

MINUTES
Town of Vienna
Planning Board (PB) - Regular Meeting
December 19, 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, Orrin MacMurray, and Martha Link (arrived soon after the call to order). Dave Gigon and Dave Carpenter 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 Bill Shaughnessy, seconded by Mike Piper to **approve the November 21, 2024 meeting minutes with a clarification made to the fence comment on page 2 under D1.1.**

No discussion. Poll Vote:

Orrin MacMurray – Aye

Bill Shaughnessy – Aye

Martha Link – Aye

Dave Gigon – Absent

Calvin Collins – Aye

Mike Piper – Aye

Dave Carpenter – Absent

Motion Carried.

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

- Distributed to the PB, information related to the North Bay Cell Tower Zoning Board of Appeals approved variances.
- We received five new applications for this agenda. We received two new Special Use Permit (SUP) applications this week. The applicants were notified that they will be on the agenda for January.
- Assisted residents on the application process for Subdivisions.

Public Hearings: None.

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 held on November 21, 2024 starts the 62-day time clock for taking final action on this application (1/22/2025).

The updated site plans were distributed to the planning board. Mr. Hogen provided his written comments to the open items discussed at the November meeting. Mr. Hogen also summarized the written document. A copy of the document was included in the application file. Highlights of this discussion are as follows:

- Several open items were typographical in nature and they have all been addressed as noted in the written document.
- The placement of the pavilion has been verified such that there are no conflicts with electric or water.
- Property lines will be monumented every 100 feet by a NYS Registered Land Surveyor prior to establishing grading limits.
- There will be solid fence with trees on the Race south side of the property. Only trees on the Race north side of the property. Trees will be maintained and no mature trees will be cut down.
- Rules will be posted in each cabin and on the Kiosk.
- Fireworks are not permitted by NYS and there was a discussion on the need to explicitly call out the prohibition of fireworks.
- Cabins will have an occupancy of 2. It was noted that the Codes officer will post occupancy signs upon final approval of the building permits and during the annual inspections.

- There are security cameras on the site and they will provide continuous monitoring.
- There was a discussion on the required 5% recreational area. Mr. Hogen contends that the entire 63 acres are included in this project and the 60 acres of wooded area can be used for recreational use thereby meeting the 5% area. The special use permit contingencies will explicitly state the recreational area.
- An email received from a neighbor, Tammy Crawford, was read and a copy placed in the file. She is not in favor of granting the special use permit.
- Mr. Hogen summarized by stating that the goal has been to not be a nuisance to neighbors while the property owner is able to enjoy the use of his property.

Given that Mr. Hogen has provided additional updates to the site plan, the board declares this application essentially complete. The board reviewed a draft resolution (Draft 3 Dated 12/19/2024). **The final resolution is attached.** The board commented that Town Law requires annual inspections and a campground license. Town Law permits a maximum of 6' high fences.

Orrin MacMurray made **a motion to adopt the resolution as amended.** Bill Shaughnessy seconded the motion. No further discussion. Poll Vote:

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

Mr. Hogen was advised that he will receive a letter of determination containing the conditions for the special use permit. It will take a few days to prepare this letter.

New Business:

SUB2024-10 Matthew Migon; 7840 Yager Rd; 217.000-1-14.1; Zone RR2; 2-lot subdivision. Unable to attend 11/21/2024 and 12/19/2024. The secretary informed applicant that he will be on the agenda for 1/16/2025.

SUP2024-06 Richard Woodcock; 7720 Higginsville Rd; 237.000-1-56.1; Zone WR; Establish a new seasonal campground with 50 sites, manufactured home, and pavilion.

Mr. Woodcock briefly explained the site plan provided to the planning board. They will provide water and a pump out service area for septic and then periodically have the dump tank pumped out. They will have a pavilion and there is an existing manufactured home that is lived in during the summer. They do not plan a bath house or bathrooms. The board explained that the County Health Department may require the bath house with bathrooms. They should meet with the County Health Department. Mr. Woodcock explained that he only spoke with C/ZO Reay Walker. They plan on completing only the sites along the creek at this time. They explained that the site plan does not include drainage since the area is flat. The board also requested a cross section for the roads. The plan needs to show the access to sites #1 through #11. Each site will have a 30-amp and 50-amp service. This also needs to be included on the plan. The plan needs to show the recreational area. The board advised that the applicant needs to contact the following agencies: FEMA, Oneida County Health, DEC, and the Army Corp. of Engineers. This should be done prior to the next meeting.

SUB2024-11 P. Mike Piper 2261 NYS Rte. 49; 217.000-1-25.1; Zone C; 6.73 Acres; 2-lot subdivision.

