

**TOWN OF MAYFIELD PLANNING BOARD
SEPTEMBER 21, 2022
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING MINUTES

PRESENT:

**JOHN KESSLER, CHAIRMAN
AARON HOWLAND, VICE CHAIRMAN
RICHARD MILES
JERRY MOORE
GRANT RAUCH, ALTERNATE
JOSHUA WADSWORTH, ALTERNATE**

**DAMON CURLEY, CODE ENFORCEMENT OFFICER
SEAN M. GERAGHTY, CONSULTANT
AARON ENFIELD, FULTON COUNTY SENIOR PLANNER**

OTHERS PRESENT:

Michael E. Angus
Bruce Scribner
Bob Johnson
Pete Stearns
Carol Jablonski
Dave Bogardus

Jason Hoose
Linda Scribner
John Close
Cathy Stearns
John Papa
John Romeo

I. CALL MEETING TO ORDER:

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

III. APPROVE MINUTES OF AUGUST 17, 2022 MEETING:

MOTION: To approve the minutes of the August 17, 2022 meeting.

MADE BY: Grant Rauch
SECONDED: Rich Miles
VOTE: 5 in favor, 0 opposed

IV. JOHN PAPA – PUBLIC HEARING ON A SPECIAL PERMIT FOR RV PARK ALONG LAKESIDE DRIVE:

A. Background:

John Papa owns a piece of property along the north side of Lakeside Drive in the Town of Mayfield (Tax Map Parcel No. 104.-2-40). Mr. Papa's property is approximately 3.5 +/- acres in size. Mr.

Papa would like to create a 4-lot RV Park/Campground on the property. Previously, he received a Special Permit for a 4-lot RV Park/Campground on the adjacent parcel (Tax Map Parcel No. 104-2-39). The property is zoned Mixed-Use 1 and an RV Park is allowed under Special Use Permit.

B. August 17, 2022 Meeting:

During the August 17, 2022, the Town of Mayfield Planning Board continued its review on John Papa's Special Use Permit Application for an RV Park. At that time, the Planning Board did not ask for any additional information prior to the public hearing.

C. State Environmental Quality Review:

During its August 17, 2022 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 for John Papa's Special Use Permit for an RV Park along Lakeside Drive. Each Involved Agency was given twenty-five (25) calendar days to respond to the Planning Board's proposal to serve as the Lead Agency or to comment on the proposed action itself. To date, the Planning Board has received the following comment(s):

NYS Department of Environmental Conservation:

In a letter dated August 25, 2022, the New York State Department of Environmental Conservation concurred that the Town of Mayfield Planning Board serve as SEQR Lead Agency for the project. NYSDEC indicated that any disturbance of more than 1 acre will require a SPDES General Permit for Storm Water Discharges from Construction Activities (GP-0-15-002). They also stated that should there be questions regarding stormwater requirements, to reach out to their Division of Water.

MOTION: Declaring the Town of Mayfield Planning Board the Lead Agency for the purpose of issuing a determination of significance for John Papa's Special Use Permit application for an RV Park along Lakeside Drive.

MADE BY: John Kessler
SECONDED: Aaron Howland
VOTE: 5 in favor, 0 opposed

FURTHER DISCUSSION: There was a general consensus among Board members that the project would have no significant adverse environmental impacts

MOTION: Authorizing the filing of a Negative Declaration under SEQR for John Papa's Special Use Permit application for an RV Park along Lakeside Drive since:

1. The project site has sufficient acreage to support four (4) RV lots.
2. Public utilities are readily available to service the lots.
3. There will be no traffic implications resulting from the proposal.
4. There will be very little physical disturbance of the site.

MADE BY: John Kessler
SECONDED: Rich Miles
VOTE: 5 in favor, 0 opposed

D. Public Hearing:

The public hearing was opened at 6:01 P.M.

