



Town of South Bristol
6500 West Gannett Hill Road
Naples, NY 14512-9216
585.374.6341

Planning Board Meeting Agenda Updated 8/19

Wednesday, August 19, 2026, at 6:30 pm

Meeting in-person or by joining Zoom [Link](#)
Zoom Meeting ID 821 2821 8598, Passcode 433469

Call to Order

Pledge of Allegiance

Reading of Vision Statement

As stewards of both the land and the lake, we will preserve and protect our safe, clean, naturally beautiful, rural, and scenic environment with thoughtfully planned residential, agricultural, recreational, and commercial development.

Meeting Etiquette

Minutes

Approval of Planning Board meeting minutes for July 15, 2026, as corrected.

Old Business

Public Hearings

Special Use Permit & Site Plan Approval Application 2026-0006

County Planning Board Referral: Exempt
Owners: Donald E. DeClerck & Marvanne M. DeClerck
Representative: Donald & Marvanne DeClerck
Property: 6937 Gulick Road
Tax Map: 189.00-1-78.112
Zoned: R-5 (Residential Five Acres)

Site Plan Approval Application 2026-0007

County Planning Board Referral: 105-2026 (Exempt)
Owners: Party Time Roc LLC
Representative: Nicole Ansaldi, William Grove, PE
Property: 6985 St Rt 21
Tax Map: 191.17-1-20.111
Zoned: LR (Lake Residential)

Special Use Permit & Site Plan Approval Application 2026-0008

County Planning Board Referral: Exempt

Owners: Jeffrey P. Hall

Representative: Jeff Hall

Property: 6541 S Gannett Hill Rd

Tax Map: 184.00-1-68.111

Zoned: R-3 (Residential Three Acres)

Proposed Outdoor Lighting Ordinance

Other

Motion to Adjourn

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Present David Bowen
 Daniel Crowley
 Jason Inda
 Bruce Mackie
 Michael McCabe
 Frederick McIntyre
 Paul Miller
 Sam Seymour

Absent Cody Koch

Guests In-person: Jeff Hall, Nicole Ansaldi, Bill Grove, Donald, Marvanne & Donny DeClerck,
 Meg Fuller

Call to Order

The meeting of the Town of South Bristol Planning Board has been called to order at 6:30. All Board members were present except for Cody Koch.

Reading of Vision Statement

Daniel Crowley read the Comprehensive Plan Vision Statement.

Meeting Etiquette

David Bowen reviewed meeting etiquette.

Meeting Minutes

David Bowen made a motion to approve July 15, 2026, meeting minutes as amended. Daniel Crowley seconded the motion. The motion was unanimously adopted by all Board members present.

Old Business

Public Hearings

Site Plan Approval Application 2026-0006

County Planning Board Referral: Exempt
Owners: Donald E. DeClerck & Marvanne M. DeClerck
Representative: Donald & Marvanne DeClerck
Property: 6937 Gulick Road
Tax Map: 189.00-1-78.112
Zoned: R-5 (Residential Five Acres)

Chairman Bowen: Welcome back. Just for our minutes can you state your name please.

Marvanne DeClerck: I am Marvanne DeClerck.

Donny DeClerck: I am Donny DeClerck.

Marvanne DeClerck: To clarify my husband Don is the other property owner. We own the property.

Chairman Bowen: Correct. Diane, can you please read the legal notice.

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Diane Graham: Yes.

Legal Notice of Public Hearing

Please take notice that the Town of South Bristol Planning Board will hold a public hearing on the following application:

2026-0006 for property owned by Donald E. DeClerck and Marvanne M. DeClerck located at 6937 Gulick Road, tax map 189.00-1-78.112. The applicant/property owner is looking for a special use permit to allow a second residence on the same lot for son's use and site plan approval to construct a 30 by 40-foot 1,200 square foot two-story single-family residence.

Said hearing will take place on the 19th day of August 2026 beginning at 6:30 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

The application is located on the town website under important documents and notices / board meeting documents.

Interested parties may provide written comments, appear in-person or by Zoom.

Chairman Bowen: Mr. DeClerck, I know you were here last month and I asked you this questions before but could you please restate the proposal you have before the board please.

Diane Graham: Do you want to open the public hearing first?

Chairman Bowen: Yes. I will declare the public hearing open.

Marvanne DeClerck: We are requesting a special use permit to build a second residence for our son, Donny DeClerck, who is here with me tonight. Donny has sold his house in Rochester and moved back home. He is living with us now. We are really thrilled that he has returned to the area. Don't recall what else I should say but we would really like the approval to build a second residence.

Chairman Bowen: This is for his use at this point?

Marvanne DeClerck: His use only. Yes.

Chairman Bowen: Did we receive any written comments on this matter, Diane?

Diane Graham: No.

Chairman Bowen: Is there anyone on Zoom who cares to comment or ask questions?

Diane Graham: No one is on Zoom.

Chairman Bowen: No one is on Zoom. Does anyone on the board have any questions or comments?

Bruce Mackie: Mr. Chairman I made some notes from the last public meeting at the Planning Board public meeting on July 15th, and I believe we asked the applicant to provide a revised survey with some additional information on it line details.

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Donny DeClerck: I do not believe that was us.

Bruce Mackie: Well. I apologize then.

Chairman Bowen: Is that the one with the shed?

Bruce Mackie: Probably.

Chairman Bowen: Anyone else? I do not have any questions. So, hearing none we will go forward with the special use permit.

Diane Graham: Are you closing the public hearing now?

