



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

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**Planning Board Meeting Agenda**  
**Wednesday, October 18, 2023 at 6:30 pm**  
Meeting in-person or by joining Zoom

<https://us02web.zoom.us/j/88035839729?pwd=c0lPTHJvUUhzUTlhZjc5WVZvR3Uydz09>

Zoom Meeting ID 880 3583 9729, Password 081269

**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 Planning Board meeting minutes for August 16, 2023, and September 20, 2023

**Old Business**

**Public Hearings**

Site Plan Approval Application 2023-0004

County Planning Board Referral #: 2023-170

Owner: Denise K. Buchanan Trust

Representative: Bill Grove

Property: 6985 St Rt 21

Tax Map #: 191.17-1-20.110

Zoned: LR (Lake Residential)

Site Plan Approval Application 2023-0006

County Planning Board Referral #: 2023-168

Owner: Robert W. Hurlbut & Sarah M. Hurlbut

Representative: Jon Schick

Property: 6513 Longs Point Dr

Tax Map #: 185.17-2-1.100

Zoned: LR (Lake Residential)

Site Plan Approval Application 2023-0007

County Planning Board Referral #: Exempt  
Owner: Michael Kubiniec & Sharon Kubiniec  
Representative: Michael Kubiniec  
Property: 6989 Coxe Point Drive  
Tax Map #: 191.17-1-22.111  
Zoned: LR (Lake Residential)

Site Plan Approval Application 2023-0008

County Planning Board Referral #: Exempt  
Owner: Judy B. von Bucher  
Representative: Carmine Torchia, P.E.  
Property: 6507 Longs Point Drive  
Tax Map #: 185.17-1-2.000  
Zoned: LR (Lake Residential)

Site Plan Approval Application 2023-0009

County Planning Board Referral #: Exempt  
Owner: Richard H. Glazer  
Representative: Richard Glazer  
Property: 5691 Applewood Drive  
Tax Map #: 168.20-1-5.100  
Zoned: LR (Lake Residential)

**Other**

**Motion to Adjourn**

## **Town of South Bristol Planning Board Meeting Minutes Wednesday, October 18, 2023**

**Present** David Bowen (Zoom)  
Jason Inda  
Michael McCabe  
Frederick McIntyre  
Paul Miller  
Sam Seymour  
Kevin Stahl

**Excused** Jill Gordon  
John Casey Wood

**Guests** Denise Buchanan, Bill Grove, Jon Schick, Erick & Judy von Bucher, Charles Smith

### **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 Jill Gordon and John Casey Wood.

### **Reading of Vision Statement**

Frederick McIntyre read the Comprehensive Plan Vision Statement.

### **Meeting Etiquette**

Chairman Stahl reviewed meeting etiquette.

### **Meeting Minutes**

Frederick McIntyre made a motion to approve the August 16, 2023 amended meeting minutes as written with a word change by David Bowen on page four from septic claim to septic plan. Michael McCabe seconded the motion. The motion was unanimously adopted by all Board members present.

The approval of the September 20, 2023 meeting minutes was deferred to the November meeting.

### **Old Business**

#### **Site Plan Approval Application 2023-0004**

County Planning Board Referral #: 2023-170  
Owner: Denise K. Buchanan Trust  
Representative: Bill Grove  
Property: 6985 St Rt 21  
Tax Map #: 191.17-1-20.110  
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:

2023-0004 for property owned by Denise K. Buchanan Trust located at 6985 State Route 21, tax map #191.17-1-20.110. Tax map #191.17-1-20.200 was annexed to tax map #191.17-1-20.110 and filed in the Ontario County Clerk's Office on September 8, 2023, Map #38876 with a new property tax map #191.17-1-20.111. The property owners were granted a 10.5-foot front setback variance and lot coverage variance of 3.34%. They are looking for site plan approval to add a 361 square foot one-bedroom addition and 600-gallon leaching chamber to infiltrate roof runoff from addition on the north end of the existing house, replacing a 905 square foot deck with an 850 square foot deck and upgrading the onsite wastewater system.

