

**TOWN OF MAYFIELD PLANNING BOARD  
AUGUST 18, 2021  
6:00 P.M.  
TOWN OF MAYFIELD TOWN HALL**

**MEETING NOTES**

**PRESENT:**

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

**RALPH DESIDERIO, ALTERNATE**

**DAMON CURLEY, CODE ENFORCEMENT OFFICER  
SEAN M. GERAGHTY, CONSULTANT  
AARON ENFIELD, SR. PLANNER**

**OTHERS PRESENT:**

**DOUG BLACKLOCK  
PETE STEARNS  
CATHY STEARNS  
CHRISTINE GOUSSENS  
DON HENDERSON  
DOROTHY BAUM  
KALEI WINNEY  
JAMIE WINNEY  
LANE WINNEY  
RICHARD CLUTE  
JACK PUTMAN  
CHRIS MONAHAN  
FRANK DYBAS  
BILLE JO BRADY  
ANNALIESE SPILKEN  
RYAN SPILKEN  
KAREN BRUCE  
KEVIN BRUCE  
DOUG SOVEY  
RHEA COSTELLO**

**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 July 21, 2021 meeting.

MADE BY: Aaron Howland

SECONDED: Richard Miles

VOTE: 5 in favor, 0 opposed.

**III. RICHARD CLUTE - SUBDIVISION ON PATCH ROAD (COUNTY ROUTE 157)**

A. Background:

Richard Clute owns a piece of property along the west side of Patch Road (County Route 157) near the intersection of NYS Route 349 (Tax Map Parcel No. 119.-10-42.12). The existing parcel is approximately 13.43 acres in size. The applicants would like to subdivide the property into two (2) parcels. Proposed Lot 1 would be 9.43 acres, and Proposed Lot 2 would be 4 acres.

B. Code Enforcement Office/County Planning Department Review:

Section 501 of the Town of Mayfield Subdivision Regulations outlines the information an applicant is required to submit to the Planning Board for a proposed subdivision. Upon review of the proposed preliminary plat by the Town Code Enforcement Office and the Fulton County Planning Department, the following issues have been raised:

1. The location of that portion which is to be subdivided in relation to the entire tract and the distance to the nearest existing street intersection.

STATUS: Provided.

2. All existing structures, wooded areas, streams and other significant physical features within the portion to be subdivided and within 250' thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than 5'.

STATUS: There are no topographic features identified on the subdivision plat.

DISCUSSION: Planning Board Member Aaron Howland pointed out that the applicant's property is relatively flat.

Planning Board Chairman John Kessler stated that he didn't feel there was any need to have topographic features shown on the subdivision plat.

3. The name of the owner and all adjoining property owners as disclosed by the most recent municipal tax records.

STATUS: Provided.

4. The tax map sheet, block and lot number.

STATUS: Provided.

5. All available utilities on all existing streets.

STATUS: Provided.

6. The proposed pattern of lots, including lot width and depth, street layout, recreation areas, systems of drainage, sewer and water supply within the subdivided area.

STATUS: Percolation and pit test results for both of the lots will need to be provided.

DISCUSSION: Mr. Geraghty pointed out that percolation and pit test results will need to be provided for both lots, since the Planning Board needs to know that both of the parcels can conceivably be built on.

7. All existing restrictions on the use of land including easements, covenants and zoning lines.

STATUS: There are no existing easements or covenants identified on the subdivision plat.

DISCUSSION: Mr. Clute indicated that there are no easements or covenants to go along with either of the parcels.

8. An actual field survey of the boundary lines of the tract giving complete descriptive data by bearings and distances made by a certified or licensed engineer or land surveyor.

STATUS: Provided.

9. All onsite sanitation and water supply facilities shall be designed to meet the minimum specifications of the Department of Health and a note to this effect shall be stated on the plat and signed by a licensed engineer.

STATUS: Not provided.

DISCUSSION: Mr. Geraghty indicated that he would send the necessary language to Mr. Clute's engineer for inclusion on the final plat.