Chairman Bowen: Yes. I will close the public hearing.

Under Town Code Section 170-16.2 (D)(10) an additional residential structure on a lot is permitted in an R-3 district by special use permit only. Here the applicant seeks to construct a second residence on their property for their son. I think we have some typos here but that is alright. We can wing it. They already maintain a single-family residence on the property. This is an additional one for their son.

I will make several findings here which are required under a special use permit. Under section 170-72C. of the South Bristol Town Code an applicant must make certain showings to the board and based on the preliminary hearing and all the documentation we have received I am prepared to make the following findings:

1. SEQR must be satisfied here. The SEQR status is an unlisted Type II action under paragraph NYCRR Section 617.5 (c) involving an application for a Special Use Permit and a Type II action under Section 617.5(c)(11) for the construction of an additional single-family residence and the installation of drinking water well and septic system.
2. The proposed use is consistent with the Comprehensive Plan of the Town which in our case promotes residential uses. The second residence is for the son of the applicants who stands to inherit the property along with a sibling.

Is that correct?

Marvanne DeClerck: Yes. His brother.

Chairman Bowen: The lot is located in an R-5, residential zoning district. Well, I will get to in the next section.

Diane Graham: The note to the R-3 that was in there should be R-5.

Daniel Crowley: In the opening.

Diane Graham: In the opening.

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3. The use must also be in harmony with the purposes of the Town of South Bristol zoning law and with regulations for the zoning district in which the proposed use is located. The R-5 district according to the code is intended to promote the orderly development of the Town by protecting large tracts of land and open space to ensure low density and encourage the preservation of forested land. The parcel according to your documents is 51.6 acres. The additional residence is quite small, two-story house with garage and workshop on the first floor and living space on the second floor only. Structure is 2400 square feet and 28 feet high. Much of the lot is forested. By adding this additional residence, development would continue to be of a low-density. The surrounding lots are large and contain residential uses. There is no significant impact on the current density of development on this parcel and there will be no negative impacts on scenic vistas.

4. The use will not adversely affect the character of the neighborhood. The residence will not be visible from the road. There is no significant change in traffic patterns. No change in the character of the neighborhood that I can see.

5. The use must not be detrimental to nearby properties. The proposed additional residential use is consistent with the neighboring properties. We have received no negative comments from any neighbors. There have been no stated objections by any residents of the town. So, there doesn't appear to be any detrimental impact on surrounding lots.

6. The use must not have an adverse impact on the physical or environmental conditions of the neighborhood. There is no significant change of the use proposed. The two-story, single-family residential use is consistent with the surrounding residential properties. The proposed septic system is not located close to neighboring properties, streams or bodies of water. It has been designed by a professional engineer and approved for installation by the watershed inspector. The proposed system is in general compliance with applicable design standards required by the NYS Department of Health and the Canandaigua Lake Watershed Rules and Regulations.

7. The applicant has already acknowledged before us that they agree the proposed project meets all the conditions listed in §170-38 (A-E): the applicants/owners, not their son, will continue to own the new proposed residential structure; the proposed residential structure shall not be leased or rented; the current residential structure on the property will have a postal address of 6937 A Gulick Road and the proposed additional residential structure shall be 6937 B Gulick Road; all structures shall be served by the same access road or driveway for emergency vehicles; and applicants have submitted a site plan for review to the Planning Board.

At this point I will ask a board member to make a motion to approve applicant's request for a special use permit for an additional residential structure on the applicant-owner's current residential property.

Frederick McIntyre made a motion to approve. Sam Seymour seconded the motion.

Roll Call Vote

David Bowen – Aye

Daniel Crowley – Aye

Bruce Mackie – Aye

Michael McCabe – Aye

Frederick McIntyre – Aye

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Sam Seymour – Aye

Motion carried.

Chairman Bowen: Moving on to site plan approval.

I will note that the application is exempt from County Planning Board referral recommendation or comments.

Septic system review and approval is required, and we did receive a design approval letter dated March 24, 2026.

Storm water and erosion control measures are not indicated and not required here.

Steep slopes permit application is not required on this particular site.

NYS DEC Threatened and Endangered Species determination is not required in this location.

NYS Parks & Recreation and Historical Preservation archeological site determination is not required but the applicant did provide us with a determination letter dated June 15, 2026, showing no impact.

There are no agricultural active farms within 500 feet of the proposed project or this property.

There is no floodplain determination / Floodplain Development Permit required in this location.

With respect to SEQR I will make a motion declaring the SEQR to be an unlisted Type II action involving an application for a special use permit for an additional residential structure on the same lot and it is also a type II action under paragraph 617.5 (c)(11), *“the construction of a single family residence on an approved lot including provision for necessary utility connection and the installation of a drinking water well and septic system”* with no further review required and I will ask the Board’s permission to answer SEQR questions 1-13 with no or little impact may occur and sign on behalf of the Board.

Daniel Crowley seconded the motion.

All in favor.

Ayes 6, D. Bowen, D. Crowley, B. Mackie, M. McCabe, F. McIntyre, S. Seymour
Nays 0

Motion carried.

Chairman Bowen: Again, based on the preliminary meeting and all documentations received I will make the following findings:

1. The proposed project is consistent with the comprehensive plan of the Town of South Bristol.

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2. The proposed project is consistent with the zoning district in which the project is located, which is R-5.
3. The proposed project will not have an adverse impact on the physical or environmental conditions of the district.
4. The proposed project will not adversely affect the character of the neighborhood.

