

TOWN OF JERUSALEM
PLANNING BOARD MINUTES
October 6, 2011

Approved

The regular meeting of the Town of Jerusalem Planning Board was called to order by Chairman Bob Evans, on Thursday October 6, 2011 at 7:10pm, the roll was called:

Present	R. Evans - Chairman
Present	M. Coriale - Vice Chairman
Excused	E. Pinneo
Present	B. Pringle
Present	D. Gridley
Present	J. Gruschow
Present	A. Carcone

Others present, John Piczak, Judy Piczak, Callie Musto, Matthew Piczak, Jane Lampier, TOJ Hydrofracking Import Study committee, Peter Gamba, Melanie Steinberg, Joe Hoff and other interested parties.

APPROVAL/CORRECTION OF MINUTES

A motion was made by Bill Pringle to approve the September 1st Meeting Minutes as submitted.

The motion was seconded by Art Carcone

Ayes —6 - Nays – 0

THE PLANNING BOARD'S PUBLIC PRESENTATIONS

A. NEW BUSINESS

- a John Piczak – Requirements for establishing fences on residential property
 - I. John Piczak was present to present his logic for the town to pass a law to regulating the placing of fencing on resident's property.
 - 1. Bob Evans said the Board would not comment on this conflict, because it is litigation.
 - 2. John said that he appreciated the chance to present his views on this subject. He explained the problems that he is having with his neighbor because of the fence that has been constructed on their property.
 - 3. John said he would like to save other residents from the problems his son has come up against. He would like to see a strong ordinance set up.
 - 4. John said he is approaching the Planning Board because he has been told that they would be the one to make a recommendation to

the Town Board. This recommendation would be to draft legislation to address fencing in general in the town of Jerusalem.

A motion was made by Mary Coriale that the Planning Board supports the Town Board as a legislative body as they draft legislation and fast track it to address spite fencing and fencing in general in the town of Jerusalem.

The motion was seconded by Bill Pringle

Ayes – 6 Naves - 0

B. OLD BUSINESS

- a Peter Gamba – Jerusalem Moratorium Impact Committee Hydrofracking Draft – Review

- I. Peter Gamba presented a draft of a memorandum from David J Slottje and Helen Holden Slottje concerning Summary of draft Zoning Amendment regarding Explicitly Prohibited Uses and two drafts of a local law and supplement Local Law no – of 1974 dated 9/4/2011 and 9/5/2011 which had been reviewed by Phil Bailey.
 - 1. There was much discussion from the Planning Board concerning the Amendments. The chief concern was that the amendment stated that any uses that are not expressly permitted are prohibited. This could cause a problem with special use permits and variances. Should the request for special use permits and variances go to the Planning Board first, than to the Zoning Board?
 - 2. The question of enforcement and penalties was also brought up.
 - 3. Another concern was the zoning process. We would be setting up zoning to address one specific problem.
 - 4. It was suggested that the committee work with other counties to review the pros and cons of hydrofracking and to educate the residents of the long term effects. The Planning Board was told that there are groups that are doing that, for example the Finger Lakes Coalition to protect New York. In Dundee on the 17th of October at 7pm at the Dundee High School there will be a forum on this aftermath, also the impact on the environment.
 - 5. The committee will look at the Comprehensive Plan and the description of light industry as well as identify the Comprehensive Plan as the support for the proposed zoning change.
 - 6. Peter Gamba will take the Planning Boards recommendations to the Town Board
 - 7. There will be an informational meeting on November 1st at the Branchport Fire House at 7pm. There will be a Public Meeting at the Town Board Meeting on November 16th at 7pm at the Town Hall.

8. The Hydrofracking Committee was commended on the thorough job that they did on the Draft for the Local Law.

b Wind farms

1. There was much discussion about the wind farm regulations
2. The Planning Committee felt that they have already agreed on the presentation that was sent to the Town Board.
3. The Planning Board felt that the regulation that they had already sent to the Town Board had not changed and if they had any questions that they would bring them up at the Public Meeting.

