

TOWN OF MAYFIELD

PLANNING BOARD MEETING

WEDNESDAY, JUNE 19, 2024
6:00 P.M.

MEETING NOTES

PRESENT:

- X JOHN KESSLER, CHAIRMAN**
- X AARON HOWLAND, VICE-CHAIRMAN**
- X RICHARD MILES**
- X JERRY MOORE**
- X GRANT RAUCH**
- X DAVID JANKOWSKI, ALTERNATE**

- X JACK PUTMAN, TOWN COUNCILMEMBER, PLANNING BOARD LIAISON**
- X RALPH DISIDERIO, TOWN COUNCILMEMBER**
- X NORMAN BARBOSA, CODE ENFORCEMENT OFFICER**
- X AARON ENFIELD, FULTON COUNTY SENIOR PLANNER**

OTHERS PRESENT:

MICHAEL O'BRIEN (OB1 INSURANCE)
MIKE ANGUS
LUCAS SALTSMAN (C2C CONSTRUCTION)
PETE STEARNS
CATHY STEARNS
TRAVIS MITCHELL (ENVIRONMENTAL DESIGN PARTNERSHIP)
DAVE BOGARDUS
MARK DEYLE

AGENDA ITEMS:

1. Michael O'Brien – Public Hearing – Site Plan for an Office (OB1 Insurance) at 2441 State Highway 30 (Tax Map Parcel 104.9-5-12.1)
2. Adirondack Harley Davidson – Public Hearing – Expansion of a Retail Service Establishment and at 116 Bellen Road (Tax Map Parcel No. 152.-6-6.2)
3. Environmental Design Partnership – Concept Plan on a Special Use Permit for Sunset Bay RV Park Expansion along Paradise Point Road (88.-4-37.12, 88.-4-18, 88.-4-21, 88.-4-53, 88.-4-20)

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:00 PM

II. APPROVE MINUTES OF THE PREVIOUS MEETING:

DISCUSSION:

Chairman Kessler pointed out there was an error on Page 3 of the minutes. He stated that discussions that he brought up the concern of ADA parking, which was confirmed by Code Enforcement. He also mentioned that Mr. Miles brought up the discussion points of the propane tank, and the PVC pipe underground which will be used to put the tubing through.

MOTION: To approve the minutes of the May 15, 2024 meeting with the stipulation the corrections identified are amended.

MADE BY: Rich Miles
SECONDED: Grant Rauch
VOTE: Unanimous

III. MICHAEL O'BRIEN – PUBLIC HEARING – SITE PLAN FOR AN OFFICE (OB1 INSURANCE) at 2441 STATE HIGHWAY 30:

A. Background:

Michael O'Brien owns 2241 State Highway (Tax Map Parcel No.) which is approximately .514+/- acres in size. The applicant would like a change in use, wherein the pole barn would be the primary structure, where it would be renovated into the growing OB1 Insurance Company, and the current building would serve as the accessory structure.

There are no NYSDEC Wetlands on the parcel and there are no parcels within Fulton County Agricultural District #1 within 500'.

A portion of the project falls within the Village of Mayfield. However, Code Enforcement Officer Damon Curley indicated that the Town of Mayfield can serve as a Lead Agency for this project.

The parcel is within the Resource Hub Zoning District. Per the Town of Mayfield 2017 Zoning Ordinance, an Office is defined as "a business, office or agency providing service to the general public that is clerical or professional in nature. Typical examples would be: Lawyers, Doctors, Accountants, Insurance Agencies, Real Estate Offices or other businesses providing similar services that are not listed otherwise in this document."

B. May 15, 2024 meeting:

During the May 15, 2024 meeting, the Town of Mayfield Planning Board continued its review and opened a Public Hearing on your Site Plan for an Office (OB1 Insurance) at 2441 State Highway 30, within the Town of Mayfield. The Planning Board declared Lead Agency on the project and requested that the following information be provided before the next meeting:

1. The revised Site Plan will need to be stamped and signed by the design professional working on your project.
STATUS: Provided
2. The correct size of the pole barn of 60'x40' will need to be updated on page 1 of 2.
STATUS: Provided.
3. One (1) handicap parking spot will need to be identified.
STATUS: Provided.

