

**MINUTES**  
**Town of Vienna**  
**Planning Board (PB) - Regular Meeting**  
**October 17, 2024**

**Call to order:** Chairman Calvin Collins called the meeting to order at 7:00 pm with a quorum of four members present.

**Attendance:**

Board Members: Calvin Collins, Mike Piper, Bill Shaughnessy, and Dave Carpenter. Orrin MacMurray, Dave Gigon, and Martha Link were unable to attend.

Others: Secretary Kathy Pavelock, Liaison Darrin Smith, several applicants, and residents.

Codes/Zoning Officer (C/ZO) Reay Walker. was unable to attend.

**Minutes Approval:**

A **motion** was made by Mike Piper , seconded by Bill Shaughnessy **to approve the September 19, 2024 meeting minutes as distributed at this meeting.** No discussion. Poll Vote:

Orrin MacMurray –Absent	Bill Shaughnessy – Aye	Martha Link – Absent
Dave Gigon – Absent	Calvin Collins – Aye	Mike Piper – Aye
Dave Carpenter – Aye		

**Motion Carried.**

**Correspondence:** Secretary Pavelock summarized the correspondence since the last meeting:

- Submitted legal notice for 10/17/24 Public Hearing.
- Submitted 239m review to agencies for SUB2024-09.
- Received responses from Oneida County and NYS DOT for the SUB2024-09 239m review.
- Received one new application (Relot2024-04).
- Assisted residents on the application process for Special Use Permits.
- Received a phone call from an attorney requesting laws for subdivisions prior to 1993. Calvin will research.

**Other:**

There are no updates on the recommended changes to the Zoning Law. Town Council Liaison Darrin Smith had no comments for the board.

**Public Hearings:**

**7:10pm SUB2024-09 David/Amanda Kalk;** 200.000-1-83.4; Zone RR1; 2-lot subdivision at 8130 NYS Route 13; Acreage 21.86. Bill Shaughnessy made the **motion to open the public hearing for SUB2024-09.** Seconded by Dave Carpenter. No discussion. Poll Vote:

Orrin MacMurray –Absent	Bill Shaughnessy – Aye	Martha Link – Absent
Dave Gigon – Absent	Calvin Collins – Aye	Mike Piper – Aye
Dave Carpenter – Aye		

**Motion Carried at 7:10 pm.**

There were no comments from the public. Mike Piper made the **motion to close the public hearing for SUB2024-09.** Seconded by Bill Shaughnessy. No discussion. Poll Vote:

Orrin MacMurray –Absent	Bill Shaughnessy – Aye	Martha Link – Absent
Dave Gigon – Absent	Calvin Collins – Aye	Mike Piper – Aye
Dave Carpenter – Aye		

**Motion Carried at 7:11 pm.**

**Unfinished Business:**

**SUB2024-09 David/Amanda Kalk;** 200.000-1-83.4; Zone RR1; 2-lot subdivision at 8130 NYS Route 13; Acreage 21.86. Surveyor Darrin Smith presented the final plat to the board. The board asked about the setbacks from the wetlands. There are no setback requirements for Federal Freshwater wetlands. There is an existing asphalt driveway for the new lot. Oneida County Planning had no recommendations and the DOT commented that permits are required for any work done to modify or add driveways to the property. Mr. Kalk was provided a copy of the responses received. Dave Carpenter made the **motion to approve the 2-lot subdivision SUB2024-09.**

Seconded by Mike Piper. No discussion. Poll Vote: Orrin MacMurray –Absent

Bill Shaughnessy – Aye	Martha Link – Absent	Dave Gigon – Absent
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Calvin Collins – Aye	Mike Piper – Aye	Dave Carpenter – Aye	<b>Motion Carried</b>
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Chairman Collins signed the plats and the applicant will file the plats with Oneida County.

**Unfinished Business: (continued)**

**SUP2024-05 Verizon Wireless (Scott Olsen/ James LaValle);** 180.000-1-65; Zone RR3; Installation and operation of new personal wireless service communications facility (cell tower) at 8769 Marsh Road. Owners Allan and Susan Brooks. This was approved on September 19, 2024 contingent on an approved removal bond. The bond was reviewed and okayed by Town Attorney Evan Rossi this week. The letter of determination was prepared and Chairman Collins signed the letter this evening. Secretary Pavelock will distribute the letter tomorrow. Mike Piper asked about the time frame for the bond. Secretary Pavelock showed a copy to Mike. No further action required by the planning board this evening.

