

Approved

TOWN OF JERUSALEM
ZONING BOARD OF APPEALS

August 15, 2011

The regular monthly meeting of the Town of Jerusalem Zoning Board of Appeals was called to order on Thursday, August 11th, at 7 pm by Chairman Glenn Herbert.

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

Others present included: Doug Nichols, Max Parson/Town Bd., and Lynn Donaldson.

A motion was made by J.Crevelling and seconded by M.Steppe to approve the July Zoning Board minutes as written. The motion was carried unanimously (5-yes, 0-no).

COMMUNICATIONS: There were no communications.

AREA VARIANCE/SPECIAL USE REVIEW:

Application #985 for Doug Nichols owning a vacant lot located just off Sid White Rd. requesting a Special Use Permit to operate a boat storage facility at this location. Also, as part of this application, to request an area variance to build the structure wider than what zoning allows and larger square footage than what zoning allows for a boat

storage structure.

Mr. Nichols was present to answer questions for board members regarding his application.

Chairman G. Herbert stated that they would review this application in two parts. Part A would be the Special Use request and Part B would be the Area Variance request.

It was noted that Mr. Nichols has already been before the Jerusalem Planning Board with this application and the Planning Board has reviewed the submitted material including the SEQR short form and has made the following determination: that the proposed action will not result in any significant adverse environmental impacts and has therefore declared a negative declaration for SEQR. The Planning Board has given Final Site Plan approval for this project subject to the Zoning Board's approval of the Special Use Permit and the Area Variance approvals as requested.

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Board Members had concerns about any work or maintenance that might be done on these boats at this location and what might be done with any hazardous liquids such as antifreeze or oil. Mr. Nichols stated that he has a shop at a different location where he does all of his boat work such as winterization and other boat maintenance. When the boats go to the location off of Sid White Rd. they are going there strictly for storage purposes. There will not even be any electric in this building. All of the batteries in the boats are disconnected as well. Mr. Nichols noted that when all the boats are stored, and the building is full, before they close the doors, they take a final walk through once again just to make sure all batteries are disconnected.

Mr. Nichols noted that at the site where he does do the maintenance

and work on the boats which he takes care of and stores, that he has drums for the used oil and it is discarded properly. He has two locations that accept waste oil and he receives receipts for the waste oil to show where the gallons went to. The antifreeze being used is environmentally friendly and is not a problem even if animals were to drink it or come in contact with it.

A motion was made G.Herbert and seconded by J.Crevelling to grant the Special Use Permit for the operation of a boat storage facility as requested on vacant parcel A located on a private road just off Sid White Rd. as shown on the submitted survey/site map. The motion was carried unanimously by a poll of the board as follows: M.Steppe-grant, J.Hoffer-grant, E.Seus-grant, J.Crevelling-grant, G.Herbert-grant.

Part B of Application #985 for the Area Variance part of the Application requesting the building for the boat storage facility to be 60 ft. by 84 ft. which is wider than zoning allows and larger in square footage than zoning allows.

Chairman G.Herbert noted that the new building dimensions allowed are 50 ft. wide by 100 ft. in length and the total square foot area is to be no more than 5000 sq. ft.

It was noted by Mr. Nichols that the main reason for the different building dimensions was due to the fact that he has a significant number of pontoon boats and they take up a considerable amount of space and require a much larger opening to get them inside of the storage building.

Area Variance Test Questions were reviewed as follows:

- 1) Could granting of the Area Variance change the character of the neighborhood? (5-no, 0-yes).
- 2) Are there alternatives that would not require an area variance? (5-no,

0-yes).

3) Is the request substantial? (5-no, 0-yes).

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4) Would the granting of this variance have potential adverse impacts on physical or environmental conditions in the neighborhood? (5-no, 0-yes).

5) Is the alleged difficulty self-created? (4-yes, 1-no) G.Herbert-yes, J.Crevelling-yes, M.Steppe-yes, E.Seus-yes, J.Hoffer-no.

Board members were in agreement that this is a SEQR Type II Action.

It was noted that this building meets the setback requirements for an accessory structure and it will be less than 35 ft. high.

The adjoining properties to the south of this lot are owned by Mr. Nichols and it was noted that they have been well maintained. The private road that is located to the west of these lots is also owned by Mr. Nichols and has been put in according to the Town's private road specifications.

A motion was made by G.Herbert and seconded by E.Seus to grant the area variances for both the width of the building from 50 to 60 ft. in width and to grant the increased square footage from 5000 sq. ft. to 5040 sq. ft. There will be no maintenance work done in this building it is for storage purposes only. There will be no electric service to this building.

The motion was carried with a poll of the board as follows: M.Steppe-grant, J.Hoffer-grant, J.Crevelling-grant, E.Seus-grant, G.Herbert-grant.

OTHER BUSINESS:

J. Crevelling passed out a copy of Summary of Community Meeting #1 dealing with the Route 54A Zoning Evaluation Project for the Town of Jerusalem. This summary briefly shares information about the efforts that have been made thus far for what possibilities might be acceptable for the re-zoning of Rte 54A. J.Crevelling noted that there will be more public meetings, with more public input, etc.

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

Meeting was adjourned at 7:30 pm.

submitted,

Secretary

Respectfully

Elaine Nesbit/