

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

**June 19, 2023**

**6:30 PM**

**Pompey Town Hall**

Board Members Present: Sue Smith, Chairperson  
Sarah LoGiudice, Board Secretary  
Deb Cook  
Kevin Coursen  
John Shaheen  
Carl Fahrenkrug  
Roy Smith  
Dan Bargabos

Seven members of the Planning Board were present. Also present were Attorney Jamie Sutphen, Town of Pompey Codes Enforcement Officer Tim Bearup, Town Engineer John Dunkle and Town Supervisor Renee Rotondo.

The meeting was livestreamed via Zoom.

Chairperson Smith calls the meeting to order at 6:35 pm.

There were several corrections to last month's meeting minutes. Chairperson Smith makes a motion to approve the minutes with corrections; K Coursen seconds the motion. All are in favor, none are opposed. The motion carries at 6:38 pm.

**Tang Subdivision**

Preliminary Review of an application for subdivision of land located at 8376 US Route 20 (Tax Map No. 024.-01-04.0)

This is an incomplete application, and therefore it will not be addressed at tonight's meeting. J. Sutphen notes that Codes has determined that the property in question is a farm lot and therefore needs to be five acres; the application notes that the property is only 2 acres.

**Perry Real Estate Holdings Broadfield Road Subdivision**

Preliminary Review of an application for subdivision of land located at 7940 Broadfield Road  
Manlius, NY 13104 (Tax Map No. 004.-03-44.1 and 004.-03-49).

Present are Applicant, Steven Perry and Pat Reynolds from Ianuzi and Romans Land Surveying P.C.

A Variance has been approved for Lots 2 and Lots 3; the maps have been updated to reflect this. The maps also now reflect the easement in place.

K. Coursen notes that the ZBA has approved the variances with some conditions-they would like to see Lot 2 and Lot 3 use the existing driveway. The new right of way shown on the map directs that Mr. Perry could grant a new right of way referencing the map.

K. Coursen questions when a private driveway becomes a road. J. Dunkle confirms that this occurs when the applicant requests that. This driveway will potentially serve four lots. None of these lots are dependent on road frontage. The condition put in by ZBA directs that no other driveway is to be put in on Broadfield Road. J. Dunkle reports that the neighbors to the west have expressed some concerns with drainage etc.-there were some concerns with adding an impervious surface. The ZBA and Mr. Perry, as well as the other two homeowners all agreed that this was an appropriate solution.

Chairperson Smith wonders what happens in the future if someone else who purchases the land does not want to buy into the agreement. The PB has previously been given advisement to not consider shared driveways because of this issue.

J. Sutphen says that we will need the actual easement agreement. There is probably one in place now that will need to be modified. Legal will need to see that there are reciprocal arrangements in the agreement re who and how the driveway is going to be maintained.

Mr. Perry asks what if Lot 2 took sole responsibility for the driveway. Lot 2 currently owns it now. That is an option, but is quite a large burden.

J. Sutphen says that the easement will specifically state that it going to be used by two lots and nothing further. Would like to see a note on the plan to that effect. Would also like a note on the plan that this is a filed ingress/egress easement. Additionally, we would like to see a note that says no access is going to be permitted so that eventually whoever buys Lot 3 is going to know that this is not to be accessed ever.

D. Bargabos adds that if Lot 2 were responsible for the driveway, then this would need to be part of the deed as well. There are driveway agreements out there. Mr. Perry feels it would be easier if one or two parties were responsible for the maintenance and care of the driveway. D. Bargabos questions if there is a concern with fire access. The actual construction of the road

will need to meet fire codes for access. J. Dunkle suggests that perhaps site approval be required for a future building permit.

D. Bargabos says that Mr. Perry could propose a building envelope for both lots.

J. Dunkle asks if the lots have been perked. No, they have not.

P. Reynolds does have a note on the map that says that they are not approved building lots at this time. J. Sutphen says that this also brings the question if this Board wants to approve lots that are not building lots.

K. Coursen asks if the Board can approve them as non-building lots and then have Mr. Perry come back.

J. Sutphen confirms that to file a map they will need to go to the Onondaga County Health Department. J. Reynolds confirms that the note on the map has been approved by the Health Department. Typically, this is done as a remainder lot.

J. Shaheen asks that if the property is equal to or greater than five acres, does the health department assume that you can do a septic. J. Sutphen says that we are going to assume that something will be put on the lots-but they are still not approved building lots. P. Reynolds confirms that it is not a big deal on their end to add a note on the lots on the map.

