

**TOWN OF MAYFIELD PLANNING BOARD
MARCH 16, 2011
6:30 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**MARILYN SALVIONE, CHAIRWOMAN
ROBERT PHILLIPS, VICE CHAIRMAN
JERRY MOORE
JAMES BEACH, ALTERNATE MEMBER
MICHAEL STEWART, CODE ENFORCEMENT OFFICER
SEAN M. GERAGHTY, SR. PLANNER**

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:30 p.m.

DISCUSSION: Planning Board Chairwoman Marilyn Salvione welcomed James Beach as the new Alternate member to the Town of Mayfield Planning Board. Mrs. Salvione then designated Mr. Beach to serve in place of Barney Brower during this evening's meeting.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

DISCUSSION: Mrs. Salvione raised a question concerning the minutes to the February 16, 2011 meeting, but after receiving an explanation from County Senior Planner Sean Geraghty, she withdrew any proposed amendment.

MOTION: To approve the minutes to the February 16, 2011 meeting.

MADE BY: Marilyn Salvione

SECONDED: Robert Phillips

VOTE: 3 in favor, 0 opposed

III. WILLIAM AND LORI RUSSO – PUBLIC HEARING ON A SUBDIVISION ALONG BLANCHARD ROAD:

A. Background:

William and Lori Russo currently own a 5-acre parcel along the north side of Blanchard Road in the Town of Mayfield. The Russo's would like to subdivide the property into two (2) building lots that are 1.66 acres and 3.34 acres in size respectively. There is an existing concrete foundation on Lot #2 in the proposed subdivision.

Planning Board Chairwoman Marilyn Salvione recused herself from participating in the review of this application because of a business relationship with the property owner. Planning Board Vice Chairman Robert Phillips assumed the role of Chairman for this application.

B. February 16, 2011 Meeting:

During its February 16, 2011 meeting, the Town of Mayfield Planning Board reviewed William and Lori Russo's proposed 2-lot subdivision along the north side of Blanchard Road in the Town of Mayfield. At that time, the Planning Board asked that the following information be provided on a revised subdivision plat prior to the public hearing.

1. The 105' contour line needs to be shown on the revised subdivision plat.

STATUS: Provided.

2. The final plat needs to have a professional engineer's seal and signature.

STATUS: Provided.

3. Town Superintendent of Highways Melvin Dopp was asked to examine the location of the proposed access driveway for Lot #2 in the proposed subdivision and determine if a culvert needed to be placed beneath the driveway.

STATUS: In a letter dated March 14, 2011 to the Town of Mayfield Planning Board, Mr. Dopp indicates that he does not believe a culvert will be necessary, but asks that the proposed driveway be crowned and tapered to keep debris away from the Town Road.

DISCUSSION: The Planning Board recognized that the applicant had provided all of the requested information.

C. State Environmental Quality Review:

During its February 16, 2011 meeting, the Town of Mayfield Planning Board filed 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:

MOTION: To open the public hearing at 6:35 p.m.

MADE BY: Jerry Moore
SECONDED: James Beach
VOTE: 3 in favor, 0 opposed, 1 abstained (Salvione)

1. Speakers:

There was no one to speak regarding the subdivision application.

Planning Board Vice Chairman Robert Phillips suggested that the Board leave the public hearing open for 15 minutes.

MOTION: To close the public hearing at 6:50 p.m.

MADE BY: Jerry Moore
SECONDED: James Beach
VOTE: 3 in favor, 0 opposed, 1 abstained (Salvione)

E. Planning Board Action:

According to the Town of Mayfield Subdivision Regulations, the Planning Board shall have sixty-two (62) days from the close of the public hearing to conditionally approve, with or without modification, disapprove or grant final approval of the subdivision plat.

MOTION: To approve William and Lori Russo's subdivision application for a piece of property along the north side of Blanchard Road.

