

**TOWN OF MAYFIELD PLANNING BOARD
JANUARY 16, 2019
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**JOHN KESSLER, CHAIRMAN
AARON HOWLAND, VICE CHAIRMAN
JERRY MOORE
ADAM LANPHERE
RICHARD MILES
FREDERICK CASTIGLIONE, ALTERNATE
ADRIEN ZAMBELLA, ALTERNATE**

**SEAN M. GERAGHTY, SENIOR PLANNER
MICHAEL STEWART, CODE ENFORCEMENT OFFICER**

OTHERS PRESENT:

**NICOLE ALLEN
CHARLES ACKERBAUER, P.E.
ROGER PUTMAN
SUE HERBA
TYLER PUTMAN
RACHEL PUTMAN**

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 December 19, 2018 meeting.

MADE BY: Aaron Howland
SECONDED: Adam Lanphere
VOTE: 5 in favor, 0 opposed

III. ANNUAL ELECTION OF OFFICERS:

In accordance with Section 271 of the Town Law of New York State, the Chairperson of the Planning Board is appointed by the Town Board. However, in the absence of this appointment, the Planning Board is authorized to designate a member to serve as the Chairperson. The Town of Mayfield Town Board has authorized the Planning Board to select its own Chairman and Vice-Chairman.

DISCUSSION: Planning Board Member Jerry Moore nominated John Kessler to continue as Chairman in 2019. There was then a brief discussion amongst members concerning anyone's interest in servicing as Chairman or Vice Chairman for 2019. Eventually, it was decided that the existing slate of officers should remain in place.

MOTION: Nominating John Kessler as Chairman and Aaron Howland as Vice Chairman for 2019.

MADE BY: Richard Miles

SECONDED: Jerry Moore

VOTE: 5 in favor, 0 opposed

IV. RUSSELL ZIEMBA AND LYNDIA MARINO – PUBLIC HEARING ON A SUBDIVISION ALONG NYS ROUTE 30:

A. Background:

Russell Ziemba and Lynda Marino own a piece of property along the west side of NYS Route 30 in the Town of Mayfield (Tax Map Parcel No. 152.-5-36). The property is approximately 47.6+/- acres in size and there is currently a single-family residence on the property. The applicants would like to subdivide the property into two (2) equal sized parcels that are each 23.8+/- acres in size in order to create an additional building lot.

B. December 19, 2018 Meeting:

During its December 19, 2018 meeting, the Planning Board began its review of Mr. Ziemba and Ms. Marino's subdivision application. At that time, the Planning Board asked that the following information be provided on a final subdivision plat prior to the public hearing:

1. Percolation and pit test results for the new building lot must be provided.

STATUS: A notation has been made on the drawing explaining that, due to wet weather conditions, the soils test on the new building lot couldn't be performed. The notation goes on to explain that deep hole tests and

percolation tests will need to be conducted and potentially a septic system designed in conformance with NYS standards be designed and submitted to the Town Code Enforcement Officer for approval.

DISCUSSION: Charles Ackerbauer, P.E., representing the applicants, indicated that, due to wet conditions on the property, he was unable to get a percolation test for the site. He explained to members that he provided a septic system design for the site that will be dependent upon the eventual percolation and pit test results. The Planning Board had no further questions or comments concerning this issue.

2. A north arrow must be included on the final subdivision plat.

STATUS: Provided.

C. State Environmental Quality Review:

During its December 19, 2018 meeting, the Planning Board authorized the filing of a negative declaration under SEQR for this proposed action. Consequently, unless new additional information has been provided, no further SEQR action is necessary.

D. Public Hearing:

1. The public hearing was opened at 6:02 P.M.

2. Speakers:

There was no one to speak regarding the proposed subdivision application.