J. Sutphen says that the more important issue is the ingress/egress. What happened at the ZBA is a little unusual, and we want to make sure that what happens here is what was intended by the ZBA.

Chairperson Smith asks if the two current residents place their trash on Broadfield Road. Yes, they do. This was brought up at the ZBA. They have 60 ft. to work with, but can make the driveway wider if necessary in order to account for safety with trash and cars in and out etc.

Chairperson Smith is happy to see that Lot 1 has been corrected on the map.

Chairperson Smith notes that the proposed Lot 2 drainage did not seem to be as much of an issue as Lot 3.

D. Bargabos feels that it would be nice to see some contours on the map. P. Reynolds says that he can probably add some. Would it be ok if he submitted a sketch plan with contours, or does this need to be a filed map? If they are pulled of the USGS that will suffice for J. Dunkle. K. Coursen notes that this will be used to give us an idea of where flows would be.

P. Reynolds would like to circle back to the possible site plan. Is there anything we could do to avoid this-a possible note on there that says that the Lot 2 and Lot 3 building permits will be

dependent on satisfying engineering requirements as far as the driveway etc.? They were beat up at the ZBA Public Hearing and they imagine that a Public Hearing will be required here.

J. Sutphen says that we know Lots 1 and 2 are not residential building lots. We have to go to the county and obtain engineering approval from the Town Engineer. J. Dunkle confirms that once we see the topography, we will get an idea of where the potential issues are.

Mr. Perry would like to talk through what the process would be for the lots to become a building lot. J. Dunkle confirms that they will need a perc test and septic design. The County will approve the septic design without a house plan. The intention is to build two houses here. At some point that is going to happen. Mr. Perry is trying to work through if he wants to sell the lot. If it is as simple as doing a perc test and a general location/building envelope then that may be possible. If a septic and house can be put on the lot, that is what deems it buildable.

K. Coursen asks what we do need as far as verbiage for the actual easement. We will need width and approximate maximum grades in order to show that it meets fire code for fire department access.

Chairperson Smith notes that currently one driveway shows as gravel and the other shows as asphalt.

J. Sutphen would like to add to the note that it will not ever be accepted by the Town as a public road.

D. Bargabos confirms that wherever you do the perc test is where the septic will have to go.

P. Reynolds says that he can get the contours and the notes completed in two weeks. He is unsure if a perc test can be completed in two weeks.

J. Sutphen says that we will also need to see a draft reciprocal easement; this will likely need to be done by an attorney. The easement needs to be established in writing that includes legal descriptions.

J. Shaheen asks if there was infrastructure on Lot 2 (owned by Apex Properties.) This will be sold to the owner and will become part of his lot.

Lot 1 comes to a point on Broadfield. There was some discussion at the ZBA-it appears that at one time someone likely intended to create a public road here; that is why Lot 1 was likely created with no frontage.

J. Shaheen confirms that the total acreage 2.018 includes the piece that is being sold. This was around a one-acre lot to begin with. D. Bargabos confirms that all of the other lots are well and septic; there is no public water available.

Chairperson Smith would like Mr. Perry to come back next month with all of the requested information. We can schedule the public hearing from there.

### **Hutton-Strozik West Subdivision**

Preliminary Review of an application for subdivision of land located on Pompey Hollow Road- 77 Acres on West Side & 7 Acres on East side-(Tax Map No. 025.-03-08.2; 025.-03-08.3).

Present are the applicants, David Hutton and Conrad Strozik.

Chairperson Smith reports that this has been before the Board prior. There was one subdivision proposed, and during conversation, a second possibility was proposed. The property is on Pompey Hollow Road-on the east side of the road was the house and on the west side of the road was a barn and a few other buildings. The Town of Pompey code requires that a farm lot be five acres.

Mr. Hutton says that it makes sense to put the barn with the house. Now they will be together on one tax map.

The updated maps are reviewed by the Board and Mr. Hutton and Mr. Strozik.

J. Sutphen asks how much land is on the barn side of the street. There are 77 acres. On the west side is 77 acres and on the house (east) side is 6.8 acres.

K. Coursen asks if there is a septic on the barn side. No, there is a well on the barn side and a septic and a well on the house side.

