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

Planning Board Meeting Agenda

Wednesday, June 18, 2025, at 6:30 pm

Meeting in-person or by joining Zoom
https://us02web.zoom.us/j/86983530028?pwd=C4za8uqQuDFZ5bJGJyLQyRjRDBXfY5.1
Zoom Meeting ID 869 8353 0028, Passcode 183277

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 April 16, 2025, and May 21, 2025, meeting minutes.

Old Business
Public Hearing
Site Plan Approval Application 2025-0003
County Planning Board Referral: Exempt
Owners: Judy von Bucher
Representative: Erik von Bucher
Property: 6507 Longs Point Drive
Tax Map: 185.17-1-2.000
Zoned: LR (Lake Residential)

Amended Site Plan Approval Application 2024-0008 Tree House Complex
Request for Site Plan Approval Six-Month Extension to December 18, 2025
County Planning Board Referral: Exempt
Owner: Rochester Museum & Science Center (Cumming Nature Center)
Representative: Rory Stave
Property: 6472 Gulick Road
Tax Ma: 182.00-5-7.000
Zoned: PD (Planned Development)

New Business

Site Plan Approval Application 2025-0004 Land

County Planning Board Referral: Exempt
Owners: Cartwright Farms LLC
Representative: Jeremy Fields
Property: 5687 Shore Drive
Tax Map: 168.20-1-3.111
Zoned: LR (Lake Residential)

Site Plan Approval Application 2025-0005 Dock

County Planning Board Referral: Exempt
Owners: Cartwright Farms LLC
Representative: Jeremy Fields
Property: 5687 Shore Drive
Tax Map: 168.20-1-3.111
Zoned: LR (Lake Residential)

Zoning Review Committee Recommendations 05.29.2025 and 06.05.2025

Other

Motion to Adjourn

Town of South Bristol Planning Board Meeting Minutes Approved
Wednesday, June 18, 2025

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

Guests In-person: Rory Stave, Erik von Bucher, Chuck Ryan, Anthony Venezia, Daniel Hackett, Meghan Fuller

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.

Reading of Vision Statement
Sam Seymour read the Comprehensive Plan Vision Statement.

Meeting Etiquette
Chairman Bowen reviewed meeting etiquette.

Meeting Minutes
Deferred to the next meeting.

Old Business
Public Hearing
Site Plan Approval Application 2025-0003
County Planning Board Referral: Exempt
Owners: Judy von Bucher
Representative: Erik von Bucher
Property: 6507 Longs Point Drive
Tax Map: 185.17-1-2.000
Zoned: LR (Lake Residential)

Chairman Bowen: Diane, can you please read the hearing notice?

Diane Graham: Yes.

Legal Notice of Public Hearing

Please take notice that the Town of South Bristol Planning Board will hold a public hearing on the following application:

2025-0003 for property owned by Judy B. von Bucher located at 6507 Longs Point Drive, tax map 185.17-1-2.000. The applicant/owner is looking for site plan approval to construct a standalone 24 by 24 foot 576 sq ft. one-story two-car garage off the existing driveway.

Said hearing will take place on the 18th day of June 2025 beginning at 6:30 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

Application is located on the town website under important documents and notices / board meeting documents.

All interested parties may provide written comments, appear in person or by representatives.

Chairman Bowen: Thank you. I declare the public hearing open. Mr. von Bucher, please state your name please.

Erik von Bucher: Good evening! I am Erik von Bucher. I am representing my wife, Judy von Bucher, in regards to this garage.

Chairman Bowen: Can you briefly describe the project for the board and any changes that have been made since the preliminary meeting that was held May 21.

Erik von Bucher: As stated it is a 24- by 24-foot one-story garage. There is only electricity being supplied to it. There is no water for bathrooms or washing the cars. There is no heat there. Under in the attic part of the eaves. Above that first floor might be some space depending on the trusses used for some small storage. Lumber may be a lawnmower, etc. It will be quite small. The garage is going to be dug into a hillside so three of the walls would be of concrete block. The grade of the soil will be if the walls are approximately nine feet tall the grade will reach up to eight and be coming down on a diagonal as is currently there. Any exposed block will probably be decorated in hardy board siding so that it continues to match the main house. The roof we have not decided on but I think we would be going with black, matte metal roof because we have a lot of that green asphalt at the moment, and my wife thinks that is too much. Since that I think that is mostly it. There have been changes really to the dimensions. Oh, I know. There was concern about the easement with RG&E which is in the deed which is five feet on either side of the overhead wire. Originally the garage was drawn the foundation to that five-foot point and correctly observed and responded to if there are eaves overhead part of the roof design that would go out farther than that point. The base of the garage is since been moved seven feet away to accommodate approximate one-foot eaves and hence the change has been made for our variance of 11.9 feet instead of the original whatever it was 10.9.

Diane Grahan: 9.4.

Chairman Bowen: Diane, did that have to go back to ZBA for amendment?

Diane Graham: They did it that night, the change.

Chairman Bowen: Very quick.

Erik von Bucher: The Zoning Board was made aware of that and yes, we worked on that.
Diane Graham: He provided the site plan for that that night.

Erik von Bucher: Yes.

Chairman Bowen: That revision is now in the site plan?

Erik von Bucher: It is.

Chairman Bowen: There was a Planning Board letter to you May 27, 2025, and we did receive your response on May 28th which addressed that and several other things. We did get a response from RG&E regarding the setback. That updated setback is now complied with. We requested some additional things on the site plan: Accurate lot calculations which has been provided. Amendment to the front setback if it was required which we received in the amended site plan. Added existing drywell.

Erik von Bucher: Yes. That is on the site plan. There was a question from this board about gutters and how that was going to be directed away. I hadn't really thought about it and so I said sure we will have gutters, but because of the design of the concrete walls with gravel going out and extending beyond the eave it becomes like a drywell. I thought that it was preferable to if we have to dig to connect the pipe to the drywell which is at the bottom of a very steep hillside. It is not particularly long but it is fifteen feet, but it is covered with a nice heavy vegetation. If we disturbed all that that would create more erosion than using the gravel that is going to be surrounding the garage for the runoff for the roof.

Chairman Bowen: We received a revised site plan both dated May 29, 2025, and another one June 10, 2025, showing those changes. We got an email from you showing the old wire fence with some photos. That has now been removed. That is no longer a concern.

Erik von Bucher: The shed and the guest house we provided proof that those were built before the current town code went into effect in 2005, I believe the date is. We have been issued by Scott whatever it is called, I am sorry.

Chairman Bowen: Certificate of non-conformity permit 2025-0041.

Erik von Bucher: Yes.

Chairman Bowen: That is all taken care of.

Erik von Bucher: Yes.

Chairman Bowen: There was an issue with barrier that Tyler Ohle wanted on the foundation to be applied during construction because of its closeness to runoff from the septic system. You have addressed that. I believe that is it. There is gravel fill extending beyond the edge of the drip line off the roof eave overhang rather than going with the drywell. Does the Board have any comments or questions? Any written comments received?

Diane Graham: No.

Chairman Bowen: Is there anyone on Zoom with any comments or questions?

Diane Graham: There is no one on Zoom.

Chairman Bowen: Therefore, I will declare the public hearing closed.

