

**TOWN OF MAYFIELD PLANNING BOARD
JUNE 19, 2019
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**JOHN KESSLER, CHAIRMAN
AARON HOWLAND, VICE CHAIRMAN
JERRY MOORE
ADAM LANPHERE
FREDERICK CASTIGLIONE, ALTERNATE**

**SEAN M. GERAGHTY, SENIOR PLANNER
DAMON CURLEY, CODE ENFORCEMENT OFFICER**

OTHERS PRESENT:

**RICK ARGOTSINGER
LIZ ARGOTSINGER
NICHOLAS VAMVAS, P.E., THE CHAZEN COMPANIES
EMILIE FLANAGAN, BORREGO SOLAR
GREG GIBBONS, P.E., BORREGO SOLAR
ERIK STEVENS, GREAT SACANDAGA BREWING
TONY MARDEN, GREAT SACANDAGA BREWING
MARK DEJONG, MACRON ENGINEERING
EUGENE JOUBERT
ROBERT PHILLIPS
ROBERT KAZMIERSKI
MICHAEL CRANKER, DMR CIVIL ENGINEERING**

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:00 p.m.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the May 15, 2019 meeting.

MADE BY: Jerry Moore

SECONDED: Fred Castiglione

VOTE: 5 in favor, 0 opposed

III. PV ENGINEERS, P.C. (BORREGO SOLAR) – PUBLIC HEARING ON SPECIAL PERMIT FOR SOLAR FARM ALONG NYS ROUTE 29:

A. Background:

PV Engineers (Borrego Solar) is proposing a Solar Farm Project along the south side of NYS Route 29 on property owned by Karen and Eugene Joubert (Tax Map Parcel No. 151.-6-9). The parcel is approximately 138+/- acres in size and extends on both sides of the road. The applicants would like to develop a 6.5 megawatt AC system on the property. The project will be divided into two (2) components. System A will be 2.5 megawatts, while System B will be 4.0 megawatts.

(NOTE: The most recent proposal for a Solar Farm project by Borrego Solar on Karen and Eugene Joubert's property involved the development of a 4.0 megawatt AC Solar System on the parcel. Since that time, the proposal has been revised to expand the project to a 6.5 megawatt AC project. The solar arrays have been moved further away from NYS Route 29 and the entire Landscaping Plan for the project has been redesigned. The application now involves the subdivision of the Joubert's property into four (4) separate parcels. Lot #1 on the south side of NYS Route 29 will be approximately 4.73 acres in size and will be created around an existing home. Lot #2 will be 47.37 acres in size and will be created around System A on the property. Lot #3 will be 48.078 acres in size and will be created around System B on the property. The remaining 36.14 acres on the north side of NYS Route 29 will become Lot #4.

B. May 15, 2019 Meeting:

During its May 15, 2019 meeting, the Town of Mayfield Planning Board continued its review of PV Engineers' Special Permit for a Solar Farm along NYS Route 29. At that time, the Planning Board asked that the following information be provided prior to tonight's public hearing:

1. The amount of the Landscaping Bond to be provided for the project should be identified. A calculation showing how that figure was reached should also be included.

STATUS: Saratoga Associates has prepared an estimate to replace all of the plantings shown on the Site Plan drawings including 358 trees and 222 shrubs. The cost estimate for the Landscaping Bond is set at \$194,690.

DISCUSSION: Mr. Geraghty reminded Board members that the Landscaping Bond is separate from the Decommissioning Bond that will also be required as part of the project.

Planning Board Chairman John Kessler asked how long the Landscaping Bond will be in place?

Emilie Flanagan indicated that there is no timeframe identified on that bond.

Mr. Geraghty suggested that the Town Attorney be consulted concerning this matter.

2. Any wetland permit requirements from the NYS Department of Environmental Conservation (NYSDEC) or the US Army Corps of Engineers must be submitted to the Town of Mayfield Planning Board.

STATUS: Nicholas Vamvas, Project Engineer, Chazen Companies, has provided a response for the Planning Board. In his correspondence, he indicates that the project will require an Article 24 Freshwater Wetlands Permit from NYSDEC and a Section 404 Clean Water Act Permit from the US Army Corps of Engineers. He explained that the permits are being completed and will be submitted to the Town in the near future.

DISCUSSION: Gregory Gibbons, P.E., Borrego Solar explained that it generally takes DEC and the US Army Corps of Engineers approximately 30-60 days to review a permit application and finalize wetland permits.

