

**TOWN OF MAYFIELD PLANNING BOARD
APRIL 15, 2015
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**JOHN KESSLER
AARON HOWLAND
ROBERTA RICCIARDI
MICHAEL STEWART, CODE ENFORCEMENT OFFICER
SEAN M. GERAGHTY, SR. PLANNER**

OTHERS PRESENT:

STAN KUCEL

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 March 18, 2015 meeting.

MADE BY: Roberta Ricciardi

SECONDED: John Kessler

VOTE: 3 in favor, 0 opposed

III. SACHEM PROPERTIES, LLC - LOT LINE AMENDMENT FOR MAYFIELD PINES SUBDIVISION ALONG HUMMINGBIRD LANE:

A. Background:

Sachem Properties would like to reduce the number of lots in its subdivision along the south side of NYS Route 29A in the Town of Mayfield. The applicant intends to eliminate Parcel Nos. 11, 17, 26, 30

and 33 from the original tract and combine the acreages of those parcels with adjacent parcels. Additionally, a piece of the unsubdivided portion of the property will be added to Parcel No. 28 to increase its size. A total of five (5) fewer lots will now make up the subdivision, and eleven (11) of the remaining parcels will have additional acreage.

DISCUSSION: Stan Kucel explained to Board members that he has been given the exclusive rights to develop the remaining parcels in the Mayfield Pines Subdivision by Sachem Properties. He indicated that the first thing he suggested to the property owners was to increase the lot sizes of the remaining building sites in order to provide adequate setbacks and separation distances for wells and septic systems.

B. Code Enforcement Office and County Planning Department Review:

The Town Code Enforcement Office and the Fulton County Planning Department reviewed the proposed lot line amendments in accordance with the Town's Subdivision Regulations and would like to offer the following comments:

1. The survey map does not indicate that no new parcels will be created.

DISCUSSION: Mr. Kucel handed out a revised subdivision plat map with a notation indicating that the intent of the proposal is to adjust the interior lot lines of several parcels in order to increase lot sizes and that essentially there will be fewer lots with greater acreages.

2. Even though the original subdivision plat was approved on March 15, 1982 by the NYS Department of Health (NYSDOH) and was subsequently filed in the Fulton County Clerk's Office, a significant portion of the original subdivision has not been developed. In accordance with Section 276 of the Town Law of New York State, the Town Board, by resolution, may authorize and empower the Planning Board to approve the development of plats, entirely or partially undeveloped, which were filed in the Office of the Clerk of the County in which such plat is located prior to the appointment of such Planning Board and grant to the Board the power to approve such plats. The term "undeveloped" shall mean those plats where 20% or more of the lots within the plat are unimproved unless existing conditions such as poor drainage have prevented their development.

Even though the Town Board has the authority to authorize the Planning Board to view this proposal in accordance with the Town's Subdivision Regulations, the Town already owns and maintains the roads servicing this development. The proposed amendments will

simply reduce the number of lots in the development and, at the same time, increase the size of most of the remaining undeveloped lots.

DISCUSSION: Mr. Geraghty explained that Town Code Enforcement Officer Mike Stewart has discussed this issue with Town Supervisor Rick Argotsinger, and Mr. Argotsinger does not feel as though the Planning Board needs to reexamine the layout of this subdivision under the Town's current Subdivision Regulations.

C. Planning Board Action:

In accordance with Section 404 of the Town of Mayfield Subdivision Regulations, the applicant may request that the subdivision review process be waived when a proposed property transaction meets the criteria outlined in that section of the regulations. Does the Planning Board feel that the applicant's proposed property transaction complies with the provisions of Section 404 of the Town of Mayfield Subdivision Regulations?

MOTION: To waive the subdivision review process for Sachem Properties' proposed property transactions along Hummingbird Lane and to approve all of the property transactions as lot line amendments.

MADE BY: Aaron Howland
SECONDED: Roberta Ricciardi
VOTE: 3 in favor, 0 opposed

IV. KELLY HENRY – LOT LINE ADJUSTMENT OFF OF PARADISE POINT ROAD:

A. Background:

Kelly Henry owns a piece of property along the north side of a private road that has direct access to Paradise Point Road (Tax Map Parcel No. 88.12-1-2 – 15,097 sq. ft.). She would like to acquire additional property from her neighbor, Elizabeth Francis VanPelt, that would involve transferring 3,257 sq. ft. of Ms. VanPelt's property (Tax Map Parcel No. 88.12-1-11.1) to her parcel. Ms. VanPelt's current property is .62 acres in size which means it is already a nonconforming lot in this Zoning District.

DISCUSSION: Mr. Geraghty explained that by transferring property to Kelly Henry, Elizabeth VanPelt will be further reducing the non-conformity of her lot, which already does not meet the minimum 1

acre lot size for the district. He indicated that he was unable to find language in the Town's Zoning or Subdivision Regulations indicating that this was prohibited. He pointed out that in other communities, there is language, in local regulations indicating that a lot line amendment cannot be approved if it reduces the non-conformity of a lot.

Town Code Enforcement Officer Mike Stewart agreed and explained that he also went through the Town's regulations and could find no language prohibiting this type of transaction.

B. Code Enforcement and County Planning Department Review:

The Town Code Enforcement Officer and the Fulton County Planning Department have reviewed the proposed lot line adjustment in accordance with Section 404 b of the Town's Subdivision Regulations and would like to offer the following comments:

1. The location of the septic field on the VanPelt property has not been identified.

DISCUSSION: The Planning Board held a brief discussion concerning the possible location of the septic field. Eventually, Board members decided that the approximate location of the septic field needed to be shown on the survey drawing.

2. The title of the drawing must state "Lot Line Adjustment Between Henry and VanPelt."

DISCUSSION: The Planning Board asked that the title of the drawing be changed to "Lot Line Adjustment Between Henry and VanPelt."

3. There is a satellite dish shown on the property to be conveyed by VanPelt to Henry. Whose satellite dish is this?

DISCUSSION: The Planning Board agreed that the owner of the satellite dish should be identified on the survey drawing.

C. Planning Board Action:

MOTION: To waive the subdivision review process for Kelly Henry's and Elizabeth VanPelt's lot line property transaction and to conditionally approve the lot line adjustment pending receipt of the following information on the revised survey drawing:

1. The approximate location of the septic field on the VanPelt property must be identified.
2. The title of the drawing must be changed to "Lot Line Adjustment Between Henry and VanPelt."
3. The owner of the satellite dish on the property to be conveyed by VanPelt to Henry must be identified.

MADE BY: Roberta Ricciardi
SECONDED: Aaron Howland
VOTE: 3 in favor, 0 opposed

V. OTHER BUSINESS:

A. Code Enforcement Update:

Town Code Enforcement Officer Mike Stewart gave updates on the following project:

1. John Papa's proposed RV Park along Lakeside Drive.
2. Dave Huckan's project along Sacandaga Lake.
3. Fast Track's proposal to move to the opposite side of NYS Route 30.
4. CMK Realty's proposed office building along Route 30.
5. Marty Grace's storage unit project along NYS Route 30.
6. Dollar General's project in the Village of Mayfield.
7. The Wild Life Museum's proposed expansion project.
8. Mr. Slezak's proposed donation of his property along NYS Route 30.

Mr. Stewart indicated that with all of these projects being discussed, he expected the Planning Board to be busy at some future meetings.

VI. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:21 p.m.

MADE BY: Roberta Ricciardi
SECONDED: Aaron Howland
VOTE: 3 in favor, 0 opposed