



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

Planning Board Meeting Agenda

Wednesday, December 20, 2023 at 6:30 pm

Meeting in-person or by joining Zoom

<https://us02web.zoom.us/j/88575065551?pwd=QllOTzBmNHVNcjEzWm5jbHdpSVVFZz09>

Zoom Meeting ID 88575065551, Password 539844

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 November 15, 2023

Old Business

Public Hearing Continued from October 18

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)

Public Hearing

Site Plan Approval Application 2023-0010

County Planning Board Referral #: Exempt
Owner: ETA Canandaigua Lake LLC
Representative: Anthony Venezia
Property: 5791 Seneca Point Rd
Tax Map #: 178.07-1-11.100
Zoned: LR (Lake Residential)

New Business**Site Plan Approval Application 2023-0011**

Owner: Bristol Sewerage Disposal Corporation

Representative: Robert Elliott, Elliott Engineering Solutions

Property: Seneca Point Rd

Tax Map #: 168.19-1-17.000

Zoned: PD (Planned Development)

Other**Motion to Adjourn**

Town of South Bristol Planning Board Meeting Minutes Wednesday, December 20, 2023

Present David Bowen
 Jill Gordon
 Jason Inda [Zoom]
 Michael McCabe
 Frederick McIntyre
 Paul Miller
 Sam Seymour
 John Casey Wood

Excused Kevin Stahl

Guests Jim Mueller

Call to Order

The meeting of the Town of South Bristol Planning Board was called to order at 6:31 pm by David Bowen, Acting Chairman. All Board members were present except for Kevin Stahl.

Reading of Vision Statement

Paul Miller read the Comprehensive Plan Vision Statement.

Meeting Minutes

Frederick McIntyre made a motion to approve the November 15, 2023 meeting minutes as amended and Paul Miller seconded the motion. The motion was unanimously adopted by all Board members present.

Old Business

Public Hearing Continued from October 18

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)

The public hearing was continued to the January 17 meeting.

New Business

Site Plan Approval Application 2023-0010

County Planning Board Referral #: Exempt
Owner: ETA Canandaigua Lake LLC
Representative: Anthony Venezia
Property: 5791 Seneca Point Rd
Tax Map #: 178.07-1-11.100
Zoned: LR (Lake Residential)

By request of the applicant the public hearing was continued to the January 17 meeting.

New Business

Site Plan Approval Application 2023-0011

Owner: Bristol Sewerage Disposal Corporation
Representative: Robert Elliott, Elliott Engineering Solutions
Property: Seneca Point Rd
Tax Map #: 168.19-1-17.000
Zoned: PD (Planned Development)

Acting Chairman Bowen: The representative is Robert Elliott, but I understand Mr. Elliott is not here and we have, sir?

Jim Mueller: Jim Mueller

Acting Chairman Bowen: Thank you, Mr. Mueller. Welcome! The property is on Seneca Point Road in the Planned Unit Development at Bristol Harbour Village. As I understand it, this is up for site plan review and an application for improvements to the sewage treatment plant?

Jim Mueller: Yes.

Acting Chairman Bowen: This is an important facility for Bristol Harbour Village as well as the Town of South Bristol and residents around Canandaigua Lake. Before we get into the actual improvements maybe we can spend a little time you can educate us all and the town residents who might be reading this later or who show up on Zoom a little bit about this project. If you could tell us what this facility is and what it does and generally how it works.

Jim Mueller: It treats the wastewater sewage from the Bristol Harbour Development. What was the golf course, private units, condos basically the PD zoned area treats the water onsite, discharges into a creek and ultimately down to Canandaigua Lake. This project is primarily addressing the effluent from the plant before it goes into the creek and down to Canandaigua Lake. It is being done at the direction of the EPA and NYS DEC. Currently they are using gas chlorination on the effluent from the treatment plant. We are eliminating gas chlorination and going to ultraviolet (UV) disinfection. The gas chlorination now there are some additional requirements for dechlorination after it has been treated and before it is discharged into, this case, the lake. We are eliminating that extra step and the expenses involved with storage, ventilation and various other aspects of the chlorination process. The UV will be in a nine foot by eleven square foot addition to the existing filtration building, which is shown on the survey that Venezia has prepared and also on the site plan that we have for the UV project itself. That is being constructed primarily by the

direction of the DEC. They wanted it enclosed. There are situations where it is not, but in this case they wanted it enclosed. The UV that is being done around the area. We have three other municipalities that we represent that are adding UV to their treatment systems. The Village of Penn Yan, Manchester/Shortsville, and Village of Sodus. This is something being done around the area, statewide actually. In addition to the nine by eleven addition there is an old circular facility in the middle of the site. The survey map that you have indicates it is discontinued. It is essentially an old digester system that is going to be removed and the area covered regraded and seeded.

Acting Chairman Bowen: That has PCB's in it, the sludge?

