



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

Planning Board Meeting Agenda

Wednesday, September 17, 2025, at 6:30 pm

Meeting in-person or by joining Zoom

<https://us02web.zoom.us/j/86298092707?pwd=sG6zUwrJnFnfPLOWGMbCKQKuZU009h.1>

Zoom Meeting ID 862 9809 2707, Passcode 677099

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 April 16, 2025

New Business

Site Plan Approval Application 2025-0006

County Planning Board Referral: Exempt
Owners: Christine B. Spitz Revocable Trust
Representative: Steven Spitz
Property: 6961 Granger Point Drive
Tax Map: 191.17-1-9.000
Zoned: LR (Lake Residential)

Other

Review definitions for Chapter 88 and Chapter 170

Motion to Adjourn

Town of South Bristol Planning Board Meeting Minutes Approved Wednesday, September 17, 2025

Present David Bowen
Daniel Crowley
Jason Inda
Bruce Mackie
Michael McCabe
Frederick McIntyre
Paul Miller
Sam Seymour

Absent Cody Koch

Guests In-person: Christine & Steven Spitz
Zoom: Brian Hemminger

Call to Order

The meeting of the Town of South Bristol Planning Board has been called to order at 6:31 pm. All Board members were present, except for Cody Koch.

Reading of Vision Statement

Chairman Bowen read the Comprehensive Plan Vision Statement.

Meeting Etiquette

Chairman Bowen reviewed meeting etiquette.

Meeting Minutes

Sam Seymour made a motion to approve April 16, 2025, meeting minutes as amended with changes to page 10 drywell, page 13 reports, page 14 Seymour, and page 18 metes. Frederick McIntyre seconded the motion. The motion was unanimously adopted by all Board members present.

New Business

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Owners: Christine B. Spitz Revocable Trust
Representative: Steven Spitz
Property: 6961 Granger Point Drive
Tax Map: 191.17-1-9.000
Zoned: LR (Lake Residential)

Chairman Bowen: Good evening, sir. What is your name please.

Steven Spitz: Steve Spitz.

Chairman Bowen: Who is seated to your left.

Steven Spitz: Chrissy Spitz, my wife and the owner of the house.

Chairman Bowen: Alright. Do you have her authority to speak on her behalf?

Steven Spitz: Yes.

Chairman Bowen: Okay. Please describe your project to the board please.

Steve Spitz: To install three-foot-high aluminum anodized decorative fence six inches off the property line. The Granger Point Road drives down into the front. The front stays the same because it really for the rear of the property fronts the lake. So that we can have safe and enjoy our space including our grandkids and their dogs. It is not a dog fence, but I want to have a clear barrier that established the property lines because there was a lot of confusion between Jay, Joel and myself down there we use the space not strictly in conformance with the property line. It just clarifies things and want to make sure that I had done it especially at this point in my life because Chrissy and myself will be spending more time down there and the kids do not want to come down and leave the pets at home. That is the reason. I want to avoid future problems because you are fine with your neighbors and the Lincolns were living down there. You have normal behavior, right. Now we have two bnb's on either side of us and they are all great people. I am not saying anything about the people. Chrissy is a wonderful neighbor. She knows everybody. She loves having social time with people who rent and that type of thing. More so when Lincoln's were living down there full-time. What happens with the bnb is people rent it for a week or two weeks. If they rent it for a week, they spend a lot of money for the week and every day.

We used to rent, you want your friends over and you want have your family over they bring their pets and that is fine, but you do not really understand the boundaries. Our yard is kind of unique because we left it open between the two properties because we had a severe water problem and we were really thinking of putting a fence up and talking to Lincoln's about that. To correct the problem with the drainage we left it wide open. The drainage problem was taken care of and fixed. We do not have that problem anymore so we would like to close off with a decorative fence. The dogs do not know when they come down with somebody, if it is open they come over to say hi to you. We have a couple of French bulldogs, and he is a tough one. The kids have to have the dogs on the leash all the time. Anyway, we would like to have quiet use of our property where our property lines are so the next time somebody moves in, I do not have to explain the same stuff, and we do not have to go over and talk to the renters and say look it keep an eye. That is not our job.

