

MINUTES
Town of Vienna
Planning Board (PB) - Regular Meeting
March 19, 2026

Call to order: Bill Shaughnessy called the meeting to order at 7:01 pm with a quorum of 4 members. He explained that Mac had asked him to chair this meeting in his absence.

Attendance:

Board Members: Bill Shaughnessy, Dave Carpenter, Mike Fischer, Tammy Crawford, and Martha Link (7:03). Orrin MacMurray (Mac) and Miranda Ward were unable to attend.

Others: Secretary Kathy Pavelock, Town Council Liaison Darrin Smith and a few residents. Codes/Zoning Officer Reay Walker was unable to attend.

Minutes Approval:

Tammy Crawford made **the motion to approve the “February 19, 2026, regular meeting minutes”**, seconded by Dave Carpenter. No discussion. Poll vote: Orrin MacMurray – Absent

Bill Shaughnessy – Aye	Miranda Ward – Absent	Martha Link – Aye
Tammy Crawford – Aye	Dave Carpenter – Aye	Mike Fischer – Aye

Motion Carried 5 to 2.

Correspondence: Secretary Pavelock summarized the correspondence on the agenda including:

- Updated and distributed copies of the contact list with Mike’s preferred email address.
- Submitted Local Government Conference Registrations. Confirmations should be forthcoming.
- Prepared and distributed a letter to Campground owners inviting them to the April 2, 2026, 3 pm Information Meeting. Kathy will notify the media of this special meeting.
- Received 2 new Special Use Permit applications and related information.

Public Hearings: None

Unfinished Business: None

New Business:

SUP2026-01 Payne Construction (Shawn Payne); New sand and gravel mine at 3447 Oswego Rd; 201.000-1-15 / 201.000-1-17; 25/3.6 acres; Zone RR1. DEC is taking lead agency for SEQR. DEC is asking TOV for approval related to grading. ZEO review of the application states “Activity requires a special use permit per section 430 Schedule B of the Zoning Law.” Jason Fleming Depot Engineering for Shawn Payne described the DEC request for TOV approval of the grading that does not meet town setback requirements. He also presented a site plan (C1.0) that shows they will need to grade into the town set back of 100’ for a major excavation. This is only needed for the gravel access driveway (C2.1) and not for where the actual excavations are planned. DEC requires 45’ and will need approval from the town to meet the DEC setbacks, but not the town’s setback requirements before DEC approves the DEC permit. The DEC permit is required before the applicant can proceed with the Town Special Use Permit. Jason stated that he was looking for a letter from the Planning Board.

Bill Shaughnessy explained that the Planning Board is not authorized to interpret town law or to grant variances. Interpretations and Variances are handled by the Zoning Board of Appeals (ZBA). Bill further explained that the Planning Board will need to see a stamped survey when they are ready to discuss the special use permit.

Secretary Pavelock explained that there is a ZBA meeting on Monday March 23. They could submit their application to the Town Clerk on Monday. An application form was provided. There was some discussion as to whether they should submit for an interpretation of “Major Excavation” or to request an area variance. Jason will discuss with Shawn Payne and get the appropriate application submitted. He will provide the site plan for the ZBA.

New Business (cont.)

SUP2026-02 The Farms of ADL, Inc. (Brian Kirsch); New daily operation of a pre-fab farm stand at 2040 NYS Route 49 (North Bay Fire Dept. Field); 217.000-1-77.2; 13.3 acres; Zone HR. ZEO review of the application states “Use may require a variance – small” [Note: Secretary Pavelock believes this is for Retail Sales and Service – Small].

Brian corrected the location from 2114 to 2040 NYS Route 49 on the application and signed the short form SEQR. The board reviewed the application and categorized this as “Retail Sales and Service – Small” which is not an allowed use in HR. The board stated that Brian will need to obtain a Use Variance from the ZBA before the Planning Board can proceed with the Special Use Permit. The board asked Brian to contact the North Bay Fire Department for written approval for the change in use since they are the owners of the property.

Secretary Pavelock explained that there is a ZBA meeting on Monday March 23. Brian could submit the application to the Town Clerk on Monday. An application form was provided.

Sketch Plan Review: None

Other:

- Zoning Law Update
 - Bill explained that since Mac was not able to attend, there is nothing to discuss tonight related to the Zoning Law updates.
 - Mike thought it might be a good idea to include a definition of Farm Stand in the updated laws. He will discuss this with Mac.

Public Comments: None

Next Meeting: April 16, 2026. New agenda items are due to the secretary by April 9, 2026.

Mike Fischer made a **motion to adjourn**, seconded by Dave Carpenter. **Motion carried 7:50 pm.**

Minutes prepared by:

/s/Kathy Pavelock

Planning Board Secretary