

**TOWN OF POMPEY PLANNING BOARD MINUTES
JANUARY 21, 2019**

The Town of Pompey Planning Board meeting was held on Monday, January 21, 2019. In attendance: Chairwoman Sue Smith. Members: Dan Bargabos, Robert Neufang, Carl Fahrenkrug, and John Shaheen. Attorney Jeff Brown and Town Engineer Steve Snell were also in attendance. Code Enforcement Officer Jeff Cooke was also in attendance.

Chairwoman Smith called the meeting to order at 7 pm. followed by the Pledge of Allegiance.

Motion by John Shaheen, seconded by R. Neufang to approve the December 2018 minutes as corrected. All in favor.

Chairwoman Smith reminded the Board members that the County Planning Symposium is at the Marriott on March 1, 2019. She needs to know who is attending by February 1. Board members are required to complete four hours of training each year.

This is our first meeting of the new year and we need to schedule the date for our meetings on the third Monday of the month.

Motion by S. Smith, seconded by J. Shaheen to hold the Planning Board meetings on the third Monday of the month at 7:00 pm. All in favor.

The reason we are having the meeting on a holiday is the Board wanted to address the applicant's request as soon as possible.

HERITAGE HILL BREWERY: Public Hearing for revised Site Plan at 3149 Sweet Road. Applicant Dan Palladino was present.

Attorney Jeff Brown stated that in July 2017 when the original Site Plan was approved, the applicant did not have his liquor license at that time. The Board has leeway and had a dialogue with the applicant. Since his license, February 5, 2018, was received after the Board had set the conditions, State law State law now regulates house of operation (Ag & Markets), and the Board activity is limited due to the State Liquor license.

Chairwoman Smith stated that since she has done business with the Heritage Hill Brewery at 3149 Sweet Road, she will not enter into the conversation or vote on this matter.

Attorney Jeff Brown questioned the applicant on the type of liquor license he possesses for a farm brewery.

Chairwoman Smith stated that when we did the Site Plan the brewery was going to be open four days a week until 5:00 pm. It is now open five days a week and closed by 10:00 pm. It was supposed to be closed on Monday and Tuesday, and the now wants

to change his hours.

Dan Palladino stated that when he completed the Site Plan he had never owned a restaurant and didn't have any idea it would be so popular. He wants to go to seven days a week. It is an awesome place and there are no all night parties. As for the New Year's Party, he expected a little flexibility with his going forward with the party hours. Going forward he would like to have 8:00 am until 2:00 am, seven days a week. He won't be using those hours, but he wants to be able to open for certain events such as Super Bowl Sunday. He is asking for those hours and stay within the hours.

Bob Neufang stated that the applicant came to the Planning Board about the liquor license, asked about parking across the street. At the peak of the hill you can hardly see at night.

Dan Palladino stated that that is not true. There are "No Parking" signs at Holbrook's across the street from his business. Nobody parks across the road. He had a letter from Holbrook Heating regarding the parking (copy given to the Board) stating that he had no problem with the Brewery being open seven days a week. His busiest night he had 68 cars parked. Nobody parked across the road.

Chairwoman Smith said that Dan did increase his parking spaces from 32 to 68.

Dan Palladino said that he was just in the process of marking the parking lot and the snow came so early that you can no longer see the lines. First thing in the spring, the parking will be more controlled. He will limit the parking with tickets. At bigger events, he has police coverage.

Dan Bargabos asked about the Site Plan that was approved, you said you had 30 spaces and now you have 68. Do we need to update the Site Plan and modify the parking spots, lighting, etc.

Dan Palladino stated that they were at 58, 9 foot spaces.

Attorney Jeff Brown stated that the conditions of the Site Plan are being opened at the request of the applicant and if there are safety issues, then we can discuss those as well.

Dan Palladino said that when he has the Sheriff's there, they are in complete charge of the parking. They park the cars where they deem it safe. He doesn't want more people this time of year. He found that out when he held Farm Fest and there were about 2,000 people attending. He had two Sheriff's there for that event. However, if it had rained prior to the event, that would be another story.