Said hearing will take place on the 18th day of October 2023 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

Chairman Stahl: I declare the public hearing open. Bill, are you going to be the representative?

Bill Grove: Yes.

Chairman Stahl: Please describe the project and any changes since our preliminary meeting on August 16<sup>th</sup>.

Bill Grove: Yes. There have been a couple of changes as a result of the Zoning Board of Appeals review that we went through last month. Essentially, the proposal is to reconfigure some of the decks on the lakeside of the house and add a one-bedroom addition off the northeast corner of the house so they can have single floor living in the house. Right now, the bedrooms are upstairs and want to have a bedroom on the first floor. This is the easiest way to do that. We did get septic approval already from the watershed. The changes that came about from the Zoning Board of Appeals meeting had to do with the lot coverage calculations. The addition of the leaching chamber off the north end of the house to infiltrate some roof run-off from the square footage of the addition will be offset by that infiltration chamber. In the calculations there is some other adjustments that were made to the lot coverage numbers based on the fact the property is now annexed into one parcel instead of being two separate parcels.

Chairman Stahl: At our August 16<sup>th</sup> preliminary meeting the Planning Board requested that you have Zoning Board of Appeals approval for the front setback and lot coverage variances, Ontario County Planning Board referral comments and the lot annexation of tax map #191.17-1-20.200 to #191.17-1-20.210.

We have received the Zoning Board of Appeals September 27, 2023 decision:

*"The applicant's requests for 10.5-foot variance with a 39.5-foot front setback from the highway right-of-way line of State Route 21 is hereby granted.*

*The applicant's request for a 3.34% lot coverage variance with a total lot coverage of 23.34% is hereby granted on a condition:*

1. *As a minimum the roof run-off from the proposed one-bedroom addition be captured and diverted into a drywell or some type of capture mechanism so it doesn't sheet flow down through the property into the lake. If feasible, capture more of the property to try and minimize the impact to the lake."*

Ontario County Planning Board referral was exempt for Planning Board. Zoning Board of Appeals received an administrative review of denial with comments and had a supermajority vote.

Lot annexation was filed September 8, 2023, map #38876, new tax map number 191.17-1-20.111.

Floodplain Development permit application

Amended site plan dated September 28, 2023 to add one dry well and reduce lot coverage deck square footage by 50%.

Diane has given us a copy of the code definitions for lot coverage, permeable and impermeable. If everybody has a chance to look at it. Anybody on the Board have a comment?

Paul Miller: I think the site plan that we have here is revised on 9/28/23. Bill, you are bringing the total lot coverage down to 22.5%, but the method you are using to do that is to cut the area of the deck by 50%.

Bill Grove: It is the calculation for lot coverage based on the town code you can take a 50% reduction for pervious and permeable surfaces. What we did was the deck area is essentially permeable because water can go through the deck and into the ground below it so that is 50%.

Paul Miller: You calculated by cutting in half the total deck area, but you are using the basis that there are gaps between the decking that will allow the water to flow through and that makes it permeable.

Bill Grove: Yes.

Paul Miller: That is where you are using the 50%.

Bill Grove: Yes. Exactly. Just in the deck area.

Paul Miller: Yes. I understand.

Bill Grove: The Zoning Board of Appeals took some Planning Board responsibility I guess as far as site plan and suggested we try to infiltrate the water. It was probably more of a Planning Board decision, but it made sense, and I added it. You see that on the plan. In addition to that reduction in lot coverage because we can calculate it being a permeable area we added a leaching chamber to infiltrate the equivalent of the addition roof, which was 361 square feet.

Chairman Stahl: Are we all agreeable on that?

Paul Miller: Are we all in agreement that Bill's understanding of the definition of permeable applies to the deck?

Sam Seymour: Even though it does not say that in the code. It lists decks as impermeable.

Paul Miller: As impermeable.

