

TOWN OF JERUSALEM  
PLANNING BOARD MINUTES  
March 1, 2012

Approved

The regular meeting of the Town of Jerusalem Planning Board was called to order by Chairman Bob Evans, on Thursday March 1, 2012 at 7:05pm, the roll was called:

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

Others present, Jeff Ransom, Donald Naetzker, Bob Bringley, Marie Edmeston, Jerry Kernahan, George Sproule, and Town Board member Mike Steppe

APPROVAL/CORRECTION OF MINUTES

**A motion was made by Bill Pringle to approve the February 2, 2012 Meeting Minutes, as submitted.**

The motion was seconded by Art Carcone

-  
Ayes —7 - Nays – 0

THE PLANNING BOARD'S PUBLIC PRESENTATIONS

A. NEW BUSINESS

- a Marie Edmeston – Edmeston residence - property located at Guyanoga Rd, Penn Yan, NY 14527. Tax Parcel #047.03-1-14.02. To construct a new single family home.
  - I. SEQR
    1. Bob Bringley from Marathon Engineering presented the erosion and grading plan for the Edmeston property.
    2. The Marie and Jeff Edmeston would like to construct a single family home on their property 9 acre property on Guyanoga Rd.
    3. There is an existing access driveway off Guyanoga Rd.
    4. Marathon Engineering contacted Soil and Water Conservation District. A memo was received from James M. Balyszak dated 2/17/2012. In this memo Mr. Balyszak noted that the property is adjacent to a county rd. Mr. Balyszak listed several concerns that he had. In a memo from Mr. Balyszak dated 2/22/2012 Mr. Balyszak noted that he had received a revised plan on 2/17/2012 and that he had listed his new concerns. Mr. Bringley listed the outstanding concerns and how they proposed to address them. There are outstanding concerns.

- a. A construction stabilization entrance at the driveway. They would stone the entrance as part of the existing driveway entrance. This will be added to the plan drawing.
  - b. There was a silt fence shown on the plans that was improperly located. This will be revised to show that there is not being a swale.
  - c. There is a nonstandard practice which is to place stone in the bottom there silt sinks to prevent erosion. This stone will be removed.
  - d. The drainage that comes down the hill will shed away from the house. The calculations for this need to be shown.
  - e. All erosion measures need to be specifically called out.
5. The driveway will be straightened out a little. The grade will be about 4 or 5%.
  6. A board member wondered what the delay was for the board to not have received the letter that was received on 2/17/2012. The board did not have a copy of the letter from Soil and Water listing their concerns; therefore it was hard to review their concerns.
  7. The board would like to see final approval from Soil and Water and a final copy of the final plans.

**A motion was made by Jennifer Gruschow to approve the SEQR with a negative declaration based on supporting documentation and pending final approval of issues from Soil and Water Conservation District and final revised plans. Once these are received Bob Evans will finalize the SEQR as a negative declaration.**

**The motion was seconded by Ed Pinneo.**

**Ayes – 7 Nays – 0**

2. Site Plan

**A motion was made by Mary Coriale to approve the Edmeston Site Plan application 01-2012 dated 02-11-2012 with the following stipulations.**

- **Preconstruction meeting before breaking ground with the:**
  - **County Highway Superintendent**
  - **Code Enforcement Officer**
  - **The Engineer**
  - **Soil and Water**
  - **The contractor**
- **Seed and mulch any bare land when building is complete**
- **Removal of all construction debris within 2 days**
- **Construction will not begin until final approval from Soil and Water District that all concerns have been addressed.**

- A final set of plans have been received and are on file.

The motion was seconded by Ed Pinneo

Ayes – 7 Nays – 0

- b. Mark & Marilyn J. Stanton – Property located at 7517 East Bluff Drive, Penn Yan, NY 14527. Tax Parcel 103.26-1-7. To construct a new concrete retaining wall.
  - a. SEQR
    - A. Gerry Kernahan was present to review the plans for a retaining wall.
      - a. Mr. Stanton was concerned with water that comes down a driveway across the road and dumps in front of his house. He is also concerned because the water comes over the slope and is coming into his basement.
      - b. Mr. Kernahan was asked to design a retaining wall that will protect the slope and divert the drainage away from the house.
      - c. The existing slope of the drop inlet will be at least 5' clear of the pressurized sewer lateral
      - d. It is the intent to have the key way where it is shown on page 5 of the plans.
      - e. On the legend on page 3 Rock splash pad is repeated so #5 should be Drop inlet and #6 should be Silt fence
      - f. The current steps will be removed and the stairs and landing will be replaced.
      - g. Art Carcone commented that when he was climbing up the steps that anyone using them would have to be careful because the pitch of the steps. There is about a 3/8 of an inch difference in the height of the steps.
      - h. The Planning Board received a memo from Robert Payne, Highway Superintendent dated 2/29/2012. Mr. Payne stated that he spoke to Wayne Ackart, who suggested that instead of concrete for the gutter area, asphalt could be used. This will tie it into the existing road asphalt. Mr. Payne stated that this should cause concerns as far as the highway goes.
      - i. The Planning Board also received Email from Wayne Ackart dated 2/29/2012 stating his concerns. These concerns will be reviewed by the board.
      - j. There was much more discussion concerning the slope of the driveway and the design of the wall.
      - k. The Soil and Water Department was copied on a letter from Rick Ayers, dated 2/22/2012 reviewing the plans for the Stanton property. Soil and Water has concern that if there is a drainage problem, the engineer may have to go through DEC to get a direct outlet to the lake.
      - l. A memo was received from Gerald N. Kernahan, P.E. dated 2/13/2012 regarding the steep Slopes Permit dated 2/13/2012 #2-2012. This