MADE BY: Jerry Moore
SECONDED: James Beach
VOTE: 3 in favor, 0 opposed, 1 abstained (Salvione)

**IV. NEW YORK RSA 2 CELLULAR PARTNERSHIP (VERIZON WIRELESS) –
PUBLIC HEARING ON A SITE PLAN FOR NEW ANTENNA ON TOWER
ALONG PROGRESS ROAD:**

A. Background:

Verizon Wireless is proposing to co-locate an additional 6' diameter microwave dish antenna on an existing communications tower located at 437 Progress Road in the Town of Mayfield. The tower itself is owned and operated by Verizon Wireless. Verizon's tower along Progress Road is a 185'+/- self supporting lattice tower, which is located on a leased parcel approximately .086 acres in size. This microwave antenna will allow Verizon Wireless to provide a wireless connectivity to land line telephone and fiber optic networks that are not susceptible to interruptions that could be caused by human error or catastrophic events. The new microwave dish will be mounted at a height of 140'+/-.

B. February 16, 2011 Meeting:

During its February 16, 2011 meeting, the Town of Mayfield Planning Board reviewed Verizon Wireless' proposal to install an additional antenna on its tower along Progress Road. At that time, the Planning Board determined that no additional information would be needed on or with the site plan application.

C. State Environmental Quality Review:

During its February 16, 2011 meeting, the Town of Mayfield Planning Board filed 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:

MOTION: To open the public hearing was 6:36 p.m.

MADE BY: Jerry Moore

SECONDED: Robert Phillips

VOTE: 4 in favor, 0 opposed

1. Speakers:

There was no one to speak regarding the special permit application.

Mrs. Salvione suggested that the Board leave the public hearing open for 15 minutes.

MOTION: To close the public hearing was 6:51 p.m.

MADE BY: Marilyn Salvione

SECONDED: James Beach

VOTE: 4 in favor, 0 opposed

E. Planning Board Action:

According to Section 274-b of the Town Law of New York State, the Planning Board must issue its final decision on a special permit application within sixty-two (62) days of the close of the public hearing. Consequently, does the Planning Board wish to issue its decision on Verizon Wireless' special permit application for an additional antenna on its tower along Progress Road at this time?

MOTION: To approve Verizon Wireless' special permit for an additional antenna on its tower along Progress Road.

MADE BY: Robert Phillips

SECONDED: James Beach

VOTE: 4 in favor, 0 opposed

V. **RICHARD AND JOHN DAVIS – SUBDIVISION ALONG COUNTY ROAD 123 (MOUNTAIN ROAD):**

A. Background:

Richard and John Davis currently own an 84+/- acre tax parcel along both sides of County Road 123 (Mountain Road) in the Town of Mayfield. The applicants would like to subdivide the property into two (2) tax parcels by creating separate lots on each side of County Road 123. The property on the north side of the road will be approximately 28.37 acres in size, while the property on the south side of the road will be approximately 54+/- acres in size. The property is currently vacant, however, the subdivision plat shows a proposed house to be constructed on the 28.37 acre parcel along the north side of the road.

John Ferguson, representing the applicants, explained that he believed his clients had already received a letter from Town Code Enforcement Officer Mike Stewart indicating that their proposed

subdivision is exempt from the Town's Subdivision Regulations. Mr. Ferguson then talked about a previous subdivision of the property that is under review by the Adirondack Park Agency, which may or may not have predated Park Agency regulations.

B. Determination of Subdivision Status:

Appendix A of the Town of Mayfield Subdivision Regulations entitled "Definitions" indicates that no division of land meeting the following criteria shall constitute a subdivision for purposes of compliance with the Town's Subdivision Regulations:

1. A division of land into four (4) or fewer residential parcels which land has not been previously divided within the last five (5) years.
2. Each resulting parcel will consist of at least the minimum lot size required for the Town's Zoning Law.
3. Each parcel will have a minimum width as prescribed in the Town's Zoning Law.
4. Each lot will have a minimum of 150' feet of frontage on an existing and maintained public street.

Given this set of criteria, it appears as though Richard and John Davis' subdivision plat is exempt from the Town of Mayfield Subdivision Regulations.

