

MINUTES
Town of Vienna
Planning Board (PB) - Regular Meeting
November 21, 2024

Call to order: Chairman Calvin Collins called the meeting to order at 7:02 pm with a quorum of six members present.

Attendance:

Board Members: Calvin Collins, Mike Piper, Bill Shaughnessy, Dave Carpenter, Orrin MacMurray, and Martha Link. Dave Gigon was 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 October 17, 2024 meeting minutes as distributed.** No discussion. Poll Vote:

Orrin MacMurray – Abstain	Bill Shaughnessy – Aye	Martha Link –Abstain
Dave Gigon – Absent	Calvin Collins – Aye	Mike Piper – Aye
Dave Carpenter – Aye		Motion Carried with 4 Ayes.

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

- Submitted legal notice for 11/21/24 Public Hearing.
- Received several emails for SUP2024-02 (copies put in file).
- Received one new application (SUB2024-10). Notified the Town Clerk that the applicant will not be at this meeting due to illness.
- Assisted residents on the application process for Special Use Permit and Reallotment.
- Received phone calls with new applications. Both were received too late for this agenda. SUP2024-06 was received on 11/20/2024 and SUB2024-11 was received on 11/21/2024.
- The ZBA approved a Use Variance and an Area Variance for a proposed cell tower on the town hall property. Attorney Rossi is working with the applicant (Verizon) to submit a Special Use Permit application to the Planning Board (the applicant suggests that a Special Use Permit is not needed).
- Forwarded invitation to the Western Oneida County housing dinner as requested by Liaison Smith.

Public Hearings:

7:05pm 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. A motion was made by Bill Shaughnessy, seconded by Dave Carpenter to **open the public hearing for SUP2024-02.** No discussion. Poll Vote:

Orrin MacMurray – Aye	Bill Shaughnessy – Aye	Martha Link – Aye
Dave Gigon – Absent	Calvin Collins – Aye	Mike Piper – Aye
Dave Carpenter – Aye		Motion Carried at 7:12 p.m.

Amanda Wood – She is a resident living across the street from the proposed cabins. She indicated she would not have purchased the property if she knew about this proposed campground. She is concerned about the safety of children.

Tammy Crawford – She is a 30-year owner of the property immediately south of the proposed cabins. She is concerned about the safety of her child especially since it is proposed that the area will not be manned or gated. Also concerns related to the fencings/trees, recreation proposed (bird watching), emergency response (poor cell service in this area), no one to enforce the occupancy limits or rules, adequacy of septic system at full occupancy, handicap accessible restrooms, licensing requirements, lighting issues, and utility shed. A written copy of her concerns is provided in the special use permit file.

Amanda Sasenbury – Property owner to the immediate north of the proposed cabins. Concerned about strangers in the area and permitting 18-year-olds to rent the cabins. Appreciates that there will no longer be RVs and the double row of trees that are at her property line. Concerned that there will be trespassers on her trails. Feels for Tammy Crawford.

Nathaniel (last name garbled) – Does not believe we need another campground with 17 campgrounds currently in the town. Concerned about no onsite management. He would not want his children to go to the neighbors of this proposed campground as they currently do.

Chief Roberts – As chief of the Vienna Fire Department he has received plans and the plans meet the needs of the Vienna Fire Department.

Having no other persons wishing to speak, a motion was made by Mike Piper, seconded by Martha Link to **close the public hearing for SUP2024-02**. No discussion. Poll Vote:

Orrin MacMurray – Aye	Bill Shaughnessy – Aye	Martha Link – Aye
Dave Gigon – Absent	Calvin Collins – Aye	Mike Piper – Aye
Dave Carpenter – Aye	Motion Carried at 7:32 p.m.	

Unfinished Business:

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. The public hearing this evening starts the 62-day time clock for taking final action on this application (1/22/2025).

Mr. Hogan explained there are no significant changes to the site plan. Two of the sheets had some notes clarified/corrected (drainage elevation on C-3, added environmental items, and updated the rules and regulations). He has reviewed Zoning Law and communicated with the Town Highway, Fire Department, neighbors, NYS DEC, and Oneida County Department of Health. He is aware that permits will need obtained, however the site plan must be approved before applying for the permits.