Jim Mueller: Yes. That contained all the sludge from the plant initially. It was treated there and disposed of elsewhere. All the PCB's are being removed and disposed of.

Acting Chairman Bowen: The sludge is all gone now?

Jim Mueller: It will be. If it isn't gone now, it will be part of this contract.

Acting Chairman Bowen: Who will be monitoring that the PCB's are removed safely and without exposure?

Jim Mueller: The DEC is monitoring the disposal. We have to provide them with documentation. We will be inspecting the project as it goes forward.

Acting Chairman Bowen: There is a letter from LaBella Associates who were retained by the Town some time ago. I think in that letter it addresses each of the improvements.

Jim Mueller: Yes.

Acting Chairman Bowen: Let's go through the proposed improvements. I think there are five of them. Maybe you can educate us all on these improvements.

Jim Mueller: I am not too familiar with the existing filters. They are in the building as the letter indicates they are being replaced. That is a normal process.

There is a standby generator, which is being replaced. That is going to be outside the filter building on a pad, which is on the revised survey that you have.

The PCB contaminated sludge that is to be removed to an approved land fill or approved disposal area and has to be documented for DEC.

The abandonment of the treatment tank like I said that is coming out. The circular tank in the middle of the site. That will be removed. It is going to be lowered or cut down two feet below grade, cleaned out and backfilled.

Acting Chairman Bowen: The first improvement implemented UV disinfection instead of chlorine gas?

Jim Mueller: Yes.

Acting Chairman Bowen: Can you tell us the efficacy of that method as opposed to the gas system that is there now? Is it better?

Jim Mueller: It is a better system. It is not as strictly regulated as chlorine. As I said before, the new regulations for the chlorine gas now the chlorine after it has been administered to the water, the effluent discharge is to be dechlorinated before it goes into the lake. This just kills everything and does not add anything to the water. There is no extra ventilation or storage as there would be with chlorine gas.

Acting Chairman Bowen: Your application indicates the work was mandated by the EPA and NYS DEC and it is a condition of the facilities SPDES permit.

Jim Mueller: Yes.

Acting Chairman Bowen: What is the status of the permit right now? When does it expire?

Jim Mueller: The permit was issued, and I believe it was reissued a year or so ago. This project was given a time frame to be constructed and we are approaching the end of that time frame. We have been in contact with DEC. This process in terms of the Planning Board procedure was not anticipated in the time schedule so DEC is aware of it and they are working with us on an extension.

Acting Chairman Bowen: It is my understanding that the facility would not get a permit approved if these improvements were not undertaken?

Jim Mueller: That is correct. It was a condition of the SPDES permit renewal for discharge.

Acting Chairman Bowen: Assuming we grant approval of this proposal, when do you foresee the improvements being completed?

Jim Mueller: As soon as we get final approval, the contractor will be given the go ahead. It has already been bid for and awarded. We are just waiting.

Acting Chairman Bowen: What will be the timeline that the project would be all done?

Jim Mueller: It would be this Spring. Two to three months possibly depending on materials.

Acting Chairman Bowen: Is there any interruption in service at any time during this project?

Jim Mueller: No interruption in service.

Acting Chairman Bowen: Is this a separate part from the water system at Bristol Harbour?

Jim Mueller: Yes. It is a separate corporation.

Acting Chairman Bowen: At one time there was effluent used to irrigate the golf course. Is that still going on?

Jim Mueller: I do not know. I have no idea if that is still being used.

Acting Chairman Bowen: What is the current capacity of the facility with respect to serving the developed property of the Harbour? Are you running at full capacity or close to it? Do you have plenty of room?

Jim Mueller: I believe the permit was originally given for more capacity than we are using at the present time. We indicated to DEC and the permit process that could be reduced in terms of the allowable flow. The plant is more than adequate to service the area.

Acting Chairman Bowen: How about in the future the undeveloped property within Bristol Harbour Village currently that undeveloped property becomes developed for residential use in the future will these improvements allow this facility to undertake that?

Jim Mueller: I believe the plant currently constructed would allow for, as I said, some additional flow. It would probably depend on what the improvement was and what the demand would be. It can be expanded if it had to be. There are facilities and room to do that.

Acting Chairman Bowen: Any comments or questions from the Board?

Frederick McIntyre: How do they monitor to be sure that the UV light is working at all times? That waste is not going to escape.

Jim Mueller: There are alarm systems for that. The system is set up where it would alert the operators if they were not on site. It alerts them and there is a response.

Frederick McIntyre: Do these lights have to be changed?

Jim Mueller: Yes.

Frederick McIntyre: How often?

Jim Mueller: I am not sure. I really do not know. I would anticipate probably every six months if that. Again, it would depend on flows. This plant is not as high in use as other plants. This is sized accordingly.

Jill Gordon: Can you give us a specific number on how much this plant is supposed to be able to handle and future reference on future development, so we have a better handle on that?

Jim Mueller: On the SPDES permit and I am not sure if I have that with me.

