

MINUTES
Town of Vienna
Planning Board (PB) - Special Meeting
February 27, 2025

Call to order: Chairman Calvin Collins called the special meeting to order at 7:03 pm with a quorum of four members present. The special meeting was called by Chairman Collins for the purpose of rescheduling public hearings originally scheduled for February 20, 2025. There was not a quorum on February 20, 2025. Action will be taken on subdivision SUB2024-11 since final action is due by 3/19/2025 which is prior to the next regular meeting.

Attendance:

Board Members: Calvin Collins, Orrin MacMurray (Mac), Bill Shaughnessy, Martha Link, and Mike Piper (7:35 pm). Dave Gigon and Dave Carpenter were unable to attend.

Others: Secretary Kathy Pavelock.

Liaison Darrin Smith and Codes/Zoning Officer Reay Walker were unable to attend.

Minutes Approval:

The minutes from December 19, 2024, were updated as requested at the January meeting. The minutes now include the exact words that Mr. Hogan stated regarding fireworks at the Deer Ridge Cabins as transcribed by Secretary Pavelock from the December recording. Orrin MacMurray made **the motion to approve the minutes from December 19, 2024, as updated and distributed at this meeting.**

Seconded by Martha Link. Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye
Martha Link – Aye Calvin Collins – Aye Mike Piper – Absent for this vote
Dave Carpenter – Absent Vacancy – n/a **Motion Carried (4 Ayes).**

The board agreed to table the approval of the January meeting minutes to the March 20, 2025, since two members present would abstain from the vote due to their absence from the January meeting.

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

- Dave Gigon has submitted his resignation due to life events. Forwarded his letter to Supervisor Davis, Liaison Smith and Town Clerk Huber. There is now one vacancy on the board.
- Resubmitted 239m review to Oneida County Planning for the Solar Farm Special Use Permit (and Site Plan) at the request of the applicant. Forwarded any correspondence received to Calvin, Mac, and Attorney Rossi.

Public Hearings: n/a

Unfinished Business:

Reschedule public hearings originally scheduled for February 20, 2025:

Orrin MacMurray made the **motion to set public hearings as follows:**

- **SUB2024-10 for March 20, 2025 at 7:05 PM.**
- **SUP2024-07 for March 20, 2025 at 7:15 PM.**
- **SUP2024-08 for March 20, 2025 at 7:25 PM.**

Seconded by Bill Shaughnessy. Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye
Martha Link – Aye Calvin Collins – Aye Mike Piper – Absent for this vote
Dave Carpenter – Absent Vacancy – n/a **Motion Carried (4 Ayes).**

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

Immediately following the closing of the public hearing, the board discussed the status of this application. Due to the applicant needing to recuse from voting on this application, SUB2024-11 was tabled on January 16, 2025 until the February meeting. With final action due by March 19, 2025, Orrin MacMurray made the **motion to approve SUB2024-11.** Seconded by Bill Shaughnessy.

Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye
Calvin Collins – Aye Mike Piper – Absent for this vote Dave Carpenter – Absent
Vacancy – n/a **Motion Carried (4 Ayes).**

SUP2024-08 Justin Schuessler; Duplex to Multi-family Use; 217.018-1-44; 7580 W Lake St;

Zone HR; Chairman Collins explained that discussions were held at the February 20, 2025 informal meeting with the applicant regarding possible nonconformance for the special use requested.

At the informal meeting, Chairman Collins advised the applicant that the lot is nonconforming and that adding additional units may be considered making it more nonconforming. The Zoning Law requires a 20,000 sf lot and this lot is approximately 12,000 sf. Since he is not changing the structure footprint or number of stories, possibly the board could approve. There is a chance that the applicant may need to apply for a variance.

Before the March meeting, the board will research the Zoning Law to see how the law applies to this change in use. The board may have to reject the application and advise the applicant to appeal to the Zoning Board of Appeals for a use variance.

New Business: n/a

Sketch Plan Review: n/a

Other:

- **SUP2023-06 Distributed Solar Photovoltaic Facility (5,000 kW).** Approved 2/24/2024. In addition to resubmitting the 239m review to Oneida County Planning, Mac explained some of the other issues being discussed between the applicant and Attorney Rossi related to this approved Special Use Permit. This includes a question from the applicant regarding the facility spanning 2 lots and meeting setback requirements and electric service being provided through a commercial zone. In the future the board will consider requiring lot merges and always checking “site plan review” on the county 239m review submittal form.
- Mike Piper asked about the board recommending to the town council that the planning board be reduced from 7 to 5 member. Some board members think that having 7 members is better than 5. According to State Law, if a town decides to move from 7 to 5 members, then the reduction occurs upon the end terms of two members. For example, if the town council decided this year to reduce the number of members to 5, the member whose term ends 12/31/25 and the member whose term ends 12/31/26 would not be refilled.

Next Meeting: March 20, 2025. New agenda items are due to the secretary by March 13, 2025.

Bill Shaughnessy made a **motion to adjourn**, seconded by Mike Piper. **Motion carried 8:04 pm.**

Minutes prepared by:

/s/Kathy Pavelock

Planning Board Secretary