

TOWN OF JERUSALEM
PLANNING BOARD MINUTES
September 6, 2012

Approved
As Corrected

The regular meeting of the Town of Jerusalem Planning Board was called to order by Interim Chairperson Mary Coriale, on Thursday September 6, 2012 at 7:10pm, the roll was called:

Present	M. Coriale – Interim Chairperson
Present	Ron Rubin
Present	E. Pinneo
Excused	B. Pringle
Present	D. Gridley
Present	J. Gruschow
Excused	A. Carcone

Others present, Gerald Kernahan, Fred Thomas, William Sutherland, Vaughn Baker, Sally Thomas, Jennifer Dougherty, Diana Schneider, Phoebe Baker, Donald Schneider, Glen Miller, Douglas McCord, Delores Sutherland , Bob Sundell, Doug Stimmerman, Dave McCoy, other unidentified persons, Town Board Members, Pat Killen & Mike Steppe.

APPROVAL/CORRECTION OF MINUTES

A motion was made by Ron Rubin to approve the August 2, 2012 meeting minutes as presented.

The motion was seconded by Ed Pinneo

**Ayes - 4 – Mary Coriale, Ron Rubin, Ed Pinneo, & Jennifer Gruschow,
Abstained – 1, Donna Gridley, she was not at the meeting on August 2, 2012**

THE PLANNING BOARD'S PUBLIC PRESENTATIONS

- a. Gerald Kernahan - Tax Map #72.60-1-1.1. Property located on West Side of Central Ave –multiple dwelling developments.
 - i. Final Site Plan Review
 1. Jennifer Dougherty, attorney representing developers for KP Senior Living Housing project addressed the objections that were raised by a petition from Don Schneider dated 9/4/2012. This petition will be filed with the project material in the Planning Board file at the Jerusalem Town Hall. Jennifer Dougherty presented a letter dated 9/5/2012 that addressed all of the objections. This letter will also be filed in the Planning Board file at the Jerusalem Town Hall.

2. Don Schneider and Douglas McCord discussed 8 issues regarding Keuka Park Senior Living Housing site plan. The objections included:
 - a. Density
 - b. Set Back
 - c. Screening
 - d. Drainage
 - e. Driveway
 - f. Lighting
 - g. Signs
 - h. Mailboxes
3. Glen Miller representing Branchport-Keuka Park Fire Dept. addressed side yard setback and screening on the west side of the project, as it relates to Fire safety issues. Glen states that the code talks about private garages attached or detached are accepted accessory structures. Glen felt that the garages were too close to the sideline, it is stated in the zoning code that no accessory building should be more that closer 40ft from the sideline. We have asked Glen Miller to give us his comments in writing and will be made one of the conditions for approval. Glen's main concern is how will the fire dept. access this building if there is a fire. There is only a 10ft set back and once you put screening in there, the fire dept will not be able to get through.
4. Acting Chairperson Ron Rubin reported to Board members on his meeting with Rick Ayers, Yates County Soil and Water, to review the final site plan dated 8/10/2012. Rick Ayers determined that his concerns and issues he had reported to the Planning Board in his May 22 letter, have been satisfactorily corrected.
5. The Planning Board received a letter from Yates County Soil and Water verifying that Rick's concerns have been met .The Yates County Soil and Water in their letter dated August 30, 2012 advised the Board that since the site was under a NYS storm water permit, storm water training, and inspections by a certified professional during construction were required.
6. The Board reviewed the Site Plan requirements 1-19 (General Code sect 160-102B) and agreed that all had been satisfied except for #16 (Construction sequence and timing of completion of all improvements were not included in the site plan.). Satisfaction of this would be a requirement of any approval(s) given by the Planning Board.
7. The Planning Board took questions from Town residents in attendance. Most numerous were those involving screening, exterior lighting, and Clubhouse construction.
8. Board discussed site plan, accompanying documentation, and public comments, using the Criteria for Review of Site Plan, items A-G under General Code sect 160-103 as a guideline "in order to

insure to the extent practicable that all elements of the site plan serve to promote the stated goals and objectives” of this section.