DISCUSSION: Mrs. Salvione agreed that the proposed subdivision is exempt from the Town's Subdivision Regulations. She also pointed out that the property is already physically split by County Road 123. Mrs. Salvione asked that the survey drawing that was provided as part of the application package be amended by removing the potential location of a house and driveway from the 28+/- acre site on the north side of the road and by identifying lot numbers on the two (2) parcels.

County Senior Planner Sean Geraghty suggested that a tax map identifying the actual acreages and parcel numbers also be superimposed on the revised drawing.

MOTION: Recognizing that Richard and John Davis' property transaction along County Road 123 (Mountain Road) in the Town of Mayfield is exempt from the Town of Mayfield Subdivision Regulations in accordance with Appendix A of that document.

MADE BY: Jerry Moore
SECONDED: James Beach
VOTE: 4 in favor, 0 opposed

NOTE: The Planning Board returned and concluded the public hearing on the application for William and Lori Russo's subdivision along Blanchard Road. The Planning Board subsequently concluded the public hearing on Verizon Wireless' special permit application for an additional antenna on its tower along Progress Road.

VI. SUNSET BAY VACATION RESORT – RV PARK EXPANSION:

A. Background:

Sunset Bay Vacation Resort currently has a 260 site RV Park along Paradise Point Road in the Town of Mayfield. The owners would like to add 39 additional RV lots, each at least 2,500 sq. ft. in size, with access to potable water, sanitary sewer, electric, telephone and cable hookups. The applicant's property is approximately 31+/- acres in size and this will bring the total number of RV lots on the property to 299.

DISCUSSION: Mrs. Salvione noted that there was a previous expansion of the Park from 240 units to 260 units in 2005.

Alex Rhodes, C.T. Male Associates, representing the applicants, confirmed that there was a previous expansion and that the original park was developed in the 1960's. Mrs. Rhodes noted that with the proposed 39-lot addition, the Park owners will be maximizing the number of lots that can be created in the Park without having to seek an Adirondack Park Agency Permit. Mrs. Rhodes explained that the new lots are interspersed throughout the site. She also indicated that the NYS Department of Environmental Conservation and the NYS Department of Health have been contacted and are reviewing plans for the project.

B. Procedure:

Section 505 of the Town of Mayfield Zoning Regulations indicates that applications for Mobile Home and RV Parks are submitted to the Town Board and then referred to the Planning Board for review. The Town's Zoning Regulations are somewhat vague in terms of outlining the process for an RV Park Expansion. Consequently, the Town Code Enforcement Office has decided to follow the procedure outlined for an initial Mobile Home Park or RV Park Permit.

C. Planning Department Review:

Section 505 of the Town of Mayfield Zoning Regulations outlines the information an applicant is required to submit on an application for a Mobile Home Park or RV Park Permit:

1. Names and addresses of all applicants if an individual or partnership and the name and addresses of principal officers if a corporation.

STATUS: Provided.

2. Name and address of the owner of land upon which the mobile home park or RV park is to be located.

STATUS: Provided.

3. Location map.

STATUS: Not provided.

4. Drawings of the proposed RV park indicating how it is to be designed so that it is in conformity with the requirements of this local law.

STATUS: Provided.

5. Site development plans which provide the level of details consistent with Section 904 of this local law.

STATUS: Provided.

6. An indication of existing topography and drainage patterns including wet or swampy areas.

STATUS: Provided.

7. A copy of all contemplated rules, regulations and covenants, a list of management and tenant responsibilities, a written statement of any entrance and exit fees, utility connection fees or any security deposits to be charged?

STATUS: N/A

8. Such further information as the developer may feel necessary to describe his intent and ability to comply with the environmental, health and safety standards of this local law.

STATUS: ?

DISCUSSION: Planning Board Member Robert Phillips asked if there would be lighting outside of the restroom facilities.

Mrs. Rhodes indicated that there would be lighting, but she would have to check on the type of fixtures her client wished to have installed.

Mr. Phillips indicated that he would like to have the location and specifications for the lighting identified on a revised set of drawings. Mr. Phillips then asked if there would be handicap signage on the exterior of the restroom facilities.

Mrs. Rhodes indicated that there would be signage and accommodations made for handicap individuals.

