

## Town of Bristol

### Planning Board Minutes of August 3, 2020

**Present:** Joann Rogers, Patti Giordano, Bob Stryker, Justin Steinbach, Karen Ellmore, and Secretary Sandra Riker

**Others present:** Mary Beth Egeling, Michael Rizzo, Robert Gray and Eric Lyon

**Minutes:** The minutes of April 6<sup>th</sup> were reviewed and a revision requested by Bob Stryker to add to the heading that it was a Zoom meeting in response to Covid-19. He then made a motion to accept the minutes as revised with a second by Joann Rogers. Board polled as follows: Stryker aye, Ellmore aye, Rogers aye, Giordano aye and Steinbach abstained being a late arrival to the meeting.

The minutes of July 6<sup>th</sup> were reviewed and a correction by Karen Ellmore to change the wording “Mount Morris was ~~closed~~ close to having one completed”. A motion was made by Patti Giordano to accept the minutes as corrected with a second by Bob Stryker. Board polled as follows: Ellmore aye, Giordano aye, Rogers aye, Stryker aye, Steinbach aye.

#### **Egeling & Rizzo-minor subdivision and annexation:**

The Board asked Mary Beth to provide background for this application. She advised that she and her husband Michael Rizzo purchased tax parcel # 137.00-1-21.000 a/k/a 7565 East Hall Road being 15.247 acres in size from the Estate of Brian Tiller. The only access to the property is a 50’ right of way off East Hall Road. Mr. Tiller purchased the parcel in 1975 and while alive he lived in a building that was described as a as a two story log home with 1 bath and 2 bedrooms on the assessment roles. When Mary Beth and her husband purchased the parcel they contacted the Code Office to make a determination of the building’s classification for the assessment and a decision was made by Code Officer Jensen that the structure was not habitable and the classification should be downgraded to barn/garage/outbuilding. He also advised that the wood stove would need to be removed and the septic disconnected/disabled. The Assessor was made aware of the condition of the structure and reduced the assessment and the classification to Vacant w/improvement. Mary Beth and her husband own the

parcel adjacent to it at 4914 Ganyard Hill Road. They wish to subdivide 8.457 acres from the parcel known as 7565 East Hall Road and will retain the 50' Right of Way to East Hall Road as the ingress and egress route. The remaining 6.790 acres will be annexed to their parcel known as 4914 Ganyard Hill Road and their access is off Ganyard Hill Road.

The Board inquired if the access right of way could be increased to the now accepted 66' requirement for access. The answer was no, they do not own the lands on either side of the 50' right of way and in fact went on to say that they offered a smaller portion of the parcel containing the structure and the right of way to East Hall Road to the owner of 7595 East Hall Road, LLC who said he was not interested in purchasing the portion being offered for annexation to his parcel.

A question was raised if they might be able to widen the 50' distance where it enters the larger part of the 8.457 acres, this is not possible due to the steep slopes throughout the parcel. If this parcel were sold there is no guarantee at this point it could be a buildable lot that determination would be made by an engineer at the time of site plan and steep slope regulations need to be followed.

It was noted that the 50' right of way is partially on an adjacent parcel and it has been documented in the owners deed.

Chairwoman Ellmore opened the public hearing. Robert Gray spoke saying he was representing the other neighbors on East Hall with their concern this would create additional traffic on their small road. The Board and Mary Beth reassured him that there are two parcels being created from the division of 7565 East Hall Road and both have their own access. One on East Hall Road for the 8.457 acre known as Lot 1 and the remaining 6.790 acres will be annexed to lot 2 with access through 4914 Ganyard Hill Road. The public hearing was then closed.

***The Board reviewed the Short Form Environmental Statement and a Negative Declaration was made through a motion by Patti Giordano with a second by Joann. All Board members agreed.***

***A motion was made by Patti Giordano with a second by Justin Steinbach the Planning Board of the Town of Bristol approve the subdivision of lot 1 from 7565 East Hall Road being 8.457 acres that has an unhabitable accessory structure***

***and its only access is the 50' right of way on East Hall Road. It should be noted that before this parcel can be considered a buildable parcel an adjustment would need to be made at N82-45-49E, 407.82' lot line to provide wider access to the main lot specifically at the westerly jog corner that meets the south east corner of 7595 East Hall Road, LLC. The remainder of 7665 being 6.90 acres also known as Lot 2 will be annexed to 137.00-1-24.100 (4914 Ganyard Hill Road) and its access would be off Ganyard Hill Road. All Board members agreed.***

**Other Business:** Secretary reminded the Board that Haylee Ferington of GFLRPC will be doing her presentation for the Town Board with regard to Solar Siting and Battery Storage Law at their meeting on Monday August 10<sup>th</sup>.

General Code update-still working on it and waiting for input from Bill Kenyon, town attorney.

CEO report was provided.

Respectfully submitted,

*Sandra Riker*

Town of Bristol  
Planning, Zoning and Code Office Assistant