Sam Seymour: Substantially impervious surfaces decks are listed there under lot coverage.

Bill Grove: I do, but if you read further, it reads note: 50% of all man-made pervious/permeable surfaces will be counted towards total lot coverage. I was assuming that could be any of the above defined impervious surfaces if you could somehow make them pervious or permeable then you to take 50% of that into account for your lot coverage calculation.

Paul Miller: I reverse engineered the arithmetic and put the deck back in at 100% and with the other property annexed in you have 50,111 total square feet. Even if you put the deck back in at 100% that brings you back to 23.34%, which is what the variance is granted for. Then the question becomes either we all agree that Bill's definition of the deck being permeable is acceptable or we ask you to redo the arithmetic to put 100% of the deck back in brings you back to the 23.34% for which you already have the variance. What does everybody else think? It is a distinction without much of a difference.

Jason Inda: What is below the deck?

Bill Grove: Soil.

Jason Inda: Not grass?

Bill Grove: Not grass but earth. Yes.

Paul Miller: If we approve this plan, it does not technically match up with the language in the code so what do we do?

Bill Grove: I think the intent was that you could use that for driveways. I do not know why driveways would be any different. Why they would be considered to be able to be permeable/pervious.

Diane Graham: The next two pages have the definitions for permeable and impermeable.

Bill Grove: Okay.

Paul Miller: Impervious not allowing fluid to pass through including but not limited to road, sidewalks, driveways covered with asphalt, concrete, brick, stone, and gravel. Not allowing liquid to pass through. You have decks with gaps between the decking planks.

Bill Grove: The deck would not count as impervious and permeable, but it also wouldn't meet your definition of pervious and permeable because it does not technically filter out pollutants. Unless you call leaves, nuts, and limbs to be pollutants.

Paul Miller: Is that the decking filtering out the pollutants or is it allowing the water to get to the dirt to filter out the pollutants. I am not sure what the language intent is. It is starting to be a picker of nits here.

David Bowen: Do we know for sure what is under 100% of the proposed deck area? Is it clear that it is all soil?

Bill Grove: Yes. There is no concrete patios or paver patios or anything under there.

David Bowen: No foundation elements or anything under there.

Diane Graham: Gravel?

Bill Grove: No.

Sam Seymour: Even though it is drawn with circles it would be some kind of plank deck.

Bill Grove: The honeycomb hatch is the existing structure to be removed. It is hard because you get layers upon layers in that same area. Admittedly it does not describe it very well. That honeycomb is the area that is going to be removed.

Sam Seymour: What will the deck be in the end, the new deck?

Denise Buchanan: What is it made of? Trex.

Sam Seymour: Trex. So, planks. Good.

Chairman Stahl: Do we have any more questions on that? How does everybody feel? Let this go right through.

Paul Miller: Can you start with me? I am the big mouth that brought it up, right.

Chairman Stahl: No. That is fine.

Paul Miller: I am not sure we should approve a plan that has some questions in there or should have a new plan drawn and answer all the questions. Again, it is a distinction without a difference. As long as we are all in agreement that Bill's understanding is accurate, and we are all okay with what is underneath the deck.

Frederick McIntyre: He is putting in a source to collect the water off the roof.

Paul Miller: Right.

Frederick McIntyre: I do not see where it is going to do any damage.

Paul Miller: I am hard pressed to see it.

Sam Seymour: The lot coverage is not there to address drainage and runoff. It is to prevent building giant houses on little lots and keeping real estate between the houses.

Paul Miller: The variance has already been approved at 23.34% even if you put 100% of the square foot of the deck back into the calculation this bring it back to 23.34% so it is approved either way seems to me.

Frederick McIntyre: Unless they change the plan.

Paul Miller: It does not change the plan at all.

Diane Graham: The revised site plan has the drywell and the previous one did not.

Frederick McIntyre: It does not really change the house.

Paul Miller: Right. This plan right here the revised one from 9/28 that includes the drywell, which was the other question.

