

**TOWN OF MAYFIELD PLANNING BOARD
OCTOBER 20, 2021
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**JOHN KESSLER, CHAIRMAN
AARON HOWLAND, VICE CHAIRMAN
JERRY MOORE
RICHARD MILES
FREDERICK CASTIGLIONE
RALPH DESIDERIO, ALTERNATE**

**DAMON CURLEY, CODE ENFORCEMENT OFFICER
SEAN M. GERAGHTY, CONSULTANT
AARON ENFIELD, SR. PLANNER
JEFF MARTIN, TOWN HIGHWAY SUPERINTENDENT**

OTHERS PRESENT:

**LANE WINNEY
KALEI WINNEY
JAMIE WINNEY
TRAVIS MITCHELL
MELANIE OSTERHUT
B..... (UNABLE TO READ HANDWRITING)
DON HENDERSON
KEN ADAMCZYK
DAVID WALENDZIAK
VICTOR GREY
CHRISTINE GOOSSERS
CATHY STEARNS
ROBERT JOHNSON
JIM COREY
TERESA COREY
COLLEEN FURLONG
ROB FURLONG
JEANETTE IRWIN
MICHJELLE KAPLAN
DIANE BOSWELL
CASSANDRA JORDAN
LUCILLE JOHNSON - ? (UNABLE TO READ HANDWRITING)
DAWN VUNK
DENNIS VUNK**

I. CALL MEETING TO ORDER:

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

II. APPROVE MINUTES OF AUGUST AND SEPTEMBER MEETINGS:

DISCUSSION: Planning Board Member Aaron Howland pointed out that, on page 4 of the August 18, 2021 minutes, it should be clarified that he spoke with a potential purchaser of a property and not the person who owns the property.

Mr. Geraghty indicated that he would make that change.

MOTION: To approve the amended minutes to the August 18, 2021 meeting.

MADE BY: Aaron Howland
SECONDED: Richard Miles
VOTE: 5 in favor, 0 opposed

MOTION: To approve the minutes to the September 15, 2021 meeting.

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

III. KENNETH GREY AND VUE PROPERTIES (DAVE WALENDZIAK) – PROPERTY TRANSACTION ALONG NYS ROUTE 29:

A. Background:

Kenneth Grey owns a 3.219+/- acre parcel along the south side of NYS Route 29 near the intersection of County Highway 106 (Tax Map Parcel No. 151.-4-1). He intends to convey approximately 1.962+/- acres of that lot to the adjacent property owner, Vue Properties, Inc. (Dave Walendziak) (Tax Map Parcel No. 151.-4-6) to increase the size of that lot from 10.3+/- acres to 12.262+/- acres. There is currently a funeral home on the property owned by Vue Properties. No new building lots will be created as a result of this property transaction.

PLANNING BOARD DISCUSSION: County Planning Consultant Sean Geraghty pointed out that the area being acquired by Vue Properties will likely be used for an expanded parking area for the funeral home.

Planning Board Chairman John Kessler pointed out that the location of the septic field on Mr. Grey's property has not been identified.

After a brief discussion, Board members agreed that, given the location of the well on Mr. Grey's property, it is not likely that the septic field is at the side or the rear portion of the lot.

PLANNING BOARD ACTION:

MOTION: Recognizing that Kenneth Grey's property transaction with Vue Properties is not subject to the Town's Subdivision Regulations and can be approved as a lot line adjustment.

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

**IV. FREDERICK AND KAREN PARTYKA - PROPERTY TRANSACTION
ALONG PARTYKA DRIVE (PRIVATE):**

A. Background:

Frederick and Karen Partyka own properties off of North Second Avenue on Partyka Drive in the Town of Mayfield [Tax Map Parcel Nos. 137.1-3-1 (11.1+/- acres) and 137.1-3-2 (.68 acres)]. The Partykas would like to transfer approximately .474 acres from Tax Parcel 1 and add it to Tax Parcel 2 in order to create a 1.15-acre parcel along the Lake. There are no new lots being created as part of this transaction.

PLANNING BOARD DISCUSSION: Mr. Geraghty pointed out that the Partykas are simply trying to make a larger building lot along the Lake and will not be creating a new parcel.

PLANNING BOARD ACTION:

MOTION: Recognizing that the Partykas' property transaction is not subject to the Town's Subdivision Regulations and can be approved as a lot line adjustment.