John Shaheen asked about the maximum capacity.

Dan Palladino said that 200 would be the maximum with 100 seats. As a rule of thumb, he said that there would be 100 tickets (ex. New Year's Party) and it would give a lot more of open space and not packed in.

Dan Bargabos asked about the handicapped spaces. The engineer told him to do 3. He would like to see the Site Plan cleaned up. What is the feeling about the lighting?

Dan Palladino had some pictures to show the Board. He did put in another one by the store.

Attorney Jeff Brown stated for clarification and State law that there is some question whether the business can be 8:00 am to 2:00 am based on the liquor license. Sunday hours are 10:00 am, but in some cases it is Noon to open.

Dan Palladino stated that he starts the brunch at 10:00 am.

Chairwoman Smith stated that preceding the Public Hearing the Board asks the applicant to do a presentation. The Board then converses with the applicant, asks questions, then if satisfied with the answers, the Board then opens the Public Hearing.

When you speak, please speak directly to the Board. Talk to the Board. This is not a conversation. Be civil. The Board is trying to do its best. Dan says he is learning about the business as he goes along. The Board is also learning. Please be civil, please be concise. Dan has done a lot. After everyone is finished speaking, we will close the Public Hearing. The Board might have more questions for Dan.

Motion by J. Shaheen, seconded by D. Bargabos to open the Public Hearing. Four in favor of the motion, one abstained (Chairwoman Smith).

Nate Valletta stated that if the speed is an issue, that has always been a problem on Sweet Road.

Jay Radway offered space in the park in Pompey for the police to get speeders going through town.

He is in support of Dan. He thinks he is doing a great job. He then asked who has filed complaints about the store? He has called several times.

Chairwoman Smith stated that this is a Public Hearing for the Brewery. There will not be any other discussion tonight. As far as your business is concerned, go to the Town Board.

Attorney Jeff Brown stated that there is an open comment time at the Town Board meetings. The meeting is the first Monday of the month.

Chairwoman Smith stated to keep the comments only on the subject.

Dan McClung, 2985 Michael Avenue. When they first started looking for land out in the country, they looked for three years. He was little conflicted with Dan's plan. They love the brewery and the store, but are concerned about the noise. He just wants to clarify that he did speak with Dan. There have been no problems since then.

As a member of the community, he looked at the Town Code, special permit. If, down the road five to ten years, if there is a problem he will speak to him again.

The Town of Manlius has a noise ordinance. He wonders if the Town would consider that. Just wants to make sure it stays that way. As community members and neighbors, they want to support Dan.

Dan Palladino stated it has to stay a farm.

Stephen and Pam Laffer, 2866 Gardner Road. Just wanted to say, welcome!

Tim, MaryBeth and Josie Pazaras, 7330 Hamilton Road. She was born and raised in Pompey. There is no one better than Dan. Since he opened there have been no problems. As for the motorcycles, speeding has always been an issue. They support Dan 100% for what he is doing and have no issues with noise. She doesn't know why people don't want him to succeed.

Tim Pazaras, said that public safety and the speeding have always been a problem. The Town Board needs to address these issues. Since Dan has put in more lights he supports the business 110%.

Marie Palladino 3149 Sweet Road. She is Dan's mother. In the beginning she had issues with it. She knows Dan has heart for the Town. He has inner city kids out to the to see the animals. He is going to have a fund raiser for the Children's Hospital. She has been working there. It has an amazing family feeling. The Town should support it.

Zachery Smith, 4347 Watervale Road. He has been listening to everyone's comments. As for the question on hours of operation, Dan didn't know how successful this would be. If you are going to start on him about public safety, there are others that you can go after.

Glen Cho, 8247 Turnstone Drive, Manlius. This is a community oriented business.

It is bringing business to the Town. Are you going to keep business owners out of the Town?

Laurie Verdeti, 4219 Watervale Road. She came tonight to support Dan. The family and farm to table experience is great.

