

**Town of Bristol  
Planning Board  
December 7, 2015  
Minutes**

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

**Others Present:** Norman & Marilyn Davenport, Rick Bettencourt & Ellen Canna, Todd & Martha Herbik, Donald Pett, J.R. Lynch, and Andrew Leja

**Minutes:** The minutes of November 9, 2015 were reviewed: Bob Stryker asked that the secretary's name be added to those present and Bob Raeman asked that the minutes under Crown Castle reflect his commenting that until the final application in whole is presented the "shot clock" should not be running. The above changes were made to the November draft minutes and the final minutes approved with the revisions with a motion made by Bob Raeman with a second by Bob Drayn. Board voted as follows: Rogers aye, Raeman aye, Stryker aye, Drayn aye and Giordano abstained.

**Davenport Lot Line Adjustment:**

The Davenports reported that the lean to on the side of the barn had been removed and were waiting for the CEO to observe its removal.

The public hearing was opened and hearing no comments from the room it was then closed.

It was noted that the ZBA had approved the Area Variance necessary for the reduction in side yard setback for the distance of the barn to the new lot line on Lowe's parcel.

***The Board reviewed the SEQRA statement and a Negative Declaration was made with a motion by Bob Stryker with a second by Bob Drayn. All Board members agreed.***

***A motion to accept the Davenport/Lowe lot line adjustment pending the notification from the Code Officer regarding removal of the lean-to on the barn was made by Bob Raeman with a second by Bob Drayn. All Board members agreed.***

**Bettencourt Lot Line Adjustment:**

Mr. Bettencourt reminded the Board that they had an informational meeting with the Board regarding their proposed lot line adjustment. The application is for obtaining additional lands from their neighbors Donald Pett and James Gall. They will be purchasing 4 acres from Pett and 10 acres from Gall to increase the size of the Bettencourt parcel to 36.125 acres from the original 22.015 acres. This will help provide a place to build both the house and barn that they

hope to build on the parcel. It is noted that the R.O.W. on Morrow Hill is 49.5' and is grandfathered; the other issue is the proximity to the lot line of Gall's pond. The Board reminded Bettencourt that our zoning regulations state that a driveway may not be placed closer than 10' (ten) to any lot line.

The Code Office was advised today that there has been logging activity on the parcel and was concerned that Bettencourt had not applied for a permit. He told the Board the logging was being done by Future Foresters. They had advised him that someone had contacted the Code Office and the fact that it was less than 10,000 board feet and for his own use a permit would not be needed. Bettencourt said he had been in communication with the Code Officer and will do whatever is necessary to comply and finish the logging activity.

Public hearing was opened with no comments from those present but the Secretary said George Kraft (one of the neighbors) had come into the Code Office to look at the map for clarification where the activity would be taking place. He said he was fine with the project as it did not affect his lands. The public hearing was then closed.

***SEQRA was reviewed by the Board and a Negative Declaration was determined for this action with a motion by Bob Raeman and a second by Bob Stryker. All Board members agreed.***

***A motion to grant the lot line adjustments was made by Bob Drayn with a second by Bob Raeman. All Board members agreed. The Board did remind Bettencourt that granting of the lot line adjustment does not guarantee this will be accepted as a building lot.***

**Crown Castle Informational: The following comments were provided by MRB Group on December 7, 2015:**

**Site Plan and General Comments**

1. Foundation design and construction drawings demonstrating that the foundations and soil conditions can support the analysis reactions shall be provided for review prior to the issuance of a building permit. This should be a condition of approval and notated on the final plan submission.
2. There appears to be a discrepancy between the latitude and longitude coordinates provided on the Title Sheet (T1) and the Site Survey (Sheet C-1), dated November 5, 2015. Please clarify.
3. The borders and data are missing from the Grading and Erosion Control Details (Sheet Z10) and Utility Rack Details (Sheet Z11). Please update.
4. The plans are required to be stamped by a Professional Engineer (P.E.).
5. The revised plans reference the zoning as the Agricultural Conservation (AC) zoning district. Old plan set referenced the Light Industrial (LI) zoning district. In contrast, the revised Site Plan Review, Use Variance, Area Variance applications reference the LI zoning district. Please clarify.

