

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

November 3, 2025
Hearing # 3-25
6:30 PM

MINUTES

APPLICANT & PROPERTY OWNER:

John Van Scoter
4626 Van Buren Road
Dunkirk, NY 14048
SBL: 112.00-2-15
Minor Sub-Division

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

PUBLIC PRESENT: Anne LaPaglia

1. **CALL TO ORDER:** Chairman Joy called the meeting to order at 6:30 PM.
2. **ACCEPTANCE OF MINUTES:** A motion to accept the minutes of Hearing #2-25 was made by Robert Dando and seconded by Heather Lesch. The motion carried unanimously.
3. **NOTIFICATION OF MEETING:** Chairman Joy read the published Public Hearing notice aloud.

“NOTICE IS HEREBY GIVEN that Public Hearing #3-25 will be held by the Pomfret Planning Board on November 3, 2025, at 6:30 PM at the Pomfret Town Hall, 9 Day Street, Fredonia, NY 14063 to consider the appeal of the John Van Scoter for a Minor Subdivision of property located at 4626 Van Buren Road, Dunkirk, NY 14048. This property is described on the tax map as SBL: 112.00-2-15 and is zoned Agricultural (AG) under the Town of Pomfret Zoning Code.

The proposed action is to divide two (2) lots within the 89.00+/- acres of land. The first lot: 9.00 acres, the second: 80.29 acres.

This Minor Subdivision application is open to inspection at the Town of Pomfret Planning & Zoning Office, 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 (716)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.”

A notification letter was mailed by Clerk Waite to the applicant, his real estate agent, and all property owners within 500 feet of the project site.

4. **CORRESPONDENCE:** None received
5. **PROJECT DISCUSSION:** The Board reviewed the application materials for the proposed Minor Subdivision of 4626 Van Buren Rd, Dunkirk, NY SBL: 112.00-2-15. Anne LaPaglia, the applicant’s real estate agent, explained that Mr. Van Scoter has recently been selling off pieces of property he owns. His intention with this subdivision is to keep the 80.29 acres in his possession, and sell the 9.0 acres, which includes a house.

On page 2 of the application, the answer to ‘Town water extension proposed?’ was changed from ‘No’ to ‘Yes’, as a Phase II Van Buren Water District extension is being worked on by the Town. The Board assessed the property survey to ensure both newly created parcels would comply with all area requirements for the Agricultural (AG) zoning district.

6. **PUBLIC COMMENT:** Chairman Joy opened the public comment portion of the hearing. No comments were made.
7. **SEQR PART 1 REVIEW:** The board reviewed the Part 1 SEQR submitted by the applicant. It was agreed that for #4 ‘Forest’ should be marked, and ‘Residential’ should not. #5b was changed to yes, as it does comply with the comprehensive plan. For #14, ‘Forest’ was marked, and ‘Suburban’ was removed to make it consistent with #4.
8. **SEQR DECLARATION:** The board reviewed the Short Environmental Assessment Form Part 2 and discussed each question. The decision for each was ‘No’. Based on the answers from Part 2 SEQR, and the fact that no land is being disturbed, a motion was made by Jim Joy, seconded by Heather Lesch, to declare a Negative Impact for the proposed Minor Subdivision. The motion carried unanimously by roll call vote.

ROLL CALL:

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

9. **DECISION:** A motion was made by Robert Smith, seconded by Robert Dando, to grant a Minor Subdivision to John Van Scoter, for sub-division of 89.00 +/- acres into two conforming parcels: 9.00 acres, and 80.29 acres, as presented with a Planning Board application for property located at 4626 Van Buren Rd, Dunkirk, NY 14048 SBL: 112.00-2-15.

The motion carried unanimously by roll call vote.

ROLL CALL:

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

10. **ADJOURNMENT:** Robert Smith made a motion to close the Public Hearing at 6:46 PM. The motion was seconded by Robert Dando and carried unanimously.

Respectfully Submitted,

Nicole Waite

Nicole Waite

Planning & Zoning Clerk, Town of Pomfret