

# Town of Bristol

Planning Board  
Meeting Minutes  
February 4, 2013

**Members Present:** Chairman Nate Harvey, Joann Rogers, Bob Stryker, Bob Raeman, Bob Drayn and Secretary Sandra Riker

**Others Present:** Laura & Tim Fox, Fran Morgante

**Minutes:** The minutes from January 8<sup>th</sup> were reviewed and the following changes need to be made:

- Under Richards Preliminary Site Plan: regarding septic system “The Board said that was well and good but before Final Site Plan approval there would need to be something in writing with regard to the approval by the Department of Health and inspection would be done by the Ontario County Soil and Water Conservation District per Cheryl Robbins, Engineer for the Department of Health.
- Under Minutes of December 3, 2012: The second correction is “Ontario County Soil and Water Conservation District” made no warranties as to how long this system would operate correctly.”
- Under Expansion of home occupation: They have had preliminary discussions and it will be included on the February agenda.

A motion was made by Bob Stryker and seconded by Joann Rogers to accept the January 8<sup>th</sup>, 2013 planning board meeting minutes as amended with the above changes.

Bob Raeman asked if when last minute additions were made to the agenda the secretary could please advise all Board members as soon as possible. The Chairman suggested if there needed to be informational meeting additions that a cut- off date of the Thursday prior to the meeting be used, that way giving the secretary time to advise the Board of the changes. The secretary will see if this would be an acceptable procedure for the Zoning Board of Appeals as well.

## **Tim Fox Informational Meeting:**

Tim was asking the Board for clarification on the comments previously made by the town attorney, Bill Kenyon with regard to Fox’s possible purchase of 10 acres from Patsy Muller. Muller owes 3 of the 4 lots on the private drive created when she subdivided her lands in 2009. Fox owns the 4<sup>th</sup> lot. Under Article four Section 12 of the minor subdivision regulations it is stated: 2) a private drive may serve a maximum of three (3) lots. However, with the permission of the Planning Board, a private drive may serve a maximum of five (5) lots provided that two (2) of the five (5) lots are of conforming size, have frontage on an existing public street or road and are located to either side of the proposed private drive. The length of the private drive

may vary, but shall be designed for convenience to traffic, effective police and fire protection, safety and ease of maintenance.

- Will the 10 acres come off 109.00-1-84.110 (owned by Muller)? The answer is yes.
- What will be the configuration of the 10 acre piece be, would it be considered a lot? The configuration is in the shape of a rectangle and is across the private drive from the Fox existing parcel. It would be a separate parcel from the parent parcel.
- There is 100' of frontage on Baptist Hill Rd for parcel 109-00-1-84.100. How much of that frontage would Fox be purchasing? The answer is none. Therefore, two of the four parcels on the private drive would continue to have road frontage.
- Would he be asking Muller for an easement across the private drive owned by Muller to connect the two parcels? The answer is yes.

In view of the answers to the above questions the Planning Board believes the best solution is to allow Fox to annex the new parcel to his existing parcel of 109.00-1-22.210, in that way another building lot is not being added to the private drive. The 10 acre parcel does not have road frontage only frontage on the private drive.

The Board asked Mr. Fox why he wanted to do this, and he replied to create buffering from future building. His thought is that if it can be attached to the existing parcel that is fine but not necessary for him, he will proceed whichever way works the best. The Board said that if the lots were combined there would not need to be a second private drive created. They asked the secretary to contact Bill Kenyon for his opinion based on the answers to the above questions. The Chairman said the Board would be acceptable to the idea of annexing the new parcel to the existing parcel and did not find the idea of creating 2 separate lots for Fox a good solution. The Board asked how many users are on the private drive now. Fox said two, Mrs. Muller and the Fox family.

The point was made that the Board would need to see the easement prior to approval for the subdivision and annexation according to the "Design Criteria & Construction Specifications" of the town, Section I.15.2 Easements.

The secretary will let the Board and Mr. Fox know the result of Mr. Kenyon's comments.

### **Posting of Minutes:**

The secretary provided a group of emails received from other Planning and ZBA secretaries in the County and even one from Pittsford and how they post their minutes and the time frame. The decision was made by the Planning Board of the Town of Bristol to continue with the practice they follow now. The "draft only" minutes will be made available to the Board members two (2) weeks after the meeting allowing them time to review and consider if changes need to be made. They will advise the secretary of these changes at the next meeting and will approve them with changes or not at the next meeting. After that the changes have been made, if necessary, the minutes will be sent to the Webmaster for posting on the Town website. Their feeling is that posting unapproved minutes only leads to confusion and misunderstanding. The "draft only" minutes will be available for the public viewing in the town hall at the same time as they are available to the Planning Board. The Chairman will share this with the Town Board in his monthly report in February.

## Home Occupations:

The Chairman presented a paper with his thoughts to encourage and stimulate home occupations in the town of Bristol.

- Remove the size limitation for an accessory structure with regard to its use for a home occupation. Under the current zoning it states the structure cannot be more than 750 sq. feet in size. He would like to see the size limitation removed but setbacks and other criteria would still need to be met. Other towns such as Lancaster, South Bristol and Victor do not have a size limit on accessory buildings.
- He also felt that the words “or similar to” should be added to all our lists of acceptable uses to assist the ZBA in determining acceptable uses for permit applications, in the past some applications have been denied because a specific use was not clearly listed.
- Add a definition to our local law to include “Special Event Facility” —a facility which is rented by an individual or groups to accommodate private functions, including but not limited to banquets, weddings, meetings and other similar celebrations or events. Such use may or may not include kitchen facilities for the preparation or catering of food. The Board agreed this should be treated as a Special Use Permit as opposed to an allowed use and be included in the A-C, L-R, and M-R districts of the town.

Respectfully submitted,

*Sandra Riker*

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These minutes were approved at the March 4, 2013 meeting with a motion by Robert Raeman and a second by Robert Stryker.