



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

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**Planning Board Meeting Agenda** (Updated 04/12/2022)

**Wednesday, April 20, 2022**

**Short-term rentals will start at 6:30 pm with the regular meeting immediately following**

Meeting in-person or by joining Zoom

<https://us02web.zoom.us/j/83814860285?pwd=NE9XQkY2WkVkeVk3bEVWWVIUYmY3QT09>

Meeting ID: 838 1486 0285, Passcode: 599078

**Call to Order**

**Pledge of Allegiance**

**Reading of Vision Statement**

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

**Meeting Etiquette**

**Minutes**

Approval of February 16, 2022 and March 16, 2022 Planning Board Meeting Minutes

**Short-Term Rental Old Business**

Short-Term Rental Application 2022-0005 (Public Hearing)

Owner: Jon Joseph  
Local Contact: Brett McManus  
Property: 7122 County Road 12  
Tax Map #: 194.00-1-29.100  
Zoned: R5 (Residential 5 Acre)  
Sleeping Occupancy: 2  
Parking Spaces: 2

**Short-Term Rental New Business**

Short-Term Rental Application 2022-0007 (Preliminary)

Owner: Timothy J. Hyland and Kristen Hyland  
Local Contact: Heather Huber  
Property: 11 Cliffside Drive  
Tax Map #: 168.16-1-9.013  
Zoned: PD (Planned Development)  
Sleeping Occupancy: 8  
Parking: 2

Short-Term Rental Application 2022-0008 (Preliminary)

Owner: Abigail L. Runner  
Local Contact: Emily Martini  
Property: 12 Spyglass Hill  
Tax Map #: 168.19-1-8.000  
Zoned: PD (Planned Development)  
Sleeping Occupancy: 8  
Parking: 4

**Regular Old Business**

Site Plan Approval Application 2020-0016 (Public Hearing)

Owner: Stephanie Buechler  
Representative: Marks Engineering  
Property: 5411 Seneca Hill Drive  
Tax Map #: 168.12-1-9.000  
Zoned: R3 (Residential 3 Acre)

Town Board referral to review local law amendments on Planning Board Resolutions 1-2021 and 2-2021

Short Term Rental Law Review and Discussion

**Other**

**Motion to Adjourn**

## **Town of South Bristol Planning Board Meeting Minutes Wednesday, April 20, 2022**

**Present:** David Bowen  
Ralph Endres  
Jill Gordon  
Jason Inda  
Michael McCabe  
Sam Seymour  
Gregory Shaffer  
Matthew Sousa  
Kevin Stahl

**Guests:** Heather Huber (Zoom)  
Stephanie Buechler (Zoom)  
Tim Hyland (Zoom)  
Brett McManus  
Carey Carrigan  
Abigail Runner  
J. Peter Sarkis  
Stephen Cowley  
Scott Martin

### **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.

### **Reading of Vision Statement**

Ralph Endres read the Comprehensive Plan Vision Statement.

### **Meeting Etiquette**

Chairman Sousa reviewed meeting etiquette.

### **Minutes**

Ralph Endres moved to approve the February 16, 2022 meeting minutes as written. Kevin Stahl seconded the motion. The motion was unanimously adopted by all Board members present.

**Short-Term Rental Old Business**

**Public Hearing**

Short-Term Rental Application 2022-0005

Owner: Jon Joseph  
Local Contact: Brett McManus  
Property: 7122 County Road 12  
Tax Map #: 194.00-1-29.100  
Zoned: R5 (Residential 5 Acre)  
Sleeping Occupancy: 2  
Parking Spaces: 2

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 owners are seeking a short-term rental operating permit:

2022-0005 for property owned by Jon Joseph located at 7122 County Road 12, tax map 194.00-1-29.100.

Said hearing will take place on the 20th day of April, 2022 beginning at 6:30 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512 or by joining Zoom Meeting ID 838 1486 0285, passcode 599078.

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

Diane Scholtz Graham  
Board Assistant

Chairman Sousa: Do we have a representative for Jon Joseph?

Brett McManus: I am Brett McManus. I am the local contact for the property.

Chairman Sousa: Would you mind briefly describing your project?