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

V. LANE AND KALIE WINNEY – SPECIAL PERMIT FOR RV PARK ALONG WOODS HOLLOW ROAD AND NYS ROUTE 30:

A. Background:

Lane and Kalei Winney are proposing construction of a Recreational Vehicle Park Campground on approximately 83.4+/- acres of commercially zoned land located in the Town of Mayfield (Tax Map Parcel Nos. 137.-4-51, 137.-4-52, 137.-4-54.11, 137.-4-55, and 137.-4-056).

The purpose of the project is to provide a destination recreational vehicle park and campground experience on the Great Sacandaga Lake. The project consists of campgrounds with RV lots, Glamping, and Tents. Proposed amenities include restroom/shower facilities, playground, picnic pavilions, swimming pool, amphitheater, boat rental, dock system, boat slips, boat launch, and beach access.

The project area is located on the north side of State Highway 30 and south of Woods Hollow Road in the Town of Mayfield. The facilities will include RV lots, RV stands, street systems, driveway, parking, utilities and service facilities, open space, and landscaping. The two points of access are the main entrance on Woods Hollow Road and a secondary controlled access at the existing entrance on State Highway 30.

B. September 15, 2021 Meeting:

During its September 15, 2021 meeting, the Town of Mayfield Planning Board continued reviewing Lane and Kalie Winney's Special Permit application for an RV Park along Woods Hollow Road and NYS Route 30. At that time, the Planning Board asked for several additional changes and pieces of information on the revised submittal including:

1. The plan for providing electrical power throughout the project site will need to be shown on a Utility Plan.

STATUS: Provided.

DISCUSSION: Mr. Geraghty pointed out that the final location of tie-ins for the electrical infrastructure will be subject to National Grid approval. The Planning Board had no comments or questions concerning the Utility Plan.

2. Additional visual analysis from view sheds along NYS Route 30 will need to be provided.

STATUS: Visual simulations along NYS Route 30 have been provided.

DISCUSSION: Planning Board Member Jerry Moore asked for a clarification on the type of fencing that is proposed along NYS Route 30?

Travis Mitchell, P.E. explained that the applicant intends to install a wood-post fence that is an agricultural-style fence. He indicated that the fence will be 4' in height. He noted that the visual renderings offer a simple illustration of what the fence will look like.

Mr. Kessler asked if the fencing could be put behind the plantings that have been proposed along NYS Route 30?

Mr. Mitchell indicated that he believed the fence could be installed behind the plantings. He indicated that the goal is to disrupt as little vegetation as possible when the fence is being installed.

After a brief discussion, there was a general consensus among Board members that the fence should be installed behind the new plantings that will be part of the Landscaping Plan.

3. The fencing that is being proposed along NYS Route 30 should be extended along the entire length of Woods Hollow Road in order to provide a deterrent for individuals who may be parking along Woods Hollow Road.

STATUS: Provided.

DISCUSSION: Planning Board members recognized that the fencing has been shown on the revised drawings along the length of Woods Hollow Road.

4. The location, size and design of any signage that will be located along NYS Route 30 and Woods Hollow Road should be identified.

STATUS: The visual simulations show the signage that is being proposed for the project.

DISCUSSION: Board members felt that the signage shown on the illustrations had an Adirondack style and would not be visually objective.

5. Since last month's meeting, there have been a few additional design changes that have been proposed by the applicants.

DISCUSSION: Mr. Mitchell explained that, after last month's meeting, his clients decided to move the main entrance on NYS Route 30 further south to an existing road cut. He explained that this necessitated some minor changes in the interior road network and eliminated some of the pad sites

on the south side of the power lines. He pointed out that there will now be two (2) gated entrances to the Park. The first gated entrance will be along NYS Route 30, while the second gated entrance will be along Woods Hollow Road before you get to the main entrance to the facility. He explained that, once a visitor enters the campground, they will receive an entry key that will allow them to go through either of the gated access points.

Mr. Mitchell pointed out that the RV traffic generated by this type of a facility is fairly limited. He stated that most RV owners park their vehicles in the campgrounds for the entire summer if not the entire year so they are not constantly going in and out of the Park. He stated that once an RV owner enters the Park, they will receive a key card and will be instructed that they are only allowed to use the key card entrances when exiting or entering the Park. This will eliminate traffic on Woods Hollow Road.

Planning Board Member Jerry Moore pointed out that the RV's are not the only large vehicles that will be going in and out of the Park. He indicated that the Traffic Study should note that there will be delivery trucks, septic tankers etc. that have to enter and exit the RV Park. He asked if those vehicles could be directed to the key card entrances?