Chairperson Smith questions if the Board is setting a precedent with combining parcels with a road down the middle. J. Sutphen confirms that this is allowed. It would be the correct acreage. K. Coursen notes that this is not a heavily traveled road. J. Sutphen confirms that this is common in other towns, especially in lake front towns. This is feasible. The Board can be intentional as to why this is unique.

K. Coursen feels that this set up now looks much nicer and neater.

D. Bargabos says that because it is not a heavily traveled road, he feels that it is all right. He agrees it is typically not ideal.

Chairperson Smith asks if technically this is a lot line adjustment. Do we need a Public Hearing? Can we do a lot line adjustment via the purview of this Board? None of the Board Members sees a need to hold a Public Hearing.

Chairperson Smith introduces the Short Environmental Assessment Form (SEQR). There are 11 questions that the Board needs to answer, and there are two possible answers to these questions-no or small impact or medium to large impact.

- 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?**
  - a. No, this land falls within a farm zone
- 2. Will the proposed action result in a change in the use or intensity of use of land?**
  - a. No, the land is already farmed as is
- 3. Will the proposed action impair the character or quality of the existing community?**
  - a. No, or small impact may occur
- 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?**
  - a. No, or small impact may occur
- 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?**
  - a. No, or small impact may occur
- 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?**
  - a. No, or small impact may occur
- 7. Will the proposed action impact existing: a) public/private water supplies or b) public/private wastewater treatment utilities?**
  - a. No, or small impact may occur
- 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?**
  - a. No, or small impact may occur
- 9. Will the proposed action result in adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora and fauna)?**
  - a. No, or small impact may occur
- 10. Will the proposed action result in an increase for the potential for erosion, flooding or drainage problems?**
  - a. No, the larger parcel that is being subdivided off includes federal wetlands, but they are nowhere near.
- 11. Will the proposed action create a hazard to environmental resources or human health?**
  - a. No, this is a lot line adjustment

Based on these findings, Chairperson Smith makes motion for negative SEQR declaration at 7:29 pm. K. Coursen seconds the motion at 7:29 pm. All in favor, none are opposed. The motion passes.

J. Sutphen clarifies that this is known as a simple subdivision under our code. The Code Officer can refer it to the Planning Board for review. The Board can waive any requirements; the Board has waived the Public Hearing, so this should be a finding. We authorize the Codes Officer to

sign the subdivision map. We will have the requirement that the subdivision map be filed with the County Clerk's office and then filed with the town. We may also want to say something about this being a unique situation because it will create a new farm lot that is divided by Pompey Hollow Road.

K. Coursen makes a motion at 7:34 pm to accept. The Board empowers the Code Enforcement Officer to do a lot line adjustment on tax map number 025.-03-08.2 and 025.-03-08.3 as shown on the Gary Cottrell map dated March 9, 2023; the Board will waive the Public Hearing and the subdivision map must be filed with the County Clerk's Office and then the Town. This is unique as is it a farm lot that is divided by Pompey Hollow Road. J Shaheen seconds the motion. All are in favor, none are opposed. The motion carries at 7:35 pm.

### **Palladino (Heritage Hill)**

#### **Continued review of Site Plan for project located at 3149 Sweet Road (Tax Map No. 018.-04-15.1)**

Present are the Applicants, Dan Palladino and John Steigerwald, along with their attorney David Stewart.

K. Coursen asks if the geo-thermal system-is a well. J. Dunkle confirms that this is a horizontal closed system, so it does not affect the surrounding property.

J. Shaheen and K. Coursen wonder if it will it impact the amount of land disturbed. J. Dunkle explains that theoretically they are disturbing land. Mr. Palladino confirms that the land that will be disturbed will be under the parking lot, which is land that is already disturbed. C. Fahrenkrug feels that the geothermal loop field should be indicated on the map.

Chairperson Smith notes that in the past month the Board has received several documents; to include several in the last week. Additionally, a summary document was handed in just now.

Mr. Palladino's Attorney has reviewed the minutes and the SEQR and prepared the memo that was just handed in. He is happy to run the Board through the memo to discuss what has been addressed there.

The Board would like to clarify the changes that were made to the SEQR form. Total acreage to be physically disturbed now shows as less than 1 acre.

K. Coursen confirms that the well information in the back is the well information for Heritage Hill; this will also be the well used for the new facility.

Chairperson Smith says that one of the newer forms says that all of the brewery discharge will be going into the tanks and then moved offsite. That will always be that way-the discharge from the meat packing facility will eventually be taken care of by the new septic system.