Bill Pringle made a motion to send the proposed local law – for wind farms back to the Town Board and if the Planning Board has questions they will ask them at the Public Meeting.

The Motion was seconded by Art Carcone

Ayes – 6 – Nays – 0

c Property for Sale.

- I. There was much discussion concerning property for sale on Central Ave, no action was taken.
- II. The number of residents in the new apartments on Pear Street was also questioned, no action was taken.
- III. There was a discussion on the 2012 Budget; Bob Evans has given his Budget for the Planning Board to the Budget Officer. The Budget will be going to the Town Board on October 19, 2011.

THE PLANNING BOARD'S PUBLIC BUSINESS

1). COMMITTEE REPORTS:

2). PLANNING BOARD PRIORITIES:

A. OLD BUSINESS

a Zoning Regulations Review Subcommittee – Mary Coriale – Chairman

- i. The committee met on September 8th to review the draft of the presentation that Matt Ingalls had prepared.
- ii. The last Public Meeting for the committee was held on September 22nd. There were only a few new residents that came to the meeting, even though we advertised this meeting extensively.
- iii. Brian Zerges was at the Public Meeting, and he mentioned that he did not want us to forget Guyanoga Road.

- iv. The general consensus was that the committee was given a charge to review 54A and we decided to continue down the path that we are on.
 - v. Jim Creveling and Mike Steppe were asked to look into the GIS Mapping.
 - vi. The Committee has one more meeting with Matt Ingalls. He will present his conclusions.
 - vii. The Committee needs to come up with a cost for Matt to help write the new rezoning.
 - viii. The zoning that is being proposed by the Hydrofracking committee has caused the committee to question their approach to rezoning 54A. Until the committee knows the direction the town will go on this proposal, the committee is in a “holding pattern”.
- b Agriculture Protection & Right to Farm – Donna Gridley-Chairman
 - i. The Farm Market has decided to continue a Winter Farm Market, it will be held in the Library. It was felt that this would come under the Public Assembly Law.
 - ii. The Summer Farm Market ends the last Tuesday in October and the committee will review the Right to Farm Issue
 - c TOJ Conservation and Renewable Energies subcommittee (Deb Koop – Chairman & Jim Creveling – Vice Chairman)
 - I. No Report
 - d Keuka Lake Watershed Land Use Leadership (Deb Koop – Chairman)
 - No Report
 - e Branchport Hamlet Plan – Jennifer Gruschow
 - I. Matt and Jennifer met with Ryan Halling from the Economic Development Center and learned about the programs that they have to offer for local businesses and the work that they have done in Penn Yan and the assistance they have provided through grant funding to businesses.
 - II. New York State recently reconstructed their grant program; everything is now under the Consolidated Funding Application. There are 9 regional councils which include Finger Lakes Region. Each council reviews the applications from their region and provides comments in whether these municipalities receive funding.
 - III. The Museum is applying for some grant funding.
 - IV. Jennifer is working with Don Naetzker possibly putting together an application for some public parking space by the museum.
 - V. All grant applications are due October 31st. We won't be applying this year because we are still in the process of completing the Hamlet Plan, which must be finished by February 2012. Jennifer and Matt have through already

discussed which programs the Town can apply to in the fall of 2012, utilizing the completed Hamlet Plan.

VI. The Committee will meet again in November.

- f Planning Board Training – Tom Close
No Report
- g Planning Board Education – Bob Evans
No Report
- h Signs – Art Carcone – Chairman
 - I. Art is still asking for information from other towns.
 - II. Art would like to contact a real estate agent to get their suggestions.

- i. Windmills
 - i. See above under Old Business.
- j. Site Plan Review Recommendation –
 - i. The Resolution that was drafted by Bob Evans was sent to the Town Board for their review.
- k. Town Board Liaisons Max Parson and Neil Simmons
 - i. No Report

B). NEW BUSINESS

- a) None

A motion to adjourn the meeting at 8:55 was made by Jennifer Gruschow and seconded by Art Carcone.

Ayes- 6 Nays - 0

Respectfully submitted,

Carol Goebel