Can I get a motion to approve findings 1-4?

Frederick McIntyre made the motion to approve. Sam Seymour seconded the motion.

All in favor.

Ayes 6, D. Bowen, D. Crowley, B. Mackie, M. McCabe, F. McIntyre, S. Seymour
Nays 0

Motion carried.

Chairman Bowen: Lastly, I will request a motion to approve the preliminary and final site plan approval application.

Daniel Crowley made a motion to approve. Sam Seymour seconded the motion.

Roll Call Vote

David Bowen – Aye
Daniel Crowley – Aye
Bruce Mackie – Aye
Michael McCabe – Aye
Frederick McIntyre – Aye
Sam Seymour – Aye

Motion carried.

Chairman Bowen: Congratulations!

Marvanne DeClerck: Thank you.

Chairman Bowen: Just a couple notes for you.

Per town code you will need to obtain your building permit and start your project within six months of approval, which is right now.

If the project has not started within six months of approval, you can make a written request for a one-time six-month extension and that has to be in writing to Diane.

If a year has passed since the date of approval, you will need to start the board application all over again.

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Okay. Thank you very much.

Donny DeClerck: Thank you.

Site Plan Approval Application 2026-0007

County Planning Board Referral: 105-2026 (Exempt)
Owners: Party Time Roc LLC
Representative: William Grove, PE
Property: 6985 St Rt 21
Tax Map: 191.17-1-20.111
Zoned: LR (Lake Residential)

Chairman Bowen: Good evening. Welcome back.

Nicole Ansaldi: Hi.

Chairman Bowen: Diane, can you read the legal notice?

Diane Graham: Yes.

Legal Notice of Public Hearing

Please take notice that the Town of South Bristol Planning Board will hold a public hearing on the following application:

2026-0007 for property owned by Party Time Roc LLC located at 6985 St Rt 21, tax map 191.17-1-20.111. The applicant/property owner is looking for site plan approval to construct a 352 square foot (22 foot by 16 foot) storage shed on the south side of the property.

Said hearing will take place on the 19th day of August 2026 beginning at 6:30 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

The application is located on the town website under important documents and notices / board meeting documents.

Interested parties may provide written comments, appear in-person or by Zoom.

Chairman Bowen: Thank you. Good evening. Can you both state your names for our meeting minutes please?

Nicole Ansaldi: I am Nicole Ansaldi.

Bill Grove: Bill Grove with Grove Engineering.

Chairman Bowen: I will declare the public hearing open. I will ask one or both of you to restate the breadth of your project and any changes that may have occurred since we were last here last month.

Nicole Ansaldi: We are looking to build a storage shed to house all of our lake furniture stuff that we have on the property during the winter and obviously in the summer as well. I do not think anything has changed except we did get the bald eagle sign off and we added to the site plan the silt fence.

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Bill Grove: Relocated the silt fence to be down grade of the proposed shed.

Chairman Bowen: Okay. Thank you for that. Any comments or questions from anyone on the board? I will not that we did get the bald eagle determination letter July 21, 2026, and we did get the amended site plan July 28, 2026, which did show an extension of the silt fencing toward down slope toward the lake and toward the neighbors. Any questions from anybody present or on Zoom? I assume that there is still no one on Zoom, Diane?

Diane Graham: Correct.

Chairman Bowen: Did we receive any written comments?

Diane Graham: No.

Chairman Bowen: If there are no questions or comments from the board I will declare the public hearing closed.

The application was referred to County Planning Board and was determined exempt from recommendations and comments.

Septic system review and approval is not required because it is not within the scope of this project.

No additional storm water and erosion control measures recommendations are required beyond the extension of silt fencing which we requested at the preliminary meeting in July.

Property is not on a steep slopes so no steep slopes permit is required.

NYS DEC Threatened and Endangered Species determination is required, and we received a no impact letter dated July 21, 2026.

NYS Parks & Recreation and Historical Preservation archeological site determination is required, and we received a no impact letter dated June 25, 2026.

There are no agricultural active farms within 500 feet.

The area where the shed is to be located is not in a floodplain and no permits required.

With regard to SEQR I will make a motion declaring the SEQR to be a Type II action under paragraph 617.5 (c)(9) *“construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls”* with no further review required and ask the Board’s permission to answer SEQR questions 1-13 with no or small impact and sign on behalf of the Board.

Frederick McIntyre seconded the motion.

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All in favor.

Ayes 6, D. Bowen, D. Crowley, B. Mackie, M. McCabe, F. McIntyre, S. Seymour
Nays 0

Motion carried.

Chairman Bowen: Based on the preliminary meeting and all documentation we have received the testimony from the applicant and the engineer I will make the following findings:

1. The proposed project is consistent with the comprehensive plan of the Town of South Bristol.
2. The proposed project is consistent with the zoning district in which the project is located, which is LR.
3. The proposed project will not have an adverse impact on the physical or environmental conditions of the district.
4. The proposed project will not adversely affect the character of the neighborhood.

Could I get a motion to approve findings 1-4?

Sam Seymour made a motion to approve. Frederick McIntyre seconded the motion.

All in favor.

Ayes 6, D. Bowen, D. Crowley, B. Mackie, M. McCabe, F. McIntyre, S. Seymour
Nays 0

Motion carried.

David Bowen: I request a motion to approve the preliminary and final site plan approval amended application.

Michael McCabe made a motion to approve. Sam Seymour seconded the motion.

