

**TOWN OF MAYFIELD PLANNING BOARD
MARCH 19, 2014
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**ROBERT PHILLIPS, CHAIRMAN
MALCOLM (RICK) SIMMONS, VICE CHAIRMAN
MARILYN SALVIONE
JOHN KESSLER
AARON HOWLAND**

**ROBERTA RICCIARDI, ALTERNATE
MICHAEL STEWART, CODE ENFORCEMENT OFFICER
SEAN M. GERAGHTY, SR. PLANNER**

OTHERS PRESENT:

**VINCE COLLETTI, TOWN COUNCILMAN
ROBERT STONE, APPLICANT**

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 February 19, 2014 meeting.

MADE BY: Marilyn Salvione

SECONDED: Rick Simmons

VOTE: 5 in favor, 0 opposed

III. ROBERT STONE – SITE PLAN FOR HARDWARE STORE ALONG NYS ROUTE 30:

A. Background:

Robert Stone owns a piece of property along the west side of NYS Route 30 in the Town of Mayfield. The property is approximately 21.4 acres in size (Tax Map Parcel No. 88.-3-3). Mr. Stone would like to use an existing building on the front portion of the property as a hardware store. His future plans for the site call for the installation of an 8' x 30' 3-sided shed for storage of outdoor materials behind the existing building. Three (3) off-street parking spaces are proposed in front of the hardware store, while seven (7) additional spaces are proposed behind the building.

B. February 19, 2014 Meeting:

During its February 19, 2014 meeting, the Town of Mayfield Planning Board began reviewing Mr. Stone's site plan application for his hardware store along the west side of NYS Route 30. At that time, the Planning Board determined that the following information would need to be provided on a revised site plan drawing prior to the scheduling of a public hearing or the commencement of the State Environmental Quality Review process:

1. A project narrative describing the proposal and any future plans for the hardware store should be provided.

STATUS: Provided.

DISCUSSION: Planning Board Chairman Robert Phillips asked Mr. Stone if he intended to have any display items on the front portion of the property?

Mr. Stone indicated that he may, at times, have products on display in front of the building in an area on the north side of the property adjacent to the parking area.

After a brief discussion, Mr. Phillips indicated that he felt the final Site Plan drawing should designate a specific display area on the front portion of the property.

2. A tax map should be superimposed on the Site Plan drawing showing the entire Tax Map Parcel No. 88.-3-3.

STATUS: Provided.

3. The creek/water course shown on the Site Plan drawing should be labeled or identified. The box-shaped symbol that is shown on the creek/water course should be labeled.

STATUS: The water course is identified as an unnamed seasonal water course that is fed from across the highway and highway ditch to the south. The box-shaped symbol is identified as a wood bridge.

DISCUSSION: Planning Board Member Rick Simmons asked what the wooden bridge was used for?

Mr. Stone indicated that he ran an electrical service earlier in the year and had constructed the bridge himself to provide access to the other side of the water course. He indicated that he no longer had any need for the bridge.

4. The dimensions for the driveway access point on the property should be noted.

STATUS: The driveway access along NYS Route 30 is identified as 24' in width.

5. The loading and unloading areas for the new hardware store must be shown on the site.

STATUS: A proposed 15' x 80' loading/unloading area has been designated along the south side of the access driveway. There is no indication of how this area will be delineated on the property and whether or not a gravel surface will be provided for this area.

DISCUSSION: Mr. Phillips pointed out that the Planning Board had previously expressed some concern that if an 18-wheeler had to deliver materials to the business, it may have some difficulty maneuvering on the site.

Mr. Stone explained how he would propose to have deliveries made on the south side of the building. He noted that there is sufficient space for a large truck to pull forward and back into the designated parking spaces at the rear of the property and then pull out of the site. He indicated that he would try to have deliveries timed for hours when the business is either closed or there is very little customer traffic.

6. The design of the septic system on the property should be included on the Site Plan drawing.

STATUS: ?

DISCUSSION: Town Code Enforcement Officer Mike Stewart indicated that he has a complete set of the septic plans on file in his office. There was a general consensus among Planning Board members that no additional information on the septic system would be needed.

7. The distance between the propane filling station and the hardware store should be identified.

STATUS: The distance between the propane filling station and the existing building is identified as 100'.

8. Any screening to be provided around the dumpster area should be noted.

STATUS: A 6' stockade fence is shown around the dumpster area. A design specification for the fence has also been included.

9. The location of utilities servicing the building on the property should be identified.

STATUS: Provided.

10. The design of the proposed sign advertising the business should be shown on the Site Plan drawing.

STATUS: Provided.

11. A proposed planting schedule for the landscaping plan should be identified.

STATUS: Provided.

12. The location and design of any new outdoor lights on the property should be identified.

STATUS: Provided.

DISCUSSION: Mr. Phillips asked if the lights would be on timers?

Mr. Stone indicated that, initially, he did not intend to have the lights on a timer.

Mr. Phillips asked if there would be a light on the sign?

Mr. Stone indicated that he may attempt to light the sign or he may actually just use bright yellow lettering on the sign. He then indicated that there would be a timer on the light that is located near the propane filling station.