This application is exempt from County Planning Board referral. There was a septic system review and approval that was received by Tyler Ohle, Watershed Inspector with emailed comments on March 18, 2025. Storm water and erosion control have been addressed in the site plan. There is no NYS DEC threatened and endangered species determination required. We did receive a no impact letter February 26, 2025, from NYS Parks Recreation and Historic Preservation. There is no active agricultural farms within 500 feet. This project is not in a flood plain and no floodplain development permit is required.

With respect to SEQR at this point I will make a motion to concur with the Zoning Board of Appeals determination that the requested variances are SEQR Type II actions under paragraph 617.5 (c)(16) granting of an individual setback and paragraph 617.5 (c)(17) granting of an area variance for a single-family residence which requires no further review. In addition, I will add to the motion that this project is a SEQR Type II action under 6NYCRR 617.5 (c)(9) construction of an accessory non-residential structure involving less than 4,000 square feet of gross floor area and not involving a change in zoning or use variance.

Frederick McIntyre second the motion.

All in favor.

Ayes 5, D. Crowley, J. Inda, M. McCabe, F. McIntyre, P. Miller
Nays 0

Chairman Bowen: Just for the record I did not vote because I previously recused myself from this matter.

Diane Graham: Oh, that's right.

Sam Seymour: Me too.

Diane Graham: That means the alternates get to vote. Are you all in favor?

Bruce Mackie: Aye

Cody Koch: Aye

Motion carried.

Chairman Bowen: Next, I will make the following findings based on all documentation received and the presentations from the applicant and the variances granted by the Zoning Board of Appeals.

1. The proposed project is consistent with the comprehensive plan.

2. The proposed project is consistent with the zoning district in which the project is located.

3. The proposed project will not have an adverse impact on the physical or environmental conditions of the district.

4. The proposed project will not adversely affect the character of the neighborhood.

I would request a motion to approve findings 1-4.

Michael McCabe made a motion to approve findings 1-4. Daniel Crowley seconded the motion.

All in favor.

Ayes 7, D. Crowley, J. Inda, C. Koch, B. Mackie, M. McCabe, F. McIntyre, P. Miller
Nays 0

Motion carried.

Chairman Bowen: I will request a motion to approve the preliminary and final site plan and amended application.

Daniel Crowley made the motion to approve the preliminary and final site plan amended application. Jason Inda second the motion.

<u>Roll call</u>
Jason Inda – Aye
Frederick McIntyre – Aye
Paul Miller – Aye
Daniel Crowley – Aye
Bruce Mackie – Aye
Cody Koch – Aye

Motion carried.

Chairman Bowen:
Per town code you will need to obtain a building permit and start your project within six months of board approval which is today.

If the project has not started within six months of approval, you must submit a written request for a one-time six-month extension to the board assistant, Diane, to attend the next available board meeting to receive approval for an extension.

If a year has passed since the date of approval, you will need to start the board application process over.

Erik von Bucher: You have too many things to do. I will be timely.

Chairman Bowen: Thanks Erik.

Diane Graham: Thank you, Mr. von Bucher.

Erik von Bucher: Thank you one and all for your time. It is very generous of you.

Amended Site Plan Approval Application 2024-0008 Tree House Complex
Request for Site Plan Approval Six-Month Extension to December 18, 2025

County Planning Board Referral: Exempt
Owner: Rochester Museum & Science Center (Cumming Nature Center)
Representative: Rory Stave
Property: 6472 Gulick Road
Tax Ma: 182.00-5-7.000
Zoned: PD (Planned Development)

Chairman Bowen: The applicant and owner has requested a one-time six-month extension to site plan approval granted on December 18, 2024. I am sorry he requested that, and it expires on June 18, 2025. You are seeking another extension, is that correct?

Rory Stave: Yes. My name is Rory Stave. I am the operations manager for the Cumming Nature Center.

Chairman Bowen: Are there any changes to the site plan that was approved previously?

Rory Stave: None.

Chairman Bowen: At this point I will request a motion from the board to approve or deny applicants/owners request for a one-time six-month extension until December 18, 2025.

Sam Seymour made a motion to approve. Frederick McIntyre second the motion.

Diane Graham: The ones I have voting are the same ones that approved of the site plan.

Roll call vote
David Bowen – Aye
Jason Inda – Aye
Michael McCabe – Aye
Frederick McIntyre – Aye
Paul Miller – Aye
Sam Seymour – Aye

Motion carried.

New Business
Site Plan Approval Application 2025-0005 Dock

County Planning Board Referral: Exempt
Owners: Cartwright Farms LLC
Representative: Jeremy Fields
Property: 5687 Shore Drive
Tax Map: 168.20-1-3.111
Zoned: LR (Lake Residential)

Chairman Bowen: It is my understanding there has been a medical situation with Mr. Fields and his family. Diane Graham received an email from Mr. Fields at 6:24 pm this evening stating that Anthony and Dan Hackett will be representing my application tonight. I will accept that as authorization.

Anthony Venezia: Thank you.

Chairman Bowen: Your name.

Anthony Venezia: My name is Anthony Venezia and Dan Hackett representing Jeremy on his two projects tonight.

Anthony Venezia: The first one is a new dock just going to be a single dock that extends out into the lake. There is no hoist. It is just going to be a little dock with some cleats on either side of it for mooring a boat. On the south side it is going to be an extension of an existing concrete pier to match out, both will be about the same length from each other. It is one new dock and then one extension. Both docks meet the UDML laws regarding size and position.

Chairman Bowen: The existing pier is that concrete?

Anthony Venezia: It is concrete with a timber break wall around it. The existing it will not be concrete. It will be piers like a standard dock is built today. It will be piers with decking extended out.

Chairman Bowen: The concrete will stay.

Anthony Venezia: The concrete is going to stay. Yes.

Chairman Bowen: Any questions from board members?

Sam Seymour: They are parallel, right?

Anthony Venezia: Yes.

Sam Seymour: Okay. All those converging lines make it look like…

Anthony Venezia: Parallel to each other correct.

Chairman Bowen: Based on conversations with Mr. Fields is there any contemplation of any boat stations, boat hoist, boat hoist structures or boat houses in the future.

Anthony Venezia: Not at this time. There was no conversation about it. It was just the two docks.
Chairman Bowen: Just so he knows, and you know if that ever comes to pass come back to us for approval.

Anthony Venezia: Yes.

Chairman Bowen: I believe we already received a no impact letter from state parks recreation and historic preservation. I think when Mr. Fields was here last time, I asked him some questions about what vessels

he intended to moor here, and he got a little upset. I do not know if you were here. Do you have any idea what vessels he intends to park?

Anthony Venezia: I honestly do not. I know he has a number of different vessels that he moves in and out of different slips. This is to work with all different boats that he has. Nothing specific.

Chairman Bowen: I want to make the comment that I believe that under docking and moorings law this could be interpreted different ways but at least the way I read it that commercial and construction related vessels would not be appropriately docked or moored there.

Anthony Venezia: Gotha. I will have to take a look at that.

Chairman Bowen: The concern I have and I am sure the neighbors have is Mr. Fields has some large steel barges.

Anthony Venezia: It is not for the barges. I know that.

Chairman Bowen: They get moved around the lake from time to time and moored in certain locations. I think that would not be appropriate.

Anthony Venezia: This dock is not meant for the barges. I know that. He does have other boats. It would be some sort of boat vessel. You could not tie this off anyway. If the barge moved, it would tear out the dock in seconds. It is not meant for barges. Barges are never moored to anything. They are put in place of those piles that he has. He could put it wherever he is working. It is not meant for any long-term storage of the barges.