Roll Call Vote

David Bowen – Aye
Daniel Crowley – Aye
Bruce Mackie – Aye
Michael McCabe – Aye
Frederick McIntyre – Aye
Sam Seymour – Aye

Motion carried.

Chairman Bowen: Site plan approved. Congratulations! Same admonition I gave to the last party.

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You will need to obtain a building permit and start your project within six months of today.

A request for six-month extension must be in writing to Diane.

If a year has passed since not starting and not have the permit, you will need to start all over again.

Nicole Ansaldi: Great. Thank you very much.

Chairman Bowen: You are very welcome. Thanks for coming in.

Bill Grove: Thank you.

Diane Graham: Can I make a slight correction to application 2026-0006 when it is referred to the parcel as 51.6 acres it is 52.379 acres.

David Bowen: That was the previous, correct?

Daniel Crowley: That was the first.

Diane Graham: The first application, yes.

Site Plan Approval Application 2026-0008

County Planning Board Referral: Exempt

Owners: Jeffrey P. Hall

Representative: Jeff Hall

Property: 6541 S Gannett Hill Rd

Tax Map: 184.00-1-68.111

Zoned: R-3 (Residential Three Acres)

Chairman Bowen: Diane, can you please read the legal notice?

Diane Graham: Yes.

Legal Notice of Public Hearing

Please take notice that the Town of South Bristol Planning Board will hold a public hearing on the following application:

2026-0008 for property owned by Jeffrey P. Hall located at 6541 S. Gannett Hill Road, tax map 184.00-1-68.111. The applicant/property owner is looking for a special use permit to allow for a second residence on the same property for mother's use and site plan approval to construct a 938.6 square foot two-bedroom single-family residence and 318 square foot attached single-car garage.

Said hearing will take place on the 19th day of August 2026 beginning at 6:30 pm at the South Bristol Town Hall, 6500 West Gannett Hill Road, Naples, NY 14512.

The application is located on the town website under important documents and notices / board meeting documents.

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Interested parties may provide written comments, appear in-person or by Zoom.

Chairman Bowen: Thank you. I will declare the public hearing open. Good evening again. Could you each state your names and either individually or together. Restate your project and let us know if there is any changes since you were last here.

Bill Grove: I am Bill Grove with Grove Engineering.

Jeff Hall: Jeff Hall property owner. As I state in the letter, I am asking for permission for a special use to build a second residence on my property for my mother. Mother lives in Naples, Florida, 78 years old. Health is starting to head in a direction that we are all eventually going to be there someday. I would like her on my property so that I can take care of her in her final years. So, the one thing that has changed since I was before you a month ago is the size of the dwelling. In meeting I did an initial drawing. I am a mechanical engineer, so I did up my initial thoughts on what I wanted for the house and after meeting with some people who have more knowledge than I did about caring for the elderly wheelchair access, wheelchair spinning, five-foot radius came into play. If you know Tom Richardson, on top of the hill, he is one of my neighbors. He brought me some great input on that so initially I came to you asking for a site plan approval of 1,256.6 square feet that included a single car attached garage. I am now Grove Engineering has brought new prints tonight that are stamped that reflect a total of 1,856. So, we basically increased the house to 32 by 40 with a 24 by 24 two-car attached garage. It has the same content, same rooms, same number of bathrooms and bedrooms. So, the septic design doesn't change. All I have done is increase the distance around all the objects in the house. So, that five-foot magic diameter for spinning a wheelchair is now can be accommodated. Plus having the two-car garage now allows that access to pull a car into the center of the 16-foot door and have access to get out and be more free. That is the only change that has come up in the last month.

Chairman Bowen: The garage has increased by how much?

Jeff Hall: Originally it was 318 and now I am asking for 576.

Chairman Bowen: And the residential structure?

Jeff Hall: It was 938.6 in the original print and now it is 1,280.

Chairman Bowen: And you have those plans here?

Jeff Hall: Yes.

Chairman Bowen: We didn't get those before, did we?

Jeff Hall: No. This came out in the last couple days. I did come down when I got the letter and talked to Scott and Diane and said I might be changing this. I am fast-tracking this. I said I started to look at expanding the house by four feet in this direction and two feet in this direction. What can I do and they said well stay on this track until you figure out exactly what you need. Then I called Bill just yesterday and said I think I am going to go in this direction. Here is my new footprint of the house. I did not know Bill was bringing these tonight, but I appreciate that he did.

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Bill Grove: House is in the same spot as it was before. It has just increased. There were some changes that I made to the plan at the board's request after the last meeting. We added dimensions of the house. There was a couple other minor things.

Jeff Hall: Labeling.

Diane Graham: Square footage and height.

Bill Grove: Square footage.

Diane Graham: Height.

Jeff Hall: Height went from eighteen in the original to now twenty.

Diane Graham: You had said sixteen per your plan originally and so he changed it to eighteen so now you are saying it is going to be twenty?

Jeff Hall: Yes.

Chairman Bowen: Why is the height needing to be changed?

Jeff Hall: Because I am going to a 6/12 pitch and I have increased the width of the house. I apologize for this, but it is kind of the chicken and the egg, the cart and the horse. Do I ask for approval to do something on my property first or do I hire an architect and get exactly designed to a tee what I want and then come ask for permission. I am kind of doing the two in parallel at the moment to be honest.

Chairman Bowen: Well typically we in a site plan approval we don't approve structures per se. It is more the site itself. We do look at dimensions. We don't generally get architectural renderings. You on the other hand gave us few drawings and elevations and we appreciate that. Usually, we are more interested in strictly dimensions, drainage impact on waterways.