13. Additional details regarding how the 30' x 50' outdoor storage area will be used must be identified on the Site Plan drawing. Depending on what is proposed for this outdoor storage area, some form of screening may need to be provided around the area.

STATUS: The applicant is now showing an 8' x 30' 3-sided shed for storage of outdoor materials. A basic elevation drawing has been provided. There is no screening proposed for this structure.

14. If more than one (1) acre of land will be disturbed as a result of clearing, grading, excavating and constructing facilities on the site, a stormwater management plan for the property will need to be filed with the NYS Department of Environmental Conservation and a copy submitted to the Planning Board.

STATUS: According to the revised Site Plan drawing, the total area of disturbance on the site will be .75+/- acres.

15. Any existing easements, deed restrictions or covenants should be noted on the Site Plan.

STATUS: No easements or covenants are identified on the Site Plan drawing.

C. Fulton County Agricultural District No. 1:

In accordance with Section 305-a of Article 25AA of the Agriculture and Markets Law of New York State, any 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. The Planning Board is responsible for sending a notice of the proposed application to the owners of land identified in the Agricultural Data Statement.

The Fulton County Planning Department will be sending out a letter along with an Agricultural Data Statement for the project to all Agricultural District property owners within 500' of Mr. Stone's parcel.

DISCUSSION: Mr. Geraghty explained that he would prepare an Agricultural Data Statement on behalf of the applicant and forward it to several Agricultural District property owners that are within 500' of Mr. Stone's parcel.

Mr. Stone pointed out that his project is on the front end of the parcel and that he didn't believe there were any Agricultural District property owners within 500' of his project.

Mr. Geraghty explained that Agricultural District property owners within 500' of his property boundary still need to be notified under Agriculture and Markets Law.

D. 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 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 1 or Unlisted Action undergoing a Coordinated Review with other Involved Agencies, it must, as soon as possible, transmit Part 1 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: Mr. Geraghty indicated that the three (3) agencies that are involved with this project will be the NYS Department of Transportation (NYSDOT), the NYS Department of Environmental Conservation (NYSDEC) and the Adirondack Park Agency (APA).

MOTION: To classify the proposed project as an Unlisted Action and to propose that the Town of Mayfield Planning Board act as Lead Agency for the purpose of issuing a Determination of Significance under SEQR and to offer other Involved Agencies twenty-five (25) calendar days to comment on the proposed action or the Town Planning Board's proposal to act as the Lead Agency.

MADE BY: Rick Simmons
SECONDED: Marilyn Salvione
VOTE: 5 in favor, 0 opposed

E. Planning Board Action:

In accordance with Section 906 of the Town of Mayfield Zoning Law, the Planning Board shall fix a time within sixty-two (62) days from the day the Planning Board determines an application for Site Plan review to be complete for a public hearing on the application for site plan approval. Consequently, does the Planning Board feel that it has sufficient information to schedule a public hearing on Robert Stone's site plan application at this time?

MOTION: To schedule a public hearing on Robert Stone's Site Plan application for a hardware store along NYS Route 30 for 6:00 p.m., Wednesday, April 16, 2014.

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

VI. NEW YORK SOLAR SMART PROGRAM:

A. Background:

The US Department of Energy's Sunshot Initiative is a national effort that focuses on making solar energy cost competitive with other forms of electricity by the end of the decade. The Department of Energy has funded multiple programs under this Sunshot Initiative including the Rooftop Solar Challenge that focuses on the permitting costs of installing solar systems.

In New York State, the NY-Sun Initiative has committed \$1.5 billion dollars over the next ten (10) years to quadruple the amount of new solar systems installed over 2011 levels by reducing the cost of residential solar installations.

In 2006, solar energy production in New York City was negligible due to extensive barriers that included technical and policy requirements, a lack of incentives, standardization or confusion among agencies and utilities. City University of New York (CUNY) took on a lead role and convened stakeholders to collaborate on drafting and implementing a strategic solar plan for New York City. The work included multiple reports, the development of new tools such as the world's largest interactive solar map for New York City's 1 million rooftop analytics and the creation of solar empowerment zones. The result of CUNY's collective efforts with its partners has been an exponential increase in solar production and solar jobs. New York City went from producing approximately 1 megawatt of solar power to 25 megawatts of solar power and this capture of solar energy continues to grow.

Now CUNY is reaching out beyond New York City to seek out community partners interested in adopting a New York State Unified Solar Permit that will offer an expedited solar permit process for small-scale photovoltaic systems. CUNY is partnering with the NYS Energy Research Development Authority (NYSERDA) in an effort to continue New York State's surge in solar production. CUNY has worked with 16 local governments in the State, including Clifton Park, and has surveyed 93 communities throughout the State. The survey results have shown that the permitting process varies throughout New York State and presents an area where the costs associated with developing and installing more solar panels can be reduced by streamlining the permitting processes.