Peter & Tine Fietta, 7404 Gates Road. They are at the meeting to support Dan. Honestly feel it is safer. Support him 110%.

Jeffrey Reisner, 8092 Wild Lamp Lane. First, he just wants to express gratitude to the Board members who volunteer. Thank you all for doing this.

What are the allegations on the safety issue? If you could explain this it would help. He has been to the store and to the brewery. He prefers not to drink beer. He goes there for the community. Kids play on the set and to see the animals. He had no idea how beautiful it is out here. He feels Dan should have everyone's support.

John Lemondes, 3390 Eager Road, Jamesville. He would ask the Board to consider all the progress, recognize for change. He doesn't live in Pompey. He lives in LaFayette. He would offer that all the comments made are in support of it. It is helping the area. It is a great idea. He has been there several times with his family. He did spend time in the military. He doesn't see any drug issues. Just ask for the Board's consideration to be positive. There are major considerations that Dan can do. There is a blinking light at the Calvary Club for those crossing the road from the parking lot.

Wendy McNeil, 7210 Chadwick Chadwick Circle. She first went on line to look at the liquor laws. She is in support of Dan and feels you are trying to undetermine Dan. People are leaving the area. You should be helping Dan to succeed. There is a blinking light at the Calvary Golf Club in Manlius.

Mark Zames, 3884 Sweet Road. They have four young children and they love going to the farm. Business' are closing. We are a community. They go to enjoy the place. Go take a look at the business.

Mr. Palladino employs people. They ride their bikes there and there has never been a safety issue. He has the police there when he needs them.

Stacey Kelso, 4457 Red Spruce Lane. She met Mr. Palladino at the farm store. He told her he just wanted to raise his family there. She is the reason he is doing the fund raiser for the Children's Hospital. He is donating food/drink. It will be on a Sunday. Vendors will be small business' that will donate to the hospital.

Len Widdekind, 3252 Henneberry Road. As far as public safety, he runs by the farm every day. He has four children. People speed on Rt. 91 and Sweet Road.

Dan built this place with his heart. He has the most caring heart. He has been a musician for 40 years. He has played in his fields. His sons love to go up there.

Love for the community and family.

JoAnne Hoefler, 3040 Rt. 91. She supports Dan 100%, His land abuts right next to her. She goes to the store and recommends the great view and the sunsets. As for safety issues, she suggests a flashing light. She feels like the Board' is trying to protect us. You have to give Dan some leeway. Everything he has done is for us. It is great to be just around the corner. Agriculture or organic, it is lovely. Please give him what he needs. The Super Bowl game starts at 6:00 pm. Be nice. Thank you.

Carmen Mannino, Syracuse. Anything that is a safety issue, Dan is always accommodating. He doesn't feel he would push back. He always about the community.

Lauren Smith, 7993 Rt. 20. She was born and raised in Pompey. She worked at Sue Smith's farm from 14 to 18 years of age. She has moved all over, New York City, Boston. She is a trauma nurse at Upstate.

She dragged her husband back here. She can't think of too many places she would rather be. Going to field days, softballs games are gone. There is no community, she thinks we need it. She bar tends at the brewery. Her father ran into someone he knew there and had not seen in 30 years. It is family friendly. Her uncle passed away a week ago and they got together at the brewery. She supports it.

Don Neugebauer, 1870 Berwyn Road. He has a lot of emotion and will say that New York State is a terrible place to do business. Dan is a great businessman. He does come up with crazy ideas. As difficult as it is with the New York State codes.

Phil Dilmore, 29878 Michael Avenue. His concern is the acoustic music. If it gets expanded with no restrictions to amplify, he hopes the Board would understand that the hours of music and loudness of the music would need some understanding.

Jennifer Kilpatrick, 2595 Brennan Road. They live near another bar. Reality is it is the culture of the community. They support Dan. They are local hop growers. Dan does get some hops from them. She is a transplant here. Thinks Dan is doing a great thing.

Mike Smith, 7993 Rt. 20. He has thought about the hours of operation. He has been in the fire department 45 years, been Chief for 25 years. He has been on more horrific accidents than he wants to think about.

