

Town of Bristol
Zoning Board of Appeals
Minutes of October 10, 2017

Present: Marty Snyder, Jen Sanford, Donna Beretta, Steve Smiley, John Krebbeks and Sandra Riker

Others Present: Bill and Tyanna Coe

Minutes: The minutes of June 13th 2017 and August 8, 2017 were reviewed and approved.

Coe Area Variance: Mr. Coe is requesting an Area Variance to reduce the front yard set back by 34.5' putting the front corner of the building at 40.5' from the front lot line. He explained to the Board that he owns the 25.4 acres at 4939 State Route 64 and would like to place a 2 bedroom cabin on the portion of the property that is 3.5 acres in size on the east side of Route 64, the remaining acreage is on the west side of Route 64 with the majority of the lands are in the DEC and Federal Wetlands making it unsuitable for building. He mentioned that prior to his ownership there had been 2 structures that were poorly constructed along with a septic system on the parcel closer to the front lot line then he is proposing for placement of the new cabin. Those buildings were only 23' from the front lot line. He went on to give a brief timeline since he purchased the property in 2013 when he had the structures torn down and put up a small shed that his family use for storage and a changing room when they come to the property. After corresponding with the CEO Officer and Tad Gerace of the OCSWDCD in 2015 he contacted Bill Grove to design a new septic system for the parcel and it was installed and approved in June of 2015. He would like to put up a 2 bedroom cabin on the west side of Route 64 having the front yard setback be 40.5' from the front lot line it will reduce the amount of steep slopes disturbed.

The Board expressed concern that the building appeared to be 31' in height at the highest point of the roof as shown on the site plan presented and that it exceeds the current regulations stating a building cannot be more than 30' in height from the finished lot grade. They referred him to the definition of building height in the current zoning regulations that state: *The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of the roof.* Mr. Coe said the final drawings for the cabin have not been completed as of yet and will make sure his architect keeps the height regulation as well as others in mind when drawing up their plans. The question was raised why is the house at an angle on the parcel. Mr. Coe replied the view provided follows the angle of the valley, as well as it balances the steep slope drainage of the lands. The Board noted there appears to be 2 driveways on the parcel and Mr. Coe said the driveway to the south is not usable due to drainage of the land so he will only be using the driveway to the north. There were no other comments from the Board.

The Chair opened in the public hearing and noted there was no one wishing to speak. He did mention that the OCPB had reviewed both the Area Variance and Site Plan presented to them on October 11th and had several comments. The Secretary provided the ZBA Board and OCPB with a series of emails between Mr. Coe, Bill Grove, Tad Gerace, and Phil Sommer (Code Officer for Bristol) between April 13th, 2013 and April 26th of that year answering all of the OCPB comments regarding the property at 4939 State Route 64. The OCPB had retained the application as a Class 1 and sent it back to Bristol with comments. There were no further questions from the Board so the public hearing was closed.

A motion was made by Marty Snyder to have the ZBA Board declared Lead Agency for the applications presented by William Coe for an Area Variance and Site Plan to build a 2 bedroom cabin on lands belonging to him at 4939 State Route 64, a/k/a 152.00-1-73.111. John Krebbeks seconded the motion. All Board members agreed.

The Short Form Environmental Statement was reviewed and determined based on the information that the proposed action will not result in any significant adverse environmental impacts by the ZBA Board. A motion to make a Negative Declaration was made by Marty Snyder with a second by Steve Smiley. All Board members agreed.

After the Board reviewed the five answers required for an Area Variance a motion was made by Marty Snyder with a second by Steve Smiley that a reduction of 34.5' be allowed for the front yard setback placing a cabin at 40.5' from the front lot line at 4939 State Route 64 a/k/a 152.00-1-73.110 for William and Tyanna Coe. All Board members agreed.

Other Business:

Training opportunities for the rest of the year are as follows:

October 24, 2017 put on by Ontario County

November, 2017 2nd part of above training

November 17, 2017 GFLRPC all day training at Batavia

Secretary needs to provide the Board members with an update as to their required hours for training.

Terms for next year: Donna is willing to return for another term on the ZBA Board. Marty will consider being the Chair for another year and will get back to us with his answer.

Meeting adjourned with a motion by Marty and a second by Jen.

Respectfully submitted,

Sandra Riker

Secretary to the ZBA Board of Bristol