

Approved

TOWN OF JERUSALEM
ZONING BOARD OF APPEALS

June 12, 2009

The regular monthly meeting of the Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, June 11th, 2009 at 7 pm by Chairman Glenn Herbert.

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

Others present included: Katherine & Heather Yonge, Ray Stewart/Town Bd., Bill Pringle/ Planning Bd., Bob Evans/Planning Bd., CEO John F. Phillips, Pauline Stuart, Bill and Janet Brueckner, Ed O'Mara, Michele Howland, William Banaszewski, and other interested property owners.

A motion was made by J.Bird and seconded by J.Crevelling to approve the May Zoning Board minutes as written (5-yes, 0-no).

COMMUNICATIONS

A letter was received and copied to the Zoning Board from Mike Mulcahy, which listed his concerns regarding Special Use Application #949.

NEW BUSINESS

Application #949 for James & Katherine Yonge owning property at 693 East Bluff Dr. requesting a Special Use Permit to operate a Bed & Breakfast Facility out of their home.

Mrs. Yonge and her daughter were present to present their plans for the Bed & Breakfast Facility and to answer questions for board members.

Chairman G.Herbert read a paragraph from the Zoning Ordinance (Article X, Section 160-42, regarding the material which is to be submitted with the application for Special Use showing neighbors within 500 ft. and a legal description of the property.

Mrs. Yonge stated that her husband had initially filled out the paperwork for the Special

Use application and she supposed he had done all the necessary paperwork.

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At the Planning Board Meeting, it was noted that a Site Plan drawing had to be submitted which she and her daughter were able to put together and get it done in time for the Planning Board to look at it before the end of the meeting night on June the 4th.

A Copy of these drawings was made and distributed to Zoning Board Members just before the Zoning Board meeting started. The submitted drawings showed five parking spaces located along the upper side of the road on East Bluff Dr.

There were many concerns voiced by both Zoning Board Members and neighbors about the proposed parking area along the upper side of the road near the Yonge's home. Mr. & Mrs. Yonge own several acres on the upper side of East Bluff Dr. located diagonally across the road from their home. It was noted that they intend to have additional parking spaces located up in this area away from the road. Board Members and the neighbors were very vocal in stating that for the safety of guests as well as other friends and family that might be visiting along in this area, that all B&B guests should park up in this area away from East Bluff Dr.

It was noted that in the recent past years Mr. & Mrs. Yonge have rented their whole house out. The Bed and Breakfast Facility will be owner occupied. B & B guests usually stay for one or two nights and then leave.

There was considerable discussion about the use of the lake. Mrs. Yonge noted that while they do have a boat and would consider taking guests out on the lake, one of the family members would be driving the boat (due to insurance and liability issues). They also have a small rowboat which might be available for their guests to use if they wished to fish or just go out on the lake.

Mrs. Yonge stated that while they do intend to be open all year round, they will not be allowing the B&B guests to stay and hunt on the property that they own. She did state that her husband has two or three friends that do come and hunt each year, but she stated that her husband is very conscientious about hunter safety. Hunting issues and matters of safety are matters of concern for the Department of Environmental Conservation.

Mrs. Yonge stated that the deck down on the beach area would be available for their guests to use but would set a time in the evening when all noise and partying would need to be ended. 11 PM was suggested.

It was noted by one of the neighbors that in a conversation she's had with Mrs. Yonge that the property above the road could be used for hiking. She along with other neighbors were not personally opposed to the Bed & Breakfast Facility, but were asking questions just to make sure there were no surprises with regards to this use.

It was noted that the Planning Board had given site plan approval and in review of the SEQR had determined it to be a negative declaration.

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Chairman G.Herbert asked about the signs that are shown in the drawings. Mrs. Yonge stated that they needed the four signs for different reasons. Both sign by the road and the sign on the gazebo down on the beach area are to identify the Bed & Breakfast Facility for expected guests. The sign showing the driveway that leads to the area for parking on the upper side of the road is there for obvious reasons. The last sign, to be located on the lower side of East Bluff Dr. is to identify the area where guests can unload their vehicle and be completely off the road. The signs are to be lighted so that they can be seen at night.

It was noted by one of the Board Members that this kind of lighting should be directional and should shine downward on the signs so that it does not bother the neighbors but still accomplishes what is needed.

Chairman G.Herbert asked board members one more time about their concerns. The major concern of all board members was the parking area. One board member suggested that Mr. & Mrs. Yonge might wish to consider putting in a set of steps from the upper area of parking down to the road making it more accessible for their guests.

A motion was made by G.Herbert and seconded by J.Bird to approve the Bed & Breakfast Facility with the following conditions: 1. All of the B&B parking is to be exclusively off-road parking on the upper lawn area west of East Bluff Dr., which is owned by Mr. & Mrs. Yonge. It was noted that the parking spaces should be marked at this location. 2. The deck, down on the beach, by the water is to have allowed use by B& B guests until 11 pm. 3. The lighting of the signs is to be in a downward direction. That the B& B facility shall meet all required building and fire code requirements.

The motion was carried with a poll of the board as follows: J.Crevelling-grant, M.Steppe-grant, E.Seus-grant, J.Bird-grant, G.Herbert-grant.

There being no further business, a motion was made by J.Crevelling and seconded by J.Bird to adjourn the meeting. The motion was carried unanimously (5-yes, 0-no) and the

meeting ended at 8:05 PM.

Respectfully submitted,
Elaine Nesbit/Secretary

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