

Approved

TOWN OF JERUSALEM
ZONING BOARD OF APPEALS

April 8, 2010

The regular monthly meeting of the Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, April 8, 2010 at 7 pm by Vice-Chairman Jim Crevelling.

Roll Call:	Glenn Herbert	Excused
	Jim Crevelling	Present
	Jim Bird	Present
	Mike Steppe	Present
	Ed Seus	Present
Alternate	John Hoffer	Present
Alternate	Dwight Simpson	Present

Others present included: Tom Close, Max Parson/Town Bd., Neil Simmons/Town Board

A motion was made by E.Seus and seconded by J.Hoffer to approve the March Zoning Board minutes as written. Motion carried unanimously (5-yes, 0-no).

COMMUNICATIONS

Zoning Board members had each received a copy of Judge Bender's ruling on the Doreen Inzalaco, Trustee of the Two Kids Trust of 2002 (Petitioner) court case which was presented under an Article 78 proceeding against the Town of Jerusalem, Zoning Board of the Town of Jerusalem and John Does (Respondents).

AREA VARIANCE REVIEW

Application #960 for Mr. James McMahon owning property at 2842 Rte 54A, Penn Yan, requesting an Area Variance for an above ground pool with less side yard setback than zoning requires is to be heard at the May Zoning Board meeting at the request of the property owner.

OTHER BUSINESS

Zoning Board Members spent a brief time discussing Judge Bender's decision. It was noted that all of the Zoning board members would like to have an opportunity to sit down with Town Board Members to discuss this decision. Town Board Members, Parson and Simmons stated that they would be agreeable to this and would discuss with the other Town Board members as to a time when both boards might be able to get together.

SUBDIVISION REVIEW

Tom Close was present to review the newly adopted subdivision regulations with Zoning Board members. He reviewed the definitions and what types of subdivisions would require a review by the Planning Board and how the Zoning Board might become involved. It was noted that an application for subdivision could be applied for, reviewed and approved by the Planning Board. One example that was discussed was a proposed subdivision in which all the proposed lots met the required lot size except one. The Planning Board could not give approval for the subdivision plat unless the Zoning Board was willing to give area variance approval for the one undersized lot, therefore, the applicant would be referred to the Zoning Board. There were other examples given and discussed by the board members and Mr. Close.

Chairman J.Crevelling thanked Mr. Close along with the rest of the board members for taking the time to come in and give the board members a brief review of the new regulations.

There being no further business, a motion was made by J.Bird and seconded by M.Steppe to adjourn the meeting. The motion was carried unanimously (5-yes, 0-no). The meeting was adjourned at 9 pm.

Respectfully submitted,
Elaine Nesbit/Secretary