

**TOWN OF MAYFIELD PLANNING BOARD  
AUGUST 14, 2019  
6:00 P.M.  
TOWN OF MAYFIELD TOWN HALL**

**MEETING NOTES**

**PRESENT:**

**JOHN KESSLER, CHAIRMAN  
AARON HOWLAND, VICE CHAIRMAN  
JERRY MOORE  
ADAM LANPHERE  
RICHARD MILES  
FREDERICK CASTIGLIONE, ALTERNATE**

**SEAN M. GERAGHTY, SENIOR PLANNER  
DAMON CURLEY, CODE ENFORCEMENT OFFICER**

**OTHERS PRESENT:**

**NICHOLAS VAMVAS, P.E., THE CHAZEN COMPANIES  
EMILIE FLANAGAN, BORREGO SOLAR  
EUGENE JOUBERT  
MARK DEJONG, P.E.  
PAUL JOHNSON  
WALLY HART, LEXINGTON CENTER  
CHRIS FOSS, SURVEYOR  
ERIK STEVENS, GREAT SACANDAGA BREWING  
TONY MARDEN, GREAT SACANDAGA BREWING**

**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 17, 2019 meeting.

MADE BY: Adam Lanphere

SECONDED: Aaron Howland

VOTE: 5 in favor, 0 opposed

### **III. PV ENGINEERS, P.C. (BORREGO SOLAR) – FINAL DECISION ON SPECIAL PERMIT FOR SOLAR FARM ALONG NYS ROUTE 29:**

#### **A. Background:**

PV Engineers (Borrego Solar) is proposing a Solar Farm Project along the south side of NYS Route 29 on property owned by Karen and Eugene Joubert (Tax Map Parcel No. 151.-6-9). The parcel is approximately 138+/- acres in size and extends on both sides of the road. The applicants would like to develop a 6.5 megawatt AC system on the property. The project will be divided into two (2) components. System A will be 2.5 megawatts, while System B will be 4.0 megawatts.

#### **B. July 17, 2019 Meeting:**

During its July 17, 2019 meeting, the Town of Mayfield Planning Board reconvened a public hearing on Borrego Solar's Special Permit for a Solar Farm along NYS Route 29. With no additional comments offered, the Planning Board decided to close the public hearing on the application. After the public hearing was closed, a lengthy discussion ensued and, based on a few additional pieces of information that were not yet available, the Planning Board decided to table final action on Borrego Solar's Special Permit application. The Planning Board felt that final correspondence regarding the wetland permit requirements of both the NYSDEC and the U.S. Army Corps of Engineers and a copy of the Full Coordinated Electric System Interconnect Review (CESIR) from National Grid should be received before a final decision is rendered.

STATUS: In a response dated August 9, 2019, Gregory Gibbons, P.E., Borrego Solar, has provided a detailed update on where the permit review with the U.S. Army Corps of Engineers and the NYSDEC currently stands. Mr. Gibbons indicates that the final CESIR should be received by September 10, 2019. Mr. Gibbons also indicates that discussions have started with County Attorney Jason Brott concerning the PILOT Agreement for the project. Finally, Mr. Gibbons states that the decommissioning cost estimate, as well as the Landscaping Bond estimate, have been agreed to by the Planning Board and can be reviewed and confirmed by the Town Attorney prior to the issuance of any building permit for the project.

#### **C. Planning Board Action:**

Article XI, Section 1102 of the Town of Mayfield Zoning Law indicates that the Planning Board must issue its final decision on an application within sixty (60) days of the completion of the public hearing on the Special Use Permit.

Since the public hearing on Borrego Solar's Special Permit application closed on July 17, 2019, a decision must be rendered by the Planning Board by Sunday, September 15, 2019.

DISCUSSION: Planning Board Member Aaron Howland stated that he didn't feel there was any reason to hold the applicants up any longer. He stated that he felt they have done everything that was asked by the Planning Board.

Planning Board Member Rich Miles agreed and stated that he felt the applicants have done everything within their power to provide what the Planning Board has asked for.

MOTION: To conditionally approve Borrego Solar's Special Permit application for a Solar Farm along NYS Route 29 pending receipt of final documentation from the NYSDEC, the U.S. Army Corps of Engineers and National Grid and the completion of a PILOT Agreement with Fulton County, the Town of Mayfield and the Broadalbin-Perth School District as well as the issuance of financial sureties for both the Decommissioning Plan and the Landscaping Plan.