Christine Spitz: The renters' dogs keep pooping in our yard. Even when we have spoken to them the owners of the one house just open the door and their dog comes over and poops.

Chairman Bowen: And the dog warden in town is hard to find.

Steven Spitz: She is much more pointed and to the point.

Chairman Bowen: That is on both sides you have short-term rentals?

Christine Spitz: Yes. There are short-term rentals on both sides.

Chairman Bowen: Understood.

Christine Spitz: The one house where they bought Lincoln's house the new owner's dog as well as the renter's dogs just open the sliding glass door, and they come over and poop in our yard.

Steven Spitz: They have the message now.

Chairman Bowen: They never go on their own.

Steven Spitz: They are nice people who come from nice families and their dog is great.

Christine Spitz: We do not have a dog, so I do not really feel like cleaning up after their dogs. Our kids are not down there that often. It is really us cleaning up other dogs.

Steven Spitz: The kids do not want to come down and have to deal with it.

Christine Spitz: They don't.

Steven Spitz: We have a six-year-old grandson who is going to want to come down with his friends and stuff. It is time for us to have a decorative fence, so we do not have to worry, and we do not have to have those kinds of issues where we have to go and confront somebody.

Daniel Crowley: Is there some sort of variance being sought with this?

Steven Spitz: There was a split-rail fence that went down before.

Daniel Crowley: I guess my point is that you are doing a lot of explaining and convincing. I think it is a good fence and a great idea.

Chairman Bowen: Brian, is there something you would like to add?

Brian Hemminger: No. I just wanted you to know there is no variances.

Chairman Bowen: Any questions or comments from the Board?

Bruce Mackie: I think the applicant that the fence you are proposing to put in is along your property boundary within six inches, did you say.

Steven Spritz: Yes.

Bruce Mackie: That is inside the side yard setback. Wouldn't you need a variance for that fence?

Daniel Crowley: Fences do not comply. I think fences are actually supposed to be as close to on the line as possible. Within the property line, right.

Bruce Mackie: I am looking at the site plan plot Plan of Land Revocable Trust of Christine B. Spitz dated August 21, 2025. Under lot coverage existing you total up all the coverages and then under the lot coverage proposed you have included the fence. So, as a point of clarification shouldn't the fence also be included in the existing lot coverage?

Brian Hemminger: No. It is what is there presently right now and what will be there after he is done, which is adding the fence. I was asked to figure out the posts and how much they were going to be. The

removal of the patio is what he said he would do. The existing is what sat there on May 14th when I went out to do the field work. The proposed is what will be, what we are asking for.

Bruce Mackie: That site plan shows an existing fence. Is that going to be taken down, the split-rail?

Brian Hemminger: That part of the split rail is going to stay.

Steven Spitz: There is one eight-foot section that is coming down.

Bruce Mackie: To clarify shouldn't that eight-foot section you said is coming down or is it going to stay?

Steven Spitz: No. The eight-foot section of split-rail fence is coming down.

Bruce Mackie: It's coming down. It is going to be removed.

Steven Spitz: So, we can put the fence and gate where I would like to put it just beyond the chimney.

Bruce Mackie: The plan says existing split rail fence to remain. That is not correct, is it going to be removed?

Steven Spitz: One section is going to be removed. The split-rail fence is open.

Bruce Mackie: Okay. I was trying to make sure everything matches between existing and proposed. The fence you are installing is going to be open too, right.

Steven Spitz: No. Lincoln's got their second dog. The dog was excited as a puppy right, so he came flying through the middle of the split-rail fence a couple of times.

Bruce Mackie: I think your application has a picture of the fence you are proposing and that is open. So, your dogs are not going to be able to get through there?

Steven Spitz: I brought a picture of the fence. I do not know if that was part of the submission.

Diane Graham: There was a metal fence picture that you have given to give to the board members.

Steven Spitz: I brought some extra copies of the fence.

Bruce Mackie: So long as you are confident that the dog cannot get through there. Okay.

Steven Spitz: Yes. Right.

Bruce Mackie: Okay. I was trying to unconfuse myself about the existing fence, lot coverage and the new fence.

Chairman Bowen: The patio comes out which cancels out the lot coverage of the new fence posts.