10. The proposed subdivision name and the name of the Town and County in which it is located.

STATUS: Provided.

11. The date, north arrow, map scale, name and address of record owner and subdivider.

STATUS: Provided.

12. A Short Environmental Assessment Form with Part 1 completed by the applicant.

STATUS: Provided.

13. It is the policy of this state and this community to conserve protect and encourage the development and improvements of agricultural land for the production of food and other products and also for its natural and ecological value. This disclosure notice is to inform prospective residents that farming activities occur within the Town. Such activities may include but not be limited to activities that cause noise, dust and odors.

STATUS: Not provided.

DISCUSSION: Mr. Howland pointed out that he recently met with a client who owns property across the street from Mr. Clute's proposed subdivision. He indicated that his client's property has been flagged for wetlands and is essentially unbuildable. He stated that he printed out maps from the U.S. Fish and Wildlife Service website that show federal wetlands on both sides of the road including a large portion of Mr. Clute's property. He pointed out that his client's property is actually at a higher elevation than Mr. Clute's property and that he suspected that Mr. Clute's property may have some significant development limitations.

Mr. Geraghty stated that he will ask Mr. Clute's engineer to delineate where any federal or State wetlands are located on the property.

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: The Planning Board felt that the Short Environmental Assessment Form had been 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 did not ask for any additional information.

3. 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.

MOTION: Classifying Richard Clute's subdivision application for a piece of property along Patch Road as an Unlisted Action and proposing that the Town of Mayfield Planning Board serve as the Lead Agency for the purpose of issuing a determination of significance under SEQR and to offer each Involved Agency twenty-five (25) calendar days to comment on the proposed action or the Town of Mayfield Planning Board's proposal to serve as the Lead Agency.

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

D. Fulton County Agricultural District:

In accordance with Section 305-a of Article 25AA of the Agriculture and Markets Law of New York State, a subdivision 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.

DISCUSSION: Mr. Geraghty stated that an Agricultural Data Statement and mapping will be put together and sent out to Agricultural District property owners within 500' of Mr. Clute's property.

E. Planning Board Action:

Section 1008(B) of the Town of Mayfield Zoning Law indicates that the Planning Board shall hold a public hearing on a subdivision application within sixty-two (62) days from the time the Planning Board determines that the preliminary plat is complete. Consequently, does the Planning Board feel that enough information has been provided by the applicant to schedule a public hearing on the subdivision application?

MOTION: To schedule a public hearing on Richard Clute's subdivision application for a piece of property along Patch Road for 6:00 p.m., Wednesday, September 15, 2021.

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

**IV. 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.

#### PRESENTATION:

Travis Mitchell, P.E. reminded Board members that a concept plan for the Winney's RV Park Project was presented to the Planning Board in February of this year. He stated that he realized there is a long way to go in the review process. He indicated that he has reached out to several agencies that will have to issue permits for this proposal. Mr. Mitchell gave Board members a brief overview of the project which will provide a combination of RV sites, glamping, tents and primitive camping sites. Mr. Mitchell pointed out that the applicants are proposing a total of 277 lots. He stated that, in accordance with the Town's Zoning Law, the applicants could have upwards of 800 lots on the property.

Mr. Mitchell pointed out that a portion of the project site is within the Adirondack Park and therefore subject to Adirondack Park Agency (APA) Regulations. He noted that one of the Park Agency's requirements will be to have bath houses every 500' within the Park. He quickly talked about some of the other amenities that will be provided within the Park. He then reviewed the list of permits and permitting agencies that will have to be dealt with as part of the review process.

#### B. County Planning Department Review:

The Fulton County Planning Department has reviewed the Special Use Permit application in accordance with the Town's Zoning Law and would like to offer the following comments:

1. The breakdown of the number of sites within the campground needs to be clarified on the Site Plan drawings, Full Environmental Assessment Form and Traffic Impact Study.

DISCUSSION: Mr. Geraghty pointed out that there are different breakdowns for the number of RV sites, glamping, tent sites etc. that have

been provided in the preliminary documents. For instance, he pointed out that the Adirondack Park Agency Jurisdictional Inquiry Permit shows 56 park homes among 300 lots.

