# Town of South Bristol

6500 West Gannett Hill Road
Naples, NY 14512-9216
585.374.6341

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## Planning Board Meeting Agenda

**Wednesday, April 16, 2025, at 6:30 pm**

Meeting in-person or by joining Zoom

https://us02web.zoom.us/j/88036855312?pwd=PxDHqO7uhMF4T4fAGkNGun9XqfilCM.1
Zoom Meeting ID: 880 3685 5312, Passcode: 933840

**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 March 19, 2025, meeting minutes.

**New Business**

Site Plan Approval Application 2025-0002
OCPB Referral: Exempt
Owners: James Krueger & Bernadette Krueger
Representative: David J. Crowe, Architect
Property: 6511 Longs Point Drive
Tax Map: 185.17-1-3.100
Zoned: LR (Lake Residential)

**Old Business**

Review Town Code Sections 170-66 Solar Energy Systems and 157 Trailers

Site Plan Approval Application 2025-0001 **(Deferred to May 21)**

County Planning Board Referral: 51.0-51.1-2025
Owner: William P. Vitek & Laurel S. Raines
Representative: Mark Schlegel
Property: 6957 Granger Point Drive
Tax Map #: 191.17-1-7.000
Zoned: LR (Lake Residential)

**Other**

**Motion to Adjourn**

# Town of South Bristol Planning Board Meeting Minutes Approved
# Wednesday, April 16, 2025

**Present** Daniel Crowley
Jason Inda
Bruce Mackie
Michael McCabe
Frederick McIntyre
Paul Miller
Sam Seymour (Acting Chairman)

**Excused** David Bowen
Cody Koch

**Guests** In-person: Anthony Venezia, Dan Hackett, David Crowe, Erik von Bucher, Daniel Marshall
Zoom: Judy Voss

**Call to Order**
The meeting of the Town of South Bristol Planning Board has been called to order at 6:33 pm. All Board members were present.

**Reading of Vision Statement**
Daniel Crowley read the Comprehensive Plan Vision Statement.

**Meeting Etiquette**
Acting Chairman Seymour reviewed meeting etiquette.

**Other**
Acting Chairman Seymour shared that we have a new member tonight Bruce Mackie and Town Board also approved another new alternate Cody Koch who is not here tonight.

**Meeting Minutes**
Frederick McIntyre made a motion to approve March 19, 2025, meeting minutes as written. Daniel Crowley seconded the motion. The motion was unanimously adopted by all Board members present.

**New Business**
<u>Site Plan Approval Application 2025-0002</u>
OCPB Referral: Exempt
Owners: James Krueger & Bernadette Krueger
Representative: David J. Crowe, Architect
Property: 6511 Longs Point Drive
Tax Map: 185.17-1-3.100
Zoned: LR (Lake Residential)

Chairman Seymour: I understand David you are here to present this?

Daniel Hackett: David Crowe is not here. He is the applicant who filed. My name is Daniel Hackett. I am a landscape architect that worked on the project in the grading plan. Anthony Venezia the surveyor who

worked on it along with the engineering. Until David gets here, I guess we could start. Anthony, you want to come up also. Unfortunately, he was bringing the drawings, but I have a pretty good memory.

Chairman Seymour: There is a hard copy set right here with the pictures if you would like to refer to those.

Daniel Hackett: The proposal is to remove the existing residence and put up a new residence. With this proposal what we looked at was the program of what the client was seeking for size of the house.

[Site plans were handed to the speaker.]

Thanks, appreciate it. With that looking at what the parameters were to keep this in touch with the site. I guess one of the key things for us was looking at it is a small site. The existing septic is across the street. There are easements for that and deeded and that is taken care of. We looked at the existing lot coverage that is there and what we wanted to do was strike a balance of bringing that existing lot coverage down. Where it is actually lower than what exists now but also be able to formulate a program of where the people could build this home and have what they are looking for in that home. The proposal for the new structure is actually decreasing the lot coverage from what exists currently. Anthony has the data on that and can give that to you. Striking a balance again of the architectural style of what they are looking for and nestling it into the property. Also, maintaining the setback that exists. We are within compliance of what has to happen there. There is one variance we are requesting of lot coverage. Again, to emphasize the lot coverage currently existing is greater than the request is that we are going to appear before the Zoning Board to ask for. We are actually decreasing that. Again, when people do this there are mathematics of how many people in their family or visiting and also building is pretty expensive anymore. We are trying to maximize what they could have as this family home here but do it in an environmental fashion and lower that capacity of that coverage that exists now. That is an overview and hand it over to Anthony and he can answer any questions you may have with setbacks and all that.

Anthony Venezia: As Dan was saying coming through and giving some back log. This site was originally going to be a major renovation and that is what led us down this road. We looked at the septic last year. We renovated the septic brought the capacity into modern regulations. As we went through this we realized that we had to do a total tear down and rebuild due to ceiling heights and things of that nature. One of the big things this house is missing for a year-round residence was the garage. That is what put us over on that lot coverage bringing that lot coverage up. We are removing a large section of driveway that is there now. We are replacing that with a permeable surface, so we do have that ability to have storm water runoff collect in that area. Get some infiltration. We are also proposing some drywells and some other infiltration areas to take any of the storm water that is not taken care of currently and give it a chance to infiltrate and get back into the soils before it makes its way to the lake.

