

**TOWN OF MAYFIELD PLANNING BOARD
MAY 16, 2012
6:30 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**MARILYN SALVIONE, CHAIRWOMAN
ROBERT PHILLIPS, VICE CHAIRMAN
WALT RYAN
MALCOLM (RICK) SIMMONS
JERRY MOORE**

**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.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the April 18, 2012 meeting.

MADE BY: Walt Ryan

SECONDED: Robert Phillips

VOTE: 5 in favor, 0 opposed

III. MACLAND ASSOCIATES – PUBLIC HEARING ON A SITE PLAN FOR RETAIL STORE ALONG BELLEN ROAD:

A. Background:

MacLand Associates is proposing the construction of a 12,800 sq. ft. 1-story retail store on the north side of Bellen Road at its intersection with NYS Route 29 in the Town of Mayfield. The applicant's property is approximately 2.69 acres in size. The retail store will be divided into a 9,100 sq. ft. space for a Dollar General Store and a 3,700 sq. ft. space for a yet to be named tenant. It should be noted that a drive-

thru has been provided for the 3,700 sq. ft. retail space and the parking requirements outlined on the site plan drawings estimate the parking requirements for a bank.

B. April 18, 2012 Meeting:

During its April 18, 2012 meeting, the Town of Mayfield Planning Board continued its review of MacLand Associates' Site Plan application for a new retail store along Bellen Road in the Town of Mayfield. During that meeting, the Planning Board reviewed information that it requested from the applicant on revised site plan drawings. As a result of that review, the Planning Board determined that all of the information it had requested from the applicants had been provided on the Site Plan submittal.

Nevertheless, the applicant, Scott MacLauchlin, explained to Board members during the meeting that he was asked to submit additional information to the Army Corps of Engineers and was waiting to hear back from that agency on any final amendments that would need to be made to the site plan drawings. His engineer, Steven Smith, also pointed out that the proposed tenant for the building, Dollar General, may have some additional changes it would like to see on the Site Plan drawings.

STATUS: Dollar General has requested that its entrance be moved to the corner of the building rather than the west side of the building as originally proposed. This change has been made to the drawings. As a result of this change, the sidewalk area on the south side of the building was expanded to 9' from 5' and one (1) parking space on the south side of the building was removed while an additional parking space was added on the west side of the building.

DISCUSSION: Mr. Smith explained to Planning Board members that Dollar General typically has seven (7) or eight (8) prototype entrances it uses for its stores. He indicated that the company asked that its entrance be moved to the corner of the new building as opposed to the west side of the building, which has necessitated minor adjustments to the parking configuration on the site. He also noted that a few of the turning radiuses on the site have been impacted by the switch. He showed Board members a revised building elevation/façade rendering with the Dollar General entrance on the corner of the building. He noted that Dollar General would prefer to have two (2) signs on the façade of the building, one (1) on each side of its entrance. He explained that this may cause the company to lose one of its freestanding signs on the site in order to comply with the Town's sign regulations.

Town Code Enforcement Officer Mike Stewart indicated that it would be helpful for the applicant to verify exactly how much signage the company would like to have so that the Planning Board can address this issue as part of its final decision on the application.

Mr. Smith indicated that his client would like to have additional signage and he pointed out that the signs above the entrance doors to Dollar General will actually obscure the rooftop mechanical units.

Mr. MacLauchlin reminded the Planning Board that he was planning on having one (1) tenant for the additional space in the building, but recognizes with 4,000 additional square feet, he may eventually lease space to two (2) tenants, each who would want to have signage.

Planning Board Member Walt Ryan indicated that he did not feel comfortable issuing the applicants a “blank check” for an unlimited square footage of signage on the property. Mr. Ryan suggested that the applicants come back to the Board if additional signage is needed at a later date.

Planning Board Member Rick Simmons asked if the applicants were currently over the signage limitations outlined in the Town’s Zoning Regulations?

Mr. MacLauchlin indicated that he believed he was over by a few square feet.

Planning Board Chairwoman Marilyn Salvione stated that she did not believe the extra signage aesthetically harms anyone and indicated that she was comfortable allowing additional signage on the property if needed at some future date.

Mr. Stewart reminded the Board that the Town Zoning Board of Appeals will have to approve any signage increases over the square footage limitations outlined in the Town’s Zoning Regulations.

There was a general consensus among Board members that the applicant should be required to come back to the Planning Board for any additional signage that is needed in the future.