MR. Piper described the subdivision plat distributed to the board. One lot will be 3 acres and the other will be 3.72 acres. The board reviewed the plan and the Short Environmental Assessment Form (SEAF) part 1. The board completed the SEAF part 2 and part 3. Orrin MacMurray made the **motion to be lead agency, declare a negative environmental impact, and to schedule a public hearing for January 16, 2025 at 7:05 pm.** Seconded by Bill Shaughnessy. No discussion. Poll Vote:
 Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye Dave Gigon – absent
 Calvin Collins – Aye Mike Piper – Abstain Dave Carpenter – Absent. **Motion Carried (4 Ayes).**

SUB2024-12 Louis Downs (Jeff Moore) 3000 Haskins Rd; 218.000-1-86.2; Zone WR; 7.1 Acres; Subdivision SUB2020-04 approved 12/17/2020. Plats were not filed with County. Jeff Moore representing the applicant explained that the plats were never filed in 2020/2021. He provided the final plats from 12/2020. No changes were made. Mr. Moore asked if the planning board could waive the public hearing. The board did not believe that they had the authority to waive subdivision processes. The board reviewed the SEAF and completed parts 2 and 3. Mike Piper made the **motion to be lead agency, declare a negative environmental impact, and to schedule a public hearing for January 16, 2025 at 7:10 pm.** Seconded by Bill Shaughnessy. No discussion. Poll Vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye Dave Gigon – absent Calvin Collins – Aye Mike Piper – Aye Dave Carpenter – Absent. **Motion Carried.**

SUB2024-13 Michael Davis (Jeff Moore) 8650 Maple Flats Rd; 179.000-1-10; Zone RR3; 66 Acres; 9-lot Major Subdivision. Jeff Moore presented the preliminary plat, explaining that they are currently resolving ownership of the road. Each owner will most likely own a portion of the road. The board would like to see a road construction profile which does not need to be done by an engineer. Mr. Moore explained that the road name is viable. The property owner would prefer a hammerhead versus a cul-de-sac. The Zoning Law requires a cul-de-sac. Since the property owner is the Town Supervisor, Mr. Davis provided a Declaration Statement in accordance with GBL Section 809. The board reviewed the preliminary plat and stated that they will not require separate hearings for the preliminary plat and the final plat. The board reviewed the SEAF part 1 and completed parts 2 and 3. Orrin MacMurray made the **motion to be lead agency, declare a negative environmental impact, and to schedule a public hearing for January 16, 2025 at 7:15 pm.** Seconded by Martha Link. No discussion. Poll Vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye Dave Gigon – absent Calvin Collins – Aye Mike Piper – Aye Dave Carpenter – Absent. **Motion Carried.**

Sketch Plan Review: None

Other:

- Supervisor Davis requested that the planning board provide recommendations to the Town Council for filling the new planning board member term, 2025 chairman, and 2025 secretary.
 - Bill Shaughnessy made the **motion to recommend Mike Piper to fill the planning board term ending 12/31/2031.** Seconded by Martha Link. No discussion. Poll Vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye Dave Gigon – absent Calvin Collins – Aye Mike Piper – Abstain Dave Carpenter – Absent. **Motion Carried (4 Aye Votes).**
 - Mike Piper made the **motion to recommend Calvin Collins as 2025 Planning Board Chairman.** Seconded by Bill Shaughnessy. No discussion. Poll Vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye Dave Gigon – absent Calvin Collins – Abstain Mike Piper – Aye Dave Carpenter – Absent. **Motion Carried (4 Aye Votes).**
 - Orrin MacMurray made the **motion to recommend Kathy Pavelock as 2025 Planning Board Secretary.** Seconded by Mike Piper. No discussion. Poll Vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye Dave Gigon – absent Calvin Collins – Aye Mike Piper – Aye Dave Carpenter – Absent. **Motion Carried.**
- Liaison Smith provided a summary of the Vernon housing meeting. Due to Micron, there will be a need for and additional 30.000 houses. The comprehensive plan should consider affordable housing. It was mentioned that the town council will be appointing a committee to update the town’s comprehensive plan.

Public Comments:

- Jeff Moore commented that he attends many town planning board meetings and stated that he wonders if it is legal to allow a public comment time when all parties are not in attendance at the time. The board explained that there are pros and cons to this. It was decided several years ago to include a public comment time on all planning board agendas.

Next Meeting: January 16, 2025. New agenda items are due to the secretary by January 9, 2025

Orrin MacMurray made a **motion to adjourn**, seconded by Mike Piper. **Motion carried 9:45 pm.**

Minutes prepared by:

/s/Kathy Pavelock
Planning Board Secretary

Town of Vienna
Planning Board Resolution
Deer Ridge Campground Special Use Permit (SUP2024-02)
19 December 2024

The following Resolution is offered regarding SUP2024-02:

Whereas, the applicant has applied for approval of a Special Permit for eight (8) cabins covering a 3.7 acre site located at 7954 Lewis Road in the Town of Vienna, NY; and

Whereas, the application has been declared complete containing multiple documents upon which a Special Use Permit may be issued including plans prepared by Hogan Engineering, PC with a Revision Date of December 19, 2024; and

Whereas, the proposed use has been classified by the Planning Board as a Campground under the Town of Vienna Zoning Law; and

