

**TOWN OF JERUSALEM**  
**PLANNING BOARD MEETING MINUTES**

**11-3-22**

The Town of Jerusalem Planning Board meeting was called to order with the Pledge to the Flag @ 7:00 pm.

**Roll Call:**

Tim Cutler

Ron Rubin

Mike Hiller

John Kriese

Paul Zorovich

Robin Johnson

Excused: Sam Priem

**Others present:** Jamie Sisson, Bill Gerhardt, Robert Marks, Bill Grove, Laura Swarthout, Sarah Purdy, Jim Bird, Salvatore Licciardello, Angelo Licciardello, Angelo Licciardello and Debbie Licciardello

**Minutes from October's meeting approved:** Motion made by Ron Rubin and 2<sup>nd</sup> by Paul Zorovich, all in favor.

Tim Cutler: No modifications to the agenda

**Public Presentations to the Planning Board:**

- (a) Site Plan Review Application 23-2022, Request to use the existing driveway entrance to access the property at 8242 East Bluff Drive, Angelo Licciardello @ 8242 East Bluff Drive, Penn Yan.

Tim Cutler reviewed with the Planning Board and asked that all comments be addressed directly to the Planning Board members.

Salvatore Licciardello – reviewed and explained modifications to the Site Plan that was previously approved in 2017. He shared the background history and discussed the feasibility regarding the driveway. He explained that they could not get emergency truck/vehicles up in the driveway. The family has consulted with engineers regarding the driveway and options to correct. Navigation by ambulance and fire trucks was not an option. He also explained the 25 foot right of way back in 1973. He shared that there are not a lot of options. His parents have been there for five years now with not many issues at all. He is here tonight to answer any questions that the Planning Board has.

Tim Cutler – March of 2017 was last Site Plan. Settlement agreement reviewed was never presented with modification.

Bill Grove – explained the driveway diagram and the orange and blue lines to the board.

Tim Cutler – discussed the 1995 survey and stated that it was marked as a path or trail not an actual road.

Salvatore Licciardello – shared further history of the property and that it is up to Private Road Specifications now.

Bill Grove – shared that the driveway was improved in 2017.

Robert Marks – stated that they may have to submit new application for the Private Road.

Salvatore Licciardello – shared interpretation of the code

Robert Marks – if it has been modified you may need a permit

Salvatore Licciardello – shared that fresh stone was put down

Bill Grove – asked about the permit process for a Private Road

Robert Marks – stated that a short form EAF might be required

Salvatore Licciardello – proposing to do nothing to the driveway

Robert Marks – Site Plan requires short form EAF, important to have these documents and wants to have all the correct paperwork

Paul Zorovich – asked how many houses are back there on the property

Salvatore Licciardello - answered one

Paul Zorovich – shared the Private Road Code

Bill Grove – reviewed and explained the trench drain at the bottom of the driveway as a new improvement

Ron Rubin – asked about the end of the driveway and the right of way

Tim Cutler – stated that the Planning Board will need clarification

Robert Marks – will look at what the applicant is providing

Tim Cutler – the road right of way is there for the Town Highway Department. Shared that it is not clear what rights you have to the front of the property, and we need clarification on those rights.

Salvatore Licciardello – explained in 1973 bought Deed to put driveway in. Previous Planning Board members stated it was a path, and feels those issues were visited and answered prior to this meeting. Discussed neighbors' rights. We all bought property with full disclosure and knowing what we were getting into.

Robert Marks – the Town of Jerusalem Highway Department and the Fire Department need to look at this application for their comments/approval.

Tim Cutler – does not believe the Fire Department Pumper could make it up the driveway, and we need the application reviewed by the current Fire Chief.

Tim Cutler – shared that we will have a number of Action Items:

1. Town of Jerusalem Highway Department approval
2. Branchport/Keuka Park Fire Department approval
3. SEQR completed
4. Clarification regarding rights to Road right of way

Salvatore Licciardello – explained general rule for parking and driving

Ron Rubin – stated that we need something formal from the Town of Jerusalem attorney to move forward with this application.

Salvatore Licciardello – explained that we are not talking about building a new road. The narrow issues with the driveway were approved by the Town 20 years ago

Tim Cutler – we need clarification to move forward with a decision

Bill Grove – reviewed boundary lines of neighbor's property

Ron Rubin – shared that the Town Engineer should also review survey and the Fire Codes

Salvatore Licciardello – stated that all surveys agree and show the same thing

Tim Cutler – stated that we can rely on current property lines from the surveys

Angelo Licciardello – stated that in 1999 the Town should have had the questions. This is the only way the driveway was going to work, his Deed explains it.

Ron Rubin – stated we can not be held to what happened previously in years back. We have the survey and will get the clarifications to make an informed decision.

Salvatore Licciardello – the barn interferes with current driveway. Shared that we all bought property knowing full well what was there. Town did approve back in 1999.

Robert Marks – will focus on this application and move forward

Salvatore Licciardello – driveway does NOT enter neighbors' property; the road was pre-existing on the property and none of the survey's disputes that.

Bill Grove – shared it is a pretty easy Site Plan using the existing driveway.

Salvatore Licciardello – shared that they have had NO incidents in the past 5 years

Bill Grove – shared they have done a fantastic job maintaining driveway and it is stable condition

Robert Marks – stated the decision on the application has to be made within 62 days from this meeting.

Jamie Sisson – asked if any vehicle has not been able to make it up the driveway

Angelo Licciardello – stated NO, it is a manageable driveway but can be challenging in the winter

Debbie Licciardello – stated that eventually they would like to pave the driveway in the future  
Tim Cutler – will get clarifications and approvals and then move forward on this application.

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**New Business** – Tim Cutler shared – Yates County Level Farmland Protection Plan

**Town Business** – none

Motion to adjourn made by Paul Zorovich and 2<sup>nd</sup> by Mike Hiller

Meeting adjourned at 8:35 pm

Respectfully submitted,

Robin Johnson

Planning Board Secretary