

## Town of Bristol

### Planning Board Minutes January 6, 2020

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

**Others present:** Janet Green, David Lintner, Anthony Venezia, Lorraine Tilton, and Jennifer Mully

**Minutes:** The meeting minutes of December 2, 2019 were approved by Patti Giordano with a second by Justin Steinbach. All Board members agreed.

#### **Mully & Lintner Lot Line Adjustment:**

Anthony Venezia, surveyor advised the Board the Mully family wish to divide their parcel #110.00-2-56.200 into two parcels. The bulk of the parcel being 40.761 acres being sold to David Lintner to combine with his parcel #110.00-2-20.100 (3.178 acres) to form a new parcel for him totaling 43.939 acres and the Mully parcel will be 5.739 acres where the Cell Tower at 3995 State Route 64 is located.

The Board reviewed the 2007 tower regulations to verify the necessary acreage needed for the placement of the tower and the setback requirements have also been met.

***'Section IV-Regulating the Installation of Antennas, Parabolic Dishes and Towers, 3. Towers and Communication Broadcast and Communication facilities:  
b. No more than one (1) tower shall be located on any parcel for each Special Use Permit applied for and granted. Minimum lot size shall be equal to 2.4 times the tower height plus any extensions in width or depth, but not less than eighty-thousand (80,000) square feet. The tower, including any extensions, shall be located no closer than 1.25 times its height to any boundary line. When measuring side and rear setbacks, all cables, guy wires or other supports, shall constitute a part of the antenna.'***

The tower parcel at 3995 State Route 64 is 5.739 acres equal to 249,990.84 square feet-minimum requirement is 80,000 (80,000) square feet. The distance to the boundary lines from the tower is 250 feet which exceeds the required 243.75 required.

The new map shows a “*proposed*” 50’ access easement being added to the original easement referred in liber 1305 page 514 extending from Route 64 to the Tower. The Board would like the final map to show that the new liber and page describing the additional easement to the location of the tower so it will not be considered a landlocked parcel.

Chair Ellmore opened the public hearing: having no comment being recorded from those present or through mail to the Secretary and additional comments from the Board members the hearing was closed.

***SEQR was reviewed and a Negative Declaration was made with a motion by Patti Giordano and a second by Joann Rogers. All Board members agreed.***

***A motion was made by Patti Giordano with a second by Justin Steinbach that the Bristol Planning Board accept the lot line adjustment between the Mully family and David Lintner to lands owned by them on State Route 64 once the final map presented for the Chairman’s Signature reflects proof of the full easement from the Tower location shown on the final map to Route 64 providing proper access so not to create a landlocked parcel. The word proposed will be removed from the map and the liber and page of filing of such easement noted on the map as well. All Board members agreed.***

Joann Rogers noted that the Right to Farm Law needs to be added to the map as well. The Secretary can stamp this on the final map when it is presented for signing by the Chair of the Board.

Other Business:

Proposed Additions to Article Six-Unhabitable Structures:

Originally presented to the Board by the Code Officer was:

- Except as otherwise stated in Town Code, a nine-hundred (900) square foot accessory building shall be allowed on vacant lots with no primary building or use and may be used for storage of materials, equipment, and other personal property. Such accessory buildings shall be subject to the setback and height requirements contained in the Zoning Schedule for the underlying zoning district.
- Accessory buildings shall not be used as habitable space.
- Detached accessory buildings with a building footprint of less than 1,000 square feet shall not exceed 16 feet in height.

- Detached accessory buildings with a building footprint of 1,000 square feet or greater shall not exceed 22 feet in height.

The following reflects changes made by the Planning Board:

- Except as otherwise stated in Town Code, a nine-hundred (900) square foot ~~accessory~~ *storage structure* shall be allowed on lots without a ~~primary~~ *principal* building or use and may be used for storage of materials, equipment, and other personal property. Such ~~accessory~~ *storage structures* shall be subject to the setback and height requirements contained in the Zoning Schedule for the underlying zoning districts.
- ~~Accessory buildings~~ *Storage Structures* shall not be used as habitable space.

Additional areas that will require work as a result of the above change:  
Definitions to be added:

*Storage Structure-An Uninhabitable space designated for the storage of materials, equipment and other personal property and not intended as a habitable space.*

Articles 10 & 11 of the zoning regulations:

Storage Structure needs to be added to permitted uses under A-C, L-R, and M-R districts

Fee schedule-similar to accessory structure, decks, and sheds?

## **Other Business:**

### **Proposed Addition to Article Six-Fences**

Fences erected in the Town shall adhere to the following standards:

(1) Except as may be otherwise provided in this section, no fence in a front yard within any parcel zoned and occupied for residential use shall be erected, altered, or reconstructed to a height exceeding four feet above ground level.

(2) Except as may be otherwise provided in this section, no fence in a rear yard or side yard within any parcel zoned and occupied for residential use shall be erected, altered, or reconstructed to a height exceeding six feet above ground level.

(3) Fences for kennels and for the purpose of enclosing farmland, horses, and cattle shall not exceed eight feet in height.

(4) No fence shall be erected to encroach on any property line or upon a public right-of-way.

(5) No fence shall be erected in a delineated area of special flood hazard, except for farm fences, unless it can be demonstrated that such fence would not restrict the flow of floodwaters nor would it have any impact on any buildings. (6) Snow fences may be allowed without a permit, provided that the placement does not result in snow drifting onto adjacent properties or the public highway. Said fences may be erected for a period not to exceed six months and must be removed not later than May 1 of each year.

(7) Fences for large-scale solar energy systems shall conform to the minimum size required per National Electric Code. This requirement shall be confirmed by the Code Enforcement Officer.

The Board agreed they would like to take sometime to review this and compare with other similar sized towns in the County. Suggested communities would be Naples, Richmond, and East Bloomfield. Justin said he would look for examples and share them with Chris Jensen. This will be continued at upcoming meetings.

**Additional Business:** Chair Ellmore provided the Board members with some “housekeeping rules” for the new year.

- While everyone’s training has been met for the year from previous years requirements it is always good to take advantage of current topics and training being offered.
- Do not discuss any applications via email format with other Board members.

- If visiting an application site do not engage in discussion with the land owner about the application.

Code Office Report:

- 3 new permits were issued= valuation of \$4,825.00
- Total Valuation for the year generated through building permits=\$2,497,647.50
- 15 inspections were completed by Code Officer Chris Jensen.
- Violations-Baptist Hill- court hearing on Dec 18<sup>th</sup> resulted in the Judge setting a total of \$500.00 for the 3 violations presented.

A motion to adjourn was made by Justin Steinbach with a second by Patti Giordano.

Respectfully submitted,

*Sandra Riker*

Town of Bristol  
Planning, ZBA and Code Office Assistant

Minutes approved at the 2/3 meeting of Planning Board with a motion by Justin and a second by Patti. All Board members agreed.