

MINUTES
Town of Vienna
Planning Board (PB) - Regular Meeting
January 16, 2025

Call to order: Member Orrin MacMurray called the meeting to order at 7:01 pm with a quorum of four members present. Orrin stated the Calvin was unable to attend due to the passing of his wife, Ruth. Mike Piper made the **motion to appoint Orrin MacMurray as acting chairman for this meeting.** Seconded by Martha Link. Poll Vote: Orrin MacMurray – Aye Bill Shaughnessy – Absent
Martha Link – Aye Dave Gigon – Absent Calvin Collins – Absent Mike Piper – Aye
Dave Carpenter – Aye **Motion Carried (4 Ayes).**

Attendance:

Board Members: Dave Carpenter, Mike Piper, Orrin MacMurray (Mac), and Martha Link.
Dave Gigon, Bill Shaughnessy, and Calvin Collins 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:

The board discussed the minutes from December 19, 2024. Martha Link stated that the minutes should include the exact words that Mr. Hogan stated regarding fireworks at the Deer Ridge Cabins. Secretary Pavelock will listen to the recording and update the minutes for review and approval at the February meeting.

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

- Prepared and distributed the Letter of Determination for SUP2024-02 Deer Run Cabins.
- Submitted legal notices for public hearings and 2025 planning board meeting to the QCN.
- Submitted 239m reviews for subdivisions, as applicable.
- Forwarded to Richard Woodcock specific laws applicable to campgrounds (prepared by Mac).
- Received correspondence related to RIC Energy solar farm special use permit.
- Updated the planning board contact list with updated terms and distributed to the board.

Public Hearings:

7:05 pm SUB2024-11 P. Mike Piper 2-lot subdivision; 2261 NYS Rte. 49; 217.000-1-25.1;
Zone C; 6.73 Acres. Dave Carpenter made the **motion to open the public hearing for SUB2024-11.**

Seconded by Martha Link. Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Absent
Martha Link – Aye Dave Gigon – Absent Calvin Collins – Absent
Mike Piper – Aye Dave Carpenter – Aye **Motion Carried (4 Ayes) 7:17 pm.**

There were no comments from the public. Martha Link made the **motion to close the public hearing for SUB2024-11.** Seconded by Dave Carpenter. Poll vote: Orrin MacMurray – Aye

Bill Shaughnessy – Absent Martha Link – Aye Dave Gigon – Absent
Calvin Collins – Absent Mike Piper – Aye Dave Carpenter – Aye
Motion Carried (4 Ayes) 7:18 pm.

7:10 pm SUB2024-12 Louis Downs (Jeff Moore) 2-lot subdivision; 3000 Haskins Rd; 218.000-1-86.2;
Zone WR; 7.1 Acres; Subdivision SUB2020-04 was approved 12/17/2020. Mike Piper made the

motion to open the public hearing for SUB2024-12. Seconded by Dave Carpenter. Poll vote:
Orrin MacMurray – Aye Bill Shaughnessy – Absent Martha Link – Aye
Dave Gigon – Absent Calvin Collins – Absent Mike Piper – Aye
Dave Carpenter – Aye **Motion Carried (4 Ayes) 7:22 pm.**

There were no comments from the public. Martha Link made the **motion to close the public hearing for SUB2024-12.** Seconded by Mike Piper. Poll vote: Orrin MacMurray – Aye

Bill Shaughnessy – Absent Martha Link – Aye Dave Gigon – Absent
Calvin Collins – Absent Mike Piper – Aye Dave Carpenter – Aye
Motion Carried (4 Ayes) 7:23 pm.

7:15 pm SUB2024-13 Michael Davis (Jeff Moore) 9-lot Major Subdivision; 8650 Maple Flats Rd; 179.000-1-10; Zone RR3; 66 Acres. Dave Carpenter made the **motion to open the public hearing for SUB2024-13.** Seconded by Mike Piper. Poll vote: Orrin MacMurray – Aye
Bill Shaughnessy – Absent Martha Link – Aye Dave Gigon – Absent
Calvin Collins – Absent Mike Piper – Aye Dave Carpenter – Aye

Motion Carried (4 Ayes) 7:27 pm.