Speakers:

Jon Close
Lakeside Drive

Mr. Close stated that he was initially skeptical about Mr. Papa's first 4-lot RV Park along Lakeside Drive. He stated that since that one has been in operation, he has developed a friendship and respect for those who stay on the applicants property. Mr. Close mentioned that past guests of the RV Park were helpful in catching vandals at Close Farm and he recommended that Mr. Papa be allowed to move forward with this new RV Park.

The public hearing was closed at 6:03 P.M.

E. Planning Board Action:

Article XI of the Town of Mayfield Zoning Law indicates that the Planning Board has 60 days after the completion of the public hearing to approve, disapprove, or approve with modifications the application for a Special Use Permit. Does the planning board wish to issues its final decision on John Papa's application for a Special Use Permit for an RV Park along Lakeside Drive at this time?

MOTION: To approve John Papa's Special Use Permit application for an RV park along Lakeside Drive in the Town of Mayfield

MADE BY: Jerry Moore

SECONDED: Aaron Howland

VOTE: 5 in favor, 0 opposed

V. KATHLEEN AND STANLEY PELCHER – PUBLIC HEARING ON A SUBDIVISION ALONG COUNTY HIGHWAY 106:

A. Background:

Kathleen and Stanley Pelcher own 55.50 +/- acres at 720 County Highway 106 (Tax Map Parcel No. 151.-7-39) within the Town of Mayfield. The applicants wish to create an additional building lot from the property. The proposed lot will 5.12 +/- acres in size. The property is zoned Agricultural 1 and is located within Fulton County's Agricultural District #1. Per the Fulton County iMap Site, no wetlands appear on the parcel.

B. August 17, 2022 Meeting:

During the August 17, 2022 meeting, the Town of Mayfield Planning Board started its review on Kathleen and Stanley Pelcher's Subdivision application. At that time, the Planning Board raised the following questions:

1. An easement for the National Grid power line passes through the applicant's property and will pass directly through the proposed driveway location for the new building lot. Planning Board members feel that this is somewhat unusual and asked that additional research be conducted to

find out if there is some type of easement or agreement that gives National Grid the right to access the property.

DISCUSSION:

Dave Bogardus P.E. of Northeast Land Survey stated that a generalized easement was granted to New York Power & Light Corporation in 1937. He also stated that the easement currently belongs to Niagara Mohawk, which is now managed by National Grid.

C. State Environmental Quality Review:

During its August 17, 2022 meeting, the Town of Mayfield Planning Board authorized the filing of a negative declaration on Kathleen and Stanley Pelcher's application for a Subdivision at 720 County Route 106 as;

1. The applicant has sufficient acreage available to create a building lot,
2. There will be no traffic implications resulting from the proposed action, and
3. Public utilities are readily available to service the building lot.

D. Fulton County Agricultural District 1

On August 19, 2022, the Fulton County Planning Department sent a letter with an Agricultural Data Statement to Agricultural District property owners within 500' of the parcel to be subdivided. To date, there have been no comments made.

E. Public Hearing:

The public hearing was opened at 6:05 P.M.

Speakers:

There were no speakers for Kathleen and Stanley Pelcher's Subdivision application.

The public hearing was closed at 6:06 P.M.

F. Planning Board Action:

According to the Town of Mayfield Subdivision Regulations, the Planning Board shall approve, disapprove, or approve with modifications the subdivision application within sixty-two (62) days following the close of the public hearing.

MOTION: To approve Kathleen and Stanley Pelcher's Subdivision application at 720 County Highway 106 in the Town of Mayfield.

MADE BY: John Kessler

SECONDED: Grant Rauch

VOTE: 5 in favor, 0 opposed

VI. SUNSET BAY VACATION RESORT, LLC – SPECIAL PERMIT FOR RV PARK EXPANSION:

A. Background:

Sunset Bay RV Park, LLC is proposing to expand its RV Park along NYS Route 30 (Tax Map Parcel Nos. 88.-4-18, 88.-4-37.12 and 38.-4-21). The current Park has 299 sites, a water treatment plant, a wastewater treatment plant, a marina with docks, an office building and a community building. The proposed expansion calls for the creation of an additional 370+/- recreational vehicle sites along with 12,400 linear feet of road. A new 50' x 100' community building will be constructed, as well as several onsite amenities which will include a volleyball court, fire pit etc. A laundry facility will also be constructed on the project site. The project will be served by onsite wastewater treatment facilities that will allow connection to a future sewer system along NYS Route 30. The project area for the proposed expansion is approximately 57.1+/- acres.