Daniel Hackett: The residence itself, again one of the catalysts for this is that the existing basement level had very low ceilings. What they are trying to do is increase the capacity of habitable space. That all complies with the septic upgrades that have currently been done. With the infiltration system, because I did the calcs on that I can speak to the engineering of that. We are taking the storm water reloading it into the permeable surface driveway that will be 100% permeable. The depth of that will handle the d leader, down spout conductors. That was sized for a four-inch storm. With that four-inch storm obviously there are sometimes six-inch storms. There is an overflow that is part of a general engineering design, but in our calculations we also do not take into consideration the infiltration that happens during that storm event. We do it as a stagnant storm event. When you look at it in that capacity, we are looking at the full glass of

water versus what is actually percolating while more water is coming in. It is an oversized system for the four-inch just so everybody knows that. That is the general math of it. We do it in a static form so we can handle that capacity to meet the NYS storm water blue book guidelines. Daivd Crowe is here.

David Crowe: Sorry I thought it was 7:00 pm. I apologize for that.

Daniel Hackett: We did a pretty good general overview I think of what the site plan is and what we have going on. What we are looking for as far as a variance. At this point with what's here I would generally throw into the board and ask the board if we can field questions and have a discussion on this. If you would like David to walk you through the architecture of this he would be the guy to do it so maybe that would be the next phase.

Chairman Seymour: Maybe real quick an introduction to the architectural side of the site.

David Crowe: Sure. Happy to do that.

Chairman Seymour: Great. Thank you.

David Crowe: Again, I apologize for being late. I had the wrong time. I thought it was 7:00 pm. I do apologize for that. I will walk you through the project. I assumed Dan and Anthony have introduced you to the actual site plan. What we are proposing is actually a single-story home with a walk-out basement. The slab is more than 50% below the adjacent grade so it qualifies as a basement. The house is an 1,831 square foot home with an attached 720 square foot garage. On the second level of the garage, we have an attic space that is another 320 square feet. Did you talk about setbacks?

Daniel Hackett: You can mention that. I just mentioned we were in compliance.

David Crowe: Sure. The minimum lot area is 10,000 square feet. We have 13,843 so we apply to the minimum. The minimum lot size is 50 feet. We are 172.60 so we are good there. Minimum front yard setback is 50 feet, and the existing condition is 23 feet 6 inches. The proposed house is 14 feet 7 inches. That is the tightest point from the corner of the garage to the edge of the pavement. Not the property line, but the actual pavement which we were directed on needed to be the reference. There is an existing easement that was granted in 1987 that goes with the property that allows a 14-foot setback. We are actually four feet beyond that.

Daniel Hackett: Just to correct that Dave it wasn't an easement it was a variance.

David Crowe: Yes. It was a variance. Got it.

Chairman Seymour: It was granted to the previous house you are saying.

Daniel Hackett: When variances were granted in the past boards now limit those. What you will hear at board meetings are that these are now limited to this plan approval, but when variances used to be granted they were granted blanketed across the property. We did not know that. It was brought to our attention by the municipality because we were going to ask for that variance and they said no you do not need that because when that variance was granted, it was a blanketed variance. I will give you an example years ago I had a house in Geneva. They gave me a variance of 7.5 feet. It was a piece of farm property whatever. The guy wanted to do an addition. They were giving him a hard time. Not a hard time. They were

questioning it. I called over to the town board and they said no you are absolutely right. It is kind of funny. When variances are given now, boards condition those because they lasted for so long. It was nice the municipality was straight forward with us and brought that up and said no you have this already so therefore you wouldn't have to ask for that. We appreciate that as the applicant.

David Crowe: We are going to take advantage of the 1987 variance.

Daniel Hackett: Well, we will take advantage of it in that we don't have to ask for variances. We were not taking advantage of it; we were designing the house to what they needed structurally for their size and then we found that out. That was very good because it helps streamline the process.

David Crowe: The design fell into line with that. The side yard setback with plenty of room on the south side. On the north it is ten feet on either side. We are ten feet from the northern property line. The minimum rear setback is 25 feet we are 27. The maximum building height is 35 feet we are 22 feet. I do not know if you guys talked about coverage area.

Daniel Hackett: We did.

David Crowe: So, you understand where we are there. These are the parameters of the rules here as we go through this thing. I can walk you through the design of the home if you would like.

Chairman Seymour: Sure.

David Crowe: It is a single floor family home. A two-car garage with an enclosed conditioned breezeway, covered breezeway but it just a connector. Stairs up to the second-floor attic space over the garage. This is an indoor/outdoor court that connects the two buildings with a tiny stairway that gets you into there. Entrance foyer, laundry room. These stairs go down to the basement level and the main living area, which is kitchen, dining, living room, then an outdoor deck. The deck is 27 feet from the rear setback. Then over here is a first-floor master suite. Bedroom, walk-in closet and bathroom. In the basement level we are proposing stairs down to a small living area, a bedroom, walk-out here and another bedroom walk-out there. Gym in the back, utility area that is unexcavated. This would be the lakeside elevation and no surprise we are trying to get a lot of glass there. This is the floor, that would be the basement level there is an outdoor patio right here. That is up at the first-floor level then there are stairs down from that to the lower level. Then there is another set of stairs that takes you down to the lake. Simple gable design, lots of glass, the roof is going to be a standing seam metal roof. All the siding will be a combination of different cement fiber boards, either clap board or board and batten with a paint finish. Cable guard rails at the second level. A little bit of stone to dress up where we have exposed foundations, columns and piers. A little bit of retaining wall here to deal with grade. The garage that sits up on the first-floor level. Two car garage with a second story attic space at the moment unfinished plans. I can walk you through the floor elevations, if you would like. Any questions?