Whereas, the project site is in the RR1 Zone where this use is allowed under Section 430, Schedule B of the Zoning Law; and

Whereas, the on-site facilities proposed will meet applicable setback requirements for zone RR1; and

Whereas, the applicant has proposed a set of rules for campers use of the campground in order to regulate campers activities; and

Whereas, the site plan has been designed to mitigate and reduce impacts on the surrounding neighborhood; and

Whereas, proposed access to the site is adequate and visible to oncoming traffic; and

Whereas, the traffic generated on Lewis Road is not projected to increase significantly due to the addition of 8 cabins as proposed; and

Whereas, the site plan provides two access points leading to a loop road for circulation and emergency access from two directions; and

Whereas, the site plan provides for adequate onsite parking; and

Whereas, landscaping and screening are proposed in the plan to reduce the visual impact on adjacent land owners; and

Whereas, the plan includes adequate drainage and other site infrastructure to support the use; and

Whereas, the design of signage and outside site lighting meet Town Zoning Law requirements; and

Whereas, adequate recreational space and facilities are provided for through a pavilion and surrounding recreational area for the use of campers on site in accordance with Zoning Law Section 1145; and

Whereas, site lighting, as proposed, will meet the requirements of Zoning Law Section 730 resulting in no more than 0.6 foot-candles at lot and road lines; and

Whereas, the campground will have public power, solid waste and water services as well as on-site sewage disposal systems meeting Oneida County Health standards; and

Whereas, the Planning Board completed a SEQR of the project based on a draft sight plan. No significant negative environmental impacts were identified. Subsequently, the applicant removed recreational camping vehicle sites from the sight plan and made other changes to the proposal further lessening the projects overall environmental and neighborhood impact; and

Whereas, a Public Hearing was conducted on 21 November 2024, for the project as finally proposed, at which time public comments were received; and

Whereas, after the hearing the applicant made the following clarifications of their proposal:

1. Clarified the size and location of the proposed Pavilion and Recreational Area on plans.
2. Delineated on plans a Campground information kiosk to be located at the Utility Shed on site.
3. Delineated on plans a note stating that property lines on the north and south side of the site between Lewis Rd and the stream will be monumented every 100 feet by a NYS Registered Land Surveyor.
4. Clarified dumpster area fencing and gate design.
5. Clarified erosion control provisions at 12" drain outlet to ravine.
6. Planting layout for screening purposes have been clarified on plans.
7. Fencing on south property line has been revised to be solid continuous 6 feet high running from the Lewis Rd. ROW to the top of the ravine.
8. Clarified that site maintenance will be performed by the owner and that emergency and maintenance contact information will be posted in cabins and at the Kiosk on site.
9. Clarified that signage will be facing in along north and south property lines to inform campers to stay off adjacent private property.
10. Rules clarified to prohibit camper use of ATVs and snowmobiles, except by owner.
11. Rules clarified to prohibit camper discharge of firearms on site.
12. Rules clarified to prohibit fighting, violent, tumultuous or threatening behavior on site.
13. Rules clarified limiting campers to a maximum of two occupants per structure/cabin.
14. And other clarifications as required; and

Whereas, it is the decision of the Planning Board that the proposed project substantially meets the requirements of the Town of Vienna Zoning Law;

Now therefore be it resolved that the SUP and Site Plan are approved, based on the application material submitted, with the following conditions:

1. If any change/s are made to the campground proposal or plans after a SUP is issued the applicant must return to the PB for approval prior to construction of the change/s.
2. The owner shall obtain all other required permits and approvals from the Town of Vienna and other jurisdictions.
3. This Special Use Permit is subject to compliance with the Town of Vienna Zoning Law and the permit documents. Failure to maintain such compliance can result in the Zoning Enforcement Officer revoking this permit under the terms of Zoning Law Section 2035.B.4.
4. On sheet D1.3 of the drawings, under "Maintenance of the Site", first note, add, vehicle license number.
5. Add a note and/or detail to the plans to indicate that all disturbed areas outside buildings or roadway/parking areas will be restored by applying topsoil, raking and applying grass seed.
6. The campground shall be routinely inspected by the owner and/or operator and steps taken as needed to maintain a safe and healthy environment.
7. Future replacement of vegetative screening, as required, shall be part of the owner's maintenance responsibility.

8. A remotely monitored video security system will be installed, operated and maintained by the owner/operator when the campground is in operation.
9. The campground parcel includes 63+/- acres, as shown in the "Project" note on Dwg D1.0, within which an area of 3.75 +/- acres is being developed for eight cabins and associated improvements, and 59.25 acres will remain undeveloped. The entire 63+/- acre parcel shall constitute the "gross land area" of the Campground referred to in Zoning Law Section 1145. The area for recreational use shall include approximately 0.2 acres, surrounding the proposed Pavilion within the 3.75+/- acre developed area, plus the 59.25+/- acres outside the developed area, together totaling 59.45+/- acres or approximately 94% of the "gross land area".