County Senior Planner Sean Geraghty pointed out that this could become a cumbersome process for both the applicant and the Planning Board if signage has to be changed several times in future years. Mr. Geraghty indicated that each time the applicant has to increase signage on the property, he will be required to appear before

the Planning Board and then have his application sent to the Zoning Board of Appeals for a 2-month process. Mr. Geraghty suggested that the Planning Board place a limit on the amount of signage it would feel comfortable allowing in the future so that the applicant could proceed directly to the Zoning Board of Appeals if additional signage, in excess of the Town's sign regulations, is needed at some future date.

After a brief discussion, the Planning Board agreed that 275 sq. ft. of signage should be the maximum amount allowed on the site before the Planning Board would need to reexamine the Site Plan application.

C. State Environmental Quality Review:

During its April 18, 2012 meeting, the Town of Mayfield Planning Board authorized the filing of a negative declaration under SEQR for the proposed action. Consequently, unless new additional information has been provided, no further SEQR action is necessary.

D. Public Hearing:

1. The public hearing was opened at 6:45 p.m.
2. Speakers:

There was no one present to speak during the public hearing.

Planning Board Chairwoman Marilyn Smith stated that she would like to leave the public hearing open for five (5) minutes.

(The Planning Board proceeded to its review of CFI Equipment, Inc.'s Site Plan application.)

3. The public hearing was closed at 6:56 p.m.

E. Planning Board Action:

According to Section 906 of the Town of Mayfield Zoning Regulations, the Planning Board, within sixty-two (62) days after such public hearing, shall approve, approve with modifications or disapprove the application for site plan approval. Consequently, does the Planning Board wish to issue its final decision on MacLand Associates' site plan application for a new retail store on Bellen Road at this time?

MOTION: To conditionally approve MacLand Associates' site plan for a retail store along Bellen Road with the stipulation that up to 275 total square feet of signage can be provided on the site, if approved by the Town Zoning Board of Appeals, before the Planning Board needs to reexamine the Site Plan application.

MADE BY: Walt Ryan
SECONDED: Robert Phillips
VOTE: 5 in favor, 0 opposed

IV. CFI EQUIPMENT, INC. – SITE PLAN FOR SALES YARD ALONG NYS ROUTE 30:

A. Background:

CFI Equipment Sales and Rental would like to locate a sales lot on a 2.3+/- acre lot owned by Vincent and Margaret Perella along the west side of NYS Route 30 in the Town of Mayfield. The applicants intend to use approximately .75 acres of the site which currently has an existing gravel parking area. The applicants would like to install a 6' x 10' sign and planter on the property advertising the business.

DISCUSSION: Mrs. Salvione pointed out that a few Board members have questions concerning CFI's application that they would like to discuss. She thanked Frank and Lucy Fernandez (CFI Equipment) for attending the meeting.

B. April 18, 2012 Meeting:

During its April 18, 2012 meeting, the Town of Mayfield Planning Board began reviewing CFI Equipment's site plan for a sales yard along NYS Route 30. At that time, the Planning Board determined that the following information would need to be provided by the applicant before any further Planning Board review would continue:

1. A site plan drawing showing a complete layout of the property, identifying the type of equipment to be displayed on the lot and the area of the lot to be used for display.

STATUS: The applicant has provided a revised drawing and written correspondence showing and explaining the extent of the proposed sales/rental lot. His correspondence to the Planning Board indicates

that the type of equipment to be stored will be dozers, loaders, excavators, etc.

DISCUSSION: Mr. Fernandez indicated that the property is intended to be used as a sales/rental lot. He confirmed that the actual sales business is conducted at another location and that he was just using the property to display the vehicles and advertise his business.

Mr. Ryan indicated that if this was an application for a used car lot, the Planning Board would ask that the drawings somehow depict how the cars would be lined up on the property and show what specific portions of the property would be used. Mr. Ryan indicated that he would like to see pieces of equipment shown on the property so that he could get a better feel for what the site will look like and if it is feasible to display vehicles on the property.

Mr. Fernandez stated that the positioning of equipment on the property will depend upon the type of equipment being displayed. He talked about the variety of pieces to be displayed and the various sizes of the units. He explained that he will position the equipment so that it looks the best to his potential customers. He noted that he may, at times, angle smaller pieces of equipment to face a certain direction.

Mr. Ryan indicated that he would still like to see something delineated on the Site Plan drawing giving the Planning Board an idea of how the vehicles will be situated on the site. He also noted that he would like proof that there is sufficient turnaround area on the site for a lowboy to drop off equipment and safely exit the site.

