

**TOWN OF POMPEY PLANNING BOARD MINUTES
OCTOBER 15, 2018**

The Town of Pompey Planning Board meeting was held on Monday, October 15, 2018. In attendance: Chairwoman Sue Smith. Members: Dan Bargabos, Robert Neufang, Roy Smith, Carl Fahrenkrug, John Shaheen and Kevin Coursen. Code Enforcement Officer Jeff Cook, Attorney Jeff Brown and Town Engineer Steve Snell were also in attendance.

Chairwoman Smith called the meeting to order at 7:00 pm followed by the Pledge of Allegiance.

Motion by K. Coursen, seconded by J. Shaheen to approve the September minutes as corrected. All in favor.

HOEFLER SUBDIVISION : Public Hearing on a 2 lot subdivision for property located at 3048 Route 91 (Tax Map No. 018.-04-03.1). Daniel Hoefler was present. He said that there are 66+ acres with two houses on two lots on the property. This lot will be 11.75 acres and they will be building a house on the new lot.

The possible Federal wetlands have been showed on the map. Driveway permit has not been filed. It needs to be contingent on all three owners signing for the shared driveway before filing.

Engineer Steve Snell said that there were two items addressed for him.

Chairwoman Smith asked if the ECC Board had met and if they had any comments on there subdivision. There was not an ECC meeting.

Chairwoman Smith then reviewed Part II of the Short Environmental Assessment Form. It was completed and signed by the Chairwoman Sue Smith.

Motion by J. Shaheen, seconded by K. Coursen for a negative declaration on SEQR. All in favor.

Motion by J. Shaheen, seconded by K. Coursen to open the public hearing. All in favor.

There were no comments regarding the Hoefler Subdivision on Rt. 91.

Motion by K. Coursen, seconded by S. Smith to close the public hearing. All in favor.

Kevin Coursen said that any approval needs to be contingent on the easement filing for the driveway permit that all three need to sign.

Motion by K. Coursen, seconded by J. Shaheen to approve the Hoefler 2 lot subdivision at 3048 Rt 91, tax map No. 018.-04-03.1 based on a map by Michael J. McCully Land Surveyor dated 8/15/2018 with approval contingent on a map being stamped and signed

by a licensed surveyor consistent with most recent map adding the wetlands and topography, and also contingent on the driveway agreement approved by the Planning Board attorney and to be filed at the County Clerk's Office. All in favor.

POMPEY CENTER ROAD – TWO ROAD SUBDIVISION: Informal discussion of 2 lot subdivision at the intersection of Number 2 Road and Pompey Center Road of property formerly by Peter and Doris Yuhas (Tax Map No. 013.-02-09.3). Peter Mapstone was present. It is 70+ acres and want to subdivide into two lots, 2+ acres and keep the remaining 68 acres is active farm land.

The septic is at the front of the house on the south side and well is in back of the house.

Engineer Steve Snell said the applicant needs to coordinate with the County about the driveway.

Peter Mapstone said that the well is 200 feet and was 5 gallons a minute. The new driveway will be right in front of the barn, but will be reviewed by County DOT.

Dan Bargabos said that the well and septic location will need to be on final map.

Engineer Steve Snell stated that it looks like there are wetlands. There is a driveway shown, is new driveway for the barn? There is 1,000 foot frontage, sees no problem with the new driveway for the barn.

Peter Mapstone said that the barn driveway will be separate from the house. There are two driveways on No. 2 Road.

SCOTT SCHAAL (HUNTER SPRINGS): Informal discussion of renewed Site Plan application for a landscaping business. Chris White and Scott Schaal were present.

Chris White said he has explained to Scott about the Site Plan procedure and what the Planning Board needs from him.

Attorney Jeff Brown said that this matter was about to go to trial when the applicant's attorney proposed a settlement which involves getting Site Plan approval. The Board denied the previous Site Plan.

The use has been resolved and we are treating it like a regular application.

