

**TOWN OF POMPEY PLANNING BOARD MINUTES  
MAY 19, 2014**

The Town of Pompey Planning Board meeting was held on Monday, May 19, 2014. In attendance: Chairman Sue Smith,; Members: Roy Smith, Bob Neufang, Kevin Coursen, Carl Fahrenkrug and John Shaheen. Attorney Jeff Brown, Engineer Steve Snell, Code Enforcement Officer Richard Penhall.

Chairman Smith called the meeting to order at 7 p.m. followed by the Pledge of Allegiance.

Chairman Smith thanked everyone for attending the Work Place Violence training.

Motion by C. Fahrenkrug, seconded by B. Neufang to dispense with reading the minutes. Passed. Motion by S. Smith, seconded by C. Fahrenkrug to approve the minutes of April 21, 2014 as corrected. All in favor.

**BOB SANDS FOREST:** Public hearing was closed at the April 21, 2014 meeting. This is a 2 lot subdivision on the west side of Purcell Road running to the east side of Pompey Center Road.

Chairman Smith stated that the more detailed map that was requested is still not what what the Board requested. Locator map says #1 and #2. The main part of the map needs to show lots #1 and #2.

Bob Quinn said it is feasible for logging trucks to go on 20 ft. strip. Don't think there would be a problem. Tri axle truck 21 foot wheel base. Put together a letter for Chairman Smith to improve strip for logging trucks in and out. Go back to original ZBA ruling.

Chairman Smith stated that the ZBA minutes of July 29, 2013 was approved with conditions. Conditions were no houses and construction of posts.

This would only be used for timber management. No intention for any houses to be built.

Bob Quinn stated did not know of ever having houses built on timber land owned by Syracuse University.

Chairman Smith asked Town's lawyer if the statement would show up on a map?

Attorney Jeff Brown said to record the formal adoption is appropriate. So would know that the limitation is in it.

Kevin Coursen questioned how to get on deed.

Attorney Jeff Brown stated the official document from us would go to the county.

Carl Fahrenkrug asked the question, how does obligation change now if not a right of way?

Attorney Jeff Brown stated that ESF is owner of the 20 foot strip. No change. Have right to survey, indicate road is on 20 foot parcel being sold to ESF.

Chairman Smith stated the Board received a letter from Mark E. Sand, MD regarding comments about his father, intent to keep same use, love upkeep for forest as his father had.

Roy Smith stated decision for 20 foot strip instead of 60 feet has been approved. Concerned that at the upper end there is a swale. Water might run from one property to another. What happens if water goes on other property? Do something so drainage will not be changed. That's my only comment.

Chairman Smith stated that Attorney Jeff Brown advised that we can do informal comments. Be fair. Identify yourself.

Patrick Frazee, neighbor. Also on the ZBA Board. Don't know how complete the minutes are. A lot of opposition not recorded at ZBA meetings. Neighbors thought second meeting was closed, hearing no opposition. Asked meeting to be postponed and it wasn't. Think it is a big mistake to do this with road frontage of 20 feet. If this is allowed I have a lot of them that I could request. Use this as a model. Legitimate reason for it. Need to be very careful. Have to have some reason to do it. This is not a threat.

Kevin Coursen asked him what about not allowing building?

Patrick Frazee said he had a buyer for hunting property. Have a lot of untillable land he could sell. Defend that we allow 20 foot strip.

Ron Miller, neighbor north side of 20 foot strip. On deed Robert Sands. Been there 40 years. Right of way. Does he own 20 foot strip?

Chairman Smith asked early on - 20 foot strip or right of way?

Attorney Jeff Brown state survey more definitive.

Kevin Coursen asked if anyone has looked at the deed?

Attorney Jeff Brown looked at abstract part of property which Bob Sands owned 20+ years. Dr. Palmer owned previously. Did not go through completely.

Kevin Coursen stated that info that we have shows it as part of property. How it got there is not in our purview. Right of way to be maintained.

Carl Fahrenkrug asked if right of way was improved previously?

Patrick Frazee stated no, just ruts.

Bob Quinn stated probably will not be improved until we do another logging job, still part of 20 foot strip.

Patrick Frazee stated there is an alternative to do it from Pompey Center Road. It is a hill, but can be done. That is an alternative, but can be done.

Kevin Coursen stated we as Planning Board don't have authority to use as an alternative. Zoning Board made the decision.

Patrick Frazee stated that the Chairman of the Zoning Board had a relationship with Sands. Pushed it through. Did not want him to influence rest of Board. Serious errors made.