Jeff Hall: Sometimes it is usually too much information. I like to be upfront.

Chairman Bowen: When you get to the building permit stage then it will have to be a little more specific. Does the board want to see the plans?

Sam Seymour: I think the question is procedural question because we have already done the site plan review last month. We proceed based on that and then look at the change later or do we look at the site plans today and have a public hearing next month.

Chairman Bowen: I assume you haven't shared these with your neighbors the new plans.

Jeff Hall: The four feet.

Chairman Bowen: Yes.

Jeff Hall: On 66 acres. I am not trying to be a wise acre. We are talking about a rain drop in a pond. You cannot see my neighbors from any corner of my property.

Chairman Bowen: Right. I am familiar with the area so I get it.

Jeff Hall: No I haven't gone and met with any of my neighbors.

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Daniel Crowley: I think what you are saying as part of the process is that it is required to be disclosed to your neighbors to give them a chance to comment.

Jeff Hall: Yes.

Daniel Crowley: If there is any change.

Bill Grove: What we are asking for is a second dwelling on the parcel. The size, the shape, the orientation of it doesn't matter.

Chairman Bowen: No. The special use permit doesn't effectively change that application. It potentially changes the site plan application.

Jeff Hall: However, you would like to proceed.

Chairman Bowen: Strictly legal technical I would prefer to put it over a month and give the board a change to look at it. Did any of the board members want to see it. Do you have questions now or do you prefer to see and ruminate on it and go to the next meeting? That is essentially my feeling on it.

Bill Grove: What would be the difference if we got the approval on the old plan tonight based upon what we already submitted and then he goes into Scott and gets a building permit based on a slightly larger footprint.

Diane Graham: He has to go by what the Planning Board approved.

Chairman Bowen: He can only issue a building permit off an approved site plan. So, if the drawings that you present for a building permit do not match up with the site plan that has been approved he cannot issue the permit.

Jeff Hall: Can I ask to come at this another way then? Would it be possible to approve what I have asked before this change, the original ask. Monday morning, I go into Scott's office because I am out of town for the next two days. I go into Scott's office and ask for a septic building permit because I already have an approved septic design and I need to get going. Fall is coming. Were in mid-August with snow in two months. I want to start next week putting in the septic. I already have the well drillers starting next week as Scott said don't mean to offend anyone, but I do not need a permit to put a hole in the ground. Then Monday then I will also bring these drawings in to Diane and resubmit an application for the change so that it goes through the proper channels. Then the Planning Board would have another month because I believe Monday is my deadline to submit for September's meeting. The new change would then go through the process appropriately and give the board another month.

Daniel Crowley: I think that is a better question for the code enforcement officer who operates independently in terms of the building permit that he needs to issue.

Jeff Hall: I would not be asking for a building permit until I have architectural prints.

Daniel Crowley: At that point and time, he would need to see what was approved by this board, which is not that.

Jeff Hall: So what I am saying is on Monday I am going to be asking for a septic installation permit which is based on drawings and watershed approval that I already have.

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Daniel Crowley: Right.

Jeff Hall: Then I would be resubmitting a change to the Planning Board a re-application on Monday for this change so that the appropriate t's and i's happen. We will go through another month of that while I am working on the architectural prints for the architect. So those two will come together in September then I can move forward with Scott.

Daniel Crowley: You are asking us to ignore this and the changes to approve what we previously reviewed and take your chances with how does it go after that?

Jeff Hall: I guess so. If that makes sense. If we need to document this appropriately then we should do that. That allows me to start on the septic next week.

Diane Graham: So, an amendment to the site plan that was approved would come to the next meeting.

Daniel Crowley: Anyway. It allows you to move forward with other things.

Jeff Hall: I am trying to be transparent. I am not trying to pull any fast one or do anything that

Daniel Crowley: I want you to get going on your project, but I also want to make sure that we are compliant.

Jeff Hall: I do not want a neighbor to come out of the woodwork in two months and start saying that is not what any of us need. Not that anyone would but let's not play that game.

Bill Grove: So the CEO doesn't have any latitude on the structure whatsoever when he comes in with architectural plans?

Chairman Bowen: You have a square footage change.

Bill Grove: Yes and no. I do not mean to be argumentative.

Chairman Bowen: It may be viewed as deminimis, but you are looking at a two-dimensional site plan and what we would approve based on what was previously submitted is not going to be the site plan that he is looking at when he looks at those drawings.

Bill Grove: Right. Which is why I am in favor of you approving these drawings tonight, but that is just me.

Chairman Bowen: The problem is that it is a public hearing and we have a different plan than what was publicly noticed.

Bill Grove: Even though our application was additional residence on a lot. It did not have square footage in the application. The site plan had square footage because you requested it. Now we have revised that slightly.

Sam Seymour: How about we close the public hearing, have a site plan review while they are here and then the public hearing next month. Will the paperwork line up with doing that?

Chairman Bowen: I think so.

Sam Seymour: That might be the quickest way to do this.

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Bill Grove: As long as you do not lose two months in the process. That is what I am worried about.

Diane Graham: In the past you guys if somebody changes their site plan footprint they come back with amendment to their site plan and then you look at it and then you would decide whether you approve it or not.

Sam Seymour: Let me ask you a simple question Bill. On the last month's site plan what dimensions are you changing? Is it two feet on this side and four feet on that side or is it a little more complicated than that?

Bill Grove: It went from a 26 by 36 to a...

Jeff Hall: 32 by 40.

Bill Grove: House.