MADE BY: Aaron Howland  
SECONDED: Adam Lanphere  
VOTE: 4 in favor, 1 opposed (Kessler)

#### **IV. LEXINGTON CENTER - PUBLIC HEARING ON A SITE PLAN FOR DAYCARE ALONG NYS ROUTE 30:**

##### **A. Background:**

Lexington Center is proposing to convert about 1,560 sq. ft. of office space that is attached to its maintenance building along NYS Route 30 into a daycare facility (Tax Map Parcel No. 119.-9-6). The only exterior work to take place on the property will be the installation of some additional sidewalk.

##### **B. July 17, 2019 Meeting:**

During its July 17, 2019 meeting, the Town of Mayfield Planning Board briefly reviewed the Lexington Center's proposal to use empty office space in its maintenance building for a daycare expansion. At that time, the Planning Board asked that a narrative be put together outlining the details regarding the size of the daycare operation, the hours of operation, the number of staff, etc.

STATUS: Provided.

DISCUSSION: Planning Board Member Aaron Howland asked if there were going to be any alterations to the building? He noted that there appears to be work going on within the building.

Wally Hart explained that there are interior renovations going on within the former office space. He indicated that one (1) exterior door will also be added to the former office space.

Planning Board Chairman John Kessler asked if the daycare operation will be tax exempt?

Mr. Hart indicated that the daycare operation will pay taxes. He pointed out that the existing daycare operation also pays taxes.

C. State Environmental Quality Review:

During its July 17, 2019 meeting, the Town of Mayfield Planning Board authorized the filing of a negative declaration under SEQR for this 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 6:09 P.M.

2. Speakers:

There was no one to speak regarding the Lexington Center's Site Plan application for a daycare operation.

3. The public hearing was closed at 6:10 P.M

E. Planning Board Action:

In accordance with Article IX, Section 906 of the Town of Mayfield Zoning Regulations, the Planning Board within sixty-two (62) days following the public hearing shall approve, approve with modifications or disapprove the application for Site Plan approval. Consequently, does the Planning Board wish to make its final decision on Lexington Center's Site Plan application for a daycare at this time?

MOTION: To approve Lexington Center's Site Plan application for a daycare expansion at its property along NYS Route 30.

MADE BY: Aaron Howland  
SECONDED: Richard Miles  
VOTE: 5 in favor, 0 opposed

**V. SCOTIA SAND AND GRAVEL – PUBLIC HEARING ON SUBDIVISION  
ALONG NORTH SECOND AVENUE:**

**A. Background:**

Scotia Sand and Gravel owns a piece of property approximately 50+/- acres in size along the west side of North Second Avenue in the Town of Mayfield (Tax Map Parcel No. 137.-4-11.11). The company would like to create a 1.376 acre building lot from the original tract of land.

**B. July 17, 2019 Meeting:**

During its July 17, 2019 meeting, the Town of Mayfield Planning Board began reviewing Scotia Sand and Gravel's subdivision application for a piece of property along North Second Avenue in the Town of Mayfield. At that time, the Planning Board asked that the following information be provided on the final plat prior to the public hearing:

1. Percolation and pit test results for the building lot must be provided.

STATUS: Provided.

2. If there are any easements or covenants to go along with the property, they should be identified on the final plat.

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

3. A notation should be added to the drawing indicating that "All on-site sanitation and water supply facilities shall be designed to meet the minimum specifications of the Department of Health."

STATUS: Provided.

4. The following notation must be included on all subdivision plats within the Town of Mayfield: "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 perspective 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: Provided.

DISCUSSION: The Planning Board had no further comments or questions regarding any of the information that was provided.

C. State Environmental Quality Review:

During its July 17, 2019 meeting, the Town of Mayfield Planning Board authorized the filing of a negative declaration under SEQR for this 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 6:11 P.M.

2. Speakers:

There was no one to speak regarding Scotia Sand & Gravel's subdivision application for a piece of property along North Second Avenue.

3. The public hearing was closed at 6:12 P.M.

E. Planning Board Action:

In accordance with Section 1008(C) of the Town of Mayfield Zoning Law, the Planning Board shall issue its final decision within sixty-two (62) days from the date the public hearing is closed. Consequently, does the Planning Board wish to issue its final decision on Scotia Sand & Gravel's subdivision application for a piece of property along North Second Avenue at this time?

MOTION: To approve Scotia Sand & Gravel's subdivision application for a piece of property along North Second Avenue.