Sam Seymour: How far apart are the two docks?

Anthony Venezia: They are about 20 feet apart. I can add to the finals.

Sam Seymour: That would be good.

Chairman Bowen: Any other comments from anybody, questions?

Daniel Crowley: Would we be in line to request that the application be updated with a statement specifically excluding the storage of commercial vessels here or is that not appropriate?

Chairman Bowen: In my view, I would condition approval on no barges being parked there.

Daniel Hackett: I think the board has great discretion and the board would be able to condition that easily. I would agree with the board in this case have that as a condition. I am not a lawyer but from a planning aspect it is a discretion for approvals. I would think that could be part of a condition.

Chairman Bowen: It is a lake residential zone. There are residences immediately next door. There is a large condominium complex that overlooks the site with a number of I do not know how many people live but it is a lot. The barges are large, and they are an eyesore to a lot of people. I am not saying eyesore to me necessarily.

Anthony Venezia: I completely understand. They are stored down on the south end.

Chairman Bowen: This would be a tier 1 facility and tier ones are typically tied to residential use.

Anthony Venezia: Correct.

Chairman Bowen: Seems to me the facility itself could not be used for the mooring of commercial vehicles or vessels.

Anthony Venezia: Okay.

Chairman Bowen: Beyond that he has adjoining property immediately next door and that is not in front of us and I do not know how much space he's got there. I just do not want to see him bring those barges in.

Anthony Venezia: I understand that. The intent is not to store or long-term storage of any barges.

Chairman Bowen: Anything from anybody else? Hearing nothing, I view the application as complete at this time, and we will schedule the application for a final review and public hearing on July 16, 2025.

Diane Graham: Do you want a change to the site plan per Sam?

Anthony Venezia: The distance noted between the two docks we will add.

Sam Seymour: Yes. Good.

Diane Graham: An easy thing you could send me this week.

Anthony Venezia: Absolutely.

Chairman Bowen: With that we will tentatively schedule for a final review on the same date July 16, 2025. If we do not receive that, it will be deferred to August 20.

Anthony Venezia: Gotcha.

<u>Site Plan Approval Application 2025-0004 Land</u>

County Planning Board Referral: Exempt
Owners: Cartwright Farms LLC
Representative: Jeremy Fields
Property: 5687 Shore Drive
Tax Map: 168.20-1-3.111
Zoned: LR (Lake Residential)

Chairman Bowen: Second matter of new business. Can you explain the project to the board please.

Anthony Venezia: There is an existing cottage along the lake front with a corresponding porch and a deck. The plan is to relocate the building to the southerly westerly portion. I am sure you guys are well aware of what is down there, this is the area. The private drive that comes in that the Ryans have access to and loop around. That is where it is going to located considerably farther away from the lake. Right now, the

building is about 45 feet from the lake. It is going to be 220 from the lake. Also, there is a small garage that is on the site that is also going to be moved to the southwest corner of the site. Both buildings are going to be moved in a certain way. Once they are moved, they will reside and things that will need to be fixed will be fixed as well. Where the existing house was the basement will be taken out and some of the fill from the excavation of the new location will be used to level that area and resod and seed it. Basically, we are taking the two structures on the lakeside and bringing them back behind the driveway and the tennis court. The tennis court is to stay and the arborvitae rows on either side north and south side of the tennis court are to stay. The house is serviced by a septic system that Jeremy put in new system a couple years back. That is all up to date and up to code.

Diane Graham: That is on a separate.

Anthony Venezia: That is offsite to the south. That is a newer system that he put in four or five years ago.

Chairman Bowen: Just for the record, the septic system is located on property next door?

Anthony Venezia: Yes.

Chairman Bowen: What is the address?

Anthony Venezia: I do not know what the address is. I do not think it has one because it is vacant.

Diane Graham: Tax map number do you have it?

Anthony Venezia: I can add the tax map number. It is on the Hubbard parcel. There is an existing easement over that.

Sam Seymour: Which is basically to the left?

Anthony Venezia: The system is here. It is in that field. There are a couple of other systems in that area that they have done throughout the years. There are four or five systems in that field.

Chairman Bowen: Will the garage be connected to that at all?

Anthony Venezia: The garage will only have electric to it as it does now.

Chairman Bowen: Does the house have a basement?

Anthony Venezia: Right now, it on a crawl space. It will have another crawl space on it.

Chairman Bowen: The foundation there is going to be an excavation?

Anthony Venezia: There is going to be an excavation. Concrete will be removed and some of the dirt from the next excavation here will be used to level and regrade where the house currently sits.

Chairman Bowen: Is the current elevation of the site where the house is moving to going to change at all?

Anthony Venezia: Right now, the elevation goes up in grade about three or four feet as we come across here. The goal is to shelf this in with some of the same type of boulder walls that Mr. Fields has used in the past to keep that elevation lower. It is still within code, but it will not be sticking up way high up on the site.

Chairman Bowen: The intent at this time is not to elevate the location where the house is?

Anthony Venezia: No.

Chairman Bowen: What type of drainage is going to be around the house?

Anthony Venezia: Right now, what we are going to propose to do underground roof drains and tying int some. We do have a pipe right now that has a catch basin that goes across to the existing drainage swale. We have to remove that and there is a catch basin right to the south of the existing garage. We are going to tie in those downspouts to that, so it goes right out to the lake. A portion of this is we are removing some of the driveway in the area around the existing house. We are reducing lot coverage by almost seven percent of what is there today. He does need a variance because of lot coverage, mostly because of the tennis court.

Chairman Bowen: There is a driveway that comes in between the proposed garage and house location and that goes to Ryans property which is to the east and then it curves to the west.

Anthony Venezia: Yes. It goes around the proposed location of the new house and garage. It is also how Bristol Harbour gets access to their pump systems. That has to stay clear.

Chairman Bowen: That is leading to my next question to what is the roadway that leads to Bristol Harbour beach area is that remaining?

Anthony Venezia: That is all remaining, correct.

Sam Seymour: Is that an official easement across the property.

Anthony Venezia: They do.

Chairman Bowen: The area that is shown as gold is that the current part of the driveway.

Anthony Venezia: The current part of the driveway comes in off Seneca Point. It accesses through here. It wraps around the current boulder wall and then accesses through here to the lake. It is going to be similar to what it is now. The only thing that is going to change is where that turn around is. There is a circular turn around there now. That is going to be all removed because it is no longer necessary.

Diane Graham: Emergency access?

Anthony Venezia: There is enough room to turn around.

Diane Graham: For fire trucks?

Anthony Venezia: There will still be enough access. The fire trucks if they came in there is plenty of room to turn around. There is a large area by the pump system there that can be maneuvered.

Sam Seymour: I think that is a concern is getting to the beach to save someone.

Anthony Venezia: The way it is right now is not going to change. We are not redoing the road. The road is where it is. The only thing we are taking out a section of turnaround with Japanese maple in the center of it that will be removed.

Chairman Bowen: What is the blue circle?

Anthony Venezia: Right here?

Chairman Bowen: Yes.

Anthony Venezia: That is a center island of the existing that is going to be removed. There is a center island with a small Japanese maple in the center of it. That is the open area.

Chairman Bowen: Okay.

Anthony Venezia: That will all be taken back to lawn as part of this project.

Chairman Bowen: There is an application to the Zoning Board of Appeals for variance?

