

Town of Bristol  
Planning Board  
November 4, 2013  
Minutes

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

**Others Present:** Mr. & Mrs. Croft Gorsline, Dan Seeley, Ed Summerhays, Attorney James Bonsignore, Greg Hotaling from MRB Group, Jeff Harloff, Fran Morgante, Barbara Pfenninger, Richard Rogers, Linda Dryer, and Nick Cohen

**Minutes:** The minutes of October 7, 2013 were reviewed and approved with a motion by Bob Raeman and a second by Bob Stryker. All Board members agreed.

**Barbara Pfenninger Parcel Combination:**

Mrs. Pfenninger presented her application for parcel combination of lots # 109.00-1-46.100 a/k/a 7359 Tilton Road, 109.00-1-47.000, 109.00-1-48.000 on Tilton Road in the Town of Bristol. The lots are owned by Mrs. Pfenninger and her husband G. Edward Pfenninger. She also presented a survey map completed by Rocco Venezia and a Schedule A describing the new meets and bounds of the combined parcels. The Board reviewed the requirements necessary to complete the parcel combination and found they have all been met. The Board had no further questions and a motion was made by Bob Drayn with a second by Bob Stryker to approve the parcel combination. All Board members agreed.

The Secretary advised Mrs. Pfenninger that the application would be signed by the Chairman and forwarded to the Assessor for her approval as well. It would then be sent to Real Property Mapping at the County to be completed.

**Gorsline Major Subdivision:**

Mr. Bonsignore advised the Board in a letter dated October 21, 2013 he addressed the Major Subdivision application and the Waiver Requirements under Article IV Site Improvements, Section 18 Design Standards and asked that the Board consider these points when reviewing this application and keep in mind this is not a traditional Major Subdivision involving 4 or more lots for the purpose of creating a neighborhood but a "realty subdivision" given the lots are all greater than 5 acres in size. A definition of realty subdivision was provided by Greg Hotaling of MRB group in their reply to Mr. Bonsignore's request for Waiver. It is "the sale, rental or offer for sale or lease of any tract of land, under one ownership or common scheme, which has been subdivided into 5 or more residential lots designed by meets and bounds, each comprising of 5 acres or less within any three year period." He explained that this is found in New York Realty Laws.

A concern of the Board is that once this is approved the individual lots will not be reviewed for site plan approval.

The Board asked what did Mr. Bonsignore hope to accomplish this evening, he said that his client was hoping for both Preliminary and Final approval based on their compliance with MRB Group recommendations.

Mr. Summerhays, the surveyor for the application addressed the 9 points that MRB Group (town engineers) brought up in their review of the application and Mr. Bonsignore's letter.

1. At this time none of the lots are being regarded as residential.
2. All lots are identified with a potential driveway location that meets the sight distance requirements, however, this information should be added to the proposed subdivision plan.
3. Summerhays said he is certified to preform percolation tests and has completed the tests on all five lots. MRB recommends this information be included on the proposed subdivision plan.
4. With regard to wetlands, streams, mature trees, etc. through the new Short Form EAF it was determined on the southeast corner of lot #3 there is a potential wetland.
5. The wetland boundary needs to be depicted on the subdivision plan. No one has checked on this information but it should be done by a biologist.
6. It is noted that lots 3 and 4 do not have the required 66' road R.O.W only 49 1/2'. This issue needs to be addressed by the Town Highway Superintendent.
7. Setback lines are shown on all but the parcel being retained by the owner. It should be included as well. The Planning Board observed the parcel being retained by the owner has the smallest access to the road, it being 200' and questioned why. Summerhays said this was determined by how the buyers concept of how the parcel would be divided. The Board wants it known that if this parcel is sold it will be the only access and there could be a potential problem for putting in an adequate driveway given the steep slopes of the land.
8. Water, Fire, and Special Districts need to be included on the subdivision plan.
9. While it is noted that there is no site improvements at this time a note should be added to each lot on the subdivision "this is not an approved building lot until it has gone through site plan review process by the Planning Board.
10. MRB is suggesting that the Planning Board could place deed restrictions on the lots.