B. August 17, 2022 Meeting:

During its August 17, 2022 meeting, The Town of Mayfield began reviewing a Special Use Permit for an RV Park expansion for Sunset Bay Vacation Resort. While the Planning Board did not request additional information, they offered the following comments:

1. The design capacity of Paradise Point Road, as it exists today, should be identified in the traffic analysis. At the moment, the Planning Board has not decided whether or not we would like another firm to prepare a second opinion on the traffic analysis for the project. However, please understand that the Board still has some reservations on the projected trip generation rates for the proposed Park expansion that were outlined in the current analysis.
2. At the moment, the Planning Board is willing to consider a reduction in the widths of the internal roads for the Park expansion. During the meeting, you indicated that you have already discussed the project with the local volunteer fire company and are expecting a letter of support from the fire company concerning your proposal to reduce the required road widths. Once that letter becomes available, please forward a copy to the Planning Board. A reduction in the required road dimensions will require an Area Variance from the Town of Mayfield Zoning Board of Appeals (ZBA). If you intend to pursue this design change, you will need to file a formal application with the Town ZBA and the Planning Board will then subsequently include The ZBA in the Coordinated SEQR process.
3. During our discussion, you indicated several times that your client would like to develop the project in phases and will be able to provide more details on each phase as the project moves forward. Please keep in mind that in order for the Planning Board to complete the SEQR process, a certain amount of detailed information on the future development of the site will need to be available, including how stormwater management will be handled, how wastewater treatment will be handled and how potable water will be provided for the Park expansion.
4. As was pointed out during the meeting, the proposed Park expansion calls for a significant amount of road construction in order to develop the Park's internal road network. In fact, it will assuredly require several hundred dump truck trips along Paradise Point Road to develop the access roads. A construction phase plan will need to be prepared showing how damage to Paradise Point Road will be avoided.
5. The Planning Board also has some concerns with the appearance of the Park and will eventually require more specific information on how the proposed Park expansion will be

screened from adjacent properties in terms of providing fencing and additional landscaping. While the Board has not requested any changes to the existing RV Park, please keep in mind that the setback distances for the existing RV lots along Paradise Point Road are a notable, present-day concern amongst Board members.

DISCUSSION: County Planning Consultant Sean Geraghty clarified that the Applicant was not asked to make a formal submittal for this evening's meeting. He stated that the above-referenced issues were included in the Agenda as a reminder for Planning Board members.

C. State Environmental Quality Review:

During its August 17, 2022 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 for Sunset Bay Vacation Resort's Special Use Permit for an RV Park along Paradise Point Road. Each Involved Agency was given twenty-five (25) calendar days to respond to the Planning Board's proposal to serve as the Lead Agency or to comment on the proposed action itself. To date, the Planning Board has received the following comment(s):

NYS Department of Environmental Conservation:

In a letter dated August 25, 2022, the New York State Department of Environmental Conservation concurred that the Town of Mayfield Planning Board serve as SEQR Lead Agency for the project. NYSDEC indicated that any disturbance of more than 1 acre will require a SPDES General Permit for Storm Water Discharges from Construction Activities (GP-0-15-002). They also stated that should there be questions regarding stormwater requirements, to reach out to their Division of Water.

