

TOWN OF JERUSALEM
APPROVED
PLANNING BOARD MINUTES

September 7, 2017

The regular monthly meeting of the Town of Jerusalem Planning Board was held on Thursday, September 7, 2017 and called to order with the Pledge to the Flag at 7:00pm by Chairman Tim Cutler.

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

Others Present: Joel Smith, Tim & Lori Good, Steve Schmidt/Fire Chief, Ron Good, Dwight James, Blair Gillette, Angelo Licciardello, Angelo Licciardello, Jr., Bill Grove, Brennan Marks and Zac DeVoe.

Minutes: August 3, 2017 Minutes

A motion was made by P. Zorovich to approve the minutes of the August meeting. The motion was seconded by J. Wheeler and approved.

Modifications to Agenda:

- Kevin Zimmerman recommendation
- Fall workshop

Public Presentation:

a). Good Steep Slope Application #07-2017 – 2779 Rte. 54A, Penn Yan

Ron Good/Geologist, representing Timothy & Lori Good explained that they would like to construct an area for overflow parking. It will be an extension of an existing driveway. The driveway entrance will not be changed; it is limited by the existing guard rail. The property owners have received a letter with comments/concerns from YCS&W. The contractor is Jeff Kanaval from Cohocton.

The following corrections should be made to Part 1 of the SEQR:

- #10 should read “NA”
- #11 should read “NA”
- #12b EAF Mapper indicates “YES” but SEQR is checked “NO” *
- #17b should be checked “YES”

*Applicants need to be notified that they are responsible for filling out the EAF

SEQR Part 2/Impact Assessment:

- #8 should be checked TBD
- #10 is Moderate, but mitigated by the site plan

The SEQR was reviewed line by line and was determined to have a Negative Declaration. J. Gruschow made the motion that the SEQR be approved as corrected. It was seconded by T. Pritchard and approved. All were in favor. R. Rubin made the motion to approve the Site Plan subject to the conditions stated above. It was seconded by P. Zorovich and approved. All were in favor.

The Steep Slope Conditions are listed at the end of the minutes. There will be a pre-construction meeting prior to the beginning of construction.

Communication with YCS&W is now the responsibility of the project engineer; it will no longer go through E. Nesbit. Chairman Cutler will be updating the flowchart so applicants and their

engineers know that they are responsible for communicating with all parties. A clear line of communication is necessary to give the project engineer a chance to make corrections.

b) Trombley Steep Slope Application 09-2017 – 3365 East Valley Road, Branchport

J. Gruschow recused herself from this discussion.

Brennan Marks/Engineer representing Jordan & Aline Trombley explained they would like to build a new residence on their property. There is an existing driveway and entrance. The home will be a 2400sf 2 story home with water from the street, a new septic system and electric service from East Valley Road. The driveway is steep at 23% and has been reviewed with Emergency and Fire Departments. It will have a turnaround. There will be 2 retaining walls built. A few trees and some brush will be removed.

R. Rubin asked if the house will be built into the slope; Mr. Marks replied that there will be a minimal amount of earth removed since the house is butting up against the slope rather than cutting into it.

T. Pritchard asked whether the retaining wall in the back will be higher than the slope. Mr. Marks explained that it will be 1 course above the actual grade to further help with drainage coming down the hill. There will be a French drain behind the wall to help keep water away. T. Pritchard suggested including a cleanout along the drain on the south side.

Chairman Cutler reminded them to have the address displayed at the street.

The following corrections should be made to Part 1 of the SEQR:

- #10 should be marked "Yes"
- #12b EAF Mapper indicates "YES" but SEQR is checked "NO" (Marks Engineering will work on the discrepancy)
- #13a (same as above)

SEQR Part 2/Impact Assessment:

- #10 is moderate, but will be mitigated by the site plan

The SEQR was reviewed line by line and was determined to have a Negative Declaration. J. Wheeler made the motion that the SEQR be approved as corrected. It was seconded by T. Pritchard and approved as corrected. J. Gruschow abstained. T. Pritchard made the motion to approve the Site Plan with conditions. It was seconded by J. Wheeler pending conditions and approved. J. Gruschow abstained.