Bruce Mackie: Right. It will still be a reduction in total coverage. I just assumed that the existing split-rail fence to stay would be under the existing lot coverage. If I am wrong, I am wrong.

Daniel Crowley: Your point is that whatever coverage of the posts of the existing split-rail are not in the existing?

Bruce Mackie: Correct. Since we are adding them in to the proposed I guess we do count that in the ones that are. It is trivial but your site plan is going to get approved so you do not want it to be an issue down the road for somebody else. I am trying to get it squared out that is all.

Steven Spitz: Well we could add another .2 square feet.

Daniel Crowley: Which is what it is I think. .4 square feet per post which I am counting eight. If one section is coming out you have nine existing posts. So, .36 square feet added.

Bruce Mackie: No more questions thank you.

Chairman Bowen: Anybody else? I do not think we need additional documentation, do we other than I will fill out the SEQR form? We have a site plan don't we?

Diane Graham: On here it tells you what we have.

Chairman Bowen: I understand that. It says site plan, SEQR or other public officers' information needed before scheduling final. We have site plan, right.

Diane Graham: Right. Any changes or other documents that are needed before.

Chairman Bowen: The fences are exempt from County Planning Board referral, so we do not need to send this on to Canandaigua for review. We have your agricultural data statement showing that there is a vineyard approximately 50.70 feet away from the property, which we know from many other applications in your neighborhood that the vineyard is there. This would not appear to pose any threat environmentally to that vineyard operation. We got your archeological site determination letter dated August 7, 2025. We also got your bald eagle determination of no impact dated August 13, 2025. The Certificate of Non-Conformity was issued by Code Enforcement on August 21, 2025, concerning the lake frontage, side setback, front setback, lot area and lot coverage. The property is in the 100-year flood plain which we know as well your neighbors are as well. I would view this as a complete application and we will schedule it for final review and public hearing on October 15, 2025, meeting so you will have to be back here. I think that is it.

Steven Spitz: Thank you for your time.

Chairman Bowen: Just note under our zoning code chapter 170-56 we do have a section on fences and hedges. I will not bother reading through all that, but your proposed fence is compliance with all the requirements of that code section. You are all good as far as I can see.

Steven Spitz: Thank you. I think it is going to look pretty.

Chairman Bowen: The lawn will look better.

Daniel Crowley: Smell better.

Chairman Bowen: Sorry you have to come back next month, but we will be happy to have you. Good Thank you for coming in.

Steven Spitz: This was a short night for you.

Chairman Bowen: We have a little bit of stuff to cover still. Nothing terribly long.

Steven Spitz: Thank you Brian if you can hear me.

Diane Graham: He said thank you, Brian.

Brian Hemminger: Thank you.

Chairman Bowen: Thank you, Brian.

Brian H: Is there any changes you want done to the map. Do you want me add in half of the posts the square footage of each post. Do you want me to add that into the square footage?

Chairman Bowen: If there are changes that deviate from what you have presented then yes.

Brian H: Then I won't. I would be glad not to do any changes unless you want changes. Half of the posts which is on the line. I would have to figure out what the calculations are, but I did not add those posts into my calculations. If you want them added in I can and revise the map.

Chairman Bowen: I do not think that is necessary.

Brian Hemminger: I do not think that is necessary. Thank you very much.

Chairman Bowen: Thank you.

Other

Daniel Crowley will be the acting chair for October 15 meeting.

Review definitions for Chapter 88 and Chapter 170:

Chairman Bowen: They all start off in the definition section that the definition are specifically for that chapter and no others. I am unclear what the concern was that was raised by at least one member of the Town Board. I know one of the things was addressed that was in Chapter 88 the definition under manufactured home there is subsection one and subsection two in subsection two says the term also included recreational vehicles such as parked trailers, travel trailers, and similar portable structures when placed on a site for 180 consecutive days or longer and intended to be improved property.

Daniel Crowley: This is in the flood plain.