Brett McManus: Yes sure thing. So 7122 Co Ro 12 is a small studio cabin sitting over the overlook just down the street here. The plan is to operate that as a short-term rental. I am working with the owner. I will be the local on ground manager. So the day to day interactions the guests that are staying at the property. Pretty much all the ins and outs of operating the short-term rental. I am located in Canandaigua. So very closed to the area and will be there on a regular basis running regular upkeep as an Airbnb property.

Chairman Sousa: Have there been any changes since the last time you were here to your application?

Brett McManus: No.

Chairman Sousa: Did we receive any written comments, Diane?

Diane Graham: No.

Town of South Bristol Planning Board Meeting Minutes 04.20.2022 Approved

Chairman Sousa: Are there any comments or questions either in person or on Zoom relative to this application? Are there questions or comments from members of the board? Hearing none.

Matthew Sousa moved that based on a review of short-term rental permit application 2022-0005 and the testimony presented at the Planning Board meeting on March 16, 2022 and public hearing on April 20, 2022 the Planning Board hereby approves the granting of a short-term rental operating permit to the owner. Gregory Shaffer seconded the motion.

Roll Call Vote

Ralph Endres – Aye  
Jason Inda – Aye  
Michael McCabe – Aye  
Gregory Shaffer – Aye  
Sam Seymour – Aye  
Matthew Sousa – Aye  
Kevin Stahl – Aye

Motion carried.

Chairman Sousa: We will need to make sure that you provide the advertising website is listed and identified. Please send that to Diane when you get a chance.

Brett McManus: I can just email?

Diane Graham: Yes.

Brett McManus: Will do.

The public hearing was closed.

**Short-Term Rental New Business**

Short-Term Rental Application 2022-0007 (Preliminary)

Owner: Timothy J. Hyland and Kristen Hyland  
Local Contact: Heather Huber  
Property: 11 Cliffside Drive  
Tax Map #: 168.16-1-9.013  
Zoned: PD (Planned Development)  
Sleeping Occupancy: 8  
Parking: 2

Chairman Sousa: Who do we have on Zoom? Heather Huber and Mr. Hyland.

Diane Graham: I am not sure who is speaking.

Chairman Sousa: Mr. Hyland, would you mind introducing your application for the board please?

Timothy Hyland: Sure. 11 Cliffside Drive. It was a vacation home for us. We are applying for a short-term rental application. We usually like to rent it out in the summer. That will help pay for our expenses until such time (five years) when my wife retires we will be making that our full-time residential homestead.

Chairman Sousa: Do you have experience operating a short-term rental?

Timothy Hyland: No. I do not. We did before the application. We owned the property going on seven years.

Chairman Sousa: You did rent it out before or you didn't?

Timothy Hyland: We did yes. We rented it from 2015 and last year was a difficult year beside the application we also had some issues at the Bristol Harbour complex. We only had friends there. We did rent it out before. We had some experience with that.

Chairman Sousa: Okay. You have a local contact I assume Heather that is you. You are in the area and able to be reached in the event of an emergency and able to response to that?

Heather Huber: That is correct.

Chairman Sousa: Heather do you have experience operating short-term rentals?

Heather Huber: Yes.

Chairman Sousa: Please detail that experience briefly.

Heather Huber: Yes. I worked for Timothy and Kristen in the previous years before the pandemic. I do their cleaning and alert them of any repairs that need to be made on the premises and available as an emergency contact.

Chairman Sousa: Are there any questions from the board relative to this application?

Ralph Endres: What type of unit is this? I see you have two parking spaces and you have an occupancy of eight. That does not really jive with the rest of them in your area.

Timothy Hyland: We are allowed two spaces by the Homeowners Association directly outside of our door then additional parking at the community center that is part of the Bristol Harbour complex. I left a map as part of the application.

Jill Gordon: How many bedrooms is it?

Timothy Hyland: There is four bedrooms?

Jill Gordon: I am only seeing three on what you gave us here. I see it now. Thank you.

Chairman Sousa: Are there any more questions for the applicants? Hearing none.

