

Approved

TOWN OF JERUSALEM
ZONING BOARD OF APPEALS

February 14th, 2013

The regular monthly meeting of the Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, February 14th, 2013 at 7 pm by Vice-Chairman, Jim Crevelling.

Roll Call:	Jim Crevelling	Present
	Glenn Herbert	Excused
	Dwight Simpson	Present
	Ed Seus	Excused
	Jim Bird	Present
	Earl Makatura	Excused
	Rodgers Williams	Present

A motion was made by J.Crevelling seconded by D.Simpson to approve the January Zoning Board minutes as written. The motion was carried (3-yes, 0-no) with J.Bird abstaining because he was not in attendance at the January meeting.

COMMUNICATIONS:

There were items of communication, board members having received copies. Vice-Chair J.Crevelling noted the re-appointment of J.Bird to a five year term on the Zoning Board. E.Makatura was re-appointed to a 1 year term as an alternate to the Zoning Board. There was information regarding Fees in Accordance with Chapter 84 of the Jerusalem Code which involves Reimbursement of Professional Consultation Fees for project applications that come before either the Planning Board, the Zoning Board or both boards for approval for projects within the Town. The local law regarding these fees was adopted 3-16-2011.

There was another letter of correspondence from MTS Development (letter dated December 3,2012) written to the Supervisor and Jerusalem Town Board) copied to Zoning Board Members. (copy on file in Zoning Office). The last item of correspondence was a letter dated December 20th, 2012 from Fred Thomas regarding the Local Law to create the Route 54-A Scenic Overlay District (copy on file).

AREA VARIANCE/SPECIAL USE REVIEW:

There were no applications for the month of February

OTHER BUSINESS:

Vice-Chairman J. Crevelling stated that he had drawn up a Course Outline for the Zoning Board that could be submitted to the Town Board for their approval for purposes of training and receiving credit hours that board members are required to have. It was suggested that the zoning board members look this proposed course outline over for additions and/or suggestions.

It was decided that if this outline were acceptable to Zoning Board Members, then it could be submitted to the Town Board for approval. It could then be broken up in segments and depending on the schedule of the zoning board, they could set aside some times to go through this course and upon completion of a segment they would receive education credits for their hour(s) spent in training.

The Agricultural Residential Zone will be having their second meeting on Monday, February 18th, 2013. They are continuing to gather information and will be actually starting to put all of this information together to see how it may apply to the Agricultural District as a farming community and to the Agricultural Residential Zone as a Zoning community.

It was noted that word had been received from Attorney Philip Bailey that Judge Taddeo had dismissed the Niensens' Article 78 Proceeding for the reason that the winery operation is protected under the NYS Agriculture and Markets rules for farm operations in a County-adopted, State-certified Agricultural District. The judge finds that the application for a Special Use Permit was therefore unnecessary. Therefore the Site Plan review and SEQR were not necessary as they were only done because of the Special Use application.

Board members took a look at a property division not subject to subdivision approval that could be considered to be land-locked. There was a brief discussion about lots such as these and the effects of them being divided in this way from a zoning standpoint.

There being no further business, a motion was made by J.Bird seconded by J.Crevelling to adjourn the meeting. Motion was carried unanimously (4-yes, 0-no). The meeting was adjourned at 8:30 pm.

Respectfully submitted,
Elaine Nesbit/Secretary