3. The interconnect review that was provided from National Grid seems to be an examination of a 4 megawatt AC project and not a 6.5 megawatt AC project. Has there been a revised interconnect review from National Grid?

STATUS:

DISCUSSION: Emilie Flanagan, Borrego Solar, explained to Board members the intricacies of the interconnection application process with National Grid. She pointed out that there are several steps in the process. She reminded Board members that, originally, Borrego Solar asked National Grid to examine its application involving three (3) separate 5 megawatt systems to be tied into the Mayfield substation. National Grid got back to Borrego Solar and indicated that nothing larger than a 4 megawatt system could be tied into that substation. She went on to explain that National Grid did, however, point out to Borrego Solar that there was also an option to tie into the Hales Mills' substation.

Ms. Flanagan pointed out that, in the meantime, the permit for the 4 megawatt system on the Mayfield substation was finalized and that paperwork, which is dated February 20, 2019, was what the Planning Board received as part of the submittal package. She pointed out that National Grid got back to Borrego Solar and informed the company that an additional 2.5 megawatts of power could be tied into the Vail Mills'

substation, and Borrego Solar subsequently submitted a revised application seeking approval for the additional 2.5 megawatts. Ms. Flanagan stated that there is no 3-phase power between the project site and the Vail Mills substation and, thus, Borrego Solar will have to make a considerable investment in upgrading the National Grid infrastructure.

Planning Board Member Jerry Moore asked how soon National Grid would issue its decision on the additional 2.5 megawatts of power?

Ms. Flanagan indicated that it generally takes National Grid approximately 30 days to finish processing this phase of the application process.

Mr. Moore asked if National Grid comes back with an infrastructure cost that is too high for Borrego Solar, will the project be downsized back to a 4 megawatt system?

Ms. Flanagan indicated that, based on the discussions that she has had with National Grid, Borrego Solar has a fairly good idea of what the cost estimate for the project infrastructure will be and she expressed confidence that Borrego Solar will go through with the 6.5 megawatt system.

4. Additional plantings should be provided along NYS Route 29 between the entrance driveway and the eastern property line of the project site in order to provide a partial visual buffer for the utility poles that are going to be installed near the entrance driveway on NYS Route 29. The plantings should also extend approximately 100' up the eastern property line. This will require that Sheets C-3.4 and C-3.5, along with Sheets C-3.8 and C-3.9, of the visual analysis be updated.

STATUS: Additional plantings are now shown on the Site Plan drawing and the visual analysis has been updated by Saratoga Associates.

DISCUSSION: The applicants showed Planning Board members the revised visuals depicting the landscaping that will be provided near the access driveway.

Planning Board Member Aaron Howland asked how many National Grid utility poles will be installed along the driveway?

Ms. Flanagan pointed out that the visuals show approximately ten (10) poles. She indicated that, in reality, National Grid will probably not require that many poles.

Mr. Geraghty asked how far down the access road the poles will be installed?

Mr. Gibbons indicated that the poles will probably reach 200'+/- into the site.

Mr. Moore indicated that he was glad the Planning Board talked about this issue at last month's meeting and asked for additional plantings to be provided along NYS Route 29.

5. As part of the Coordinated SEQR process, NYSDOT sent a letter to the Planning Board following last month's meeting noting a few additional requirements. NYSDOT's specification for a minor commercial driveway for the access road will need to be shown on the revised submittal. The driveway itself should be gravel with a 10' paved apron from the edge of shoulder and be a minimum of 16' wide for the first 100' from roadway. Furthermore, a minimum 15" driveway pipe must be used for the end sections and riprap apron and outlet.

STATUS: A notation has been added to Drawing C-3.1 indicating that a minor commercial driveway entrance subject to NYSDOT approval will be required.

DISCUSSION: The Planning Board had no comments or questions concerning the NYSDOT's minor commercial driveway specification.

6. An updated Stormwater Pollution Prevention Plan must be provided.

STATUS: Provided.

DISCUSSION: The Planning Board had no comments or questions concerning the Stormwater Pollution Prevention Plan.

C. General Municipal Law Section 239-m:

During its April 17, 2019 meeting, the Town of Mayfield Planning Board, in accordance with Section 239-m of the General Municipal Law, decided to forward the revised Special Permit application back to the County Planning Board for a review. The County Planning Board reviewed the original application on November 27, 2018 and recommended to the Town of Mayfield Planning Board that the project be disapproved. The decision to send the Special Permit application back to the County Planning Board was based on the proposed change in scope of the project and the additional visual mitigation proposed by the applicant.