9. The vote had already been taken when Don Schneider asked to poll the Board with several questions. Ron Rubin did not allow this because he felt that questioning of each Board member individually was not appropriate and that adequate time had been allowed for questions during the review of the site plan. Ron indicated he would speak with Town Attorney Phil Bailey regarding this request by Mr. Schneider.

A Motion was made by Ron Rubin to approve the Final Site Plan (dated August 10, 2012) for the Keuka Park Senior Living Development on Central Avenue, Keuka Park, subject to the following conditions:

- 1) Town of Jerusalem Building Permit
- 2) Town of Jerusalem Sign Permit
- 3) Letter/Testimony from the Branchport-Keuka Park Fire District, regarding Fire safety.
- 4) Letter from Yates County Sheriff's Office regarding adequate lighting.
- 5) Letter from US Postal Service (local office) regarding delivery requirements and location of mail boxes at this Project.
- 6) Construction sequence and timing of completion of all improvements, to be submitted no later than the first Pre-construction meeting and found to be satisfactory by the town of Jerusalem code enforcement official.
- 7) Pre construction meeting(s), a minimum of one meeting to be held “on-site”, to be attended by, but not limited to, Developer, Engineer, Yates County Soil and Water, Yates County Highway Department, Town Highway Department, Town CEO, Town Water and Sewer, Planning Board member
- 8) Conditions as stated in letter dated August 30, 2012, from YC Soil and Water Conservation District, including:
 - a) issuance of NYS storm water permit
 - b) evidence that the site contractor has completed a NYS storm water training course.
 - c) Inspections by a certified professional once every 7 days during the project, with the weekly inspection reports kept on site for review.
- 9) Construction of Clubhouse facility to be consistent and compatible with the rendered drawings of the condominium units submitted to the Planning Board. This would include the exterior siding materials and the design of the facility itself. It is understood that sufficient natural screening will be provided at the rear of the Clubhouse facility, with materials being used that are mutually acceptable to the neighbors affected as well as the developers and the Planning Board. It is estimated at this time that the minimum height of this screening will be 6 feet.
- 10) Natural screening to be provided along sections of the rear boundary, sections of the west side boundary, and sections of the front boundary of the Project. The developers

have expressed a willingness to work with the neighbors in this regard. It is estimated at this time that the minimum height of the west side and rear screening will be 6 feet. The screening at the front of the Project is estimated at this time to be between 4-6 feet. The developers will make every effort to use natural materials acceptable to the neighbors and the Planning Board.

11) Exterior lighting to be low level lighting, directed at the ground. The 18 poles shown on the site plan was considered excessive by the Planning Board. The developer agrees to do further research regarding height of pole and illumination of light fixture to be used. The number of poles would be reduced to no more than 12, provided security and safety of the homeowners is determined not to be compromised.

12) A letter of certification from the Project's Engineer must be obtained by the property owner or builder/contractor when the work is completed, that it has been completed in accordance with the permit and a copy must be given to the CEO's office prior to issuance of the certificate of occupancy.

13) A final inspection by Town of Jerusalem CEO, verifying all conditions of Planning Board approval have been met.

14) Any other permits and/or final certifications currently required by Federal, State or local agencies in conjunction with this type of Project.

The motion was seconded by Jennifer Gruschow

Ayes – 4, Ron Rubin, Donna Gridley, Ed Pinneo, & Jennifer Gruschow

Nays – 0

Abstain – 1 Mary Coriale

Motion carries - Yes

NEW BUSINESS

- A. Fencing Law – Pat Killen
 - a. Final draft not available for review. No action was taken on the Fence Law at this meeting.
- B. The Planning Board formalized the process whereby a Planning Board member, on a rotating basis, will be assigned to each new project requiring site plan review or steep slope plan review, to serve as the planning board's liaison with YCSW. The assigned Planning Board member will meet with the YCSW staff member assigned to the project prior to PB meeting when the project is scheduled for review.
 - a. Jennifer Gruschow will be the liaison for the October meeting if the Planning Board receives any new applications.
- C. The wording was formalized to be consistently used as part of motions associated with site plan approval and erosion *plan approval*. *One suggestion was:*
 - a. If an Engineer is involved the Planning Board will ask them to sign off at the end of the project.
 - b. No final decision was reached.