memo addressed any concerns with the construction of a new concrete retaining wall.

**A motion was made by Jennifer Gruschow to approve SEQR based on the information provided and the supporting documentation that this proposal will not result in any significant adverse environmental impact and we will provide attached to accept the SEQR with a negative declaration as noted.**

**The motion was seconded by Donna Gridley**

**7 ayes 0 nays**

#### B. SITE PLAN

**A motion was made by Mary Coriale to approve the Stanton steep slopes erosion plan developed by Gerald Kernahan, P.E. dated 2/13/2012 application #2-2012 contingent on construction sequence listed on page 6 of the plans for project #2011-20.**

- a. **A preconstruction meeting with the Contractor, Engineer, Soil and Water, Highway Supervisor, and CEO on site.**
- b. **The remainder of the construction sequence is met.**
- c. **Prior to any construction soil and water dept. must locate and stake out the 12" water main and the water and service for this property.**
- d. **That the legend on page 3 of the plans be corrected to remove rock splash pad, which was included twice. These will then be renumbered.**
- e. **The above grade drain pipe or fastening devices will be at least 5' clear of the pressurized sewer lateral.**
- f. **The gutter will be constructed using black top pavement. The black top will be continuous to the existing East Bluff Drive.**
- g. **That the construction sequence as noted on page 6 is followed.**

**The motion was seconded by Bill Pringle**

**Ayes -7 Nays - 0**

#### Don Naetzker - Finger Lakes Museum Review

1. Don Naetzker was present to review the Finger Lakes Museum's plans for the Branchport School.
  - a. The Museum purchased the former Branchport Elementary School. They have hired architects and engineers to do a bunch of programming. This has gotten them to the point where they think that they know what they would like to do with the school.

- b. The Museum applied to New York State to renovate and they were very successful. They have received 2.3 million dollars from the State. The museum will need to match this with 1.3 million. They are planning some inside and some outside improvements.
- c. A letter dated 3/1/2012 was send to the Planning Board. In this letter Mr. Naetzker listed the permits and approvals that they will need.
  - i. They will first need Site Plan Approval from the Planning Board.
  - ii. A zoning amendment from the Town of Jerusalem.
  - iii. Special Use Permits from the Zoning Board
  - iv. Potential Article 15 Protection of Waters permit from NYS DEC
  - v. Yates County Planning Board Review
  - vi. Town of Jerusalem Building Permit
  - vii. The other agencies that will need to be contacted are listed in this letter dated 3/1/2012.
- d. The museum would like to complete construction by the end of the year. They would like to break ground by July.
- e. They are hoping to accomplish this in short order, so that they can begin this project this year. Mr. Naetzker has met with Daryl Jones and John Phillips. They would like to have a Site Plan application ready for the May Planning Board meeting.
- f. Part of the property is in the Ag-Res zone and part of it is in the General Business Zone. In speaking with Phil Bailey it was thought that the General Business zone could be extended, to include the entire site and to amend the zoning to make museums a special permitted use. As an alternative, the zoning could left as is and amend the Ag Res to include museums as a special use. Don Naetzker has some examples of zoning at other sites. Don was asked to send the Planning Board some of the examples of zoning he has for other areas.
- g. Mr. Naetzker presented several Site Sketch plans w/potential expansion.
- h. The Planning Board was suggested as the lead agency for the SEQR. The museum would like to get the SEQR process going sooner rather than later. If the Planning Board would be willing to be the lead agency, they were asked to get a letter out requesting this. The museum cannot sign any of their contracts with the state funding agency until the SEQR is complete.
- i. There are already people looking to use the facility. The Boy Scouts have asked about a jamboree. The museum is also looking to a yellow bike program.
- j. The Branchport School will be a permanent part of the museum and will be known as the Branchport Campus. This will be oriented for education, community, research and discovery for students.
- k. The Museum is looking into some form of affordable lodging, for example a hostel.
- l. Donna Gridley commented that there should be a time line for this project and all other projects. Multiple copies should be made, so all interested parties have the information, so that they are on the same page.

