

**MINUTES**  
**Town of Vienna**  
**Planning Board (PB) - Regular Meeting**  
**September 19, 2024**

**Call to order:** Chairman Calvin Collins called the meeting to order at 7:00 pm with a quorum present.

**Attendance:**

Board Members: Calvin Collins, Mike Piper, Orrin MacMurray (Mac), Bill Shaughnessy, Dave Carpenter, Dave Gigon, and Martha Link (7:07 pm).

Others: Town Attorney Evan Rossi, Secretary Kathy Pavelock, Liaison Mike Davis, 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 Dave Carpenter **to approve the August 15, 2024 meeting minutes.** No discussion. Poll Vote:

Orrin MacMurray – Aye  
Bill Shaughnessy – Aye      Martha Link – Absent for this vote      Dave Gigon – Abstain  
Calvin Collins – Aye      Mike Piper – Aye      Dave Carpenter – Aye      **Motion Carried.**

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

- Submitted legal notices for 9/19/24 Public Hearings.
- Performed research on SUP2010-1 and provided to planning board member.
- Received 1 new applications (SUB2024-09) and distributed to board.
- Filed plats with Oneida County for the Broadway group, subdivision SUB2024-04).

**Other:**

There are no updates on the recommended changes to the Zoning Law due to the business before the planning board. Mac reported that he has talked with Supervisor Davis and the council is prepared to handle the “pre-public hearing” informational sessions as was done for the last update.

**Public Hearings:**

**7:10pm SUP2024-05 Verizon Wireless (Scott Olsen/James LaValle);** 180.000-1-65; Zone RR3; Installation and operation of new personal wireless service communications facility (cell tower) at 8769 Marsh Road. Owners Allan and Susan Brooks. Mike Piper **motioned to open the public hearing for SUP2024-05.** Seconded by Bill Shaughnessy. No discussion. Poll vote: Orrin MacMurray – Aye      Bill Shaughnessy – Aye      Martha Link – Aye      Dave Gigon – Aye  
Calvin Collins – Aye      Mike Piper – Aye      Dave Carpenter – Aye      **Motion Carried at 7:11 pm.**  
There were no comments from the public. Orrin MacMurray **motioned to close the public hearing for SUP2024-05.** Seconded by Bill Shaughnessy. No discussion. Poll vote:  
Orrin MacMurray – Aye      Bill Shaughnessy – Aye      Martha Link – Aye  
Dave Gigon – Aye      Calvin Collins – Aye      Mike Piper – Aye      Dave Carpenter – Aye

**Motion Carried at 7:13 pm.** While awaiting the scheduled time for the second public hearing, the board continued discussions on SUP2024-05 “Elpis Road Cell Tower.” Steve Wilson and Daniel Weinheimer were in attendance for James LaValle and Scott Olsen. The board had requested a decommissioning plan which was not provided for this meeting. Mr. Weinheimer explained that it was more common to provide a bond which would cover decommissioning. Attorney Rossi explained that the applicant’s engineer prepares information on how much it would cost to decommission and then the bond is set. The board would like some kind of agreement or security next month that will protect the town. Mr. Weinheimer will work on this with the town attorney.

The board explained the process for final action on a special use permit. The board has 62 days after the public hearing to take final action. In many cases the final action is to approve with conditions. The board discussed the readiness to take final action. Orrin MacMurray made the motion **to approve special use permit SUP2024-05 since the plans are in accordance with the town Zoning Laws, contingent upon the applicant providing a bond that the town attorney will approve. Other conditions will include the usual stipulations including: all permits must be obtained and any significant changes to plans need to come before the planning board before implementation.** Seconded by Bill Shaughnessy. No discussion.

Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye  
Dave Gigon – Aye Calvin Collins – Aye Mike Piper – Aye Dave Carpenter – Aye

**Motion Carried.**

**7:20pm SUB2024-08 North Shore Prop. Maintenance. Car wash (Jeff Moore); 217.000-2-20.2; Zone C; 2-lot subdivision at 7590 NYS Route 13; Acreage 4+/-.**

Mike Piper **motioned to open the public hearing for SUB2024-08.** Seconded by Bill Shaughnessy. No discussion. Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye Dave Gigon – Aye Calvin Collins – Aye Mike Piper – Aye Dave Carpenter – Aye  
**Motion Carried at 7:22 pm.**

There were no comments from the public. Martha Link **motioned to close the public hearing for SUB2024-08.** Seconded by Dave Gigon. The board discussed the location of this subdivision. Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye

Dave Gigon – Aye Calvin Collins – Aye Mike Piper – Aye Dave Carpenter – Aye  
**Motion Carried at 7:24 pm.**

The board then discussed the status of this application. Oneida County (no comments) and NYS DOT (must obtain permits for any future work done in the DOT right away) have responded to the 239m review. Mike Piper **made the motion to approve the 2-lot subdivision SUB2024-08.** Seconded by Dave Carpenter. No discussion. Poll vote: Orrin MacMurray – Aye Bill Shaughnessy – Aye Martha Link – Aye Dave Gigon – Aye Calvin Collins – Aye Mike Piper – Aye Dave Carpenter – Aye  
**Motion Carried.**

**Unfinished Business:**

**SUP2024-02 Dale Race (Hogan Engineering);** 7954 Lewis Road; 201.000-1-41.3; Zone RR-1; updated campground configuration covering 3.7 acres with public water and subsurface wastewater disposal. Tim Hogan explained the updated configuration. The plans now include 8 cabins and no RV spaces. The cabins have been shifted. This new configuration will mean less traffic and no large vehicles. There will be more room for boat trailers and visitors. The utility shed has been moved within the property before the driveway (it must be heated). Planting will be on both the north and south side of the property.

The board discussed the significant changes including the following:

- The stormwater management was updated so that half has been diverted to the ravine. This will improve the runoff. The board requested this needs to be stated on the plans.
- The rules and regulations need to be updated including a maximum occupancy of 4 per cabin. The cabins re 12'-14'x20'-30' with 1 bedroom per cabin.
- OCWA approval has been obtained. 4" water service with 2" throughout property.
- The driveway and cabin pads are crushed stone.
- The plans need to be cleaned up (i.e. remove "RVs").
- The proposed arborvitaes will be planted next to existing trees which will stunt their growth along with being eaten by deer. Fencing should be considered over plantings.
- The pavilion is open with picnic tables. It is intended to be a gathering space.
- Mr. Hogen stated he has reviewed the Zoning Laws. There may be some issues with the lighting such as lighting at the entrance. Will submit another photometric plan.
- The recreational space of 5% is required and the applicant is suggesting 20%.
- The board will further evaluate the use, transient lodging versus campground.

The planning board wants time to review the new plans and consider the use. Mr. Race was present at this meeting and commented on some of the concerns by the board. No further action will be taken this evening.

**New Business:**

**SUB2024-09 David/Amanda Kalk;** 200.000-1-83.4; Zone RR1; 2-lot subdivision at 8130 NYS Route 13; Acreage 21.86. Darrin Smith presented the proposed subdivision. The board reviewed the preliminary plat, and SEQR part 1. The board prepared SEQR 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 October 17, 2024 at 7:10 pm.** 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 – Aye      **Motion Carried.**

**Sketch Plan Review: None**

**Public Comments:**

- **New resident on Lewis Road** was concerned about the new asphalt on Lewis Road. The board suggested calling the Highway Department (Liaison Davis provided contact information).
- **Jeff Moore** asked the board for their opinion on a 100-acre parcel with no road frontage. There is a right of way through the middle of this property. Jeff would like to know which is the front of the property for a setback. The board suggested using the side that faces the road.

**Next Meeting:** October 17, 2024. New agenda items are due to the secretary by October 10, 2024.

Orrin MacMurray made a **motion to adjourn**, seconded by Dave Carpenter. **Motion carried 8:30 pm.**

Minutes prepared by:

*/s/Kathy Pavelock*

Planning Board Secretary