

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

June 1, 2026
Hearing # 3-26
7:00 PM

DRAFT MINUTES

APPLICANT & PROPERTY OWNER:

Estate of Gary J. Hubert
c/o Dianne M. Hubert, Executor
5192 Webster Rd
Fredonia, NY 14063
SBL: 145.00-2-29
Minor Sub-Division

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

PUBLIC PRESENT: Dianne Hubert, Stanley Kwieciak III Esq., Victor A. Kawski, Fonda L. Kawski

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

“NOTICE IS HEREBY GIVEN that Public Hearing #3-26 will be held by the Pomfret Planning Board on June 1, 2026, at 7:00 PM at the Pomfret Town Hall, 9 Day Street, Fredonia, NY 14063 to consider the appeal of the Estate of Gary J. Hubert c/o Dianne M. Hubert, Executor for a Minor Subdivision of property located at 5192 Webster Rd, Fredonia, NY 14063. This property is described on the tax map as SBL: 145.00-2-29 and is zoned Agricultural (AG) under the Town of Pomfret Zoning Code.

The proposed action is to divide two (2) lots within the 47.80+/- acres of land. The first lot: 28.56 acres, the second: 16.53 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, and all property owners within 500 feet of the project site.

3. **CORRESPONDENCE:** None received
4. **PROJECT DISCUSSION:** The Board reviewed the application materials for the proposed Minor Subdivision of 5192 Webster Rd, Fredonia, NY SBL: 145.00-2-29. Dianne Hubert, and Stanley Kwieciak III, Esq., attorney for the Estate, explained that the plan is to separate the areas south of Webster Road to create a new tax parcel. The 28.56-acres will remain with the house, and the 16.53-acres of vacant land will be put up for sale.
5. **PUBLIC COMMENT:** Chairman Joy opened the public comment portion of the hearing.
 - Victor A. & Fonda L. Kowski, 9100 Harmon Hill Rd, Fredonia: Requested to see the survey to better understand the way the property would be divided.
6. **SEQR PART 1 REVIEW:** The Board reviewed the Part 1 SEQR submitted by the applicant. ‘Rural’ was added to #4. #5a and b were changed to ‘Yes’. The rest of Part 1 was deemed accurate.
7. **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 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:

James Joy	AYE
Robert Smith	AYE
Heather Lesch	AYE
Robert Dando	AYE
Ashley Willebrandt	AYE

8. **DECISION:** A motion was made by Robert Smith, seconded by Heather Lesch, to grant a Minor Subdivision to the Estate of Gary J. Hubert, for sub-division of 47.80 +/- acres into two conforming parcels: 28.56 acres, and 16.53 acres, as presented with a Planning Board application for property located at 5192 Webster

Rd, Fredonia, NY 14063 SBL: 145.00-2-29. The motion carried unanimously by roll call vote.

ROLL CALL:

James Joy	AYE
Robert Smith	AYE
Heather Lesch	AYE
Robert Dando	AYE
Ashley Willebrandt	AYE

9. **ADJOURNMENT:** James Joy made a motion to close the Public Hearing at 7:15 PM. The motion was seconded by Robert Dando and carried unanimously.

Respectfully Submitted,

Nicole Waite

Nicole Waite

Planning & Zoning Clerk, Town of Pomfret