- m. Mike Steppe will present the proposal for an amendment to change the zoning for the business district to the Town Board.
- n. Mary Coriale suggested that we have a joint meeting with all three boards. This would allow everyone to hear the same message.
- o. The Planning Board appreciates Don Naetzker updating them about the progress if the Museum.

## OLD BUSINESS

### A. Harbor View Town Houses

- a. A email was received from Phil Bailey on February 28<sup>th</sup>. In this email Phil included a resolution concerning the Harbor View Town Houses. After this Bob Evans had a meeting with Elaine Nesbitt, Art Carcone. Because this resolution was a 180 degree turn around on Phil Bailey's part, the three attendees at the meeting agreed that they should consult an additional attorney to get an interpretation of what the responsibility in terms of if the Town House project has to come back to the Planning Board.
- b. There several questions have come up.
  - i. The problem seems to be that Phil Bailey in this resolution has changed his thoughts from the meeting that was held with Phil Bailey, Elaine Nesbit and Bob Evans on January 18<sup>th</sup>, 2012.
  - ii. Why does the application for the Harbor View Town House project have to come back to the Planning Board.
  - iii. George Sproule has the permits from the DEC.
  - iv. The Health Department cannot give their approval until the subdivision is complete.
- c. An email was received from Daryl Jones stating that the Harbor View Town House was not on the agenda for the Planning Board on 3/1/2012 there would need to be a special meeting for it.
- d. George Sproule just found out that he had to do subdivision in December 2011. He feels that because this is a new law as of 2009, and he started this project in 2006, he feels this should not need to be done. He stated that he has already spent over 200,000 dollars on fees. He feels that he has addressed all of the issues and he should not have to do this submission.
- e. George Sproule said that he needs to get simple submission for the other 3 parcels.
- f. There was much discussion of the pros and cons of this subdivision. There was also some discussion as to why the information was received late.
- g. The Planning Board took no action at the March meeting; they will call a special meeting if all information is received.

## THE PLANNING BOARD'S PUBLIC BUSINESS

### 1). OLD BUSINESS

#### A. Committee Reports

- a. Zoning Regulations Review Subcommittee – Mary Coriale – Chairman
  - i. The committee met on February 29<sup>th</sup>. Matt Ingalls shared with the committee a draft of his Route 54A zoning evaluation project. This is a place to start a conversation. The committee gave Matt some feedback. The group will meet again without Matt so that we can make some progress before we meet with Matt again.
  - ii. We are going with an overlay district.
  - iii. Mary will meet with Colby Peterson on Friday March 2<sup>nd</sup> at 1pm. They will try to map out a view shed on 54A.
  - iv. Our next meeting will be the 15<sup>th</sup> of March at 5pm at the Town Hall.
- b. Agriculture Protection & Right to Farm – Donna Gridley-Chairman
  - I. The committee had a second meeting. They have another one planned. They are making progress.
- c. TOJ Conservation and Renewable Energies subcommittee (Deb Koop – Chairman & Jim Creveling – Vice Chairman)
  - i. The Committee met in February and they will meet again the 2<sup>nd</sup> Tuesday of March at 5pm At Hunt Country Vineyards.
- d. Keuka Lake Watershed Land Use Leadership (Deb Koop – Chairman)
  - i. The municipal official's workshop on Conservation and Open Space Planning is March 26, 5-9pm. CCE Auditorium. Three training credits upon completion.
  - ii. Please register with Viv @ cce?? by March 18.
  - iii. Free Pizza provided by Finger Lakes Museum.
- e. Branchport Hamlet Plan – Jennifer Gruschow
  - I. There was an Open House on February 29<sup>th</sup> at the Library for the Hamlet Plan. There was a lot of good feedback and support for the plan.
  - II. Jennifer believes that the Town Board is going to move forward and the plan.
  - III. Once the Town Board adopts the plan Jennifer will move forward with another committee to that is more centralized with local people. She is planning meeting once a month.
  - IV. Jennifer would like to start with Welcome to Branchport signs.
  - V. If anyone would like to be part of this committee, please contact Jennifer
- f. Planning Board Training – Tom Close
  - I. No Report
- g. Planning Board Education – Bob Evans
  - I. No Report
- h. Signs – Art Carcone – Chairman
  - I. No Report
- J. Site Plan Review Recommendation – Bob Evans
  - i. No Report

- K. Town Board Liaisons – Mike Steppe & Pat Killen
  - i. Hydrofracking Law was approved
- L. Fencing Laws – Pat Killen – Chairman
  - I. Bob Evans reported that the committee has put together a very simple short fencing law. There will be more meetings and then a submission.

B). NEW BUSINESS

- a None

A motion to adjourn the meeting at 9:20pm was made by Art Carcone and seconded by Donna Gridley.

Ayes- 7 Nays - 0

Respectfully submitted,

Carol Goebel