There were no comments from the public. Dave Carpenter made the **motion to close the public hearing for SUB2024-13.** Seconded by Mike Piper. Poll vote: Orrin MacMurray – Aye

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

Motion Carried (4 Ayes) 7:28 pm.

Unfinished Business:

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. Oneida County commented avoiding future development in wetland areas and obtaining flood plain development permit. DOT commented that permits are needed for any future additional or modified access to the state highway. Due to the applicant needing to recuse from voting on this application, SUB2024-11 is tabled until the February meeting.

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. Immediately following the public hearing, the board discussed the status of this application. Oneida County commented to avoid future development in wetland areas and obtain permit for flood plain development. OC DPW commented that permits are needed for any future additional or modified access to the county highway. Mike Piper made the **motion to approve SUB2024-12.** Seconded by Martha Link. Poll vote: Orrin MacMurray – Aye

Bill Shaughnessy – Absent Martha Link – Aye Dave Gigon – Absent

Calvin Collins – Absent Mike Piper – Aye Dave Carpenter – Aye **Motion Carried (4 Ayes)**

Since Chairman Collins is absent from this meeting, Secretary Pavelock will coordinate the approval signatures on the plats and notify Jeff Moore when the plats are ready for him to file with the county.

SUB2024-13 Michael Davis (Jeff Moore) 8650 Maple Flats Rd; 179.000-1-10; Zone RR3; 66 Acres; 9-lot Major Subdivision. Immediately following the public hearing, Jeff Moore described the updates to the plat since the last meeting including a roadway profile, culverts, drainage, notes on stop sign and private road notice, cul-de-sac. The board asked that note 7.3 be reworded. A letter from Hogan Engineering on the perc tests will be provided for the file. Dave Carpenter made the **motion to approve SUB2024-13.** Seconded by Martha Link. Poll vote: Orrin MacMurray – Aye

Bill Shaughnessy – Absent Martha Link – Aye Dave Gigon – Absent

Calvin Collins – Absent Mike Piper – Aye Dave Carpenter – Aye **Motion Carried (4 Ayes)**

Upon receipt of all items, Secretary Pavelock will coordinate the approval signatures on the plats and notify Jeff Moore when the plats are ready for him to file with the county.

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 provided an updated site plan and described the progress since last meeting. He has applied for a flood plain development permit and contacted the health department. He has added the road to the site plan as requested at the last meeting. The board requested to see a road cross section, sanitary facilities, recreation area, a letter from the State Historical Preservation Office (SHPO), and a letter from the highway department related to access to sites 1 through 5. The board advised the applicant to notify all neighbors of the plans. The board also asked who the engineers were. Niagara Mohawk (National Grid) for electric and someone out of Syracuse for the plumbing. Assuming more information is available at the next meeting, the board will review the SEQR.

SUP2023-06 Distributed Solar Photovoltaic Facility (5,000 kW). Approved 2/24/2024. Mac explained that the RIC Energy representative Sean Frusco is no longer with the company. RIC Energy is in the process of obtaining financing for this approved project. The attorneys have some questions and Town Attorney Evan Rossi is working with Zoning Officer Reay Walker to prepare a letter regarding the commercial zone, setbacks (2 parcels), and approving the site plan. The board may be requested to make a special resolution to approve the site plan even though the special use permit was approved. Attorney Rossi encouraged RIC Energy to attend today's meeting. They were not present.

New Business:

SUB2024-10 Matthew Migon (Jeff Moore); 2-lot subdivision 7840 Yager Rd; 217.000-1-14.1; Zone RR2. Unable to attend 11/21/2024 and 12/19/2024. Jeff Moore presented the plat showing 15.6 acres to be subdivided into 2 lots. The board reviewed the lot sizes and road frontages, finding them to be compliant with the zoning law. The board reviewed SEQR part 1 and completed parts 2 and 3. Mike Piper made the **motion declare a negative environmental impact**. Seconded by Martha Link. Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Absent Martha Link – Aye
Dave Gigon – Absent Calvin Collins – Absent Mike Piper – Aye
Dave Carpenter – Aye **Motion Carried (4 Ayes).**

Dave Carpenter made the **motion to set a public hearing for SUB2024-10 for February 20, 2025 at 7:05 PM**. Seconded by Martha Link. Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Absent
Martha Link – Aye Dave Gigon – Absent Calvin Collins – Absent
Mike Piper – Aye Dave Carpenter – Aye **Motion Carried (4 Ayes).**

Secretary Pavelock asked if there were any agricultural districts within 500' of the property. Jeff will check this and notify the secretary. If there is an ag district, then the 239m review will be coordinated.