Matthew Sousa moved that the Planning Board accept the short-term rental permit application 2022-0007 as complete and set the application for final review and public hearing at our May 18, 2022 meeting. Sam Seymour seconded the motion.

All in favor.

Ayes: 7, R. Endres, J. Gordon, J. Inda, M. McCabe, S. Seymour, M. Sousa, K. Stahl  
Nays: 0

Motion carried.

Chairman Sousa: We will talk to you for your final review/public hearing next month.

Timothy Hyland: Thank you very much.

Heather Huber: Thank you for your time.

Short-Term Rental Application 2022-0008 (Preliminary)

Owner: Abigail L. Runner  
Local Contact: Emily Martini  
Property: 12 Spyglass Hill  
Tax Map #: 168.19-1-8.000  
Zoned: PD (Planned Development)  
Sleeping Occupancy: 8  
Parking: 4

Chairman Sousa: Is Abigail Runner or Emily Martini here?

Abigail Runner: Thank you for having me. Thank you Diane for all your help. My name is Abigail Runner. I own 12 Spyglass Hill in Bristol Harbour. I am looking to get a short-term rental operating permit. It is four bedrooms, two floor home and four parking spaces.

Chairman Sousa: Do you have experience operating short-term rentals?

Abigail Runner: I am on the receiving end. My sister Emily is the local contact. She does. She is in real estate and also she helps do a short-term rental in Chautauqua, which is a gated community.

Chairman Sousa: She will be the local contact in the event that there is an emergency or something that needs to be responded to onsite?

Abigail Runner: Yes and myself.

Chairman Sousa: Either or?

Abigail Runner: Yes.

Diane Graham: We will need one name, address, phone number and email.

Chairman Sousa: There will be a primary point of contact that will be listed and advertised. It is okay if you include both of you.

Abigail Runner: Okay. Great. I will have her name for now then.

Diane Graham: Okay.

Chairman Sousa: Eventually you will have to provide that and make sure that is clearly detailed. Do we have any other questions regarding this application? You said how many bedrooms, eight and four parking spots. You should be totally fine there. I do not have any more questions or comments.

Matthew Sousa moved that the Planning Board accept the short-term rental permit application 2022-0008 as complete and set the application for final review and public hearing at our May 18, 2022 meeting. Ralph Endres seconded the motion.

All in favor.

Ayes: 7, R. Endres, J. Gordon, J. Inda, M. McCabe, S. Seymour, M. Sousa, K. Stahl  
Nays: 0

Motion carried.

### **Regular Old Business**

#### **Public Hearing**

##### Site Plan Approval Application 2020-0016

Owner: Stephanie Buechler  
Representative: Peter Sarkis  
Property: 5411 Seneca Hill Drive  
Tax Map #: 168.12-1-9.000  
Zoned: R3 (Residential 3 Acres)

#### Legal Notice of Public Hearing

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

2020-0016 for property owned by The Stephanie Jo Buechler PhD Irrevocable Trust located at 5411 Seneca Hill Drive, tax map #168.12-1-9.000. The owner is looking for site plan approval to construct a new single-family residence. Site improvements include grading, drainage, utilities and a new on-site wastewater treatment system.

Said hearing will take place on the 20th day of April, 2022 beginning at approximately 7:00 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512 or by joining Zoom Meeting ID 838 1486 0285, passcode 599078.



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

Diane Scholtz Graham  
Board Assistant

Chairman Sousa: Would you briefly discuss the project and the changes made since the preliminary meeting on March 16<sup>th</sup>?

Peter Sarkis: Hello, my name is Peter Sarkis. I am with Marks Engineering. I have been representing the Buechler's on this project. We have made some changes from the preliminary and now the final. The changes are pretty minor, but I would be happy to explain them to you.

Chairman Sousa: Yes.