Chairperson Smith asks Mr. Palladino if he has made any progress on the lot line adjustment. Glen Mihal, the Surveyor, is in the process of working on this and will submit the application.

Chairperson Smith asks about the signs and the examples that the Board had previously asked for. Mr. Palladino does not have a design form because they do not have a name. There will be one combined sign for both the brewery and the meat packing facility that will closely resemble Holbrook Heating across the street.

K. Coursen notes that essentially the new facility will be on the footprint of the Quonset hut.

D. Cook asks how do you determine that there will only be 75 gallons of waste per day. Mr. Steigerwald explains that they base this on what they are putting out at their facility on Grant Blvd. now. They will be relatively the same size. The wastewater will essentially come from clean up. They typically use high pressure, low volume water.

K. Coursen notes that the SEQR shows capture tanks initially for the off-site waste-is this being changed. There will be a 2000-gallon parking lot safe tank to capture the brewery waste that will also capture the 75 gallons of washout water. The only other waste will be coming from the bathrooms, which will go to the new septic once it is approved by the County. The big septic that is being built is for the waste from the bathrooms and the kitchen. The waste from the meat packing system will always be pumped out and shipped away.

C. Fahrenkrug asks where the water goes. They take it to a wastewater treatment plant. It will cost \$325-\$350/load. They anticipate the water will be picked up weekly.

K. Coursen confirms that the geothermal heating is just for the meatpacking facility and the solar will be for the entire facility. The brewery is currently on propane.

C. Fahrenkrug notes that the letter from the DEC is still pending. At this time, it is unknown when this will be coming as there is discussion needed between the County and the DEC.

The Public Hearing on this matter is closed. The board has not yet done the SEQR.

Chairperson Smith confirms that work has already been done on the parking that was located within the County right of way.

K. Coursen asks what was approved for driveways when the brewery was approved. The driveways are the existing driveways that have been in place since it was a farm equipment dealership. Mr. Palladino does not recall getting a letter from County DOT when they proposed the brewery. If it were already approved by the DOT then this would not have to be done again and would save some time.

Chairperson Smith confirms that there is an existing Site Plan out there, and makes a motion that this is going to be an amendment to an existing Site Plan. The short form EAF provides sufficient information for this Board to make a determination. The short form SEQR has been

provided. At 7:57 pm. K. Coursen seconds the motion. All in favor, none are opposed. The motion passes.

J. Shaheen notes that the March PB minutes do contain a statement noting that the County has approved the ingress/egress. J. Sutphen says that will be a finding that we will have to make as part of our SEQR. The OCPB does discuss the driveways in their findings.

The driveway cuts were already addressed. The two southerly driveways need to meet commercial driveway standards.

Chairperson Smith asks if there are any changes made to the lights in the parking area. Mr. Palladino shut them off the night of the previous meeting and has ordered nighttime compliant lighting for all of the lighting. The cut sheets have already been provided, and the new lights are compliant with Town standards.

J. Sutphen says that the SEQR findings and the decision will not be made tonight; the Board needs to digest the new information that was provided. The lighting concerns brought forth by neighbors have been addressed. Some concern with noise has been brought forward. Mr. Steigerwald confirms that the loudest machine in the meat processing facility is 70 decibels. The coolers outside will be under cover. They should be able to get the decibel number for the coolers from the manufacture. J. Shaheen notes that there was also a concern about music. This is a modification to the original application. If there is any significant change, it needs to be addressed.

K. Coursen says that we talked last time about the hours for the music-9:00 pm is the latest, Saturday is 7:00 pm, Sunday is 6:00 pm. Nick Palladino has purchased a decibel reader and measured the levels-it has been nowhere near 70 decibels. J. Shaheen says that he was there on Memorial Day when there was music. He took the opportunity to drive around the surrounding areas. In the parking lot, the noise is not noticeable. At Holbrook Heating, it was not intrusive at all. When he got down to Michael Ave, not sure if it was the topography, but the bass and the drums were somewhat annoying. Mr. Palladino says that every time there is music, he will go to Michael Ave and measure, and if it is too loud then he will turn it down. It needs to be 70 decibels at the property line. Mr. Palladino notes that as a caveat, they do sometimes have events that will have louder bands. Even so, the band will be done by 9:00 pm and everyone will be out by 10:00 pm. There will be no Brightvibes Festival this year. Last year they held it just after the 4<sup>th</sup> of July, and they will likely stay within that time frame in the future. Chairperson Smith clarifies that a permit is required for fireworks.