4. Correcting the clerical error which shows the existing septic system is connected to the current OB1 Insurance building.

STATUS: Provided.

5. During the meeting you stated that there is an existing propane line either under or on top of the leach field/septic line to the leach field. Please indicate on the Site Plan the location, depth, and whether it is above or below the leach field or septic line to the leach field.

STATUS: Mr. Enfield stated that the connection showing that the propane line connecting to the pole barn was not provided on the Site Plan. He mentioned the applicant will need to provide this before a CO is issued by Code Enforcement Office.

C. NYS General Municipal Law Section 239-m:

On Tuesday, May 21, 2024, the Fulton County Planning Board reviewed the project and recommended the project be approved with modification: The Planning Board acknowledges that Sewer District #5 will be added to the NYS-30 corridor next to the parcel in the near future. Given the potential constraints that the current septic has (no area for expansion), and the owner has indicated connecting to said sewer district, the new accessory structure stay vacant until such time the parcel is connected.

Does the Planning Board wish to override the decision made by the 239-m referral, if so, a super majority, majority plus one (1) is necessary.

MOTION: To disapprove Fulton County Planning Board's recommendation pursuant of GML section 239-m.

MADE BY: Aaron Howland

SECONDED: Rich Mile

VOTE: 3 in favor (Howland, Miles, Kessler), 2 Oppose (Moore, Rauch)

Motion Fails and the recommendation by the Fulton County Planning Board pursuant of GML 239-m stands.

D. Public Hearing:

The Public Hearing was reconvened at 6:08 pm

Speakers: none

The Public Hearing was closed at 6:09 pm

E. SEQRA (cont.):

Following the public hearing is there anything that would prevent the Planning Board from issuing a Negative Declaration under SEQRA on this project?

MOTION: To issue a Negative Declaration under SEQRA for OB1 Insurance's Site Plan application for the following reasons:

1. SEQR was conducted involving NYSDEC, NYSDOT, NYDOH, APA, and the Village of Mayfield Planning Board.
2. Fulton County Sewer will be connected later this year or early next year to service the lot.
3. There is infrastructure ready to service the change of use.

MADE BY: John Kessler

SECONDED: Aaron Howland

VOTE: Unanimous

F. Planning Board Action:

The Planning Board has 62 days to issue a final determination. Does the Planning Board wish to make a final determination at this time?

MOTION:

For the Planning Board to approve OB1 Insurance's Site Plan with the stipulation that the line for the propane tank is updated on the Site Plan.

MADE BY:

Aaron Howland

SECONDED:

Rich Miles

VOTE:

Unanimous

IV. PIKE CONSTRUCTION SERVICES – PUBLIC HEARING – SITE PLAN REVIEW FOR AN EXPANSION OF A RETAIL OR SERVICE ESTABLISHMENT (ADIRONDACK HARLEY DAVIDSON) AT 116 BELLEN ROAD:

A. Background:

Tire Shredder LLC 116 Bellen Road (Tax Map Parcel No. 152.-6-6.2) that is approximately 9.309+/- acres in size. The owner of Adirondack Harley Davidson would like to put a 5,000 sq. ft. addition to the south side of the building. In addition to the building expansion, the project will consist of a new silt fence, moving of the propane tanks, new parking spaces, three (3) lighting wall packs on the eastern side of the addition, transforming impervious paved parking for a grass island, relocations of lighting poles, bollards to be removed, sewer / septic to be removed and / or relocated, propane tanks to be removed and / or replaced. As of 2019 the property is within the Vail Mills Sewer District and is not need a septic system anymore.

There are some NYSDEC Wetlands on the parcel and there are no parcels within Fulton County Agricultural District #1 within 500'.