Jeff Hall: House primary structure. Then a 16 by 20 garage attached to a 24 by 24. I was trying to do a little then it was just too tight.

Bill Grove: We went from as far as setbacks go. I am losing my eyesight. We were proposing 582.8 to the right-of-way. We are in the same line there. No, I did not update that.

Chairman Bowen: I do not think setbacks are going to be an issue.

Jeff Hall: We are 1,100 in one direction, 500 in another, 567 in another and 332 and another.

Chairman Bowen: You have no setback problems.

Bill Grove: 332 to the closest point.

Chairman Bowen: I am willing to go ahead with the special use permit application tonight.

Daniel Crowley: As opposed to the site plan.

Chairman Bowen: As opposed to the site plan. We could continue the public hearing on that and as Sam suggested we can close the public hearing and do a preliminary on what you have got now. Then at least that will be over with, done with and next month it will essentially be a quick public hearing. Hopefully no one comes in because of the change.

Diane Graham: So, what you are saying is right now you are going to defer the public hearing until next month.

Daniel Crowley: No. We had the public hearing on the special use permit.

Diane Graham: It is open, but it is not closed.

Daniel Crowley: Right. He is going to close it on the special use permit.

Sam Seymour: We will go ahead and vote on that.

Diane Graham: I think it goes hand in hand.

Chairman Bowen: They are essentially separate applications. You cannot have one without the other, but the first one is required before you can do the second.

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Diane Graham: He wouldn't be able to get a permit.

Daniel Crowley: No, he cannot get a building permit after this meeting.

Bill Grove: That is not your intention because you do not have architectural plans yet.

Jeff Hall: I am not intending to ask Scott for a building permit until...

Daniel Crowley: Until your site plan is approved.

Jeff Hall: Until my site plan is approved and my architectural prints are stamped and done, which will not be until mid-September.

Daniel Crowley: Which will match the site plan.

Jeff Hall: Which will match the site plan, exactly. What I would like is on Monday to ask for septic building permit separate than house construction permit.

Daniel Crowley: Septic is not part of the special use it is part of the site plan.

Chairman Bowen: Right. Having the special use permit in hand may. We do not control Scott and what he does, but having the permit in hand may smooth things over with him in terms of getting the septic done.

Jeff Hall: The way I will ask Scott again to ask would be is I have been given permission for the special use, so I am allowed to build the house, the site is reviewed and approved mid-September. I already have an approved septic design, and the watershed has approved it. Asking for a permit to do that. To be honest the components are sitting on my goose neck trailer in the driveway and so is the excavator. I want to start digging on Monday to put that in.

Daniel Crowley: I think I understand you are kind of rehearsing what you are going to say to Scott. Then you just got to go tell Scott and see what he says.

Jeff Hall: Yes. Of course.

Daniel Crowley: I do not think this board can. I think the explanation of what you want to do is fine.

Jeff Hall: I am saying it to make sure that we are all in agreement that what I am saying is correct.

Daniel Crowley: We cannot give an opinion as to what you are saying is correct or not. Scott has to render that I think.

Jeff Hall: Okay.

Chairman Bowen: Either way with the square footage you are adding doesn't change the septic system at all.

Jeff Hall: No.

Chairman Bowen: You are not adding a bedroom. You are not increasing the square footage sufficient because it is a bedroom square footage consideration. You are going to be within no matter what.

Bill Grove: I guess either way if you can come back in September and full approval. Either way is fine.

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Diane Graham: If you approve of what we have right now in every aspect then he could move forward with the pieces that he is interested in I am thinking.

Chairman Bowen: Assuming Scott lets him do it.

Diane Graham: If he gets his approval, he will probably.

Chairman Bowen: I am assuming he would. Anybody have any comments, discussion on this before we continue on with the hearing and close it out? We don't have any written comments, right?

Diane Graham: No.

Chairman Bowen: Still, nobody on Zoom?

Diane Graham: Correct.

Chairman Bowen: Ms. Fuller. Any comments?

Meghan Fuller: I am good.

Chairman Bowen: Nobody present. So, at this point I will declare the public hearing closed. We will proceed with the special use permit findings only:

Pursuant to Town Code Section 170-16.2 (D)(10) an additional residential structure is permitted in an R-3 district by special use permit only. Here the applicant seeking to construct a second residence on his property for his mother on a lot upon which he already maintains a single-family residence.

Pursuant to section 170-22 (C) of the South Bristol Town Code an applicant must make certain showings to the Board and I am satisfied he has done that here with respect to the special use permit and I will make the following findings:

1. SEQR status is an unlisted Type II action under NYCRR Section 617.5 (c) involving an application for a Special Use Permit. It is also a Type II action with respect to Section 617.5(c)(11), "*construction of an additional single-family residence and the installation of utilities, drinking water well, and a septic system.*"
2. The proposed use must be consistent with the Comprehensive Plan of our Town which in this case you are in an R-3 and that promotes residential uses. This is a Three-Acre Residential zoning district. You have 63 acres, I think.
3. The use must be in harmony with the purposes of the Town of South Bristol zoning law and with the regulations for the zoning districts in which the proposed use is located. The R-3 district is intended to promote the orderly development of the Town by promoting low-density growth which will encourage the perpetuation of scenic vistas located within the Town. This parcel is 63 acres. The additional residence is a small, two-bedroom house, 1,280 square feet, with an attached garage of 576 square feet. Much of the lot is forested and with the additional residence, development would continue to be of a low-density nature and character. The surrounding lots are large and contain residential uses. There is no significant

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impact on the current density of development on the parcel and there will be no significant impact on scenic vistas.

