

**TOWN OF MAYFIELD PLANNING BOARD
APRIL 20, 2011
6:30 P.M.
TOWN OF MAYFIELD TOWN HALL
MEETING NOTES**

PRESENT:

**ROBERT PHILLIPS, VICE CHAIRMAN
WALT RYAN
BARNEY BROWER
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 Vice Chairman Robert Phillips asked Alternate Member James Beach to fill in for Marilyn Salvione for this evening's meeting. Mr. Phillips also welcomed a new Alternate Board Member Malcolm Simmons.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

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

MADE BY: Barney Brower

SECONDED: Jerry Moore

VOTE: 4 in favor, 0 opposed, 1 abstained (Ryan)

III. SUNSET BAY VACATION RESORT – PUBLIC HEARING ON 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.

B. March 16, 2011 Meeting:

During its March 16, 2011 meeting, the Town of Mayfield Planning Board reviewed the Sunset Bay Vacation Resort's proposal to expand its RV Park by 39 sites. Following its review, a letter was forwarded to the applicant's engineer Alexandra Rhodes, P.E. asking that the following information be provided prior to the public hearing:

1. A copy of the rules and regulations governing the Park should be provided for the Town's record.

STATUS: Provided.

DISCUSSION: Planning Board Member Walt Ryan questioned whether or not campfires were allowed in the Sunset Bay Campground. Mr. Ryan noted that during the Planning Board's previous meeting, the applicant's engineer had indicated that campfires were no longer allowed inside the Park. Mr. Ryan reminded Board members that during a previous review of a Park expansion, it was brought to the Board's attention that the outdoor campfires were causing a smoke problem for neighboring properties.

Alexandra Rhodes, P.E., representing the applicant, indicated that she misspoke during the previous meeting regarding the banning of campfires.

Rick Odell, the owner of the Campground, indicated that outdoor fireplaces in the pine grove area have been removed and campers are only allowed to burn clean firewood throughout the remainder of the campsite.

2. The location and design of any lighting on or near the restroom facilities in the Park should be identified.

STATUS: A notation has been made on the drawings indicating that interior and exterior lighting will be provided at restrooms as needed.

DISCUSSION: The Planning Board had no comments regarding this issue.

3. According to the Town's Zoning Regulations, every RV Park must have common open space for use by the occupants in 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. The Sunset Bay Vacation Resort Campground is located on approximately 31 acres of land. The revised drawings show approximately 3.64 acres of open space on the property.

DISCUSSION: Planning Board Member Jerry Moore asked if the open space could be used for other purposes. He asked if open space could be used, for example, as a dock storage area.

Mr. Geraghty indicated that he believed the Town's Zoning Regulations call for the open space to be usable by the campers in the Park. Mr. Geraghty stated that if the docks are being stored in an open space area during the off season, then it would probably not be in violation of the Town's Zoning Code. He noted that if, however, the open space was being used for other purposes during the camping season, then the applicant may not be in compliance with the Town's regulations.

Planning Board Member Walt Ryan reminded the applicants that if there are plans to expand the docks for the campsite, the expansion should be in a lateral direction. Mr. Ryan explained that if the docks are expanded past the middle of the bay, they could inhibit boat traffic and the Adirondack Park Agency may want to supervise the expansion.

Rick Odell explained to Board members that he was aware that his docks could not be expanded more than half the distance to the other side of the bay.

Planning Board Member Barney Brower asked if a new entrance would be created for the Park. Mr. Odell indicated that all of campers would still use the same gate.

C. Public Hearing:

1. The public hearing was opened at 6:38 p.m.

2. Speakers:

There was no one to speak regarding Sunset Bay's application for a campground expansion.

(The Planning Board decided to leave the public hearing open for 15 minutes.)

3. The public hearing was closed at 6:54 p.m.

D. Planning Board Action:

Section 505 of the Town of Mayfield 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. Since the Planning Board received the documents for its March 16, 2011 meeting, it has until Tuesday, May 17, 2011 to issue its recommendation back to the Town Board.

MOTION: To recommend that the Town Board approve Sunset Bay's plans for an expansion of its existing RV Park along Paradise Point Road.

MADE BY: Walt Ryan

SECONDED: Jerry Moore

VOTE: 5 in favor, 0 opposed

**IV. PARADISE POINT DEVELOPMENT CORPORATION – AREA VARIANCE
REFERRALS FOR LAKEVIEW VILLAGE AT PARADISE POINT
SUBDIVISION:**

A. Background:

Paradise Point Development Corporation would like to subdivide a 26.1+/- acre parcel at the intersection of Paradise Point Road and Lakeview Road in the Town of Mayfield. Access to the development will be off of Lakeview Road. The applicant proposes to construct 20 townhouse units in the development with property lines along the

common wall between units. As the development is currently laid out, there will also be three (3) additional parcels along the east side of Lakeview Road that consist of two (2) wetland preserve areas and the private access road, utility and stormwater management area. On the west side of Lakeview Road, the development will include a property for the sanitary sewage disposal systems and a dock storage area.

B. January 19, 2011 Meeting:

During its January 19, 2011 Meeting, as part of its review and discussion on the Paradise Point Development Corporation's (David Huckans) subdivision application, the Planning Board recognized that there were several area variances that would need to be sought by the applicant from the Town of Mayfield Zoning Board of Appeals. At that time, the Planning Board forwarded Paradise Point Development Corporation's application to the Zoning Board of Appeals for consideration. The applicant was asked to put together a detailed proposal identifying the specific variances that will be required on each of the 20 lots in the proposed subdivision.

