

**TOWN OF MAYFIELD PLANNING BOARD  
AUGUST 20, 2014  
6:00 P.M.  
TOWN OF MAYFIELD TOWN HALL**

**MEETING NOTES**

**PRESENT:**

**ROBERT PHILLIPS, CHAIRMAN  
MALCOLM (RICK) SIMMONS, VICE CHAIRMAN  
JOHN KESSLER  
AARON HOWLAND  
ROBERTA RICCIARDI, ALTERNATE  
MICHAEL STEWART, CODE ENFORCEMENT OFFICER**

**OTHERS PRESENT: FRANK FERNANDEZ, LUCI FERNANDEZ, RUSSELL  
ZIEMBA, AMANDA GRAB**

**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 June 18, 2014 meeting.

MADE BY: Aaron Howland  
SECONDED: John Kessler  
VOTE: All in favor

**III. FRANK AND LUCY FERNANDEZ (OAKLEY MANAGEMENT) – SITE  
PLAN FOR COMMERCIAL DISPLAY AREA:**

A. Background:

Frank and Lucy Fernandez own two (2) pieces of property along the east side of NYS Route 30 in the Town of Mayfield (Tax Map Parcel Nos. 152.-6-17 and 152.-6-18.2). The two (2) parcels create a site approximately 21.6+/- acres in size. The applicants own an existing building on the site that houses a motor sports business. A residence on parcel no. 17 has been removed so that the applicants can use that portion of the site as an outdoor display area for motor sports equipment. The display area will be approximately 1 acre in size and will consist of a 6" gravel layer over compacted earth.

B. Code Enforcement Office/Planning Department Review:

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

1. A brief project narrative of the proposal describing the reasons for constructing the display area should be provided for the Planning Board's records.

DISCUSSION: The narrative will be provided on a separate piece of paper prior to the public hearing.

2. The Site Plan drawing should clarify the amount of acreage that the applicants own in the Town of Mayfield and will be part of this project.

DISCUSSION: The reviewed the application which noted the project area as 1.0 acres and felt that along with the site plan was adequate as provided.

3. The dimensions of the existing building on parcel 18.2 should be identified along with the total square footage of the building.

DISCUSSION: The Board agreed to accept the plans as submitted.

4. A concrete walkway is shown along the south side of the existing building. Is there any other pedestrian access that will be provided around the site?

DISCUSSION: No other access will be provided.

5. Will any additional culvert work or drainage work need to be undertaken on the site in order to create the display area?

DISCUSSION: No other culvert or drainage work will be undertaken.

6. A notation on the Site Plan drawing indicates that no building, signage or lighting is planned within the limits of the display area. Will additional signage or lighting be required on the adjacent parcel in order to advertise the business or illuminate the new display area?

DISCUSSION: No

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 subdivision 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: Yes

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

DISCUSSION: No

3. Section 617.6 (b) of 6 NYCRR states that, when a single agency is involved, the agency will be the lead agency when it proposes to undertake, fund or approve a Type 1 or Unlisted Action that does not involve another agency. If the agency has received an application for funding or approval of the action, it must determine the significance of the action, within twenty (20) calendar days of its receipt of the application, an Environmental Assessment Form or any additional information reasonably necessary to make that determination, whichever is later. Therefore, does the Planning Board wish to issue a Determination of Significance under SEQR at this time?

DISCUSSION: Yes

MOTION: Based on the information, analysis, and supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

MADE BY: Rick Simmons  
SECONDED: Roberta Ricciardi  
VOTE: All in favor

D. Planning Board Action:

In accordance with Section 906 of the Town of Mayfield Zoning Law, 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 that it has sufficient information to schedule a public hearing on Frank and Lucy Fernandez's Site Plan for a display area along NYS Route 30 at this time?

DISCUSSION: There was sufficient information to schedule a public hearing.

MOTION: To schedule a public hearing for Frank and Luci Fernandez's site plan review for a display lot at 6:05 p.m. on September 17, 2014

MADE BY: Aaron Howland  
SECONDED: John Kessler  
VOTE: All in favor

**VI. LOCAL LAW 2 - 2014 - "EXCAVATION FOR SOIL MINING AND SPECIAL USE PERMITS:"**

**A. Background:**

In accordance with Article XII of the Town of Mayfield Zoning Law, all proposed amendments to the Zoning Law must be referred to the Planning Board for a recommendation. The Planning Board has been forwarded a new Section 506 for Article V: Supplementary Regulations in the Town's Zoning Law. The new regulation outlines criteria that must be met for a soil mining operation. The Town is also proposing to add a new Article IX-A: Special Use Permit Regulations to the Town's Zoning Law. The Planning Board has forty-five (45) days after receiving the referral from the Town Board to issue its recommendation on the proposed amendment.

DISCUSSION: Mr. Phillips questioned if there was a section that would allow for requesting additional information on an issue if the Planning Board felt it was needed during a special use permit review and it was determined that section 909-B-3-t provided for that issue. The Board noted that DEC requirements with respect to soil mining would be extensive and complete by themselves. Mr. Simmons questioned what the fees would be and it was noted that they would be set by the Town Board and could be changed periodically by resolution.

MOTION: To recommend approval of the proposed amendment for special use permits and soil mining and excavation

MADE BY: Rick Simmons  
SECONDED: Roberta Ricciardi  
VOTE: All in favor

**VII. OTHER BUSINESS:**

- A. Code Enforcement Update: Mr. Stewart explained that Frank Ballou Jr. requested a zoning change for property located on State Highway 30 SBL # 136.-3-5 to open a small distillery business. The property is currently zoned R-1 and he would like it changed to C-1. The Town Board referred his request to the Zoning Commission for comment. They did not feel that they were at a point to make a recommendation one way or the other. Upon review of the zoning regulation Section 1202 it has been determined that this request can also be sent to the Planning Board for a recommendation which the

Town Board has requested. It was agreed to place this item on the agenda for the next meeting.

**VIII. CLOSE OF THE MEETING:**

MOTION: To close the meeting at 7:27p.m.

MADE BY: Rick Simmons

SECONDED: John Kessler

VOTE: All in favor