MADE BY: John Kessler  
SECONDED: Adam Lanphere  
VOTE: 5 in favor, 0 opposed

## **VI. PAUL JOHNSON – SITE PLAN FOR SELF-STORAGE UNITS ALONG RICEVILLE ROAD:**

### **A. Background:**

Paul Johnson owns a piece of property along Riceville Road in the Town of Mayfield (Tax Map Parcel No. 119.8-1-15). There is currently a commercial building on Mr. Johnson's property which is approximately 25,833 sq. ft. in size. Mr. Johnson will be obtaining additional property from two (2) adjacent tax parcels that will be dissolved by property owners Richard and Barbara Gifford (Tax Map Parcel Nos. 119.8-1-6 and 119.8-1-7). A portion of those dissolved parcels will remain with the Giffords, while the remaining acreage will be deeded over to Mr. Johnson leaving him with a 34,872 sq. ft. parcel. Mr. Johnson would like to install four (4) self-storage units on the property with the following dimensions:

- 20' x 100'
- 10' x 100'
- 40' x 65'
- 40' x 55'

### **B. July 17, 2019 Meeting:**

During its July 17, 2019 meeting, the Town of Mayfield Planning Board began reviewing Paul Johnson's Site Plan application. At that time, the Planning Board asked for several revisions and additional pieces of information to be provided on the Site Plan drawings prior to taking any further action:

1. The Site Plan drawings should clarify the current configuration of lots owned by you and Richard and Barbara Gifford.

STATUS: Provided.

DISCUSSION: The Planning Board was comfortable with the clarification provided on the configuration of lots.

2. Building elevation drawings for the new self-storage units must be provided.

STATUS: Provided.

3. The topography of the site must be shown.

STATUS: The topographic features of the site have been identified on the revised drawing.

4. A Grading and Drainage Plan for the site will need to be prepared.

STATUS: Drainage patterns on the site have not been depicted. To that end, the finished floor elevation of the storage units should be identified and a plan for handling stormwater flow on the property should be identified.

DISCUSSION: Mr. Johnson explained that his engineer is currently working on a stormwater plan for the site and should be able to present it to the Board at its next meeting. Rather than speculating on any potential stormwater concerns, the Planning Board agreed to wait until its September meeting when the Stormwater Plan is available to discuss this matter.

5. The width of the access driveway along Riceville Road needs to be identified.

STATUS: There are two (2) access driveways identified on Riceville Road. The entrance to the property is shown as 20' wide, while the exit from the property is shown as 21.5'.

DISCUSSION: The Planning Board was comfortable with the proposed driveway locations for the property.

6. The anticipated internal traffic circulation patterns must be shown including identifying all of the spacing and distances between buildings.

STATUS: Provided.

DISCUSSION: Mr. Geraghty noted that two (2) of the storage units have been reduced in size to provide extra space on the property for traffic to circulate. After a very brief discussion, Board members agreed that the internal traffic circulation pattern for the site appeared to be satisfactory. However, the Board reserved any final comments pending receipt of the stormwater plan.

7. The location of the existing well and septic system servicing the property must be identified.

STATUS: Provided.

DISCUSSION: Mr. Kessler questioned the need to protect the location of the septic system.

Mr. Johnson noted that the septic system is under the parking lot he currently uses for his business and has never been a problem. He noted that the traffic circulation patterns for the proposed storage business will not necessitate that vehicles pass over the septic field location.



8. The location, size and design of the sign advertising the business must be identified.

STATUS: Provided.

9. The location and design of any new lighting on the property must be identified.

STATUS: The location of lighting around all of the storage buildings has been shown.

10. A Landscaping Plan, along with a Planting Schedule for the site, must be provided.

STATUS: Provided.

DISCUSSION: Planning Board Member Jerry Moore pointed out that NYS Route 30A sits up above the applicant's property and he stated that it will be very difficult to completely conceal the buildings on the property with landscaping.

Mr. Geraghty agreed and reminded Board members that the project will be forwarded to the County Planning Board under Section 239-m of the General Municipal Law for a recommendation. He asked Board members if they would like to wait until the recommendation is passed down from the County Planning Board before deciding on a Landscaping Plan?

There was a general consensus amongst Board members that the County Planning Board should be offered an opportunity to comment on the application before the landscaping requirements are stipulated.

11. Other.

DISCUSSION: Mr. Moore questioned the color scheme for the proposed building?

Mr. Johnson stated that he was not committed to any particular color. He indicated that he is currently showing white buildings with red roofs.