Chairman Bowen: That is in Chapter 88. Code Enforcement is to make sure that if there is an RV that is going to be on the property that is in the floodplain for more than 180 consecutive days as improved property, which is not defined in the code but I view that as something that is going to be there

permanently. Maybe they have done some landscaping, whatever. That conflicts with Chapter 170-64 on recreational vehicles which the Town Board adopted the section we had proposed to them and recommended to them dealing with use and occupancy for up to 160 days in a calendar year. The 180 conflicts with 160 so our current code does not allow you have an RV on your property to be used and occupied for 180 days. It says consecutive. It is not supposed to happen. The idea with the whole floodplain issue is RV, mobile homes that are not permanently attached to a foundation in a flood are movable and they can migrate and they can run into people's property, and run into people's houses and their structures and do a lot of damage. They require them to be tied down. Any mobile home or RV if it is improved property for 180 days it got to at least be tied down. I am essentially on a permanent foundation. But RVs by definition are not on permanent foundations. I have some thoughts on what we should do but I will open it to the floor to hear what you think.

Sam Seymour: There is not a lot of flood plain in the town.

Chairman Bowen: No. There isn't. I think where this all came up. In the committee I was on with Dan and Paul we had recommended that the use and occupancy of RV's be removed from Lake Residential zone and also the conversation overlay district. The conservation overlay district is all 100% in flood plain. Why would we want them there in the first place. That was met with one members objection I guess.

Daniel Crowley: Let me clarify then. Recreational vehicles in the conversation overlay district you are saying are not allowed.

Chairman Bowen: If you put one there it would have to be on a permanent foundation under Chapter 88.

Daniel Crowley: Got it. Because it is in the flood plain or attached.

Chairman Bowen: Unless it is attached to a permanent foundation and I do not know anyone with a recreational vehicle that has put it on a permanent foundation. I do not know why anyone would do that. I do not know why anyone would object to outlawing them in the flood plain district.

Daniel Crowley: I guess the question is that the attachment of the recreational vehicle is it defined as to how it has to be secured in Chapter 88.

Chairman Bowen: I believe it is tied down.

Daniel Crowley: It doesn't have to be attached to a permanent.

Chairman Bowen: Tied down to a permanent foundation.

Daniel Crowley: Okay.

Michael McCabe: Doesn't it also reference the fact that it has to be licensed and road ready doesn't that conflict with permanently tying it down.

Chairman Bowen: If it is less than 180 days.

Michael McCabe: It is noted that the manufactured home or RV and it seems a little vague to me if it is an RV it must be road ready and legally registered at all times. I do not see how you can permanently tie something down and maintain that status.

Chairman Bowen: Correct. That's where 180 days come in. I might of misspoke there.

Daniel Crowley: I see. If it is going to be there for more 180 days.

Chairman Bowen: If it is going to be there less than 180 days it has to be road ready and ready to be moved.

Daniel Crowley: Got it.

Chairman Bowen: I guess my problem with that why I thought with the overlay conservation district why we would want them there in the first place because a lot of recreational vehicles are brought to property and then the owners leave and leave it there. Typically, our risks of flooding here tend to be flash floods spontaneously and if somebody is not living here. They are in Rochester or Canada wherever they might be then their RV could be washed away. That is not what we are here about but that is what Chapter 88 distinguishes 180 between tied down and no tied down. Our use and occupancy of an RV in 170-64 is you can have one there for 160 days in a calendar year. Does not mention consecutive.

Daniel Crowley: Up to 160 days. That is for vacant.

Chairman Bowen: Vacant land except in LR.

Daniel Crowley: Right. Then there is an entirely separate treatment for storage of an RV on non-vacant land. Occupation of an RV by a visiting family member on non-vacant land.

Chairman Bowen: Right. Those are subsection a and subsection b.

Daniel Crowley: Do we know the question that is posed to us?

Chairman Bowen: There is not a specific question other than the definitions were thought to be unclear for our code enforcement office and in order for them to be more effective in code enforcement the definitions perhaps should be consistent. I retreat back to well those definitions are only for that particular chapter they do not might to Chapter 170 and the ones in 170 don't migrate over Chapter 88 for purposes of code enforcement but do you want them to be consistent.

Daniel Crowley: Probably.

Bruce Mackie: Why would we not want them to be consistent?

Chairman Bowen: I am not suggesting we wouldn't.

Bruce Mackie: I do not know how they were originally crafted and I do know why they are not consistent. I do not understand the difference between 180 and 120. I know it is 20 days. I am not sure why 160 is in there to begin with. I assume 180 is half a year. I do not know about 160 came about.