Mr. Mitchell agreed that there have been ongoing modifications of the Park layout. He stated that there will no longer be any park homes as part of the mix.

2. A color-coded drawing depicting the components shown on Drawing 3 of the Site Plan package should be provided

DISCUSSION: Mr. Geraghty stated that he found it somewhat difficult to get a feel for how the project will be laid out on the property given the amount of information that has been provided on the overall Site Plan drawing. He suggested that a color-coded drawing similar to the one that was included in the Adirondack Park Agency Jurisdictional Inquiry Permit, as well as the Full Environmental Assessment Form, be put together for the Planning Board. He stated that he felt this would give everyone a better feel for the layout of the Park.

Mr. Mitchell stated that he would provide a color-coded map showing all of the different sites and amenities that will be provided in the Park.

3. Elevation drawings for all buildings on the property will need to be provided.

DISCUSSION: Mr. Geraghty pointed out that there are several buildings that will be constructed as part of this project. He stated that the Planning Board typically asks that elevation drawings be provided for any new construction. Board members agreed that elevation drawings for the different buildings should be included on the detail sheets.

4. Dumpster locations are located throughout the project site.

DISCUSSION: Mr. Geraghty stated that he was only able to find two (2) dumpster locations throughout the project site. He asked if there were others because he didn't feel as though two (2) dumpster locations could adequately handle the number of lots that are to be developed on the property.

Mr. Mitchell stated that he would clarify how many dumpster locations there will be.

5. Plans for providing power throughout the project site need to be shown.

DISCUSSION: After a brief discussion, Board members felt that the layout of electric power throughout the project site should be shown on a



Utility Plan. Mr. Mitchell noted that all of the electric on the property will be run underground.

6. A Landscaping Plan and Planting Schedule for the project needs to be identified.

DISCUSSION: Mr. Mitchell stated that the applicants are hoping to leave as much natural vegetation as possible but conceded that there may be some additional landscaping that is needed around some of the buildings and other amenities in the Park.

Planning Board Member Aaron Howland pointed out that there are rows of tall pine trees along Woods Hollow Road and residents along that road will be able to see right through into the site because those pines provide no low level screening. Mr. Howland suggested that the applicants consider providing additional lower level plantings to provide an adequate visual buffer for residents on Woods Hollow Road.

Planning Board Member Rich Miles agreed and asked if the site will be readily visible from NYS Route 30?

Mr. Mitchell indicated that the RV lots will be located a short distance off the NYSDOT right-of-way and will be visible.

Mr. Miles suggested that some additional buffering may be needed along NYS Route 30. He also stated that he felt there was going to be a safety issue given the close proximity of those RV's to the NYS Route 30 right-of-way.

7. The Town of Mayfield Zoning Law requires any RV Park with more than 16 lots to have two (2) points of access that are "designed and strategically located for the safe and convenient movement into and out of the RV Park and to minimize friction with the free movement of traffic on a public highway, road or street."

DISCUSSION: Mr. Geraghty explained that he didn't feel the applicant's proposed emergency access point along NYS Route 30 fulfills the Mayfield Zoning Law requirements that the RV Park have two (2) access points that can be safely used. He pointed out that the applicant has already recognized that the access point along Route 30 will be gated and only used as an emergency access. Furthermore, Mr. Geraghty noted that the traffic study for the project indicates that the access point does not have adequate sight distances and should not be used for anything other than emergency purposes.

Planning Board Chairman John Kessler suggested having a 1-way in and 1-way out setup.

Mr. Mitchell stated that he would have to look at other options for providing a secondary access point. He noted that there is a potential secondary access point further east along NYS Route 30.

8. DISCUSSION: Mr. Howland pointed out that the application package identifies several lakefront amenities including boat rentals. He questioned whether or not those boat rentals would be for just the RV Park population or for the general public? He noted that if the general public is allowed to come in and rent boats, then the traffic study will need to be amended to take this into consideration.