NYS Department of Transportation

In an email dated September 19, 2022, the New York State Department of Transportation (NYSDOT) agreed that the Town of Mayfield Planning Board serve as SEQR Lead Agency for the project. Subsequently, NYSDOT made the following comments:

1. A NYSDOT Highway Work Permit will be required for any work performed within the highway right-of-way. This permit is required prior to the start of work.
2. Any future access to the state highway from the subject property will require that the entrance conform to NYSDOT standards for a Minor Commercial Driveway.
3. Please forward a copy of the Traffic Impact Study to this office.
4. A grading and drainage plan is required.
5. Any proposed signage, parking, and advertising will need to be located on private property and not on NYSDOT right-of-way.
6. The possible future emergency service entrance to Route 30 appears to be a maintenance drive, will it be gated?
7. Any future connection to the sewer district will require a separate utility permit within NYSDOT right-of-way.

DISCUSSION: Mr. Geraghty pointed out that the two (2) State Agency responses were fairly typical.

Town of Mayfield Highway Superintendent

In a phone conversation with Fulton County Senior Planner Aaron Enfield on September 13, 2022, Town Highway Superintendent Jeff Martin pointed out that the applicants will be doubling the amount of units in the park that will access the park along Paradise Point Road, and suggested that the main entrance for the RV Park expansion in the park be along New York State Highway 30.

DISCUSSION: There was a recognition by both the Applicant's representatives and Planning Board members that moving the main access driveway for the RV Park expansion to NYS Route 30 will need more consideration.

MOTION: Declaring the Town of Mayfield Planning Board the Lead Agency for the purpose of issuing a determination of significance for Sunset Bay Vacation Resort Special Use Permit application for an expansion of an RV Park along Paradise Point Road

MADE BY: John Kessler
SECONDED: Aaron Howland
VOTE: 5 in favor, 0 opposed

D. Planning Board Action:

DISCUSSION: Mr. Geraghty explained that while the Applicants may intend to phase development of the project, the State Environmental Quality Review Act (SEQRA) requires the Lead Agency to examine the potential adverse impacts of an action at full development. Consequently, Mr. Geraghty pointed out that the Planning Board will need a significant amount of additional information and details on the design of the project before it can reasonably ascertain if there will be any significant adverse environmental impacts associated with the project.

John Romeo, P.E. indicated that he understood the Planning Board's responsibility to look at the overall development of the entire project. He stated that, at this time, his client would like to conduct a workshop with Planning Department staff and Board members to discuss some of the development options for the project. Mr. Romeo indicated that his client is trying to get a better handle on what is going to be required at the local level in order to get the project approved.

Mr. Geraghty stated that the Applicants can schedule a meeting with Planning Department staff at any time. However, he pointed out that, if the Applicants would like to meet with Board members in a workshop -type session, it is still considered a Planning Board meeting and a public notice of the meeting will need to be published. Mr. Geraghty went on to explain that even if the Planning Board does not intend to take any formal action on an application, the presence of a quorum for the workshop requires the Board to treat the workshop as a public meeting.

Mr. Romeo indicated that he understood and was willing to meet at any time prior to next month's Planning Board meeting.

Mr. Geraghty suggested that County Senior Planner Aaron Enfield put together a survey for Board members to see if there is a time that Board members can meet with the Applicants outside of the normal Planning Board meeting date. Mr. Geraghty stated that if Board members and the Applicants can agree on a date, then a public notice will need to be published for a special meeting.

Mr. Geraghty also inquired if any Planning Board Members has any additional comments on this project.

Mr. Kessler stated that he and Mr. Moore walked the portion of the property along NYS Route 30 and indicated that it has an approximately 17 % slope which would be sufficient to allow for the main entrance along that thoroughfare. Additionally, he stated that if the applicants were planning on putting RV along the side of a hill, they could easily do switchbacks.

MOTION: To table any further action on Sunset Bay Vacation Resort's Special Permit Application for an RV Park Expansion until further information and design details can be provided for the State Environmental Quality Review process.

MADE BY: John Kessler
SECONDED: Jerry Moore
VOTE: 5 in favor, 0 opposed

VII. HOOSE CONSTRUCTION INC. – SITE PLAN FOR A RESTAURANT / BAR AT 145 RICEVILLE ROAD:

A. Background:

Jason Hoose of Hoose Construction, Inc. is seeking to establish a Restaurant / Bar at 145 Riceville Road on a parcel that is approximately 1.58+- acres (Tax Map Parcel No. 119.-8-29). The owner plans to reuse an existing structure, which was previously was used as a church. The Site Plan application does not show any exterior changes to the building. A commercial kitchen will be installed as part of the project. . The property is zoned Mixed-Use 1, which requires a Site Plan Review for a Restaurant / Bar.

