

Town of Bristol

Planning Board

Minutes

May 5, 2014

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

Others Present: Pete Wojtas, Tim & Laura Fox, Nick Cohen

The meeting was opened at 7:00 pm with the Pledge of Allegiance.

Letter from Nate Harvey to the Board was read by the Secretary and entered into the minutes of this meeting as follows:

nharvey@rochester.rr.com

To raemanr@gmail.com, rdrayn@gmail.com, Robert.Stryker@ny.nacdnet.net, and 3 More...

Apr 25

Hello All,

I'm writing you about this topic because I am the person who offered to respond to the questions, and then resigned from the board. You could take it that I "dumped" the work on you, which is not my intent. The presentation of questions took me by surprise since we aren't supposed to have public participation at this stage. Since my resignation doesn't take place until 4/30/14, I asked Bob Green his take on how to handle the situation and by talking through the situation we got a clearer picture.

We have had community input at every Town Board meeting for the past 2 1/2 years, plus two major community meetings held at the fire house and the focus panel report held at the town hall with a question and answer period following every presentation. It is not consistent that one resident get special consideration for their questions while the rest of Bristol is excluded. It is time to focus on getting this local law started and presented. By working with Tim Jensen, who has more experience with writing law than the rest of us added together, the job can get done. We don't need to have our efforts divided.

After review by the county and the Town, there will be at least one "Public Meeting" and most likely more public meetings before this or any law gets adopted. Also, before this law is adopted, in accordance with the focus panel report we need to have 1) Cuomo Decision; 2) Final SEGIS; 3) Release of the New York State Health Impact Study and 4) Final NYS Decision on Home Rule.

This letter should be read and recorded at the regular planning board on May 5, 2014 since we can't take any action as a panel at a workshop. Thank you for all your support and friendship over the years. I'm sure the Town of Bristol is in great hands.

Nate

Temporary Chair: With the resignation of Nate Harvey the position of Chairman has been left open. The Secretary advised the Board she had been asked by the Town Board to accept that position for the next 90 days. She already has voting privileges as the alternate Board member. She asked how the Planning group felt about this possibility. They said they thought it was a good idea and would recommend the Town Board to make this happen. All agreed it would be reviewed again in 90 days to decide the next course of action.

Minutes: The minutes of April 7, 2014 were reviewed and amended with corrections from Bob Stryker. The corrected minutes were approved with a motion by Bob Raeman, with a second by Joann Rogers. All Board members agreed.

Fox/Muller Subdivision and Annexation of 2013:

The Secretary advised the Board she had spoken with Robin Johnson of RPTS why the map clearing showing the subdivision of the newly subdivided piece from Muller's land being added to the Foxes existing parcel on the private drive, this map was filed in August. The Sale of the lands did not take place until November and in December Real Property Mapping notified the town of Bristol Assessor that the two parcels belonging to Fox could not be joined because of the private drive belonging to Muller separated the two. It was January of 2014 when the Planning Board Secretary was told of this decision that has resulted in several months discussion on how to make to fulfill the original decision of the Planning Board.

Options discussed this evening were:

- To have the Foxes do the deed restriction on the parcels making them one and the same as suggested by the Town Attorney.
- The second option is the Board can choose to rescind their approval based on the conditions of the approval were not met.
- The third was a suggestion by Robin Johnson of RPTS that the Foxes buy a small joiner piece from Muller connecting their two parcels and provide an easement for Muller across that parcel. The third option was thrown out as something way beyond the scope of the Planning Board.

After further discussion a motion was made by Joann Rogers: ***A deed restriction needs to be placed on the original combination of lots in sixty (60) days or the approval of the subdivision will be rescinded by the Planning Board of the Town of Bristol. The second to this motion was made by Bob Raeman.***

The entire resolution was written as follows:

Whereas, The Planning Board met with Tim and Laura Fox to discuss their proposed acquisition of additional lands from Priscilla Muller on the private drive where their current home is located, and

Whereas, The Planning Board of the Town of Bristol did not want to see a fourth parcel added to the private drive, and

Whereas, the Planning Board of the Town of Bristol on May 6, 2013 approved a minor subdivision of lands belonging to Priscilla Muller (tax map # 109.00-1-84.110) to Tim and Laura Fox based on the premise the new parcel (tax map # 109.00-1-84.112) created would be annexed to the original parcel belonging to Tim and Laura Fox (tax map # 109.00-1-22.210), and

Whereas, on August 5, 2013 a Subdivision map showing the annexation of both parcels belonging to Fox reflecting the decision of the Town of Bristol Planning Board was filed under #33208 at the County Clerk's Office of Ontario County, and

Whereas, the sale of said property took place on November 4, 2013, and

Whereas, Real Property Tax Service on December 5, 2013 stated they would be unable to join the two parcels belonging to the Foxes because a private drive belonging to Muller separated the two parcels a/k/a 109.00-1-22.210 and 109.00-1-84.112, and

Whereas, this information was brought to the attention of the Planning Board Secretary in January of 2014 by the Town of Bristol Assessor, and

Whereas, in order to meet the original conditions for the subdivision approval:

Therefore, A motion was made by Joann Rogers that within (60) sixty days of this meeting on May 5, 2014 a deed restriction be added to the deeds of tax map # 109.00-1-22.210 and tax map # 109.00-1-84.112 belonging to Tim and Laura Fox in the Town of Bristol that states that neither parcel may be sold independently and if they are to be conveyed they must be conveyed together. If this is not completed by July 4, 2014 the Planning Board will rescind its approval of the original subdivision. A second was made by Bob Raeman.

Definitions: Paths, Access way and Lots

Trails-The way by which pedestrians or vehicles shall have adequate and suitable ingress and egress to and from a land use.

Access way-A path that provides access to a specific destination of property.

Lot- A parcel or area of land, the dimensions and extent of which are determined by the latest official records or by the latest approved map of a subdivision of which the lot is part of. A lot may be severed by: school district boundaries, zoning districts, agriculture district boundaries, municipal boundaries, and public highways. Therefore, a lot may contain multiple tax parcels.

Tax Parcel- A "parcel" or "plat of land having a single tax map identification number, devoted to a certain use and occupied or capable of being occupied by a building or group of buildings that are united

by common interest or use. A tax parcel may not be severed by lands belonging to someone other than the owner of the parcels being combined.

Other Business- It was noted that after the heavy rains last Thursday evening a great deal of debris had been washed into County Road 32 off the lands owned by Mike Koelsch. The question was raised if it was a result of the new pathway he is installing on his lands. The Secretary asked Phil Sommer (CEO) if he was aware of this. He advised that he had been in that area that evening responding to another problem and noted that the debris washed out of the old existing path on the side of the hill belonging to Koelsch and not from the new path being constructed. He also advised he had recently sent a letter to Koelsch reminding him of the 10' distance from the lot line to be observed and will be watching over the project.

The meeting was adjourned with a motion by Bob Drayn.

Respectfully submitted,

Sandra Riker

Secretary Planning Board

Town of Bristol

The minutes of May 5, 2014 were accepted as written by a motion made by Bob Raeman with a second by Bob Drayn and approved by all Board Members at the June 2, 2014 meeting.