Mr. Winney indicated that the amenities are for individuals staying in the RV Park.

Mr. Miles asked for some more information on how the amphitheater will be used?

Mr. Mitchell explained that there won't be formal seating around the amphitheater, and it will likely only be used for small gatherings. He indicated that there will be no outside entities coming in and offering shows within the amphitheater.

Mr. Miles pointed out that, given the number of lots in the Park, there will be a need for law enforcement. He asked who will handle safety issues within the Park?

Mr. Mitchell pointed out that the Winneys have experience running campgrounds and feel that they can address any safety concerns within the Park. However, if a situation arises that they can't handle, it will be the local Sheriff's Department that is called.

Mr. Kessler asked if there will be a restaurant within the Park?

Mr. Mitchell stated that there won't be a restaurant, but there will likely be some concessions down by the beach area.

Planning Board Member Ralph Desiderio asked if the RV sites will be rented out on a seasonal basis or a weekly basis?

Mr. Mitchell and Mr. Winney both indicated that the RV sites will be primarily seasonal sites.

Mr. Miles asked how long the campground will be open during the year?

Mr. Winney indicated that the campground will likely be open April through Columbus Day.

Planning Board Member Jerry Moore asked for some additional information on the mining operation that is located on the project site.

Mr. Mitchell stated that he believed the mining of the property has ended. He stated that the applicants are now hoping to incorporate the RV Park site work into the Reclamation Plan for the mine.

Mr. Moore asked when the mining permit ended?

Mr. Winney indicated that it finished up in May of this year. He stated that there is a \$60,000 bond that had to be posted for the Reclamation Plan, but he hopes that the site work that is necessary to develop the RV Park can include work to reclaim the mining area.

Mr. Moore then asked if the applicants have a deed for the former NYS Route 30 right-of-way that passes through the site? He pointed out that the right-of-way is still shown on the County's Real Property Tax Services maps.

Mr. Mitchell stated that he would have to look into the deed description for the properties.

Mr. Moore then had a question concerning the amount of property available on Tax Parcel 51 between the Hudson River Black River Regulating District taking line and the National Grid right-of-way? He asked if an actual survey of the property has been completed?

Mr. Mitchell indicated that a survey has been completed of the property and that he could provide that survey for the Planning Board.

Mr. Kessler asked if National Grid has been contacted regarding work to take place within the company's easements?

Mr. Mitchell stated that he has had initial discussions with National Grid.

Mr. Howland stated that placing RV sites beneath the power lines could be problematic.

Mr. Mitchell agreed, but pointed out that National Grid requires offsets from its power line right-of-ways. He also noted that the National Grid application for work within its easements is fairly lengthy.

### 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 Full Environmental Assessment Form, provided by the applicant, has been completed adequately?

DISCUSSION: Mr. Geraghty had questions concerning the size of the stormwater detention areas on the project site, which Mr. Mitchell indicated he could provide once the Stormwater Management Plan is completed. Mr. Geraghty also noted that Question D.2.a of the Full Environmental Assessment Form indicates that there is going to be some onsite dewatering or processing of excavated materials and that there is an existing onsite vein of gravel.

Mr. Mitchell stated that, to his knowledge, there will be no processing on the site and that the question should have been marked “No.”

Mr. Geraghty pointed out that the information provided for Questions D.2.c and D.2.d is somewhat contradictory. He noted that these questions deal with the amount of water usage anticipated throughout the Park, as well as the amount of liquid waste to be generated.

Mr. Mitchell stated that two (2) different sources were probably used but he pointed out that both the water demand and the sewage disposal needs of the Park can be addressed.

Planning Board members had no further comments regarding the Full Environmental Assessment Form.

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

DISCUSSION: Mr. Geraghty stated that he would like to attach the traffic study to the SEQR correspondence that is sent to the NYS Department of Transportation (NYSDOT). However, he pointed out that he felt there were some missing pieces of information within the traffic study. Mr. Geraghty questioned why the traffic study’s purpose focuses on the intersection of Woods Hollow Road and NYS Route 30 and yet there are no

recommendations for that particular intersection in the conclusion of the study.