Daniel Crowley: The theory at least that we had was 160 was based around the summering season.

Bruce Mackie: Four months.

Chairman Bowen: Or hunting season or who knows where these things came from. We didn't draft the 160 and we didn't draft the 180. I think these chapters were drafted at separate times. We had that whole Chapter 157 Trailers which was drafted in 1963, yet our zoning code was drafted in the 70's. That is where inconsistency comes along where you draft stuff at different times and you go back to what your other chapters say before you do it.

Daniel Crowley: Let's imagine we have a piece of vacant property that is in a flood plain. If you go by the definition of the allowable use of a recreational vehicle on a vacant property it is for up to 160 days a year. Has to be hooked up to a self-contained sewage system. Has to comply with all setbacks and underlying regulations of the underlying district. Has to be hooked up to electricity and a source of freshwater whether it is in a flood plain or not.

Diane Graham: No dumping of the sewage.

Daniel Crowley: On the site. If that is the case, then what would be do additional to that in a flood plain.

Chairman Bowen: The flood plain laws are already set.

Daniel Crowley: I get it. To make them consistent you would want consistent treatment of any property whether or not it is in a flood plain to comply with the desires of the board, code enforcement people you want consistency between the two. I would think the first step to make Chapter 88 refers to Chapter 170-64 as it relates to the use of recreational vehicles on vacant land or the underlying district that it is contained in. Then if there are additional restrictions or regulations that we want to put on recreational vehicles in a flood plain I would go from there.

Chairman Bowen: They are now excluded from lake residential.

Daniel Crowley: Correct.

Chairman Bowen: That takes out a significant amount of our flood plain area. The only thing left in the town where you could have one that involves flood plain is the conservation overlay district. The rest of the vacant land where you are allowed to have an RV for storage and/or use and occupancy is not in the flood plain. None of these flood plain regulations affect it.

Daniel Crowley: Got it.

Chairman Bowen: Therefore, the definitions are really kind of irrelevant.

Diane Graham: There are some unique situations where you are next to a creek that could overflow.

Daniel Crowley: You are in the flood plain or you're not.

Diane Graham: Yes. If you are near something that carries water, it could potentially be.

Chairman Bowen: The overlay district you can have R-1, R-3, R-5 and a small part of it is in the overlay district.

Daniel Crowley: It is just the portion that is in the overlay.

Chairman Bowen: Right.

Daniel Crowley: Okay.

Chairman Bowen: Basically, its mud creek running down St Rt 64. Creek along CR 33 and the wetland in creek that flows out of it over on Gulick Road. That's about it.

Daniel Crowley: That's the conservation district you are saying.

Chairman Bowen: Right. You can have one on your land, but if it is in the back where the creek runs through it shouldn't be there. If it is it has to be travel ready.

Daniel Crowley: The RV?

Chairman Bowen: Yes. My original thought going back several months was by bother allowing them there in the first place.

Daniel Crowley: In the conservation overlay district?

Chairman Bowen: Correct.

Sam Seymour: Yes. That makes sense.

Frederick McIntyre: We have some hunters with recreational vehicles. We have one three miles from us down on St Rt 64. It is there all the time. He never takes it out and he is in the flood plain no question.

Chairman Bowen: If you look at the map where it is located it might not be.

Frederick McIntyre: Part of our land is in the flood plain.

Daniel Crowley: North or south of you?

Frederick McIntyre: North.

Daniel Crowley: Oh yeah! On the right-hand side here.

Frederick McIntyre: Yes. He is north of us. He is right along mud creek.

Chairman Bowen: These are all the flood plain maps.

Frederick McIntyre: He is on the same side of the road as we are.

Daniel Crowley: It runs behind him.

Chairman Bowen: It is the dotted line section on either side of the creek. It is not a lot of property.

Frederick McIntyre: We have about seven acres that are in that flood plain.

Chairman Bowen: It is not in the conservation overly district.

Frederick McIntyre: They tell us we cannot build or do anything on it.

Chairman Bowen: These maps are what are called references. They do not reference OnCor or anything else. They reference these maps.