Planning Board Member Robert Phillips agreed with Mr. Ryan that the drawings should somehow depict how the vehicles will be parked on the property. He indicated that he knew it was difficult to describe individual pieces of equipment but felt that the applicant could revise the drawings to show how the equipment would be parked on the property. He pointed out that the revised drawing currently doesn't have dimensions for the pad site.

Mrs. Salvione noted that the drawings do not really show how pieces of equipment will be displayed on the property.

Mr. Simmons stated that it may be as easy as adding a few lines to the drawing to give Board members an idea of how equipment will be displayed.

Mr. Fernandez reminded Board members that the property is just going to be used as a display area for advertising his business.

Mr. Geraghty suggested that the applicants provide the Board with a few copies of the Site Plan drawings showing different layouts for vehicles being displayed on the property. He pointed out that the applicant could show a variety of sizes depicted on the drawing.

Mr. Fernandez stated that he would be willing to limit the display area to eight (8) vehicles if necessary.

Mr. Geraghty stated that if the Planning Board has a feel for the different types of vehicles that could be displayed on the property and how a lowboy would be able to deliver the vehicles and safely exit the site, it may resolve some of the Board members concerns.

2. A narrative describing the business operations should be provided along with the Site Plan submittal.

STATUS: The applicant's correspondence to the Planning Board indicates that the lot is to be used as a display yard for a business being conducted at another location and will not be staffed.

3. Details on the design of the proposed sign for the property should be provided.

STATUS: A notation has been made on the drawing indicating that a 6' tall by 10' wide sales/rental sign with landscaped area will be installed on the property.

DISCUSSION: Mr. Fernandez indicated that he may actually construct some type of shelter with logs displaying his company name.

Mr. Geraghty indicated that a design for the sign should be included with the final Site Plan submittal.

Board members seemed comfortable with the idea of the sign design having an Adirondack theme.

4. The maximum number of vehicles or pieces of equipment to be stored on the site should be specifically identified.

STATUS: The applicant's correspondence indicates that no more than 15 vehicles will be stored on the site.

DISCUSSION: Again, Mr. Fernandez indicated that he would be willing to limit the total number of vehicles on the site to eight (8).

Mr. Geraghty stated that it may be better to show some different layouts for displaying the vehicles on the property before limiting the number of vehicles to be allowed on the site.

5. An explanation of how equipment will be transported to and from the lot must be provided.

STATUS: The applicant's correspondence indicates that the equipment will be delivered in low boys and the 53' access driveway on Route 30 will be sufficient for this type of delivery.

6. The actual hours of operation for the display lot should be identified.

STATUS: The applicant's correspondence indicates that there will be no hours of operation.

7. Any additional landscaping to be installed on the property along with the planting schedule should be provided.

STATUS: The applicant's correspondence indicates that there will be no additional landscaping provided.

DISCUSSION: Planning Board Member Jerry Moore stated that it would be nice to see additional landscaping provided around the site.

Mr. Fernandez noted that NYSDOT just planted trees along the front of the property. Mr. Fernandez stated that he would also be trimming back some of the brush that is presently on the site.

Mr. Ryan indicated that he didn't believe the Board could address the landscaping issue until it knows where equipment will be placed on the property.

Mr. Simmons indicated that he would like to make sure that none of the vehicles are displayed too close to the sidewalk that runs in front of the property.

Mr. Moore asked if additional lighting would be provided on the property?

Mr. Fernandez indicated that he was not proposing any new lighting.

Mr. Moore then suggested that a split rail fence be run along the front portion of the property in order to break up the appearance of the site.

Mrs. Salvione pointed out that there are no other properties in the immediate vicinity of this site with fences in the front yard. She noted that the applicants would probably like to have as much exposure to NYS Route 30 as possible.

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 site plan 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 pointed out that since the Town of Mayfield Planning Board will be the only Involved Agency with this application, it could wait until the applicant has submitted revised drawings showing different equipment display options before issuing its final determination of significance.

There was a general consensus among Board members that no further SEQR action should take place until the revised drawings are provided by the applicant.

D. Planning Board Action:

Section 906 of the Town of Mayfield Zoning Law indicates that 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 CFI's site plan application at this time?

MOTION: To schedule a public hearing on CFI Equipment, Inc.'s Site Plan for a sales yard along NYS Route 30 for 6:30 p.m., Wednesday, June 20, 2012.