The parcel is within the Resource Hub Zoning District. Per the Town of Mayfield 2017 Zoning Ordinance, a Retail or Service Establishment is "a use or structure, not otherwise described in this Law, that provides goods and/or services directly to consumers where said goods and/or services are available for immediate purchase and removal. The project is also in the Vail Mills Development Area.

B. May 15, 2024 meeting:

During the May 15, 2024, meeting, the Town of Mayfield Planning Board began reviewing Adirondack Harley Davidson's Site Plan for an expansion at 116 Bellen Road, within the Town of Mayfield. The Planning Board declared Lead Agency and did not for any additional information from the applicant.

C. NYS General Municipal Law Section 239-m:

On Tuesday, May 21, 2024, the Fulton County Planning Board reviewed the project and recognized that no regional impacts will occur from Tire Shredder LLC's Site Plan for an expansion of Adirondack Harley Davidson and offers no recommendation to the Town of Mayfield Planning Board.

D. Public Hearing:

The Public Hearing was reconvened at 6:11 pm

Speakers: none

The Public Hearing was closed at 6:12 pm

E. State Environmental Quality Review Act (SEQRA):

Following the public hearing is there anything that would negate the Planning Board from issuing a Negative Declaration under SEQRA on this project?

MOTION: To issue a Negative Declaration under SEQRA for ADK Harley Davidson's Site Plan application for the following reasons:

1. SEQR was conducted with NYSDEC, NYDOT, USACE, & NYSDOH.
2. There is enough acreage on the lot for the expansion
3. There are utilities ready to service the expansion

MADE BY: Jerry Moore
SECONDED: Grant Rauch
VOTE: Unanimous

F. Planning Board Action:

The Planning Board has 62 days to issue a final determination. Does the Planning Board wish to make a final determination at this time?

MOTION: For the Planning Board to approve ADK Harley Davidson's Site Plan for an expansion at 116 Bellen Road as presented.

MADE BY: Jerry Moore
SECONDED: John Kessler
VOTE: Unanimous

V. ENVIRONMENTAL DESIGN PARTNERSHIP – CONCEPT PLAN FOR A SPECIAL USE PERMIT TO EXPAND SUNSET BAY RV PARK ALONG PARADISE POINT ROAD:

A. Background:

Sunset Bay RV Park, LLC is proposing to expand its RV Park along NYS Route 30 (Tax Map Parcel Nos. 88.-4-18, 88.-4-37.12 and 38.-4-21). The current Park has 299 sites, a water treatment plant, a wastewater treatment plant, a marina with docks, an office building, and a community building. The proposal will be to include an entrance along NYS-30, where a curbcut is currently located.

The properties are within the Mixed-Use and Agricultural 2 Zoning Districts and an RV Park / Campground is an allowed use within both Zoning Districts. According to the Town of Mayfield 2017 Zoning Ordinance, an RV Park/ Campground is defined as Any parcel of land that is planned or improved for the placement of 3 or more RVs or 3 or more campsites for tents or any other similar form of outdoor accommodations, which are used as temporary living quarters.

The project was last looked at by the Planning Board on September 21, 2022, and was tabled. There has been dialogue with the Town and Fulton County Planning Department since then.

There are parcels within 500' that are enrolled into Fulton County Agricultural District #1, and no wetlands have been identified on the identified parcels.

June 18, 2024 Preliminary call with NYS-DOT Region 2: On June 18, 2024, Travis Mitchell (EDP), Michael Muha (NYS-DOT), Bob Gaffney (NYS-DOT), and Aaron Enfield (FCPD) had a preliminary call with discussing the applicants desire to have the main entrance of Sunset Bay RV Park relocated to NYS-30. At that time, NYS-DOT indicated the following information should be provided the following information:

1. Traffic Impact Study will need to be provided to their office.
2. Sight Distance will need to be looked at on NYS-30.
3. Work Zone Traffic Control.
4. Should a gate or fence be installed, it should be out of the clear zone.
5. Any construction materials should be clean of invasive species.
6. As the project is within the Adirondack Park, their DOT-APA Liasion will be looped into the conversation.