### **Grading, Erosion & Sediment Control Plan (Sheet Z3A and Z3B)**

6. A legend should be added to the plan sheet.
7. The total area of disturbance is specified as .57 acres. Does this area include the 12' gravel access drive and the 100' x 100' equipment lease area? If the total disturbance equals or exceeds 1 acre, then the action will be required to meet the NYSDEC General Permit 0-15-002 requirements for stormwater runoff. Please clarify or update as necessary.
8. The 20' wide access and utility easement should be delineated on the plans.
9. A construction staging area for equipment storage, materials and vehicle parking should be identified on the erosion control plans. Sediment stockpile areas are to be identified on the plans and provided with perimeter protection.
10. The erosion control plans should demonstrate how the site will be protected during construction. A construction sequence should be provided to detail steps for installation of all temporary sediment and erosion control measures (i.e. swales, silt fencing, etc.)
11. The corresponding detail symbol should be depicted on Sheet Z3A and Z3B.

These issues will be responded to by Crown Castle before the next meeting per Mr. Leja. He asked if the survey map needed to be redrawn at this time or could it be referred "as an as built" until the tower is built. The Board said they will not consider "as built" as acceptable and yes the survey should be redrawn to reflect the correct placement of the lot lines, setback requirements, and tower placement.

Bob Raeman as Acting Chair for the November meeting reminded Mr. Leja that at that meeting he said a "final and correct application" has not been presented so he feels any information that we have to date is incomplete and the "Shot Clock" for this process should be reset at the time of actual submission of the "final and correct application". Mr. Leja said he did not agree with him and feels the any information that is provided now or in the future are merely amendments to the original application presented in August, 2015.

That said, Leja asked if the Board would consider scheduling a public hearing for their meeting in January. The Chair advised him that if the all information was received prior to the January meeting deadline of December 21, 2015 providing the Planning Board with enough time to review all information as a whole a public hearing could be held on January 4, 2015 (their next meeting). She also reminded him that Ontario County Planning Board must refer the complete application as well. The question was then raised if Bristol Planning Board could approve Site Plan prior to the comments provided by the County Planning Board? The Secretary will look into this and provide the information for the Board before their next meeting.

Mr. Leja asked if the information that needs to be updated could be provided as individual pages for insertion into the most recent version of the application instead of redoing the whole document. The Board said this would be acceptable.

**Other Business:**

in the Town of Bristol was brought to the Board's attention by Mrs. Herbick. She provided photos for the Board showing the number of cars being parked on the property every day and complained about the increased traffic on the Road. She said she did not believe the business was in an area where this was acceptable and asked to have the Board look into the problem. The Board will work with the Code Officer on this issue and he will advise the Herbicks of the outcome.

**Minor Subdivision/Lot Line Adjustment:** The Secretary presented the most recently revised version of this document at the October Town Board meeting to request they set a fee for lot line adjustments. The Town Attorney, Bill Kenyon said he thought the Board was requesting too much information by requiring whole surveys of both parcels involved with a lot line adjustment and suggested that the Planning Board should rework the document to reflect less stringent requirements for a lot line adjustment as opposed to a minor subdivision. The Planning Board agreed their intent was not to create an impossible situation with regard to lot line adjustment but does feel that there should be enough documentation provided to show the clear picture of the lot line adjustment. The Secretary will work on a revised document for the Board to review at the next meeting.

A motion to adjourn the meeting was made by Patti Giordano.

Respectfully submitted,

*Sandra Riker*

Town of Bristol Planning Board Secretary

The minutes of December 7, 2015 were accepted as written with a motion by Bob Raeman and a second by Joann Rogers. All Board members agreed.