

TOWN OF JERUSALEM  
APPROVED  
PLANNING BOARD MINUTES

October 6th, 2016

The regular monthly meeting of the Town of Jerusalem Planning Board was held on Thursday, October 6th, 2016, and called to order with the Pledge to the Flag at 7:00pm by Chairman Tim Cutler.

<b><u>Roll call:</u></b>	Ron Rubin	Present
	Jen Gruschow	Present
	Jack Wheeler	Present
	Ed Pinneo	Excused
	Donna Gridley	Present
	Tim Cutler	Present
	Tom Pritchard	Present

**Others Present:** Paul Anderson/Town Board liaison, Jerry Kernahan, Roger Ribble, Steve Simshauser.

**Minutes:** September 1st, 2016 Minutes

A motion was made by Gridley to approve the minutes of the September meeting as corrected. The motion was seconded by Rubin and approved. Wheeler abstained.

**Modifications to Agenda:** None

**Presentations:**

a). Ribble Steep Slopes Application – 4930 East Bluff Drive

Jerry Kernahan and Roger Ribble provided the following information:

-YCSW issued a letter stating they have no comments or questions regarding the project. They do however, advise that the project area is known for unstable slopes and soils.

-the purpose of the project is to improve access to lake frontage by adding an 8' pathway and replacing the deteriorating wooden deck and stairs

- a silt fence and any other necessary measures will be used to prevent siltation
- a railing will be used where path height is greater than 4ft
- the deck will cantilever over the bottom retaining wall
- the path will be made of crushed stone
- there will be less slope with the new plan

Planning board members expressed the following concerns:

- care will be taken to protect existing mature trees
- direction of water run-off from the path

The following correction should be made to the SEQR:

- #8c should be "No"

SEQR Part 2/Impact Assessment

- no corrections

The SEQR was reviewed line by line and was determined to have a Negative Declaration. Pritchard made the motion that the Steep Slopes Application be approved with conditions. It was seconded by Gruschow and approved as corrected. All were in favor. Gridley made the motion to approve the Site Plan. It was seconded by Wheeler and approved. All were in favor.

The Steep Slopes Conditions are listed at the end of the minutes.

b). Simshauser Special Use Update and Site Plan Review – 3103 Skyline Drive

The Planning Board was requested by the Zoning Board to be the review agency for this Special Use and Site Plan application.

Stephan and Denise Simshauser, owners of Skyline Trading Post, are requesting to make the following changes to the interior floor plan. The site plan is not changing:

- not changing site plan
- remove existing convenience store and replace with new bar

- expand seating from 57 to 80 seats as per CEO
- change closing from 10pm to 11:30pm
- add liquor license to current beer & wine license
- plenty of existing parking
- no live music
- attempting to increase dinner traffic
- neighbors have been notified

The original Special Use Permit from 2004 stated they could remain open until 10pm. They want to change their closing time to 11:30pm.

Rubin asked if they are anticipating a gathering spot for students and if the parking lot is lit after 9pm. Mr. Simshauser replied that they get workers and faculty from Keuka College but most of the students are too young to purchase liquor and they do not get many student customers. The parking lot is currently lit all through the night.

Gruschow questioned whether there was a list within the zoning law for Special Uses. Cutler replied that there is article 10 in the code but it primarily pertains to adult businesses. The code does state that after the application is approved renovations must be completed within 1 year or the permit becomes void. The code also says that a public hearing may be necessary and Cutler will look into whether it is necessary for this application.

Gruschow commented that currently customers park along the side of the parking lot and if customer traffic is increased adding stripes to the center of the lot could help formalize the parking area.

The original Special Use Permit was for a convenience store/diner providing groceries and light dining serving breakfast, lunch and dinner. Seating should not exceed 60 seats. The only mention of alcohol is in reference to obtaining a liquor license. The Skyline Trading Post already has a Special Use Permit but they are asking to upgrade it to include improvements not in the original 2007 application.

The following corrections should be made to the SEQR:

- requested hours should read 6am – 11:30pm
- #1 should be “No”
- #4 should be checked “Rural” and “Residential”

- #5a should be "No"
- #5b should be "Yes"
- #8a should be "No"
- #8c should be "No"
- #14 should be checked "Agricultural" & "Suburban"
- #16 should be "No"
- KPS&W should be contacted regarding potential increased use

SEQR Part 2/Impact Assessment:

- all questions checked "No"

The SEQR was reviewed line by line and was determined to have a Negative Declaration. Wheeler made the motion that the SEQR application be approved. It was seconded by Pritchard and approved as corrected. All were in favor. Gridley made the motion to approve the Site Plan with the Phase 2 list. It was seconded by Wheeler and approved. All were in favor.

In light of all other stipulations being met it is recommended to the Zoning Board that the Special Use Permit be approved based on the Site Plan and documentation provided; with the conditions that the Planning Board does not have to hold a public hearing and that they have the authority,

**New Business:** None

**Old Business:** None

**Committee Reports:**

- A. Agriculture Advisory Committee (D. Gridley – Chair) No Report
- B. Branchport Hamlet (J. Gruschow – Chair) No Report

- C. Solar Advisory Committee (T. Cutler, Chair) There is a third draft of the solar zoning code completed and circulating for feedback. After all changes and corrections have been made it will go to the town lawyer and then there will be a public meeting.
- D. Comprehensive Plan Review Committee (E. Pinneo) No Report
- E. Town Board Liaison (P. Anderson/G. Dinehart) The Town budget is completed.

**Announcements:** Brochures have been sent out regarding the training seminar to be held in Batavia, NY. Chairman Cutler needs to know which committee members plan to attend by 10/13/16 so that approval can be obtained from the Town Board for reimbursement.

**Adjournment:**

At 8:22pm Rubin made a motion to adjourn the meeting, seconded by Gruschow. All were in favor.

Respectfully Submitted,  
Janet Micnerski/Recording Secretary

The TOJ Planning Board grants approval of the **Steep Slope Application # 05-2016** (dated **10-6-2016**) subject to the following conditions:

- 1) Yates County Soil and Water has reviewed the erosion control plan. Any conditions as dictated by YCSW to be included.
- 2) Site boundaries and high water mark must be clearly marked.
- 3) On site – Pre construction meeting with Engineer, TOJ CEO, Highway Superintendent, Representative from YCSW, TOJ Planning Board Chair (optional) and contractor. Details of the proper installation and maintenance of the silt fence needs to be provided to the contractor.
- 4) 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.
- 5) Establish sediment and erosion measure per final approved erosion control plan.
- 6) If topsoil from the construction site is to be saved on site and re-used, the location should be marked on the plan and the down slope protected by silt fence.
- 7) Seed, mulch, and water bare ground within 48 hours after construction.
- 8) Remove all construction debris, temporary sediment control measures when satisfactory stabilization has occurred and vegetation is established.
- 9) A letter of certification from the certified professional must be obtained by the property owner or builder/contractor when the work is completed, that it has been completed in accordance with the permit and a copy must be given to the CEO's office.
- 10) A final inspection by Town of Jerusalem CEO, verifying all conditions of Planning Board approval have been met.