

TOWN OF JERUSALEM
PLANNING BOARD MINUTES

August 3, 2006

The regular monthly meeting of the own of Jerusalem Planning Board was called to order by Chairman Bob Evans on Thursday, August 3, 2006 at 7PM.

| | | |
|------------|-------------------|---------|
| Roll Call: | Bob Evans | Present |
| | Mary Coriale | Present |
| | Annette Toaspern | Present |
| | Ed Pinneo | Excused |
| | Deb Koop | Present |
| | Michael VanWormer | Excused |
| | Neil Simmons | Present |

Others present: Town Board Councilman/Liason Michael Folts, guests Douglas Nichols, Mr. & Mrs. Tim Maisel, William Smith, and Robert Belchior .

A motion was made by N. Simmons and seconded by M. Coriale to approve the July Planning Board Minutes as presented. The motion was carried unanimously (5-ayes, 0 nays).

COMMUNICATIONS

Chairman B. Evans stated that he had received an e-mail from Boardmember M. VanWormer stating that he would formally resign by the next Planning Board Meeting to pursue studies for a Masters Degree. Chairman B. Evans asked N. Simmons to take over the Chair for the sub committee on Windmills. N. Simmons accepted.

M. Coriale, B. Evans and A. Toaspern met with Yates County Planner C. Wilson concerning set backs in the Agricultural-Residential Business #1 area for special uses. Their main concern was to be sure that verbage would tie into and agree with the Master Plan.

NEW BUSINESS

A motion was made by M. Coriale and seconded by D. Koop to pass along to the Zoning Board Douglas Nichols' application #874 for an area variance to put up a building 20' longer than zoning allows. The following requirements were made: update the map showing appropriate landscaping, 12' driveway, no lighting, show egress and ingress, state hours of operation, store boat trailers inside building, no signage on the building, doors to the building are to be kept closed, capacity of number of boats that can be stored in the building. The environmental assessment is satisfactory. The motion was carried unanimously (5-ayes, 0 nays).

N. Simmons would like on record for the future: If the property is not staked prior to the day of the Planning Board meeting, he will not vote on the application.

A motion was made by N. Simmons and seconded by B. Evans to approve Application #873 Area Variance request by R. Belchior for a "Flag Lot" with the following stipulations: show the 50' right of way, the owner accept full responsibility of Fire, Ambulance and Emergency Vehicles needed. (3-Ayes, 2 Nays). Vote: N. Simmons - Aye, B. Evans- aye, M. Coriale - aye, D. Koop - nay, A. Toaspern - nay. D. Koop challenged the approval of this motion. D. Koop stated that four aye votes were needed to approve a motion of a 7 member board. Chairman B. Evans stated that he would look into this matter tomorrow. (Please note: B. Evans met with Elaine Nesbit and arranged a phone call meeting with Atty Bailey. Deb's challenge is correct under NYS Construction Law and therefore is upheld. This means that there must be a fourth aye as opposed to the 3 vs 2 count. Therefore the vote is a negative vote. However, that can and will be sent to the ZBA for their decision. The vote challenge will be explained to them in the pertinent correspondence. More detail will be forthcoming.)

A motion was made by M. Coriale to approve application #875 from Tim Maisel for a lot not fronted on a designated road with the exception to Article 280A where the Town only accepts responsibility to the edge of the right -of- way. The owners accept the liability. N. Simmons seceoded the motion. The motion was carried (4-ayes, 1-nays) D. Koop opposed.

OTHER BUSINESS

Note: the agenda needs to be amended. There was no SEQR on the Adult Entertainment. The SEQR is on the AGR-Business Dist. #1 - setbacks.

A motion was made by A. Toaspern and seconded by N. Simmons to approve the Proposed Ag. Res. Business #1 and to pass on to the Town Board with the following edits: Page 1 stays the same, Page 2 stays the same, Page 3 q - add See Section 160-12, Page 4 under Prohibited Uses - remove e. and f., make e. into junkyards. The motion was carried (5-ayes, 0 nays).

Approval of the SEQR application on the Ag-Res-Business#1 - setbacks was made with the following votes: D. Koop - aye, M. Coriale - aye, B. Evans - aye, N. Simmons - aye, A. Toaspern - aye. (5 - ayes, 0 nays).

A motion was made by B. Evans and seconded by A. Toaspern to not go through the interview process to replace M. VanWormer. First recommendation will be Roger Ribble, second B. Pringle. The motion was carried (4 ayes, 0 nays, N.

Simmons - abstain).

A motion to adjourn the meeting came at 10:25 PM from N. Simmons and seconded by A. Toasperm. Motion carried (5 ayes, 0 nays).

Respectfully submitted

Diane Caves