

**TOWN OF MAYFIELD PLANNING BOARD
FEBRUARY 17, 2016
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**JOHN KESSLER, CHAIRMAN
AARON HOWLAND, VICE CHAIRMAN
ROBERTA RICCIARDI
FREDERICK CASTIGLIONE, ALTERNATE**

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

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:00 p.m.

Planning Board Alternate Fred Castiglione was asked to participate in this evening's meeting in the absence of Planning Board Member Marilyn Salvione.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the January 20, 2016 meeting.

MADE BY: Aaron Howland

SECONDED: Roberta Ricciardi

VOTE: 4 in favor, 0 opposed

III. TIMOTHY, DAVID AND WILLIAM PERHAM – PUBLIC HEARING ON A SUBDIVISION ALONG COUNTY HIGHWAY 146:

A. Background:

David, William and Timothy Perham own a piece of property along the south side of County Highway 146 in the Town of Mayfield (Tax Map Parcel No. 103.-5-38). According to the County's Real Property Tax Services' Office, the existing parcel is approximately 10.6+/- acres in size. The

preliminary subdivision plat identifies the property as approximately 13.006 acres in size. The applicants would like to create two (2) building lots from the original tract of land that are 3.253 and 3.243 acres in size respectively. The remaining acreage will be transferred to an adjacent parcel owned by David, William and Timothy Perham. (Tax Map Parcel No. 103.-5-41.1)

B. January 20, 2016 Meeting:

During its January 20, 2016 meeting, the Town of Mayfield Planning Board continued its review of David, William and Timothy Perham's subdivision application for a piece of property along County Highway 146. At that time, the Planning Board determined that all of the information it had required on the drawings had been provided and did not ask for any additional revisions to be made.

DISCUSSION: The Planning Board had no further comments regarding the applicants' submittal.

C. State Environmental Quality Review:

During its January 20, 2016 meeting, the Town of Mayfield Planning Board declared itself the Lead Agency for the purpose of issuing a determination of significance under SEQR. The Planning Board subsequently authorized the filing of a negative declaration under SEQR for this proposed project.

DISCUSSION: Town Code Enforcement Officer Mike Stewart pointed out that, in his last conversation with Virginia Yamrick, Adirondack Park Agency (APA), she indicated to him that she didn't believe there would be any further issues that needed to be addressed for the APA.

D. Public Hearing:

1. The public hearing was opened at 6:02 P.M.

2. Speakers:

There was no one to speak regarding the Perhams' subdivision application.

3. The public hearing was closed at 6:03 P.M

E. Planning Board Action:

In accordance with the Town of Mayfield Subdivision Regulations, the Planning Board shall approve, with or without modifications, or disapprove the subdivision plat within sixty-two (62) days after the public hearing.

MOTION: To approve Timothy, David and William Perham's subdivision application for a piece of property along County Highway 146.

MADE BY: Roberta Ricciardi
SECONDED: Aaron Howland
VOTE: 4 in favor, 0 opposed

IV. DOMINIC AND CAROLYN DARKANGELO – PUBLIC HEARING ON A SUBDIVISION ALONG NYS ROUTE 30:

A. Background:

Dominic and Carolyn Darkangelo would like to subdivide a piece of property they own along the east side of NYS Route 30 in the Town of Mayfield (Tax Map Parcel No. 120.-1-2.1). The applicant's property is approximately 79 acres in size. The Darkangelos would like to create a 10.9 acre lot along the north end of the property.

B. January 20, 2016 Meeting:

During its January 20, 2016 meeting, the Town of Mayfield Planning Board began its review of Dominic and Carolyn Darkangelo's subdivision application for a piece of property along NYS Route 30. At that time, the Planning Board asked that the following revisions be made to the final plat:

1. Topographic information for the new building lot should be shown on the subdivision plat.

STATUS: Provided.

2. The approximate location of a home, well and septic system should be identified on the plat.

STATUS: Provided.

3. A notation should be provided on the plat indicating that an existing driveway cut will be used to access the site.

STATUS: The driveway location has been identified on the subdivision plat.

4. Percolation and pit test results for the property must be provided.

STATUS: Pit test results have been identified on the subdivision plat. However, no percolation tests were performed on the site.

DISCUSSION: Planning Board Chairman John Kessler pointed out that the applicant has not provided percolation test results for the new building lot.