Chairman Stahl: So, we are good.

Paul Miller: I am okay.

Chairman Stahl: I am okay with it. Diane, did we have any written comments?

Diane Graham: No.

Chairman Stahl: Do we have any comments from the floor? If not, do we have any comments on Zoom? Hearing none.

I will declare the public hearing closed.

Chairman Stahl made a motion to concur with the Zoning Board of Appeals SEQR determination that this is a Type II action under paragraphs 617.5 (c)(11) and 617.5 (c)(17) with no further review required. Motion seconded by Jason Inda.

All in favor.

Ayes 6, D. Bowen, J. Inda, M. McCabe, F. McIntyre, S. Seymour, K. Stahl  
Nays 0

Motion carried.

Chairman Stahl read the 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. Motion seconded by Frederick McIntyre.

All in favor.

Ayes 6, D. Bowen, J. Inda, M. McCabe, F. McIntyre, S. Seymour, K. Stahl



Nays 0

Motion carried.

Chairman Stahl requested a motion to approve or deny the preliminary and final site plan approval for amended application 2023-0004.

Jason Inda made a motion to approve the preliminary and final site plan application amended 9/28.  
Motion seconded by David Bowen.

Roll Call Vote:

David Bowen - Aye

Jason Inda - Aye

Michael McCabe - Aye

Frederick McIntyre - Aye

Sam Seymour - Aye

Kevin Stahl – Aye

Motion carried.

Site Plan Approval Application 2023-0006

County Planning Board Referral #: 2023-168

Owner: Robert W. Hurlbut & Sarah M. Hurlbut

Representative: Jon Schick

Property: 6513 Longs Point Dr

Tax Map #: 185.17-2-1.100

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:

2023-0006 for property owned by Robert W. Hurlbutt and Sarah M. Hurlbut located at 6513 Longs Point Drive, tax map #185.17-2-1.100. The applicant/property owners are looking for site plan approval to tear down the existing three-bedroom 2,492 square foot house and rebuild a two-bedroom 2,148 square foot house using the existing onsite wastewater system.

Said hearing will take place on the 18th day of October 2023 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

Chairman Stahl: Describe the project made since our preliminary meeting on August 16.

Jon Schick: Yes. My name is Jon Schick. I am the architect for the Hurlbut's project at 6513 Longs Point Drive. At the last meeting we had a larger three-bedroom home, which would require us to put in a new wastewater system. My clients did not want to put in a new system. There is not room for a larger system. We decided to make the house smaller to qualify it below the 2,250 square foot three-bedroom home. WE redesigned the entire house. It is a two-bedroom house. I submitted some preliminary site drawings ten days ago. We were still in the process of designing the house. The footprint is essentially almost the same. We bumped out one wall four inches and pulled in another eight inches. The square footage went down. We had included the square footage of the stair twice. Once for the first floor and once for the second floor. We usually do that for pricing purposes for zoning and taxing text purposes. Generally, only included one time. That is a 60 square foot reduction. Your square footage before was 2,138. Now it is 2,076. We are below the 150 square foot threshold that would qualify this house as a four-bedroom house. Since we were here in August, we were at the Zoning Board of Appeals meeting in September. We received a variance relief of the 50-foot setback from the road by 19 feet. We are permitted to have a 31-foot variance. That gave us a lot of flexibility in terms of where we could grow the house, shrink it and what not. We were also able to push it back away from the lake by about 15-17 feet I cannot remember. The setback is on there. We met the 25-foot setback from the lake by an additional 12.8 inches. What you have in front of you is new site drawings. The footprint of the house is substantially smaller than the existing one. We have reduced the lot coverage substantially over the existing house. We made another change to the proposed surface of the parking area. We found out today that we were using pea gravel as 50% lot coverage and it is 100% lot coverage. We had been told that it was 50% lot coverage so we are now proposing to use permeable pavement, which would allow us to still work with the 50% lot coverage for the parking area. It is still less than the existing. The existing lot coverage went up over from what we had before because the gravel driveway we were allowing it to work as a 50% lot coverage so now it is 100%. So, the lot coverage for the existing house was 28%. Eight percent over the allowable. We are at about 19% lot coverage with the proposed footprint. We meet all the other zoning requirements I believe. We are under the height limit. The wastewater system that is there is designed for a three-bedroom home. This is now only a two-bedroom home.