Planning Board Member Jerry Moore asked where the sewage treatment plant was located on the site.

Town Code Enforcement Officer Michael Stewart showed Board members an aerial photo of the Park and identified the location of the sewage treatment plant.

Mrs. Rhodes noted that the Park operates with a permit allowing it to have 25,000 gallons of flow each day. Presently, Mrs. Rhodes indicated that the park has a peak operation during July 4th weekend of around 20,000 gallons per day. Mrs. Rhodes also verified that the sewer pump capacities have been examined and are capable of handling the additional flow that would be generated by the 39 sites. Mrs. Rhodes explained that the Park employs a licensed operator for the sewage treatment system.

Mr. Moore asked if there would be any expansion of the dock facilities.

Mrs. Rhodes indicated that there would be no additional docks installed since the Park owners previously installed all of the docks that would be needed and allowed for the lots in the Park.

D. Standards:

The Town of Mayfield Zoning Regulations outline standards that the developers of Mobile Home Parks and RV Parks must adhere to. Specifically, Subsection 505-a of the Zoning Regulations outlines the standards applicable to RV Parks. After reviewing the plans submitted by the applicant, there are a few issues that need to be addressed:

1. The total number of RV lots in said park shall not exceed 12 per gross acre. The applicant owns 31+/- acres, which would allow a density of approximately 372 units.

DISCUSSION: The Planning Board recognized that the applicant was still in compliance with the density requirements outlined in the Town's Zoning Ordinance.

2. The actual size of each RV lot must be no less than 2,500 sq. ft. with a minimum dimension of 30'. It appears as though all of the lots exceed these requirements. However, there should be a calculation provided on the drawings identifying the actual square footage of each of the new RV lots.

DISCUSSION: There was a general consensus among Board members that the lot area and dimensions would not need to be shown for individual lots.

3. No RV shall be parked or located closer than 10' from the nearest edge of any road within the Park. There are several lots where the location of the RV pad appears to be within 10' of the edge of the roadway.

DISCUSSION: Alex Rhodes noted that although some of the trailer pads are shown within 10' of the nearest roadways, trailers are typically not placed along the edges of the pads, but are centered on the site.

There were no further questions from Board members on this issue.

4. A specification for the travel trailer pads in the Park should be included on the details sheet.

DISCUSSION: The Planning Board didn't feel the specifications for the trailer pads would need to be identified.

5. Every RV Park must have common open space for use by occupants of the park. The open space must be conveniently located and shall have a total area equal to at least 10% of the gross land area of the park. This open space area needs to be clearly shown and quantified on the site plan drawings.

DISCUSSION: Alex Rhodes indicated to Board members that she would have to identify and calculate the amount of area in the trailer campground that can be used as common recreational space.

Mr. Geraghty noted that the area along the beach, which is owned by the Hudson-River Black River Regulating District, cannot be used in the calculation for the common open space.

Mrs. Salvione noted that Planning Board Member Walt Ryan had contacted her prior to the meeting and expressed some concern with potential complaints that could arise from increases in traffic, noise, and campfire smoke.

Alex Rhodes noted that her clients have banned campfires within the Park. She explained that the Park manager lives on the site and is extremely mindful of noise issues at the facility.

Town Code Enforcement Officer Mike Stewart agreed and indicated that he could only remember one (1) complaint during his time as Code Enforcement Officer that involved smoke coming from campfires at the facility.

Mrs. Salvione asked how long the Park operates each year. Alex Rhodes indicated that the Park opens in early May and stays open until approximately Columbus Day each year.

Mr. Phillips asked if there were any restrictions on the number of cars that individuals renting sites in the camp could have.

Mrs. Rhodes indicated that she was unsure if there were any restrictions.

There was then a lengthy discussion concerning the rules and regulations for the Park. Board members asked that a copy of the Park regulations be filed with a revised drawing so that the Town has a copy of the document for its records.

Mr. Phillips asked if the applicant could document the number of emergency calls that typically occur each season at the facility.

Mrs. Rhodes indicated that she would look into that issue.

Mr. Phillips asked if the applicants have a website and if the rules and regulations were posted on the site.

