

Town of Bristol

Planning Board

Minutes

July 1, 2013

Members Present: Acting Chair Bob Stryker, Bob Raeman, Bob Drayn, Joann Rogers and Secretary Sandra Riker

Excused: Nate Harvey

Others Present: Sue Gresens, Rae & George Huxoll, John Himmel, Richard & Ida Kennedy, and Gary McIntee

The meeting was opened with the Pledge of Allegiance.

Minutes: The minutes of June 3, 2013 were reviewed and accepted as written with a motion by Bob Raeman and a second by Bob Drayn. All Board members present approved.

Kennedy Subdivision:

The Acting Chair opened the public hearing noting that a legal notice had been posted and the neighbors notified of the pending subdivision. It was noted there were no concerns from the public and or neighbors. The public hearing was then closed.

Mrs. Kennedy advised the Board the purpose of the subdivision is to reduce the acreage owned by them at 4494 Kear Road. The parcel is 20 acres in size with a house, garage, outbuilding and 2 ponds on it. The Kennedy's wish to divide it in ½ in order to sell off 10 acres with a pond and outbuilding and retain the other ½ with the house, garage, and second pond. The Board asked if there was electric to the outbuilding and Mr. Kennedy replied no, it was merely a storage building. There were no further questions from the Board. The map was reviewed and found to be in order.

The Acting Chair then addressed the environmental impact statement and the following decision was made: a one lot subdivision of lands owned by the Kennedys at 4494 Kear Road, a/k/a tax map # 124.00-2-30.200 was approved as follows:

Whereas, the action does not exceed a type 1 threshold in the 6 NYCRR, part 617.4, and

Whereas, a coordinated review is not necessary with any other agency, and

Whereas, there will be no adverse effects to the environment, and

Whereas, the project will not have an impact on the environmental characteristics that would create a critical environmental area, and

Whereas, there will be no controversy related to potential environmental impacts,

A motion was made by Bob Raeman with a second by Bob Drayn to approve the impact assessment for this subdivision. All Board members agreed.

Therefore, the division of Kennedy lands at 4494 Kear Road into two parcels both being 10 acres +/- is approved based on the setbacks are met, the map is clearly marked, a public hearing was held and neighbors within 500' have been notified and expressed no concerns, and SEQR has been accepted. The motion was made by Bob Raeman with a second by Bob Drayn and all Board members present agreed.

Gresens Subdivision:

The secretary advised the Board that the legal notice and neighbor notification had been completed prior to this meeting. The Acting Chair then opened the public hearing for the subdivision application of Susanne Gresens of County Road 32.

Mrs. Gresens explained that she will be splitting up her 21.1 acre parcel by conveying a 12.26+/- acre piece to Mrs. Huxoll and she in turn will annex it to her parcel adjoining the land in question. She explained that Mrs. Huxoll will maintain the land as it is and will adjoin it to her parcel that has a 66' R.O.W. providing road access for the new piece thereby not making it a land locked parcel. Mr. Himmel was the only neighbor out of the nine contacted that had a concern and he was satisfied with the answer Mrs. Gresens provided. A neighbor, John Himmel said he was satisfied with the explanation of the subdivision of the Gresens lands.

The portion of the lands being conveyed to Mrs. Huxoll would be landlocked if not annexed to her existing parcel #137.00-2-1.122 which already has a Right of Way on it providing access to County Road 32. The Board asked if the 66' ROW was a clean access or was it in steep slopes. The access is clean and steep slopes are not involved.

The public hearing was then closed. The Environmental Impact Statement was reviewed and:

***Whereas, the action does not exceed a type 1 threshold in the 6 NYCRR, part 617.4, and
Whereas, a coordinated review is not necessary with any other agency, and
Whereas, there will be no adverse effects to the environment, and
Whereas, the project will not have an impact on the environmental characteristics that would create a critical environmental area, and
Whereas, there will be no controversy related to potential environmental impacts,
A motion was made Joann Rogers with a second by Bob Drayn to approve the impact assessment for this subdivision. All Board members agreed.***

***A motion was made by Bob Raeman with a second by Bob Drayn with all Board members agreeing that the one lot subdivision of Gresens lands at 7491 County Road 32 into two parcels is approved. One parcel being retained by you of approximately 8.79 +/- acres and the second parcel of 12.26+/- acres being purchased by Mary Rae Huxoll and annexed to her parcel # 137.00-2-1.122 is approved based on the following:
A public hearing was held and the concern of a neighbor was satisfied by you, the map presented by you was clearly marked, all fees for the application have been paid, and the environmental impact assessment was approved by all Board members.***

McIntee Subdivision of lands on County Road 33:

Mr. McIntee advised the Board he has a letter from Nov. 18, 2012 from the Board after the informational meeting he requested with regard to a proposed subdivision of his lands on County Road 33. He and his surveyor, Rocco Venezia used the letter as the basis of his subdivision map that he is presenting to the Board this evening. He went on to explain that he had Troy Paige of the Ontario County Highway Dept. come and look at the proposed driveway for the two parcels and he had no concerns with their placement. They also agreed on the size of the culverts needed at the road under the driveways. The new one will be to the agreed size and the existing one will be enlarged to be of the same size.