Frederick McIntyre: Do you think federal wording might have put 180 days into 88?

Chairman Bowen: Yes. The flood insurance rate map is Chapter 88.

Frederick McIntyre: They should change that then.

Chairman Bowen: I generically said flood plain. It is the flood insurance rate map which is this map. It is not a big part of the town. If you look at our conservation overlay district it is potentially this map. There is no difference.

Diane Graham: OnCor does have a layer to check the boxes for flood zone, and it will do a line across the property which I have shown the board before. There is something to visually see other than map. That map has not been updated in a long time.

Chairman Bowen: Chapter 88 made need updating.

Diane Graham: They came from FEMA.

Chairman Bowen: That is a larger project. Whether Chapter 88 and the zones of coverage should be updated. That is not what we are here to talk about. It might be worth noting to the Town Board.

Diane Graham: Were you at the last meeting? There was something that they wanted this Board to do but they did not formally put it in writing.

Chairman Bowen: I left before the end of the meeting.

Diane Graham: I told the Town Clerk until we get something in writing I am not passing it along to the board because it goes through different people and it is not clear, so I said I need something from the Town Board before I hand it over to the Planning Board to do.

Chairman Bowen: Do know what it referred to?

Diane Graham: I do not recall.

Chairman Bowen: I do not believe there is going to be any motivation for anybody to be sending us anything. I will point out what I thought I had in mind with respect to definitions I would adopt the definitions in Chapter 88 with respect to manufactured homes, recreational vehicles, mobile homes and just move them over to Chapter 170 with the exception of the manufactured home subsection two which is the 180 day because I think that confuses things. The recreational vehicle definition is more than adequate. The one in 170 and the one in Chapter 88 are pretty similar. Although the one in 88 has I think four defined subdivisions where they are all said in one long sentence in Chapter 170, but it talks about them being temporary. They are not considered dwellings. They are for temporary use, travel use, camping use. They are thought of as permanent dwellings.

Sam Seymour: Are those definitions in 88 more likely to be common among insurance companies, FEMA and federal government and all that?

Chairman Bowen: I have no idea. We have this section in the executive law in NYS. The executive law talks about manufactured homes, and it says if a manufactured home is affixed to a permanent foundation it conformed in manufactured home could be mobile home, RV or manufactured home basically the distinction is one is intended to be on a permanent foundation and one is not. If it is a manufactured home, which is the umbrella term for RVs. At least now it is, it didn't use to be. It's the umbrella for RVs, manufactured housing and mobile homes, which were regulated differently by HUD some years ago. Some even weren't regulated by them. If a manufactured home is affixed to a permanent foundation conforms to development standards, which is essentially your zoning code. It conforms to any general aesthetic and architectural standards that a town may have. It shall be deemed a conforming single-family dwelling under local zoning law. If a zoning district allows a single-family dwelling, then any manufactured home that is affixed to a permanent foundation has to be permitted. Any RV would have to be permitted in any of our zones we could not restrict it as a single-family dwelling as long as it was placed on a permanent foundation.

Daniel Crowley: And meets code.

Chairman Bowen: Yes. And meets all the other codes. On the other hand, that definition specifically excludes RVs. If you took an RV and you put it on a permanent foundation, it would still not be considered a single-family dwelling. A mobile home or regular what we think of as manufactured homes the ones that come down in trailers in two pieces and put together and now you have a single-family ranch house that type of thing. It excludes RVs.

Daniel Crowley: When you say that definition meaning?

Chairman Bowen: The Executive Law of NYS would not compel us to allow somebody to put an RV on a permanent foundation and call it a single-family dwelling.

Daniel Crowley: Okay.

Chairman Bowen: R-1, LR whatever the residential zone is in those primary permitted uses the first one is always single-family dwelling an RV will never fit in that. We are not required to allow that under the state executive law. If it is a manufactured home or mobile home we are.

Daniel Crowley: We cannot exclude it.

Chairman Bowen: We cannot exclude it.

Daniel Crowley: Got it. Okay.

Chairman Bowen: My thought was to adopt all those in Chapter 88 except for this section of manufactured home which says this term also include recreational vehicles such as park trailers, travel trailers and similar portable structures when placed on a site for 180 consecutive days or longer and intended to be improved property. We are not compelled to allow that. We do not allow it in LR anyway. It conflicts with the 160 days that is under 170-64 so it creates confusion.