Mr. Geraghty explained to Board members that the pit test results seem to indicate that the soils will perk adequately so that a standard septic system can be installed on the site. He explained that Town Code Enforcement Officer Mike Stewart will be responsible for making sure that an acceptable septic system is designed and installed for the site.

5. 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: Provided.

6. The Town's Right to Farm note must be included on the subdivision plat.

STATUS: Provided.

DISCUSSION: The Planning Board felt that all of the remaining information had been provided on the revised subdivision plat.

C. State Environmental Quality Review:

During its January 20, 2016 meeting, the Town of Mayfield Planning Board authorized the filing of a negative declaration under SEQR for this proposed project. Consequently, unless new additional information has been provided, no further SEQR action is necessary.

D. 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 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. The Planning Board is responsible for sending a notice of the proposed application to the owners of land identified in the Agricultural Data Statement.

On January 25, 2016, the Fulton County Planning Department forwarded a letter to property owners within 500' of this proposed subdivision asking if they believed the project would have any impact on their farm operation. To date, the Planning Board has received no responses to this letter.

E. Public Hearing:

1. The public hearing was opened at 6:07 P.M.

2. Speakers:

There was no one to speak regarding Dominic and Carolyn Darkangelo's subdivision application.

3. The public hearing was closed at 6:08 P.M

F. Planning Board Action:

In accordance with the Town of Mayfield Subdivision Regulations, the Planning Board shall approve, with or without modifications, or disapprove the subdivision plat within sixty-two (62) days after the public hearing.

MOTION: To conditionally approve Dominic and Carolyn Darkangelo's subdivision application for a piece of property along NYS Route 30 with the stipulation that percolation test results for the new building lot be provided to the Town Code Enforcement Office and that the office approve of any septic system design for the new building lot.

MADE BY: Aaron Howland
SECONDED: Roberta Ricciardi
VOTE: 4 in favor, 0 opposed

V. BRADLEY REED ENTERPRISES, INC. – SPECIAL USE PERMIT FOR SAND AND GRAVEL MINE ALONG NYS ROUTE 30:

A. Background:

Bradley Reed Enterprises, Inc. owns a piece of property along NYS Route 30 in the Town of Mayfield adjacent to the former Town of Mayfield Landfill (Tax Map Parcel No. 136.-3-13). The applicant proposes to operate a sand and gravel mine on the property, which is approximately 30.75 acres in size. The life of mine area shown on the preliminary drawings is 26 acres in size. Access to the mine will be along the south side of Route 30 approximately 1 mile west of its intersection with NYS Route 29.

(NOTE: Planning Board Member Aaron Howland indicated that he would, once again, be abstaining from any participation on this application due to a business relationship with the applicant.)

B. Planning Department and Code Enforcement Office Review:

Section 506 of the Town of Mayfield Zoning Law outlines the specific provisions that an applicant must comply with in order to obtain a Special Permit approval for a soil mining operation. During the Planning Board's pre-submission review of the project, at its January 20, 2016 meeting, the applicants were asked to change the contour intervals from 5' to 2' on the existing Site Plan and 1' on the Grading and Reclamation Plan.

STATUS: The contour intervals have been changed to 1' on both drawings of the revised submittal.

DISCUSSION: Town Code Enforcement Officer Mike Stewart pointed out that one of the adjacent property owners was not identified on the revised site plan drawings. He indicated that the applicant's consultant, Peter Yetto, has added the name of the property owner and the tax parcel numbers for adjacent properties to the Site Plan drawings.

Planning Board Chairman John Kessler suggested that a row of trees be planted along the west side of the access driveway to the proposed mining operation. He pointed out that there is a residence situated west of the access driveway that could be impacted by truck traffic.

Mr. Reed indicated that he could provide a row of plantings along the west side of the driveway in order to provide a buffer between the access driveway and the residence.

County Senior Planner Sean Geraghty suggested that arborvitae or some type of screen plantings be identified on the final Site Plan drawing.

Section 909 of the Town of Mayfield Zoning Law outlines an Application Checklist for any Site Plan that is submitted as part of a Special Permit review. Based on that Checklist, it does not appear as though any additional information has been left off of the revised drawings.

DISCUSSION: The Planning Board had no further comments regarding the applicant's submission.

C. State Environmental Quality Review:

For mining operations, the New York State Department of Environmental Conservation (NYSDEC) typically insists on acting as the Lead Agency. The applicant has filed a Full Environmental Assessment Form with the Planning Board. The Town Board has received a correspondence from the NYSDEC regarding the SEQR process asking that it be allowed to act as the Lead Agency. Given the fact that the Planning Board is the only “Involved Agency” from the Town of Mayfield, a response to DEC’s request should be sent by the Planning Board.