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

E. Planning Board Action:

In accordance with Section 1008(C) of the Town of Mayfield Zoning Law, the Planning Board shall issue its final decision within sixty-two (62) days from the date of the public hearing is closed. Consequently, does the Planning Board wish to issue its final decision on Russell Ziemba and Linda Marino's subdivision application for a piece of property along NYS Route 30 at this time?

MOTION: To approve Russell Ziemba and Linda Marino's subdivision application for a piece of property along NYS Route 30.

MADE BY: Aaron Howland
SECONDED: Adam Lanphere
VOTE: 5 in favor, 0 opposed

V. PUTHAVEN FARMS – PUBLIC HEARING ON SPECIAL PERMIT FOR MINING OPERATION ALONG SAND HILL ROAD:

A. Background:

Puthaven Farms owns a piece of property along Sand Hill Road in the Town of Mayfield (Tax Map Parcel No. 136.-3-24.111). The property is approximately 40.8+/- acres in size. Puthaven Farms would like to conduct a mining operation in the southwest corner of the property. The mining operation will encompass approximately 2.3 acres of the site.

(NOTE: Planning Board Member Aaron Howland indicated that he would be abstaining from participating in the review of this application.)

(NOTE: Planning Board Alternate Adrien Zambella replaced Mr. Howland for the review of this application.)

B. May 16, 2018 Meeting:

During its May 16, 2018 meeting, the Planning Board continued its review of Puthaven Farms' Special Permit application for a mining operation along Sand Hill Road. At that time, the Planning Board asked that the following information be provided on a revised Site Plan drawing prior to the public hearing:

1. The notation in the legend identifying the NYSDEC permit term as 2017 through 2021 should be removed.

STATUS: Removed.

2. The proposed hours of operation for the mine on Saturdays should be noted.

STATUS: The hours of operation on the drawings differ from the hours of operation shown on the NYSDEC mining permit application.

DISCUSSION: Mr. Geraghty pointed out that the hours of operation should be consistent on the NYSDEC application and the Site Plan drawing that has been provided to the Planning Board.

Roger Putman indicated that the hours of operation will likely be 6:00 a.m. to 5:00 p.m., Monday through Friday, and 6:00 a.m. to noon on Saturdays.

Mike Stewart pointed out that the NYSDEC application indicates that the mine will be open 7:00 a.m. to 5:30 p.m., Monday through Saturday.

Mr. Geraghty asked Planning Board members if there were any concerns with the hours of operation identified on the NYSDEC permit application?

There was a general consensus among Planning Board members that those hours of operation were acceptable.

Mr. Geraghty stated the hours of operation should be changed on the Site Plan drawing to 7:00 a.m. – 5:30 p.m., Monday through Saturday, to be consistent with the NYSDEC Permit Application.

3. A cross section of the driveway showing the specific construction specifications should be included on the Site Plan drawing.

STATUS: Provided.

DISCUSSION: Town Code Enforcement Officer Mike Stewart pointed out that the driveway location and angle of intersection with Sand Hill Road is shown differently on the Town of Mayfield Site Plan drawing and the NYSDEC permit drawing.

Mr. Geraghty pointed out that there didn't appear to be any notable sight distance differences in the driveway locations, since both driveways are located in almost the identical same spot. However, he explained that the intersection of the driveway should be shown the same way on both the NYSDEC permit drawing as well as the Town of Mayfield's Site Plan drawing.

4. The revised drawing should clarify if the area between the proposed mine location and Sand Hill Road is presently wooded. If that area does not already have vegetation, the Planning Board has requested that plantings be provided along the front of the mine so that the operation is not visible from Sand Hill Road.

STATUS: Additional plantings have been shown along the driveway.

DISCUSSION: Mr. Geraghty noted that, while the revised drawings show plantings along the driveway, as well as along Sand Hill Road, there is no planting schedule identifying the types of species to be planted or the size of those plantings. There was a general consensus among Board members that a planting schedule should be included on the final drawings.