STATUS: During its May 21, 2019 meeting, the Fulton County Planning Board, in accordance with Section 239-m of the General Municipal Law, reviewed Borrego Solar's revised Special Permit application for a Solar Farm along the south side of NYS Route 29 in the Town of Mayfield. The County Planning Board recognized that, from a regional perspective, the project could still have aesthetic impacts given its location along NYS Route 29 which is a very busy thoroughfare through the County. To that end, the

County Planning Board recommended that Borrego Solar's Special Permit application be approved only under the following conditions:

1. All bermed areas must be 4' in height by 20' in width.
2. The Blue Spruce species should be removed from the mix of trees to be planted and White Pine, Nigra Arborvitae, White Cedar and Native Red Maple should be added to the mix of species. (NOTE: The White Pine should not be located any closer than 100' to a road surface.)

DISCUSSION: Mr. Geraghty pointed out that the County Planning Board has a member who is a very knowledgeable landscaping expert. He stated that the gentleman knows the types of species that will thrive in the soil and weather conditions that are found in this area. He explained that County Planning Board members rely very heavily on this particular Board member for issues involving Landscaping Plans. Mr. Geraghty pointed out that he has personally reached out to this gentleman many times over the years seeking clarification on landscaping issues.

Mr. Kessler stated that he would like to see the County Planning Board's recommendation for landscaping species included in the applicant's proposal.

After a brief discussion, there was a general consensus amongst Board members that the plantings recommended by the County Planning Board be used in the Landscaping Plan.

Mr. Gibbons indicated that Borrego Solar will amend the drawings and Saratoga Associates' visual analysis so that this species is shown on the final Landscaping Plan.

D. State Environmental Quality Review:

During its May 15, 2019 meeting, the Town of Mayfield Planning Board reviewed the comments it received from other Involved Agencies as part of a Coordinated SEQR process. At that time, the Planning Board decided to wait until the County Planning Board completed its review of the revised Special Permit application before issuing a determination of significance under SEQR. Does the Planning Board now feel that it has sufficient information to issue a determination of significance under SEQR for this proposed action?

DISCUSSION: After a brief discussion, there was a general consensus among Planning Board members that there were no significant adverse environmental impacts that warranted any further examination or documentation.

MOTION: Authorizing the filing of a negative declaration under SEQR for Borrego Solar's Solar Farm Project along NYS Route 29 since:

1. While the project site is located on a piece of property within an Agricultural District, there will be very little construction or disturbance of soils classified as prime agricultural soils.
2. Even though the project is situated along a NYS Highway that is heavily traveled by residents traveling to work, as well as visitors traveling through the County, the extensive landscaping investment and number of plantings to be provided by the applicant will hide the facility so that it will not offer a stark contrast to surrounding land uses.
3. Significant, but manageable infrastructure upgrades will be made to National Grid's system in order to allow the Solar Farm to tie into the Vail Mills substation.
4. While Solar Farm facilities are not specifically mentioned or addressed in the Town's Comprehensive Plan, these types of facilities are listed in the Town's Zoning Law as an allowed use subject to a Special Use Permit on the subject property.
5. The natural landscape of Town can be characterized as rural and agricultural, but the project site is located along a heavily-traveled NYS thoroughfare that does have other commercial land uses in the immediate vicinity of the project site.

MADE BY: Fred Castiglione

SECONDED: Adam Lanphere

VOTE: 5 in favor, 0 opposed

FURTHER DISCUSSION: Mr. Kessler stated that he would like to revisit the time period for the Landscaping Bond. He indicated that he felt the Bond should be for a similar amount of time as the Decommissioning Plan itself.

Ms. Flanagan indicated that she didn't believe Borrego Solar would object to that stipulation.

Mr. Geraghty suggested that the Planning Board request a specific timeframe and then consult with the Town Attorney on this matter.

E. Public Hearing:

1. The public hearing was opened at 6:28 P.M.
2. Speakers:

Liz Argotsinger
215 State Highway 29A

Mrs. Argotsinger indicated that she is opposed to the project on more of an emotional basis. She stated that she felt the project should not be labeled as a Solar Farm but as a Solar Facility. She stated that the new owner of the property deceptively led the former owner to believe he was going to keep it as a farm. She pointed out that, while the solar panels themselves have been moved out of the prime agricultural soils, the internal access road and berms will be constructed on prime soils. She also talked briefly about some concerns she has with the proposal to provide landscaping along a portion of Nine Mile Tree Road, stating that she felt it could create traffic concerns.