B. Program Focus:

Since 2007, the cost of the physical components of photovoltaic systems has decreased notably. However, the costs associated with individual municipal permitting of these systems has increased. CUNY has attempted to develop a permit system that targets standardization for residential rooftop installations of 12 kilowatts or less. CUNY is attempting to develop a NYS Unified Solar Permit that would standardize the permitting process for residential rooftop installations of 12 kilowatts or less and hopefully begin to reduce the costs associated with the permitting process. As the costs of the physical components have decreased, the bureaucratic costs associated with permitting these types of systems has grown to represent a larger percentage of the total project costs. The NYS Unified Solar Permit would be issued by local Code Enforcement Officers. The Permit System incorporates guidelines for expediting and improving the solar permitting process. The permit system will include training for Code Enforcement Officers in solar installations through New York Sun Trainers Network (NY-SUN) funded by NYSEERDA.

(See attachments.)

C. Cleaner Greener Communities Funding:

Municipalities that adopt the New York State Unified Solar Permit System by September 2014 will be eligible through the Consolidated Funding Application process to receive a \$2,500 grant.

DISCUSSION: Mr. Geraghty indicated that if the Planning Board wanted to recommend that the Town Board take a serious look at adopting this permit, they could offer a motion in support of that concept.

Town Code Enforcement Officer Mike Stewart indicated that he reviewed the materials and felt that it would be worthwhile for the Town to adopt the Unified Solar Permit. He pointed out that there may be additional code enforcement training he needs to attend if the Town adopts the Unified Solar Permit.

MOTION: To recommend to the Town Board that the Town of Mayfield consider adopting the New York State Unified Solar Permit System.

MADE BY: Rick Simmons
SECONDED: Marilyn Salvione
VOTE: 5 in favor, 0 opposed

VII. ZONING CHANGE REQUEST - REVISED SIGN REGULATIONS:

In accordance with Article XII of the Town of Mayfield Zoning Law, all proposed amendments to the Zoning Law must be referred to the Planning Board for a recommendation. The Planning Board received a notice from Town Attorney Carm Greco requesting that the Planning Board offer a recommendation concerning the Town Board's proposal to revise the Sign Regulations found in the Town's Zoning Law. The Planning Board has forty-five (45) days after receiving the referral from the Town Board to issue its recommendation on the proposed amendment.

DISCUSSION: Marilyn Salvione indicated that she had heard several differing opinions on the proposed Zoning Law amendments.

Rick Simmons indicated that, at this point in time, he felt the proposed amendments were the only thing the Town could do.

Mr. Geraghty explained that, when the original Zoning Regulations were adopted eight (8) years ago, there was never an inventory taken in the community of all the nonconforming signs. He indicated that, since that time, there have been numerous other signs erected that do not comply with the Town's Zoning Regulations. He indicated that it has become an administrative burden on the Code Enforcement Office and, therefore, the Town is suggesting that the regulations be simplified so that all of the existing signage will come into conformance with the regulations or be considered a legal nonconforming use. He pointed out that any signage along a State road will be governed by NYSDOT's Sign Regulations.

MOTION: To recommend that the Town Board adopt the proposed sign regulation amendments in the Town of Mayfield Zoning Law.

MADE BY: Marilyn Salvione
SECONDED: Aaron Howland
VOTE: 5 in favor, 0 opposed

VIII. OTHER BUSINESS:

A. Code Enforcement Update:

1. Parking Requirements for Ice Cream Stand:

Mr. Stewart explained that Stan Kucel is thinking about opening up an ice cream stand on a triangular piece of property at the intersection of Red Bunch Loop Road and NYS Route 30. He pointed out that Mr. Kucel would like to know how many parking spaces he'll need for this type of project. Mr. Stewart pointed out that the Town Zoning Law has a parking standard for restaurants/taverns, but doesn't have any parking standard for a use such as an ice cream stand. He indicated that the Planning Board therefore is authorized to determine the parking requirements during the Site Plan review process. He explained that, under Health Department standards, the property owner needs to provide 40 gallons of septic system capacity for every parking space on the property. Mr. Stewart explained that if the ice cream stand requires too many parking spaces, the size of the required septic system would eliminate the possibility of him pursuing the project.

There was then a great deal of discussion amongst Planning Board members concerning the location of the property and the amount of parking space that could conceivably fit on the parcel. Board members also expressed concern with sight distances along NYS Route 30 and Mr. Kucel's desire to keep the residence on the property along with a proposed ice cream stand. The Board indicated a willingness to examine any type of proposal that Mr. Kucel would like to offer them for the site.

Mr. Geragty pointed out that the biggest hurdles to the project may actually be the NYSDOT and NYSDOH approvals that will be required.

B. Chairman's Update:

Mr. Phillips reminded Board members that each year the Planning Board is authorized by the Town Board to appoint its own Chairman and Vice Chairman.

Mr. Simmons nominated Robert Phillips to serve as Chairman in 2014. This nomination was seconded by Aaron Howland.

John Kessler nominated Rick Simmons to act as Vice Chairman in 2014. This nomination was seconded by Aaron Howland.

MOTION: To accept the nominations for Chairman and Vice Chairman for 2014.

VOTE: 5 in favor, 0 opposed

IX. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:57 p.m.

MADE BY: Marilyn Salvione

SECONDED: Rick Simmons

VOTE: 5 in favor, 0 opposed