4. The use must not adversely affect the character of the neighborhood. The residence would be screened from the road. There will be no significant change in vehicular traffic assuming your mother is not going to be driving too much. There will be no change to the character of the neighborhood.

5. The use must not be detrimental to nearby properties. The proposed additional residential use is consistent with the neighboring properties. We have received no negative comments objecting to an additional residence.

6. The use must not have an adverse impact on the physical or environmental conditions of the neighborhood. There is no significant change of the use proposed. The two-bedroom single-family residential use is consistent with the surrounding residential properties. The proposed septic system is not located close to neighboring properties, streams or bodies of water. It has been designed by a professional engineer and approved for installation by the watershed inspector. The proposed system is in general compliance with applicable standards required by the NYS Department of Health and the Canandaigua Lake Watershed Rules and Regulations.

7. The applicant has acknowledged at the preliminary meeting and agrees the proposed project will meet the conditions listed in §170-38 (A-E): the applicant/owner, not his mother, will own the new proposed residential structure; the proposed residential structure shall not be leased or rented that carries on to subsequent owners; the current residential structure on the property will have a postal address of 6541A S. Gannett Hill Road and the proposed residential structure shall be 6541B S. Gannett Hill Road;

Jeff Hall: If I am mistaken the first one you come to in the driveway will be A and the second one will be B, is that correct by code?

Chairman Bowen: Our code says that the original one is A.

Jeff Hall: Oh. Okay.

Chairman Bowen: Not sure it matters that much.

Sam Seymour: The fire department guys might have something to say about that.

Diane Graham: The first one is A and the second one is B.

Chairman Bowen: The new one would be B.

Diane Graham: No. His house is behind the first one, correct?

Jeff Hall: Come down the driveway the proposed is first and the existing is the last one.

Chairman Bowen: Right. The way the code reads is the existing house is A and the proposed new one would be B.

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Jeff Hall: Okay.

Chairman Bowen: All structures shall be served by the same access road or driveway for emergency vehicles; and the applicant has submitted a site plan for review to the Planning Board.

As we've discussed he has a new one which will be looked at in a few minutes and come before us next month.

I will ask a board member to make a motion to approve applicants' request for a special use permit for an additional residential structure on the applicant-owner's current residential property.

Sam Seymour made a motion to approve. Frederick McIntyre seconded the motion.

Roll Call Vote

David Bowen – Aye

Daniel Crowley – Aye

Bruce Mackie – Aye

Michael McCabe – Aye

Frederick McIntyre – Aye

Sam Seymour – Aye

Motion carried.

Chairman Bowen: A special use permit is granted. At this point other than what you have told us are there any other significant changes on this proposed new site plan?

Bill Grove: No. There is not.

Chairman Bowen: Merely square footage and height.

Bill Grove: Lot coverage slightly.

Chairman Bowen: Well within twenty percent.

Jeff Hall: A third decimal.

Chairman Bowen: We did not do the calculations.

Diane Graham: Would you please send Scott and I the electronic. Thank you.

Jeff Hall: I have an odd question off the record. So if mom wants a screened in porch someday because this is a second residence and I am not trying to be a wise guy but it kind of an interesting situation. Mom wants a screened in porch in two years, a lanai because she is from Florida now do I come back to the Planning Board because it is a second residence?

Chairman Bowen: It depends on the square footage, I think.

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Jeff Hall: I am not trying to be a wise guy if I put one on my own house, I go to Scott and we do it.

Diane Graham: If it is still during building construction.

Daniel Crowley: He said two years.

Diane Graham: But if it is two years, it is with code enforcement.

Jeff Hall: I am kind of being a wise guy, but I am a little stressed if we are adding a little square footage and going through all this just for the square footage. Okay.

Chairman Bowen: Off the top of my head maybe Jason knows this because he is a builder as well, I think it is 460 square feet anything over that you need a permit.

Jeff Hall: If I make a change to the second dwelling, do I have to come back to the Planning Board for every change because it is a second dwelling on the property.

Diane Graham: If has already been constructed and you have your C of O then you will go to a building permit. It is 144 square feet. Anything would need a permit over that.

Bill Grove: Thank you.

Jeff Hall: Do I just leave these gentlemen, or do you want to look at them?

Sam Seymour: We will look at it in a second. We have to close the public hearing.

Chairman Bowen: I closed it.

Sam Seymour: Okay. Good.

Chairman Bowen: That is voted and the special use permit is granted.

Sam Seymour: Okay. If we go back to the changes, we will look at the site plan now and then you can open it up and show it to us. Tell us what you are going to change.

Diane Graham: Please be mindful of the microphones.

Sam Seymour: Yes. And the papers.

Diane Graham: I need it to be clear.

Chairman Bowen: Do you want to turn the microphone around and bring it toward you just so we get it on the recording.

Daniel Crowley: This is now a preliminary review on the secondary on the site plan. Check with Diane.

Chairman Bowen: The original plan is not on here, correct?

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Bill Grove: Yes. This is just the revised. I already found an error, so I am going to have make a change.

Sam Seymour: The house is a little longer and wider and the garage is wider?

Bill Grove: Yes.

Jeff Hall: The garage was 16 by 20 now its 24 by 24. Mom drives a CRV.

Sam Seymour: I know you need to get around the car.

Jeff Hall: I hope my mom makes it another twenty years so let's make it right.