B. Fulton County Planning Department:

The Fulton County Planning Department has reviewed the Site Plan for application in accordance with the Town of Mayfield's Site Plan Regulations and offers the following comments:

1. A location map must be provided.
2. The exterior dimensions of the building should be identified.
3. The width of the access driveway must be shown.
4. The proposed usage of the sheds should be identified.

DISCUSSION:

Jason Hoose, applicant, indicated that the shed near the propane tanks will be used for maintenance equipment.

Senior Planner Aaron Enfield questioned the use of the remaining three sheds on the property.

Mr. Hoose stated that the three other sheds on the property actually belong to neighboring property owners.

5. The location of the existing septic field needs to be shown.

DISCUSSION:

Mr. Hoose stated he did not know where the current septic field was located.

6. Are there any permits required for the propane tanks and how are the tanks protected?

DISCUSSION:

Mr. Hoose indicated that he was unaware of any propane tank permits. He subsequently pointed out that the one tank on the property was recently replaced and is protected by bollards.

Mr. Geraghty stated that the Site Plan shows two propane tanks that are not protected so the Site Plan drawing will need to be amended.

7. The size, design and type of construction of all proposed signs.

DISCUSSION:

Mr. Hoose stated that the sign shown along Riceville Road may be removed. He also stated that he is still working on details for where the sign(s) for the restaurant will go. He stated that he may only place a sign on the façade of the building.

8. Will any landscaping be provided?

DISCUSSION:

Mr. Hoose indicated that he removed some bushes in order to repair the foundation on the front of the building. He stated that he does not plan on landscaping the property, but may construct a patio for outdoor seating.

9. Design of all outdoor lighting needs to be provided.

DISCUSSION:

Mr. Hoose mentioned that there are wall packs on the exterior of the building.

Mr. Enfield stated that those wall packs and any other outdoor lighting needs to be specified on the Site Plan.

10. The seating capacity of the restaurant needs to be identified.

DISCUSSION:

Mr. Hoose stated he was not sure of what the capacity will be.

Planning Board Alternate Grant Rauch indicated that the local fire department will look at the capacity of the building prior to opening.

Mr. Geraghty pointed out that the parking requirements will be based on the seating capacity of the Bar/Restaurant.

11. The number of off street parking spaces that are available needs to be shown.

DISCUSSION:

Mr. Hoose wasn't sure how many spaces will be available. He stated that he intends to convert several parking spaces into ADA compliant spots and may remove the paved area behind the restaurant so that customers do not have the ability to drive around the building.

12. An estimated project construction schedule should be provided.

DISCUSSION:

Mr. Hoose stated that he will likely be operational by the beginning of 2023.

13. Location, width and purpose of all existing and proposed easements, setbacks, reservations, deeded restrictions, covenants, and areas dedicated to public use within the adjoining property need to be identified.

DISCUSSION:

Mr. Hoose indicated that he was unaware of any easements other than the driveway access for his neighbor.

Mr. Geraghty pointed out that the details for the driveway easement will need to be clarified.

14. The pumping capacity of the well should be provided?

DISCUSSION:

Mr. Hoose mentioned that a friend of his will be looking at the pumping capacity within the next few weeks.

Mr. Kessler indicated that while the use is changing from a church to a restaurant, not having enough water capacity is a big concern.

Mr. Hoose concurred with Mr. Kessler and indicated that was the reason he was having a professional look at the pumping capacity.

Mr. Moore pointed out that the short form indicates that there are two (2) wells, yet only one is shown on the Site Plan.

Mr. Hoose stated that the second well is relatively close to the one shown on the Site Plan.

Mr. Geraghty pointed out that both wells will need to be put on the revised Site Plan.