Jason Inda: I am not sure if they actually voted on that at the last meeting. I think they are going to vote on it at the next meeting.

Diane Graham: Correct.

Daniel Crowley: It was at the county last week.

Jason Inda: They couldn't because they had to go back to the county. It is over 25 acres. Just for the record.

Chairman Bowen: Just for the record. That is good clarification.

Daniel Crowley: It was approved at the county.

Diane Graham: It was reviewed by the county with comments.

Daniel Crowley: Correct. It was referred back with comments.

Diane Graham: Yes.

Daniel Crowley: The comments were complimentary. It clarified the code. Thank you very much.

Chairman Bowen: As for Chapter 88 we might want to remove the 180 and make it 160.

Daniel Crowley: Just change it to 160.

Chairman Bowen: Right.

Daniel Crowley: So that it cannot possibly conflict with 170-64.

Chairman Bowen: Right. We could say in a calendar year or leave it as consecutive days. I do not know how you would police that anyway. Chapter 88 recreational vehicle definition is a vehicle that is built on a single chassis 400 square feet or less when measured at largest horizontal projections designed to be self-propelled or permanently towable by light duty vehicle and not deemed primarily for use as a permanent dwelling but as a temporary living quarters for recreational camping, travel or seasonal use.

Daniel Crowley: How does that compare to the definition of recreational vehicle?

Chairman Bowen: In Chapter 170 it is a vehicular type of unit primarily designed as temporary living quarters for recreational camping or travel use which either has its own mode of power or is mounted on or drawn by another vehicle. They are not vastly different.

Daniel Crowley: No.

Chairman Bowen: It doesn't reference the square footage.

Daniel Crowley: Right.

Chairman Bowen: It is basically the only difference.

Daniel Crowley: I think the broader definition is actually better omitting the square footage. Just my opinion.

Chairman Bowen: Just because they are getting so big.

Daniel Crowley: There are some big ones.

Chairman Bowen: I do not know what that translates to. I guess you would have to go to a sales lot and see what they are.

Daniel Crowley: If anything is going to travel the road it cannot be wider than ten feet I believe.

Sam Seymour: The RVs have the pop out sides.

Daniel Crowley: Oh yeah. That is not technically floor space. I am kidding. I think recreational well no that was just a word change from recreation to recreational, right. That was recommended and the one that went to the county. It didn't change the definition; it just updated the word.

Chairman Bowen: Yes. Only because in the definitions there was no definition for recreation vehicle.

Daniel Crowley: Right.

Chairman Bowen: That is what the code language said in all the district regulations. In every district it said recreation vehicle. It was just a minor.

Daniel Crowley: Do we make the two definitions of recreational vehicles between 88 and 170 identical?

Chairman Bowen: Right.

Daniel Crowley: I say why not.

Chairman Bowen: There would be a change what a manufactured home is. In Chapter 88 a manufactured home is a structure transportable in one or more sections which is a. built on a permanent chassis and designed to be used with or without a permanent foundation when connected to required utilities or b. built with a permanent chassis and designed to be placed only on a permanent foundation and connected to the required utilities.

Daniel Crowley: That's 88.

Chairman Bowen: Then when you go to mobile home. A mobile home is the same meaning as subsection a. Mobile home is one that's with or without a permanent foundation.

Daniel Crowley: Subsection a. in 88.

Chairman Bowen: Of manufactured home in 88. A modular home is the same meaning as subsection 1.b. A modular home one that is on a permanent foundation.

Daniel Crowley: Designed to be.

Chairman Bowen: Yes. Which I am totally fine with that distinction. Mobile homes can be put on blocks or whatever.

Daniel Crowley: What does 170 say?