Chairman Seymour: We will open it up to the board members for any questions?

Daniel Hackett: Before questions. David did the grade elevations where the steps go down and where the grade is and where that is going to tie into the dock. Just so the board knows one of the key elements of this was to integrate those elevations in a meaningful way as direct as we could without starving the hill. The intention of this project is to eliminate the steps that are going around. They came way out and around. Get a very direct path that can be excavated and handled with silt fencing in a direct fashion

without any disturbance to the trees and the vegetation on that hill. It is a steep hill and as designers were cognizant of that. I think that it is important for any board to know that it was just like we will put a set of steps there. It was really to protect the site and protect the lake which was illustrated in your mission statement that you brought up earlier. Thanks.

Chairman Seymour: That is the view from the south?

David Crowe: That is the view from the lake. That is the eastern elevation. You had a question on this one specifically.

Chairman Seymour: The one that was up there previously. Okay. There is from the north and the south view.

David Crowe: Here it is.

Anthony Venezia: The garage is not in that.

Chairman Seymour: The garage is not there?

David Crowe: Just so you can see the elevation we sectioned through it. On another elevation where we isolated the garage.

Chairman Seymour: I see. Okay.

David Crowe: Those are the garage elevations. One sections through that in the opposite direction would be south I guess. Yes. That would be the south view and this is the view looking north of the garage because it is so stretched out we truncated it.

Daniel Hackett: Another important point is on the west side which is the roadside. The architects have utilized the stem wall. Currently there is a retaining wall back there. They are bringing the foundation up as a stem wall. That stem wall will allow the grading back into the hillside where it is not as steep coming from the road. Those pressures from road will now load down the hill they will go into the foundation across that stem wall and come out either side. We are actually creating a better situation structurally to the road than what has existed in the past. It's been very steep. We are decreasing that with the design of the building.

David Crowe: You are talking about this line right here Dan, right?

Daniel Hackett: Yes. In the back where it comes up. Right now, I was standing at the grass that's there. The new foundation wall is my belly button or so. It is three and half, four feet higher. The hill comes down now where that is cutting back in we are decreasing that slope up to the road. That was an important factor because we can maintain the vegetation that is between the road and the house. We can implement some new plantings, and it will be much better into the landscape. That was part of the strategy to design this.

David Crowe: That is the garage and last of the elevations might as well show it to you. No.

Daniel Hackett: You know what Dave just open it up to the Board for questions.

David Crowe: The importance of the elevation is the one that facing the lake but similar style and material. Questions?

Frederick McIntyre: What is the difference in the depth of the foundation on this house than the other house?

Daniel Hackett: I believe it is 3.25 feet. The 3.25 is where the depth goes down where the stairs come out now and that is the two retaining walls on the side. That will smooth out. That 3.25 remember where we are raising the stem wall in the back. So, it is not so much digging down that stem wall is going in the back. That gucks of position of the first floors going up where it goes into the hill. When I say 3.25 it is really a split up between the two. Dave, do you have nine-foot ceilings was what the client wanted in the basement?

David Crowe: Yes.

Daniel Hackett: Working with the grades I was the guy who did all the grading. I am pretty intimate with this. What we were trying to do is balance that out and maintain the site without damaging the bank. That was the objective.

David Crowe: The dark line there is our retaining wall, and the finished floor is down here. We built that very thick wall and ends up being the exterior wall of the home as well. It is built as a retaining wall. It is roughly about three feet above the first finished floor to the top of the retaining wall.

Daniel Crowley: I am stuck on the lot coverage. I am curious if you have delineated that you have proven that you have met the standard for the Board to grant a variance for lot coverage.

Daniel Hackett: The surveyor calculated the lot coverage. What they are showing is the existing coverage and the proposed coverage.

Daniel Crowley: I get that it is going down. I think there is an actual standard that you have to meet that the Board has to consider in granting a variance to the lot coverage. Since you are doing a full tear down it means we go back to 20%.

Daniel Hackett: No. That is why we are going to the Zoning Board for a variance. Tonight is a preliminary meeting with this Planning Board so they will refer us then and we can go and talk with the Zoning Board. Tonight, you couldn't grant this approval. You can give to your Zoning Board hey we hate these guys don't let them build the house or say this looks kind of good we are on board with it.

Daniel Crowley: I am curious about what your argument is why you should be granted the variance.

Daniel Hackett: I think part of granting that variance do you have the test questions with you because I would like to read the test questions. What I don't want to do is requote myself. I did not come prepared tonight.

David Crowe: It has all been filed. That information is out there. We can certainly get it to you.