Anthony Venezia: A variance for lot coverage and also a front setback for the garage. Fifty feet is necessary and we were asking for a ten foot so a 40-foot variance because the private drive enters on this side that is what is considered the front setback. We are trying to get it right here, so it is out of the way.

Chairman Bowen: What is the intended use of the property? Is this for residential?

Anthony Venezia: Residential. Yes. The current use now is residential. They use it. The plumbing and everything will be upgraded to be able to be used in the winter. Right now, he has to winterize it and they cannot use it half the year. Part of that is going to be updating it and bringing it up to current code. New siding, new roof.

Chairman Bowen: The drainage swale that is shown on the map in blue is that a ditch, is it a berm?

Anthony Venezia: It is a ditch that runs it is drainage that has always been there. It goes under the driveway that is there and then it runs towards the lake between I believe Glazer and Ryan.

Chairman Bowen: Is the culvert that is shown next to the garage is that remaining?

Anthony Venezia: Yes. That is going to stay. The garage is going to be put on a slab.

Chairman Bowen: Where will the doors for the garage be?

Anthony Venezia: They will be right here.

Chairman Bowen: So, facing west?

Anthony Venezia: Yes. Facing the driveway.

Diane Graham: Will he be adding driveway to that garage?

Anthony Venezia: He is not. He is not going to be using it as a garage. At lease that is not what he wanted to do, but I will ask him. I told he couldn't because he did not have enough lot coverage.

Daniel Crowley: Does the property currently possess a short-term rental operating permit?

Anthony Venezia: I do not know. I do not think so.

Daniel Crowley: Does he plan on applying for one?

Anthony Venezia: I do not believe so. Not at this time.

Daniel Crowley: I am curious with the moving of the house would be reset or is this considered the two-year holding waiting period be invoked by moving a house on property?

Diane Graham: Changing location.

Daniel Crowley: Right.

Anthony Venezia: There is no plan for short-term rental at this time. I do not think he has that plan because that is where his current residence is and he is always in and out of there.

Daniel Hackett: I think it is for his daughter.

Daniel Crowley: She lives there. Is that what you are saying?

Anthony Venezia: She uses it also.

Daniel Hackett: I think they wanted a place for her to stay when she visits. That is how I understood it.

Anthony Venezia: His current house is only one bedroom anyways.

Daniel Crowley: Yeah. I am just saying.

Anthony Venezia: Family overflow is usually what is there. Some family members use it.

Frederick McIntyre: Is the septic system going to need any modification?

Anthony Venezia: No. It is within the current code because we are not changing the size. All we are doing is we are going run a gravity pipe to the existing pump system and then reuse that. We are not going to be messing with that.

Frederick McIntyre: Where abouts is that?

Anthony Venezia: The pump system is just off the north side of the existing cottage. He is going to run a new line down to it.

Daniel Crowley: And pump it back.

Anthony Venezia: Pump it back and leave the pump where it is or he would have to move the pump system entirely. It is easier to run a new pump instead of rewiring and digging up the old bored main. The existing septic is within today's code.

Frederick McIntyre: Where is the leach fields?

Anthony Venezia: The leach field is over here. It is offsite. Bill Grove designed that I think in 2018.

Frederick McIntyre: Did you say several people are using that?

Anthony Venezia: This property hosts other septic systems along Applewood Drive as well. It is that large field that separates Applewood and Seneca Point.

Diane Graham: Is that an easement?

Anthony Venezia: It is an easement.

Diane Graham: He does not own it.

Anthony Venezia: He does not own it. He has an easement just like all the other ones.

Diane Graham: I am thinking we do not have a copy of that easement.

Anthony Venezia: I can get it to you.

Diane Graham: Okay.

Chairman Bowen: Any other questions from anybody?

Bruce Mackie: On your site plan sheet C-1 dated 4/17/25 I did not see a floodplain line on there. Should there be one on there?

Anthony Venezia: I can add it. That is not a problem. We are out of the floodplain. Diane would have caught that I think.

Diane Graham: Depending on what we are looking at. The current flood or the 100/500 year 2023 drafts a good portion of the property is covered in water if that happens. The back portion to what extent I do not know would not be in there.

Anthony Venezia: Correct.

Diane Graham: Scott will have to determine the floodplain on that.

Anthony Venezia: I can add it. If it is needed.

Diane Graham: Thank you.

Anthony Venezia: Yes. The floodplain on this it is close to the 691 contour because of the datum that we use.

Bruce Mackie: The drainage system which is now I guess is tied into curb boxes or whatever.

Anthony Venezia: It will be underground and tied into the existing storm drainage that is on site.

Bruce Mackie: They are currently sized to take the two-story framed house.

Anthony Venezia: Yes. They are twelve-inch pipes that do not take anything right now.

Bruce Mackie: Now I am wondering, do those boxes open at the top?

Anthony Venezia: They only collect a little bit of surface water on the driveway. This one here really does not collect anything. No water can get into it.

Bruce Mackie: Hopefully you won't get a 500-year flood.

Anthony Venezia: Canandaigua got one today.

Chairman Bowen: You said that box was moving.

Anthony Venezia: We are going to redirect this pipe because right now it goes through the proposed house it is going to be tied into the existing culvert that does have a connection to that stream.

Chairman Bowen: That culvert is not on the map, is it?

Anthony Venezia: Which one. The new one or the old one?

Chairman Bowen: The old one.

Anthony Venezia: If you look at the plan, it shows a hatched line that goes directly through. Now it will be removed, and we are going to redirect it to the catch basin just south of where the garage currently sits.

Daniel Crowley: It is downhill to that.

Anthony Venezia: Yes.

Bruce Mackie: You have a cross-section AA stone gravity retaining wall. Is that proposed somewhere?

Anthony Venezia: The wall?

Bruce Mackie: Yes.

Anthony Venezia: That is the wall that wraps around the building. We wanted to bring the house down, but he also did not want to elevate the basement too much so he wants to put that wall around the house and the house will sit in it. We do not have the house sitting four or five feet above grade currently.

Bruce Mackie: That is not a boulder wall, it is separate.

Anthony Venezia: It will be a new boulder wall in the same kind of style that is on the whole property.

Daniel Crowley: How tall is it?

Anthony Venezia: About four feet.

Daniel Crowley: At its height.

Anthony Venezia: At its highest.

Bruce Mackie: The boulder wall.

Anthony Venezia: The new boulder wall. Yes.

Bruce Mackie: It looks like the cross-section says for the gravity retaining wall approximately ten feet.

Anthony Venezia: That is what that wall is designed to uphold is about ten feet. We are not going to be that high. That is just the max for that style.

Bruce Mackie: I did not see that on the lot coverage which is the reason why I am asking at all.

Anthony Venezia: The boulder walls are on there.

Bruce Mackie: The boulder walls are but not the gravity retaining wall.

Anthony Venezia: I am considering it the same.

Daniel Hackett: They are one in the same.

Anthony Venezia: It is a boulder gravity retaining wall.

Daniel Hackett: I think what we can do on the site plan address your concern of the height with a spot elevation.

Anthony Venezia: I do have those on there.

Daniel Hackett: Oh, you did have them on there.

Anthony Venezia: It is a gravity boulder. It is an armor stone retention wall that he has used everywhere on that site.

Bruce Mackie: I have one question on my favorite form the short environmental assessment form. Number 5. a. permitted use under the zoning regulations. It was checked off as no. Should that be a, yes?

Anthony Venezia: We need a zoning variance so is it no? It does not meet zoning requirements because we need the two variances.