Chairman Stahl: Anybody on the board have any questions on the changes that he made?

At our August 16 meeting the Planning Board requested Zoning Board of Appeals approval for front setback variance; Ontario County Planning Board referral comments; based on square footage requirements either upgrade onsite wastewater treatment system or downsize house design, and bald eagle determination from NYS DEC & US Fish & Wildlife

We have received the following:

Zoning Board of Appeals September 27, 2023 decision:

*"The applicant's request for 19-foot variance with a 31-foot front setback from the property line is hereby granted with conditions:*

- 1. The onsite wastewater system must meet bedrooms and square footage requirements in our town code.*
- 2. Submit updated design plans when available to New York State Department of Environmental Conservation."*

Ontario County Planning Board referral was exempt for Planning Board

Zoning Board of Appeals received referral with comments that were addressed.

Bald eagle determinations from NYS DEC & US Fish & Wildlife

Amended site plan dated October 9, 2023, reducing house design to two bedrooms and 2,148 square feet to meet town code onsite wastewater design standards and stay within the front setback variance granted.

Chairman Stahl: Jon covered the impermeable question there that we have for this.

Diane Graham: What is the date of this revised site plan?

Jon Schick: Today's date.

Chairman Stahl: You want to change that from October 9<sup>th</sup> to October 18<sup>th</sup> the amended site plan? Diane, did you receive any written comments?

Diane Graham: No.

Chairman Stahl: Do we have any comments from the floor? Do we have any comments from Zoom? Hearing none.

I will close the public hearing.

Chairman Stahl made a motion to concur with the Zoning Board of Appeals SEQR determination that this is a Type II action under paragraphs 617.5 (c)(11) and 617.5 (c)(17) with no further review required. Motion seconded by Michael McCabe.

All in favor.

Ayes 4, J. Inda, M. McCabe, F. McIntyre, K. Stahl  
Nays 0

Motion carried.

Chairman Stahl read the 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. Motion seconded by Frederick McIntyre.

All in favor.

Town of South Bristol Planning Board Meeting Minutes 10.18.2023 Approved

Ayes 4, J. Inda, M. McCabe, F. McIntyre, K. Stahl  
Nays 0

Motion carried.

Chairman Stahl requested a motion to approve or deny the preliminary and final site plan approval for amended application 2023-0006.

Jason Inda made a motion to approve the preliminary and final site plan amended application. Motion seconded by Frederick McIntyre.

Roll Call Vote:

Jason Inda - Aye  
Michael McCabe - Aye  
Frederick McIntyre - Aye  
Kevin Stahl – Aye

Motion carried.

Site Plan Approval Application 2023-0007

County Planning Board Referral #: Exempt  
Owner: Michael Kubiniec & Sharon Kubiniec  
Representative: Michael Kubiniec  
Property: 6989 Coye Point Drive  
Tax Map #: 191.17-1-22.111  
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:

2023-0007 for property owned by Michael Kubiniec and Sharon Kubiniec located at 6989 Coye Point Drive, tax map #191.17-1-22.111. The applicant/property owners are looking for site plan approval to build permanent docks and boat stations and replace retaining wall.

Said hearing will take place on the 18th day of October 2023 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

Diane Graham: The applicant did not provide a revised site plan. The public hearing will continue to the November 15 meeting.