Daniel Hackett: I do not have it with me. What I don't want to do is say something that wasn't written in there. Hey, this guy is blowing smoke up my pant leg. I do not do it that way. With the variance I think the biggest thing is when you are doing a home and again cost isn't everything in the world. It is certainly a catalyst for people to look at. They have existing footage. In that existing footage they could come in and jack the house up higher it is already less than 35. There are other things that they could do I guess to get there but does that make that right to do that. We looked at this comprehensively and said this is what they want. They really want a garage. They wanted at one point to do a detached garage. Then you will have two structures on the property and that doesn't really make sense and attaching it. We had a lot of conversations going into this. This house is in really great shape. They were pretty reluctant to even want to take it down. What they decided was that we live in Florida. We have always been residents up here. We are up here every summer. These are the things that we need. That is how we struck that balance. The justification really for a variance we have a situation that exceeds the threshold of what is allowable on a site and as a municipality you have an opportunity that someone who is part of this municipality can build a new home, but they can also make it better into closer to the standard of what is required by this municipality. That is really the request of the variance in a nutshell in a philosophical kind of way. I hope that helps if I had the variance in front of me, but I just don't. I do not remember what was written in the test question. The test questions often go to attorneys. I am not an attorney. I watch television. That is the closest I get to an attorney. There is something that they write up. That is the justification we are decreasing this, and the people are allowed to have what they want to achieve within this property and this community.

David Crowe: We did work really hard. I can say working with the client to keep the entire application as minimal and humble as possible. It is really a single-story 1,800 square foot home. Two of the three bedrooms are in the basement. Originally, we had a third floor, and it was going to be a more significant property. We worked hard to bring it down and not make it too big or imposing or overbearing for the site because it is a small site. The reason we are really over right now the house footprint did not change all that much. They kept it pretty humble. It is the garage. Adding the garage and need a garage unfortunately just necessary to make it into a home.

Daniel Hackett: Part of that strategy for the garage I know it is summer. They winter in Florida. They are selling their residence in Rochester. This will be their fulltime residence in New York State. They have cars and want to be able to park those in the winter and not have to store them somewhere if they come up in the winter and be able to have use of those. The upstairs space is really going to be an office space for Bernadette the homeowner to go up there and get away from her husband. My wife likes to get away from me too. I kind of get that. That is the idea. I hope that helps answer the questions.

Daniel Crowley: It is a lot of words I get it. I know a lot of money has been spent. What we are talking about is what they want which is in contravention to what the law says. It is that simple.

Daniel Hackett: I know it is that simple but when you read the test questions and you look at that process they currently have a condition that is much greater.

Daniel Crowley: I think the test questions say something like you have to prove it is an economic hardship, but you also have to prove that it is not self-imposed.

Daniel Hacket: Question number five is this self-imposed because I know variances pretty well. There is never a variance that anybody could ask for that is not self-created. That question is usually answered every variance is self-created, however, when you are looking at the self-creation of a variance does it

benefit the general direction of the philosophy of what that law is and what the board is asking. Would that decrease I think it is. Yes. It is self-imposed. It is self-created. It is self-created by what the law of this municipality is now. We are getting pretty far in the weeds. I understand there is a Planning Board these questions. We were not prepared tonight to come and discuss the variance. We were more prepared to look at this in a general sense and then go forward to that Zoning Board and have that discussion with them. In fairness you are catching me a little off guard. If you said I want you to come back next month and discuss this in greater detail I would be more than happy to I just do not have the paperwork with me tonight.

Daniel Crowley: As the Board knows from my previous comments why do we have the law in the books.

Chairman Seymour: That can be discussed.

Daniel Crowley: Of course.

Chairman Seymour: One of the things that is not counted here is the area of the easement.

Diane Graham: The variance?

Chairman Seymour: No. The easement for the leach field across the road.

Daniel Hackett: Because we are across the road with a leach field that is not put into our lot calculations. That is a long-term lease. In the municipality if that was added in we are allowed to go up to 40% on one side of the road I think it is and it gets a little crazy. We are not trying to pull shenanigans with this.

Chairman Seymour: Is that a long-term lease?

Anthony Venezia: No. It is an easement. There is no expiration on that easement.

Daniel Crowley: So, you technically can't add it?

[Multiple people speaking at the same time]

Daniel Hackett: That would be disingenuous of us to say you could add it. I am sure somebody could come up with some crazy reason you could add it. That is not the case. When we are examining this, we are not adding that into our equation. We are looking at just the east side of the road and this is what the lot coverage is and we are actually decreasing that. I know by increasing your square footage you go how are you decreasing it. Permeable paver driveway is a $50,000-$70,000 driveway and it is to help. When we talk with the Zoning Board we are saying hey we are trying to step up and meet your code and help you guys. We are decreasing this and we also mitigating that water through the driveway. Those will be the things we talk about when we go into the variance board. Whether they agree with me or not I do not know. These are fair conversations to have with that board. Hopefully, we will come to a positive resolution for everybody. That is really what we want. As a community member, I want the same thing. I live here right down the street. I want good things to happen to the lake and good things to happen in this area. It is the guy who did the site plan we are being genuine with you that we feel this is a very strong application.

Daniel Crowley: Okay.

Chairman Seymour: You mentioned the easement from the corner of the house off the road 14 feet.

David Crowe: It is not an easement. It is a variance.

Anthony Venezia: It was a granted variance.