Mrs. Rhodes indicated that her clients do have a website but that the rules and regulations are not on the site.

Mr. Moore then expressed some concern with possible boat congestion in the nearby bay if 39 new boats are using the dock facilities.

Mrs. Salvione indicated that she often rides her jet ski in that bay and felt that there was plenty of room for the additional boat traffic.

E. Adirondack Park Agency:

As part of the application package, Sunset Bay Campgrounds has submitted a 1983 letter from the Adirondack Park Agency (APA) indicating that the proposed development is exempt from the APA's regulations. The correspondence from the APA also indicates that any increase in the number of campsites by 25% or more from the original 240-unit site would require an agency permit. This would allow the applicant, under the APA's guidelines, to have 300 RV lots.

F. Planning Board Action:

Section 505 of the Town's Zoning Regulations indicates that within sixty-two (62) days of receiving an application from the Town Board, the Planning Board must review the documents, hold a public hearing and make a report back to the Town Board. Consequently, does the Planning Board wish to schedule a public hearing date on Sunset Bay's RV Park expansion at this time?

MOTION: To schedule a public hearing on the Sunset Bay Vacation Resort's RV Park Expansion for 6:30 p.m., Wednesday, April 20, 2011.

MADE BY: Marilyn Salvione

SECONDED: Robert Phillips

VOTE: 4 in favor, 0 opposed

VII. OTHER BUSINESS:

A. Code Enforcement Report:

(See attached report.)

1. Town Code Enforcement Officer Michael Stewart explained that the developers of the Harley Davidson Project on Bellen Road would like to change the lighting specifications for the project. Mr. Stewart showed Board members the changes that would be made to the drawings, along with the changes that would occur in the illumination patterns on the site.

Mrs. Salvione noted that during the Planning Board's review of this project, its focus was on the potential glare associated with the original lighting plan. Mrs. Salvione noted that the reduction in the number of lights and the decrease in the illumination on the site would have no adverse impact on the surrounding property owners.

Mr. Phillips indicated that he would like to have Sheet C-6 of the approved site plan drawings removed and updated with a revised lighting plan.

MOTION: To approve Harley Davidson, Inc.'s proposed change in the lighting plan for its previously-approved site plan application.

MADE BY: Marilyn Salvione

SECONDED: James Beach

VOTE: 4 in favor, 0 opposed

2. Mr. Stewart briefly discussed changes that he would like to see made in the fee schedule for the Town of Mayfield. After a brief discussion, there was a general consensus among Board members that the fees should be increased in the Town and that the Town Board will have to make a decision on how high the fees are set.

MOTION: Endorsing the concept of increasing the fees for applications in the Town of Mayfield.

MADE BY: Jerry Moore

SECONDED: James Beach

VOTE: 4 in favor, 0 opposed

3. Mr. Stewart then briefly noted several other issues that were outlined in his monthly report for the Planning Board, including the potential development of a Dollar General Store along NYS Route 30, his annual report, potential subdivision regulation changes and the work of the Comprehensive Plan Committee.

Mr. Phillips stated that he would like to see a report provided to the Planning Board on a regular basis listing the outstanding building permits in the Town of Mayfield. Mr. Phillips stated that he would like to get an idea of how many individuals have been issued building permits and have not completed their projects within a reasonable time period. Mr. Phillips suggested that the Planning Board consider establishing a time limit for the development of projects that have received a site plan approval from the Board.

Mr. Stewart indicated that if the Planning Board sets a time limit, it would make it easier for him to enforce. However, Mr. Stewart indicated that there really aren't very many outstanding building permits in the community that have gone through the Planning Board's review process.

B. Chairwoman's Report)

Mrs. Salvione noted that after the Planning Board appointed her and Bob Phillips as the Chairwoman and the Vice-Chairman for 2011, the Town Board made the same appointments at its February meeting.

Mrs. Salvione talked about her work on the Comprehensive Plan Committee and the initial focus on commercial development.

VIII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 7:50 p.m.

MADE BY: Jerry Moore

SECONDED: Robert Phillips

VOTE: 4 in favor, 0 opposed