

GML 239 Report of Final Action

NYS GML § 239-m.6. and n.6. require the referring body to file a report of the final action it has taken on a referred matter with the county planning agency within 30 days after the final action (separate from the minutes taken at the meeting). A referring body which acts contrary to a County Planning Board recommendation of MODIFICATION or DISAPPROVAL of a referred matter shall also set forth the reasons for the contrary action in such report.

This section to be completed by the Syracuse-Onondaga County Planning Agency

To: Onondaga County Planning Board **From:** Town of Pompey Planning Board

Fax: 435-2439 **Phone:** 435-2611

Re: Applicant: Richard P. Beattie Trust
Address: at 8867 Cazenovia Road
Referral Type: SUBDIVISION
OCPB Date: November 02, 2016
OCPB Action: No Position With Comment
OCPB Case #: S-16-83

The local board took the following action regarding the above referenced referral (Check one box. If checking Other, please specify the final action taken. Use the space at the bottom of the report to identify reasons if acting contrary to the OCPB recommendation.):

- Approved the proposed action with regard to the OCPB's No Position or No Position with Comment.
- Approved the proposed action as modified by the OCPB.
- Approved the proposed action contrary to some of the modifications recommended by the OCPB.*
- Approved the proposed action contrary to all of the modifications recommended by the OCPB.*
- Approved the proposed action contrary to the disapproval recommended by the OCPB.*

- Disapproved the proposed action with regard to the OCPB's no position or no position with comment.
- Disapproved the proposed action with regard to the recommended modification(s) by the OCPB.
- Disapproved the proposed action as recommended and for reasons set forth by the OCPB.
- Disapproved the proposed action as recommended but for reasons other than those set forth by the OCPB. (Please list reasons below for local disapproval.)

- Other minutes attached

Local Board Date: Nov 29, 2016

*List reasons for acting contrary to the OCPB recommendation and include a copy of the local board resolution. Attach additional reasons on a separate sheet of paper as necessary.

**TOWN OF POMPEY PLANNING BOARD MINUTES
NOVEMBER 29, 2016**

The Town of Pompey Planning Board meeting was held on Monday, November 29, 2016. In attendance: Chairman Sue Smith; Members: Bob Neufang, Kevin Coursen, Dan Bargabos, John Shaheen, Roy Smith and Carl Fahrenkrug. Attorney Ted Spencer, Engineer Steve Snell and Town Code Enforcement Office Fred Hill were also present.

Chairman Smith opened the meeting at 7:00 pm, followed by the Pledge of Allegiance.

Chairman Smith asked if there were any corrections or deletions to the October minutes. Motion by J. Shaheen, seconded by R. Neufang to approve the minutes as presented. All in favor.

WHITNEY FARMS SUBDIVISION, SECTION E, LOTS 11 & 16: Continuations of a public hearing on a 2 lot subdivision. Jane Podkaminer was present. She has submitted all the requested items from last month, deed description of lot (2 lot subdivision, not land locked). She also received a negative impact from Engineer Steve Snell.

Motion by S. Smith, seconded by J. Shaheen to reopen the continued public hearing. All in favor.

There were no comments.

Motion b J. Shaheen, seconded by R. Smith to close the public hearing. All in favor.

Chairman Smith stated this is review. Lot 6 is not Lot 6B. Section E, two lots, part of 2013 subdivision, referred to on a separate map. Lots #11 & #16, Section E, originally.

Chairman Smith then reviewed the Environmental Impact Statement – Part 2:

- | | |
|--------|----------------|
| 1. No | 6. No |
| 2. No | 7. a. No b. No |
| 3. No | 8. No |
| 4. No | 9. No |
| 5. No | 10. No |
| 11. No | |

Motion by S. Smith, seconded by J. Shaheen for a negative declaration for SEQR on the Whitney Farms Subdivision. All in favor.

Motion by C. Fahrenkrug, seconded by R. Smith to approve the Whitney Farm Subdivision of current Tax Map #002.-03-15.6 into new Lots #11 and #16 and the balance of the tax parcel to be combined with existing Lot #6 to create a new Lot #6B. The new lots are based on a map by Cottrell Land Surveyors dated 3/14/2016. All in favor.

