

**The Town of Pompey Planning Board meeting was held on Monday, July 20, 2009 at the Town Hall. Present were: Chairman Doug Miller, Sue Smith, John Shaheen, Roy Smith and Greg Mann. Also present were: Code Enforcement Officer Lloyd Sutton, Town Attorney Jeff Brown and Engineer Steve Snell from O'Brien & Gere.**

**Motion by Miller, seconded by Sue to open the meeting. Motion by Miller, not seconded. Greg Mann wanted a correction to the June 15 minutes on page 4, Behnke Site Plan Review. Lloyd Sutton reported two tax lots required to be joined. Greg did make the comment that two tax lots needed to be joined for the Site Plan Review. Motion by Miller, seconded by Shaheen to approve corrected minutes.**

**SUE EVANS (BOARDING FACILITY): Public hearing on a site plan review application for a boarding facility located on the south side of Windy Hill Lane. Jeff and Sue Evans were present. Dave Kimpel, their attorney is on vacation. Bob Freeborn from Farm Bureau was also present. Is available to help with the site plan.**

**The first point he wanted to make in a letter to the Town Attorney was to be recognized agri district. Has printed map per county wetland sites. State Ag & Markets law applies to their facility. Section 301, key point in Section 301, Subdivision 11 & 13 – proposed farm operation is Section 305 – states unless it can be shown that it threatens public health and safety. Also printed guidelines issued in 2004 by Ag & Markets, Commercial Horse Operation. Jeff read from guidelines. State backed up with amendment to Section 13 in 2004**

**Section 305a applies to local planning, policy of local governments. Jeff read – an exemption from site use plan in agri district. So, he is asking for exemption from site plan requirements.**

**Chairman Miller – several things you didn't point, but have not been addressed – manure plans, storm water plans, there are environmental concerns to be addressed. State says don't be unreasonable in plan.**

**Attorney Jeff Brown – address from the last meeting – the number of horses at the facility. State says minimum lot size is seven acres. If pasture used for substance, one acre per horse. Turn out, five or more acres.**

**Second point to the Board – discussion at the last Board meeting – for 32 horses at facility, believe we are appropriate, do not plan to use pasture for substance.**

**Chairman Miller – Steve, has the applicant supplied the information to you that he just read?**

**Steve Snell – no.**

**Attorney Brown – State Ag & Markets Web site, date 6/24/04 publication gave Steve a copy.**

**Ask the question – 32 horses site plan provided consistent with State Ag & Markets guidelines this facility can support.**

**Greg Mann – 28 acres – how much pasture turnout?**

**Sue Evans – 4 acres.**

**Jeff Evans – see at least 6-7 acres. More than cover number of horses intend to put on the property. Burning issue – manure management, lights. Site lights will be motion detector over every overhead door. Site plans also shows the lights.**

**Manure management – State Ag & Markets, Section I – Nutrient Management – manure stored and moved off site. Should allow exemptions, read from guidelines Departments views. Not stored in excess of one year. Weekly removal (talked about last month). They have a manure management plan they have put together. Are there any other manure management plans in Town?**

**Chairman Miller – this is the first facility.**

**Sue Evans – State requirements code inspections for dairy.**

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**Greg Mann – proposing on site capability for three months.**

**Sue Evans – yes.**

**Jeff Evans – once a quarter, empty the bunker.**

**Sue Evans – farm in LaFayette, several hundred acres, do compost, bag it, then sell it down New York City way.**

**Roy Smith – wouldn't end up being spread in the County? There isn't a great deal of land left in Southern Onondaga County.**

**Jeff Evans – Intention is to be sold as fertilizer.**

**Roy Smith – storage site – covered at all?**

**Sue Evans – will be stored in a 3 sided concrete bunker with concrete base. Can't really cover it. Heavier snowfall have ????**

**Jeff Evans – State has programs to help manure bunkers.**

**Bob Freeborn from Farm Bureau – most are doing their own recycling on their own farm. Becoming a big product.**

**Chairman Miller – I've designed some of those facilities.**

**Bob Freeborn – Sue's right. Can't put a cover on it.**

**Chairman Miller – composting – part of process, static pile, potential for combustion?**

**Sue Evans – person picking up, gone so far with this system, separate building on their property to bag it up. Going to a commercial composting facility.**

**Chairman Miller – may be type of package, bag and sell. Things to put in your plan.**

**Attorney Brown –required by Town to put in plan.**

**Chairman Miller – our engineer has to look at it.**

**Steve Snell – how did you come up with the size? Amount of waste, need some detail.**

**Jeff Evans – Environmental Commission guarantees 30 cubic yards per month. Assume more than capacity per quarter. If under capacity, empty a partially full bunker more than once a quarter.**