The public hearing notice was read and the public hearing from August was reopened by the Chairman. Fran Morgante said she has a concern with the project in that her lands are downhill of the subdivision and any negative impacts regarding soil conditions, erosion, storm water runoff, etc. would be a problem for her. She also expressed a concern about the access road that goes over the stream on the back of her property. The Board explained that there is no development proposed at this time and each lot will have a site plan reviewed by the Planning Board and these will be open meetings. The public hearing was then closed.

SEQRA and Final Approval were then addressed by the Board as follows:

WHEREAS, the Town of Bristol Planning Board, (hereinafter referred to as Planning Board) is considering an application for Final Subdivision approval for a five lot subdivision of a 126.5 +/- acre parcel (tax map # 137.00-2-12.100) where the remaining 53.8 +/- acres will be retained by the owner. The other four lots will be conveyed into larger than 14 acre lots which will remain vacant at this time as described in the Final Subdivision Plans date July 19, 2013 and all other relevant information submitted as of November 4, 2013 (the current application) and,

WHEREAS, the Planning Board completed a formal review of the proposed development in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQR), and

WHEREAS, the Planning Board has determined the proposed development to be an Unlisted action and is subject to a single agency review pursuant to Part 617.6(b)(4) of the SEQR regulations, and

WHEREAS, on November 4, 2013 the Planning Board, serving as lead agency, made a determination of significance and filed a negative declaration thereby concluding review pursuant to SEQR, and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby approves with the following conditions;

1. All comments identified in the Town Engineer's Letter, dated November 4, 2013 shall be addressed prior to the Planning Board Chairman's signature being affixed to the Final Subdivision Plans.
2. The Final Subdivision Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Final Subdivision Plan Approval have been met and shown on revised drawings including the revision date, the Planning Board Chairperson will then sign the Final Subdivision Plans.
3. The road Right of Way will be widened to accommodate 4 Rods on parcels # 3 and #4 pending approval of the Town of Bristol Highway Superintendent.
4. Each lot as shown on the Final Subdivision Map does not have approval as a building lot until a Site Plan has been submitted and approved by the Planning Board, prior to any construction on each lot.

The above Resolution was offered by Bob Raeman and seconded by Bob Drayn at a regular scheduled Town of Bristol Planning Board Meeting held on November 4, 2013. Following discussion, a voice vote was recorded:

Robert Stryker- aye  
Robert Drayn Jr. - aye  
Joann Rogers- aye  
Robert Raeman- aye  
Nathan Harvey- aye

**Rogers Informational Meeting regarding one lot subdivision:**

Mr. Rogers informed the Board he has a gas well on his property that has been in existence for a number of years. It is a private well that provides natural gas to his home as well as the neighbor. It was originally purchased by his Father when both parcels were one. He is concerned because the neighbor would like to get an easement to the well and Rogers feels this would be a liability to him. The well is registered to Rogers at the County, the Assessor and the DEC. He thought it would be in his best interest to subdivide the land that the well is on from the rest of the lands owned by him.

The Board told him the minimum requirement for a single parcel would be a minimum of 2 acres with 200' of frontage in the A-C district where his property located. They suggested he contact the Assessor for information regarding taxes on the new parcel as it will be considered a potential building lot. He would need to have the lands surveyed and follow all regulations for a minor subdivision.

**Koelsch Steep Slope Application:**

After some discussion the Chairman decided to table this for next month's meeting.

Proposed Zoning Changes:

Due to the late hour these will be addressed at next month's meeting.

A motion to adjourn was made by Bob Raeman.

Respectfully submitted,

*Sandra Riker*

Secretary to the Town of Bristol  
Planning Board

The November 4<sup>th</sup>, 2013 minutes were approved as written by the Planning Board with a motion by Joann Rogers and a second by Bob Stryker.

Nate Harvey aye

Joann Rogers aye

Bob Drayn aye

Bob Stryker aye

Bob Raeman was excused from the meeting.