Peter Sarkis: Coming first we added label Seneca Hill Drive. We wanted to clarify that is the private drive that is bisecting the parcel. Because that road is bisecting the parcel that means we had to add lakeside lot coverage up here. So this number changed slightly. We had to change the setbacks from the corner of the house out to the road. We also showed a future possible tram location that is not a for sure thing, but to show where it might go in the future if they want to put it there. I know you do not regulate the trams, but wanted to be open and informative. Beyond that Megan Webster from Ontario County Soil and Water reviewed this project. She had not seen it initially for its first preliminary meeting, but because the board members have changed she has seen it for this go around. She recommended we add a soil stock pile. We initially did not have one because the project it almost completely steep slopes. That is not really typical, but she has a point. It might not be practical to truck in and out extra dirt, topsoil and what not. There is not a lot of top soil on the site. Mostly bedrock. She proposed a small soil stock pile right here. She noted on the detail of the retaining walls there are outlets wall drains. We have shown them on the plan to clarify exactly where they would be out letting. That was the plan the whole time and is not something we always show. She also wanted to see the gutter downspouts. So we showed them out letting into this protected swale so to speak. I believe there was one more thing she wanted us to specify the seed mix on the plans in the notes. I believe that is the full extent of all the changes to the project. Relatively minor things, run-off, sediment and erosion control related.

Chairman Sousa: Great. Are there any questions? Fairly minor update and changes. This was exempt from County Planning Board referral and recommendation. So you have a waiver from the Department of Health for septic system so you should be all set there. You talked about the storm water and erosion measures recommendations by Meghan. We have that email right, Diane?

Diane Graham: Yes.

Chairman Sousa: Your steep slopes permit.

Diane Graham: They have filed an application. It has not gone through yet.

Chairman Sousa: Right. There is no endangered species letter. You have your archeological site determination with no impact. There is no agricultural farms. No floodplain development permit. Did we receive any written comments?

Diane Graham: No.

Chairman Sousa: Are there any comments or anyone wishes to speak on this application? Are there any questions or comments from the board? Hearing none.  
The public hearing was closed.

Chairman Sousa: This is a SEQR Type II with little or no impact.

Matthew Sousa moved that this is a Type II action under SEQR requiring little or no impact. Ralph Endres seconded the motion.

All in favor.

7 Ayes: R. Endres, J. Inda, M. McCabe, S. Seymour, G. Shaffer, M. Sousa, K. Stahl  
0 Nays

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.

Jason Inda moved to approve findings 1-4. Michael McCabe seconded the motion.

All in favor.

7 Ayes: R. Endres, J. Inda, M. McCabe, S. Seymour, G. Shaffer, M. Sousa, K. Stahl  
0 Nays

Motion carried.

Matthew Sousa moved to approve the amended site plan approval application. Ralph Endres seconded the motion.

Roll Call Vote:

Ralph Endres – Aye  
Jason Inda – Aye  
Michael McCabe – Aye  
Sam Seymour – Aye  
Matthew Sousa – Aye  
Kevin Stahl – Aye  
Gregory Shaffer – Aye

Motion carried.

**Resolution 1-2021** amended wording on additional residential residence on the same lot and **Resolution 2-2021** amended wording on storage and use of recreational vehicles. Planning Board reviewed and discussed amendments.

Matthew Sousa moved he is in agreement with the changes made by the Town Board and as recommended by our Town Attorney. Jill Gordon seconded the motion.

All in favor.

Ayes: 7, R. Endres, J. Gordon, J. Inda, M. McCabe, S. Seymour, M. Sousa, K. Stahl

Nays: 0

**Resolution 1-2022** adding local law on Special Event Venues

Daniel Marshall wanted the Planning Board to consider adding language that makes it clear for PD (Planned Developments) that already hold special events.

Add Amendment to Special Event Venue Resolution to the May meeting agenda.

### **Short Term Rental Law Review and Discussion**

Ongoing discussion about prevention of concentrated amounts of short-term rentals in areas. Information was shared about a town that is limiting short-term rentals to owner occupied residences. Another town has a lottery system with so many rentals a year and another town cannot operate a rental next to another rental.

### **Other**

Daniel Marshall, Town Supervisor shared that the town has hired MRB Group to conduct the project of updating our town code.

### **Motion to Adjourn**

Being no further business, Matthew Sousa moved to adjourn the meeting. Sam Seymour seconded the motion. The motion was unanimously adopted and the meeting was adjourned at 7:28 pm.

Respectfully submitted,



Diane Scholtz Graham  
Board Assistant