DISCUSSION: Mr. Geraghty indicated that any response that is sent back to NYSDEC will include the Planning Board’s recommendation to the applicants that screen plantings be provided along the western edge of the access driveway.

Town Code Enforcement Officer Mike Stewart pointed out that the average annual daily traffic volume along NYS Route 30 adjacent to the applicant’s site is approximately 8,000 vehicles a day. He reminded Board members that the applicant is estimating that approximately ten (10) truck trips will be generated per day by the sand and gravel mine.

The applicant’s consultant, Peter Yetto, pointed out that NYSDEC has asked for a verification of the depth of groundwater on the site. He indicated that the Town has given him access to groundwater well logs for the adjacent former Landfill property. He indicated that it appears that the bottom of the drainage pond on the site will be at least five (5) feet above the high groundwater mark.

MOTION: Concurring with the NYSDEC’s proposal to act as Lead Agency for the State Environmental Quality Review process on Bradley Reed’s mining proposal and to suggest that screen plantings be included along the western boundary of the access driveway as part of the final Site Plan approval.

MADE BY: Roberta Ricciardi

SECONDED: Fred Castiglione

VOTE: 3 in favor, 0 opposed, 1 abstained (Aaron Howland)

D. Planning Board Action:

In accordance with Section 909 of the Town of Mayfield Zoning Law, the Planning Board must conduct a public hearing before taking any action on a Special Permit application. Consequently, does the Planning Board wish to schedule a public hearing on Bradley Reed’s Special Permit for a sand and gravel mine along NYS Route 30 at this time?

DISCUSSION: Mr. Geraghty talked about the scheduling of a public hearing in relation to the SEQR process being concluded by the NYSDEC. He pointed out that if SEQR has not been concluded, the Planning Board will not be able to take any action following the public hearing in March. Likewise, Mr. Geraghty pointed out that if NYSDEC decides to issue a positive declaration under SEQR for this proposed action, then it may be several more months before the Planning Board can take any formal action.

MOTION: To schedule a public hearing on Bradley Reed Enterprises' Special Permit application for a sand and gravel mine along NYS Route 30 for 6:00 p.m., Wednesday, March 16, 2016.

MADE BY: Roberta Ricciardi
SECONDED: Fred Castiglione
VOTE: 4 in favor, 0 opposed

Mr. Stewart reminded Mr. Geraghty that the application will need to be forwarded to the Fulton County Planning Board under Section 239-m of the General Municipal Law.

Mr. Geraghty indicated that he would have the application on the County Planning Board's March Agenda.

VI. OTHER BUSINESS:

A. Chairman's Update:

Planning Board Chairman John Kessler asked that a letter of thanks be sent to former Planning Board Chairman Robert Phillips for his service on the Town of Mayfield Planning Board. He asked that the letter come from all of the Planning Board members.

Mr. Geraghty indicated that he would put together a letter for the Board.

B. Fulton County Development Strategy:

Mr. Geraghty explained that Fulton County is currently interviewing consultants to prepare a County Development Strategy. He explained that the purpose of this Strategy is to take the multitude of studies and reports that have been put together by various municipalities and entities, as well as the County's ongoing economic development efforts and organize the ideas into one (1) overall development strategy. He indicated that as the process evolves, it is likely that local Town Planning Boards will be asked to identify projects in their communities that could have major impacts on not only the local community but on the County and Region as a whole. As an example, he indicated that earlier in the day he had a conversation

with Town Code Enforcement Officer Mike Stewart who suggested that the need for municipal water and sewer services in the Vails Mills Area could have huge benefits to not only the Town of Mayfield but the entire eastern half of the County itself.

Mr. Kessler indicated that he would welcome any opportunity to sit down with the consulting firm that is chosen to undertake this work and give them ideas for the Town of Mayfield.

Mr. Geraghty suggested that Board members think about some potential projects they could share with the consultants. He indicated that the consultants will be working on this project for the remainder of 2016.

C. Training:

Mr. Geraghty reminded Board members that anyone wishing to attend the February 25, 2016 Planning and Zoning Board training at FMCC should contact his office and pre-register for the event.

VII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:29 p.m.

MADE BY: Roberta Ricciardi

SECONDED: Fred Castiglione

VOTE: 4 in favor, 0 opposed