

Town of Bristol
Planning Board
July 5, 2016
Minutes

Members Present: Chairwoman Patti Giordano, Bob Drayn, Bob Stryker, Joann Rogers, Bob Raeman and Sandra Riker, Secretary

Others Present: Wendy Meagher, Jason Richman, Fran Morgante, Nick and Cat Cohen

Minutes: A motion was made by Joann Rogers with a second by Bob Drayn to accept the minutes of June 6th as written. All Board members present agreed.

Richman Site Plan: The Chairwoman opened the meeting by refreshing the Board and all present with the minutes from March 7th (the last time the PB met with the Richmans regarding their Site Plan. The minutes read as follows:

Richman Site Plan:

Justin Kellogg is presenting the site plan application for the Richman family. He advised the Board that the Code Enforcement Officer suggested he come before the Planning Board with the site plan because of the steep slopes on the property. The house will be set back 1,000 feet from the road and they will be digging out part of the slope to place the house in the wooded area to the back of the parcel. He has met with the Code Officer, P. J. Emmerick of OCSWCD for their input regarding the necessary steps to prevent erosion and minimal land disturbance of the parcel.

P. J. Emmerick advised him to contact the D.E.C. if a SWPPP or at the very least a general permit would be needed because the area of disturbance is greater than one acre when the area for the house is combined with the land being disturbed for the driveway.

This project has also been presented to the OCPB because the parcel is less than 500' from County Road 32. Their recommendations were as follows:

- Collectively individual residential developments have significant impacts on surface and ground water.
- Proper design of on-site sewage disposal is needed to protect ground and surface waters.
- Proper storm water and erosion control is also needed to achieve that same end.
- Standards related to protecting water quality and traffic safety have been established by agencies such as the American Association of State Highway and Transportation Officials (AASHTO) and NYSDEC.
- These issues can be addressed by consulting appropriate agencies during local review and ensuring that those standards are met.
- The local Board is encouraged to grant the minimum variances necessary.
- The applicant and referring agency are strongly encouraged to involve Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and placement of on-site septic.

- The applicant and referring agency are strongly encouraged to involve Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
- Final Recommendation-The CPB will make no formal recommendation to deny or approve.

Comments from P. J. Emmerick of Ontario County Soil and Water Conservation District were sent to Meagher Engineering and addressed by them on February 13, 2016. A copy is attached at the end of the minutes.

Comments from NYS DEC division of water, Region 8 from Benjamin Groth, Environmental Engineer 1 were sent to Meagher Engineering on February 18, 2016 and are attached at the end of the minutes.

Highway approval for driveway placement was provided by Town Highway Superintendent Ron Wilson and it states that the culvert at the road was previously put in place. This document needs to be updated with the date of placement and other information. The Secretary will get this document to him prior to the next PB meeting. The driveway is over 1,000' in length. It will have a second culvert pipe put in place, along with two 20'x50' emergency pull off areas. Utilities will be put underground.

Kellogg advised the Board the drawings show minimized grading and they will be building in the woods with a small amount of tree removal also keeping the tall pines intact.

The Board inquired as to the scale and Kellogg replied 1" equals 20'. It is noted that the proposed well is 100' from the leach field.

The Board indicated they would like to see something showing:

- the exact location of the home on the property
- the type of lighting proposed for the outside of the home for it to be dark sky compliant
- projection of the construction schedule-to ensure the erosion controls are put in place prior to any construction on the parcel
- result of an area variance for the height of the building to exceed the 30' limit for a single family home request prior to any decision for site plan

It is noted that there is an area variance request involving the height of the home, this will be presented on March 8, 2016 to the ZBA Board. The height requirement for a single family home is a maximum of 30' and the Richmans are asking to have a variance to allow the height of 35'4" for the home.

A motion was made by Bob Raeman with a second by Patti Giordano to table the site plan application to the next PB meeting. All Board members agreed.

Amended April 4, 2016-The Planning Board expressed a concern there was not a steep slope application for them to review regarding this project. They have asked for the CEO to reach

out to Meagher Engineering and have them provide a completed Soil and Erosion application and follow the guidelines of Article 13 of the Zoning Regulations to provide them with hydro calculations before and after the disturbance of the soils at the project site. They also asked to have Benjamin Groth from the DEC clarify his letter of February 18th to advise the Board if a SWPPP is needed and share that information with the applicant as well.

April 5, 2016 the CEO and PB Secretary discussed the information requested by the PB last evening and agreed to reach out to Groth for clarification of his letter to the applicant regarding a SWPPP and when Groth was contacted he told them a SWPPP is necessary but it does not need to include post construction information, written confirmation of this conversation will be forth coming.

An email with a Soil and Erosion application along with Article 13 was sent to Meagher Engineering, with a cc to the applicant as well. The CEO advised the Secretary that in his meeting of March 24th with the applicant and Justin Kellogg of Meagher Engineering he told them the hydro calculations would be required by the Planning Board.

Ms. Meagher advised the Board that the Richman parcel was 51 acres in size and the single family home will be placed 1,000' from the road in a level wooded area of the site. The ZBA granted a height variance of 3'3" above the allowed 30' for a single family home.

