

TOWN OF JERUSALEM
APPROVED
PLANNING BOARD MINUTES

December 1st, 2016

The regular monthly meeting of the Town of Jerusalem Planning Board was held on Thursday, December 1st, 2016, and called to order with the Pledge to the Flag at 7:00pm by Chairman Tim Cutler.

<u>Roll call:</u>	Ron Rubin	Present
	Jen Gruschow	Present
	Jack Wheeler	Present
	Ed Pinneo	Present
	Donna Gridley	Excused
	Tim Cutler	Present
	Tom Pritchard	Present

Others Present: Richard Osgood and Paul Anderson.

Minutes: November 3rd, 2016 Minutes

A motion was made by Rubin to approve the minutes of the November meeting. The motion was seconded by Pinneo and approved. Gruschow and Pritchard abstained.

Modifications to Agenda: None

Presentations: Kline Steep Slope Application – 1855 West Lake Rd, Penn Yan

Mr. Richard Osgood, Engineer for the project, supplied the following information:

Property owners Jeffrey & Lisa Kline currently have to park on the shoulder of the road in an unsafe manner. They want to construct 2 retaining walls to provide parking for 3 vehicles that will be off the road pavement. Rick Ayers has been to the site and recommended the engineer complete inspections during construction. The location of the walls has been discussed with Dave Hartland and the selected area seems to be the most appropriate. Constraints of the area include:

- a utility pole (4-5ft from the proposed retaining wall)
- a buried gas line toward the lake
- the house

As a result, 2 retaining walls are being proposed. The lower wall will take the brunt of the load due to the elevation and load of the upper wall.

Mr. Osgood is proposing to build a timber structure (bridge) between the 2 walls so that the front wheels of a car can come off the road and rest on the structure. A railing will be required but the owners have not yet chosen it. When excavation begins it can be determined if either wall can be shifted to the north or south; preferably to the south so that it can be further from the neighbor's property line. The proposed contractor is Pete Townsend; he has experience working with sites like this. Two trees will need to be removed. Rick Ayers recommended the exposed slope be planted with myrtle or pachysandra since they have a good root system. The slope will also be covered by a nylon reinforced jute mesh.

Rubin questioned what will be between the house and the road while the walls are being built in the event that the bank starts to collapse. It will be up to the contractor to have a plan to shore-up the slope but Mr. Osgood has used a steel sheet piling in the past. Rubin also asked if this is the type of project that should require a performance bond to be in place. Mr. Osgood replied that there is a lot of potential for error. The property is on a Yates County road.

A normal parking space is 9ft x 19ft, the proposed plan will provide more than enough space to get the cars safely away from the road. A project to widen and improve storm drains on the hill side of the road could provide parking but there is nothing in the budget for the next 5 years.

In light of the performance bonding issue previously discussed, Gruschow questioned whether the application had been brought before the County and if the Town would incur any liability if they approved it. Mr. Osgood said he had not been made aware that he needed to bring it before the County Planning Board and if a performance bond was necessary how much would be required. The performance bond would be in place to cover the cost of the road should it be damaged.

The Planning Board agrees that the plan for shoring up the area needs to be made known prior to approving the application. The Yates County Highway Department should be involved with the plan and the permit should be conditional upon the plan. A more thorough discussion of the site plan with Dave Hartman needs to take place and Cutler will try to set it up for Monday morning. If necessary, Based upon the amount of ground water at the construction site a starting date is unclear at this time but next fall is probable.

Chairman Cutler questioned whether the Planning Board could approve the application conditionally tonight or go through the SEQR based upon the current site plan. Due to the risks associated with this job he would prefer to review the site plan with the County Highway Department prior to the preconstruction meeting. If Dave Hartman has changes Mr. Osgood will be able to make those changes while he is in Florida this winter. Mr. Osgood's son, an architect in Rochester, can attend meetings if needed during his absence this winter.

An understanding of the time table and the risks needs to be discussed with the Kline's. The utility company's requirements need to be discussed as well; however, they are notoriously slow in responding.

There was discussion as to whether the application should be tabled or turned down. The Planning Board has 62 days from the date of application to act on it so a decision would have to be made by the January 5th, 2017 meeting. It would be better to table the decision and have the applicant agree to allow more time if needed to take a critical look and resolve issues; this way they would not have to reapply.

A face-to-face meeting with Dave Hartman would help to get a better understanding of the risk involved. We would need a document from him stating that he has reviewed the site. Also needed is a time table that allows for verification that the soil has been stabilized. Mr. Osgood explained that knowledge of the soil can't be obtained until they start digging. Sample borings are not always reliable. Communication from NYSEG that indicates they are aware of the situation is important to have. Cutler will contact Pete Townsend to see if he can attend the meeting on Monday.

Rubin made a motion to table the application. It was seconded by Gruschow and all were in favor.

New Business: None

Old Business:

Wheeler stated that he has seen work being done on a property in the 4000 block of West Bluff Drive but does not see a permit displayed. He will contact the CEO.

Committee Reports:

- A. Agriculture Advisory Committee (D. Gridley – Chair) No Report
- B. Branchport Hamlet (J. Gruschow – Chair) No Report
- C. Solar Advisory Committee (T. Cutler, Chair) Paul Anderson is trying to get a public hearing scheduled. NYS may come in and say it is not up to the Town to say what can be allowed. There may be all new requirements in the future.
- D. Comprehensive Plan Review Committee (E. Pinneo)
- E. Town Board Liaison (P. Anderson/G. Dinehart) No Report

Announcements:

Ed Pinneo's term is up so this is his last meeting. He has been on the board for 20 – 25 years. The Town will advertise then appoint a new member. The State mandates there can be a 5 or 7 member board.

Adjournment:

At 8:13pm Pritchard made a motion to adjourn the meeting, seconded by Wheeler. All were in favor.

Respectfully Submitted,
Janet Micnerski/Recording Secretary