

**TOWN OF POMPEY ZONING BOARD OF APPEALS MINUTES
JULY 25, 2016**

The Town of Pompey Zoning Board of Appeals meeting was held on Monday, July 25, 2016 at 7:00 pm at the Town Hall. Present were: Chairman David Tessier, Kevin Sharpe, Dave Hale, and Don Neugebauer. Town Attorney Jeff Brown and Code Enforcement Officer Richard Penhall.

Chairman Tessier opened the meeting at 7:00 pm. He then explained the Board's procedure to make a decision on the request.

JONATHAN MAPSTONE: 7460 Rt. 20. Applicant is requesting an area variances for frontage set back and the rear set back. Jon Mapstone was present.

Chairman Tessier explained that he needs a front and rear set back variance. It is a Otherwise it would require a significant amount of site work.

It has been referred to the Onondaga County Planning Board and they recommended approval with modifications. They state the applicant must contact State DOT regarding existing and proposed access to U.S. Route 20 and the Onondaga County Health Department must formally accept or approve, any existing or proposed septic system to service this property prior to issuance of building permit.

The Board has received the Agricultural Data Statement the there are no farms located within 500 feet of the project.

Don Neugebauer asked about the driveway and contacting State DOT. Is it because there isn't one or he wants it somewhere else?

Chairman Tessier stated that the State DOT might say okay. But there hasn't been a building on the property for years.

Jon Mapstone has contacted Kathy at State DOT and she is supposed to be getting back to him.

Jon stated that his business, J Map Services, is a HVAC equipment business. This is the only commercial property available in Pompey and he needs a place to store his supplies and have an office. He doesn't own the property yet. There are two parcels and he doesn't know what he is going to do with the rest of the property.

Don Neugebauer asked what the size of the warehouse and office space will be?

Jon said the warehouse will be 5,000 square feet (50x100) and the office about 1,200 square feet (30x40). There are driveways at each end of the lot. Commercial frontage is 150 feet and the rear set back is 100 feet for commercial. He will need a 107 foot

variance for the front and 61 foot variance for the rear. He doesn't want to take down any trees.

He stated the septic design has been approved as designed by Rudy Zona from R Z Engineering. He will be drilling a new well.

He needs office space. Right now he is working out of his home. He needs a place to stage material. He does a lot of commercial work and has 5 employees in the field. Also, there are two people for office work. There will be no retail at the site. The company trucks are taken home by employees.

Doesn't think there will be many deliveries and there won't be a lot of customers stopping by. No signs by the road. Only lighting will be a couple of wall packs.

Chairman Tessier stated that he would prefer straight down lights.

David Hale asked about parking.

Jon stated that all work vehicles will pull right into the barn. No trash outside. He recycles everything.

Don Neugebauer stated he likes the project. Fairly good sized variance. Every foot east would ease variance request.

Jon thought he might be able to move driveway east a little bit. The storage part is a pole barn construction. The office will have a foundation.

Chairman Tessier read that the Town code regarding what you can build in a commercial zone. If we grant the variance, you need 150 foot set back for frontage, 100 feet for rear and 50 feet for the side. It is an odd shaped lot. Cemetery is to the side and rear of the property.

He then stated that if we approve a number, you can't move closer to the line (would have to come back to the Board). The issue is the State Highway line. It is further back than usual.

Don Neugebauer stated that he thinks it is a great idea. Would like to see a business there. Also likes the looks of the building.

Chairman Tessier then went over the criteria for an area variance, and the Board determined the following:

1. No. Can't be achieved by other means.
2. No.
3. Yes.
4. No. Drainage is not an issue.
5. Yes.

Chairman Tessier then went over Part 2 of the Environmental Impact Assessment.

Question 1 – No, or small impact may occur.

Question 2 – No

Question 3 – No

Question 4 – No

Question 5 – No

Question 6 – No

Question 7 – No

Question 8 – No

Question 9 – No

Question 10 – No

Question 11 – No

Attorney Jeff Brown stated that Part 1, Question 2 – should be “yes”. Other government Agency – State DOT, Planning Board Site Plan, County Health Department. The Board made the determination that there would be no significant adverse environmental impacts from this project.

Motion by D. Hale, seconded by K. Sharpe to close the public hearing. All in favor.

Motion by K. Sharpe, seconded by D. Neugebauer to approve the area variance for Jon Mapstone for rear set back variance from 100 feet to 39 feet for area variance of 61 feet and front set back from 150 feet to 43 feet for an area variance of 107 feet conditioned on meeting all conditions from SOCPA. All in favor.

Attorney Jeff Brown said that the Board needs to complete a statement in writing within five days of the decision and will be given to the Town Clerk.

Motion by D. Hale, seconded by K. Sharpe to adjourn at 8:30 pm.

Respectfully Submitted,

Darla M. Mawson, Secretary
Town of Pompey Zoning Board of Appeals