The Board asked which parcel he will be retaining. He replied he will keep the lands of the back parcel that has a barn on it and selling off the remaining lands with the house and garage. The Board inquired if the barn utilities are fed off the house and they were advised it is a separate line of its own. On the lands he is retaining he said he will be building a new home towards the back of the parcel so he will not need a variance for setbacks if it were built closer to the road, in this way he will not be increasing the density of homes by the road in the area.

The Acting Chair then opened the public hearing and noted a legal notice had been placed and neighbors notified. Mr. McIntee said he had one neighbor call and inquire if he would be selling the property to a hunter and he advised him that he would be retaining the larger land parcel. A Board member noted that the map addressed all points of the letter from last November. It was noted that there was no pin shown for the south corner of the road frontage and McIntee told them it had been there but he had the Surveyor move it to make both parcels road frontage in compliance with the zoning regulations. The public hearing was then closed.

The approval of a one lot subdivision of lands owned by Gary McIntee at 5245 County Road 33, a/k/a tax map # 151.00-1-66.121:

***Whereas, the action does not exceed a type 1 threshold in the 6 NYCRR, part 617.4, and
Whereas, a coordinated review is not necessary with any other agency, and
Whereas, there will be no adverse effects to the environment, and
Whereas, the project will not have an impact on the environmental characteristics that would
create a critical environmental area, and***

***Whereas, there will be no controversy related to potential environmental impacts,
A motion was made by Bob Raeman with a second by Bob Drayn to approve the impact
assessment for this subdivision. All Board members agreed.***

***A motion was made by Bob Raeman with a second by Joann Rogers with all Board members
agreeing that the one lot subdivision of McIntee lands at 5245 County Road 33 is approved
based on the following:***

***A public hearing was held and all neighbors within 500' were notified and no concerns were
expressed, the map presented by you addressed all the areas of concern that the Planning
Board previously listed in the letter of November 18, 2012, the question regarding a lack of a***

pin at the corner of lot 2 at the road has been satisfied, and the environmental impact assessment was approved by all Board members.

Koelsch Informational Meeting Regarding construction of path in steep slopes:

Mr. Koelsch advised the Board that he has property at 6644 Day Road and the base of the property is behind the corner parcel at 4503 State Route 64 and the property of Edie Thomas at 4505 State Route 64. He would like to have a narrow path across the bottom of his lands to be able to access a flat area that is by the stream. It would involve terracing off the lands behind 4503 in order to construct a narrow path used for walking and perhaps small vehicles. The area that he wants to access has a lot of debris including an old residential oil drum, the path would provide him with a way to remove the debris and make the area usable for family outings. He has been advised by the Code Enforcement Officer that if the area in question is on slopes greater than 15 degrees it will require a steep slope permit and site plan application to the Planning Board.

Mr. Koelsch has already met with PJ Emmerick of OCWSCD and the Code Enforcement Officer for advice as to the correct method of construction of his path to prevent soil erosion of the hillside. The Board made the following recommendations for site plan application to be prepared for the next Planning Board meeting:

- identify the area of disturbance
- Provide documentation:
 - 1 showing where the path will be located including both width and length
 - 2 detail the practices you will use to complete your project
 - 3 how you will maintain the path once it is completed
 - 4 what type of materials you will use in your project
 - 5 describe what and how you will use the cut & fill process to level the path
 - 6 identify the material you will use to seed the area disturbed while it returns to its native state.

It was suggested that in your documentation you address:

- 1 How you will handle the storm-water runoff
- 2 The construction of a silt fence
- 3 The limits of your activity as well as a list of the activities involved with completing your project
- 4 It was suggested you flag the area and take photos showing exactly the area of disturbance

Mr. Koelsch said he would be in to get the site plan application tomorrow.

Cramer Subdivision:

The Planning Board denied the subdivision application as follows:

- While a new map was submitted for the July 1st meeting the actual application was not updated and resubmitted after it was withdrawn by you at the June 6th meeting. The Board agreed to waive the fee for the resubmitted application.

- The Board is concerned that the map and application do not reflect the additional owner of your parcel # 150.00-3-57.110. You have provided us with a letter dated April 2, 2010 that indicates that Christopher T. Sierzchula will receive a minimum of \$10,000 when the entire parcel is sold. This does not indicate he is aware of the sale of the ¼ acre piece off that parcel to Edward Zink. There needs to be a more recent letter indicating he is aware of such a sale. I have spoken with the Assessor who advises that the application should also be signed by Christopher, who is listed as a co-owner of your lands or it will not be accepted for filing at the County Clerk Offices.
- The map while it now properly reflects the transfer of lands from you to Zink it is missing several important features:
 1. The title needs to indicate that the lands belong to Mr. Sierzchula as well as yourself.
 2. There needs to be contours on the map to reflect the character of the lands.
 3. There are no buildings indicated on either your parcel or Zink's. Any structures should be included on the map.

The meeting was then adjourned with a motion by Bob Raeman.

Respectfully submitted,

Sandra Riker

Planning Board Secretary

Town of Bristol

August 5, 2013 The July Planning Board minutes as written were accepted by a motion made by Bob Stryker and seconded by Bob Drayn. Bob Raeman excused, Nate Harvey abstained due to absence at July meeting, Joann Rogers aye, Bob Stryker aye, Bob Drayn aye, Sandra Riker as alternate aye.