

**TOWN OF POMPEY PLANNING BOARD MINUTES
DECEMBER 17, 2018**

The Town of Pompey Planning Board meeting was held on Monday, December 17, 2018
In attendance: Chairwoman Sue Smith. Members: Dan Bargabos, John Shaheen, Carl
Fahrenkrug, Robert Neufang and Kevin Coursen. Attorney Jeff Brown and Town
Engineer Steve Snell were also in attendance.

SCOTT SCHAAL (HUNTER SPRINGS): Continuation of Public Hearing on a Site
Plan application for a landscaping business at 3210 Gardner Road. Scott Schaal and
Chris White were present.

Chris White discussed the hours of operation. Normal hours 7 am-5pm and would like
7 am-6 pm in the summer.

Scott Schaal stated that on Sundays it is mostly inside work. Hours 7 am-6 pm from May
1 to September 30, back to 7 am-5 pm for October 1 to April 30.

John Shaheen stated that the neighbors are concerned about the noise.

Chairwoman Smith said the Board wants the neighbors to enjoy the seasons.

Chairwoman Smith also had a question – typically the product is delivered at the job site,
not to the business. Someone mentioned a tractor trailer. It is more of a clarification
of where deliveries are made.

Chris White said that the intent is not to have deliveries made at the business.

Scott Schaal said that it happened once in 2018. He had them come from the east. He
parked near Pratts Falls Park and he waited for him to get there.

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

Chairwoman Smith said that the SEQR was completed last month. Please state your
name and address and speak to the Board.

Paul Valletta, 3158 Gardner Road. These two are just telling lies. They say what they
want to. Paul has a problem with everything they are saying. He has been 28 years
in construction, and his customers don't want him there before 8:00 am.

There is a difference between a nursery and landscaping business. Where is it
agricultural? He hauls stone in and then puts in his trucks. There is a difference
between what he is saying and what is being done.

Kevin Coursen said that we set the rules. Once in place, it is the job of the Code

Enforcement Officer to insure that they obey the rules for his business. Various agencies have set the parameters.

Amy Valletta, 3171 Gardner Road, has a problem with the hours of 7 am-6 pm. She can't sit on the deck and he doesn't grow any plants.

Kevin Coursen stated that 25 or more moved here expecting to have country smells, close enough to hear cows. At night he would rather not hear Carl Dennis' tractor, but it is part of living in the country. He doesn't see 7:00 am-5:00 pm or 7:00 am-6:00 pm as being a problem. Noise is part of living out here. He doesn't have a problem with the business hours.

Amy Valletta said that the farmers are not there every day.

Paul Valletta said no. Wrong. Trucks are in and out daily bringing dirt from other sites.

Chairwoman Smith said that according to the Zoning Board of Appeals, it is an acceptable use. We are to set up a Site Plan. If they don't conform, then it is the Code Enforcement Officer job to make sure they do conform. There is a form in the lobby to fill out as well.

Janet Valletta, 7456 Pratts Falls Road. On Sunday trucks are going over the road with his vehicles.

Chairwoman Smith said then we can say – no Sunday hours.

Janet Valletta said it is not about the office work, but having his trucks on the road.

Attorney Jeff Brown said that now is the time to make sure we get it rights.

Amy Valletta said there is a problem with the fires. She has had ashes on her car. The smoke affects her breathing. He said he doesn't have stuff delivered, but he does. Others he orders too much and then brings it to the site.

Paul Valletta said he did not get any okay from anybody (fire chief).

Chairwoman Smith asked if there were any other comments.

Amy Valletta does not like the storage trailer. She looks out her front window and she sees the trailer.

Dan Bargabos asked about closing tonight, what do we do next?

Attorney Jeff Brown said that there is a time constraint. It starts when the public hearing

is closed.

Chairwoman Smith asked how long has the storage pod been there? Short term or long term?

Scott Schaal said that it's been two years, temporary. Until he comes back for a new building.

John Shaheen said he could plant some trees to block the view from her house.

Kevin Coursen said if is just for farming operation, you still need a CO for the businesses and you would need to come back for a Site Plan.

John Shaheen said when he does a new build a new building, put in some evergreens to hide the trailer.

Chairwoman Smith said that last month included Saturdays you would only be there until 3:00-3:30, shorten the Saturday hours.

Chris White said to clarify moving noisy equipment.

Kevin Coursen asked for a general understanding of the equipment.

Scott Schaal said 6 wheel dump trucks, dump trailer, utility trailer for supplies, front end loader, pick up trucks.

Motion by K. Coursen, seconded by D. Barbagos to close the public hearing.

Dan Barbagos stated that the biggest issue is the hours of operation. Need contingencies. Consider Jeff to write up a proposal.

John Shaheen said there was discussion on his burning being an issue.

Chris White said can't burn, use chipper.