Sam Seymour: Yes. Bill why don't you walk through the differences because we looked at the old drawing and the septic system is the same.

Daniel Crowley: The well is the same.

Sam Seymour: All the external stuff is the same as the silt fence and all that.

Chairman Bowen: Driveway is the same.

Sam Seymour: You are miles from any property lines. It is just a question of changing the dimensions.

Bill Grove: That is a number that is going to change a little bit. We updated that. I was in hurry to get these done. I do apologize for the setback numbers don't reflect the new structure so those will change by two feet in each. The 1,106 feet to the east property line they will be 1,104.

Sam Seymour: It is still the same distance from the driveway?

Bill Grove: Correct.

Chairman Bowen: The driveway is the same?

Sam Seymour: The location hasn't moved basically.

Jeff Hall: Center part of the house is the same just burped a little bit.

Sam Seymour: Yes. Let me ask you this question given the plan as it is today and what we are looking at what additional changes might occur to this for your formal submission?

Bill Grove: I just need to correct those numbers.

Sam Seymour: The setback numbers.

Bill Grove: Yes. We plotted a new house over here on the left-hand side, updated the square footages and the lot coverage, but we missed the setbacks. The old footprint of the house and the property overview and those setbacks. That is my fault.

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Sam Seymour: Just so we know what the difference is.

Bill Grove: I have until Monday to get it done.

Jeff Hall: I wanted it done tonight and I hired an architect this morning. So, I have drawn the whole house on AutoCAD as a mechanical engineer. Not as an architect with modern codes and energy codes. Now I transferred that all over and I hired an architect today. I gave him two days to review it, and we met today and I said what do you think of the junk I sent you and he said the AutoCAD is great, but now he has to convert to his language, which then translates to Scott's language. I met with him to make sure he didn't have any input on Jeff I think it should change here, here 40 should change to 42 or 36 should change to 38 because of code or because of this and he said your floor plan is great. You made considerations appropriately for your mother. I wanted to go through tonight and talk about how we can make the square footage change before Bill brought these, so I appreciate it.

Sam Seymour: What we are looking at is going to be the final submission to this board because we are not looking at the architecture. We are just looking at the footprint. With the exceptions of setbacks this is the plan.

Bill Grove: Correct.

Sam Seymour: That is pretty straightforward for us.

Chairman Bowen: Shouldn't be a problem.

Jeff Hall: I appreciate it.

Chairman Bowen: Those darn public hearings.

Jeff Hall: No. No. No. I see your guys point because if I would know one is going to come back and say, but if they did you approved Jeff to build this and it was this square footage and now it is this square footage. It holds you guys in a bad position. I completely understand that. No. As long as I can keep moving forward appropriately then I will get to where I want to go in the end. I do not mind crossing the t's and dotting the i's.

Diane Graham: So, there will be a public hearing for this particular?

Chairman Bowen: You will get us a revised plan with setbacks. The application will be complete once you get that into Diane's office.

Jeff Hall: Do I need to do a new application? There is no square footage or dimensions of the buildings on the SEQR or original application. Those two should stand.

Chairman Bowen: There is a site plan application, and you are correct because I was looking at it yesterday and I have to go to the drawings to get the dimensions so they are not in the application, but we can call it revised. Same number.

Jeff Hall: Do I need to come in and pay?

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Chairman Bowen: There is no additional fee.

Jeff Hall: Okay. Whatever works. Thank you.

Chairman Bowen: Assuming we get Diane's office gets the plan within a day or two your well within the time that we have to schedule a public hearing for September.

Jeff Hall: Okay. Monday is a cutoff. If is this week, that would be great. How many copies Diane do you need from Bill?

Diane Graham: Three plus electronic.

Daniel Crowley: Does a preliminary require any kind of motion?

Chairman Bowen: No. I just have to declare whether the application is complete.

Daniel Crowley: Okay.

Chairman Bowen: Then it can go to public hearing. I am not sure what your deadline is but it is ten days from now or something to get a public hearing notice out.

Diane Graham: Once I receive it, I can submit it for public notice.

Jeff Hall: Monday is the deadline for the September meeting.

Bill Grove: I will have it to you by tomorrow before noon.

Chairman Bowen: There is nothing else needed. We don't need the bald eagle thing. We don't need historical preservation and all that stuff. It is really just fixing the plan and getting it in.

Bill Grove: Okay.

Sam Seymour: Very good.

Jeff Hall: Thank you, gentlemen.

Bill Grove: Thank you.

Chairman Bowen: Thank you. Bill, will you have setbacks on the leach field?

Bill Grove: The separate septic plan was submitted to the watershed.

Chairman Bowen: Okay. All set. I will just declare that it is conditionally complete the application and we will consider it revised after we get the plan in. Diane will send you a letter indicating that you are on for a public hearing in September. Do you want that date?

Daniel Crowley: The third Wednesday.

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Chairman Bowen: The 16th.

Jeff Hall: Thank you everyone.

Chairman Bowen: Thank you.

Proposed Dark Sky Ordinance

- The board discussed proposed dark sky lighting ordinances, noting it requires simplification, clearer enforcement metrics, and input from the code enforcement officer.
 - Simplification goals: focus on light trespass at property lines, remove planning board from routine lighting review, clarify fixture vs. bulb replacement language, resolve foot candle discrepancy, and consult the code enforcement officer on enforceability.

Motion to Adjourn

Being no further business, David Bowen moved to adjourn the meeting. Sam Seymour seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 8:07 pm.

Respectfully submitted,



Diane Scholtz Graham
Board Assistant