Robert Phillips
154 Woodland Avenue

Mr. Phillips questioned whether or not the Town's Comprehensive Plan will be updated to address the development of Solar Farms in the community. Mr. Phillips also initiated a discussion concerning the zoning classification of the property which was determined to be in a Mixed Use and Agricultural 2 Zone.

Richard Argotsinger, Supervisor
215 State Highway 29A and
5886 State Highway 29

Mr. Argotsinger indicated that, each morning when he has his breakfast, he will be looking out the windows of his house at the solar facility. He stated that he didn't feel that the applicants have addressed any potential screening of the view from his residence. He also pointed out that he owns property adjacent to the east of the project site which has also been ignored in terms of screening. He showed Planning Board members a photo from his property on his ipad depicting a very large berm that was constructed near a mining site he leases. He pointed out there are white pine that were planted along the rim of that berm for screening purposes. He stated that the berm is approximately 15-18' in height and the plantings have done very well on that mound.

Mr. Argotsinger pointed out that, from a Town Supervisor perspective, he has concerns with the proposed plantings the applicants would like to provide along Nine Mile Tree Road. He stated that he felt the plantings may cause snow drifts within the road right-of-way that will become a maintenance nuisance for Town Highway crews. He also indicated that he spoke with County Senior Planner Sean Geraghty during last month's meeting about making sure that, if the project proceeds, a PILOT Agreement with the County and Town is mandated.

Planning Board Member Jerry Moore asked how far off of Nine Mile Tree Road the plantings will be installed?

Nicholas Vamvas, P.E. indicated that the centerline of the plantings will be approximately 50' off of the road surface.

It was pointed out that there shouldn't be any sight distance concern at the intersection of Nine Mile Tree Road and NYS Route 29 since the plantings will be located further up Nine Mile Tree Road.

Planning Board Member Aaron Howland then talked briefly about a potential cut in the embankment near the intersection that could cause some concerns.

Mr. Kessler stated that the applicants should look at options to screen the project from the view of the Argotsinger residence, which is located up on a hill along Nine Mile Tree Road.

Planning Board Member Adam Lanphere suggested that the plantings along Nine Mile Tree Road be moved and installed along the eastern property boundary in order to eliminate any concerns along Nine Mile Tree Road and, at the same time, provide some landscaping buffer for the Argotsinger's property on NYS Route 29.

There were several more minutes of discussion concerning this issue and, eventually, the Planning Board agreed that the plantings along Nine Mile Tree Road should be removed and should be installed along the eastern property boundary of the project site to provide the most effective screening possible.

Mr. Geraghty then asked Board members if they felt the Public Hearing should be left open or closed?

There were then several more minutes of discussion concerning additional information that may be provided from either National Grid or NYSDEC or the Army Corps of Engineers.

Ms. Flanagan urged the Board to close the Public Hearing so that the public comment period could be completed. She recognized that the Planning Board would then have sixty (60) days to issue its final decision. She stated that she felt all of the needed information and correspondence from other agencies will likely be available within that timeframe.

Mr. Geraghty reminded Board members that they are under no obligation to respond to comments made during a Public Hearing. He explained that unlike a SEQR Public Hearing where all comments have to be addressed, a Planning Board Public Hearing on a Special Permit application is simply an opportunity for the public to talk about its concerns with a particular project. Mr. Geraghty asked for a show of hands to see which Planning Board members would like to close the Public Hearing or leave it open until next month's meeting.

Planning Board Members John Kessler and Adam Lanphere indicated that they would like to close the Public Hearing, while Planning Board Members Aaron Howland, Jerry Moore and Fred Castiglione suggested that it be left open.

F. Planning Board Action:

Article XI, Section 1102 of the Town of Mayfield Zoning Law indicates that the Planning Board must issue its final decision on an application within sixty (60) of the completion of the public hearing on the Special Use Permit.

MOTION: Tabling any further action on Borrego Solar's Special Permit for a Solar Farm along NYS Route 29 pending receipt of a revised plan from the applicant with landscaping modifications and receipt of correspondence from National Grid, NYSDEC and the Army Corps of Engineers.