Daniel Hackett: Variances are granted the board would then be able to say that it is approved under the zoning but I think he was trying to answer that honestly and say that he needs a variance for this to happen so not permitted. That is how I would read that. I wasn't there when he checked the box.

Chairman Bowen: He is not seeking a use variance.

Anthony Venezia: Area variance.

Chairman Bowen: It really should be reversed.

Anthony Venezia: Okay.

Daniel Crowley: It is a permitted use.

Bruce Mackie: It says no now.

Diane Graham: No to yes.

Bruce Mackie: No more questions.

Anthony Venezia: Thank you.

Frederick McIntyre: What kind of foundation is he going to put under the new?

Anthony Venezia: On the plan is to put a crawl space. A concrete crawlspace.

Frederick McIntyre: Is there going to have concrete on the floor under there?

Anthony Venezia: I believe so. Yes.

Chairman Bowen: We did get an archeological site determination letter April 23, 2025, no impact. Canandaigua Lake Watershed Inspector letter dated April 29, 2025. There will be a floodplain development permit to be determined by the code enforcement officer. We are awaiting front setback and lot coverage variances from Zoning Board of Appeals.

The next meeting we request a copy of the easement for this septic system. If we can get the floodplain identified on the site plan.

Diane Graham: SEQR 5. b. no to yes. Tax map number of where the onsite wastewater system is located is all I see. Anybody else other than flood plain development to be determined by CEO and Zoning Board approval?

Chairman Bowen: Small item but in paragraph five of the short form assessment. It was typed in residential lakefront under other, but the box other was not checked. Aquatic was checked but not the other.

Anthony Venezia: We can check it. Not a problem.

Chairman Bowen: Other than that, I think that is it. We will tentatively schedule the application for final. Any other questions or comments?

Daniel Crowley: No.

Chairman Bowen: Tentatively schedule the application for final review/public hearing on July 16, 2025 pending receipt of board requested items by June 26, 2025. If not it will go off to April 20, 2025.

Diane Graham: Do we want something from the emergency services as to are they able to get through?

Chairman Bowen: That would be Cheshire Fire Department?

Anthony Venezia: I think so.

Diane Graham: I know we did it when he applied to do his house.

Anthony Venezia: Right. It is the same access though.

Diane Graham: He changed it.

Anthony Venezia: That's true.

Daniel Crowley: We also wanted a copy of the easement.

Diane Graham: Wondered if you want them to check it out and get their blessing.

Chairman Bowen: I think they should with a new site plan because the road is being moved.

Anthony Venezia: We are adjusting it to get rid of a little bit, but the basic flow is staying the same. That makes sense.

Chairman Bowen: The homeowners association next door will probably have a concern about that.

Anthony Venezia: Probably.

Chairman Bowen: Let's add that to the list.

Diane Graham: I am trying to remember who did it in 2017.

Sam Seymour: Is that considered Applewood Drive there?

Anthony Venezia: Shore Drive. His, Bristol Harbour and Ryans are the only ones with accesses off that. Everything else is Applewood. They do not connect.

Sam Seymour: They do not connect. Okay.

Anthony Venezia: There are a lot of old easements that go through there. There is a lot of stuff going on there.

Sam Seymour: Applewood goes all the way around the other way.

Anthony Venezia: Yes. Glazer would have been if you go all the way around you have to get to that. Is that it? Thank you very much I appreciate it.

Chairman Bowen: Thanks for stepping in.

Anthony Venezia: Yes.

Daniel Hackett: Thanks, have a nice night.

Daniel Crowley: See you guys.

Diane Graham: You too.

Chairman Bowen: We have three items to discuss that came from the Zoning Review Committee seeking review and recommendations from the Planning Board because these involve an amendment to the zoning code. The current zoning code 170-5 the Town Board may on its own or on a petition or recommendation of Planning Board and after public notice and hearing amend, change or repeal the zoning code. Any proposed amendment shall first be referred to the Planning Board for a report prior to any public hearing that the Town Board entertains.

Dan Marshall, Meghan Fuller, David Bowen, Paul Miller, Daniel Crowley, Chris Abraham, Scott Martin, Diane Graham were all members of the committee.

Repeal of Chapter 157, Trailers motion by the committee passed unanimously that the Planning Board review and make a recommendation to the Town Board for repeal of the chapter because it preexisted the zoning code. I think we have discussed this previously. It was enacted in 1963 before there was a zoning code. It was outdated when you look at other sections of the code. It was ambiguous, it was not very well drafted. It did not say what a violation was. What I think it said was that you were not permitted to park a trailer without a permit, but it said you are not able to park and never said what it was you couldn't park. Even from the get go it was not very well drafted. I do not think it was ever used. Everyone at the town hall seemed to have no recollection of ever being asked for a permit let alone issuing a permit for a trailer anywhere in the town. On top of that the town zoning code does a section 170-24 that addresses trailer parks. It is by special use permit permitted in the R-5 district only. The town does have provisions for trailer parks. We have the ability to have one. There is not currently a trailer park in the town anywhere. If anybody wants to develop one R-5 is the place to go. Based on my review there are very detailed requirements for what a development of a trailer park entails in terms of lot size and configuration and what has to be there in terms of infrastructure. It is quite detailed.

Anybody have any comments about it or feel about it?

Daniel Crowley: Generally speaking, the committee found that there is no risk and no harm in repealing it. In fact, it cleans up the code because it conflicted with other sections that have been enacted in a much later time frame. It makes the code more clear and more enforceable by removing it.

Chairman Bowen: I think all this came to a head because of the recreational vehicles that are parked down on Seneca Point Road. The owner at least one of them came to the town asking for a permit and nobody seemed to know what to do with it. I think a town board member said they did not think they needed a permit. At any rate, we have a couple of trailers down there which are not subject to any kind of inspection or approvals. It seems contrary to the district where any other structure that is placed there has to come to this board for site plan review and approval, but you can put something there and live in it and not be subject to any oversite whatsoever which seems rather unusual. That was a concern as well from the board and code enforcement.

Does anybody have any opinion where we should not repeal that law? Any comments from the audience?

Meghan Fuller: No. You are doing a good job.

David Bowen: I make a motion that the Planning Board issue a report to the Town Board recommending repeal of Chapter 157 entitled Trailers.

Frederick McIntyre second the motion.

All in favor.

Ayes 7, D. Bowen, D. Crowley, J. Inda, M. McCabe, F. McIntyre, P. Miller, S. Seymour
Nays 0

Motion carried.

Chairman Bowen: Looking at Chapter 170-15 lake residential permitted principal uses currently our code provides for one single-family dwelling, one two-family dwelling or unit. I forget how it is phrased or one mobile home per lot. We discussed this at the committee as well. The committee made a recommendation to the Planning Board that we take this up and make a change by removing the phrase “or one mobile home”.

170-15 B. permitted principal uses sub paragraph one, one single permitted principal uses are one single-family dwelling unit, one two-family dwelling or one mobile home per lot. The proposal would be to amend that to read:

One single-family dwelling unit or one two-family dwelling unit and remove one mobile home per lot.