DISCUSSION:

Mr. Mitchell (Environmental Design Partnership) gave a brief reintroduction to the project. He stated that the project was previously worked on by McClaren Engineering and will EDP will be handling the RV project henceforth. He stated that he and Mr. Enfield met with NYSDOT to look at the entrance to NYS-30.

Mr. Mitchell also pointed out that the project will also be connected to NYS-30 and will not be built out until such time that sewer will be able to access the site.

Mr. Moore indicated that having an entrance onto NYS-30 is a great idea and was happy to see the plan will be incorporating it.

Mr. Rauch indicated that from a fire perspective having dry hydrants available would be beneficial.

Chairman Kessler inquired if all traffic will be moved onto NYS-30.

Mr. Mitchell stated there is a discussion of moving half to NYS-30 and the remaining onto Paradise Point Road. He reminded the Planning Board that Sunset Bay has gate information that would be beneficial to the board.

Vice-Chairman Howland brought up the concerns of fire safety indicating the road widths.

Mr. Mitchell stated that the internal network would be the same as the previous RV project. However, he pointed out that the project did receive a Variance from the ZBA on the project.

Mr. Miles inquired on the originally proposed second entrance on Paradise Point Road and asked if the Gate was going to be removed. Subsequently, he inquired about the original entrance as well.

Mr. Mitchell stated that the originally proposed second entrance will not be used for Sunset Bay residents. He stated all traffic will be relegated to NYS-30. He indicated the garbage pick up will still be at the second curb cut onto

Mr. Enfield inquired about it being an emergency entrance.

Mr. Mitchelll stated it could be gated for an emergency entrance only.

Mr. Mitchell stated that the gate along Paradise Point Road will be re configured and allow for a Queue for vehicles getting into the RV Park.

Planning Board spoke out on parking along Paradise Point Road for friends of residents and inquired that something be done about it.

Mr. Enfield pointed out that the open application stated that the engineer wanted to reclassify the project and will EDP be seeking the same.

Mr. Mitchell stated the Town's Zoning Ordinance clearly defines an RV and will not be seeking Variance.

Mr. Enfield indicated that a new application would be beneficial. He stated that Article XI: Special Use Permit Regulations do not include a sunset clause for existing applications. He stated that he has briefed the Planning Board on reasons why a new application should occur:

1. The Town of Mayfield has seen a change in the Code Enforcement Officer and Town Planner;
2. SEQR already had commenced on the previous application. The new Town Planner would like to treat SEQR differently; there is a provision for projects within the Adirondack Park, that Class A and Class B projects can be a Type II Action, as the APA has a more robust review process than the Town of Mayfield will have; and
3. The Planning Board would like to hire a third party engineer to review the application, and if necessary a transportation analyst and coordination with the Code Enforcement Officer and Treasurer would be necessary to establish an escrow account.

The Planning Board was all in agreement with this process.

Mr. Mitchell stated the earliest he would be able to submit the formal application would be August, will pull the existing application and coordinate with the Town to set up an escrow account.

POST MEETING NOTE:

Mr. Enfield has asked Code Enforcement to look into Variances that may have been approved by the Zoning Board of Appeals on the properties.

VI. OTHER BUSINESS:

A. Town Board Liason

Councilmember Putman stated the Town Board will be setting up the committee in the coming weeks.

B. Code Enforcement Officer:

Mr. Barbosa stated he has been in contact with the Woods Hollow Campground and will be visiting the site a few times a month.

Mr. Enfield stated the project is not approved pending a final review from the NYSDOH for wells or from NYSDEC.

C. Fulton County Planning Department:

Mr. Enfield stated he would be Out of the Office first week of September and would be out of the office for the December Meeting. He inquired on moving the meeting to Wednesday, December 11, 2024?

VII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:53 pm

MADE BY: Grant Rauch

SECONDED: Jerry Moore

VOTE: Unanimous