

**TOWN OF MAYFIELD PLANNING BOARD
MARCH 1, 2023
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**JOHN KESSLER, CHAIRMAN
AARON HOWLAND, VICE CHAIRMAN
RICHARD MILES
JERRY MOORE**

DAVID JANKOWSKI, ALTERNATE

**DAMON CURLEY, CODE ENFORCEMENT OFFICER
AARON ENFIELD, FULTON COUNTY SENIOR PLANNER**

I. CALL MEETING TO ORDER:

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

II. APPROVE MINUTES OF THE PREVIOUS MEETING:

PLANNING BOARD DISCUSSION:

The Planning Board had a back-and-forth conversation and decided to hold off on voting on minutes until the March 15, 2023 meeting.

III. OAKLEY MANAGEMENT, LLC – SITE PLAN FOR A STORAGE FACILITY AT 3953 STATE HIGHWAY 30

A. Background:

Oakley Management LLC is proposing to construct a 60' x 120' storage building at 3953 State Highway 30 (Tax Map Parcel No. 152.-5-18.2) that is approximately 2.37 +/- acres in size. The applicant recently came to the Planning Board on February 15, 2023 with the intention of putting the storage building onto the conveyed property. The Site Plan indicates that the storage will be elsewhere on the property.

The property is in the Commercial (C-1) Zoning District and is an allowed use under Site Plan Review. The Town of Mayfield Zoning Ordinance defines a Storage Facility as “a piece of land, structure or group of structures, designed and/or constructed for short or long-term storage of individual or business property for a fee. A storage facility does not include a warehouse/distribution center, truck terminal, or other transfer facility for goods, wares and merchandise.

DISCUSSION:

Frank Fernandez, owner of Oakley Management, gave a brief overview of the project and stated that the storage facility will be used for commercial purposes, housing additional items sold at Outdoor Motor Sports.

Mr. Fernandez stated that the Lot Line Adjustment they received on February 15, 2023 was for where the storage facility will eventually be located.

B. Fulton County Planning Department:

1. The title of the drawing, including the name and address of the applicant and the person responsible for preparing said plan.

STATUS: Provided

2. Both existing and final contours shall be shown. Unless otherwise allowed by the Planning Board, the plan shall be at a scale of 1 inch equals 50 feet, with two-foot contours showing the topography of the parcel within 100 feet of the area under review.

STATUS: Not Provided.

DISCUSSION:

Fulton County Senior Planner Aaron Enfield stated that there were several items lacking on the Site Plan that will need to be provided:

- a. Scale of the Site Plan will need to be adjusted to 1 inch equal 50 feet.
- b. Proposed location of the Storage Facility will need to be provided.
- c. A notation indicating the square footage of the existing business.

3. North arrow, scale, and date.

STATUS: Provided

4. The boundaries of the property plotted to scale. Current zoning classification of property, including exact zoning boundary if in more than 1 district.

STATUS: Not provided

DISCUSSION:

Mr. Enfield mentioned this information will need to be provided on the Site Plan.

5. Existing watercourses and wetlands.

STATUS: N/A

DISCUSSION:

Mr. Enfield stated that the location is not listed as to have wetlands per the NYS Department of Environmental Conservation (NYSDEC) and USGS mapping applications do not indicate any wetlands on the property.

6. A grading and drainage plan, type of construction, proposed use and exterior dimensions of all buildings.

STATUS: Partially Provided.

DISCUSSION:

Mr. Enfield stated that the type of construction and exterior dimensions were provided, however, a drainage plan will be necessary.

Town of Mayfield Vice Chairman Howland expressed concern for any runoff going into the neighboring property owner's yard. He indicated that, while the applicant has a good relationship with current neighbors, they may sell their properties and want to make sure there are no issues in the future.

Mr. Fernandez mentioned that all runoff from the storage unit was going to go onto his property. Subsequently, he indicated the area around the storage facility will have gravel.

7. The location, design, type of construction, proposed use and exterior dimensions of all buildings.

STATUS: Partially Provided.

DISCUSSION:

Mr. Enfield stated Mr. Fernandez clarified the concern about the two proposed locations earlier in the meeting and will be updated on the Site Plan.

8. The location and widths of driveways on the site and access to existing roads and highways. Location to nearest intersection of public roads to be provided. Location, design and type of construction of all parking and/or truck loading areas, including access and egress.

STATUS: Not Provided

DISCUSSION:

Mr. Enfield asked that the current NYS Department of Transportation (NYS DOT) curb cut be provided, as well as where the paved and unpaved areas start and stop.