MADE BY: Jerry Moore
SECONDED: Aaron Howland
VOTE: 5 in favor, 0 opposed

**IV. GREAT SACANDAGA BREWING COMPANY – PUBLIC HEARING ON SITE
PLAN FOR NANOBREWERY AND TASTING ROOM ALONG NYS ROUTE 30:**

A. Background:

The Great Sacandaga Brewing Company (GSBC) owns a piece of property along the east side of NYS Route 30 just north of the intersection with NYS Route 29 (Tax Map Parcel No. 152.-3-6.5). The property is approximately 18.75 acres in size and extends back to the Kenneyetto Creek. There is an

existing 2,043 sq. ft. building on the property. Approximately 774 sq. ft. of that space will be used as a brewing room, while the remaining space will be used as the tasting room.

(NOTE: Planning Board Chairman John Kessler indicated that he would be abstaining from participating in the review of this application of the potential for a perceived business conflict.)

B. May 15, 2019 Meeting:

During its May 15, 2019 meeting, the Town of Mayfield Planning Board began its review of the Great Sacandaga Brewing Company's Site Plan application for a nanobrewery and tasting room along NYS Route 30. At that time, the Planning Board asked that the following information be provided on a revised Site Plan submittal prior to the public hearing:

1. The title of the drawing should be Great Sacandaga Brewing Company - Site Plan for Nanobrewery and Tasting Room.

STATUS: Provided.

2. A location map should be provided on the revised drawing.

STATUS: Provided.

3. A parking expansion area must be identified.

STATUS: A 22-space parking expansion area has been shown along the backside of the property to go along with the 24 spaces that have been identified on the front part of the property.

DISCUSSION: Mark DeJong, P.E. explained to Board members that there will be no export of fill from the site. He indicated that a portion of the parking lot needs to be raised so that the stormwater will sheet flow off towards the stream.

4. A split-rail fence or similar type of barrier should be installed around the existing septic field so that vehicles do not drive over the system. Likewise, boards should be provided around the well casing for protection purposes.

STATUS: A split-rail fence has been shown around the septic field location, as well as around the proposed pavilion location and along the eastern property boundary. However, there is no indication that any protection has been provided for the existing well head.

DISCUSSION: Mr. DeJong pointed out that the fencing shown along the eastern property line is actually a chain-link fence with slats.

Erik Stevens, Great Sacandaga Brewing Company (GSBC), indicated that he has spoken with the neighbors and they appreciate the fact that an effort is being made to provide some type of screening along the eastern property boundary.

5. The width of the existing site access driveway should be clearly defined. NYSDOT will ultimately determine what type of access it will allow to the property and, in all likelihood, will ask for a standard specification for a minor commercial driveway.

STATUS: The existing driveway access points along NYS Route 30 have been identified as 35' and 30' in width.

DISCUSSION: Mr. Geraghty stressed the need for the applicants to communicate with NYSDOT officials regarding the minor commercial driveway access. He stated that it has been his experience that NYSDOT will want that access point clearly defined on the property. He speculated that some type of curbing may need to be installed so that the access driveway complies with NYSDOT's specifications.

6. The design and width of all pedestrian access on the site should be shown on the revised drawing.

STATUS: A specification has been provided on the Site Plan drawing showing a 4' wide ADA compliant concrete sidewalk that will extend along the eastern side of the building and provide access to the proposed pavilion and parking expansion area.

DISCUSSION: The Planning Board had no comments regarding the pedestrian access.

7. The proposed pavilion on a concrete pad should be shown on the revised drawing.

STATUS: A 46' x 28' pavilion with an 8' x 28' storage room is identified on the revised drawings.

DISCUSSION: Planning Board members felt that the proposed pavilion would be a very nice additional feature on the property.

8. A specification for the fence to be installed around the dumpster should be included on the drawings.

STATUS: A chain link fence specification, along with green shutters for blinding the dumpster, has been identified on the revised plans.

DISCUSSION: The Planning Board had no questions regarding the dumpster fence specification.

9. A notation should be made on the drawing indicating that a water storage tank will be added to the project.

STATUS: There is no documentation on the drawing indicating that a water storage tank will be provided. A specification for a water storage tank has been provided by the applicants. However, the location of that tank has not been identified on the revised drawings.

DISCUSSION: Mr. DeJong pointed out that the water storage tank will be located on the slab adjacent to the propane tank. He pointed out that a 1,500 gallon tank will be installed.

Mr. Geraghty admitted that he simply missed the notation regarding the water tank.

There were then several minutes of discussion concerning the type of tank to be provided.

