

TOWN OF JERUSALEM  
PLANNING BOARD MINUTES  
August 2, 2012

Approved

The regular meeting of the Town of Jerusalem Planning Board was called to order by Interim Chairperson Mary Coriale, on Thursday August 2, 2012 at 7:10pm, the roll was called:

Present	M. Coriale – Interim Chairperson
Present	Ron Rubin
Present	E. Pinneo
Present	B. Pringle
Excused	D. Gridley
Present	J. Gruschow
Present	A. Carcone

Others present, Bill Sutherland, Fred Thomas, Curtis Barker, Jane Barker, Bill Grove, Bob Evans, several unidentified persons, John Phillips, CEO, and Town Board Members, Pat Killen, Max Parson & Mike Steppe.

APPROVAL/CORRECTION OF MINUTES

**A motion was made by Ed Pinneo to approve the July 5<sup>th</sup>, 2012 meeting minutes as amended. Under the motion for Middlebrooke application # 7-2012, the motion was made by Ed Pinneo**

**The motion was seconded by Bill Pringle**

**Ayes - 4 – Mary Coriale, Ron Rubin, Ed Pinneo, & Bill Pringle,**

**Abstained – 2 – Art Carcone and Jennifer Gruschow, they were not at the meeting on July 5th**

THE PLANNING BOARD'S PUBLIC PRESENTATIONS

- a. William J. Grove - Tax Map # 110.64-1-11 – Property Located 10059 East Bluff Road, Penn Yan, NY 14527 - Bunting Garage, Steep Slope Application # 9-2012.
  - i. SEQR
    1. William J. Grove the architect for the Bunting Garage presented updated plans dated August 2<sup>nd</sup>, 2012. Mr. Grove updated the height above average grade, it should be 18.7 ft. The proposed garage itself the peak elevation should be 770.5.
    2. Mr. Grove also added #19 on page 2 to the general notes , it should read, If site work is unexpectedly halted for more than 7 days, silt

fence shall be erected on the lower side of all excavations to mitigate soil erosion and sedimentation. Mr. Grove was addressing concerns from received from Rick Ayers in a letter to Elaine Nesbitt dated 7/24/2012.

3. Mr. Grove met with Rick Ayers at the site to review the steep slopes plan.

**Applicant's Name: William J. Grove, P.E. – Grove Engineering**

**Tax Map: 110.64-1-11**

**Property located at: 10059 East Bluff Drive, Penn Yan, NY 14527**

**Description: Steep Slope Application for construction of Bunting Garage**

**A motion was made by Jennifer Gruschow to approve the SEQR based on the information provided and supporting documentation that this proposal will not result in any significant adverse environmental impact. See attached Erosion Plan developed by William J. Grove, P.E. License # 084111.dated 08-02-2012 to support this Negative Declaration.**

**The motion was seconded by Ron Rubin**

**Ayes – 6**

**Nays – 0**

**Motion carries - Yes**

**Erosion Plan:**

**A motion was made by Mary Coriale to approve the Steep Slopes Application # 9/2012 dated 07/13/2012 with the following conditions:**

- **Establish sediment & erosion measures and adhere to sequence of construction per final approved erosion control plan dated 8/2/12.**
- **On site – Pre construction meeting with Engineer, TOJ Code Enforcement, Highway Superintendent, Representative from YCS.**
- **Identify Staging Area for removal of debris, Discuss plan with Highway Superintendent. The contractor must prevent tracking of soil from the site and provide for daily clean-up of any material deposited in the public road.**
- **Remove all construction debris, temporary sediment & control measures when satisfactory stabilization has occurred & vegetation is established.**
- **If delay is anticipated during construction, silt fence must be installed.**