I think some of the thought process behind that pertains not only to the two recreational vehicles that are parked down there on Seneca Point Road but just in terms of future planning. Lake residential property is incredibly expensive and people who are going to put up a mobile home typically are not going to be able to afford the land. On the other hand, somebody who does buy lake residential property probably does not want to come down and enjoy the lake in a mobile home. It created some ambiguity. A mobile home is

defined in our code. It is generally the type of structure that you see in a mobile home park, and they are approved and certified by HUD and metal plate attached to them. It is not currently under HUD regulations. It does not take into account recreational vehicles or recreational trailers, campers those types of things. In terms of future development of the lake frontage I think the committee was unanimous in suggesting that removal of one mobile home per lot would clear up the ambiguity that was there and get rid of it.

Daniel Crowley: I will add that it does not preclude placing a mobile home on a lake residential lot. It just means a use variance would need to be obtained and could be granted. That is removed as a permitted principal use in that district.

Chairman Bowen: That is correct. It is not automatically permitted without a variance. That would be a use variance as opposed to an area variance. Use variance runs with the land. Once given it stays. However, it is a pretty high hurdle.

Anybody have any other comments?

Bruce Mackie: I have a comment on one of the other sections but not fifteen. I do not know if it is appropriate to talk to that.

Chairman Bowen: Hold that thought.

At this point, I will make a motion that the Planning Board recommend to the South Bristol Town Board that section 170-15 B. 1. Be amended to read “one single-family dwelling unit or one two-family dwelling unit per lot”. It would read that way and we would be removing “or one mobile home” and amending it accordingly that is how I read it.

Paul Miller seconded the motion.

All in favor.

Ayes 7, D. Bowen, D. Crowley, J. Inda, M. McCabe, F. McIntyre, P. Miller, S. Seymour
Nays 0

Motion carried.

Chairman Bowen: Bruce, do you want to introduce your comment.

Bruce Mackie: This might be nitpicky. Under 170-24 which is mobile home parks. I had a question under section C. sale of lots. I am trying to clarify for my own edification. The last line in the one sentence.

Sale of lots. Any sale of a mobile home space or spaces or portion of a mobile home park, other than the entire mobile home park, as shown on the plan of such park approved by the Town, shall thereupon immediately invalidate the permit for such park approved by the Planning Board.

Do we mean that lot is for sale versus the park itself? Confused about the language.

Chairman Bowen: If anyone wants it is almost at the very end of 170-24. If you have the code in front of you.

Daniel Crowley: Do the people in the mobile home park own the lot that their mobile home is on? I think it is configured as a lease. I think what this section is aiming at is dividing up the mobile home park as demised. So, the lots themselves are not sold. They are leased by the occupant of the mobile home in the park. If you go to sell one or more of the lots, that means it is now divided off of the original planned set of lots. That is how I would read it.

Diane Graham: Usually, they own the land, and you rent or bring your own home.

Daniel Crowley: I do not know that I am just guessing.

Diane Graham: That is what I am aware of.

Paul Miller: If there are ten lots and somebody wants to sell off two of them, the owner of the park that was approved for ten lots let's say.

Daniel Crowley: Once they sell off two then they are no longer part of the park.

Paul Miller: That would invalidate the whole park. The sales of those two of that ten.

Bruce Mackie: That is the way I read it. That invalidates the permit of the park.

Chairman Bowen: The permit is granted to the owner of the mobile home park. There is only one owner. This at least envisions tenants as opposed to individual owners.

Bruce Mackie: Then that clarifies my question.

Chairman Bowen: I never read this with that thought in mind. There is one more. Number three is the Zoning Code Review Committee made a motion which again was unanimous though Scott Martin was absent and did not vote. One of the items in our code in all of the zoning districts is one of the accessory uses or special uses mentions recreation vehicles. We wanted to change that to recreational as opposed to recreation. Simply because the rules that govern recreational vehicles refer to them as recreational vehicles rather than recreation vehicles. That was my nitpicky lawyer part of that thing.

The bigger park of this is section 170-64 C. that deals with recreational vehicles on property in the town. The first two paragraphs A. and B.

A. Refers to storage of recreational vehicles on peoples lots and it allows them to store up to two recreational vehicles, and they have to comply with setbacks and be stored behind the principal residence. They cannot be hooked up to utilities because it is for storage only not to be encouraged to be used on site. That we are leaving alone.

B. Involves recreational vehicles brought to a property by guests of the owners. They can park their recreational vehicle on site for up to I believe it is two or three weeks. In that case it needs to be connected to electric and septic and water. It is limited in time.

C. Which is not currently in our code online. You have to go fishing for it. I believe it was initially in the code and when MRB Group was brought in to do some work on the code for whatever reason it was not put back in the ecode version of our code. It does not appear on the town website. I think you were all provided with copies of it a few weeks or months ago. Any rate, 170-64 C. paragraph talks about use or occupancy of recreational vehicles on vacant property in the town. As I understood it, it envisioned snowbirds, hunters, sports people, and recreational people who owned vacant land in the town and want to go there and spend some time there. If they were snowbirds, come here for the summer. If they were a hunter, live out of their trailer and do whatever they do with their trailer when they are done hunting. It envisioned the use of a trailer for a period of up to 160 days. So permitted people to stay there for the length of time and it would more than compensate or accommodate hunting season and recreational uses. We wanted to clean that up a little bit as well as address in terms of future recreational vehicles in certain places. Sort of like taking out mobile homes from lake residential we thought it would be a good idea to take them out of lake recreational vehicles on vacant residential property to discourage people from potentially subdividing their lot if they did not want to pay their taxes and putting a recreational vehicle up. Potentially negatively impacting property values, negatively impacting tax revenue to the town through assessments as well as negatively impacting tax revenue from the town's share of sales tax revenue which is based upon assessed tax revenue coming in. Adjoining properties could be negatively impacted. That was sort of the thought process.

Do you two have anything to add to that?

Daniel Crowley: I agree. I think it was all vacant lots was the ultimate recommendation that it be adopted as written in the update language of paragraph C. of subsections 1-4. I think the other part of the concept that we discussed. I do think it made it into the formal recommendations was the fact vacant is not defined, if you recall in the code. The definition of a vacant property discussion was that it is a property that does not contain a structure that has been granted a Certificate of occupancy is the definition of vacant property.

Chairman Bowen: Was that from another town?

Daniel Crowley: No. We discussed it.

Chairman Bowen: Did you bring that in?

Meghan Fuller: I cannot remember. I do not think that was me. We had quite a few discussions with this committee. Attributing to who said what is challenging.

Daniel Crowley: I think I mentioned to David that in practical experience if someone wants to challenge this they will come in and say it is not vacant. I have a shed on it. It is not vacant, I have a garage with a cement slab floor in it, so it is not vacant. This clause does not apply. I think defining vacant as a lot that does not have a permanent structure that has been granted a Certificate of occupancy by the town was a way to say that is vacant. A lot that has a home as a permitted use on the lot that has been granted a Certificate of occupancy and is in good standing.

Diane Graham: Primary use.

Daniel Crowley: All I am saying is not vacant. Any lot that has a primary structure that is compliant with a permitted principal use that has been granted a Certificate of occupancy is not vacant.

Chairman Bowen: As opposed to one with an orchard or a garden or a greenhouse or whatever.

Daniel Crowley: Yes. I think the discussion said there is a number of properties that they got a portable garden shed, right that are everywhere that sits there but it is not permitted.

Diane Graham: You get a permit; you get a certificate of compliance.

Daniel Crowley: Yes. To be able to have it. To round this out to say look the use of recreational vehicles on vacant land means this means vacant. That is all.

Frederick McIntyre: Once they use it for the time let's say a guy has one for hunting on his property. When he is done hunting, does he have to take it off his property or does it stay there?