**Other points from last month's meeting, questions regarding noise on farm. It is addressed in the guidelines.**

**Greg Mann – SOCPA recommendation – Storm Water Run Off Management.**

**Steve Snell – have not received anything.**

**Jeff Evans – engineer plans to complete the Storm Water Plan on time for next month's meeting**

**Greg Mann – reason so important the people who maintain Rt. 20 don't want to see additional runoff.**

**Chairman Miller – one comment – Steve recommended the Manure Management Plan in accordance with NRCS Part 651.**

**Bob Freeborn – dairy farms do have manure management plans (under Ag & Markets). Bill McGee is getting the horse industry to grow. The fastest growing in New York State. He wrote the bill that was signed in 2005.**

**Farm Bureau will support this endeavor. They have the resources and ability to do it. Lot different than other horse facilities. Have known Sue & Jeff for a long time. They know what they are doing. Good neighbors. Feel they will bring a good business to this area that will enhance rather than harm it.**

**Jeff Evans – we've been here three times, would ask the Planning Board for a conditional approval.**

**Chairman Miller – not ready for that based on Storm Water Management may take up a significant portion of the land. Major component. Like to see**

**the plan before giving any approvals. Steve just received the Manure Management Plan. And comments from SOCPA.**

**Planning Board received comments from ECC Board and also a letter from residents on Windy Hill Lane. Would like to see answer to some of the questions.**

**Bob Freeborn – talk about planning, Section 301 – Planning said not to be restrictive. Really concerned by lag time to get this facility going.**

**Chairman Miller – Storm water, manure management – the engineer doesn't even have yet.**

**Sue Evans – lights requested last month. Initial meeting was Preliminary. Storm water plan has been started. Told engineer we needed a week before Planning Board meeting. Have not received anything.**

**Chairman Miller – we are not asking for a lot. There has been an environmental issue on the property.**

**Bob Freeborn - too much of a time lag.**

**Chairman Miller – time lag is on the applicant. Engineer is very good.**

**Steve Snell – need early enough to review before meeting.**

**Chairman Miller – most of the Town is agricultural. 50% of the Board is agricultural. If we have Storm Water plan can move on. Steve now has the Manure Management. What I'd like to do is give you what I have.**

**He then gave Jeff Evans a copy of: June 25<sup>th</sup> letter from Windy Hill Lane residents with questions, Engineer Steve Snell comments, ECC comments and SOCPA comments.**

**Attorney Jeff Brown – can provide written comments to the Board, especially ECC comments.**

**Chairman Miller – any comments from the public?**

**Kevin Coursen – we did not receive any notification of public hearing.**

**Lloyd Sutton – notify neighbors within 500 feet of property. But the wrong letters were put in for Windy Hill Lane neighbors and Mayors Palace. The letters were mixed up.**

**Chairman Miller – there is no requirement for notification. The Board just does it as a courtesy.**

**Lloyd Sutton – everyone will be notified.**

**Kevin Coursen – have the opportunity to hear issues. Site plan to include total site (doesn't). Whole picture inclusive. Looks the same.**

**Carol Crolick – already been one manure fire, are downwind. Very concerned about that, also dumped manure right next to their property.**

**Bill Bouck – reiterate noise control to dry hay. Two houses within 100-200 feet of facility. 12,000 bales of hay pretty big farm.**

**A few years ago approved residential housing, lots were bought at residential housing price in excess of seven acres. Someone could buy lots #1 and #2 and horse farms could go up (theoretically) if sold for housing. How can it go for farming?**

**Greg Mann – Ag District**

**Alex Coursen – looked into Ag & Market law. Understand local laws may not be unduly burdensome. Spoke with representative from Ag & Markets. Nothing said exempt. Read guidelines for commercial horse facility. Planning Board correct in looking at conditions, history, new construction, site plan review, site plan requirements – not unduly burdensome. Deal with both residents and farms fairly.**

**?? – any requirements to test water supply? 32 horses put a strain on water.**

**Jeff Evans – will not do well until have site plan approval.**

**Alex Coursen – 31 or 32 horses – change not clear on total acreage contemplated lots being used.**

**Jeff Evans – purchased 25 acres.**

**Alex Coursen – has been some talk about extending bard on property.**

**Sue Evans – if we build this facility, won't need to extend.**

**Nancy Bridges – 8653 Rt. 20 – concerns – need to look at character of neighborhood. In keeping with the character of neighborhood, smaller facility. Traffic – dangerous intersection. Also look at lay of land. Barn higher than her property. Falls over her property. Need sufficient swales, issues with drainage.**