Jill Gordon: Just before the next meeting?

Jim Mueller: We can give you that information. That is not a problem. Sure.

Sam Seymour: The copy of the permit we have shows that it is a 50,000 gallon per day plan for current. That would be the average monthly flow of 50,000 gallons per day. What the daily flow is today for the plan or through the last several months that would give us an indication of the existing usage and capacity. Are these UV lights designed for the total permitted flow?

Jim Mueller: Yes.

Sam Seymour: Okay.

Acting Chairman Bowen: Are you looking for information?

Jim Mueller: I was just trying to see if I do have the SPDES permit. I do not believe I do.

Jason Inda: We have a copy of that in our meeting folder. It is rather lengthy.

Sam Seymour: It was attached to a letter from the DEC to Todd Cook December 28, 2020.

Jim Mueller: We can also give you the average daily flow in terms of the permit and everything else.

Sam Seymour: Good.

Acting Chairman Bowen: Mr. Mueller, in Mr. Elliotts December 1, 2023, letter on the second page he indicates that the EPA and under SEQR this project would not require any formal environmental review. Can you explain why?

Jim Mueller: Yes. That is correct. There are conditions in the EPA they are called categorical exclusions. One of them relates specifically to sewer systems and upgrading for minor expansion, upgrading and rehabilitation. That basically is what this is upgrading. It is minor. Under SEQR it is a Type II, which are excluded from the process, which is comparable to the EPA categorical exclusions, Under SEQR there are replacement, rehabilitation and reconstruction of a structure or facility in kind on the same site is one section and construction or expansion of primary or accessory non-residential structure or facility involving less than 4,000 square feet and not involving a change in zoning or use variance. There are two categories that this would fall under.

Acting Chairman Bowen: Thank you.

Sam Seymour: When these improvements were proposed, was there an original DEC office review?

Jim Mueller: Yes. They approved the plans. That letter was provided to the Town Board in their package.

Sam Seymour: Okay. That is the whole comment that David would be looking for.

Diane Graham: What are we looking for?

Sam Seymour: The design approval from the DEC.

Diane Graham: Is that something we did not receive?

Sam Seymour: It probably occurred quite a while ago.

Jim Mueller: I was at the Town Board meeting which I believe was July or August.

Diane Graham: It was May or June I heard. I did not know about it.

Jim Mueller: Oh.

Diane Graham: Do you want a copy of that?

Acting Chairman Bowen: It would be good to have it for our record.

Jim Mueller: The DEC approval?

Acting Chairman Bowen: Right.

Jim Mueller: Sure. Not a problem.

Diane Graham: Is it in the form of a letter?

Jim Mueller: Yes.

Diane Graham: Okay. The December 28, 2020 letter not what you are looking for?

Acting Chairman Bowen: That was renewing and modifying the permit.

Diane Graham: Okay. So, a copy of the original DEC approval letter.

Acting Chairman Bowen: The approval of design.

Diane Graham: Okay. Then provide the current and expanded capacity for developed and undeveloped.

Acting Chairman Bowen: Any questions or comments from the Board? Just know for the record our Code Enforcement Officer has indicated that no variances are needed on this project. Is that you're understanding too?

Jim Mueller: Yes.

Acting Chairman Bowen: We also have a letter dated December 15, 2023 from NYS Parks Recreation and Historic Preservation that the proposed project has no negative impacts on archeological or historic sites nearby. We have your county agricultural data statement and your letter from Mr. Elliott that the project is exempt from any full environmental review. We do have a letter from attorney for Mr. Cook and the applicant that the matter is exempt from review by the Bristol Harbour Village Environmental Committee, which I have not actually researched it. He has assured us that this is exempt from their committee simply because the project is not a resident of the village homeowners association so they would not qualify under the bylaws of the homeowner's association that residents are subject to the jurisdiction of that committee. Not being a resident, this facility would not be. Other than that if there is no other questions or comments we will schedule the application for final review and public hearing on January 17, 2024. In the meantime, Mr. Mueller you will provide us with the DEC design approval letter as well as the data concerning capacity and flow of the treatment system.

Jim Mueller: Yes.

Town of South Bristol Planning Board Meeting Minutes 12.20.2023 Approved

Acting Chairman Bowen: Assuming we get all the information before the next meeting to review ahead of the meeting otherwise it will go to the February 21st meeting.

Jim Mueller: No. You will have it in a timely fashion.

Acting Chairman Bowen: Okay. Anything you need from us?

Jim Mueller: No.


Acting Chairman Bowen: Okay. Thank you very much.

Jim Mueller: Thank you.

Motion to Adjourn

Being no further business, Sam Seymour moved to adjourn the meeting. Jill Gordon seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 6:58 pm.

Respectfully submitted,

A handwritten signature in black ink, reading "Diane S. Graham". The signature is written in a cursive, flowing style.

Diane Scholtz Graham
Board Assistant