Chairman Seymour: Is there a right-of-way associated with the road?

Anthony Venezia: There is a general easement area that is an access easement.

Chairman Seymour: That is how it is termed.

Anthony Venezia: It is a private drive that has been there forever.

[People talking at the same time]

Anthony Venezia: There is legal ingress and egress in the deeds for everybody to have access to.

Chairman Seymour: It is not identified as a right-of-way for those people.

David Crowe: It wanders all over the property.

Chairman Seymour: This driveway serves about fifteen houses. A few years back there was a fire at one of them. I happened to visit the site couple days after the fire where the Briggs with a fellow who has been chief at a couple of different fire departments a couple of times over and he was from the Cheshire Fire Department and said when he got there it was so jammed up they could not get the trucks in there to fight the fire. Cheshire was probably there a little late because Naples is closer and all that. It was a surprising comment and then when you start looking at the road and how many people it services or how many homes it services you wonder why it is so narrow. Some day that road is going to get widened a little bit or resurfaced whatever and that is why I asked the question about the right-of-way.

Daniel Hackett: I think the good thing is you went down and did a site visit on the east side everything drops off very quick and if the road ever gets widened really just by proximity to what exists there it would have to go to the west side.

Chairman Seymour: Right.

Daniel Hackett: That would push everything back from the house. If everything had to go east and then we are trying to get close to a property line. I see where you are asking and where you are going with that. That could be an issue in the future. You are going to dig on the uphill side to try and mitigate that.

David Crowe: See how it stacks up over here. It is very steep then it levels out.

Anthony Venezia: It is that way all the way to the bottom side of the lake.

Chairman Seymour: Other questions about surface area, right-of-way, easements anything like that?

Bruce Mackie: I have a couple questions about the site plans. Sheet C-2. You have some broken lines on the site plan which is labeled collection pipes running to infiltration. On the northwest side of the property proposed drywall, that is taking some from roof to the drywell.

Daniel Hackett: Yes. Drywell.

Bruce Mackie: You have another drywell at the southeast corner by the garage.

Anthony Venezia: That is an overflow area drain. If there was an event, the storage capacity under the driveway was met it have its way to get out of the that and make its way to the lake.

Bruce Mackie: Are there gutters on the east side of the garage? You do not have any leaders from that portion of the structure.

Daniel Hackett: There is actually a downspout. Can I show you on your computer? I can bring the drawing over.

Bruce Mackie: The southeast corner collects all the water from the garage.

Daniel Hackett: It collects this whole rung. All of this comes into this and into this drywell. The whole back of the house comes down, so the driveway was designed there then eight-inch infiltrator pipes under the driveway which are below the depth of the capacity of the whole water event of a four-inch storm.

[Daniel Hackett conversation with Bruce Mackie not captured]

Daniel Hackett: You have a 40% void space and that 40% void space that is how you calculate your volumes. It is a clean angular stone not crushed.

Bruce Mackie: Okay. Thank you. The proposed overflow drain number one on the southeast portion of the site. Is that the same overflow drain number one that is shown sheet D-1?

Daniel Hackett: That is the overflow area, correct.

Bruce Mackie: That is label drain number one so that is a drain with a pipe in the ground. It looks that it is filled soil.

Daniel Hackett: The overflow area when the stone capacity reaches a four-inch event, the water fills up and gravity comes up and this pipe comes up. It is a south pipe, and gravity comes up and it is overflow and comes out of that pipe. That is how you contain a four-inch event. It is not like the water comes out and shoots up the pipe. It comes up through the 40% void comes up through that overflow and then flows out. That is only if necessary when exceeding that four-inch event.

Bruce Mackie: I thought I heard you say you had an infiltration chamber.

Daniel Hackett: We do underneath the driveway is total infiltration chamber but an infiltration chamber is not limitless. It has a capacity. A capacity is set and when that capacity is full it would have to go somewhere. You have to have an outlet. Sometimes we have six and eight-inch storms. We cannot design for six-to-eight-inch storms. We do design larger than the four inch events, but you have to have an

overflow once you exceed your capacity it would come out. That is a standard detail once you exceed that capacity.

Bruce Mackie: Where does that overflow go?

Daniel Hackett: That overflow goes over land and then just like anything else it sheet flow and you are going to have capacity infiltration even in your sheet flow. You certainly wouldn't' want to bring it down and pump it right into the lake. It gives it an opportunity for it to go over land and infiltrate more.

Bruce Mackie: Thank you. One more question. When we were talking about the existing lot coverage calculations and proposed. You actually have a larger coverage except for the fact that your assuming a 50% reduction in permeable surface. How did you derive 50%?

Daniel Hackett: In your code at this municipality if you do permeable pavers you can take a 50% reduction in that area. What they decided to do was spend that money for that 50% reduction which is an action under the municipal code.

Bruce Mackie: Thank you. I was not aware of that. Like I said I am new here.

Daniel Hackett: That's okay. You are asking great questions.

Bruce Mackie: You have two boxes on the east side of the garage with a marker 27 feet.

Daniel Hackett: That is cornhole.

[Indiscernible conversations]

Bruce Mackie: Are you going to remove the existing water service into the lake for that proposed shore-well?

Anthony Venezia: Right now it is a line that goes out.