- D. Mary Coriale informed the Planning Board the town has received a letter from the DEC stating that the Branchport Museum Project's application for the Stormwater Pollution Prevention Plan was incomplete.
- E. Mary Coriale resigned as chair of the planning board effective Sept 30th and from the Planning Board effective October 31st, 2012.

A motion was made by Ed Pinneo to elect Ron Rubin as Chairman of the Planning Board.

The motion was seconded by Donna Gridley

Ayes – 5

Nays – 0

Motion carried.

A motion was made by Donna Gridley to elect Jennifer Gruschow as Vice Chairman of the Planning Board

The Motion was seconded by Ed Pinneo

Ayes – 5

Nays – 0

Motion carried.

PUBLIC BUSINESS

COMMITTEE REPORTS

- a. Zoning Regulations Review Subcommittee – Mary Coriale – Chairman
 - a. A public feedback meeting regarding the draft 54A Overlay will be held on September 8th, 2012 at 10am at the Jerusalem Town Hall.
 - b. There will be a formal presentation by Matt Ingalls.
 - c. The Local Law for the rezoning of 54A will be introduced to the Town Board at the September 19th, meeting.
 - d. Mary will have the map from Colby Petersen at the meeting on Saturday September 8th, feedback session.
 - e. It's hoped that the public hearing will be able to be scheduled for October town board meeting.
- b. Agriculture Protection & Right to Farm – Donna Gridley-Chairman
 - i. Ron Rubin wondered why they needed a law for Right to Farm legislation for the Town. Donna explained that most Towns have their own legislation as it pertains to farming. This would include an advisory committee to the Town Board. Some examples for this are:
 - l. The issue with the Winery

- II. Reduction of fees for Building Permits.
- III. Conflicts between neighbors would be taken to the advisory committee before engaging a Lawyer.

A motion was made by Ed Pinneo to approve the Right to Farm law draft and pass it on to the Town Board for approval.

The Motion was seconded by Donna Gridley

Ayes 5

Nays – 0

Motion carries

- c. TOJ Conservation and Renewable Energies subcommittee (Deb Koop – Chairman & Jim Creveling – Vice Chairman) The summary follows:
 - 1. The Renewable Energy workshop, co-hosted with Cooperative Extension of Yates County, will be: Tuesday Sept 18th, 6:30-8:30. Branchport Fire hall
 - 2. Focus will be on updates in renewable energy for residential, agriculture, small business
 - 3. Saturday morning, Sept. 22nd, there will be a Tour of 4 Jerusalem farms using renewable energy.
 - 4. Municipal Training credits available
- d. Keuka Lake Watershed Land Use Leadership (Deb Koop – Chairman)
 - a. No Report
- e. Branchport Hamlet Plan – Jennifer Gruschow
 - i. Jennifer is waiting for notice on whether or not the grant application was successful.
 - ii. Jennifer would like to get together with the business owners in Branchport. Mike Steppe suggested that she include the business owners in Kinney's Corners.
- f. Signs- Art Carcone – Chairman
 - i. No Report – chair excused from the mtg
- g. Town Board Liaison report – Mike Steppe and Pat Killen
 - i. Mike Steppe reported that a committee is has completed a flow chart for residents that are seeking permits.
 - ii. Mike Steppe stated that the Town Board has started working on the Budget for 2013.
 - iii. The Budget for Sewer and Water has been submitted.
 - iv. There are two Budget workshops scheduled in the next 2 weeks. They will be on September 13th & 20th.
 - v. Mary is working with Larry Muscarella on the Planning Board part of the Budget.
 - vi. There was a brief discussion about the line items.

ADJOURNMENT

A motion to adjourn the meeting at 9:35pm was made by Ron Rubin and seconded by Donna Gridley.

Ayes- 5

Nays - 0

Motion carried

All Attachments will be on file in the Planning Board File at the Jerusalem Town Hall

Respectfully Submitted,
Carol Goebel