**SUP2024-02 Dale Race (Hogan Engineering);** 7954 Lewis Road; 201.000-1-41.3; Zone RR-1; Proposing (8) cabins covering 3.7 acres with a pavilion, public water, and subsurface wastewater disposal. Application was suspended on August 15, 2024 due to a significantly updated site plan presented at the September meeting.

Updated site plans were distributed to the board and Mr. Hogen described the changes. A summary of these changes is as follows:

- C1.0 shows the 8 cabins with in/out drives with the dumpster moved to the north. The notes explain compliance with the town Zoning Law including setbacks and permitted use.
- C1.1 for erosion control has no changes from the previous site plans.
- C1.2 Shows additional gravel on the drive.
- C1.3 is the grading plan with some drainage in the center of the campground and most going down the ravine. The SWPPP was provided at the last meeting.
- C1.3 (second page) shows the 4' sections of wood fencing planned and a deer resistant fast-growing tree that will be planted for the benefit of the neighbors.
- C2.0 shows the utility plans (water, electric, and septic). There will be two septic tanks. All electric will be underground. The utility shed at the southern part of the property will be heated.
- C2.1 shows the wastewater disposal based on the Perk test.
- D1.0 shows the water connections, pipe and silt fencing.
- D1.1 shows lighting and images of the wood fencing and the Thuja Green Jr. Giant Tree that is Deer resistant. The fencing will also be used around the dumpster.
- D1.2 shows the septic and sign.
- D1.3 has the updated rules and regulations with "RV" taken out. Cabins will be 14'x20' or 16'x30' with an occupancy of 3 adults plus children for each cabin.
- P1.0 is the Photometric. Cabins will have entryway lights and the drive will have pole mounted lights.
- E1.0 is for the environmental (NYS DEC and US Army Corp of Engineers).
- E2.0 has the flood plain and the State Historical Preservation Office letter.

The board asked about hydrants and if the Fire Department has reviewed the drive.

The board discussed the possibility of completing another SEQR form and agreed by consensus that the plans did not change the environmental negative impact declaration done earlier this year.

Dave Carpenter made the **motion declare the updated application complete, with no need to complete another SEQR form, and to schedule a public hearing for November 21, 2024 at 7:05 pm.** Seconded by Mike Piper. No discussion. Poll Vote:

Orrin MacMurray – Absent  
Bill Shaughnessy – Aye Martha Link – Absent Dave Gigon – Absent  
Calvin Collins – Aye Mike Piper – Aye Dave Carpenter – Aye **Motion Carried**

**New Business:**

**Relot2024-04 North Shore Management LLC (Jeff Moore);** 7596 NYS Route 13; 217.000-2-20.2 and 217.000-2-21.2. This boundary line adjustment is related to the 2-lot subdivision approved at the last planning board meeting. Mr. Moore explained that the green line on the approved subdivision plat. The board discussed the pre-existing land locked property.

Dave Carpenter made the **motion to approve Relot2024-04**. Seconded by Bill Shaughnessy.

No discussion. Poll Vote:           Orrin MacMurray –Absent       Bill Shaughnessy – Aye  
  Martha Link – Absent    Dave Gigon – Absent    Calvin Collins – Aye  
  Mike Piper – Aye        Dave Carpenter – Aye       **Motion Carried.**

**Sketch Plan Review: None**

**Public Comments:**

**Amanda Sasenbury:** Questioned if a long form SEQR would be required for SUP2024-02. The board responded that they did not believe it was necessary. As directed by the board, Secretary Pavelock will ask the advice of the town attorney.

**Tammy Crawford:** She believes that the fire department has not reviewed the plans for SUP2024-02.

**Jeff Moore:** Asked the board about road frontage on a possible subdivision near Drive 25 and Drive 26.

**Next Meeting:** November 21, 2024. New agenda items are due to the secretary by November 14, 2024.

Mike Piper made a **motion to adjourn**, seconded by Bill Shaughnessy. **Motion carried 8:19 pm.**

Minutes prepared by:

*/s/Kathy Pavelock*  
Planning Board Secretary