Mr. Howland pointed out that he believed the Town's Master Plan calls for the use of earth tones along the Route 30A corridor.

Board members suggested that tan buildings with green roofs be considered.

Mr. Kessler then asked if the well casing on the property was above or below ground?

Mr. Johnson indicated that the well casing is below ground.

Mr. Howland asked if the applicant's engineer felt that a discharge area will need to be provided on the site for the stormwater plan?

Mr. Johnson stated that the intent is to provide four (4) 750-gallon dry wells on the property, one (1) for each building. He indicated that a swale 4' wide will be dug along the common boundary with the Gifford property in order to make sure that none of the stormwater enters NYSDOT's stormwater infrastructure.

C. State Environmental Quality Review:

DISCUSSION: Mr. Geraghty indicated to Mr. Johnson that a Short Environmental Assessment Form will need to be provided for the project so that the SEQR process can be completed during the Board's September meeting.

D. Planning Board Action:

In accordance with Article IX, Section 906 of the Town of Mayfield Zoning Regulations, 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 it has enough information to schedule a public hearing on Paul Johnson's Site Plan application for storage units along Riceville Road at this time?

MOTION: To schedule a public hearing on Paul Johnson's Site Plan application for self-storage units along Riceville Road.

MADE BY: Aaron Howland

SECONDED: Richard Miles

VOTE: 5 in favor, 0 opposed

**VII. GREAT SACANDAGA BREWING COMPANY – FINAL DECISION ON SITE PLAN FOR NANOBREWERY AND TASTING ROOM ALONG NYS ROUTE 30:**

A. Background:

The Great Sacandaga Brewing Company (GSBC) owns a piece of property along the east side of NYS Route 30 just north of the intersection with NYS Route 29 (Tax Map Parcel No. 152.-3-6.5). The property is approximately 18.75 acres in size and extends back to the Kenneyetto Creek. There is an

existing 2,043 sq. ft. building on the property. Approximately 774 sq. ft. of that space will be used as a brewing room, while the remaining space will be used as the tasting room.

(NOTE: Planning Board Chairman John Kessler indicated that he would be abstaining from participating in the review of this application of the potential for a perceived business conflict.)

**B. July 17, 2019 Meeting:**

During its July 17, 2019 meeting, the Town of Mayfield Planning Board continued its review of the Great Sacandaga Brewing Company's Site Plan for a Nanobrewery and Tasting Room along NYS Route 30. At that time, the Planning Board asked that:

1. Final details regarding the plans for addressing on-site sewage disposal for both the brewery operation and the tap room be provided.

STATUS: A revised drawing showing a potential onsite filtration system for the project has been included on the drawings.

DISCUSSION: Mr. Geraghty asked the applicant's engineer, Mark DeJong, P.E., to provide Planning Board members with a brief overview of how the applicants are hoping to address the sanitary sewer issue.

Mr. DeJong stated that his clients would like to essentially test the sewage flow from the site for one (1) year and are proposing to use a holding tank that will be pumped out on a regular basis. He indicated that his septic company will take care of the waste disposal for the applicants and an alarm system will be placed on the holding tank. He indicated that his clients feel that the sewage generated by the 3-4 beers that will be initially brewed in the nanobrewery, can be handled by the holding tank while the sewage flow is being tested. He explained that his clients are thinking of using a "Biogill" system, which is essentially a filtration system for the proposed operation that will eventually allow them to empty the treated sewage into the existing septic field. He noted that the waste coming out of the nanobrewery will be high in BOD content and his clients are still awaiting approval from the NYSDEC to use this type of system. He indicated that his clients will need to get a SPEDES permit for this operation.

Mr. Geraghty reminded Board members that Town Code Enforcement Officer Damon Curley indicated during last month's meeting that he was comfortable working with the applicants and monitoring the waste flow from the nanobrewery for the next year, in order to allow the applicants to continue pursuing their proposed operation. Mr. Geraghty asked Mr. DeJong if the applicants have an alternative option in the event that NYSDEC does not allow them to use the Biogill system?

Mr. DeJong pointed out that the Ommegang Brewery in Cooperstown is currently on a Biogill system, so he felt very comfortable that NYSDEC will eventually approve the system for his clients. He indicated that the question will be how big the Biogill system will need to be. He explained that the system comes in component parts and his clients may need to install a second unit within the building.

Mr. Geraghty asked if the building is large enough to install two (2) of the Biogill units?

Mr. DeJong stated that there is enough space inside the building for two (2) units.