Lane Winney explained to Board members that the dumpsters are typically emptied at 7 a.m. in these facilities and that his current facility has never had a septic system pumped out. Mr. Winney did indicate that he had no problem with issuing key cards to any service businesses that will be entering and exiting the Park with larger vehicles.

C. State Environmental Quality Review:

During its August 18, 2021 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 Full Environmental Assessment Form, was forwarded to Other Involved Agencies. Each Agency has been given until Monday, September 27, 2021, to comment on the Town of Mayfield Planning Board's proposal to serve as the Lead Agency or on the project itself.

STATUS OF RESPONSES:

1. NYSDEC:

In a letter dated August 31, 2021, the NYSDEC concurred with the Town of Mayfield Planning Board's proposal to serve as the Lead Agency. The Agency noted that if the project results in excavation or fill below the mean high water level, an Article 15 Protection of Waters Permit will be required. The Agency also noted that a SPEDES General Permit for Stormwater Construction Activities will be needed along with

a SPEDES permit for any facility which has a surface discharge of more than 1,000 gallons per day into groundwaters of the State.

2. NYSDOH:

In a letter dated September 16, 2021, the NYSDOH offered no objection to the Town of Mayfield Planning Board's proposal to serve as the Lead Agency for the project. The Health Department noted that the project will require permitting from that office and, consequently, engineering plans and specifications will need to be submitted to the Agency.

3. Hudson River Black River Regulating District:

In a letter dated September 16, 2021, the Hudson River Black River Regulating District offered no objection to the Town of Mayfield Planning Board assuming the Lead Agency role. The Regulating District notes that a Commercial Access Permit to gain access to the Great Sacandaga Lake will be required. The Regulating District also notes that the project may encroach within either the 100-year or 500-year flood plain if any structures are placed below an elevation of 778 feet.

4. NYSDOT:

In an e-mail dated October 13, 2021, the NYSDOT concurred with the Town of Mayfield Planning Board's proposal to serve as the Lead Agency. NYSDOT notes that Highway Work Permits will be required for any work performed within the highway right-of-way: Stormwater Management Plans and DOT Utility Permits will be required. NYSDOT also noted that the original driveway access site along NYS Route 30 was not situated in an ideal location and suggested that it be relocated. Likewise, NYSDOT felt that the Traffic Impact Study was incomplete because it was lacking peak hour intersection turning movement counts, traffic volume figures, level of service analysis and crash history.

DISCUSSION: Mr. Geraghty summarized each of the letters that was sent to the Planning Board as part of the Coordinated SEQR process.

Planning Board members had no comments or questions concerning any of the responses.

MOTION: Declaring the Town of Mayfield Planning Board the Lead Agency for the purpose of issuing a determination of significance on Lane and Kaley Winney's Special Permit for an RV Park along Woods Hollow Road and NYS Route 30.

MADE BY: John Kessler

SECONDED: Richard Miles

VOTE: 5 in favor, 0 opposed

The Planning Board has twenty (20) calendar days to issue its determination of significance unless it decides that there is additional information that it would like to gather before authorizing that action.

DISCUSSION: Mr. Geraghty explained that, once the Planning Board feels it has enough information to properly ascertain whether or not the proposed project will have any significant adverse environmental impacts, it has twenty (20) days to issue its determination of significance. On the other hand, Mr. Geraghty explained that, if the Planning Board feels that it needs additional information or would like to listen to additional commentary, it can hold off on its issuance of that determination of significance. Mr. Geraghty suggested to Board members that they consider scheduling a public hearing on the Winneys' Special Permit application at which time the public can be afforded an opportunity to comment on not only the Special Permit application itself, but on any potential environmental issues that have not been talked about to date.

After a brief discussion, Planning Board members felt that the public should be given an opportunity to comment during a public hearing before the Board issues its determination of significance on the action.

MOTION: Tabling the issues of a determination of significance under SEQR until public comments can be heard during the public hearing.

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

D. Planning Board Action:

In accordance with Article XI of the Town of Mayfield Zoning Law, the Planning Board must hold a public hearing on a Special Permit application. Consequently, does the Planning Board feel it has enough information at this time to schedule a public hearing on Lane and Kaley Winney's Special Permit application?