The Steep Slope Conditions are listed at the end of the minutes. There will be a pre-construction meeting prior to the beginning of construction.

c). Adelsburger Steep Slope Application #10-2017 – 5060 West Bluff Drive, Jerusalem

Mr. Joel Smith/Contractor, representing Thomas & Teresa Adelsberger explained that they would like to raise the existing cottage and replace the foundation and retaining wall. It is a very steep grade but the machinery is made to work in those conditions. There will be no new excavation. They will use the north side of the property to access the house. The existing stairs and landing on the south side will remain. The plan is to start the project as soon as possible to avoid potential bad weather. They have an approval letter from YCS&W.

The following corrections should be made to Part 1 of the SEQR:

-#12b EAF Mapper indicates “YES” but SEQR is checked “NO” *

-#13a EAF Mapper indicates “YES” but SEQR is checked “NO” *

*Applicants need to be notified that they are responsible for filling out the EAF

SEQR Part 2/Impact Assessment:

-All questions were marked “No or small impact”

The SEQR was reviewed line by line and was determined to have a Negative Declaration. J. Gruschow made the motion that the SEQR be approved as corrected. It was seconded by T. Pritchard and approved as corrected. All were in favor. T. Pritchard made the motion to approve the Site Plan with conditions. It was seconded by P. Zorovich pending conditions and approved. All were in favor.

The Steep Slope Conditions are listed at the end of the minutes. There will be a pre-construction meeting prior to the beginning of construction.

d) Gillette Steep Slope Application #11-2017 – 1197 Sylvan Drive, Penn Yan

Mr. Bill Grove/Engineer, representing Blair Gillette explained that they would like to tear down the existing structure and re-build. The current house is in the south corner of the property but the new one will be on the east side. Due to the small size of the lot (.23acre) the majority, but not all, of it will be disturbed. Two trees will be removed. The town of Penn Yan will be re-locating the utility pole. An approval letter has been received from YCS&W. Construction is planned for late September or early October. Excavated materials will be taken off-site. Morehouse Construction is the contractor. The driveway will have a slope so a trench drain will be put in.

The following corrections should be made to Part 1 of the SEQR:

- #12b EAF Mapper and SEQR are marked “YES” *
- #13a EAF Mapper and SEQR are marked “YES” *
- #17a should be checked “NO”

*Applicants need to be notified that they are responsible for filling out the EAF

SEQR Part 2/Impact Assessment:

- #10 is moderate, but will be mitigated by the site plan

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

The Steep Slope Conditions are listed at the end of the minutes. There will be a pre-construction meeting prior to the beginning of construction.

New Business:

Mr. Kevin Zimmerman of 3506 Adams Rd., Penn Yan, has provided narrative outlining information regarding his request for 10 more females. The USDA has inspected the facility twice and has issued their license. Eastview Veterinary Clinic has provided a letter indicating they have a relationship with Mr. Zimmerman and they are providing care for his dogs. He has met every condition that was set forth by the Zoning Board at their June 9th, 2016 meeting. Planning Board members that visited his site were pleased that they saw a clean, well maintained facility.

T. Pritchard made a motion to send a letter of approval to the TOJ Zoning Board for the addition of 10 more females. P. Zorovich seconded the motion. The motion was approved by a poll of the board as follows: T. Cutler-grant, T. Pritchard-grant, J. Gruschow-grant, R. Rubin-abstain, P. Zorovich-grant, and J. Wheeler-abstain.

Chairman Cutler will send a letter to G. Herbert stating the Planning Board has approved Mr. Zimmerman's request to add 10 more females to his operation based on his meeting the conditions set forth at the June 9th, 2016 Zoning Board Meeting.

Old Business:

Re-review of Licciardello project on East Bluff Drive

There have been issues with the driveway on Mr. Licciardello's property. Bill Grove, the project Engineer has come back to the PB with a modified site plan; he has removed an unnecessary drainage pipe based on how the grading was done, he is able to reuse an existing trench drain based on the driveway alignment and a catch basin is going to be rebuilt closer to the pavement. Also, the driveway entrance has been moved but it is still at an angle. There is a problem with their proposed driveway entrance due to it being on the neighbor's right-of-way. Mr. Licciardello provided a survey dated 1989 that he says shows the driveway entrance was on the neighbor's property. The TOJ has a survey that is on file with the County, dated 2006, that shows the neighbor's property line going straight down and not at an angle.

Chairman Cutler believes Mr. Licciardello is treating the right-of-way in front of his neighbor's property as public property. Residents cannot build permanent structures on a right-of-way. He will speak to P. Killen/Town Supervisor about getting a legal opinion from the town attorney. Not doing so exposes the Town to liability.