Bruce Mackie: Does that need to be taken out?

Daniel Hackett: What they want to do with zebra mussels, Kevin Dooley has Phil's old business, Worden Hill, come and do a pylon for a shore well. The reason they want to show a well is when you do that the zebra mussels are much much less. They want to be able to drop it into a steel casing as a shore well and tie it into the pump line and bring it up into the house. Basically, Bernadette and her husband said every year we have to have divers clean this. The life cycle of that is a four to five year and they can pull the pump and clean it. It makes a lot of sense to have them come and do a pylon for a shore well.

Bruce Mackie: Do you have a maintenance plan for the driveway?

Daniel Hackett: The driveway maintenance plan was sent in.

David Crowe: We were asked for it and we provided it.

Daniel Hackett: It has not been added to the drawings yet. That came up this week. The general maintenance for that really is to clean it of debris, to not power wash. Because power wash blows out and puts dirt into it. It is cleaning of debris. That is the biggest thing is blowing off debris and letting it go particularly when you are using a permeable paver. You do not have to do the vacuuming if you were going with something like an asphalt which would be a popcorn asphalt. That you would have to bring in vacuums and vacuum that. When you are using a paver with the grout joint and that permeability vacuum either. The idea is washing, keeping free of debris. That is the biggest part of the maintenance. There are a few other nuances to it, but when you break it all down that is sort of the bottom line.

Bruce Mackie: Thank you. Sorry.

Daniel Hackett: Good questions.

Bruce Mackie: On the application itself the short environmental form. Did you fill that out?

[People talking at the same time]

Daniel Hackett: I think Rod from your office did it, Dave.

Bruce Mackie: The short environmental assessment form.

Diane Graham: What question numbers?

Bruce Mackie: Question number one. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule or regulation and it is checked yes. If Yes, attach a narrative description. Is that provided somewhere?

[People talking at the same time]

Bruce Mackie: The intent of the proposed action and the environmental resources that may be affected in the municipality.

David Crowe: Without seeing the application, I do not know if we included that or not but we are certainly happy to prepare that.

Daniel Hackett: I think that can be added to but sometimes within municipalities because we are filling it out and you are being the lead agent of it. I think the municipality actually says this is a removal of a structure or in adding. That narrative can be put in there quite simply. If you want to add it in or you want us to add it in. You would give us the verbiage. When that form is filled out by Dave it is saying that this municipality has blessed it and you guys are being sort of that lead agency that is filing that for the DEC. That is done as a team. If that is absent we can certainly get that with working with you guys on the Planning Board and have that added in.

Bruce Mackie: It says yes and I did not see it. Question number 9 “Does the proposed action meet or exceed the state energy code requirement” and that is also checked yes. It does not describe what the technologies are.

David Crowe: It is always a rock and a hard place on that one. We are looking for Planning Board and a variance so we have not fully developed a construction document ready for the permit, but I can tell you we will engineer this 100% in compliance with the NYS Energy Code. We absolutely have to. I have to do the rescheck. If I do not pass that rescheck, I am going to get sent back.

Daniel Hackett: What will happen in the end is that he will do a rescheck that will be a computer readout and given to the building inspector. At the end they will come in and do the blower test also. That data is given to the building inspector, and they cannot get a C of O until those things are in compliance. Again, there is a little bit of overlap between the question you are asking in the process because during your municipal process the building inspector is going to be watching that. He is going to be given that data to answer that they have met all those energy codes because if not he is not going to issue a C of O.

[People talking at the same time]

David Crowe: Yes it will be and yes you will get the rescheck when we submit the permit.

Daniel Crowley: I think the way 9. is written will it meet or exceed, and you answered yes to meet. You have not proposed that it exceeds it.

David Crowe: Usually, we are five percent better than required because they will give you a score. That is the goal. I have to. Otherwise, I am not going to get a permit.

Bruce Mackie: Thank you. One more question. 12 b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archeological sites on the NYS State Historic Preservation Office archeological site inventory? You have checked it as no.

Anthony Venezia: It is automatically checked when you fill out that one.

Diane Graham: He checked no, no.

Anthony Venezia: Oh, he did.

Diane Graham: It should be no, yes. It is confusing.

Bruce Mackie: You have conflicting reports from state in your package. SHPO says it is, but Parks and Recreation says it is not. I am trying to resolve that.

David Crowe: Yes. We did go through that and fill out those applications to get them to give us the negative declarations. Sometimes I know with SHPO they have that circle and squares map and if you are in the region they say yes, but the next step is there any historical evidence or anything like that. I am not aware of any. Not quite sure how to get through that one other than making sure we checked the right boxes.

Diane Graham: Usually, it answers the questions on that mapper. I think it was overlooked that it says no, no and should be no, yes. Do you want to amend it?

David Crowe: We certainly can.

Diane Graham: Okay.

David Crowe: That was item 9.

Diane Graham: Number 12.

Bruce Mackie: You are stating that you believe that a SHPO letter, and this is for my own education, takes precedence over it.

David Crowe: I have to see what we got back. I know we filled out those out and got back information.