Tony Marden, GSBC, pointed out that there will be some landscaping provided around the base of the tank. He indicated that they would also like to paint their logo on the tank.

There was a general consensus among Board members that the tank location was acceptable.

10. The location and design of all signs advertising the business should be noted.

STATUS: Three (3) sign locations have been shown on the building along with a sign detail.

DISCUSSION: The Planning Board had no questions concerning the signage to be provided on the property.

11. The size of the conifers to be installed around the propane tank should be noted along with any additional landscaping to take place on the eastern property boundary.

STATUS: Eight (8) American arborvitae are shown around the propane tank location. The trees are identified as 4' in height at the time of planting. A notation has also been added to the drawing indicating that 6-8' of brush, trees, hedges are to remain along the eastern boundary of the property.

DISCUSSION: Mr. Marden pointed out that there will actually be a few more of the arborvitae planted around the slab. He indicated that the plantings will be approximately 4' – 6' in height at time of planting.

12. Specifications for all exterior lighting should be identified.

STATUS: A lighting pole and light fixture detail have been shown on the revised drawings.

DISCUSSION: The Planning Board had no questions concerning the lighting specifications.

13. An estimated project construction schedule should be included with the drawings.

STATUS: ?

DISCUSSION: Erik Stevens handed out a tentative construction schedule to Board members. The Planning Board had no questions concerning that schedule.

C. State Environmental Quality Review:

During its May 15, 2019 meeting, the Town of Mayfield Planning Board proposed that it serve as the Lead Agency for the purpose of issuing a determination of significance under SEQR. Copies of the preliminary Site Plan drawings, along with the Short Environmental Assessment Form, were forwarded to other Involved Agencies asking that they submit comments or questions concerning the Town of Mayfield Planning Board's proposal to serve as Lead Agency or regarding the project itself to the Fulton County Planning Department by Tuesday, June 18, 2019. To date, the Planning Department has received the following comments:

NYSDEC:

In a letter dated May 28, 2019, the NYSDEC consented to the Town of Mayfield Planning Board acting as the Lead Agency for the Great Sacandaga Brewing Company's Site Plan application. NYSDEC notes that the project will require a State Pollutant Discharge Elimination Systems (SPEDES) Permit for subsurface discharge of treated industrial and sanitary waste to groundwater.

DISCUSSION: Mr. DeJong explained that he has been in touch with officials at NYSDEC and is currently in the process of filing a SPEDES Permit application for an industrial discharge. He stated that NYSDEC officials have made this a requirement for all brewery operations in New York State.

NYSDEC also pointed out that the project site is located in an archeologically-sensitive area and recommended that the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) be contacted regarding potential impacts to historic and archeological resources. The applicants did reach out to OPRHP and, on June 7, 2019, were issued a letter indicating that the proposed Great Sacandaga Brewing Company Project will not have any impact on any archeological and/or historic resources.

DISCUSSION: Mr. Geraghty stated that a copy of the letter from OPRHP has been received by the Town.

NYSDOT:

In a letter dated June 13, 2019, the NYSDOT concurred with the Town of Mayfield Planning Board's proposal to serve as the Lead Agency. NYSDOT points out in its correspondence that:

1. A NYSDOT Highway Work Permit will be required for any work performed within the highway right-of-way.
2. Access to the subject property will require that the entrance conform to NYSDOT standards for a minor commercial driveway.
3. A Stormwater Management Plan will be required as part of the Highway Work Permit process.
4. All signage advertising lighting and parking will need to be located on private property and not on the NYSDOT right-of-way.

DISCUSSION: Once again, Mr. Geraghty stressed the importance of opening a line of communication with NYSDOT officials concerning Highway Work Permits for the minor commercial driveway permit. He also stressed the importance of providing NYSDOT with a Stormwater Management Plan for the site. He pointed out that, in recent years, several local projects have been unnecessarily delayed because stormwater calculations were not provided to NYSDOT in a timely fashion. He explained that NYSDOT will not issue a driveway permit for this commercial operation until it sees the stormwater calculations for the site and verifies that no additional stormwater will be heading into the NYSDOT infrastructure.

NYS Department of Agriculture and Markets:

In a letter dated June 3, 2019, the NYS Department of Agriculture and Markets offered no objection to the Town of Mayfield Planning Board's proposal to serve as the Lead Agency. The NYS Department of Agriculture and Markets' only other comment was to point out that the property is not located within a County adopted State-certified Agricultural District.

