

**TOWN OF MAYFIELD PLANNING BOARD  
MARCH 18, 2015  
6:00 P.M.  
TOWN OF MAYFIELD TOWN HALL  
MEETING NOTES**

**PRESENT:**

**ROBERT PHILLIPS, CHAIRMAN  
JOHN KESSLER**

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

**OTHERS PRESENT:**

**VINCE COLLETTI, TOWN COUNCILMAN  
JANENE BOUCK**

**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 January 14 and January 21, 2015 meetings.

MADE BY: Roberta Ricciardi

SECONDED: John Kessler

VOTE: 3 in favor, 0 opposed

Planning Board Chairman Robert Phillips acknowledged the passing of Planning Board Member Rick Simmons. Mr. Phillips indicated that Mr. Simmons was a great asset to the Planning Board and he wished his family well.

## **VII. JANENE BOUCK – HOME OCCUPATION ALONG COUNTY HIGHWAY 155:**

### **A. Background:**

Janene Bouck would like to start a home occupation in her residence at 201 County Highway 155 in the Town of Mayfield (Tax Map Parcel No. 152.1-2-14). The applicant's property is located in an R-1 Residential District. The applicant would like to operate an online store from the property that sells vintage and antique items, repurposed items, handmade craft items, photography and original works of art.

### **B. Planning Board Review:**

In accordance with Section 202 of the Town of Mayfield Zoning Law, individuals proposing a home occupation shall present their concept to the Planning Board, which will determine whether the home occupation will be allowed and whether a Site Plan Review will be required. The Planning Board will consider each application on an individual basis and evaluate how the proposed use will conform to the Zoning Law and to the Comprehensive Plan. Home Occupations are defined as businesses where the owner resides on the property or the activities of the business are conducted inside the residence, a legally constructed accessory building, or at off-site locations. The following items or activities must not be left or performed outdoors on the property:

1. Any item for sale to be serviced or awaiting pickup by a customer.
2. No service activity performed or process equipment used.
3. No raw material used in the production of a finished product.

The following items may be used outdoors on the property:

1. Signs which advertise the business not to exceed 6 sq. ft. in size.
2. Display of licenses required by New York State.
3. Licensed motor vehicles used for the business.
4. Mobile machinery used in the business.

The Planning Board will also consider any adverse effect the home occupation could potentially have on the value of neighboring properties, resulting from increased noise, odor, lighting, traffic, and the degree to which these factors are mitigated by distances, screening and onsite parking.

PLANNING BOARD DISCUSSION: Janene Bouck explained to Board members that she usually works on items in her home such as salvaged furniture. She indicated that if any machining or mechanical work needs

to be done on a piece, it is conducted inside her garage. She indicated that she uses paint at times to refurnish pieces of furniture, but the odors are no more intense than interior paint would be. Ms. Bouck indicated that she would not be encouraging foot traffic at her residence, but would only see customers by appointment. She indicated that she will typically see ten (10) customers per week. She pointed out that customers would be able to back right up to her garage and load items directly into their vehicles.

Mr. Phillips asked if any of the work on the craft items would take place outside?

Ms. Bouck indicated that it was her understanding that no work could take place outside or else she would not be considered a home occupation. She indicated that she would have a small sign advertising her business.

Mr. Phillips pointed out that the location of her residence along County Highway 155 can get busy on weekends. He talked briefly about the town-wide garage sales that generate a significant amount of traffic in that area.

Mr. Phillips asked Board members if they felt Ms. Bouck's proposal should require a formal Site Plan Review by the Planning Board?

Planning Board Member John Kessler indicated that he didn't feel a Site Plan Review of Ms. Bouck's application was necessary.

Planning Board Member Roberta Ricciardi agreed.

Mr. Phillips asked if Ms. Bouck required any licenses to operate her business?

Ms. Bouck indicated that she has applied for a New York State Tax Identification Number for the business.

Town Councilman Vince Colletti asked if there was enough parking on the property for her to conduct this business?

Ms. Bouck indicated that she did not intend to have any foot traffic and, therefore, would only occasionally need to have a parking space on her property.

County Senior Planner Sean Geraghty pointed out that there appears to be enough driveway space in front of the residence to allow additional off-street vehicle parking.

PLANNING BOARD ACTION:

MOTION: Determining that Janene Bouck's home occupation can be allowed at 201 County Highway 155 and that a formal Site Plan Review of the proposal will not be required.

MADE BY: John Kessler  
SECONDED: Roberta Ricciardi  
VOTE: 3 in favor, 0 opposed

**VIII. DAVID, WILLIAM AND TIMOTHY PERHAM - 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). The existing parcel is approximately 10.6+/- acres in size. The applicants would like to create a new 3.253 acre building lot from the original tract of land.

DISCUSSION: Mr. Phillips pointed out that the Planning Board received a letter from the Adirondack Park Agency earlier this afternoon regarding the Perham's subdivision application for a piece of property along County Highway 146. He pointed out that the letter indicates that there are wetlands subject to Agency jurisdiction on the property and that further analysis will need to take place.

Mr. Geraghty suggested that the Planning Board conduct its review of the subdivision plat so that a letter can be sent to the applicants outlining the issues that will have to be addressed with regards to this proposal.

B. Planning Department and Code Enforcement Office Review:

Section 501 of the Town of Mayfield Subdivision Regulations outlines the information an applicant is required to submit to the Planning Board for a proposed subdivision. Upon review of the proposed preliminary plat by the Town Code Enforcement Office and the Fulton County Planning Department, the following issues have been raised:

1. The location of that portion which is to be subdivided in relation to the entire tract and the distance to the nearest existing street intersection.