J. Sutphen says that another change to the site plan is the parking-it has been added. Not sure if it changes what was happening, but it is now more organized. The parking has been moved from the right of way. K. Coursen notes that this will change with the new facility too because you will have employee parking around the building. There are 284 total parking spots noted on the plan. Eight of those are ADA compliant spaces.

Chairperson Smith confirms that car shows are still occurring on Saturday mornings.

J. Shaheen notes that the music event that was just cancelled was supposed to be two days. How many of those will occur a year? Mr. Palladino may have a band during their anniversary party. Their sweet spot is to keep the business where it is and to have private events. Mr. Palladino has had music inside the barn and no one complained about that so that may be a solution.

The cow barn is known to Mr. Palladino as the event barn. Chairperson notes that the county may be referring to this as the banquet space in their review. Those bathrooms are closed and locked.

Chairperson Smith confirms that there will be seven total storage tanks. Mr. Palladino explains that there are seven total right now and there will be an additional 1500-gallon tank added.

Mr. Palladino explains the system as it will function in a month. All of the tanks except for one are located on the western side of the facility. The maps are reviewed with Mr. Palladino and Chairperson Smith. Only two of the tanks will be pumped and the waste contents hauled away. The others are treatment tanks-this is standard practice. Chairperson Smith asked the route that the truck would take to enter to haul the waste away.

Any tours given would be pre-arranged. This is a USDA monitored facility. The increase in parking spaces is incremental.

The County did put a condition forth stating that this is not to be approved prior to the County giving approval. Jeff Till has put forth a letter that explains itself-he is the County Planning Board's Advisor. He has said no construction to start. Mr. Palladino has made progress with them-the DEC needs to issue a general permit.

The County has not received a sewage disposal plan at this time. The Board still needs that. Mr. Palladino believes that he will have this prior to the next meeting. The equipment is on site and ready to be used-it is ridiculous that there has been such a hold up.

D. Cook asks if the lights are on a timer. They are off now-when they have a decent sized crowd and they are using the overflow lot, Mr. Palladino goes out there and turns them off. He is hoping that the new lights will be comfortable for everyone because he needs to maintain a level of safety as well-for security purposes, young servers etc.

J. Sutphen discusses the farm business overlay zone district. Such uses may include, but not be limited to. The list is not exhaustive; there are other things that may fall into this. The Codes Officer has made a finding that the processing of the meats is something that is permitted based on the town code. However, Mr. Palladino has not requested and has specifically noted that there will not be any slaughter. If this goes forward that is going to be a condition that will be imposed. Mr. Palladino is totally fine with this; he has absolutely no plan to do so. There was some discussion that a USDA facility means that you have to allow slaughter-this is not true-the

USDA does not dictate what we say in our Town Code. Neither Mr. Palladino nor Mr. Steigerwald have any experience with this at all.

The following information is needed for next time: compressor decibels, we will rely on DOT to designate the driveways as commercial, the Board has also previously asked for a schematic of the entire building-to see how the entire property will look from the road. Also needed is the location/map of the ground source heat pumps.

Chairperson Smith notes that on the floor plan a couple rooms were labeled spices-this a dry room where they put together the spices to make sausages etc.

J. Dunkle has the numbers on the parking spaces vs. occupancy. He will prepare a memo to the Board with his comments on the SEQR issues: water consumption, lighting, parking, noise, etc.

The Board also requests a rough sketch of the sign.

C. Fahrenkrug confirms that the portable bathrooms are noted on the map that Codes has.

Mr. Palladino should get any approval from DEC etc. to the Board as soon as possible-do not wait until the next meeting.

C. Fahrenkrug notes that all buildings on the map need to be identified-they have been.

R. Smith says that he is glad to see that Mr. Palladino has addressed some/most of the comments made against the present organization. This is the best way to keep a good image in the neighborhood and Town if you answer your phone when they call etc. He thinks Mr. Palladino has done a great job there.

J. Sutphen confirms that the Public Hearing is closed; it is at the pleasure of the Chair to allow further comment. Some Town Residents have retained an Attorney that has requested to be allowed to speak.

Dirk Oudemool, Esq. has been retained by the Hoeflers and other neighbors who border the property. He specifically identified Mr. Hoefler and his sister as his formal representation.