Daniel Hackett: Again, that is there looking at it from a structural standpoint was built in the 80s and you named the two agencies. Unfortunately, even you as the municipality and us as the designers to get the two agencies together. They often speak different languages. If there was something checked on the box it automatically needs to be checked. There was certainly no malice or ill intent in checking a box. It is a pretty straightforward formula with that SEQR form in this instance, but if a box has to be checked it is easily resubmitted and we can do that before we appear for Planning next time.

Diane Graham: For zoning too.

David Crowe: We can have that done tomorrow.

Bruce Mackie: Thank you. No more questions.

Chairman Seymour: For my own clarification on the drainage system the green on page C-2. The northwest corner drains all the way around in front of the garage to the driveway. Are there infiltrators in the driveway?

Anthony Venezia: Yes. It is a perforated pipe in that stone base that will let water sit. With the overflow area drain instead of letting it come up and if it does get over capacity come out of the permeable it will go to the drain.

Daniel Hackett: How that was modeled is you have your pavers and your first layer which handle the driveway capacity itself. At the bottom of that you have your infiltrators which will handle the downspout. The infiltrator has a gross area per pipe plus a gross area within the pipe setting which is the clean angular stone. That math is added to the upper layer those two are put together to exceed that four-inch event. I believe I want to double check. I do not want to misquote myself but when I did the math on this I think we were at 5.25-inch event. We were pushing up close to a six-inch event. Well over the four which again when you do that math I am feeling comfortable with the system is going to do exactly what we want it to do. If the Board wanted to know that it was exactly 5.25 we can run it through the hydro cad and do that.

Sam Seymour: I was confused by the drawing.

Daniel Hackett: It is not a conventional system in what people are doing now is rain gardens. You hear about rain gardens a lot. Rain gardens are really lovely for people who garden, and they take care of them. What happens with rain gardens, and I have designed a lot of them. They make the municipality happy and then they do not take care of it, fill them out and they are not doing anything. It is really that

governing law is taking care of them. I got sick of going in front of boards and saying these people are going to have a rain garden they are great, and I go by their house five years later and there is no rain garden there. When I am designing sites I want to do infiltrators. If I have infiltrators I know my math is solid what I am telling the municipality is true. If people want a rain garden I can feed it off my infiltration system and they can take care of the rain garden. If it fails, I am still carrying the capacity that they were supposed to carry for the site. It is a little different strategy I employ by putting that math together.

Sam Seymour: What was confusing to me is the way the drawing is drawn. You do not realize the elevation the driveway is the low spot where all these drains to and that is where your infiltrators are.

Daniel Hackett: Correct.

Sam Seymour: Once that is exceeded you have the overflow. Okay good. Other questions, comments?

Are there any site plan, SEQR or other public officers' information needed to schedule a final review and public hearing?

The lot certainly requires a lot coverage variance from the Zoning Board of Appeals and their meeting is April 23rd. That is your next stop.

The DEC letter Part 182 Permit Jurisdiction for bald eagles is that received?

Diane Graham: No.

Sam Seymour: That is a condition of our acceptance of course. Any site plan changes needed?

Daniel Crowley: Clarification of the application in terms of what is checked and what is not.

Diane Graham: Any references from Road to Drive.

Sam Seymour: The Longs Point Drive is labeled as a private road versus a drive. If you change that would be consistent with the town's highway department.

David Crowe: So, it should be road.

Sam Seymour: It should be drive.

David Crowe: Oh, okay. Driveway.

Sam Seymour: It is a private drive.

David Crowe: Got it. Okay.

Sam Seymour: Any SEQR changes?

Diane Graham: I think he mentioned 1 and 12.

Anthony Venezia: Yes.

Sam Seymour: 12b.

Diane Graham: 1. and 12 b., correct?

Sam Seymour: Questions one and twelve.

Diane Graham: Driveway maintenance plan.

Daniel Hackett: With the driveway maintenance plan and I know that Dave's office sent it in. I brought it to their attention, and we did not have enough time. I do not believe Anthony was able to get it on.

Anthony Venezia: No. I will put it on.

Daniel Hackett: It was not asked for to be on the drawings. I would like to put it on the drawings though then the client knows that they have a maintenance program as part of that document if the Board is okay with that.

Diane Graham: The permeable information.

Daniel Hackett: Yes.

Diane Graham: But not the plan.

Daniel Hackett: We will get the maintenance on the plan also but will give you an 8.5 by 11 hard copy for your files on top of that if that is good. I think that helps protect you, me and everybody involved.

Sam Seymour: This application requires a lot coverage variance and requested items before the April 23rd Zoning meeting to schedule a Planning Board application for final review and public hearing. Diane needs those by April 23rd to schedule a hearing by May 21st.

David Crowe: I do not see any issue in getting everything you've asked for corrected and back to you guys tomorrow.

Diane Graham: Okay.

Sam Seymour: Very good. So, is there a motion to accept the site plan?

Diane Graham: We do not need to do a motion.

Sam Seymour: Do you want to do a roll call vote?

Diane Graham: No. We do not do that.

Jason Inda: We just schedule and we say see you next month.

Sam Seymour: Okay.

Jason Inda: As long as all those conditions are met.