After a brief discussion, the Planning Board expressed enough comfort to allow the applicants to pursue this option for handling onsite sewage disposal.

2. The current drawings show a 35' entrance driveway and a 30' exit driveway to the property. During the SEQR process, the Planning Board was informed by NYSDOT that the project will require a permit for a minor commercial driveway cut. The Planning Board asked that the final drawings be revised to show the specifications for a NYSDOT minor commercial driveway cut or some written verification be provided from NYSDOT that the current driveway situation is acceptable.

STATUS: Mark DeJong, P.E. has provided the Board a copy of an e-mail he sent to Beth Watts, NYSDOT, on July 29, 2019 asking for an acceptance of the site entrance and exit for the property, as well as comments on the drainage report for the site. To date, the Planning Board has not received any written correspondence from NYSDOT as a result of Mr. DeJong's request.

DISCUSSION: Mr. Geraghty pointed out that when the traffic circle at the intersection of NYS Route 29 and 30 was constructed, NYSDOT approved of the driveway configuration and sidewalk placement in front of the applicant's proposed operation. However, he noted that his concern is that NYSDOT's correspondence during the Coordinated SEQR process, indicated that the driveway specifications will have to comply with a minor commercial driveway.

Mr. DeJong stated that, unfortunately, he has not received a response from NYSDOT on the driveway configuration. He also pointed out that there have been no comments offered on the Drainage Plan. He speculated that, given the large amount of work that would need to be done if NYSDOT asked for the driveway locations to be changed, he suspected that the agency will allow the current driveway configuration. He also noted that if

the driveway locations change, there will be significant stormwater infrastructure changes necessary.

C. State Environmental Quality Review:

During its June 19, 2019 meeting, the Town of Mayfield Planning Board declared itself the Lead Agency for the purpose of issuing a determination of significance under SEQR. At that time, the Planning Board felt that additional information needed to be provided on the design of the onsite septic system before a determination of significance could be issued. This matter was discussed once again during the Board's July 17, 2019 meeting and, given the fact that a final decision on the septic system was still not available, a determination of significance for the project was not rendered.

DISCUSSION: After some brief commentary amongst Board members, there was a general consensus that there were no other adverse environmental impacts that needed to be addressed by the applicants.

MOTION: Authorizing the filing of a negative declaration under SEQR for this proposed action since:

1. The applicants will be renovating an existing building and improving the appearance of the property.
2. Public utilities are readily available to service the business.
3. On-site infrastructure improvements for water and sewage disposal will adequately meet the needs of the business.
4. There will be no traffic impacts resulting from the proposed action.

MADE BY: Aaron Howland

SECONDED: Richard Miles

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

D. Planning Board Action:

In accordance with Article IX, Section 906 of the Town of Mayfield Zoning Regulations, the Planning Board, within sixty-two (62) days following the public hearing, shall approve, approve with modifications or disapprove the application for Site Plan approval. Since the public hearing on the application was closed on June 19, 2019, the Planning Board would typically have sixty-two (62) days or until Tuesday, August 20, 2019, to issue its final decision on the application. However, since the State

Environmental Quality Review process has not been completed, that deadline is not relevant.

MOTION: To conditionally approve Great Sacandaga Brewing Company's Site Plan application for a nanobrewery and tasting room along NYS Route 30 with the stipulation that:

1. The final driveway locations and stormwater plan for the site be approved by NYSDOT.
2. The applicant install the final onsite sewage disposal equipment within one (1) year of this date.

MADE BY: Adam Howland

SECONDED: Jerry Moore

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

#### **VIII. OTHER BUSINESS:**

##### **A. Chairman's Update:**

Mr. Kessler noted that it appears as though there is a great deal of work being done on the Great Sacandaga Marina property near the Mayfield bridge. There was then a few minutes of commentary and speculation amongst Board members on what could be happening with that piece of property.

##### **B. Code Enforcement Update:**

Mr. Curley indicated that he has been monitoring the interior work in the building that is being renovated by the Great Sacandaga Brewing Company. He stated that the applicants are doing a beautiful job of bringing that building up to code and finishing off the interior space.

Mr. Curley told Board members that he will need to reach out to Lexington Center and make sure that they file for all of the necessary building permits for the interior work that is being done as part of that daycare expansion.

#### **IX. CLOSE OF THE MEETING:**

MOTION: To close the meeting at 6:45 p.m.

MADE BY: Jerry Moore

SECONDED: Adam Lanphere

VOTE: 5 in favor, 0 opposed