RE-SUBDIVISION OF LOT 1-BROOKWOOD FARMS SUBDIVISION: Public Hearing on a 2 lot subdivision on Rt. 92 and Palmer Road. Attorney Jason Denny was present on behalf of Attorney Peter McLellan.

This is a 27 acre parcel splitting into two lots. Lot 1A will be 10 acres and Lot 1B will be 17 acres. Lot 1A is unimproved land, the larger parcel. Lot 1B is subject to sale.

Kevin Coursen stated that the previous owner had been approved for a school, but it was used for a Bed & Breakfast. Do the new owners plan on continuing that?

Attorney Jason Denny stated that it will be just living quarters.

Chairman Smith asked for clarification on the well, access to Palmer Road is not shown on the map.

Kevin Coursen stated that the original property did show 500 feet of Madison County. The part being sectioned off is further away from the county lot.

Chairman Smith, asked about the culvert on Lot 1A, will it be indicated on the map?

Attorney Jason Denny stated that it will have to be added to the map.

Chairman Smith stated that the SOCPA comments were: “Per the NYS DOT, no driveway or road access from NYS Rt. 92 will be permitted from proposed Lot 1A. Per the Onondaga County DOT, access to Palmer Road for proposed Lot 1A will be determined by the availability of sight distance, and the applicant is required to obtain a permit for any proposed driveways and prior to any proposed work within a county right of way.”

Engineer Steve Snell stated that it is up to the Board to refer to as possible wetland (pond).

Attorney Jason Denny stated that it is just a subdivision, there are no other changes.

Chairman Smith stated that the Planning Board did not have any comments from the ECC.

Chairman Smith then reviewed Part 2 of the Environmental Form:

- 1. No
- 2. No
- 3. No
- 4. No
- 5. No
- 6. No
- 7. a. No b. No
- 8. No
- 9. No
- 10. No
- 11. No

Motion by S. Smith, seconded by K. Coursen for a negative declaration on the Brookwood Farm Subdivision. All in favor.

Chairman Smith stated that an Ag Data Statement would be needed., but that she didn't feel it was necessary.

Attorney Jason Denny handed in to the Board a completed Ag Data Statement.

Motion by K. Coursen, seconded by C. Fahrenkrug to open the public meeting.

Chairman Smith opened up for comments from the public.

Heath Thomas. He is the buyer and it will be a residential home.

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

John Shaheen stated that the notation on the map referred to "Lot 2 is not a building lot". Lots are marked as 1A and 1B. Lot 1A is not a building lot. The notation should be corrected.

Motion by J. Shaheen, seconded by K. Coursen to approve the Re subdivision of Lot #1, Brookwood Farms Subdivision based on a map by Cottrell, dated 10/11/2016, revised 10/20/2016 with the condition that the culvert/driveway on Palmer Road, reference to Lot #1A as not being a building lot under the SOCPA comments and reference to Lot 1A be included in the notation. All in favor.

DAVID BOYLE/VIRGINIA NELSON SITE PLAN REVIEW: Public Hearing on a Site Plan review for a micro-distillery at 8632 Cazenovia Road. David Boyle and Virginia Nelson were present.

Their business is Rolling Boyle Distillery Works, LLC. They are federally licensed/bonded and are located in Syracuse. They will be affected by the Rt. 81 changes and will need to relocate the micro-distillery. Produce spirits. All contained in warehouse, just need plumbing/electrical. No tasting room, just producing. Don't need sign with name/logo. Only traffic related to business will be cars and small trucks.

Produce 50 gallons, 500 small bottles per month. No major distributor.

The water being drawn will be multi used, recirculating system. Limits on septic, 240 gallons a day. He doesn't see even approaching that amount.

Looking to start as soon as possible. The size of the building and the infrastructure were just what they were looking for. He doesn't think they will have any trouble with the well. If conditions do get dry, could truck water in.

They are members of Farm Bureau.

Chairman Smith asked current rate of usage.

