

Approved

TOWN OF JERUSALEM
ZONING BOARD OF APPEALS

May 14, 2009

The regular monthly meeting of the Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, May 14th, 2009 at 7 pm by Vice-Chairman Glenn Herbert.

Roll Call:	Glenn Herbert	Present
	Jim Bird	Present
	Jim Crevelling	Present
	Mike Steppe	Present
	Ed Seus	Present

Others present included: Raymond Stewart/Town Board, Kurt Nagle, and David Murray.

A motion was made by J.Bird and seconded by J.Crevelling to approve the April 2009 Zoning Board minutes as corrected.

Correction to read as follows: Page 3, paragraph 4 in the poll of the Zoning Board Members on Application #947, M.Steppe voted to deny the area variance requests.

COMMUNICATIONS

Two adjoining neighbors to Mr. Murray's property had sent letters to the Zoning Board (copies on file with application) noting that they were in support of his area variance request.

AREA VARIANCE REVIEW

Application #948 for David Murray owning property at 457 West Bluff Dr. requesting an area variance to leave the existing storage shed in its present location having less than the required 65 ft. front yard setback as measured from the center of West Bluff Dr.

Mr. Murray was present to answer questions for board members. He noted that he had obtained a building permit for the storage shed, but had not placed it having the proper front yard setback. He had received a phone call from CEO Phillips in the late fall regarding the setback issue and due to the time of year and his work schedule asked if the matter could be delayed and addressed in the Spring of 2009. Mr. Murray noted that the 10 ft. side yard

setback was met, but noted that if they were to move the building further to the east it would be right up next to the house.

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In addition, he noted that they had reason to purchase some additional land to provide an adequate area for the septic leach system. The lot is not real wide except for the area that includes the leach field.

Mr. Murray also noted that the existing trees would pretty much hide the building for at least 6 months of the year.

The area variance test questions were read with the following results: #1(0-yes, 5-no); #2(4-yes, 1-no); #3 (1-yes, 4-no); #4(0-yes, 5-no); #5(5-yes, 0-no).

Board members were in agreement that this would be a SEQR Type II action.

A motion was made by G.Herbert and seconded by M.Steppe to allow the 11 ft. variance for the storage building. This would leave the front yard setback at 54 ft. instead of the required 65 ft. front yard setback. There was a brief discussion among the board members that closer variances have been granted in the past, bringing buildings much closer to the road right-of-way than is being requested by this applicant. It was also noted that while there were other possibilities with respect to this building, the choices, however, are limited and this building is not a permanent structure. This building is currently sitting on blocks. Mr. Murray stated that the ground needs to be leveled a little bit better before the building can then hopefully be set down on the ground off the blocks.

There being no further discussion, the motion was carried with a poll of the board as follows: E.Seus-grant, J.Crevelling-grant, J.Bird-grant, G.Herbert-grant, M.Steppe-grant.

OTHER BUSINESS

There was a brief discussion about Vice-Chairman G.Herbert taking over as Chairman for the remainder of the year, due to the resignation of Chairman R.Rubin. Glenn Herbert stated that he was willing to take this position.

A motion was made by E.Seus to have J.Bird become Vice-Chairman for the remainder of the year. Jim stated he would be willing to do so until the end of the year. Both positions (Chairman and Vice-Chairman) are reviewed each year in December prior to the beginning of a new year. J.Crevelling seconded the motion which was carried (5-yes, 0-no).

Chairman G.Herbert suggested that perhaps he and Jim Bird could alternate each month for

the remainder of the year, taking turns at “Chairing” the meetings. This arrangement would give both board members the opportunity to run zoning board meetings.

There was brief discussion about Steep Slopes regulations and the enforcement of them.

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It was noted by the ZAP Secretary that more notices need to be put up in the Zoning & Building department as a reminder to people who come in that whatever they are planning to do, whether, driveways, building permits., clearing land, etc. they might be subject to steep slopes site plan review.

There being no further new business, a motion was made by J.Bird and seconded by M.Steppe to adjourn the meeting. Motion carried (0-no, 5-yes). The meeting was adjourned at 7:45 pm.

Respectfully submitted,
Elaine Nesbit/Secretary

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