

Town of Pomfret  
Planning Board  
Pomfret Town Hall  
9 Day St  
Fredonia, NY 14063

*November 4, 2024*  
*Hearing # 5-24*  
*6:30 P.M.*

**MINUTES**

APPLICANT & PROPERTY OWNER:

Sandra Pavlock  
9554 Stone Rd  
Fredonia, NY 14063  
SBL: 147.00-2-1  
Minor Sub-Division

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

PUBLIC PRESENT: Julia McFarland, Ray Coniglio

1. **CALL TO ORDER:** Chairman Joy called the meeting to order at 6:31 P.M.
2. **ACCEPTANCE OF MINUTES:** A motion to accept the minutes of Workshop #1-24 was made by Robert Dando and seconded by Robert Smith. The motion carried unanimously.
3. **NOTIFICATION OF MEETING:** Chairman Joy read the Public Hearing notice aloud.

**“NOTICE IS HEREBY GIVEN** that a Public Hearing (#05-24) will be held by the Pomfret Planning Board on **November 4, 2024, at 6:30 P.M.** at the Pomfret Town Hall, 9 Day Street, Fredonia, NY 14063 to consider the appeal of: **Sandra Pavlock**, whose property is located at **9554 Stone Rd, Fredonia, NY 14063 for a Minor Subdivision.** This property is described on the tax map as **SBL: 147.00-2-1.**

The proposed action is to divide two (2) lots within the 9.46+/- acres of land. The first lot: 5.0 acres, the second: 4.46 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, NY 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.”

Chairman Joy read the list of neighbors within 500 feet of the parcel, all of whom received notice of tonight’s hearing.

**PROJECT DISCUSSION:** The Board reviewed Sandra Pavlock’s application materials for the proposed Minor Subdivision of 9554 Stone Rd, Fredonia, NY SBL: 147.00-2-1. Based on the survey, the frontage of lot 1 will be 301.24ft and lot 2 will be 339ft. This exceeds the minimum front lot width requirement of 200ft. Lot 1 will be 4.46 acres, lot 2 will be 5.0 acres. This exceeds the minimum lot size requirement of 2 acres. The parcel does not have public water or sewer. Lot 1 has Ms. Pavlock’s house. Lot 2 consists of a vacant forest. Neither parcel is land locked. Based on the facts presented, the proposed subdivision would not create non-conforming lots.

Chairman Joy asked Julia McFarland what the long-term plan is for the proposed 5.0-acre parcel. Ms. McFarland explained that her son is under contract to purchase the proposed parcel from Ms. Pavlock. She said in 1.5 years he plans to clear space for and build a single-family home. Heather Lesch pointed out that if he does move forward with new construction, it will be important to ensure the building location adheres to all area requirements, and any septic tanks are built far enough away from the lot boundaries. Those decisions would be made during the building permitting process. Chairman Joy commented that Chautauqua County Department of Health would work out acceptable locations for septic tanks.

A correction was made to the Agricultural Data Statement. At the top ‘Town of Portland’ was changed to ‘Town of Pomfret’.

4. **CORRESPONDANCE:** Chairman Joy received a text message from Phil Wright, 9451 Stone Rd, Fredonia in support of the subdivision. No other correspondence was received.
5. **SEQR PART 1 REVIEW:** The board reviewed the Part 1 SEQR submitted by Sandra Pavlock and determined all her answers were accurate.
6. **PUBLIC COMMENT:** No comments were made.
7. **SEQR DECLARATION:** The board reviewed SEQR Part 2 and discussed each question. The decision for each was ‘No, or small impact may occur’. Based on the answers from Part 2 SEQR, and the fact that no land is being disturbed, a motion was made by Heather Lesch, seconded by Robert Dando, to declare a

Negative Impact for the proposed Minor Subdivision. The motion carried unanimously.

8. **DECISION:** A motion was made by Robert Smith, seconded by Robert Dando, to grant a Minor Subdivision to Sandra Pavlock, for sub-division of 9.46 acres into two parcels: 5.0 acres, and 4.46 acres, as presented with a Planning Board application for property located at 9554 Stone Rd, Fredonia, NY 14063 SBL: 147.00-2-1. The motion carried unanimously by roll call vote with the condition that 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:**

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

9. **OTHER BUSINESS:** Chairman Joy brought to the board's attention an invitation and encouragement from Town Supervisor Dan Pacos for the Planning Board to attend the next Town Board meeting scheduled for Wednesday, November 6, 2024 at 6:00PM. The purpose is to answer any questions the Town Board has about this board's recommendations for the Zoning Code Update. He and Robert Dando indicated they plan to go.

The ongoing need for design standards was mentioned. It's agreed it would be helpful for the Code Enforcement Officer to have guidelines to give applicants before they come to the Planning Board or Zoning Board of Appeals. Heather Lesch pulled up the documents/guidelines East Aurora, NY has on their website. Chairman Joy and Clerk Waite will review them.

The next meeting is scheduled for December 2, 2024. There are currently no pending applications. A decision about cancellation if no applications are received will be made closer to Thanksgiving.

10. **ADJOURNMENT:** Robert Smith made a motion to close the Public Hearing at 7:20 P.M., seconded by Robert Dando. The motion carried unanimously.

Respectfully Submitted,

*Nicole Waite*

Nicole Waite  
Planning Clerk, Town of Pomfret