MADE BY: Rick Simmons

SECONDED: Jerry Moore

FURTHER DISCUSSION: Both Mr. Ryan and Mr. Phillips indicated they were not in favor of scheduling a public hearing at this time. Both gentlemen indicated that they would like to see the potential display scenarios provided for the Board's review before scheduling the hearing.

VOTE: 3 in favor, 2 opposed (Ryan, Phillips)

V. 2012 ZONING AMENDMENTS:

A. Background:

In accordance with Section 1206 of the Town of Mayfield Zoning Regulations, each year, the Planning Board, in consultation with the Code Enforcement Officer and Board of Appeals, shall reexamine the provisions of this local law and the location of district boundary lines and shall submit a report to the Town Board recommending such changes or amendments, if any, which may be desirable in the interest of public safety, health, convenience, necessity or general welfare.

B. Code Enforcement Office Suggestions:

During its January 18th, February 16th and March 21st meetings, the Planning Board discussed all of the items on Mr. Stewart's list of recommendations for 2012. Based on those discussions, the Board decided to conduct further deliberations on the following topics: Home Occupations, Signage, Special Permits, Vendor Permits and Design Standards

DISCUSSION: Mrs. Salvione indicated that, after speaking with Town Code Enforcement Officer Mike Stewart, she felt that Mike would like to see Home Occupations defined more clearly in the Zoning Regulations.

Mr. Stewart agreed and noted that there will probably be a Home Occupation application submitted in the near future for a greenhouse operation.

Mr. Moore indicated that he felt Home Occupations should be added as an allowed use in the commercial areas.

There was then a lengthy discussion amongst Board members concerning how the community should define Home Occupations and how they should be regulated. Topics included the payment of sales tax as a business, the sale of firewood, food cart vendors, and the actual current process for reviewing Home Occupations.

Board Members also talked briefly about the Town of Northampton's proposed regulations in its new Zoning Ordinance for dealing with Home Occupations.

Mr. Ryan pointed to the handout that was provided by Mr. Stewart and indicated that he would be comfortable adding language in Section C and F from the Home Occupation section.

Mr. Geraghty suggested that he and Mr. Stewart be given some time to research the issue and bring back ideas to the Board at its next meeting. Mr. Geraghty reminded Board members that they have been discussing Zoning Revisions for the entire year and should probably conclude the process and forward a recommendation to the Town Board. Mr. Geraghty stated that any further review of the regulations that would include a detailed comprehensive analysis of the document should be conducted after the Town's Comprehensive Plan update has been completed.

VI. OTHER BUSINESS:

A. Code Enforcement Update:

1. Larry Flood – Zoning Change Request:

Mr. Stewart distributed a map showing the property owners along NYS Route 30 who have been contacted by the Town Board regarding Larry Flood's zoning change request from earlier in the year. Mr. Stewart stated that the Town contacted all of the property owners along Route 30 to the Town of Northampton line to see if they would like their properties commercially zoned.

2. Dave Huckans – Paradise Point Development:

Mr. Stewart stated that Dave Huckans has indicated that he will provide a check and signed escrow agreement later in the week in order to allow an engineering firm to review his engineering firm's

analysis for the Sewer and Stormwater Districts to be setup for the Lakeview Village at Paradise Point Subdivision Project.

3. Subdivision Regulations:

Mr. Stewart indicated to Board members that the Town Board has passed the revised Subdivision Regulations for the community.

4. Comprehensive Plan:

Mr. Stewart talked about a very productive Comprehensive Plan Committee meeting that was conducted recently with local business owners.

B. Chairwoman's Update:

Mrs. Salvione asked Mr. Phillips to comment on the Comprehensive Plan Committee's recent meeting with local business owners.

Mr. Phillips indicated that he also felt the session was very worthwhile and that local business owners gave the Committee some excellent feedback for the Comprehensive Plan.

Mrs. Salvione then talked briefly about the need for design standards in the community. She used the application for MacLand Associates' new store as an example and pointed out that if Dollar General was not responsive to the Planning Board's concerns over the appearance of the façade, the community could have been stuck with a building it did not want from an appearance standpoint.

Mr. Geraghty stated that if the Town wants to get involved with design standards for the community, it should address this issue after the Comprehensive Plan has been updated.

C. Training:

Mr. Geraghty reminded Board members of the training to be conducted by the New York Municipal Insurance Reciprocal (NYMIR) on May 29, 2012 at 6:30 p.m. in Town of Johnstown Town Hall.

VII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 8:16 p.m.

MADE BY: Rick Simmons

SECONDED: Walt Ryan

VOTE: 5 in favor, 0 opposed