David Boyle said that 75% are NY agricultural products. They self distribute (farmers markets, etc.). Hopefully, down the road we will have a tasting room.

Virginia Nelson said they want to start at this space. This is the right location, foot print very small, intend to be a quiet neighbor.

Chairman Smith asked where the by products of mash are stored?

David Boyle stated that it will be Ag tanks. They will have a regular schedule within one day for pick up. Has a short life span.

Kevin Coursen asked about security?

David Boyle said that windows are secured, alarm system, cameras on the corners. There will be two keys, one for him and one for his wife.

He stated that TTB regulates. They are registered with FDA. Labeling is regulated. There will be no tasting at this location.

As for employees, at the start, actual distilling will be 25%, so can be a one man job. They have a warehouse.

Traffic will be minimal . Haul grain, probably 5 or bags. Mail delivery and him going in and out.

Chairman Smith asked if he saw the need to change the outdoor lighting?

David Boyle said he may have some in the back.

Chairman Smith went over the SOCPA comments. Applicant needs to coordinate with Onondaga County Health Department regarding the proposed use and must receive approval from County Department of Health for any existing or proposed septic system to service this property, prior to approving the site plan.

Also, they commented that per NYS DOT, the NYS Rt. 92 driveway is required to meet the NYS DOT minor commercial driveway standards. Applicant advised to contact the NYS DOT to obtain a highway work permit.

Chairman Smith said that this is a hamlet/commercial district. Does existing driveway meet commercial standards?

Engineer Steve Snell stated that both the NYS DOT and Onondaga County Department of Health Department need to be contacted.

David Boyle stated that they like living in the Town of Pompey.

Engineer Steve Snell said that Part 1 – Environmental Form, 13a should be “yes”. Mash would be in a portable tank.

Chairman Smith asked that locations for spent marsh tanks/dumpsters be shown on the map.

DANIEL PALLADINO – 3149 SWEET ROAD: Site Plan for Farm Store - Dan Palladino was present.

He stated that on Monday night (Nov. 28th) he was at the Zoning Board of Appeals meeting for a use variance to cover any growth. He plans on selling his own products raised themselves, plus other local products. He also thought that maybe down the road have a brewery.

He did not need a variance because he is in the Business Overlay District. 165-9 allows what he plans to do. Retail, as well as brewery and food at a later date. He has already lined up with Trinity Farms for milk and goat products from farm in Cuyler.

Dave Knapp from LaFayette gave some nice comments at the ZBA meeting.

His home is on the hill, all protected farm land (600 acres). Store looks out over all of it. The floor is all concrete. Used to be farm equipment spot, but it burned in 1969.

Holbrook Heating is across the road with two driveways.

The Farm Store sign will be high efficiency lighting and there is ample parking.

Attorney Ted Spencer wondered if the Town Board will need to establish as being in the Overlay District? Town Board meeting is December 5th.

Chairman Smith stated that he will need entrance/exit signs for the driveway.

Dan Palladino stated it is all paved. Wondered if the Farm Overlay Zone covered just the one parcel?

Attorney Ted Spencer stated that it will be based on the Town Board's resolution.

Chairman Smith also asked that there be designated handicapped parking shown on the map. Also, what are the proposed hours of operation?

Dan Palladino stated that it will be Thursday-Friday – 2:00-7:00 pm and Saturday-Sunday – Noon to 5:00 pm. Will have the enter/exit signs in the driveway.

Chairman Smith asked about the well and septic?

Dan Palladino stated the well is north and the septic system is northwest. Will be taking out the garage door and will be two french doors.

Chairman Smith asked who will be in the store?

Dan Palladino stated that his mother (Marie Palladino) and Cara Randal will be at the store.

Chairman Smith wanted the Board to know that the bridge on Oran-Delphi Road over Limestone Creek – Bridge Replacement Project started in Spring of 2018 and completed in the Fall of 2018.

Motion by J. Shaheen, seconded by D. Bargabos to adjourn at 8:45 pm.

Respectfully Submitted,

Darla M. Mawson, Secretary
Town of Pompey Planning Board