

TOWN OF POMPEY PLANNING BOARD MINUTES
APRIL 17, 2017

The Town of Pompey Planning Board meeting was held on Monday, April 17, 2017. In attendance: Chairman Sue Smith. Members: Dan Bargabos, John Shaheen, Roy Smith, Robert Neufang and Carl Fahrenkrug. Attorney Jeff Brown, Engineer Steve Snell were also present.

Chairman Smith called the meeting to order at 7 pm. followed by the Pledge of Allegiance.

The Board needs to set up the regular meeting dates for 2017. The meeting has been on the third Monday of the month at 7:00 pm. Motion by C. Fahrenkrug, seconded by R. Smith to have the Planning Board minutes on the third Monday of the month at 7:00 pm. All in favor.

Chairman Smith said that we have two months minutes to approve. First, the December 19, 2016 minutes, corrections have already been made.

Motion by C. Fahrenkrug, seconded by R. Smith to approve the December 2016 minutes as corrected. All in favor.

Chairmen Smith then stated that the March 20, 2017 minutes have already been corrected.

Motion by J. Shaheen, seconded by R. Neufang to approve the March 2017 minutes as corrected. All in favor.

Chairman Smith then stated that anyone that attended the County training needs to get their certificates to Ann as soon as possible. For those of you that have not completed the training, it is possible to complete it on line. Be sure to get your four hours of training completed and recorded.

PATRICIA & ANDREW BROOKS: Preliminary Review of a Site Plan applications for a Farm Brewery at 8951 Rt. 20.

Chairman Smith stated that she has been reading up on home farm breweries.

Our current zoning does not allow a restaurant. You will need to make sure it is a permitted use by going to the Town Board for permitted use or the Zoning Board for a variance.

Patricia stated it is important to have prepared finger foods with the tastings. Not going to do it right now, maybe sometime in the future She has been working with the DEC, Department of Health and have tried not to step out of the boundaries.

Attorney Jeff Brown does not see a problem. If say, you do not serve a single bit of food. The code states you can have a brewery, but you did mention tacos, so it is out there that you do want food. The Town did amend the law.

You can do both the Planning Board and the Town Board at the same time. Steve is the engineer and he will talk to you about what needs to be done.

Patricia stated that it is usually something packaged with brewery tastings.

Chairman Smith said that if you have any changes to the Site Plan you will need to come back to the Planning Board.

Patricia stated that the development of the building and septic system were pretty big projects. But we do want to make sure some food is available, but eventually grow into serving more. For now it will be pretzels and peanuts that are packaged.

Attorney Jeff Brown stated that it makes sense to get it all done at once (brewery and restaurant).

John Shaheen asked what needs to be done to change the code.

Attorney Jeff Brown said that if they go to the Town Board they can request a change to the code.

Patricia said she has worked with DEC, identified and delineated wetlands and have enough land for brewery. Keep it a farm related activity, barn style building. DEC has a buffer zone, all the boundaries that they wanted. The map does show the buffer zone.

The Department of Health has approved the septic system, approved the placement of the system.

Chairman Smith asked about the Federal wetlands.

Patricia said it goes both State and Federal wetlands.

Engineer Steve Snell stated that the State wetlands are near the creek. As for the Federal wetlands, the question is, is it still a wetland? You need to have someone go out and confirm.

Patricia stated they did not think it was a Federal wetland.

Engineer Steve Snell said that a significant part is in the flood plain. The building has to be above the flood elevation. A consultant should do it. The 100-yr flood elevation needs to be specified on the plan. Have you contacted State DOT?

Patricia stated that she has contacted State DOT. They checked the site distance, it will be a commercial driveway.

Engineer Steve Snell said we need a copy of the curb cut permit (entrance) and it has to be shown on the Site Plan. The Board needs a copy of the approval.

Chairman Smith asked where the driveway will be located?

Patricia stated that it is east of the Rt. 20 sign.

Engineer Steve Snell stated that the layout for the parking spaces does not work well. The layout of the site needs to be worked on.

Chairman Smith stated that the parcel behind theirs is for sale.

Patricia said they would love to buy some of it, but the owners did not have any interest in separating the house and land. Now, the real estate agent is telling her they are going to separate house and land and she has an offer on both.

One issue is parking. We have the septic system location approved and cannot move it, also expansion areas for failure, etc. need to stay out of buffer zone. DEC approved for the permit for access road around the building. We need to identify more parking. State does have a large easement. Might be able to get approval to park on the easement (right of way).

Engineer Steve Snell said we would need something from them if you do use it for parking.

Patricia stated that the space for overflow parking surface will be gravel at first, pavement in the buffer zone. Maybe pave 15 parking spaces.

Chairman Smith asked what the tasting room area capacity will be?

Patricia said 30-35 on the main floor and upstairs may another 30.

Chairman Smith asked if they have room enough for a bus to turn around?

Patricia said that the expansion area is an open space and certainly enough room for a bus to turn around.

John Shaheen asked about discharging the waste?

Patricia said that the Wort tank holds excess brewing waste. It is good for fertilizer. The holding tanks hold excess water for the brewery and will be below ground.

Dan Bargabos stated that he likes the idea of a professional doing all the Site Plan information (lighting, parking, signage, etc.), where the sign will be placed.

Chairman Smith asked where they are planning to get the hops?

Patricia stated it was brought up before the Town Board for any requirements for acreage. They have five acres and it will be enough.

Chairman Smith stated that she shouldn't get mislead. Farm Breweries don't have to be a farm, less hoops to go through.

She stated that she is for it, but we do have to look at the lights. We don't want to blind someone driving by with the lighting.

Patricia stated she is thinking about putting the sign on the building, but doesn't have a design yet. She'll be happy to comply with the Board.

Attorney Jeff Brown asked if the land is in the Agriculture Zone?

Patricia stated that the buffer zone can have crops, but doesn't plan on a large hops field (40x70). Would like to grow sweet potato, mustard for now.

Chairman Smith stated that the tasting room needs to be delineated. Where are items to be sold going to be located?

Patricia said probably behind the counter. They do love the property. It is really beautiful.

She said that the direction from Code Enforcement Officer Rick Penhall was that it came under Agri Tourism.

Attorney Jeff Brown stated that the Farm Overlay District has to meet the requirement that the land is enrolled in the Ag District. Interpretation from Zoning Office is that you want to add other lands.

Patricia has worked with DEC and they would like to purchase 4/10 acre (triangle) deep hill down to the creek. This would allow fishing at the creek and parking for public fishing. She wanted to make sure that if they sold this land for public fishing and parking that it would be allright.

Chairman Smith said that for the Farm Overlay Zone, the property has to be in the Ag District. It looks like that parcel is currently not in the Ag District.

John Shaheen stated they need to confirm.

Chairman Smith stated that first you need to confirm if it is in the Ag District and then you need to meet all three parameters. For the restaurant, do now for the future. Make sure there is enough land for crops for the brewery. Also, if the land needs to be contiguous or non-contiguous. She thinks it would be great for the Town of Pompey.

It was suggested that they start with SOCPA regarding if the land is in the Ag District.

Respectfully Submitted,

Darla M. Mawson, Secretary
Town of Pompey Planning Board