Chairman Bowen: The code is silent. We had some discussion that this paragraph only addresses use and occupancy. Occupancy means being in it as opposed to occupying the lot with a recreational vehicle.

Daniel Crowley: We did discuss the 160 days per calendar year.

Chairman Bowen: We also removed adequate from self-contained sewage disposal system simply because what is adequate to one person may not be adequate entirely. We also added no sewage shall be disposed of on the vacant lot. Originally the setback requirement in the paragraph said ten feet and fifteen feet which is actually less than the setbacks that are specified in our zoning code for houses so that made no sense. We said the placement of the recreational vehicle shall comply with all setback requirements of the underlying district in which it is located. Setbacks do vary depending on what district you are in. You ought to be able to comply with your district.

Jason Inda: So, you are trying to zone out the trailer on Seneca Point Road?

Daniel Crowley: I disagree with that.

Chairman Bowen: It is not really that. It is for future planning purposes of the town that we do not want that practice encouraged.

Jason Inda: Specifically, lake residential.

Daniel Crowley: No. It is in every district, I think.

Jason Inda: It is not permissible in lake residential. It is permissible everywhere else as long as you meet these setbacks. It is not permissible at all in lake residential. If I buy a lake lot and pay my taxes I cannot park my recreational vehicle there.

Chairman Bowen: If you have a vacant lot on the lake in the lake residential zone.

Jason Inda: Okay. I can park it there if I have a house.

Chairman Bowen: You can store it there. Cannot live in it.

Jason Inda: Cannot have my in-laws stay in there over the weekend.

Paul Miller: Oh, sure you can for three weeks.

Sam Seymour: Yes. Three weeks.

Chairman Bowen: Although just to be clear the way I have read it, and I have to go back and look at it with that in mind. I think guest usage of a recreational vehicle as our code reads, I believe it is not the owner's recreational vehicle, it is the guests' recreational vehicle. If you have your own recreational vehicle that you were storing there, which you can still store there. Do you then hook it up and let guests stay in it. I do not think that is the way the code reads.

Jason Inda: How many vacant lots are left in lake residential?

Sam Seymour: There are a couple in my neighborhood. There are some big lots that could become.

Paul Miller: There are more than can be subdivided.

Chairman Bowen: There are plenty that are large enough where people can carve off lots that comply with the zoning without a variance.

Daniel Crowley: Maybe I missed it because I was on Zoom, but I did not think we were looking to preclude the use of recreational vehicle on a vacant lot in lake residential just that it had to comply with subsections 1-4 of the code.

Chairman Bowen: This says owners of the vacant lot located in the Town of South Bristol in districts other than lake residential may occupy and use a maximum of one recreational vehicle on their vacant lot provided that they comply with these items.

Daniel Crowley: Oh. Got it. Thank you.

Chairman Bowen: With this means you cannot use or occupy one in lake residential unless it is a guest.

Daniel Crowley: Then it would not be on a vacant lot.

Chairman Bowen: It got to be a vacant lot. Guests can use it on a non-vacant lot.

Daniel Crowley: Correct.

Meg Fuller: I move up. I am Meg Fuller. I am a member of the town board, and I was also member of this committee. I wanted to say a couple of things. One, Jason, I think I share a lot of the same concerns that you do about rights and ability of use of land. With this particular situation there was a number of things we talked about on the committee that I wanted to bring up. One was the density of lake residential. How close the lots are to each other and the impact that has on neighbors. The second was now I am going to forget what the second one was. Density I lost it. No, it is just those lots in those areas it is different. The approval process that they have to go through is different from anywhere else in the town. It created a level of unfairness where someone putting up a garden shed had to go through a large level of approvals to do that but they can permanently park a recreational vehicle and live out of it. A lot of the discussion

we had was is that fair that someone can do that. That was part of the reason why the differences in thinking between other districts because that level of approval doesn't exist anywhere else so there is a precedent for this district being treated differently from the other districts in the town. Sorry it took me a second to remember where I was going with that.

Chairman Bowen: Any other comments, questions. People want to give this more thought?

Michael McCabe: I am not clear on the difference between owner. I am the owner of the lot, and I bring my RV as opposed to a guest of mine. If Uncle Bob shows up from out of town do all these rules apply to him?

Chairman Bowen: If it is his trailer…

Michael McCabe: He is not the landowner.

Chairman Bowen: He is not the landowner. That is paragraph b. Uncle Bob shows up with a recreational vehicle and wants to stay on your lot, he can do that up to three weeks, but he has to hook it up to electric and have septic provisions and water.

Michael McCabe: Okay. Thank you for clarifying.

Chairman Bowen: That has always been the code. The only significant change here, at least in my view, is excepting out lake residential from occupying and using it for up to 160 days on your own property. Anywhere else in the town you can do it.

Jason Inda: Yes. Sure. Just not in your neighborhood.

Sam Seymour: Wow. Unless nobody is looking and you have no neighbors that complain or put up a fuss.

Diane Graham: I think there is another one down there that is hidden that you guys do not know.

Chairman Bowen: I know where the other one is.

Diane Graham: The silver stream.

Chairman Bowen: I think. Like an airstream.

Daine Graham: Airstream that is what I meant.

Chairman Bowen: I did not know about that one. So, there are three. Do people want more time to think about it. Review this and think it over. Put it off until next month.

Sam Seymour: My neighborhood is very different from yours and other places.

Chairman Bowen: It is very different.

Sam Seymour: We are on a private drive. There are several lots. Some are vacant. Some have very old places on them. I am sure in the next twenty years there will be a bunch of teardowns and new houses

going up even on vacant lots now. For an owner to not be able to park an RV while he is building his own house might be my cousin who does that. I am not going to complain as a neighbor. It will probably go unseen by the neighborhood. It is not visible from the road. If nobody complains about it, nobody brings it to the town's attention it could theoretically go through unchallenged let's say. Is that doable?

Chairman Bowen: You can bring up almost any example you want there are going to be violations all over the town. They are out there right now all over the place.

Sam Seymour: They are not typically challenged until somebody complains about it.

Chairman Bowen: The entire zoning code is like the short-term rental law. It all requires neighbor engagement otherwise our code enforcement can't possibly go out and find every violation that is out there and act on it. That should not be their job.

Meg Fuller: At least I would really like to move away with passing legislation that is unenforceable or passing legislation with the thought that we are not like things can get away with. It is really hard on our code enforcement officers to have any legislation that is not enforceable. If you have hesitations about it, then voice those hesitations because we do not want to put our code enforcement officers in a position where there is not on the books that needs to be enforced, and people have the feeling in the town like its wishy washy. It has been very challenging I know for them.

Daniel Crowley: I think the counter to that too Meg, and I agree. I think you know I agree. I do not like stuff on the books that we do not plan to enforce, but I think the counter to that from a pure legal defense as a municipality is if you do not have something on the books you have no chance of enforcing it.

Meg Fuller: I do not disagree with that either. That is why this process is awesome. I love hearing everyone's feedback on this because with hope when everyone makes a decision because obviously you will make a recommendation that will go to the Town Board. There will be a public hearing. Hopeful with that input we will get to a point where everyone feels comfortable with what we are doing. I want to make sure that if we are going to put something on the books that it is something that we as a community are comfortable enforcing. Just not to put the code enforcement officers in that situation where some places it is allowed and some places it is not allowed. If it is allowed, it is allowed. If it is not allowed, it is not allowed.