C. State Environmental Quality Review:

During its November 14, 2018 meeting, the Planning Board discussed the coordination of the SEQR process by the NYS Department of Environmental Conservation (NYSDEC). The Planning Board authorized a letter to be sent to NYSDEC concurring with the Agency's proposal to serve as Lead Agency. The Planning Board noted in its correspondence back to NYSDEC that the applicants will need to provide additional landscaping along Sand Hill Road and along the entrance driveway to the mine in order to screen this project from adjacent properties and from travelers along Sand Hill Road.

The Town of Mayfield was subsequently notified by NYSDEC that the Agency has determined that the proposed action will pose no significant environmental impacts and has filed a negative declaration under SEQR for the project.

D. NYSDEC Mining Permit Application:

In a letter dated December 14, 2018, the Town of Mayfield was notified by NYSDEC that the Puthaven Farms' application for a mining operation along Sand Hill Road was complete. The Agency noted that the application had not yet been approved but asked for comments from the Town regarding the following specific issues relating to the application:

1. Appropriate setbacks from property boundaries or public thoroughfare rights-of-way.
2. Manmade or natural barriers designed to restrict access if needed and, if affirmative, the type, length, height and location thereof.
3. The control of dust.
4. Hours of operation.
5. Whether mining is prohibited at the project location.

At that time, the Planning Board determined that no additional correspondence needed to be sent to NYSDEC regarding the project. The Planning Board then decided to schedule a public hearing on the Puthaven Farms' Special Permit application for a mining operation along Sand Hill Road for this evening's meeting.

E. Public Hearing:

1. The public hearing was opened at 6:12 P.M.
2. Speakers:

There was no one to speak regarding the Puthaven Farms' Special Permit application.

3. The public hearing was closed at 6:13 P.M.

F. Planning Board Action:

In accordance with Article XI, Section 1102(B)(8) of the Town of Mayfield Zoning Regulations, the Planning Board, within sixty (60) days of the completion of the public hearing, shall approve, disapprove or approve with modifications the application for Special Use Permit.

DISCUSSION: Planning Board Member Rick Miles indicated that he would like to see a planting schedule provided on the final drawing before the Planning Board makes a decision on the application.

Planning Board Chairman John Kessler stated that he felt the specification showing 4" of gravel for the driveway entrance may not adequately support the heavy vehicles that will be going in and out of the site.

Mr. Putman explained that there is actually a much heavier base of material that already exists for the driveway.

After a brief discussion, there was a general consensus amongst Board members that an accurate specification for the driveway access must be included on the final drawing.

MOTION: To table final action on Puthaven Farms' Special Permit for a mining operation along Sand Hill Road pending receipt of a final drawing showing all requested revisions.

MADE BY: Adam Lanphere
SECONDED: Richard Miles
VOTE: 5 in favor, 0 opposed

VI. **OTHER BUSINESS:**

A. Code Enforcement Update:

Cell Tower:

Town Code Enforcement Officer Mike Stewart noted that there is a cell tower company making inquiries regarding possible locations for a new cell tower in the Town of Mayfield. He reminded the Planning Board that the Town of Mayfield Zoning Law does have regulations governing how these structures must be sited.

Craft Brewing:

Mr. Stewart stated that a craft brewery has purchased a property along NYS Route 30 near the County Visitor Information Center. Mr. Stewart stated that he felt there were quite a few renovations that will need to be made to the building before the business will be able to open on the site.

B. Training:

Mr. Geraghty stated that final arrangements have been made for this year's planning and zoning training sessions at Fulton-Montgomery Community College. He indicated that this year's sessions will be held on Wednesday, February 27, 2019, at 5:00 p.m. in the Theatre. He indicated that the topics for this year's sessions will be:

1. Downtown Revitalization
2. Aging in Place

He indicated that those attending both sessions will receive three (3) hours of training credit.

VII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:20 p.m.

MADE BY: Adam Lanphere

SECONDED: Jerry Moore

VOTE: 5 in favor, 0 opposed