Kevin Coursen stated that the only avenue would be to file an Article 78. Maybe recuse himself. Planning Board does not have authority to deny.

Attorney Jeff Brown stated some egregious errors made. Agree with Chairman.

Kevin Coursen stated maybe 20 foot frontage for hunting not so bad.

Carl Fahrenkrug said it has been part of property for 31 years. Usage not changing.

Patrick Frazee stated that the staging was done on his property.

Kevin Coursen wanted to know do we need a new corrected map before we take any action? Put it off?

Attorney Jeff Brown stated that Mr. Quinn can do a new survey map. Can do either way. Need to decide within 62 days.

Kevin Coursen asked if we say map is insufficient, can be extended? Just looking at options.

John Shaheen asked if there was any input from the ECC?

Chairman Smith stated that she has comments from ECC Board.

Kevin Coursen stated that based on amount of questions he would make a motion on time frame (62 days after closing of public hearing on April 21st) that the Board hold off ruling until June meeting. Research the deed more clearly for ownership of property on road. Seconded by S. Smith. Passed.

Engineer Steve Snell indicated two small Federal wetlands are indicated on the Federal Wetland Map. The applicant has stated that no disturbance is proposed in these areas.

**SUBDIVISION OF LOT 3, DREXLER ON RIDGE ROAD:** Public hearing on a 3 lot subdivision on the west side of Ridge north of the Fabius/Pompey town line. Allen Olmstead was present for applicant.

Lot #C, #D, #E 200 foot road frontage. 3-3 1/4 acres each. Looked into percolation, and County Highway, there is adequate site distance.

Chairman Smith stated this has changed a couple of times to conform for road frontage. Lot size is adequate. Site distance approved.

Kevin Coursen stated new policy is that the applicant notifies neighbors up to a 1,000 feet of any action by certified letter.

Chairman Smith stated don't know if neighbors were notified of new subdivision. Do know neighbors were notified regarding the four lot subdivision, it is now a three lot subdivision.

Engineer Steve Snell asked if 2.1 acres will not be disturbed?

Allen Olmstead said expect with three lots it will be under one acre.

Attorney Jeff Brown stated that local Law 6 2013 states that the Public Hearing be held within 30 days.

Ed Drexler should send out another notification to neighbors within 1,000 feet.

Chairman Smith stated that the SEQR can be completed.

Attorney Jeff Brown said that shouldn't open public hearing, do at the next meeting.

Chairman Smith went over the SEQR questions on the SEQR form. Total acreage disturbed less than .99 acre. Completed by Allen Olmstead on April 15, 2014.

Answers to SEQR questions as follows:

- |       |       |          |        |
|-------|-------|----------|--------|
| 1. No | 2. No | 3. No    | 4. No  |
| 5. No | 6. No | 7. a. No | b. No  |
| 8. No | 9. No | 10. No   | 11. No |

Motion by S. Smith, seconded by J. Shaheen that based on answers for SEQR that a negative declaration be made for the Drexler Subdivision on Ridge Road. Passed.

Lead Agency is the Planning Board.

Also need ECC comments on this subdivision.

Rick Penhall will contact ECC tomorrow.

Chairman Smith stated that the Public Hearing will be next month.

**TAMARACK RIDGE:** Palmer and Owahgena Roads. Tim Robinson is the owner of the property. Has plans for five lots. Pompey side of Joan Vancouver.

Tim Robinson asked if notifying neighbors within 1,000 feet included Madison County. Has list to send to already?

Part left undeveloped for now. He owns 50 acres left over. Site distance will be finalized. Road 765 foot long with cul de sac on end. Lot sizes are 15 acres, 16 acres and 62 acres.

No development near stream. Dries up in the summer time.

Kevin Coursen asked in notifying another municipality, what is their role?

Attorney Jeff Brown said it is just a courtesy. No formal authority. Applicant only needs to notify list that Ann has given him.

Engineer Steve Snell stated the Health Department may require full septic design. The applicant will need to contact Jeff Till at the County Health Department.

Needs to be sent to SOCPA.

Chairman Smith stated that the Town Highway Department also needs to be contacted.

John Shaheen stated that 2E and 2D road frontage is not on the map.

Tim Robinson said that all are more than 200 foot frontage.

Chairman Smith asked if there were any other comments?

Motion by K. Coursen, seconded by C. Fahrenkrug to adjourn meeting at 8:35 p.m.

Respectfully Submitted,

Darla M. Mawson, Secretary  
Town of Pompey Planning Board