15. The location of a dumpster?

DISCUSSION:

Mr. Howland inquired on where the dumpster will be located?

Mr. Hoose indicated that it will be located next to the shed.

Mr. Kessler indicated that the dumpster would need to be fenced.

C. State Environmental Quality Review:

Section 617.1 of 6 NYCRR states that, the basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of State, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant effect on the environment and if it is determined that the actions may have a significant effect, prepare or request an environmental impact statement. Under these terms, the review of a Site Plan application is subject to SEQR. Therefore, the following issues must be addressed:

1. Does the Planning Board feel that the Short Environmental Assessment Form, provided by the applicant, has been completed adequately?

DISCUSSION: The Planning Board felt that the Short Environmental Assessment Form had been completed adequately.

2. Does the Planning Board feel that any additional information should be provided as part of the SEQR process?

DISCUSSION: The Planning Board did not ask for any additional information.

3. Section 617.6 (b)(3) of 6 NYCRR states that, when an agency proposes to directly undertake, fund or approve a Type I or Unlisted Action undergoing a Coordinated Review with other Involved Agencies, it must, as soon as possible, transmit Part I of the Environmental Assessment Form, completed by the Project Sponsor, or a Draft Environmental Impact Statement (DEIS) and a copy of any application that has been received to all Involved Agencies and notify them that a Lead Agency must be agreed upon within twenty-five (25) calendar days of the date the Environmental Assessment Form or DEIS was transmitted to them.

MOTION: To classify Hoose Construction's Site Plan application for a Restaurant / Bar at 145 Riceville Road as an Unlisted Action and to propose that the Town of Mayfield Planning Board serve as the Lead Agency and to offer each agency 25 calendar days to comment on the Planning Board's proposal to serve as the lead agency or on the project itself.

MADE BY: Aaron Howland

SECONDED: Grant Rauch

VOTE: 5 in favor, 0 opposed

D. Fulton County Planning Board:

In accordance with New York State General Municipal Law § 239-m, the following application must be forwarded to the County Planning Board for a review of the potential regional impacts, since the project is located within 500' of a state highway.

E. Planning Board Action:

In accordance with Article IX Section 70 of the Town of Mayfield Zoning Law, the Planning Board shall schedule and hold a public hearing on the application within sixty-two (62) days after it is determined to be complete by the Planning Board.

MOTION: To schedule a Public Hearing Hoose Construction's Site Plan application for Wednesday, October 19, 2022 at 6:00 p.m. and to forward the application to the Fulton County Planning Board for a 239-m review.

MADE BY: John Kessler

SECONDED: Rich Miles

VOTE: 5 in favor, 0 opposed

VIII. OTHER BUSINESS:

A. Fulton County Planning Department:

Mr. Enfield pointed out the various training that Senior Stenographer Carol Ellis has emailed to Planning Board members over the past few weeks.

- **How the Electric Grid Works. Building Energy Independence and Resilience with Solar: September 28, 2022 – Webinar**
Hosted by United Solar Energy Supporters. Panelists Linden Speranza and Stuart Bailey, of LaBella Associates Engineering, will be providing a very comprehensive presentation covering the grid, energy independence, grid stability, Renewable Energy Credits etc...
- **Planning and Zoning Conference, September 29, 2022 – Old Forge – In Person**
Hosted by Miller, Mannix, Schachner, and Hafner, LLC. Interested participants should contact Connie Williams at the Town of Webb Code Enforcement Office at 315-369-3001. There is a fee involved.
- **Planning and Zoning Conference: October 28, 2022 – Hudson Valley Community College - In Person**
Hosted by Capital District Regional Planning Commission. Fee is \$50.
- **Planning and Zoning Conference: February 1, 2023 - Saratoga Springs – In Person**
Saratoga County Planning and Zoning Conference save the date sent out to Planning Board Members for February 1, 2023. More information December 2022.

IX. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:32 p.m.

MADE BY: John Kessler

SECONDED: Jerry Moore

VOTE: 5 in favor, 0 opposed.