Site Plan Approval Application 2023-0008

County Planning Board Referral #: Exempt  
Owner: Judy B. von Bucher  
Representative: Carmine Torchia, P.E.  
Property: 6507 Longs Point Drive  
Tax Map #: 185.17-1-2.000  
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:

2023-0008 for property owned by Judy D. von Bucher located at 6507 Longs Point Drive, tax map #185.17-1-2.000. The applicant/property owners are looking for site plan approval to construct a 297 square foot kitchen addition with basement to the south of existing main house and 148 square foot porch addition to the west.

Said hearing will take place on the 18th day of October 2023 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

Erik von Bucher: I am Erik von Bucher husband of Judy.

Chairman Stahl: Please briefly describe the project and if there are any changes since the preliminary meeting on September 20<sup>th</sup>.

I will declare the public hearing open.

Erik von Bucher: As Diane so well put, it is roughly a 300 square foot addition to our house that will house a new kitchen and below it will be a basement plus the current covered walkway by our front door will be extended along the west side of this addition. This addition will house the new kitchen. The old kitchen will become a pantry, mudroom, and a bar. There will be no increase of water usage and since the last meeting we added to the site plan the approximate water line location.

Chairman Stahl: The Planning Board at the last meeting requested bald eagle determination from US Fish & Wildlife Service and site plan change to add water supply line and source.

We have received the site plan with water supply line and source. We did not receive the bald eagle.

Diane Graham: No. There was some confusion. There is a new process after this application that we are no longer going to be using US Fish & Wildlife Service in their response. We were in the middle of all these applications, so the applicant thought they did not need to do it. They were not able to get a response today.

Federick McIntyre: We have the DEC approval?

Diane Graham: Correct.

Erik von Bucher: Which will be in the future and is considered to be a more stringent requirement than the US Wildlife.

Judy von Bucher: That is what the Hurlbut's had the DEC?

Diane Graham: They had both.

Erik von Bucher: The Hurlbut's are literally 100 feet from us with a much larger project, etc.

Chairman Stahl: I guess the decision that the Board must make in the future if it is approved by the DEC then the bald eagles automatically approved. In the future we will not be requesting a bald eagle determination from US Fish & Wildlife. We have requested everyone beforehand to have this and now we are saying you do not need this when all the applicants were rat the same time. I am going to ask the Board what they feel. Do we still need to require the bald eagle determination?

David Bowen: Who required it in the first place and that in our code?

Diane Graham: No. It was a process set up by DEC.

David Bowen: Does the DEC now review the bald eagle situation and issue that as part of their approval.

Diane Graham: Yes. How it came to be is the gentleman from US Fish & Wildlife is leaving at the end of the month. He was not sure who his replacement would be, so they are setting up a general mailbox instead. He said that the NYS DEC was more stringent on their review of bald eagles and US Fish & Wildlife could be consulted if needed. So, it was decided to eliminate this step going forward.

Chairman Stahl: So, what the Board is looking at we go ahead and move on with this application knowing that you do not have the US Fish bald eagle report back now. The decision we made for the other applicants was to do it and we are allowing this applicant not to. If that is not a problem with the Board, then we can continue.

Jason Inda: Without anybody at US Fish & Wildlife we would hold up every other permit that came.

Diane Graham: This is the last application. I asked him today if he received it and said no.

Chairman Stahl: Diane, did we receive any written comments?

Diane Graham: No.

Chairman Stahl: Any comments from anyone on the floor? Are there any comments on Zoom? Hearing none.

I declare the public hearing closed.

This application is exempt from County Planning Board referral, no agricultural active farms within 500 feet. No onsite wastewater system changes required. No floodplain determination / Floodplain Development Permit required. No storm water and erosion control measures recommendations required.

Chairman Stahl made a motion declaring the SEQR to be a Type II action under paragraph 617.5 (c)(11) with no further review required and ask the Board's permission to answer SEQR questions 1-11 with no or small impact and sign on behalf of the Board. Motion was seconded by Michael McCabe.

All in favor.

Ayes 5, M. McCabe, F. McIntyre, P. Miller, S. Seymour, K. Stahl  
Nays 0

Motion carried.

Chairman Stahl read the 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.

