

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

January 6, 2024
Hearing # 7-24
7:00 PM

MINUTES

APPLICANT & PROPERTY OWNER:

Estate of Patricia A Hill
Julie K Miller, Executor
8820 Chautauqua Road
Fredonia, NY 14063
SBL: 163.00-2-45
Minor Sub-Division

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

PUBLIC PRESENT: R. Timothy Eades (Attorney for Estate of Patricia A Hill), Mike Lee, Izak Wojciuski, Phenix Matthews, Lennon Schibetta

1. **CALL TO ORDER:** Chairman Joy called the meeting to order at 7:03 PM.
2. **NOTIFICATION OF MEETING:** Chairman Joy read the published Public Hearing notice aloud.

“NOTICE IS HEREBY GIVEN that the rescheduled Public Hearing #07-24 will be held by the Pomfret Planning Board on January 6, 2025, at 7:00 PM at the Pomfret Town Hall, 9 Day Street, Fredonia, NY 14063 to consider the appeal of: the Estate of Patricia A Hill, for a Minor Subdivision of property located at 8820 Chautauqua Rd, Fredonia, NY 14063. This property is described on the tax map as SBL: 163.00-2-45 and is zoned Agricultural/Residential (AR2) under the Town of Pomfret Zoning Code.

The proposed action is to divide three (3) lots within the 30.00+/- acres of land. The first lot: 2.38 acres, the second: 3.00 acres, the third: 24.62 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, applicant’s attorney, and all property owners within 500 feet of the project site.

3. **CORRESPONDENCE:** None received
4. **PROJECT DISCUSSION:** The Board reviewed Julie K Miller’s application materials for the proposed Minor Subdivision of 8820 Chautauqua Rd, Fredonia, NY SBL: 163.00-2-45.

Chairman Joy asked R. Timothy Eades, attorney for the Estate of Patricia A Hill, to explain the proposed subdivision. Mr. Eades explained that Patricia Hill passed away last March. Julie Miller is the Executor for the estate. He handed out copies of a GIS map showing the current parcel, and one with the proposed subdivisions. In her will, Ms. Hill left the wood lot (proposed 24.62 acres) to her grandson Matthew Hill. Mr. Hill also plans to purchase the lot with the house (3.0 acres). However, first Julie Miller must purchase the house from the estate to fund it. Eventually, Matthew Hill plans to merge the house lot and wood lot. Mr. Eades also indicated that Patricia Hill’s daughter wants to purchase the 2.28-acre lot, which would mean the entirety of the property will remain in the family.

According to the provided Survey, road frontage for lot 1 would be 495ft, and for lot 2 would be 265ft, which satisfies the required minimum frontage. Chairman Joy asked about the frontage of 190ft listed on the survey for lot 3 because it is 10ft under the required minimum. Mr. Eades explained that number only measures from lot 2 to the tree line. The actual frontage for lot 3 will be 440 ft, as confirmed by GIS mapping of the parcel. The 2-acre minimum lot size requirement is also met. The board agreed this would create three conforming lots.

5. **PUBLIC COMMENT:** Chairman Joy opened the public comment portion of the hearing. No comments were made.
6. **SEQR PART 1 REVIEW:** The board reviewed the Part 1 SEQR submitted by Julie K Miller. It was agreed for #4 ‘Forest’ should be checked, #9 is Not Applicable, and for #14 ‘Suburban’ should not be checked. The board had no other concerns or comments on the Part 1 SEQR.
7. **SEQR DECLARATION:** The board reviewed the Short Environmental Assessment Form 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 by roll call vote.

ROLL CALL:

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

8. **DECISION:** A motion was made by Robert Dando, seconded by Heather Lesch, to grant a Minor Subdivision to the Estate of Patricia A Hill, for sub-division of 30.0 acres into three conforming parcels: 2.38 acres, 3.00 acres, and 24.62 acres, as presented with a Planning Board application for property located at 8820 Chautauqua Rd, Fredonia, NY 14063 SBL: 163.00-2-45. 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

9. **ADJOURNMENT:** Robert Smith made a motion to close the Public Hearing at 7:26 PM. The motion was seconded by Heather Lesch and carried unanimously.

Respectfully Submitted,

Nicole Waite

Nicole Waite
Planning & Zoning Clerk, Town of Pomfret