**Carol Crolick – size of building -25,000 square feet. Disturb 4 acres.**

**Greg Mann – total disturbed area – barn, turn-out area, etc.**

**Alex Coursen – Section 278 Town Law was used to preserve open space and natural 54 acres into 6 acres. Wouldn't expect a building of 25,000 feet to occupy this space. We want to support farming, a little bit o element to preserve open spaces, doesn't seem to be with this plan.**

**Kevin Coursen – also support Jeff & Sue. Not against them. Enjoy them as neighbors. Support facility, but knowing geography, water issues, knowing water amount consumed, seems a little big. Beautiful facility Sue has designed. Worried about particular piece of land.**

**Motion by Miller, seconded by Shaheen to continue public hearing next month, August 17<sup>th</sup> meeting. All in favor.**

**MAYOR'S PALACE: Public hearing on a site plan review application for retail sales located on the south side of Cherry Street east of Route 91. Josh Behnke was present.**

**Greg Mann – from the last meeting, where is the leach field?**

**Josh Behnke – Nancy Dennis has copy of old map.**

**Greg Mann – concern having parking on leach field. Can cause degradation of leach field. All we know is where the septic tank is. Under prior action the two lots were supposed to be made into one lot.**

**Lloyd Sutton – still shows as two parcels on tax map. Prior minutes show not required at the time (1992). SOCPA referral clear it is to be one lot.**

**Nancy Dennis – was done years ago.**

**Attorney Brown – could give to real estate attorney in his firm to look at. What is procedure to find leach field?**

**Greg Mann – concerned about county’s recommendation where parking is shall be reasonable.**

**Josh Behnke – was approved in 1992 for operation. Only change is business, not the property.**

**Greg Mann – assure one lot or two lots? Only outstanding question. Not sure if we’ve ever done a site plan on two lots.**

**Josh Behnke – was two lots then and was approved.**

**Attorney Brown – not approved until come together.**

**Nancy Dennis – wasn’t required, only a recommendation in 1992.**

**Lloyd Sutton –this is first time in front of Planning Board, previously it was a site plan in front of the Zoning Board of Appeals. Property was conveyed from Arnie to Charlie Dennis. He gave Attorney Brown a copy of the ZBA minutes from 1992.**

**Attorney Brown – conditioned on adjacent property is acquired. SOCPA – two parcels owned by same individual. Lloyd said tax maps don’t show one lot. Cannot tell tonight whether condition is met.**

**Chairman Miller – applicant also to get special permit.**



**Attorney Brown – a special permit application in hamlet commercial has to be obtained from the Town Board in addition to Planning Board approval.**

**Chairman Miller – until we know two lots are one lot (confirmed) can't do anything – signs, lighting.**

**Josh Behnke – sign in place of old sign.**

**Chairman Miller – SOCPA has comments: 1 controlled driveway, single lot, think about shrubs, sidewalk.**

**Greg Mann – sketch on map, driveway onto property, what is the curbing?**

**Josh Behnke – shows rail ties and where they are.**

**Chairman Miller – comments from the public.**

**Scott Nicholas – explain special permit.**

**Attorney Brown – 12 factors – Town Board to authorize a retail business in hamlet. Applies to attorney working out of his house. Goes to Town Board first Monday, go point by point, meet criteria. Public hearing.**

**Greg Mann – most of points same as site plan.**

**Motion by Miller, seconded by S. Smith to continue public hearing at August 17<sup>th</sup> meeting All in favor.**

**ALLEN OLMSTEAD: 21 acre parcel on Cemetery Road, north of #5 Road, west side of road. Three building lots, 7 acres in size, 400 feet road frontage, each perk test ordered. No results. 1,000 feet north of #5 Road. All are conforming lots. Open meadow. Will plot proposed driveways.**

**John Shaheen – intent to be residential?**

**Allen Olmstead – yes.**

**Greg Mann – wetlands?**

**Allen Olmstead – back in back section of Lot #2, lot #3 should show more contour. Wetlands won't show up.**

**Chairman Miller – send to County.**

**Motion by Miller, seconded by S. Smith to close the meeting at 9:10 pm.**

**Respectfully Submitted,**

**Darla M. Mawson, Secretary**

**Town of Pompey Planning Board**