

TOWN OF POMPEY PLANNING BOARD MINUTES

The Monthly Meeting of the Town of Pompey Planning Board was held on April 21, 2014. In attendance: Chairman Sue Smith; Members: Dan Bargabos, Carl Fahrenkrug and Roy Smith, Attorney Jeff Brown, Engineer Steve Snell, Code Enforcement Officer Richard Penhall.

Chairman Smith called the meeting to order at 7 p.m. followed by the Pledge of Allegiance. Chairman Smith welcomed Roy Smith back from the sunny south.

John Shaheen was absent from the meeting. He had given Chairman Smith corrections to the minutes. These will be given to Secretary Mawson.

Made by Roy Smith, seconded by Fahrenkrug to approve the minutes of March 17, 2014 with the corrections. All in favor. Motion carried.

BOB SANDS FOREST

This was a continuation of a public hearing on a 2 lot subdivision on the west side of Purcell Road running to the east side of Pompey Center road north of the Fabius/Pompey town line containing approximately 146.70 acres of land (tax map no. 031.-03-13.0).

Chairman Smith had received a letter from Bob Quinn in which he stated that the ESF College Foundation will not be developing Lot 1 in anyway, but will simply be continuing timber management on the property. Forest properties held by the Foundation for ESF are managed for the long term and are not developed. Currently the foundation owns about a dozen forest properties totaling 1,000 acres in New York State. Lot 1 will be used by the Foundation and ESF for primarily timer management activities and an occasional visit by a forestry class from the College. This should amount to a visit of approximately 20 students and a professor every other year. Occasionally there will be a visit by a Foundation forestry staff member and the timber harvest would be approximately every 20 years.

Bob Quinn stated that there are some technical changes to be made to the survey. He had just received the message from Chairman Smith two days ago. He had visited with Ron Miller about his concerns. He had not been able to meet with Pat Frazee or John Frazee but he had just spoken with John Frazee by telephone. He had also talked to some of the Highway Department staff.

The Foundation does not intend to do anything different. They will only be doing timber management. They never sell forest land. In the other areas where they own land the neighbors think of them as good neighbors. The college has experience in good timber management.

There were safety concerns with the students going there. He feels that it will be very minimal; they are trained outdoorsmen.

The road is going to be the biggest problem. There is concern about what the logging trucks will do to the roads. They are used to logging and won't disturb the soil. It is usually done in the dry season. They would bring the logs out; no trucks would go in.

Chairman Smith reviewed the comments made by the Environmental Conservation Commission: Will said teaching activities necessitate the need for sanitary facilities at the site? If a parking area is planned for this site we suggest the owner be required to provide perimeter planting around said parking area to screen parked vehicles from view. Will the access road be required to have a locked gate?

Roy Smith asked about the concerns of this subdivision. Chairman Smith explained that last July the Zoning Board of Appeals approved a variance for 20' road frontage. The window for contesting it has closed. The Planning Board has always gone with 60' wide right of ways. The Planning Board's hands are tied about this. The entrance is in the middle of the field. A negative dec was made last month.

Motion by Fahrenkrug, seconded by Roy Smith to continue the Public Hearing on Bob Sands Forest. All in favor. Motion carried.

Pat Frazee spoke in two capacities tonight one as a Zoning Board member and the other as a concerned neighbor. As a Zoning Board member he was opposed to this from the get go. He made a motion to deny this at the first meeting and asked that the next meeting be postponed as he couldn't be there but that didn't go anywhere. He feels a determination of the proper use needs to be made. It went from 250' of frontage to 20' and the minutes do not show that. He stated that in farm zone it is 500' of frontage and not 250'. He doesn't feel that the application should have been allowed. He asked David Tessier to postpone the first meeting. The hearing was closed and the neighbors didn't come to the next meeting. He stated that next to the driveway is a hedgerow. A row of fruit trees needs to be removed. He is opposed to the 20' of road frontage. He doesn't feel that this is a precedent that the Town wants to have. He doesn't agree with Attorney

Brown about the time frame for contesting this. He stated that they have 60 days from notification to contest it and we are still in that time frame. They are protecting the Town of Pompey from lawsuits. There is a window of opportunity and it is not closed. He was told that it would cost them \$2,000.00 to fight this in State Supreme Court; they do not want to spend that money. He feels they are protecting the citizens of the Town of Pompey from future lawsuits.

Ron Miller stated that he agreed with Pat Frazee.

Mike McDevitt was representing his parents and he agrees with Pat Frazee.

Craig Smithgall stated that he is a former member of the Planning Board. He wouldn't comment on the 20' frontage but did state that he was a graduate of ESF and felt that if you are looking for good land management or forest management ESF would do an excellent job.

John Frazee stated that there has always been a 20' entrance. It used to be a boy scout camp. There is a wet area there. If the Foundation was to pack down the driveway there would lose 2-3 acres and wouldn't be able to farm that land. He feels that they could come off from Pompey Center Road.

Pat Frazee stated that there are 75 acres of land in question. This is significant for the neighbors. There are many others besides ESF that can do logging and do it right. He feels that there is an alternative to coming in from Purcell Road but it is not the cheapest route. He feels that there should be a road coming in from Pompey Center Road. He stated that there were errors made by the Zoning Board. The minutes from the meetings weren't good and they were not complete.

Chairman Smith stated that to clarify this is not a right of way. The parcel has 20' of road frontage and it has been like that for a long time.

William Kirchaine stated that the drainage is going to affect them and that the road is in the wrong place.

Motion made by Chairman Smith, seconded by Roy Smith to close the Public Hearing at 7:40 p.m. All in favor. Motion carried.

Attorney Brown informed the Planning Board that they can't base their decision on the fact that 20' of frontage is inadequate.

Chairman Smith asked how the students would come out. They would come out on a short school bus or a 15 passenger van. They will park at the end

of the 20' strip. There will not be a locked gate because they feel it will be more of a nuisance and there will be trespassers. They will not have sanitary facilities there as the visit from the students will only be 2 hours long.

Bob Quinn responded to the comments about coming in from Pompey Center Road. They had looked at it but there is a steep slope and would have to cross a stream and they do not feel that this is an environmentally sound way to go.

Chairman Smith doesn't feel that 20' is wide enough. There are nice hickory trees in the hedgerow. She is concerned that if they parked in the driveway and there was an accident then the emergency vehicles would have to go on the neighbors property.

Carl Fahrenkrug asked is there could be a turn around after you drove in. You wouldn't have to clear any land to make a turn around.

Pat Frazee stated that this was a gift to the Foundation. Bob Quinn stated that they are purchasing it. Pat Frazee asked if this is public information.

Carl Fahrenkrug questioned how often do vehicles drive into the property. Bob Quinn responded that the college students do not come out that often.

Chairman Smith stated that she is struggling with access to the property not the use. She would like some legal back up and would like more members there before they vote.

SUBDIVISION OF LOT 3, DREXLER RIDGE ROAD

Allen Olmstead was present. He informed the Planning Board that this is a new application from the one submitted last month. Since then there was a simple subdivision done combining a lot on Ridge Road with an adjoining lot bordering on Number 5 Road. This subdivision is only for three lots on Ridge road. The County Highway Department has been asked to come out and look things over. They are working with Jell Till with Onondaga County Dept. of Health. Chairman Smith pointed out that Lot D has enough road frontage.

Made by Chairman Smith, seconded by Dan Bargabos to adjourn at 8:15 p.m. All in favor. Motion carried.

Respectfully submitted,
Ann Christmas