SUP2024-07 Verizon Wireless North Bay Cell Tower (James LaValle); 2083 NYS Rte. 49; Zone HC; 217.017-1-1. ZBA approved a Use Variance and an Area Variance on November 11, 2024. Mr. LaValle provided an overview of the proposed 160' cell tower. Site plans and other documentation were provided to the board. The board asked questions and made comments including:

- Consider adding a light at the top due to the private airstrip close by. Provide bulb specs.
- Number of electric meters at the base? Mr. LaValle explained all utilities are underground.
- Decommissioning bond– this will be like the Maple Flats area tower and be for \$80,000. Mr. LaValle explained that Verizon does not abandon their towers. They have some that are older than 25 years. James will provide an electronic copy of the study done to determine the amount of the decommissioning bond.
- Safety – the board was advised to review the materials provided. The tower is hinged. The original letter stated that there was a 160' fall zone. Mr. LaValle will provide the updated letter which has an 81' fall zone.
- Trees – they may need to top some trees, but most trees will remain.
- Screening – there are currently no plans to screen the area however they would consider adding visibility slats. The board would like to see a visual of the slats or plantings.
- Feasibility of using the ZBA SEQR. By consensus, the planning board will accept the ZBA SEQR. Secretary Pavelock will obtain the SEQR materials from the ZBA files for this file.
- Other conditions contained in the ZBA decision - Dave Carpenter stated that 911 has no immediate plans to add anything to this tower. The ZBA decision included a condition to coordinate with 911.
- Lease agreement with the town - The amount was redacted in the copy that James has. The board was concerned about a right-away for access and maintenance of underground power lines that cross town property. The board would like a copy of that portion of the lease.
- The board needs to see drainage/grating and asked about top soil and seeding outside the fence. There are no plans for this since it is all gravel. No SPEDES required.
- Outdoor lighting – there will be utility lights for service and no lights for security purposes.

- Provide a copy of the SHPO letter for this site (it may be in the ZBA files).

Dave Carpenter made the **motion to set a public hearing for SUP2024-07 for February 20, 2025 at 7:15 PM**. Seconded by Mike Piper. Poll vote:

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

Motion Carried (4 Ayes).

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

Mr. Schuessler described his plans for converting an old church into a 4-family dwelling. The board would like to know the dimensions of the parking lot. Justin will measure and put it on the sketch. This property has public water and sewer. There will be no additional lighting added (currently have motion lights). There will be no signage, no screening, landscaping, or fencing. Multi-family dwellings require inspections every three years. The trash area is noted on the sketch. The board reviewed SEQR part 1 and completed parts 2 and 3. Martha Link made the **motion to declare no significant environmental impact (with the use of efficient appliance to account for a possible power shortage) and to set a public hearing for February 20, 2025 at 7:25 PM**. Seconded by

Dave Carpenter. Poll vote:

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

Motion Carried (4 Ayes).

Sketch Plan Review: None

Other:

- The board discussed the status of David Gigon who was absent from several meetings in 2024. Secretary Pavelock will contact Dave to find out his intentions for 2025.
- There are no updates to report related to Zoning Law changes.
- Martha, Mike, and Dave would like to attend the Local Government Conference on April 1. Mac is going to attend and has already submitted his registration. Secretary Pavelock will check with other board members for their interest. And submit the request to the Town Council.

Next Meeting: February 20, 2025. New agenda items are due to the secretary by February 13, 2025. Mac and Dave noted they will be out of town for the next meeting.

Mike Piper made a **motion to adjourn**, seconded by Dave Carpenter. **Motion carried 9:22 pm.**

Minutes prepared by:

/s/Kathy Pavelock
 Planning Board Secretary