STATUS: The entire tract of land has not been shown on the subdivision plat.

DISCUSSION: Mr. Geraghty pointed out that the back portion of the property has not been shown on the subdivision plat.

There was a general consensus among Planning Board members that the entire tract will need to be shown on a revised plat.

2. All existing structures, wooded areas, streams and other significant physical features within the portion to be subdivided and within 250' thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than 5'.

STATUS: There are no topographic features shown on the subdivision plat.

DISCUSSION: Mr. Phillips indicated that he would like to see topography shown on the subdivision plat. He indicated that it is difficult to determine how the proposed subdivision may impact the adjacent property which is owned by Robert and Denise Carter. The Planning Board agreed that the topography for the new building lot must be shown on a revised plat.

3. The name of the owner and all adjoining property owners as disclosed by the most recent municipal tax records.

STATUS: Provided.

4. The tax map sheet, block and lot number.

STATUS: Provided.

5. All available utilities on all existing streets.

STATUS: Provided.

6. The proposed pattern of lots, including lot width and depth, street layout, recreation areas, systems of drainage, sewer and water supply within the subdivided area.

STATUS: The percolation and pit test results for the new building lot have not been provided.

DISCUSSION: Mr. Geraghty pointed out that the percolation and pit tests have simply not been conducted on the property.

7. All existing restrictions on the use of land including easements, covenants and zoning lines.

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

8. An actual field survey of the boundary lines of the tract giving complete descriptive data by bearings and distances made by a certified or licensed engineer or land surveyor.

STATUS: Provided.

9. 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: Not provided.

DISCUSSION: Town Code Enforcement Officer Mike Stewart pointed out that there is also a statement that needs to be placed on the subdivision plat in accordance with the Town's Right To Farm Law. He indicated that he would provide Mr. Geraghty with a copy of that language so that it could be conveyed to applicants.

10. The proposed subdivision name and the name of the Town and County in which it is located.

STATUS: Provided.

11. The date, north arrow, map scale, name and address of record owner and subdivider.

STATUS: Provided.

12. A Short Environmental Assessment Form with Part 1 completed by the applicant.

STATUS: Provided.

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 subdivision 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: Mr. Phillips pointed out that the Short Environmental Assessment Form will need to be amended by the applicant. He stated the following changes will need to be made to that form:

Question #2 will need to be changed to "yes."

Question #13a will need to be changed to "yes."

The box for wetland will need to be checked on Question #14.

The Planning Board recognized that the applicant will need to make changes not only on the Short Environmental Assessment Form, but on the subdivision plat itself before any further review of the application can take place.

D. Planning Board Action:

In accordance with Article V of the Town of Mayfield Subdivision Regulations, the Planning Board, within sixty-two (62) days from the time it determines a preliminary plat for a proposed subdivision to be complete shall hold a public hearing on the subdivision application. Consequently, does the Planning Board wish to schedule a public hearing on David, William and Timothy Perham's subdivision application at this time.

MOTION: To table any action on David, William and Timothy Perham's subdivision application for a piece of property along County Highway 146 pending receipt of a revised subdivision plat and a revised Short Environmental Assessment Form which includes the

information that was previously identified in this Agenda item.

MADE BY: Roberta Ricciardi  
SECONDED: John Kessler  
VOTE: 3 in favor, 0 opposed

## **IX. OTHER BUSINESS:**

### **A. Code Enforcement Update:**

1. Mr. Stewart indicated that he spoke recently with Virginia Yamrick, Adirondack Park Agency (APA), regarding Robert Stone's proposal to open a hardware store along NYS Route 30. Mr. Stewart indicated that he was given the impression that the APA would be issuing a permit to Mr. Stone in the near future.
2. Mr. Stewart explained that he recently had a conversation with Mr. Robert Kazmierski, the owner of the Wildlife Sports and Educational Museum along NYS Route 30. He indicated that Mr. Kazmierski is trying to ascertain how he can proceed with his proposed expansion project at the museum. Mr. Stewart speculated that it may be a little while before Mr. Kazmierski is able to proceed with this project.
3. Mr. Stewart indicated that he has been contacted by a representative from Fast Track about a project that would involve the company moving its gas station/convenience store across the road from its current location at the intersection of NYS Route 30 and NYS Route 29. He indicated that the company is looking at property just south of the ice cream stand on the west side of Route 30.
4. Mr. Stewart indicated that he believed Dollar General would be closing on its property in the Village in the near future and will start construction on its new store.
5. Mr. Phillips asked if anyone has approached the Town regarding Pour Jim's Tavern? Mr. Stewart indicated that there have been some inquiries including one individual who would like to use the place as a banquet facility. He pointed out that the building is in a state of disrepair and will need a significant amount of work to bring it up to code and get the building operational.



6. Mr. Stewart pointed out that the Chocolate Factory is now open in the building next to Dollar General along NYS Route 29. He stated that he has visited the store and found it to be a very interesting operation.

B. Chairman's Update:

Mr. Phillips indicated that he might not be here for next month's Planning Board meeting. He encouraged Board members to offer names to the Code Enforcement Office of individuals that are interested in serving as Alternates on the Planning Board.

**X. CLOSE OF THE MEETING:**

MOTION: To close the meeting at 6:25 p.m.

MADE BY: Roberta Ricciardi

SECONDED: John Kessler

VOTE: 3 in favor, 0 opposed