Kevin Coursen said there are regulations for burning. If the attorney thinks it is out of our purver we are doing a Site Plan, do what we always do. If we do it differently, it would become an issue.

Attorney Jeff Brown said to put an informal plan together, work with him that the conditions need to be clearly stated.

Dan Barbagos said he works with a lot of towns and they do work with the attorneys.

Chairwoman Smith said the Site Plan normally comes to the Board and the applicant tells us what they want.

Kevin Coursen went over the suggested hours for spring and summer, and fall and winter. Monday-Friday, May 1-September 30. 7:00 am-6:00 pm; Monday-Friday, October 1 - April 30, 7:00 am-5:00 pm. Saturday 7:00 am-3:30 pm year around; Sunday, 9:00 am-3:00 pm year around. All within town regulations.

Attorney Jeff Brown added could say no burning.

Chairwoman Smith said she is opposed to burning.

Scott Schaal said it would restrict him more.

Kevin Coursen said the State Fire Code states can't do any burning per DEC. Can burn brush.

Carl Fahrenkrug stated you have applied for the driveway permit on Pratts Falls Road, but it needs to be paved. We can approved contingent on the paving.

Engineer Steve Snell said that it needs to comply with all Onondaga County requirements.

Chairwoman Smith stated that the other issue is the storage pod.

Dan Barbagos said that because it is there, limit it to one storage pod temporary. When he builds another building, no storage pod.

Attorney Jeff Brown would prefer to a date certain for the paving on the Pratts Falls Road. It will automatically be revoked if not completed by a certain date.

Chris White stated that the CO is the key to this. If he doesn't do driveway, then he won't get the CO.

Attorney Jeff Brown said it is contingent upon getting things done by a date certain. It can be revoked. Do a conditional approval to be revoked if driveway not completed by certain date.

In terms of him writing it up, then the Board would have to do a motion.

John Shaheen thinks a reasonable time to get the driveway completed would be July 1, 2019 and regarding the container, limit it to one container.

Dan Bargabos said it is our opportunity to limit the container to 40 feet as long as he follows the code.

Chairwoman Smith asked how many acres, 40.46 acres, it is not a definition of acreage

that applies to the business.

Attorney Jeff Brown said that Site Plan for entire site. If he has significant nursery work outside what is approved, he would need to talk to the Code Enforcement Officer at this time.

Motion by K. Coursen, seconded by J. Shaheen to approve the Scott B. Schaal Lot 1 Part Subdivision known as 3210 Gardner Road, tax map # 017.-02.01.1 as designated on a map dated 10/26/2018 by GMB Consulting Services, LLC, sheet #1.0 subject to the following conditions: hours of operation for May 1-September 30 – Monday-Friday, 7:00 am-6:00 pm; from October 1-April 30, Monday-Friday, 7:00 am-5:00 pm, and year around hours for Saturday will be 7:00 am-3:30 pm; Sunday year around hours will be 9:00 am-3:00 pm; one storage container, maximum size 8 feet by 40 foot length, maximum 10 feet height and conditional driveway improvements made in accordance with DOT application for permit, reference #218-01-18 completed by July 1, 2019. This conditional Site Plan approval will be revoked if improvements to the driveway outlined by DOT are not completed by July 1, 2019.

Chairwoman Smith asked if there were any comments? She will do a roll call for the motion.

Kevin Coursen – yes

John Shaheen – yes

Bob Neufang – yes

Carl Fahrenkrug – yes

Dan Barbagos – yes

Roy Smith – absent

Sue Smith – yes

Janet Valletta asked why is the address on Gardner Road, but it is not used?

Fred Hill said he does have a driveway on Gardner Road, but it is not used.

HERITAGE HILL FARM BREWERY – DAN PALLADINO:

Chairwoman Smith has a letter from Dan Palladino. He would like to come back for changes to the Site Plan that was approved. We will have a public hearing next month. He wanted an event on New Year’s Eve. He wants to come back before the Board to change hours to do the maximum allowed. To have these events he is asking for leniency to schedule such events. He wants to be open as much as the State Liquor will allow.

Attorney Jeff Brown stated that he needs to go b the Town laws.

Chairwoman Smith said he is closed on Monday and Tuesday. Scheduling New Year’s he was out of compliance, felt it would look like we favored him. He took offense, it was already on his web site. We need to address that on a Tuesday there was a Farm Bureau program held there.

Fred Hill said we need to address the parking at Holbrook’s (across the road). The plan for parking may not be completed yet.

Chairwoman Smith asked what about a painted cross walk north of Holbrook where there is parking.

John Shaheen feels there needs to be more lighting in front.

Attorney Jeff Brown said the Town could make a request for a light there.

Chairwoman Smith said he was extremely irrational. He was told no by Jeff and Sue for the New Year's party. There are procedures to go through for changes to the Site Plan.

Respectfully Submitted,

Darla M. Mawson, Secretary
Town of Pompey Planning Board