

Town of Bristol

Planning Board Minutes of February 3, 2020

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

Others present: Pat Venezia, Town Councilman Chris Hart, Jennifer VanHouten, Janet Green, Scott Needham, Jason & Stephanie Barrett, Bill Grove, John & Sharon Karle, and Kitty Karle

Minutes: The minutes of January 6th were reviewed and the secretary pointed out the date on the minutes was incorrectly noted as January 3rd and will make that change before posting them. A motion was made by Justin to approve the minutes as corrected with a second by Patti. All Board members agreed.

Barrett Site Plan: Jason Barrett advised the Board that he has applied for a Special Use Permit to have a “seasonal camp” on the 19 acres he owns at 7209 County Road 32 in the town of Bristol. The proposed action is to construct a well, a camp building being 1080 sq. ft. (that includes living area of 576 sq. Ft, a one car garage and decks) along with a septic system and underground utilities.

The Zoning Code identifies a “seasonal camp” under Article 18, section 2D as: “A special use permit shall be required for seasonal camps on a minimum of (10) ten acres. A minimum of (400) four hundred square feet of living space is required. Sanitation facilities will be required to meet New York State laws. This type of dwelling shall never be used for year-round occupancy unless it has a minimum of nine hundred fifty (950) square feet of living area. This permit is not transferable. Mobile homes or trailers are not permitted under this Section.”

Code Officer Jensen commented on the law- “Based on this law... there is no difference between a single-family dwelling and a seasonal camp... if it is over 950 sq. ft. It will have to meet all building codes for a single-family dwelling. Energy code if it is heated or cooled. Code also does not define what a seasonal is...can it be lived in during any season? Sure...if they don't live in it for one day...it isn't 'year-round'. I guess it is just a law which permits 'tiny homes' between 400 sq. ft and 950 sq. ft. Which is a good idea. I think that laws which require a minimum size for a single-family home are outdated. If someone is comfortable living in a 500 sq. Ft. home... less material...less energy costs...etc.

The ZBA at their meeting on January 21st started their review of the Special Use Permit to allow a seasonal camp for Jason Barrett at 7209 County Road 2 under Article 18-Special Use Permit to provide their findings required by Subsections B1 through B3 (a-i) leaving the review of B3j: Site Plan review for the Planning Board at their next meeting on February 3 made the following resolutions: **“ SEQR-Short Environmental Assessment Review was addressed and a motion was made by Steve Smiley that a Negative Declaration be declared with a second by John Krebbeks. All Board members present agreed.”**

“The following motion was made by Marty Snyder with a second by John Krebbeks: Motion to grant conditional approval of a Special Use Permit for a seasonal camp, to 85 WME LLC, at 7209 County Road 32, tax map: 137.00-2-14.130. The application meets all requirements set forth in Article 18, Section 1. B., of the Zoning Ordinance of the Town of Bristol, except for item “j.” Site Plan approval by the Bristol Planning Board. Final approval shall be granted upon approval of the Site Plan by the Bristol Planning Board. The Board polled as follows: Snyder aye, Smiley aye, Sanford aye, Krebbeks aye. Donna Beretta was excused from this meeting.”

He is here tonight for the completion of the requirements by submitting his Site Plan under item J of Article 18, Section 1 B to the Planning Board for their review.

A legal notice was posted in the Messenger Post Now paper on January 28, 2020, advising of the public hearing for this site plan application. The Site Plan presented details of the future build out of the parcel along with the current proposed structure. Jason advised the Board the proposed 4-bedroom home will probably not be done for another 10 years and in the meantime he and his wife would like to have a place to stay on weekends while they work the lands. They have planted 375 eastern red cedar “juniper” bushes this past year and are planning on planting another 2600 trees, more of the eastern red cedar bushes as well as other trees native to the area to help prevent erosion and protect the land. The juniper berries harvested provide one of the ingredients used by his company BlackButtonDistillery in the making of gin. When asked if there would be a need for large trucks and equipment on the land, he said the largest piece of equipment would be a lawn mower as the harvest has to be done by hand and is very labor intensive. A yield for the crop would be placed in 5-gallon buckets and the distillery would use 6 buckets a year.

