

**MINUTES OF A MEETING
OF THE PLANING BOARD OF THE TOWN OF POMPEY**

February 19, 2024

6:30 PM

Pompey Town Hall

Board Members Present: Sarah LoGiudice, Board Secretary
Kevin Coursen
John Shaheen
Dan Bargabos
Deb Cook
Will Frazee

Five members of the Planning Board were present. Board Member Carl Fahrenkrug and Board Chairperson Sue Smith were absent. Also present were Attorney Amelia McLean-Robertson, Town Engineer John Dunkle, Codes Enforcement Officer Tim Bearup and Town Supervisor Mark Nardella. The meeting was live streamed via Zoom.

Board Member Kevin Coursen chaired the meeting in Chairperson Smith's absence. He called the meeting to order at 6:30 pm.

J. Shaheen submitted the minutes from the January meeting. D. Cook made a motion to accept the minutes at 6:31 pm. J. Shaheen seconded the motion. All were in favor, none were opposed. The motion passed at 6:31 pm.

McCaffery Subdivision

Preliminary review of an application for subdivision of a 55.78-acre parcel into Two (2) proposed parcels on Ridge Road in Pompey, NY (Tax Map No. 026.-01-12.1)

Present is the applicant, Kevin McCaffery. He provided maps of the subdivision as it is today. The McCaffery's were before the Planning Board previously in 2008-2009, when they subdivided the property into three lots. There was previously a concern about being able to reach the rear lot due to the large pond and beaver dam that exists. Carpenter Creek comes down from the North and goes into a man-made pond; the beavers moved into the pond in the 1990's. A 50-foot easement was included to address this; this will come into play with the new lot that is being proposed. They propose to subdivide a smaller lot, which is just under 3.5 acres. The easement is now wholly contained on the northern parcel. They could also change the lot line to allow the easement to remain on the smaller parcel. In 2022, Mr. McCaffery worked with County DOT on a driveway permit and constructed a driveway. There are no

immediate plans to build a residence here; his preference would be to defer septic design until a later time.

K. Coursen asked for clarification on the 30-foot jog. J. Shaheen asked if the easement would no longer be needed because of the changes. The easement will need to remain where it is, as it will allow for access for farming.

J. Dunkle asked if there was an ability to cut a driveway for the larger lot. J. Dunkle would like a letter from the DOT confirming that this would be permitted. There will need to be a clause on the map that states the lot is not buildable until the land is perk tested.

J. Dunkle asked how the property owner of the South currently has access. That is currently done without an easement, because the owner of the lot rents his land based on a handshake agreement.

This is ultimately in an Ag district; J. Dunkle did not believe that there are any restrictions on subdivision in an Ag district.

J. Dunkle felt that in the long term it would be better for the easement to be contained all on one lot. J. Shaheen agreed. The easement will be on two properties, but currently the properties are owned separately. The easement will go with the land if it is sold.

K. Coursen asked T. Bearup what he thought. T. Bearup agreed that the lines of the easement should go straight.

Board Member W. Frazee is the farmer and the landowner that is currently farming the land. He was not sure how much he could comment on the matter.

The plan will require a culvert for a driveway to exist.

D. Bargabos asked if the property goes to Lot 2A or 3A1. It would go to 3A1. 2A is non-conforming lot as it is. There is a well on the property.

W. Frazee had a question about what their right would be to the easement. The lot would require development to be built on. The maps were reviewed in relation to this. Either way, improvements will be needed.

J. Dunkle confirmed that the language re: improvements would need to be included in the easement. Agreements would need to be made relative to who is going to maintain the easement. Amelia confirmed that the language for the proposed easement should be submitted to the board as a part of the application as the easement discussed would be a requirement for the subdivision. The road would have to be contained in the described easement, as it is the only legal access to that property.

W. Frazee stated that it would be nice from his perspective if one landowner owned all of the property and the easement. Eventually he will likely make an offer on the land. K. Coursen confirmed that was okay for W. Frazee to comment on the matter.

Mr. McCaffery recalled that there was a previous agreement that said that the land would have to remain Ag.

J. Dunkle asked if it would be possible to establish a new easement that would bring the road straight down to Ridge Road. This would mean that the jog present now would be removed completely.

D. Bargabos noted that Mr. McCaffery could always come back with a different presentation after some consideration. Lot 3A should still be attached to Lot 2A.

Mr. McCaffery explained that at one time there was a farm access road that gave access to the rear lot. Once the beavers moved in, that had to change.

J. Shaheen confirmed that the applicant's neighbor accesses his land from the far east of the applicant's property.

K. Coursen explained that the Board has had other situations in the past that have had odd presentations and have caused problems down the line.

J. Shaheen stated that he does not like the little sliver in the back, but he does understand the issue with the easement existing on two properties. His preference would be to have that strip absorbed by Lot 3A-1.

K. Coursen confirmed that there is nothing saying that they cannot approve the plan as is. J. Dunkle acknowledged that is true.

D. Bargabos wondered if there is a cleaner way in W. Frazee's mind that would work for 3A and 2A in the future. If W. Frazee had to do it the plan himself, he would have done it exactly the same way. This would be the least expensive way.

It is up to the applicant to let the Board know what he would like to do.

J. Dunkle reiterated that the language re: the easement will have to be included on the map. It would need to describe the easement, the physical access, and who is going to maintain it.

The matter will be on for Public Hearing next month. The Board Secretary will provide the applicant with the information necessary to move forward.

Curtis Subdivision

Preliminary review of an application for subdivision of land located at 3161 Bush Road Jamesville, NY (Tax Map No. 018.-02-08.1)

No applicant was present at the meeting concerning this application. Therefore, this matter will be on the agenda for next month.

K. Coursen asked who would be attending the County Planning Symposium on 3/13/24. D. Cook will attend. W. Frazee will need to follow up with the Town Clerk re: his attendance at a later date.

J. Shaheen made a motion to adjourn the meeting at 7:05 pm. D. Cook seconded the motion. All were in favor, none were opposed. The meeting was adjourned at 7:05 pm.

Respectfully Submitted,

Sarah LoGiudice
Secretary to the Planning Board