

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

January 6, 2024
Hearing # 6-24
6:30 P.M.

MINUTES

APPLICANT & PROPERTY OWNER:

Renee Pasquale
4344 Webster Road
Fredonia, NY 14063
SBL: 130.00-1-40.2
Minor Sub-Division

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

PUBLIC PRESENT: Renee Pasquale, Harry Schwertfeger, Mike Lee, Izak Wojciuski, Phenix Matthews, Lennon Schibetta

1. **CALL TO ORDER:** Chairman Joy called the meeting to order at 6:32 P.M.
2. **ACCEPTANCE OF MINUTES:** A motion to accept the minutes of Hearing #5-24 was made by Robert Dando and seconded by Robert Smith. The motion carried unanimously.
3. **NOTIFICATION OF MEETING:** Chairman Joy read the published Public Hearing notice aloud.

“**NOTICE IS HEREBY GIVEN** that the rescheduled Public Hearing #06-24 will be held by the Pomfret Planning Board on **January 6, 2025, at 6:30 PM** at the Pomfret Town Hall, 9 Day Street, Fredonia, NY 14063 to consider the appeal of: **Renee Pasquale**, for a Minor Subdivision of property located at 4344 Webster Rd, Fredonia, NY 14063. This property is described on the tax map as **SBL: 130.00-1-40.2** and is zoned Agricultural/Residential (AR2) under the Town of Pomfret Zoning Code.

The proposed action is to divide two (2) lots within the 25.40+/- acres of land. The first lot: 7.49 acres, the second: 17.91 acres.

This Minor Subdivision application is open to 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, or by 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.”

The Board received a copy of the notification letter that was mailed by Clerk Waite to the applicant, as well as all property owners within 500 feet of the project site.

4. **CORRESPONDENCE:** None received
5. **PROJECT DISCUSSION:** The Board reviewed Renee Pasquale’s application materials for the proposed Minor Subdivision of 4344 Webster Rd, Fredonia, NY SBL: 130.00-1-40.2. Chairman Joy asked Ms. Pasquale to describe her proposal. She stated that she also owns parcel 130.00-1-39.2 which is 1.4 acres, contiguous to the project parcel, and land locked. She wants to merge that into the larger subdivided parcel. Her plan is to retain ownership of the 7.49 parcel which has her house and barn on it. The remaining 19.26 parcel – this includes the 1.4 acres to merge – consists of abandoned vineyards that she plans to sell. According to the provided Survey, road frontage for lot 1 would be 247.9 ft, and for lot 2 would be 292.8, which satisfies the required minimum frontage. The 2-acre minimum lot size requirement is also met. Heather Lesch asked if the frontage of lot 2 is accessible by the road. Ms. Pasquale replied it was.
6. **PUBLIC COMMENT:** No comments were made.
7. **SEQR PART 1 REVIEW:** The board reviewed the Part 1 SEQR submitted by Renee Pasquale. Robert Dando suggested #4 should also have ‘Agriculture’ checked due to surrounding vineyards. The board agreed #8b should be changed to ‘No’, #9 is Not Applicable, and for #14 ‘Forest’ and ‘Agricultural/grasslands’ should be checked. The remaining answers were deemed accurate.
8. **BOARD REVIEW & CONDITION DISCUSSION:** Ms. Pasquale also owns 130.00-1-39.2, which is a land locked parcel. The Board agreed that merging the two is critical to ensure future access. A motion was made by Robert Dando, seconded by Heather Lesch, that the condition of retiring and combining 130.00-1-39.2 and 130.00-1-40.2 be made. The motion carried, all voting aye.
9. **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 Smith, to declare a Negative Impact for the proposed Minor Subdivision. The motion carried unanimously by roll call vote.

ROLL CALL:

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

10. **DECISION:** A motion was made by Robert Smith, seconded by Robert Dando, to grant a Minor Subdivision to Renee Pasquale, for sub-division of 25.4 acres into two parcels: 7.49 acres, and 17.91 acres, as presented with a Planning Board application for property located at 4344 Webster Rd, Fredonia, NY 14063 SBL: 130.00-1-40.2. The motion carried unanimously by roll call vote with the condition that parcels 130.00-1-40.2 and 130.00-1-39.2 be retired and combined.

ROLL CALL:

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

11. **ADJOURNMENT:** The Public Hearing was closed at 7:00 PM.

Respectfully Submitted,

Nicole Waite

Nicole Waite
Planning Clerk, Town of Pomfret