Code Officer Jensen’s comment on the full build out of the parcel as follows:

“We will just have to have the camp building rendered unoccupiable if they build a second home sometime in the future.”

The public hearing was opened by Chairwoman Ellmore and having no comments from those present the hearing was closed.

The Board then reviewed the criteria for Site Plan review and the first requirement was noted as the need for a full map of the parcel. The Secretary along with Bill Grove and Jason Barrett provided the Board with the subdivision map of lands belonging to Crofts Gorsline in 2016 identifying the Barrett parcel as Lot 3 being 19 acres in size. After further review of the criteria for site plan approval the Board agreed that items 18, 20, and 21 of the checklists should be addressed with additional notes being added to the Site Plan Map designed by Bill Grove, PE of Grove Engineering. The points in question are:

- 18. Location and design of outdoor lighting facilities.
- 20. General landscaping plan and planting schedule
- 21. An estimated project construction schedule.

It was noted that the SEQR document had been reviewed and approved by the ZBA Board at their meeting in January.

A motion was made by Patti Giordano that the site plan for the one (1) bedroom seasonal use camp with a one (1) car garage be approved on the condition that notes regarding checklist points 18, 20, and 21 for site approval be added to the Site Plan Drawing prepared by Bill Grove PE of Grove Engineering. It was also noted that this is not an approval for the proposed future 4-bedroom house and garage. A second to the motion was made by Justin Steinbach with all Board members approval.

Karle Minor Subdivision:

John and Sharon Karle are requesting a 2-lot subdivision of the tax parcel #122.00-3-2.400 consisting of 128.3 acres. The parcel is located on Green and Buckelew Roads in the Town of Bristol. Lot 1 will be 120.3 acres in size and lot 2 will be 8 acres with a 2-story farmhouse and accessory structures.

The Board noted that the distance of 51.49' was left as the connector between lot 1 on the west side of Green Road and the lands in lot 1 on the east side of the road. It was suggested Mr. Karle might want to increase that distance to 66' in order to make it an approved distance for access to a flag lot in the future. Mr. Karle said the distance of 51.49' provides access to the lands on the east side for agricultural purposes only and did not see the need to make any changes to that access at this time.

The public hearing was opened; no one present had a comment but the secretary said Richard Knight (one of the neighbors within 500') had stopped in the Code Office to review the subdivision map and had no concerns with the application. The public hearing was closed.

SEQR was reviewed and a Negative Declaration was made by Patti Giordano with a second by Justin Steinbach. All Board members approved.

A motion was made by Justin Steinbach to approve the 2-lot subdivision presented on the survey map completed by Anthony Venezia of Venezia Land Surveyors and Civil Engineers surveyed by them on 1/17/2020 and the map completed on 1/20/2020. It was noted that the Right to Farm Law was missing from the maps presented and will need to be added before

the Chairwoman can sign the approval. A second was made by Patti Giordano and all Board members approved.

Other Business:

The proposed additions to Article Six provisions for all districts in the present Zoning Regulations will be tabled and addressed when the review of the draft from General Code is worked on.

General Code 360: The secretary advised that she had received notice from Barbara Greathead the review of editorial and legal analysis workbook will be provided to us in the near future. We will have until June 25, 2020 to complete our review and submit it back to General Code for the next step. Chairwoman Ellmore and the secretary agreed it is best to take a holistic approach to the changes. The purpose of this phase has specific questions and highlights errors, inconsistencies, and other issues that may affect the accuracy, clarity, and enforceability of the final Code. We will be provided with a link to the review site once we have received the user name and have set a password for its use. The best approach will to create a separate review group and we are suggesting 2 members from the Planning Board, 2 from the ZBA, 2 from the Town Board as well as Code Officer Jensen, town engineers and the Town Attorney.

Respectfully submitted,

Sandra Riker

Town of Bristol
Planning and Zoning Secretary

The minutes of this meeting were approved on March 2, 2020 with a motion made by Joann Rogers with a second by Patti Giordano. All Board members agreed.