Michael McCabe moved to approve findings 1-4. Motion seconded by Frederick McIntyre.

All in favor.

Ayes 5, M. McCabe, F. McIntyre, P. Miller, S. Seymour, K. Stahl  
Nays 0

Motion carried.

Chairman Stahl requested a motion to approve or deny the preliminary and final site plan approval for amended application 2023-0008.

Michael McCabe made a motion to approve the preliminary and final site plan amended application. Motion seconded by Paul Miller.

Roll Call Vote:

Michael McCabe – Aye  
Frederick McIntyre – Aye  
Paul Miller – Aye  
Sam Seymour – Aye  
Kevin Stahl – Aye

Motion carried.

Erik von Bucher: I have a question about pebbles. Pea gravel as a driveway. That is not considered porous. It came up in the Hurlbut application. It is not in my application, do not worry about that. I am curious from the Hurlbut standpoint. They said they are going to look into some kind of porous asphalt. So, pea gravel is not considered permeable?

Paul Miller: It is gravel. Gravel falls into the impervious and substantially impervious surfaces. Without further definition.

Erik von Bucher: Interesting. Okay. Thank you.

Site Plan Approval Application 2023-0009

County Planning Board Referral #: Exempt  
Owner: Richard H. Glazer  
Representative: Richard Glazer  
Property: 5691 Applewood Drive  
Tax Map #: 168.20-1-5.100  
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:

2023-0009 for property owned by Richard H. Glazer located at 5691 Applewood Drive, tax map #168.20-1-5.100. The applicant/property owner is looking for site plan approval to construct a 621 square foot bedroom suite addition, 161 square foot lakeside porch, 117 square foot lakeside deck, extend the driveway to the 192 square foot apron and 480 square foot garage, and relocate the front entry walkway.

Said hearing will take place on the 18th day of October 2023 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

Chairman Stahl: Please describe the project and any changes since our preliminary meeting on September 20<sup>th</sup>.

Charles Smith: I am Chuck Smith. I am an architect with Design Works Architecture representing Rick Glazer. What we have added since the preliminary when we met last month is we established the table with all the square footage coverages on the site plan as opposed to a separate plot plan which was provided by Venezia. We consolidated that with Diane. We also had a question about where the front yard setback was. The 50-foot setback I understand there has been a decision made on that issue. There was a question about the existing septic system being able to handle this addition and that has been approved by the watershed authority. We have also gone to the additional engineering step of capturing all the runoff from the new impervious roofing and placing it underground in a storage facility. We provided



information from McMahon LaRue on those calculations. That has been added to the plan since you last saw it.

Diane Graham: Did I include those in there for the Board? I hope I did.

Chairman Stahl: I do not remember that.

Charles Smith: It was not a request from the Board, but it is something we like to do.

Diane Graham: It was a question of any plans for roof drainage. It was in the email asking.

Chairman Stahl: Are you all set?

Charles Smith: I am all set. Thank you.

Chairman Stahl: At our September meeting the Planning Board requested archeological site determination; onsite wastewater system email response from Canandaigua Lake Watershed Inspector that the existing system is sufficient size for house addition and renovations; front setback determination by code enforcement officer and board chairman to be the south property line; site plan updated to include the whole parcel, full dock system, add existing house square footage details and proposed additions details breakdown, and include any plans for the roof drainage.

We have received the archeological site determination; response from Canandaigua Lake Watershed Inspector that the existing system is sufficient size for house addition and renovations; floodplain development permit application for new addition and amended site plan dated October 9, 2023.

Does anybody on the Board have any questions on the changes made?

Diane Graham: Where is the water storage on the site plan?

Charles Smith: That is on the lakeside of the addition.

Diane Graham: Is it a drywell?

Charles Smith: Yes. It is an underground drywell.

Diane Graham: Is it on the site plan?

Charles Smith: Yes.

Diane Graham: Okay. Thank you.

Charles Smith: I brought a copy of the design and the calculations from the engineer if you want a copy of it. I know we sent it to you by email.