STATUS: The applicant's engineer, Travis Mitchell, P.E., has prepared a detailed site plan analysis specifically showing every variance that will be required on each of the 20 lots in the proposed subdivision.

DISCUSSION: County Senior Planner Sean Geraghty indicated that he's had several conversations with the applicant's engineer, Travis Mitchell, P.E. concerning the status of the Paradise Point Development Corporation's project. Mr. Geraghty explained that the NYSDOH is still reviewing the proposed usage of individual wells on the property. The applicant's engineer has been asked to provide additional information and perform additional tests on the property and has indicated that he expects it to be 2 or 3 more months before a final decision is made by the Health Department.

Planning Board Member Walt Ryan indicated that he also had a conversation with Mr. Mitchell concerning the docks that are proposed for this project. Mr. Ryan explained that he told Mr. Travis that the original plan was clearly not designed by an engineer. Mr. Ryan stated that although he is not qualified as a design engineer, he does have personal knowledge of how docks are put together. Mr. Ryan pointed out that several basic issues such as stress loads and anchoring of the structure need to be addressed. Mr. Ryan suggested to Mr. Mitchell that he seek out a qualified engineer who has experience putting together plans for dock structures.

The Town of Mayfield Zoning Board of Appeals reviewed the Paradise Point Development Corporation's area variance requests at its March 23, 2011 meeting. A public hearing on these area variance requests has been scheduled for Wednesday, April 27, 2011. Does the Planning Board wish to forward a recommendation to the Town of Mayfield Zoning Board of Appeals concerning the Paradise Point Development Corporation's area variance applications?

DISCUSSION: Mr. Geraghty indicated that in his discussion with Mr. Mitchell, he was informed that the NYS Health Department may require the applicant to adjust property line boundaries so that each of the individual wells is actually on the homeowner's property. Mr. Geraghty speculated that this would have very little impact on the variances that are being requested by the applicant from the Town Zoning Board of Appeals, but he wanted to make sure the Planning Board understood that this could be a condition that the Health Department mandates. Mr. Geraghty stated that the Zoning Board of Appeals will also be made aware of this possibility.

There was then a brief discussion amongst Board members concerning the wells being on the Homeowners Association property as opposed to on the individual property owner's lots. There was also a discussion concerning wells that may be located within the high water mark of the Hudson River Black River Regulating District.

Mr. Geraghty indicated that following the Board's January 19, 2011 meeting, he prepared a draft letter to be forwarded to Richard Dixon, Chairman of the Town of Mayfield Zoning Board of Appeals, concerning the area variances that would be required for the Paradise Point Development Corporation's subdivision proposal. Mr. Geraghty asked if the Planning Board would like to reauthorize a letter being forwarded to the Zoning Board of Appeals. He read a portion of the draft letter that was previously prepared. There was a general consensus among Board members that the letter should actually state that the Planning Board is recommending approval of the area variance applications.

MOTION: Authorizing the County Planning Department to forward a letter on behalf of the Town Planning Board to the Town Zoning Board of Appeals recommending approval of all area variances that are required for the Paradise Point Development Corporation's Lakeview Village at Paradise Point Subdivision Application.

MADE BY: Walt Ryan
SECONDED: Jerry Moore
VOTE: 4 in favor, 0 opposed, 1 abstained (Brower)

(NOTE: The Planning Board returned to the public hearing on the Sunset Bay Campground Expansion.)

V. OTHER BUSINESS:

A. Code Enforcement Report:

Town Code Enforcement Officer Mike Stewart indicated that he didn't have a great deal of information to report to the Board. Mr. Stewart noted that the Cemetery Association will be having a cleanup day.

B. Chairman's Update:

Planning Board Vice Chairman Robert Phillips stated that he would like to see the Planning Board revisit some issues that have been tabled over the past several months, including the fee schedule for the Town. Mr. Phillips gave Board members a quick update on the Comprehensive Plan Committee's work. He indicated that the Committee is reformulating a survey for the public and will be issuing public notices directing residents to a website to comment on the Committee's work. Mr. Phillips noted that, beginning in the month of May, the Comprehensive Plan Committee will start going through the existing plan page by page and suggesting changes to the document.

C. Richard Travis, 118 Donjes Lane:

Mr. Travis expressed his discontent to the Board regarding a neighboring property owner who has exotic animals. Mr. Travis stated that he wanted the Planning Board to do something about the fact that he and his neighbors' property values are being diminished by this individual. He also noted that the individual has had animals escape from his property. Mr. Travis stated that he has approached Town Code Enforcement Officer Mike Stewart and was told that there are no local provisions that are being violated. Mr. Travis stated that he has also contacted the USDA and the NYS Department of Environmental Conservation regarding the animals being kept by his neighbor.

Mr. Geraghty explained that the Planning Board is not a regulatory agency that goes out and enforces regulations. Mr. Geraghty asked

Town Code Enforcement Officer Mike Stewart if any local zoning codes were being violated.

Mr. Stewart indicated that there is nothing in the local Zoning Ordinance prohibiting an individual from having animals.

Mr. Geraghty suggested that Mr. Travis speak with other agencies that may have some sort of regulatory control over this matter or approach the Town Board and ask that the local regulations be amended to address this issue.

Mr. Travis indicated that he did not like that answer.

Planning Board Member Walt Ryan attempted to appease Mr. Travis by explaining that the Town Board always welcomes comments from the public about concerns in the community.

VI. CLOSE OF THE MEETING:

MOTION: To close the meeting at 7:08 p.m.

MADE BY: Barney Brower

SECONDED: James Beach

VOTE: 5 in favor, 0 opposed