She presented information from the DEC stating a full SWPPP was not necessary because "a single family home not located in one of the watersheds listed in Appendix C or not directly discharging to one of the 303(d) segments listed in Appendix E" and only a SWPPP that includes erosion and sediment controls will be necessary. The DEC provided a General Permit No. GP-0-15-002 was issued on 2/17/16 with permit identification number for the site being: NYR11A377. The Site Plan of February 2016 was updated to include the SWPPP report in Appendix C-Grading and Erosion Control Notes and Details and provided for the Board to be included with the original application presented by the Richman Family.

At the request of the Planning Board in a letter of June 7th they have now added a Steep Slope Application with the hydraulic analysis report showing the storm water runoff from the site before and after development of the Richman parcel on Evert Road. "In the analysis it is noted that the parcel is 51 acres in size and the footprint of the home and driveway is less than 1%. The only proposed drainage structure will be an 18" driveway culvert to cross the ephemeral ravine. The culvert pipe was oversized to minimize the slope of the driveway over the ephemeral ravine. The culvert pipe at the proposed slope has a capacity of approximately 32 cfs, as determined by Meagher Engineering to be far greater than the runoff in ephemeral ravine and will therefore not restrict flow in the ephemeral ravine. The hydraulic analysis results by modeling the post construction condition with 10 year and 100 year storms with 24 hour durations. Pre development discharges from the site are for a 10 year storm rates at 2.08 cfs and the 100 year model at 3.49 cfs. Summary: The increase in runoff from the construction of the proposed home is 0.07 cfs for the 10 year storm and 0.11 cfs for the 100 year storm, which is negligible. We can therefore conclude that the development of the proposed home will have no effect on neighboring properties, the roadside drainage, or ephemeral ravine.

“Jason Richman added that they wish to minimize disturbance of the property and preserve the beauty of the hillside.

The Chairwoman opened the public hearing:

Fran Morgante commented that they were adding a culvert over the ravine and is concerned about where the natural drainage will go? Meagher showed a map to Morgante and it appears the path of the drainage by passes her home and does seem to cross the Harloff property.

Richman said the ravine starts at the top of the hill and crosses the Pepper parcel and Harloff property.

Morgante is concerned that any alteration to the steep slopes of the Richman parcel will result in water damage for all adjoining properties. Meagher advised her there will be less than 1% of the parcel made impervious, only the footprint of the home as the driveway will be gravel and not paved. The culvert is sloped to minimize grading and impact of the hillside. The soil and erosion controls put in place by the Town and DEC will be followed to the letter to prevent any erosion. There were no further comments from the public. The Chairwoman then closed the public hearing.

The Board then asked questions about the Site Plan.

- The question was raised if a 30’ culvert pipe will be long enough? Meagher said according to her calculations it is and there will be a rock apron on both ends of the pipe.
- The existing driveway will be the construction entrance to the parcel. This is a gravel driveway that has become overgrown over the years so they will be topping it off with 2” of crusher run to build it up.
- Concern over how contractor will know what to do if the details are not complete on the site plan drawings. Meagher said all of these things are in the generic details.
- **A Stabilized Construction Entrance be established.** Board member Bob Stryker asked that an additional note be added to the final Site Plan drawing stating the following: the existing driveway needs to be reinforced with stone prior to construction and maintained during the construction process **if this is to be used for the stabilized construction entrance.** He also asked to have more details included regarding the culvert over the ephemeral ravine.
- Previous questions from the Board answered as follows:
 - The location of the home on the parcel is shown on the Site Plan.
 - Outside lighting will be dark sky compliant and downward facing.

There were no further questions or comments.

A motion was made by Bob Raeman with a second by Bob Drayn to approve the Site Plan presented with the additional comments added to the final map for the Richman Evert Road Site Plan located on tax map #137.00-2-52.000. All Board members agreed. It is noted that SEQRA was completed by the ZBA on June 12, 2016 with a Negative Declaration declared.

Renewable Energy:

The Secretary provided the Board with some information she had gathered from many sources regarding the use of Solar Energy of both minor and major applications.

- Solar Power Purchase Agreements-article from NYPF Talk of the Towns
- Leasing your Farmland for Solar Energy-from NY Farm Bureau newspaper
- Geneva, NY Solar Energy Major and Minor Regulations
- Seneca, NY Solar Energy Major and Minor Regulations

At the June meeting had provided information from Town of Canandaigua-Solar added to their Zoning Regulations and their adopted the NYS Modified Solar Energy permit for residential and commercial use. She then noted that Bob Raeman would be presenting an application at the OCPB for a solar array to be placed on the City of Canandaigua Landfill site on County Road 46 and asked if he would like to give the Board some insight into use of Solar.

He said that with regard to Solar the Town should consider adopting the NYS Unified Solar Permit as it would be the first step in opening up funding opportunities through the Cleaner, Greener Communities Program offered by NYSEERDA.

With regard to Town's without zoning in place he reported that the NYPF said if no zoning in place its application should be reviewed as a regular Site Plan. He added that examples of commercial solar arrays that had been put in place can be viewed at both the Avon and Letchworth Schools.

It was agreed that the Board will set aside a block of time at the next PB meeting to start discussion about how to incorporate solar and possibly other renewable energy into our zoning regulations.

CEO Report was read.

Meeting adjourned with a motion by Bob Raeman and a second by Bob Drayn.

Respectfully submitted,

Sandra Riker

Town of Bristol
Planning Board

The draft minutes of July 5, 2016 were accepted with the comments in yellow added to the final minutes that were made by Bob Stryker. The final minutes were then approved with a motion by Bob Raeman with a second by Joann Rogers. All Board members agreed.