

Town of Pomfret
Planning Board
Pomfret Town Hall
9 Day St
Fredonia, N.Y. 14063

May 6, 2024
Hearing # 4-24
7:00 P.M.

MINUTES

APPLICANT:

Dustin Schauman
8055 Barnum Rd
Cassadaga, NY 14718
SBL: 182.00-1-11
Minor Sub-Division

PROPERTY OWNER:

Dustin Schauman
8010 Barnum Rd
Cassadaga, NY 14718

PRESENT: James Joy (Chairman), Heather Lesch, Robert Dando, Robert Smith,
Ashley Willebrandt, Nicole Waite (Planning Clerk)

PUBLIC PRESENT: Dustin Schauman

1. **CALL TO ORDER:** Chairman Joy called the meeting to order at 7:00 P.M.
2. **NOTIFICATION OF MEETING:** Chairman Joy read the Public Hearing notice aloud.

“NOTICE IS HEREBY GIVEN that a Public Hearing (#04-24) will be held by the Pomfret Planning Board on **May 6, 2024, at 7:00 P.M** at the Pomfret Town Hall, 9 Day Street, Fredonia, N.Y. 14063 to consider the appeal of: **Dustin Schauman**, whose property is located at **8055 Barnum Rd, Cassadaga, NY 14718 for a Minor Subdivision**. This property is described on the tax map as **SBL: 182.00-1-11**. The proposed action is to divide **two (2) lots within the 23.7+/- acres of land. The first lot: 2.0 acres, the second: 21.7 acres.** Under the Town of Pomfret Zoning Code, the land is currently Zoned as AR-1.

This Minor Subdivision application is for inspection at Pomfret Town Hall, 9 Day Street, Fredonia, N.Y. 14063.

PLEASE TAKE FURTHER NOTICE that the environmental significance of the proposed request under SEQRA will be reviewed by the Board at said hearing.

Any person may appear in person, agent, or attorney. Please contact the Planning Office at 672-7496 Ext. 7 with any questions. Communication in writing in relation thereto may be filed with the Planning Clerk or at such hearing. All interested persons shall be heard.”

3. **CORRESPONDANCE:** None received
4. **SEQR PART 1 REVIEW:** The SEQR Part 1 that was included with the application was not accurate, as it described the proposed action as subdividing the 23.7 acres of land into two parcels: 1.0 acres and 22.7 acres. The applicant was directed to complete an updated form to reflect the subdivision into two parcels: 2.0 acres and 21.7 acres. The newest SEQR Part 1 was reviewed by the Board.
5. **PROJECT DISCUSSION:** The Board reviewed Dustin Schauman’s application materials for the proposed Minor Subdivision of 8055 Barnum Rd, Cassadaga, NY SBL: 182.00-1-11. They questioned page 2 of the application where Mr. Schauman marked ‘No’ for Water Well and Septic System, then wrote ‘existing’ next to both. Mr. Schauman indicated he thought that he chose ‘No’ since they were both already existing, and no new would be constructed. Both were updated to ‘Yes’.

Mr. Schauman explained that this application is the same as the one reviewed at a Planning Board public hearing on January 9, 2023, with the only difference being that the proposed subdivision of the 23.7-acre parcel is now two parcels, one 2.0 acres and the other 21.7 acres. Previously, the proposed new parcel sizes were 1.0 acre and 22.7 acres. After the 2023 hearing the applicant was informed that the smallest parcel needed to be at least 2 acres in order to adhere to Chautauqua County Health Department requirements. The current application satisfies this requirement.

6. **PUBLIC COMMENT:** None
7. **SEQR DECLARATION:** A motion made by Robert Dando, seconded by Heather Lesch, to declare a Negative Impact for the proposed Minor Subdivision. The motion carried unanimously.
8. **DECISION:** A motion was made by Robert Dando, seconded by Heather Lesch, to grant a Minor Subdivision with conditions to Dustin Schauman, for sub-division of 23.7 acres into two parcels: 2.0 acres, and 21.7 acres, as presented with a Planning Board application for property located at 8055 Barnum Rd, Cassadaga, NY 14718 SBL: 182.00-1-11. The motion carried unanimously by roll call vote with the following conditions:
 - The sub-division of this land shall be recorded by deed in the County of Chautauqua within 90 days of the filing of this resolution.

ROLL CALL:

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| Jim Joy | AYE |
| Rob Smith | AYE |
| Heather Lesch | AYE |
| Robert Dando | AYE |
| Ashley Willebrandt | AYE |

9. **ADJOURNMENT:** Chairman Joy motioned to close the Public Hearing at 7:50 P.M., seconded by Robert Dando. The motion carried unanimously.

Respectfully Submitted,

Nicole Waite

Nicole Waite
Planning Clerk, Town of Pomfret