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

**Ayes – 6**

**Nays - 0**

**Motion carries - Yes**

**NEW BUSINESS**

A. Fencing Law – Pat Killen

- a. Pat read the proposed Fence Law that was presented to the Planning Board and asked for comments. These suggestions will be given to Phil Bailey for review, before they are presented to the Town Board.
- b. The comments and concerns discussed by the Planning Board included, but not limited to, the following:
  - i. Bob Evans felt that this law was much too complicated for fence regulations. Bob Evans was on the original Fence Committee, they had one meeting, and he had no part in writing this version of the present Fence Law Draft Law. There was much discussion as to why he was not present at the other meetings with the Fence Committee as it is now. He was unavailable for other meetings. Pat Killen wanted it part of the record that Bob was ill for one meeting and unavailable for another.
  - ii. Ron Rubin felt that the Planning Board should have sufficient time to review prior to the meeting date any proposed law of proposal that is on the agenda for discussion.
  - iii. A better understanding of the penalties. Is the penalty for each day or for each occurrence?
  - iv. Would Agricultural fences be exempt? A clarification needs to be made for exemptions for Ag and Markets.
  - v. Surveys
  - vi. Boundaries and Boundary Fences.
  - vii. Electric and Barb Wire for agricultural fences?
  - viii. Height restrictions
  - ix. Kennels
  - x. Fences for swimming Pools, they need to follow NY State building code.
  - xi. Would an electric fence around a garden be in violation of the Fence Law?
  - xii. Would we be able to take the fences down if they were not up to code?
- c. Curtis Barker, who was a Mendon Attorney, questioned the center of the road clarification. Mr. Barker offered to help with the Fence Law.
- d. Pat Killen will meet with the other members of the Fence Law Committee and decide what questions need to go to Phil Bailey. They will take into consideration the suggestions from the Planning Board.
- e. Mary Coriale asked that Planning Board see the Fence Draft in time to review it before the next Planning Board meeting on 9/6/2012.
- f. No action was taken on the Fence Law at this meeting.

**PUBLIC BUSINESS**

## COMMITTEE REPORTS

- a. Zoning Regulations Review Subcommittee – Mary Coriale – Chairman
  - a. The Committee has not met since the last Planning Board meeting. They will be meeting in the beginning of September and would like to present the final draft of the 54A rezoning at the September Town Board meeting. The committee needs to find a way to advertise the workshop and the public meeting.
  - b. The only thing remaining to be reviewed is the boundary lines.
- b. Agriculture Protection & Right to Farm – Donna Gridley-Chairman
  - i. No Report
- 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)
  - i. No Report
- e. Branchport Hamlet Plan – Jennifer Gruschow
  - i. The Town Board officially adopted the Branchport Hamlet Plan on July 11<sup>th</sup>.
  - ii. Jennifer submitted a grant application for Street Scape improvements on 54A for sidewalks and trees. Also with in the consolidated application a sewer study and a waterfront revitalization plan.
  - iii. There are three separate applications. The waterfront revitalization plan – \$50,000 with at fifty percent match, the town contribution is around \$20,000. The sewer study was a \$30,000 maximum with at town contribution of around \$6,000. Large project for street scape improvement was broken up around \$800,000 or \$900,000. Part of it was applied for through community development block grant money. "federal money will be applied for under the transportation bill because the application had a cap and the project was too large to be funded fully by the CDBG program."
  - iv. One of the business owners that had been included in the Main Street program application backed out. Without this business owner's involvement the application did not meet the minimum financial requirements of \$50,000 and could not be submitted".
  - v. The Museum has helped with some contributions to these applications.
  - vi. Pat Killen stated that the Town Board would like to have the Planning Board approve paying the entire \$1000 to Jennifer this year for writing the grant.
- f. Signs- Art Carcone – Chairman
  - i. Art reviewed the Sign Law suggested draft from Matt Ingalls. Art felt that this draft was quite well done.

- ii. Art spoke to Mike Linehan about setting up a kiosk.
  - iii. Art stated that no signs can prohibit political speech.
  - iv. Art will try to get the committee back together for a meeting.
  - v. A copy of Matt Ingalls sign draft was sent to all of the Planning Board members.
  - vi. Art was asked to have some information for the next Planning Board meeting on 9/6/2012.
- g. Town Board Liaison report – Mike Steppe and Pat Killen

**BUDGET**

- a. Mary Coriale presented a copy of her 2013 Budget worksheet for the Planning Board.
- i. Why PB budget supports all zoning update expenses
  - ii. Why is PB responsible for recent litigation fees
  - iii. Why PB budget is responsible for grant matching funds
  - iv. Secretarial expenses exceeded budgeted amount because of special meeting and complexity of application. Extra funds were requested.
  - v. Pat Killen stated that the Town Board would like to have the Planning Board approve paying the entire \$1000 to Jennifer this year for writing the grant..

**A motion was made by Mary Coriale to pay Jennifer Gruschow for writing the Grant out of Planning Board funds.**

**The Motion was seconded by Ed Pinneo**

**Ayes – 5, Mary Coriale, Ed Pinneo, Bill Pringle, Ron Rubin, Art Carcone.**

**Abstain – 1 Jennifer Gruschow**

**Nays - 0**

**Motion carries - Yes**

**ADJOURNMENT**

**A motion to adjourn the meeting at 8.40pm was made by Bill Pringle and seconded by Art Carcone.**

**Ayes- 6 Nays - 0**

**Motion carried**

All Attachments will be on file in the Planning Board File at the Jerusalem Town Hall

Respectfully Submitted,  
Carol Goebel