Daniel Crowley: I think to fall on to that I do think that in reading the code the general homogeneity of the districts in terms of permitted use and we addressed this a little bit in the committee is that and I guess not out of frustration, but sort of half sarcastic point is why have districts. If the same thing is allowed in every district, then there is really no point in having districts. To some people's perspective I think that lake residential is more dense. The other thing that we talked about is that I think strongly about is that part of the reason for restrictions on the use of property is out of consideration for those neighbors that might be impacted by that use. To try to thoughtfully put restrictions in place that protect the right of quiet enjoyment of ones property against a nuisance use that is foisted upon you by an unruly neighbor. Maybe more time is right but I think there is a lot of arguments to go into this I tend to come down on lets really think about the vision of the district in terms of what we envision the use to be. Taking input from the master plan that was completed in 2018 does it all come together to make sense for that district. I do think you can have differences in districts. Maybe this is a start of a move in that direction.

Chairman Bowen: The whole philosophy behind zoning regulation in the first place because in the 1800s there was no such thing. The population increased and development got out of hand and there was no way to control orderly development, so you end up with all sorts of potential problems, health-wise and welfare-wise and quiet enjoyment wise. Zoning regulations were adopted as a way for communities to orderly plan their town, their city, and their county. In large respect zoning codes are aspirational because what you are seeking is a way to plan out your town into the future, so it is the way you want when 50 years goes by, and we still have a rural beautiful town. A lot it is I understand the reason why you want to have legislation that can be enforced. On the other hand, a lot of zoning is purely aspirational. You are seeking to achieve a result and hope that people follow along, and we are not running off to the ZBA and getting exceptions every time somebody want to develop something. As Dan said, at the end of the day you end up with no code at all so what is the point.

Daniel Crowley: Maybe that provides a little more color to the deliberations that happened. I would be curious to hear you talk more about your concerns.

Jason Inda: My concern is telling someone who spent the money on a lot that they cannot park their RV there even though they meet all the setbacks. You have to meet the setback requirements now. Temporarily 160 days they are pumping their sewer off. I have a hard time telling somebody they cannot do that. I understand zoning obviously different things can happen in R-5, R-3 than lake residential but I do not think an RV is going to be so big or I guess they can let it be run down it is not appealing but nobody says you have to paint your house every six years either. You can have a pretty ugly house on the lake.

Daniel Crowley: I am planning on adding that by the way. No, I am just kidding.

Chairman Bowen: The other thing is there is no way to control the actual occupancy, frequency, how many people can be in there.

Jason Inda: Same with a house whether the septic is designed for four bedrooms and you got twelve people over the weekend.

Chairman Bowen: They are subject to a building code when they go in and RVs are not.

Jason Inda: That’s true.

Chairman Bowen: That is one of our bigger concerns I think as also safety.

Daniel Crowley: I think an interesting thing is having just gone through the process of developing a big vacant piece of land is that if you think carefully about what the requirements are and I know we are talking about exempting lake residential entirely. If you think about what the requirements are you have to connect it to electric. My personal experience with getting a 400-amp service where I could build my house and my pole barn cost a lot of money. Just to have the transformer sitting there. Just to get a meter in that box was exorbitant in my opinion. Between that and I had to drill a 180-foot well, so you have to connect to water which was also was half as much as having the electric there but still a lot of money. Then you have to figure out a self-contained sewage system that is designed to handle the system that is in that recreational vehicle. If you think about anywhere in the town those are some requirements. You have to invest some time and money. If you want to park an RV there and occupy it up to 160 days a year and you have got to bring electric in, get a well drilled, hook it up to fresh water and put a sewage

containment system in with it. It is a lot. I guess I felt in general it's like well somebody has to be serious about it. They want to comply they want to do it. Now, if it is a half a mile off the road and somebody pulls an RV in there and nobody goes in there to look, and they do not comply with the code. That tree never fell in that forest, right.

Chairman Bowen: People want time to think about it?

Sam Seymour: Here's another one for you as you think about all this with some of the examples you pointed out. If you rule out RVs, what is to prevent these people from bringing in a big old boat and living in the boat?

Chairman Bowen: It is not allowed in the zoning code, I don't think.

Sam Seymour: Parking your boat in your yard?

Chairman Bowen: You can have a one- or two-family house.

Sam Seymour: You have to have a one or two-family house to park your boat behind to live in the boat.

Chairman Bowen: That's true. Boat storage is not one of the enumerated items. The accessory use or special use.

Sam Seymour: Pull a boat in and then live in the boat.

Chairman Bowen: It is not allowed. It does not comply with our current code.

Jason Inda: Don't let your kids have a camp out in the back yard. Scott Martin will be down there. Pulling the smores right out of their hands. Get back in the house kids.

Sam Seymour: Advancements in the town I grew up on the lake as a kid camping at the beach. No electricity, no water taps. Camped out for the weekend. Ate cereal out of the little boxes. It was big deal when I got two as a little kid.

Diane Graham: What were the facilities for restrooms?

Chairman Bowen: Probably the lake. You predate the zoning code.

Sam Seymour: Old enough yes. It was a big deal when a boat went by when I was a little kid. We would all jump in the lake and play in the wave that it made because it would be the only wave you would see all day. Anyway, that was a long time ago.

Chairman Bowen: Yes. We are well past that. Any other thoughts?

Jason Inda: I do not see any reason not to have you vote.

Chairman Bowen: Okay. We will continue on. I will make a motion to have the Planning Board make a recommendation to the Town Board to amend 170-64C. as laid out in the Zoning Review Committee recommendation.

Diane Graham: Who will second?

Paul Miller: I will second.

All in favor.

Ayes 6, D. Bowen, D. Crowley, M. McCabe, F. McIntyre, P. Miller, S. Seymour
Nays 1, J. Inda

Motion carried.

Chairman Bowen: I will also make a motion to replace the word recreation with recreational in sections 170-15 through 170-17.1.

Diane Graham: Is that not the same one?

Chairman Bowen: It is but I carved it out as separate because I felt there probably would not be any objection to that change.

Daniel Crowley: I second.

All in favor.

Ayes 7, D. Bowen, D. Crowley, J. Inda, M. McCabe, F. McIntyre, P. Miller, S. Seymour
Nays 0

Motion carried.

Chairman Bowen: Does anybody have anything to bring to the board? I think that is it.

Daniel Crowley: Do we want to do anything on the definition of vacant or is that a separate matter? I do not think anything was pre-prepared in writing to be reviewed.

Chairman Bowen: Do you want to draw something up?

Daniel Crowley: Sure.

Chairman Bowen: I would have to look at the code to see if that is defined or where there is any other definition of vacant. I know we discussed a bunch of other things at the committee which we could bring up at another date. If you write something up, then I could write something up and distribute it to the board.

Daniel Crowley: Okay. Where did we end up with the solar? It was to just not make any changes to that proposed new, right.

Chairman Bowen: Not making any changes.

Sam Seymour: Did you talk about solar and wind in the subcommittee.

Chairman Bowen: Very limited. We got carried away on some other things. Which I will not bring up tonight. I think if Dan addresses the vacant issue and I will add in the other things that we talked about and then we can talk about that as a committee at another time.

Being no further business, David Bowen moved to adjourn the meeting. Sam Seymour seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 8:20 pm.

Respectfully submitted,

Diane S. Graham

Diane Scholtz Graham
Board Assistant