Pompey Center Road and Rt. 20 now has a flashing light. It took someone getting killed before they put in the light. Rt. 91 and Rt. 20 the same. Rt. 20 to Cazenovia

is terrible. They go 75-100 miles an hours by his house. If you say Heritage Brewery needs a light, get it fixed. Don't hold him up. He guarantees it will take five years to get it done. Also, the anonymous letter, I would like to see it.

It takes accidents where there are fatalities, nasty injuries to get the speed reduced. At Watervale and Broadfield there were some nasty accidents. Went to Carol 10-15 times, finally got a stop sign at the intersection. He agrees Sweet Road needs to be 40 miles per hour. Carol Marsh has already sent a letter for lower speed limit.

Chairwoman Sue Smith stated that in terms of moderation, this Board can't do anything. She encourages everyone to voice your opinions to the Town.

Motion by J. Shaheen, seconded by C. Fahrenkrug to close the public hearing. Four voted for, one abstained, Sue Smith.

Chairwoman Smith will not be voting on the issue of the Heritage Brewery. The Farm Protection Plan has smaller barn, brewery and store. Across the road there is some land, Ag related.

Dan Palladino stated that his goal is to have music indoors and if there is ever a problem, give him a call.

Chairwoman Smith said the flashing light and the speed are a Town Board issues.

With the original Site Plan, if there are changes, then you need to come back to the Board. It was timing with the New Year's Eve Party. If the applicant had come in within the correct time frame for the parking spaces going from 32 to 68 spaces.

She takes offense when people say that Sue and Jim have not been there. They have. At the time of the approval, nothing was given to the Board regarding the hours of operation. The Board agreed that if there were changes, applicant would need to come back to change the hours.

Robert Neufang said that in response to remarks made, he is in favor of the business. He was told that there was parking across the road at Holbrook's. He is concerned for safety reasons. He does drink and no matter how much you control, people are going to do stupid things that you can't control. Maybe a chain across the driveway would help.

Dan Palladino said some people want him to succeed. Randy (Holbrook Heating) calls him and lets him know what is going on. He is very reasonable. Dan lives there with his kids.

Robert Neufang said that just the fact that he has had two separate people tell him about

parking at Holbrook's. No matter how much you plan they do stupid things. Always be aware.

Chairwoman Smith said that with what the applicant is permitted, whenever there are special events, do the hours that you need.

Dan Palladino said that Monday and Tuesday might be open for something special.

John Shaheen said that the conditions with the road are not Dan's problem. He thinks it is great for the Town. He only has a couple of concerns about the outdoor music, would you anticipate later hours?

Dan Palladino said you bring the kids, have a couple of drinks and music during the day, maybe until 10:00 pm in the summer.

Carl Fahrenkrug asked do you anticipate needing more than 68 spaces?

Dan Palladino said that the agri business made the parking lot able to accommodate 68 cars. If the Board wants him to come back if he makes any changes, then he can do that.

Dan Bargabos stated that he doesn't think the Planning Board has been hard on the applicant and that we work well together.

Attorney Jeff Brown suggested wording the motion to amend his hours and leave Sunday to be regulated by State law. The motion has to be consistent with authorized liquor license laws.

Motion by C. Fahrenkrug, seconded by J. Shaheen to approve a change in the hours of operation at 3149 Sweet Road to be consistent with what is allowed by the NYS Liquor Authority and the liquor license at the Hill Country Farm Brewery, LLC

Votes: Robert Neufang – Yes
Sue Smith – Abstain
John Shaheen l- Yes

Carl Fahrenkrug – Yes
Dan Bargabos – Yes
2 absent Board Members

Motion approved.

The applicant is to send the revised Site Plan to clarify the change.\ in his parking configuration.

Motion to adjourn by J. Shaheen, seconded by D. Bargabos to adjourn at 9:00 pm. All in favor. All in favor.

Respectfully Submitted,

Darla M. Mawson, Secretary
Town of Pompey Planning Board