Planning Board members agreed to allow Chairman Cutler to work with all involved parties to come up with an agreeable solution without having to return to the PB for approval.

Committee Reports:

- A. Agriculture Advisory Committee (D. Gridley – Chair) No Report
- B. Branchport Hamlet (J. Gruschow – Chair) Hunt Country and Tom Walters are considering sponsoring a sign. Stever Hill has declined.
- C. Comprehensive Plan Review Committee (T. Cutler) There will be another committee meeting prior to the Town Board meeting.
- D. Town Board Liaison (D. Jones/G. Dinehart) No Report

Announcements:

There is a fall local government workshop in Batavia, NY on November 17, 2017.

Adjournment:

At 9:19pm J. Wheeler made a motion to adjourn the meeting and it was seconded by P. Zorovich. All were in favor.

Respectfully Submitted,
Janet Micnerski/Recording Secretary

The TOJ Planning Board grants approval of the **Steep Slope Application # 07-2017** (dated 9-7-2017) subject to the following conditions:

- 1) Yates County Soil and Water has reviewed the final site and erosion control plan. Any conditions as dictated by YCSW must be included in final site plan
- 2) Site boundaries must be clearly marked.
- 3) On site – Pre construction meeting with TOJ CEO, Rep from NYS Highway Department and YC Highway Department, Rep from YC Soil & Water, TOJ Planning Board Chair or alternate representative 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 control measures 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.

The TOJ Planning Board grants approval of the **Steep Slope Application # 09-2017** (dated 9-7-2017) subject to the following conditions:

- 1) Yates County Soil and Water has reviewed the final site and erosion control plan. Any conditions as dictated by YCSW to be included
- 2) All necessary permits from the NYS DEC and U.S. Army Corps of Engineers must be completed, approved and received prior to any pre-construction meeting or site work.
- 3) Site boundaries must be clearly marked.
- 4) KP Sewer & Water should mark the location of the water line.
- 5) On site – Pre construction meeting with TOJ CEO, Rep from TOJ Highway Department, Branchport Fire Dept., Rep from YC Soil & Water, Rep from TOJ Sewer & Water, TOJ Planning Board Chair or alternate representative and contractor. Details of the proper installation and maintenance of the silt fence needs to be provided to the contractor.
- 6) 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.
- 7) Establish sediment and erosion control measures per final approved erosion control plan.
- 8) 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.
- 9) Seed, mulch, and water bare ground within 48 hours after construction.
- 10) Remove all construction debris, temporary sediment control measures when satisfactory stabilization has occurred and vegetation is established.
- 11) 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.
- 12) A final inspection by Town of Jerusalem CEO, verifying all conditions of Planning Board approval have been met.

The TOJ Planning Board grants approval of the **Steep Slope Application # 10-2017** (dated **9-7-2017**) subject to the following conditions:

- 1) Yates County Soil and Water has reviewed the final site and erosion control plan. Any conditions as dictated by YCSW to be included
- 2) All necessary permits from the NYS DEC and U.S. Army Corps of Engineers must be completed, approved and received prior to any pre-construction meeting or site work.
- 3) Site boundaries and high water mark must be clearly marked.
- 4) On site – Pre construction meeting with TOJ CEO, Rep from TOJ Highway Department, Rep from YC Soil & Water, TOJ Planning Board Chair or alternate representative and contractor. Details of the proper installation and maintenance of the silt fence needs to be provided to the contractor.
- 5) 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.
- 6) Establish sediment and erosion control measures per final approved erosion control plan.
- 7) 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.
- 8) Seed, mulch, and water bare ground within 48 hours after construction.
- 9) Remove all construction debris, temporary sediment control measures when satisfactory stabilization has occurred and vegetation is established.
- 10) 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.
- 11) A final inspection by Town of Jerusalem CEO, verifying all conditions of Planning Board approval have been met.

The TOJ Planning Board grants approval of the **Steep Slope Application # 11-2017** (dated 9-7-2017) subject to the following conditions:

- 1) Yates County Soil and Water has reviewed the final site and 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 TOJ CEO, Rep from TOJ Highway Department, Rep from KP Sewer & Water, Rep from YC Soil & Water, TOJ Planning Board Chair or alternate representative 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 control measures 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.