DISCUSSION: Mr. Geraghty expressed some surprise that the NYS Department of Agriculture and Markets office did not have any comments regarding this farm brewery proposal.

NYSDOH:

In a letter dated June 17, 2019, Chris Demme, P.E., NYSDOH, indicated that his agency has no objection to the Town of Mayfield Planning Board serving as Lead Agency nor to the classification of the project as an Unlisted Action. Mr. Demme points out that, based on his understanding, the applicant's farm brewery and onsite tasting room will not require approval or permit by his office. However, Mr. Demme points out that the sewage disposal system will be subject to permitting by other State agencies. Mr. Demme goes on to point out several concerns that will likely need to be addressed before the permitting State agency approves the project. He also notes that modifications to proposed operations may result in the facility becoming subject to NYSDOH jurisdiction.

DISCUSSION: Mr. Geraghty stated that he did speak with Mr. Demme regarding this project. He stated that Mr. Demme informed him that he has had a discussion with the applicants.

Mr. Stevens indicated that he did have a conversation with Mr. Demme concerning the project.

Mr. Geraghty stated that Mr. Demme feels that, given the nature of the taproom operation, NYSDOH will not have a permit or review to undertake at this time. He stated that if a more involved food component is added to the project, then NYSDOH will likely become involved.

Mr. DeJong asked if he could get a copy of Mr. Demme's letter?

Mr. Geraghty indicated that he will forward a copy to Mr. DeJong.

MOTION: Declaring the Town of Mayfield Planning Board the Lead Agency for the purpose of issuing a determination of significance under SEQR for this proposed action.

MADE BY: Jerry Moore

SECONDED: Fred Castiglione

VOTE: 4 in favor, 0 opposed, 1 abstained (Kessler)

FURTHER DISCUSSION: After several minutes of discussion, there was a general consensus that additional information should be made available on the design of the onsite septic system before a determination of significance is issued.

D. General Municipal Law Section 239-m:

During its May 21, 2019 meeting, the Fulton County Planning Board, in accordance with Section 239-m of the General Municipal Law, reviewed the Great Sacandaga Brewing Company's Site Plan for its nanobrewery and tasting room along NYS Route 30. At that time, the Planning Board recognized no regional implications that could occur from the proposed action and decided to offer no recommendation to the Town of Mayfield Planning Board concerning this application.

E. Public Hearing:

1. The public hearing was opened at 7:15 P.M.

2. Speakers:

Planning Board Member Jerry Moore asked what the speed limit is along NYS Route 30 in front of the applicant's proposed operation?

Mr. DeJong indicated that the speed limit in front of the property is 35 mph.

3. The public hearing was closed at 7:17 P.M

F. Planning Board Action:

In accordance with Article IX, Section 906 of the Town of Mayfield Zoning Regulations, the Planning Board, within sixty-two (62) days following the public hearing, shall approve, approve with modifications or disapprove the application for Site Plan approval. Consequently, does the Planning Board wish to make its final decision on Great Sacandaga Brewing Company's Site Plan application for a nanobrewery and tasting room along NYS Route 30 at this time?

DISCUSSION: Mr. Geraghty reminded Board members that, until the SEQR process is completed, no final action can be taken.

Tony Marden asked if he could begin some of the renovation work within the building prior to the Planning Board's final decision?

Mr. Geraghty explained that he would have to have that conversation with Town Code Enforcement Officer Damon Curley. He explained to the applicants that Town Code Enforcement Officers are typically very leery of allowing projects to proceed very far until a Planning Board approval is given in case a project is ultimately denied.

Mr. Marden indicated that he would have that conversation with the Town Code Enforcement Officer.

MOTION: To table final action on the Great Sacandaga Brewing Company's Site Plan for its nanobrewery and tasting room along NYS Route 30.

MADE BY: Aaron Howland

SECONDED: Adam Lanphere

VOTE: 4 in favor, 0 opposed, 1 abstained (Kessler)

V. CRANBERRY COVE MARINA, INC. - SITE PLAN FOR MARINA ADDITION:

A. Background:

Cranberry Cove Marina is proposing an addition to its existing marina building at 1840 State Highway 30 in the Town of Mayfield (Tax Map Parcel No. 73.-1-39). The proposed project calls for the construction of a 45' x 20' addition that will tie into the existing 1-story ranch structure. The addition will take place on the rear portion of the building and will be taller than the existing structure. According to the narrative that was provided as part of the Site Plan submittal, the proposed addition will be used for dry boat storage. The narrative also explains that a letter of approval from the Adirondack Park Agency (APA) is forthcoming.