The planning board went over several issues outstanding based on the review of the site plans submitted in October:

- C1.0 Show recreational area. Check that pavilion is accurately depicted and show what is in the pavilion. Show office/kiosk as required by zoning law.
- C1.1 Ground disturbance is shown as 27,000+- SF. Clearing done to date is much larger. Per C1.2 163,000+- SF. Need to stake the ravine and property lines.
- C1.2. Pavilion location appears to conflict with utilities shown later (C1.3). Consider straight truck approach to dumpster. Dumpster fencing is not clear.
- C1.3 There are two sheets identified as C1.3. Consolidate to one C1.3. Clarify design and layout of detention area with contours. Detention area conflicts with pavilion as shown in C1.2 and leach fields as shown on C2.0. Need size, material, and elevations of storm sewer with pipe end details. Include cross section of depressed area. Pipe under the adjacent cabin? Show erosion control design for drainage down back slope. Clarify spacing of trees and fencing on both sides of site and add dimensions.
- C2.0 Concern for pavilion and leach field not drawn to scale. Need to see an overlay.
- C2.1 Planning board did not review. The project engineer is responsible for this.
- D1.1 The lack of a solid fence would result in ineffective screening if the trees planted die or become sparse over time. On detail A13 add tree minimum height and width at planning. Add gate details for dumpster (A14). On detail A16 change note 3 to read Town of Vienna instead of City of Rome.
- D1.3 After “Maintenance Issues” add that maintenance will be handled by the owner or owner’s representative and that a contact number will be provided at the office/kiosk. Clarify the Private Property/No Trespassing sign direction (Faced in, out, both?). Stipulate other restrictions (ATVs, snowmobiles, hunting).
- As noted during the hearing, the vegetation on the north property line is good.
- As discussed at the October meeting, a new SEQR is not needed due to the updated site plans having less impact on the environment.
- Check the NYS building codes on occupancy (how many humans can occupy a cabin).
- Specify in the rules/regulation prohibiting firearms/fireworks.

Mr. Hogan responded to some of the items identified by the board.

- The recreational area is within the 3.7 acres and can use the 63 acres for recreation.
- The pavilion location can be moved. Since there no longer RV spots, restrooms are not needed in the pavilion. There is no office. The board suggests a kiosk in the pavilion. Rules/Regulations will be posted in each cabin according to Mr. Hogan.
- The swale/depressions/leach field will be clarified.
- They will now propose a full fence on the south side with shrubs planted on Mr. Race's side of the fence.
- The trees will have a one-year warranty and after one year tree care will be a maintenance item.
- He will add a note on no ATVs, Snowmobiles, Hunting.
- Mr. Hogen asked about the 62-day time clock. The board clarified that the time clock was suspended in August. The time clock is reset to this evening. The planning board must take final action within 62 days from the public hearing.

The board asked that Mr. Hogan submit updated site plans to the secretary No later than December 10. Earlier submittal would be better for the board to get comments back to Mr. Hogan prior to the meeting.

New Business:

SUB2024-10 Matthew Migon; 7840 Yager Rd; 217.000-1-14.1; Zone RR2; 2-lot subdivision.

Mr. Migon was unable to attend. No action was taken for this application at this meeting.

Sketch Plan Review: None

Public Comments: None

Other:

- The Solar project (SUP2023-06) approved earlier this year, is in the process of obtaining financing. Attorney Evan Rossi is working on this. This board may need to specifically approve the site plan.
- The planning board requested that Secretary Pavelock provide them with the ZBA decision and minutes related to the Cell Tower proposed for the town hall property.
- Mike Davis talked with Orrin MacMurray about a possible subdivision of his property. This would fall under a major subdivision.
- Mike Piper stated he has submitted a 2-lot subdivision application. This will be on the agenda in December.

Next Meeting: December 19, 2024. New agenda items are due to the secretary by December 12, 2024.

Dave Carpenter made a **motion to adjourn**, seconded by Bill Shaughnessy. **Motion carried 8:33 pm.**

Minutes prepared by:

/s/Kathy Pavelock
Planning Board Secretary