DISCUSSION: Mr. Howland, once again, expressed his concerns about having any RV traffic on Woods Hollow Road. He also noted that the location of the sales office off of Woods Hollow Road has the potential to create a traffic nuisance, especially if RV's are parked along Woods Hollow Road given the limitations of the driveway and parking area. He stated that, in its present form, he wouldn't be able to approve the application.

Mr. Winney stated that the sales office was an afterthought and is not needed as part of the project. He explained that the sales office would essentially only be open for appointments and, therefore, would not generate traffic flow on a regular basis.

Mr. Howland stated that he is not opposed to the project itself, but is very much against having RV traffic on Woods Hollow Road, which is not designed to handle that type of traffic.

Mr. Geraghty suggested that, before the Planning Board makes a decision on the sales office, it should be left on the drawings for the public hearing so that public comments can be heard.

Planning Board Member Rich Miles stated that he felt the applicants have been asked for a significant amount of information and have made it readily available to the Board. He stated that he felt it was time for the Planning Board to schedule a public hearing on the application so that the public can be heard.

MOTION: To schedule a public hearing on Lane and Kalie Winney's Special Permit application for an RV Park along NYS Route 30 and Woods Hollow Road for 6:00 p.m., Wednesday, November 17, 2021.

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

VI. DRAFT CHANGES TO ITS LOCAL LAW DEALING WITH SHORT-TERM RENTALS:

A. Background:

The Town Board recently hired Granicus, Inc. to monitor short-term rentals in the community. The Town Board has asked that the Planning Board reexamine the provisions of the Town's Short-Term Rental Regulations and offer a recommendation for any amendments to the original Local Law.

During the July 21, 2021 Planning Board Meeting, the Fulton County Planning Department was tasked with looking at the short-term rental law for the Town of Mayfield and drafting language for potential amendments. After reviewing the proposed revisions on August 18, and September 14, 2021 to the Local Law, Planning Board members were asked to consider any additional amendments they would like made to the draft revisions before formalizing a recommendation to the Town Board.

B. Document Review:

PLANNING BOARD DISCUSSION:

(Aaron Enfield, Senior Planner)

1. Grandfather Clause

Mr. Desiderio pointed out that the Grandfather Clause language was still in the draft Short-Term Rental Draft

Mr. Enfield thanked Mr. Desiderio for pointing that out and mentioned he would remove it before sending to the planning board for final sign off.

2. Subsection 509-5: Enforcement and Penalties (pg. 6)

Mr. Geraghty pointed out that the current penalties are \$250 a week for any violation of the Town of Mayfield Zoning Law. He stated the penalties outlined in this Local Law are more robust and may encourage compliance.

3. Subsection 509-6: Fees (pg. 6)

Mr. Enfield indicated that while the registration fees are on the registration form, having in both places will have a more transparent law.

4. Septic Inspections

The Planning Board had a very lengthy conversation on policing septic systems, wherein some members expressed concern that too much regulation deter homeowners to register their home with the Town. With consensus of the Planning Board and Code Enforcement Officer, Mr. Enfield wrote down additional language to be added to the septic system section for final approval.

5. Definitions: Accessory Dwelling Unit

Mr. Enfield indicated that Mr. Desiderio emailed a suggested definition for Accessory Dwelling Unit. However, since that definition already appears in the Town of Mayfield Zoning Law, it does not need to be added to the Short Term Rental Regulations.

6. Enforcement of Code Enforcement Officer.

Mr. Miles indicated that he liked having language in the beginning of the law indicating that the Code Enforcement Officer has the right to enforce this law.

Mr. Enfield mentioned that the current law does give authority to the Code Enforcement Officer, and should there be a an item that the department sees as a public health threat, the Code Enforcement Officer has the right to enforce via New York State.

MOTION: To forward the Short-Term Rental Zoning Amendment and suggestions for amending the definitions to Hotel and Motel to the Town of Mayfield Town Council. Final approval to be sent via email

MADE BY: John Kessler

SECONDED: Rich Miles

VOTE: 5 in favor, 0 opposed

VII. OTHER BUSINESS:

A. Code Enforcement Update:

Mr. Curley noted that he has received some information that there may be an RV Park being planned behind the Cranberry Cove Marina. He indicated that he will be looking into that shortly and will let the Planning Board know.

Mr. Curley stated that he has had an opportunity to do several inspections at the Great Sacandaga Brewery and felt that the operators have done a tremendous job with that business.

VIII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 7:15 p.m.

MADE BY: John Kessler

SECONDED: Jerry Moore

VOTE: 5 in favor, 0 opposed