

TOWN OF JERUSALEM
PLANNING BOARD MINUTES
September 2, 2010

Approved

The regular meeting of the Town of Jerusalem Planning Board was called to order by Chairman Bob Evans, on Thursday September 2, 2010 at 7:10 pm the roll was called:

| | |
|---------|----------------------------|
| Present | R. Evans - Chairman |
| Present | M. Coriale – Vice Chairman |
| Excused | E. Pinneo |
| Present | B. Pringle |
| Present | D. Gridley |
| Present | J. Gruschow |
| Present | A. Carcone |

Others present, Phil Bailey, Tom Close, George Sproule, Nancy Sproule, Wayne Ackart , Gary Montgomery, Myron White, Jack Goebel, and Town Board members Neil Simmons & Max Parson

APPROVAL/CORRECTION OF MINUTES

A motion was made by Bill Pringle to approve the August minutes as submitted.

The motion was seconded by Donna Gridley .

Ayes – 5 Abstained – 1

**Ayes R Evans, B. Pringle, D. Gridley, J Gruschow, A. Carcone
Abstained – M. Coriale (not present at the August meeting).**

THE PLANNING BOARD'S PUBLIC PRESENTATIONS

A. OLD BUSINESS

- a. Proposed change of the SEQR Unlisted Action back to Type 1 Action for the Harbor View Townhomes LLC.
 - i. A letter was received from the NY State Dept. of Health dated August 17, 2010. In this letter it stated that this action is considered a Type 1 action under 10 NYCRR Part 97.14, Department of Health Regulations.
 - ii. Phil Bailey and Wayne Ackart were present to review the process for changing the SEQR back to a Type 1 action.
 1. Phil Bailey drafted a proposed resolution that the Planning Board rescind the negative declaration for a Conditional Negative Declaration, and change the classification back to a Type 1 SEQR and adopt an unconditional negative declaration.

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2. With this memo Phil Bailey presented a SEQR Negative Declaration – Notice of Determination of Non-Significance for the Board to approve. He also submitted a list of Reasons Supporting This Determination. He explained that the declaration contains wording that emphasizes that the board relies on the DEC's approval process to satisfy the concern over the septic system. While it cannot be made a condition for a Type 1 action, the wording shows that the board would not make the negative declaration were it not for its ability to rely on the DEC.
3. The project will create possible issues involving surface water runoff. The developer will apply (or has applied) for a permit from the NYS Dept. of Environmental Conservation covering construction of the on-site waste water disposal system. This SEQR determination is made in reliance upon the letter dated June 16, 2010 from, Scott E. Sheeley, NYS Department of Environmental Conservation to Edmund Martin, P.E. Landtech. If this permit is not issued the Planning Board would need to reopen this matter.
4. Having thoroughly compared the action to the environmental criteria set forth in paragraph © of the Section 617.7 of said regulations, the Planning Board determines that the action will not have a significant effect on the environment.
5. Wayne Ackart presented a Full Environmental Assessment Form, Part 2 of the SEQR.
 - a. Page 12 – Impact on water. A new DEC policy- it looks like DEC is going to wave the storm water requirement. This means there would be a very small incremental increase to the levels of Keuka Lake. Wayne calculated this on Thursday 9-02-2010.
 - b. The owner of the Town Houses will be putting Storm Water Treatment units, which is a good deal when you

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compare it to the benefit that we will receive from the treatment of this storm water. DEC says there is no impact.

- c. There is a small to moderate impact from the application of pesticides for agricultural purposes.
- d. This is just the first step of many. The developer will need to do everything that the DEC recommends. The next step will be the site plan review.
- e. Regarding the possibility of public controversy: The public has been provided several opportunities to relay comments to the Town regarding this project. The project has been discussed at the Town Board Meetings, Planning Board meetings and Public Hearings on multiple occasions over the past two years. The Town has received no negative comments pertaining to the project from the public.
- f. All Correspondence for this project is on file in the Planning Board file at the Town Hall under Harbor View Town Houses.

A motion was made by Donna Gridley to approve the SEQR Resolution 3 and SEQR findings, as drafted by Phil Bailey dated 9-2-2010 and the SEQR Part II as drafted by Wayne Ackart, to change the SEQR classification from An Unlisted Action back to a Type 1 Action, and make a negative declaration.

The motion was seconded by Bill Pringle.

Ayes 6 - Nays 0

Morse Vineyards and RDR Vineyard

- a. Morse Vineyards and RDR Vineyard. Planning Board needs to okay Final Site Plan Approval without bushes.

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1. Bob Evans reported that he had sent a letter to Verizon and also to the Orrs.

B. NEW BUSINESS

Myron A. White – Property located at 3269 Italy Friend Road, Branchport, NY 14418. Tax #81.02-1-9. Special Use Permit for a Bed and Breakfast.

- a. SEQR –Approved 9/2/2010 – Special Use – Bed and Breakfast
 - a. Myron White presented his plan to the Planning Board.
 1. Mr. White wishes to utilize property as historic bed & breakfast.
 2. Mr. White plans to advertise and develop site.
 3. A permit for garage is currently active.
 4. Mr. White plans to locate parking in the front of the garage.
 5. Property is owner occupied
 6. In addition to the owner's quarters, there are three bedrooms, each with its own private bathroom.
 7. This business will be open year round.
 8. A3X6 unlighted sign is planned.
 9. The project needs Zoning Board review and approval as per code regulation.

SEQR: A motion was made by Mary Coriale stating that it was determined, based on analysis of the site plan and supporting documentation that the proposed action will not result in a significant adverse environmental impact and we will provide attachments to support the negative declaration.