Daniel Hackett: Would it be alright to ask the Board if they would make a motion for recommendation to Zoning that they were comfortable with what we are talking about. In that by no means puts owning in that they have to make that decision, but what it does do allows them that they know we were here and that you are comfortable as a Board. The reason I ask that question is the owner is going to call me tomorrow and say how did things go. They paid my living and it would be really nice to be able to say to them we had a very constructive conversation with this board. They did pass along a recommendation of comfortability that does not need you are going to get the variance by any means. The board was looking at this as a favorable project.

Jason Inda: Maybe asking for answer you do not want.

Daniel Hackett: Again, if that would be the case that you are feeling uncomfortable about it we would want to know that a head of time. We want to be able to address that with the board to help the project go forward.

Sam Seymour: The major issue here is the lot coverage question.

Daniel Hackett: Okay.

Jason Inda: That is not our purview. That is the Zoning Board purview.

Sam Seymour: The history behind the lot coverage requirement comes from the building of a very large house on a small lot that block the view of the walkers of the road behind it.

Daniel Hackett: I understand.

Sam Seymour: The chairman of the board at the time was struct by the coverage of the lot and blocking of the view. This happened a number of years ago. That is the history of this requirement. This house is a broad house. It covers almost the width of the lot barring the north and south setbacks. Of course, the audience that walks up and down that road. We are up against that issue with this application. There is the history and the orientation of this requirement.

Daniel Hackett: As we work through this with the zoning, just to know to answer that question will be the houses downhill from the road. The road is higher. There is a roof there now. If you were walking down the road as you are saying the canopy of the trees down the hill you do not see through so there is screening. I understand it is change and we want to leave windows open. I can respect your decision and what you are saying.

Sam Seymour: We certainly appreciate the challenges that you have gone through, all three of you, perspectives have gone through in getting this on here and making it appealing for the neighborhood sort of speak. Thank you for that.

David Crowe: One quick point on view. We are able to go 35 feet. We are at 22.

Sam Seymour: I know.

David Crowe: It was three stories at one time.

Sam Seymour: It is a private drive and not a public road. You can punch a lot of holes in that too. That goes to the appreciation of your architectural design.

David Crowe: Did you hear that?

Daniel Hackett: I do not believe I heard that. No, No, No.

Sam Seymour: It is all compromises and all it takes to get to this.

Daniel Hackett: That is really what it is a compromise, and we hope all the boards we appear before look at it as we are looking at this meaningfully. We are looking at this with compromise and not coming in to overpower people and say this is what I want because this is what I want I do not agree with, and I think boards should vote people out when they say that. I think that the people that come in with reasonable and work with boards and say this is what is going on and while we were here we did this are important things. Very respectful of the dialog with you guys and hopefully continue through this process.

Sam Seymour: One thing I would ask is the dimensions on the easement for the leach field area.

Diane Graham: I gave you the actual deed for the easement.

Anthony Venezia: I can add metes and bounds on it in an area if want.

Sam Seymour: It is unmarked as far as the dimensions.

Anthony Venezia: I can do that.

Sam Seymour: That would be good.

Daniel Hackett: His computer does all those calculations.

Diane Graham: I found this variance for 14 feet. They did reference that the property would be at 18.6% lot coverage. I do not know how it went from that to what the existing is now. I do not know what was added after the fact.

Daniel Hackett: Here is what some of that could be is at the time I think that was given in the 80s. This is just me I do not know so I am speculating. For 35 years I have been on a lot of these Planning Board meetings. I know how things were happening in the 80s and what is going on now. Back then you had building coverage and only building coverage. Then they added building coverage and they added lot coverage. Then within lot coverage they did not have driveways. They did not have retaining walls, walkways, patios. What we did is and took this as a time capsule of what it is now and we said here is everything that is here and this is what it adds up to. They have an enormous gravel driveway that all adds up. We were so far beyond. Your question of how did it get there. It could have been that the municipality actually always let it go there. At the time they said 18.3 building coverage. I never thought until you said that, but I could take the square footage of that building and calculate it into the site. If it came up at 18.3, they were only calculating the building back in 1981 or whatever it was. That is what you see that

difference, Diane, in your math. It was not us coming up with voodoo economics. This is the real data that we are giving for the site now.

Diane Graham: Okay. Thank you for that.

Sam Seymour: We will see you at the public hearing on May 21st.

Anthony Venezia: Perfect.

Daniel Hackett: At least you want to see us so that is good. We will take that as a win.

**Old Business**

Site Plan Approval Application 2025-0001

County Planning Board Referral: 51.2-2025 Exempt
Owner: William P. Vitek & Laurel S. Raines
Representative: Mark Schlegel
Property: 6957 Granger Point Drive
Tax Map: 191.17-1-7.000
Zoned: LR (Lake Residential)

Application was deferred to the May 21 meeting.

Review Town Code Sections 170-66 Solar Energy Systems and 157. Trailers

Board members discussed trailers, 170 zoning, and solar/windmills/industrial/minimum acreage/viewshed. It was determined to form a zoning review committee consisting of members of the Town Board, Planning Board, Code Enforcement Officer to make recommendations to the Planning Board and then the Planning Board to review and make recommendations to the Town Board.

**Other**

Diane Graham shared information with the Board about training and site visits.

Being no further business, Michael McCabe moved to adjourn the meeting. Frederick McIntyre seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 8:07 pm.

Respectfully submitted,

Diane S. Graham

Diane Scholtz Graham
Board Assistant