Diane Graham: Scott will probably need that.

Charles Smith: I will hand that over to you.

Chairman Stahl: Any other questions from the Board?

David Bowen: What is the status of the floodplain permit?

Diane Graham: The applicant prepared a floodplain permit application and then it has to be completed by the code enforcement officer once he gets site plan approval. We discovered it when we did a flood plain on OnCor. It showed the new addition would be in the flood.

In the future just a note the whole property would be underwater with the FEMA maps that are drafted. We can only go by what is current.

David Bowen: I saw the application and did not know if it was approved yet whether that would hold up site plan approval.

Diane Graham: That is something he will have Scott review for his approval. Just to know that he will have to go through that process is what we brought forward.

Chairman Stahl: Are you saying that is something that has to be approved first by Scott?

Diane Graham: It is an application like a building permit. He provided the application, will need to pay for it and provide plans to the code enforcement officer for his review.

Chairman Stahl: Diane, did we receive any written comments?

Diane Graham: No.

Chairman Stahl: We do not have anybody here on the floor? Is there anybody on Zoom that has comments on this application?

David Bowen: Chuck, the watershed inspector indicated that the septic system is adequate for accommodating this addition but is also required inspection per town law. Do you know if Mr. Glazer has ordered that or is planning to have that done, particularly since this house is clearly in a flood plain that might be of importance?

Charles Smith: Mr. Bowen, I do not know the answer to that question, but I did see that request yes.

David Bowen: It is not going to hold up site plan approval.

Sam Seymour: We got an email from Tyler on September 28<sup>th</sup>. The existing wastewater system is properly sized for the proposed addition. It does not get into the floodplain question or address that. It appears that the leach field is outside the floodplain based on the current.

Diane Graham: In the future the whole property will be in the floodplain if they approve the FEMA maps.

David Bowen: I am pointing out the email Mr. Ohle's email to Lorie Boehlert indicated the system needs to be inspected to verify it is functioning adequately. It is approved for size purposes. That is all.

Chairman Stahl: Any other questions? Hearing none. I will declare the public hearing closed.

This application is exempt from County Planning Board referral. No agricultural active farms within 500 feet. No onsite wastewater system changes required. Floodplain determination / Floodplain Development Permit is required. Any storm water and erosion control measures recommendations?

Diane Graham: I think that was answered with the drywell. So, is that a no for anything more for this question?

Chairman Stahl: That is a no.

Chairman Stahl made a motion declaring the SEQR to be a Type II action under paragraph 617.5 (c)(11) with no further review required and ask the Board's permission to answer SEQR questions 1-11 with no or small impact and sign on behalf of the Board. Motion was seconded by David Bowen.

All in favor.

Ayes 7, D. Bowen, J. Inda, M. McCabe, F. McIntyre, P. Miller, S. Seymour, K. Stahl  
Nays 0

Motion carried.

Chairman Stahl read the 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.

David Bowen moved to approve findings 1-4. Motion seconded by Frederick McIntyre.

All in favor.

Ayes 7, D. Bowen, J. Inda, M. McCabe, F. McIntyre, P. Miller, S. Seymour, K. Stahl  
Nays 0

Motion carried.

Chairman Stahl requested a motion to approve or deny the preliminary and final site plan approval for amended application 2023-0009.

Michael McCabe made a motion to approve the preliminary and final site plan amended application. Motion seconded by Paul Miller.

Roll Call Vote:

David Bowen – Aye

Jason Inda – Aye

Michael McCabe – Aye

Frederick McIntyre – Aye

Paul Miller – Aye

Sam Seymour – Aye

Kevin Stahl – Aye

Motion carried.


**Other**

There was a discussion about windmills.

**Motion to Adjourn**

Being no further business, Sam Seymour moved to adjourn the meeting. Frederick McIntyre seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 7:41 pm.

Respectfully submitted,

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

Diane Scholtz Graham

Board Assistant