The motion was seconded by Art Carcone.

Ayes – 6 Nays – 0

- b. Site plan
 - i. Special use application
 - ii. Application was submitted by Myron White to maintain a Bed and Breakfast in his owner occupied home.

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- iii. The application needs to go to the Zoning Board of Appeals for review and approval of this proposed special use in the AGR-Res district.
- iv. Mr. White was advised to bring a more detailed site plan to the Zoning Board of Appeals meeting.

A motion was made by Bill Pringle to recommend approval of the Special Use Application Bed and Breakfast Site Plan Project with a parking plan that is parallel to the north end of the building & Signage that complies with the Town Zoning.

The motion was seconded by Jennifer Gruschow.

Ayes – 6 Nays - 0

Brian & Laura Bond – Property located at 401 Lake Ave, Keuka Park, NY 14478.
Tax Parcel # 73.69-1-3
SEQR & Site Plan – Tabled until October Planning Board meeting

THE PLANNING BOARD'S PUBLIC BUSINESS

2) OLD BUSINESS

1). COMMITTEE REPORTS:

2) PLANNING BOARD PRIORITIES:

- a. Zoning Regulations review Subcommittee – M Coriale – Chairman –
 1. The next meeting of the AG-Res committee will be September 20 @5PM at the Branchport Library.
 2. The committee agreed that the direction of the next meeting will be to
 - a. Review and discuss revised draft intent
 - b. Reach consensus regarding uses that are inappropriate
 - c. Identify commonalities in uses that could be possibly addressed by performance based zoning.
 - d. As Time Allows: Identify district boundaries by property lines.
- b. Agriculture Protection & Right to Farm. - Donna Gridley-Chairman.
 1. Donna Gridley received a list of families in the town who are farmers from Elaine

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Nesbit, she will follow through, but it will be a month or two before she gets to it.

Jennifer Gruschow will be getting the name of the Mennonite Bishop so that Donna may contact him.

- c. TOJ Conservation and Renewable Energies subcommittee – Chairman – Deb Koop – Co-Chair Lisa Saether.
- 1) “Bringing Renewable Energy Home”, the August 28th renewable energy workshop, was held from 9 a.m. to 1 p.m. at the Branchport Fire Hall. The workshop was successful with 48 paid registrants. There were several Planning and Zoning board members from surrounding towns and 3 participants from Jerusalem boards. Municipal training credits were available. The Town of Jerusalem authorized 3 credit hours.
 - 2) The speakers were excellent, informed and informative:
 - 3) Jeff Stevens, Assoc Professor, Alfred State College, talked about Energy Use Assessments and later about Agricultural and Residential Wind Power.
 - 4) Sheri Bone, Yates County CCE Program Educator, presented “Save Energy, Save Dollars” and gave pit Energy Saving kits.
 - 5) Mark Kellner, Kellner LLC, presented “Introduction to Geo Thermal and Solar Thermal Systems”
 - 6) Mike Carpenter, retired Energy Star home builder and consultant to Finger Lakes Renewable Energy, presented “Introduction to Photovoltaic’s”.
 - 7) The citizen panel of home/business owners with renewable energy systems gave a Q&A about their systems:
 1. Lisa Saether, Photovoltaic’s
 2. Paul Cooley, geothermal
 3. Jeff Andrysick, Wind
 - 8) Industry Vendors:
 1. Chris Schaefer, Solar & Wind FX, Canandaigua, NY,
 2. Mark Kellner, Kellner, LLC, Olean, NY
 - 9) The committee prepared & donated all the food and served breakfast and lunch using food from local farms, as much as possible from environmentally sustainable farms. After serving 2 meals, less than 1 oz of trash as generated per

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person. Hunt Country Vineyards, Italy Hill Produce and Brookside farm donated product as well as gifts for speakers and panel members.

10) Many Thanks to the committee members for their excellent work and support: Jim Barden , Tom Close, Jim Creveling, Megan Fenton (advisor), Peter Gamba, Art Hunt, Caroline Boutard Hunt, Lisa Saether, Dick Smith, Ray Stewart and Annette Toaspern.

- d. Keuka Lake Watershed Land Value Steering (Deb Koop – Chairman)
 - 1) LULA (Land Use Leadership)/ Keuka Watershed Protection Plan: The August meeting was cancelled. Next meeting will be in September.
- e. Grants – Jennifer Gruschow
 - 1) We are still waiting for an answer on the Grant.
- f. Planning Board Training – Tom Close
 - 1) Tom Close stated that he has been thinking that once a plat has been submitted and then some one wishes to change lot lines, what mechanism do they use to do this? Originals will be kept. Tom has asked Phil Bailey if he has a feeling on this.
- g. Wind farms – Bill Pringle
 - 1. There was a discussion on windmills, some pros and some cons.
- h. Planning Board Education- Bob Evans
 - 1. Nothing to report.

2) New Business

- a. Finger lakes Cultural & Natural History Museum
 - 1. The Museum is adding new members to the Board
 - 2. Gary Montgomery voiced many concerns about the process for the planning for the museum.
 - 3. Mr. Montgomery thought that the Museum Board should be open with their plans. The meetings need to be more open and the public should be notified of times and dates.
 - 4. Bob Evans said he has heard that the Museum should be complete to open by Memorial Day 2014.
- b. Budget Forms

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1. The Planning Board members went into executive session at 9:05 PM.
2. The Planning Board members returned from the executive session at 9:20.

***Motion:* A motion to adjourn the meeting at 9:25 by Bill Pringle and
Seconded by Bob Evans. Ayes- 6 Nays - 0.**

Respectfully submitted,

Carol Goebel