt Cubiotti: Which I am fine with. I like the object of the creek being behind it because it is beautiful there. I was thinking of having the barn there like in the picture, huge back patios, ceremony site near the creek like that style.

Mary Ann Bachman: That is your vision. Where do you want to place that barn? The feasibility and do it with the kitchen the way you envision that final product to be. What is the exterior? That type of thing. The driveway situation might be a little tricky too because you have Bristol Mountain across the street.

Ralph Endres: Phil, doesn't Bristol Mountain have their own water company?

Phil Sommer: Bristol Mountain has their own water plant and sewer plant.

Matt Cubiotti: I was going to say sewer of their own, right?

Phil Sommer: Yes. They have their own private sewer.

Matt Cubiotti: That I was thinking too. An engineer would know better. If I was allowed.

Ralph Endres: You would need to go over and talk to Dan Fuller.

Matt Cubiotti: I did not get involved in any of that yet.

Ralph Endres: There is a possibility. You are a paying customer.

Phil Sommer: There is a gentleman who is trying to do that now. You would have to go through NYS Department of Health to get approval to do that and then you have to work with Dan. It is a whole engineered thing. Dan might say there is no problem, but you have to contact all these people.

Matt Cubiotti: There is actually two wells on my sight already. Bristol owns the little tiny piece of the lot there and they hired a person to come put a well in and they put the well on my property and drilled another one and put it on the other side. I guess the owner before got a free well out of it.

Phil Sommer: You have to make sure you have enough water for fire suppression too for something that size.

Ralph Endres: The quality of the water is very important if you are going to serve food.

Matt Cubiotti: For sure.

Ralph Endres: The water quality in the hills around here sometimes tends to be a little sulfur.

Matt Cubiotti: Things like that I am obviously going to have to find out from people above me as I go if it gets approved. That is the plan.

Diane Graham: This would go to County Planning?

Chairman Sousa: Yes. It is on a State Route.

Ralph Endres: When he gets a little further along in his planning and things buttoned down to come back, we will start the real process.

Phil Sommer: You will have to go to County for septic. You will have to go NYS DOT for your driveway placement and they will tell you if they want one or two in there. I will involve Meg Webster into that because if you have to go back you are going to be getting into the steep slopes. You will have to develop that. Tyler Ohle will be involved and soil and water also. You are going to have everybody looking at you.

Matt Cubiotti: Sounds fun.

Phil Sommer: They are all good people.

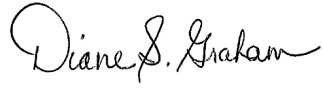
Chairman Sousa: Thank you for coming in and reviewing your project.

Matt Cubiotti: I appreciate it.

Motion to Adjourn

Being no further business, Matthew Sousa moved to adjourn the meeting. Mary Ann Bachman seconded the motion. The motion was unanimously adopted and the meeting was adjourned at 8:02 pm.

Respectfully submitted,

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

Diane Scholtz Graham
Board Assistant

Appendix – STR Application 2021-0025 Neighbor comments

From: Mary <mary@unforgettable.com>
Sent: Wednesday, July 7, 2021 4:35 PM
To: Diane Graham
Subject: Comments RE: 6909 Walton Point Dr - Short Term Rental Applic

Hi Diane,

Please deliver my below comments to the appropriate person for the Short Term Applic portion of the June 21 Planning Board meeting.

RE: Short Term Rental Application for 6909 Walton Point Dr. / John Lawler

I'm writing to support the short term rental application of my neighbor at 6909 Walton Point Dr. They have been our neighbors for several generations. We have been aware of the occasional rental of their cottage over the years. Their guests are generally family & friends and have never been anything but respectful. Please consider this an endorsement of their efforts to obtain approval for short term rental on Walton Point.

Respectfully,
Mary Standish
6845 Walton Point Rd.
480-330-0367

From: Bruce Capron <brucecapron@gmail.com>
Sent: Monday, July 19, 2021 8:17 AM
To: admin@southbristolny.org
Subject: Lawler Application for Short Term Rentals

Diane,

We are the neighbors to the north of the McNair Legacy property owned by John Lawler at 6909 Walton Point. John is a thoughtful and long time neighbor. The property has been rented for the past several years. John has a general practice of renting to families that have previously rented and shown themselves to be considerate of the neighborhood and respectful of the lake. We support his application for short term rentals.

Please feel free to call if you have any questions.

Regards,
Bruce Capron
6907 Walton Point Dr, Naples, NY 14512
585 353 4172

From: A.K. Gulati <akgulati7@yahoo.com>
Sent: Wednesday, July 21, 2021 6:53 AM
To: admin@southbristolny.org
Subject: McNair 2021-2025

I would like to offer a few comments regarding rentals at this property. Our home (6911 Walton Point Road) is directly adjacent to this property.

There should be an official rental agreement that is signed by the renters that specifies the acceptable activities and behavior of the occupants. This should be enforceable so if they do not adhere to those specifications they would need to rectify their behavior or be asked to leave and forfeit their rental. There should be a local individual responsible for that property that we can reach out to facilitate any issues we have with the renters who will then enforce that.

The biggest issue we have with this property is the number of people on site. I'd like something specifying the number of guests allowed at any one time. I don't mean overnight guests only. Often the renters will call multiple families over for the day leading to numerous families and kids being present. That property I believe is to have a maximum of 6 people. I'd like that adhered to for the entire day not just at bedtime. Most of the renters are respectful. But having excessive number of people does not result in an enjoyable time for our family. And I'd like something enforceable to that effect.

We are not trying to be difficult but would like to enjoy our time on the lake.

Mr. Lawler has made efforts to be helpful but unfortunately because there is no one onsite things can get out of control.

Thank you for your time and consideration in this matter.

Ashvani Gulati