9. The location and dimensions for pedestrian access.

STATUS: N/A

10. The location for outdoor storage, if any.

STATUS: N/A

DISCUSSION:

Mr. Enfield mentioned a storage facility behind Outdoor Motor Sports and mentioned that will need to be put onto the Site Plan.

Mr. Fernandez stated it isn't a storage facility but a tent that is severely damaged and will be taken down in the near future.

11. The location, design, and construction materials of all existing or proposed site improvements, including buildings, drains, culverts, retaining walls and fences.

STATUS: N/A

12. The location and size of water and sewer lines and appurtenances. Any means of water supply or sewage disposal should be described, including location, design and construction materials, and shall comply with all requirements of the New York State Department of Health and New York State Department of Environmental Conservation.

STATUS: Not Provided

DISCUSSION:

Mr. Enfield asked that the current well and septic system be placed on the Site Plan.

13. The location of fire and other emergency zones including the location of fire hydrants.

STATUS: N/A

14. The location, design and construction materials of all energy distribution facilities, including electrical, gas and alternate energy.

STATUS: Not provided.

DISCUSSION:

Mr. Enfield inquired on whether the applicant plans to have electricity in the storage facility.

Mr. Fernandez indicated that he initially does not plan to have electricity going to the storage unit, but may in the future.

Planning Board Member Rich Miles stated it may be a good idea to show where the electrical line would go if the applicant eventually puts electricity in the building. Subsequently, he mentioned it would alleviate future issues of having to go to the Planning Board for an amendment.

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

STATUS: N/A

16. The location and proposed development of all buffer areas, including existing vegetative cover.

STATUS: N/A

17. The location and design of outdoor lighting facilities.

STATUS: Not Provided.

DISCUSSION:

Mr. Enfield inquired if the applicant proposes to have outdoor lighting?

Mr. Fernandez indicated he did not initially plan to, but may consider it given its hidden location, which may be prone to vandals.

Planning Board Chairman John Kessler stated that for storage buildings that have come before the Planning Board in the past, wall packs have been used. Subsequently, he stated that, as the applicant is still considering electricity, Mr. Fernandez may look at using solar lighting.

18. The location and amount of building area proposed for retail sales or similar commercial activity.

STATUS: N/A

19. The general landscaping plan and planting schedule.

STATUS: N/A

20. An estimated project construction schedule.

STATUS: Not Provided.

DISCUSSION:

Mr. Enfield inquired about the project schedule for construction.

Mr. Fernandez indicated that the project will start as soon as the Planning Board grants an approval.

21. State Environmental Quality Review information and completed forms as may be required.

STATUS: Provided.

22. The location, width, and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to public use within the adjoining property.

STATUS: N/A.

23. A description of all existing deed restrictions or covenants applying to the property.

STATUS: N/A

24. A location map, to be prominently provided on the first sheet of plans.

STATUS: Not provided.

DISCUSSION:

Mr. Enfield indicated that a location map will be necessary on the Site Plan.

25. A signature line, to be provided for the Chairman of the Planning Board.

STATUS: Provided.

26. Colors of the storage unit.

Chairman Kessler inquired on what colors the storage unit was going to be and suggested that the applicant may want to consider using green and brown, similar to colors within the Adirondack Park.

Mr. Fernandez stated it was their intention to keep the outside colors consistent with their business operations.

C. Fulton County Planning Board 239-m Review:

In accordance with NYS General Municipal Law Section 239-m, the Town of Mayfield Planning Board shall refer projects to the Fulton County Planning Board to assess any regional impacts that are within 500' of a municipal boundary, county or state existing or proposed road, a county or state existing or proposed park or recreation area, a county or a state-owned property (existing or proposed, on which a public building or institution is location), or a farm operation located within an agricultural district. Project referrals include Site Plan, Special Use Permit, Zoning Amendments, Comprehensive Plans, or other authorizations which the Board may issue under zoning provisions.

PLANNING BOARD DISCUSSION:

Mr. Enfield stated that the property is within 500' of NYS Route 30, as well as the Town of Broadalbin, and will require a 239-m review from the Fulton County Planning Board.

MOTION: To send Oakley Management's Site Plan application for a Storage Facility at 3953 State Highway 30 to the Fulton County Planning Board for a 239-m review.

MADE BY: Jerry Moore
SECONDED: David Jankowski
VOTE: 5 in favor, 0 opposed

D. Fulton County Agricultural District 1:

In accordance with Section 305-a of Article 25AA of the Agriculture and Markets Law of New York State, a Site Plan application for a piece of property within an Agricultural District containing a farm operation or on property within 500' of a farm operation located in an Agricultural District must include an Agricultural Data Statement. All Agricultural District property owners within 500' of the project site must receive notice of the proposed action.