Kevin Coursen said to start with Steve with the maps for the Site Plan.

Engineer Steve Snell had an informal discussion with them.

Attorney Jeff Brown stated that October 29 is the deadline for the paperwork to be into the Town, three weeks before the next meeting on November 19, 2018.

Engineer Steve Snell said the Site Plan needs to show how vehicles move on the site. It is the Planning Board's discretion on whether it needs to show the doors on the building.

Chris White said it is his understanding that there is a CO (Certificate of Occupancy), just not officially issued.

Fred Hill stated that it is inaccurate in that the building still needs to be inspected. It was built without a permit.

Attorney Jeff Brown concurred and said it may be necessary to punch the wall to see if the plumbing has been done correctly.

The code states that a CO (Certificate of Occupancy) can't be granted if there are any outstanding violations on the Site Plan process. Since no Site Plan has been approved, a CO cannot be issued,

Kevin Coursen stated that he knows the neighbors are not happy and will probably be at the public hearing. Loading the trucks early in the morning is an issue with the neighbors. These are the kind of things that need to be addressed.

Attorney Jeff Brown said it is a landscaping business and the operating limitations should be developed in light of past use. He has been by the site and there has been pre 7 a.m. loading of the trucks, which is currently prohibited.

Chris White said that part of it is the nursery, does not stockpile hard scape.

Dan Bargabos said that the nursery and landscape need to be separate.

Attorney Jeff Brown said that if the Department of Ag & Markets directs the Town to separate the functions, they will. But, until then, the Town is proceeding.

John Shaheen stated that part of the issue is that the neighbors have been there a long time. We just want to keep everyone happy.

Chris White stated that the survey is up to date and is detailed. He has auto cad file from the surveyor and you want the lights on the building shown with the wattage?

Kevin Coursen said that we do want to know about the lights and where they shine. We don't want them to shine into the road.

Chris White said they would get the pertinent information.

Dan Bargabos said the other issue is the driveway on Pratts Falls Road.

Chris White said he does have correspondence from the county. Ten people come in the morning and ten people leave at night. There are gates on Gardner Road and use the other entrance. Proposed driveway safer than going in on Gardner Road.

Chairwoman Sue Smith said that the timing of the plan is October 29th to get the information to the Town.

Chris White stated that he certainly will try to get everything that the Board needs.

Fred Hill said that they won't get approval for Gardner Road, the Board wants to see the driveway. He doesn't think that the building is 50 feet back for the front set-back. The fuel tanks need containment. Minor issues.

Attorney Jeff Brown said that the Town Board meets on Wednesday, October 17th and he is will need 278 approval to avoid having to go back to the Zoning Board.

Kevin Coursen said the DEC requires containment only over 1100, gallons, so not required in this case by the DEC. But you need to show the tanks, well, and septic on the map.

Chris White said they would show delineation between the lawn and nursery, number of trees planted.

Attorney Jeff Brown said that the key is that the Chair is going to ask Steve to make sure that they have everything that the Board needs. The map needs to show the contours.

Kevin Coursen said that the front set-back is 50 feet.

Fred Hill said that he will measure again, there is a discrepancy between the map and what is there.

Engineer Steve Snell said to have the surveyor do the measurement.

Chris White wondered about the SWMP (Storm Water Management Plan).

Attorney Jeff Brown said that the ZBA determined that the SWMP is required. Steve Snell, stated that typically that would be related to the proposed site disturbance, which there isn't any. We also don't know when the site improvements were completed.

Chairwoman Sue Smith said that we need a baseline of what you are doing now. We need to file to protect us.

We will advertise for public hearing. When to advertise needs to be nailed down.

Send the package to the Engineer for him to sign off and then the Attorney will sign off.

Motion by J. Shaheen, seconded by K. Coursen to adjourn at 8:40 pm.

Respectfully Submitted,

Darla M. Mawson, Secretary
Town of Pompey Planning Board