

**\*\*DRAFT\*\* TOWN OF SMITHVILLE  
PLANNING BOARD PUBLIC WORK SESSION MINUTES  
WEDNESDAY, SEPTEMBER 2, 2020**

**Planning Board Members Present:** Chair Shane Butler, Adam Whitbeck, Fred Heisler, Jr., Bob Brooks, Dakota Warren, Donna Marie Utter, Clerk.

**Other Attendees:** Town Clerk Alison Owens, Patricia and David Martin, Supervisor John Cammarata, Highway Superintendent Vince Witkowski, Councilman Robert Whitmore, Councilwoman Pamela Holcomb, BAR member Angelo Cioffi, Chris Buck.

**Work Session to discuss Shipton Road property:**

- Supervisor John Cammarata opened the work session explaining that 106 acres located on Shipton Road, adjacent to Long Pond State Park, which the Shipton family, through Olive Marlin have donated to the DEC. There is a house and barn located on the property. Supervisor Cammarata has tried unsuccessfully to contact the family to be sure that they understand that the DEC intends to destroy the house and barn and add the 106 acres to the Long Pond State Park acreage. The family did not want to sell the property to someone from down state. The purpose of the work session was to discuss what, if anything, could be done to dissuade the family from removing the property from the tax rolls by gifting it to the DEC. Supervisor Cammarata suggested sending a letter to Mrs. Marlin explaining the Town's concerns and providing information on what the DEC is planning for the property.
  
- Town Clerk Allison Owens stated that the current owners live in Savannah, Georgia and the address on the current tax roll is a valid address.
  
- Planning Board Chair Shane Butler asked if the property is listed on the historic register? Town Clerk Allison Owens stated that it is not.
  
- Planning Board member Fred Heisler, Jr. stated that he spoke with an individual at the NYS Department of Forestry in charge of real estate acquisition. He stated that after property is acquired, a review of the property is done by the NYS Historic Preservation department to determine if there is any historical significance to the property. The department has determined that there is no historical significance to the property. They do try to sell any salvageable

materials when any structures are demolished. The closing on the property will not take place until December.

- Planning Board member Bob Brooks asked the approximate age of the house.
- Planning Board member Fred Heisler, Jr. stated that he believes the house is a common generic house for this area, a tall post cape, constructed somewhere between 1830-1850.
- Planning Board Chair Shane Butler asked if the Town wants or has the funds to acquire the property. He also stated that there is a grant for acquisition of historical property to cover rehab and maintenance of the property. He also asked if there is any historical prominence of the Shipton family to Smithville.
- Town Clerk Allison Owens commented that the Shipton's lived in Smithville quite a while. Casey was the first family to own the property and were sheep farmers. No one famous has ever lived on the property.
- Planning Board member Fred Heisler, Jr. asked if there was any group such as historical society, that would be interested in the house and barn. If the house was moved, where would you go with it as there is state land on two sides of the property.
- Planning Board member Bob Brooks stated that Smithville has a history of being mistreated by the State and they continue to acquire state land, level any structures on the land, and then do nothing with the land. He is concerned that the Shipton's do not have a clear understanding of what the state is planning for their property and concerns the Town of Smithville has with losing another property from the tax rolls that could be sold for probably at least \$200,000 in today's market. He also expressed concern that Smithville was not given the common courtesy of being notified of the land transaction. He agrees with sending a letter to the family explaining what will happen to their property by gifting it to the DEC.
- Supervisor John Cammarata commented that the taxes for 2020-2021 have already been set and any loss of funds from the tax roll will be made up by dividing the loss among the remaining taxable properties. He stated that maybe the family will have a change of

heart if they receive a letter explaining the consequences to the Town of Smithville of their gifting of the property to the DEC.

- Councilman Robert Whitmore commented that the decision by the family has already been made and the Town does not have the money to do anything with the property.
- Planning Board member Fred Heisler, Jr. commented that a similar plea was made years ago to try and save Tarbell Farms. The Town has talked about needing a records storage building. If the Shipton house was moved to Town land and a metal roof put on the building it might be able to be used for some of the storage purposes discussed, but is that something the Town is willing to do. Another thought would be to turn the house into some type of museum and store records in the basement.
- Supervisor John Cammarata stated that someone would need to maintain the property and that would require additional funds which the town doesn't have.
- Chris Buck gave some background information on the Shipton family. She stated that Mrs. Shipton died in 1969 and does not know if she was living in the house at the time. The youngest daughter died not too long ago and was in her 80's. They were a self-sufficient family raising 9-10 children. Mr. Shipton worked at Tarbell farms.
- Chair Shane Butler stated that it is not financially feasible for the Town to take care of the property and there is not much we can do with it. He also stated that normally, based on how the state land is funded determines how it is assessed and the amount of taxes they are required to pay. Since the property was given to the state, he does not know what that amount would be.
- Board member Bob Brooks stated that for 40 years the DEC did not pay taxes on Tarbell Farms and it took creating a coalition to fight to finally receive taxes on Tarbell Farms property.
- Supervisor John Cammarata stated that he will draft a letter asking the current property owner to reconsider giving the property to the state and suggest that it be sold to allow the property to remain on the tax rolls. While they cannot discriminate selling to someone from down state, covenants can be placed in the deed but

are not enforceable by the Town, they are enforced by the lawyers who draft the deed.

- Town Clerk Allison Owens suggested that Board member Bob Brooks have some input in the letter as well as he has a pretty good feel for what has gone on in Smithville.
- Board member Bob Brooks stated that he would be willing to look it over and give input.
- Chair Shane Butler adjourned the work session at 7:49 p.m.

Submitted by:  
Donna Marie Utter  
Planning Board Clerk