Chairman Bowen: Modular home see dwelling manufactured. Dwelling manufactured is a residential dwelling unit manufactured off site other than a mobile home and approved by NYS DOS as factory manufactured home. A modular home is a manufactured dwelling. Then you have mobile home; a structure transportable in one or more sections which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and which has been approved by HUD pursuant to CFR Title 24 HUD Chapter 20. What the HUD sections deal with is for a long time HUD never bothered and they still don't although there is some question as to whether they will. They have never regulated recreational vehicles, only mobile homes. Trailer park type mobile home. They have a number of regulations for fire safety construction standards, etc. When that has been inspected there is a metal plate that they affix to the mobile home which makes it certified by HUD. If anyone wants to put a mobile home in the Town of South Bristol it has to have that plate.

Daniel Crowley: I think we should keep the definition of manufactured, modular and mobile and recreational vehicle as stated in section 88. I think we should add the HUD reference and the CFR from 170 to that definition of manufactured and modular. I think we should remove the definitions in 170 relating to modular, mobile and manufactured and replace them with the single passage from 88.

Jason Inda: Why wouldn't we adopt the state definition of manufactured home and put that across the board?

Daniel Crowley: We could do that too.

Jason Inda: I think we are overthinking it. The state has a definition of what a manufactured home is as long as we adopt their word for word, copy, paste. Then we are covered and not in contradiction with the state in any way shape or form. It clearly defines that recreational vehicles are not manufactured homes. So as long as we are comfortable with the recreational vehicle definition you can zone it however you want whether I agree with it or not. They are clearly separate animals at that point as it is clearly not.

Daniel Crowley: What does the state law say, does it mention mobile?

Jason Inda: Mobile homes I think are considered a subset and they use it since 1976 manufactured homes are the federal standards and they use mobile homes as a term to try to no longer use.

Chairman Bowen: The executive law definition of manufactured home excludes mobile homes that are not placed on a permanent foundation. It would exclude a mobile home stuffed on blocks.

Daniel Crowley: The definition.

Chairman Bowen: Right. The definition is slightly different. Mobile home is Chapter 88 is designed to be used with or without a permanent foundation. Where the state doesn't follow that. They say it has a permanent foundation.

Jason Inda: This is the one I got from the state. Manufactured home means a structure transportable in one or more sections which is travelling mode eight body feet or more in width, 40 body feet or more in length and when erected on site is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning systems contained therein. Terms shall not include any structure that meets all these requirements of this subdivision except the size requirements with respect to what the manufacturer follows certification requirement by the US Secretary of Housing and Urban Development and complies with the standards established under Title 42 of the United States Code and except that such term shall not include any self-propelled recreational vehicle.

Daniel Crowley: Therefore, a towable RV could be in.

Jason Inda: I wouldn't think so.

Daniel Crowley: It is not self-propelled.

Jason Inda: Well, I guess you could say that.

Sam Seymour: It has the HUD stamp.

Jason Inda: Right. It has to comply with housing and urban development standards under title 42.

Sam Seymour: Where did you find that and the executive law?

Jason Inda: From the 2015 law.

Daniel Crowley: I thought they were trying to phase out the use of term mobile home.

Jason Inda: Let me forward that to you. I am going to send it to you, Diane.

Diane Graham: Then do you want me to email it to everybody? I will put it in the folder.

Jason Inda: Perfect.

Diane Graham: The Town Code review folder next to the application folders.

Chairman Bowen: Well at this point I will propose that people with proposals write them up and share them with the board. We can take it next time around.

Diane Graham: After next month?

Chairman Bowen: Sure.

Diane Graham: So that you are a part of it.

Chairman Bowen: The Town Board is not going to take any recommendations until certainly after the elections.

Sam Seymour: This definition changes the foundation.

Daniel Crowley: The state?

Sam Seymour: Yes. That is on a permanent foundation or not.

Chairman Bowen: In their section what towns can or cannot do if it is on a permanent foundation you have to consider it a single-family dwelling. I think there is a section in there which excludes RVs specifically.

Jason Inda: Yes. They should be two separate things.

Daniel Crowley: The manufactured home and the RV?

Jason Inda: Oh. Definitely.

Daniel Crowley: Yes. Should be separate.

Diane Graham: Do you want me to keep this topic on the agenda?

Chairman Bowen: If we are not going to discuss it then it shouldn't be on the agenda.

Being no further business, Daniel Crowley moved to adjourn the meeting. Sam Seymour seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 7:40 pm.

Respectfully submitted,

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

Diane Scholtz Graham
Board Assistant