- Parcel 152.-5-37.1 owned by Jacqueline Taberski Simmons and Aaron Hoyt is within Fulton County Agricultural District No. 1 and located approximately 155' from the subject property.
- The Fulton County Planning Department will coordinate an Agricultural Data Statement to be sent to Ms. Taberski Simmons, and Mr. Hoyt.

E. 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 was 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 felt that no additional information was necessary as part of the SEQR process.

3. Type I or an Unlisted Action: 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 thirty (30) calendar days of the date the Environmental Assessment Form or DEIS was transmitted to them.

Type II Action: A Type II action is categorically excluded from SEQR. These actions have been determined not to have a significant adverse impact on the environment. Once action is determined to be a Type II, no further environmental review is required. Section 617.5(c) provides the following actions that are not subject for a Type II Action.

DISCUSSION:

4. Does the Planning Board feel as though there is enough information to start the SEQR process?

DISCUSSION:

Planning Board Chairman John Kessler indicated that there was sufficient information necessary to start the SEQR process.

Mr. Enfield stated that this project would be listed as a commercial use, it would be recommended to list it as an Unlisted Action and to do a Coordinated Review with the NYS Department of Transportation (NYSDOT) and the NYS Department of Environmental Conservation (NYSDEC).

PLANNING BOARD ACTION:

MOTION: To classify Oakley Management’s Site Plan application for a Storage Facility at 3953 NYS Route 30 within the Town of Mayfield as an Unlisted Action and to propose that the Town of Mayfield Planning Board serve as the Lead Agency and to offer each Involved 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: John Kessler
SECONDED: Rich Miles
VOTE: 5 in favor, 0 opposed

F. Planning Board Action:

Article IX Section 906 of the Town of Mayfield Zoning Law indicates that the Planning Board shall conduct a public hearing. Consequently, does the Planning Board wish to schedule a public hearing on Oakley Management’s Site Plan application for a Storage Building along NYS Route 30 at this time?

DISCUSSION:

After a back-and-forth conversation, Planning Board members felt that a Public Hearing should be held during their regular meeting on March 15, 2023.

Mr. Enfield reminded Planning Board members that, as part of SEQR, Involved Agencies are required to have 25 – 30 days to review the project, and that this would shorten the review period by over half. Subsequently, he stated that NYSDEC has been very diligent in sending a response within a few days of receiving a SEQR form, however, he indicated that it is unclear if NYSDOT would be able to review it as quickly.

Mr. Enfield also indicated that the deadline for submittals for the regular meeting has passed and there are some substantial items that will need to be put on the Site Plan before the Public Hearing.

Mr. Enfield stated that he would provide a response letter by email no later than the end of business day on March 3, 2023. Additionally, he requested that an electronic copy be emailed to the Fulton County Planning Department by March 14, and that physical copies will need to be brought to the Planning Board meeting.

Mr. Enfield also pointed out that the Fulton County Planning Board meets a week after the Town of Mayfield Planning Board reconvenes, and the Town may have to offer a conditional approval, should the Planning Board be able to hold a public hearing.

Planning Board members were agreeable to these decisions.

PLANNING BOARD ACTION:

MOTION: To schedule a Public Hearing on Oakley Management’s Site Plan application for a Storage Facility at 3953 NYS Route 30 for Wednesday, March 14, 2023, at 6:00 p.m. at Mayfield Town Hall contingent upon receiving comments back from NYSEC and NYSDOT prior to the meeting. If comments have not been received, the Public Hearing would be moved to Wednesday, April 19, 2023.

MADE BY: David Jankowski
SECONDED: Aaron Howland
VOTE: 5 in favor, 0 opposed

POST-MEETING NOTE:

Fulton County Senior Planner has spoken with representatives at NYSDEC and NYSDOT and stated they would not be able to review in this short amount of time. The Public Hearing will be moved to April 19, 2023.

IV. OTHER BUSINESS:

A. Code Enforcement Update:

Lakeside Tavern

Code Enforcement Officer Damon Curley stated that Lakeside Tavern will be installing three (3) 1500-gallon holding tanks from Adirondack Septic.

Vails Mills Sewer Line

Mr. Curley indicated that the Village of Broadalbin will be installing 4” sewer pipes and expressed concern about potentially being too small of a diameter, referencing the nearby Sacandaga Brewing Company, and has been in touch with Fulton County Planning Director Scott Henze on the matter.

B. Fulton County Planning Department:

In-person Training

Mr. Enfield reminded the Planning Board that the in-person Training at Fulton Montgomery Community College will occur on Thursday, March 23, 2023, from 4:00 pm – 8:00 pm.

V. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:47 p.m.

MADE BY: John Kessler
SECONDED: David Jankowski
VOTE: 5 in favor, 0 opposed.