Mr. Mitchell stated that the analysis didn't show the need for any changes to that intersection, which is likely the reason that nothing was addressed in the conclusion of the document.

Mr. Geraghty stated that he had several other questions regarding trip generation rates and peak hour flows that he felt needed to be clarified.

Mr. Miles asked if the intersections of Lathrop Road and NYS Route 30, as well as the intersection of Vandenburg Point Road and NYS Route 30, were considered in the analysis?

Mr. Mitchell stated that only the immediate intersection and road network was looked at.

Mr. Geraghty stated that, when he was consulted about this traffic study, he asked that the focus remain in the immediate vicinity of the project site.

3. 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.

DISCUSSION: After a lengthy discussion, the Planning Board decided to initiate the SEQR process in an effort to find out what issues may be of concern to other agencies.

MOTION:           Classifying Lane and Kalie Winney's Special Permit application for an RV Park as a Type I Action and proposing that the Town of Mayfield Planning Board serve as the Lead Agency for the purpose of issuing a determination of significance under SEQR and to offer each Involved Agency thirty (30) days to comment on the proposed action or the Town of Mayfield Planning Board's proposal to serve as the Lead Agency.

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

D. Planning Board Action:

Based on the nature of the application, there are no further Planning Board actions that can be taken this evening.

DISCUSSION: Mr. Geraghty pointed out that the comment period for the Coordinated SEQR process will not conclude until after the Planning Board's September 15<sup>th</sup> meeting and, consequently, there likely won't be any action that can be taken during next month's meeting.

V. **REVIEW OF TOWN OF MAYFIELD SHORT-TERM RENTAL LAW:**

A. Background:

In March/April of 2018, the Town of Mayfield Town Board adopted Local Law No. 2, which amended the Town's Zoning Law for the purpose of regulating the short term rental of homes in the community.

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.

DISCUSSION: Senior Planner Aaron Enfield reminded Board members that, during last month's meeting, there was a discussion regarding the changes that need to be made to the Town's Short-Term Rental Regulations, which are part of the Town's Zoning Law. Before reviewing the draft revisions, Mr. Enfield suggested that the Code Enforcement Office may want to consider using something like a Google document for its registration process, which could simplify the paperwork burden for the Code Office. He indicated that he would be willing to help Town Code Enforcement Officer Damon Curley set up this type of system.

Mr. Enfield then explained that he looked at the format of the Village of Northville's Short-Term Rental Law, which coincidentally was originally an offshoot of the Town of Mayfield's Law, in order to identify additional components that need to be added to the Town of Mayfield's Short-Term Rental Regulations. Mr. Enfield reviewed several of the changes that he made including the addition of several definitions, clarification of language on mass gatherings, vehicle parking and registration requirements. He also pointed out that the fee schedule was removed from the Local Law, since all of the fee schedules for the Town are listed on the Town's website.

Mr. Geraghty stated that the Planning Department would like Board members to take a look at the draft document and bring back any comments or questions they have to next month's meeting so that a recommendation can be forwarded to the Town Board. Mr. Geraghty pointed out that the numbers and suggestions that are included in the draft document have simply been put there as a starting point for Planning Board members to discuss how they would like to address that particular issue. He reminded Board members that the draft document is for a Town of Mayfield and is not a County regulation, so the Mayfield Planning Board and the Code Enforcement Office have to be comfortable with the language that is included in the final recommendation.

**VI. OTHER BUSINESS:**

A. Code Enforcement Update:

Town Code Enforcement Officer Damon Curley expressed the importance of updating the Short-Term Rental Law in an effort to prevent pollution of aquifers and the Lake. He stated that he currently has a couple of properties around the Lake that are already causing problems.

**VII. CLOSE OF THE MEETING:**

MOTION: To close the meeting at 7:25 p.m.

MADE BY: John Kessler

SECONDED: Jerry Moore

VOTE: 5 in favor, 0 opposed