K. Coursen explains that when we receive anonymous letters we do not take them into account so when Mr. Oudemool says "others," we would like to know for the record who they may be. He confirms that he has spoken to others but he has no formal representation with anyone else at this time. He is not familiar with the matter and has not previously attended meetings. JoAnne Hoefler has provided his background/context. Up until the year 2016, there was nothing much going on at the Palladino farm. Everything was fine until then. He attempted to obtain records from the Town Clerk and he has a letter from her stating that she was not sure if she had the records. The next time around he may have the benefit of documents furnished by the Town.

To his knowledge the restaurant was never approved, Farm Days was never approved, outdoor music on Fri, Sat, and Sun was never approved, outdoor camping was never approved, outdoor

lighting was never approved. He would agree with J. Sutphen that it is most appropriate that every aspect of the activity ongoing at that property be examined.

He disagrees that this is an unlisted action with SEQR. The parking is very understated. We know that there has been more than 500 vehicles on site and that is the button for SEQR. SEQR would require the in-depth study of the water aquifer. People around this site depend on their water from a well. There is a significant concern that the water may become depleted. There is no scientific information provided that counters this. There should be a hydrologist to study this site and make that a requirement of approval. The noise issue requires further flushing out. Emission pollution requires an evaluation, as well as sewage disposal and nighttime lighting. His clients are very concerned that no adverse impact will happen to them because of those conditions.

The interplay of NYS Ag and Markets Law (right to farm law) vs. the Town Code needs review. The Board needs to look at the Code to see whether Town Code authorizes the activities that are proposed. Meat processing seems to be clearly not allowed under local code-the activity must be in a replacement or modification of an existing building. That is not what is happening here. They are tearing down a Quonset hut which has a much smaller footprint than the proposed facility.

The Palladino Farm has traditionally been a crop farm. They have had some animals over the years, but it has never been a cattle farm. Now, out of the clear blue they are going to process three shifts of meat. Is this still a farm, or a processing plant or an amusement park? Is he allowed to become a supermarket? He is a farm-he is not a commercial, industrial enterprise. The meat processing facility has taken this over the top and now some of the matters that have festered for so long are coming into play. Where is it authorized in the Town statute for him to be in the entertainment business? If he is offering an event, then the music should be indoors. Ag and Markets says that occasionally for a farmer to rent out his structures for these types of activities is an accepted practice, only to allow him to showcase his farm. It is supposed to be for marketing of the farm. Ag and Markets has a guidance document online that lays out the whole premise of allowing a farmer more opportunities to feed his family and make a living. It is all rooted in the farm and what it generates-whether it be crops or food items. If he is preparing food for consumption, it is supposed to be almost 100% grown and created on the farm. His revenue is supposed to not exceed 30% of gross from the non-agriculture activities. He is supposed to keep records that show what portion of his revenue comes from traditional farming activities vs. entertainment. Mr. Oudemool does not accept the Code Officers finding that this business falls within Town Code. He understands the vigor and time that Mr. Palladino has dedicated to this matter, but he is not an expert.

J. Sutphen agrees that there are many things to sort through, and many comments have been made.

Resident JoAnne Hoefler says that there are many people in this room who have a problem with what is going on. If we cannot make additional public comments, then can we put this all in writing and send it to you? She has previously sent an email and got no response. The Board confirms that they did get the letter/email.

K. Coursen reiterates that all of the comments that the Attorney has made will be taken into consideration.

Chairperson Smith asks that if you are going to write, please make an original letter, not a form letter.

J. Sutphen says that all documentation should be sent to the Town Clerk. We will work with the Town Clerk to make sure that everything we have is posted online.

Chairperson Smith explains that this Board is not the enforcing board. We do the best we can match up laws and do the best for Pompey. We are not charged with enforcement after something is approved. The Code Enforcement Officer is charged with enforcement.

J. Hoefler says that the music goes on all night. The Planning Board told the Mapstone family that their music has to be inside-we want the music inside. We do not want to go through another summer with the music outside.

The Board reiterates that the Board did not amend the application. This has always been an amended application.

Chairperson Smith makes a motion to adjourn the meeting at 8:59 pm. K. Coursen seconds the motion. The meeting is adjourned at 9:00 pm.

Respectfully Submitted,

Sarah LoGiudice  
Secretary to the Planning Board  
Town of Pompey