B. County Planning Department and Town Code Enforcement Office Review:

The Fulton County Planning Department and the Town of Mayfield Code Enforcement Office have reviewed the Site Plan application in accordance with the Town's Site Plan Regulations and would like to offer the following comments:

1. Elevation drawings for the proposed addition have not been provided.

DISCUSSION: Mr. Kessler indicated that he would like to see an elevation drawing provided for the proposed addition. He agreed that there really aren't any other issues that seem to be of any concern.

Michael Cranker, DMR Civil Engineering, pointed out that the addition will have no impact on the septic system and is simply an effort to provide additional dry boat storage space.

C. State Environmental Quality Review:

In accordance with Section 617.5 of 6NYCRR, the applicant's proposal to construct an addition on its marina building along NYS Route 30 should be classified as a Type II Action since it involves the expansion of an existing non-residential building by less than 4,000 sq. ft.

DISCUSSION: The Planning Board agreed that the project should be classified as a Type II Action.

D. Planning Board Action:

In accordance with Article IX, Section 906 of the Town of Mayfield Zoning Regulations, the Planning Board shall fix a time within sixty-two (62) days from the day the Planning Board determines an application for Site Plan review to be complete for a public hearing on the application for Site Plan approval. Consequently, does the Planning Board feel it has enough information to schedule a public hearing on the Cranberry Cove Marina's Site Plan for a marina addition at this time?

MOTION: To schedule a public hearing on Cranberry Cove Marina's Site Plan for a marina addition for 6:00 p.m., Wednesday, July 17, 2019.

MADE BY: Jerry Moore
SECONDED: Fred Castiglione
VOTE: 5 in favor, 0 opposed

VI. OTHER BUSINESS:

A. Code Enforcement Update:

Damon Curley explained that Bob Kazmierski would like to amend his Site Plan for the Wildlife Sports and Educational Museum by adding a mercantile component in the parking lot.

Mr. Kazmierski spent several minutes explaining that he allows a group of individuals to conduct an ongoing craft fair/vendor show in the parking lot. He stated that the participants pay him a fee that goes towards maintaining the Museum. He pointed out that he gets no New York State, Fulton County or Town of Mayfield funding for his project and can use all of the funding that is available.

Mr. Kessler asked if the inside of the facility is completed?

Mr. Kazmierski pointed out that, while the building has been constructed, interior work is still not completed. He went on to point

out that there is one person who has complained to the Town about the craft fair/vendor show. He stated that he has a gift shop in the Museum and didn't feel it was a huge issue to allow additional mercantile operations to occur in the parking lot. He showed Board members a list of 100 signatures from individuals in the community who are in support of this ongoing craft fair/vendor show. Again, he pointed out that he could use all the money he can get for the Museum.

County Senior Planner Sean Geraghty pointed out that, as part of the original Site Plan approval for the Museum addition, all of the tractor trailers on the property were to be removed. He reminded Mr. Kazmierski that, during the review process for the Museum expansion, he had told Board members that all of the new displays were being held inside of those trailers and that those trailers would be removed once the addition was completed on the Museum and all of the displays were moved indoors.

Mr. Kazmierski stated that he is now renting out space in those trailers.

Mr. Geraghty reminded him once again that he is in violation of his Site Plan approval. He explained that it is not the Planning Board's concern that he decided to ignore that stipulation and start renting out the trailers. He indicated to Mr. Kazmierski that all of the trailers need to be removed from the site before the Planning Board will even consider allowing a mercantile operation in the parking area.

Planning Board Member Aaron Howland agreed that once the tractor trailers are removed, the Planning Board will likely consider a small structure or tent in the parking lot for an ongoing craft fair/vendor show.

Mr. Geraghty asked Mr. Curley if the Town issues some type of vendor permit?

Mr. Curley indicated that he believes the Town does have a vendor permit that has a specific timeframe associated with it.

Once again, Mr. Geraghty suggested to Mr. Kazmierski that the trailers be removed immediately before he approaches the Town for permission to continue conducting the craft fair/vendor show.

B. Chairman's Update:

Mr. Kessler pointed out that Zippy's Ice Cream is up and running in the Village of Mayfield and seems to be doing very well.

VII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 7:33 p.m.

MADE BY: Fred Castiglione

SECONDED: Adam Lanphere

VOTE: 5 in favor, 0 opposed