

**TOWN OF MAYFIELD PLANNING BOARD
DECEMBER 17, 2014
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**ROBERT PHILLIPS, CHAIRMAN
MALCOLM (RICK) SIMMONS, VICE CHAIRMAN
JOHN KESSLER
AARON HOWLAND**

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

OTHERS PRESENT:

**VINCE COLLETTI, TOWN COUNCILMAN
STEVEN SMITH, P.E.
WALLY HART, LEXINGTON
ROBERT FRANK, APPLICANT
DEBORAH RUPERT, APPLICANT**

NEWSPAPER:

CAROLINE MURRAY, SACANDAGA EXPRESS/AMSTERDAM RECORDER

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 November 19, 2014 meeting.

MADE BY: Roberta Ricciardi

SECONDED: John Kessler

VOTE: 5 in favor, 0 opposed

III. ROBERT FRANK – PUBLIC HEARING ON A SITE PLAN FOR RMF MOTOR SPORTS EXPANSION:

A. Background:

Robert Frank currently operates RMF Motor Sports from his property at 338 Riceville Road in the Town of Mayfield (Tax Map Parcel No. 103.4-1-16.111). RMF Motor Sports is a custom detailing business. Mr. Frank's clients include mostly high-end vintage car owners. The parcel is approximately 1.92 acres in size. There is an existing building on the site that houses the business. Mr. Frank would like to construct a second 42' x 105' building to expand his operation to include painting and body work.

B. November 19, 2014 Meeting:

During its November 19, 2014 meeting, the Planning Board began reviewing Robert Frank's site plan to expand his business at 338 Riceville Road in the Town of Mayfield. At that time, the Planning Board asked that the following information be provided on a revised site plan drawing prior to the public hearing:

1. A notation should be placed on the drawing indicating that no new signage will be placed on the property.

STATUS: Provided

2. Percolation and pit test results for the new septic system location must be provided.

STATUS: Not Provided (Engineer has been out of State)

DISCUSSION: Planning Board Chairman Robert Phillips indicated that he would like to see the application progressed and did not want to hold up Mr. Frank because of the percolation test.

Mr. Geraghty pointed out that percolation tests will need to be provided to Town Code Enforcement Officers Mike Stewart before the septic system is designed and built. Mr. Geraghty indicated that the Planning Board could certainly place that condition on any approval of this Site Plan application.

3. Any new landscaping on the property should be labeled as such.

STATUS: Provided.

4. Employee parking areas on the property should be noted.

STATUS: Provided.

5. The finished floor elevations for both the existing building and the new building should be identified. The Planning Board would like the grading plan around the buildings shown on the drawings so that it can ascertain how stormwater will flow from the driveway and parking areas towards the drainage swale that is located between the buildings.

STATUS: Provided.

C. State Environmental Quality Review:

During its November 19, 2014 meeting, the Town of Mayfield Planning Board classified the proposed project as an Unlisted Action and proposed that it act as the Lead Agency for the purpose of issuing a determination of significance under SEQR and to offer other Involved Agencies twenty-five (25) calendar days to comment on the proposed action or the Planning Board's proposal to act as Lead Agency.

STATUS: In a letter dated December 4, 2014, the NYSDEC has indicated that it concurs with the Planning Board's recommendation to act as the Lead Agency. NYSDEC notes that an air permit may be required for the painting booth. A copy of a pamphlet entitled "Environmental Compliance Guide for Auto Body Shops" was included in the Agency's correspondence.

MOTION: Declaring the Town of Mayfield Planning Board the Lead Agency for the purpose of issuing a determination of significance under SEQR for this proposed action.

MADE BY: Rick Simmons
SECONDED: Roberta Ricciardi
VOTE: 5 in favor, 0 opposed

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

1. The applicant has sufficient acreage on his property to construct a second building and meet all setback requirements of the District.

2. There will be no drainage or stormwater impacts resulting from the proposed action.
3. Public utilities are readily available to the new building.
4. There will be no traffic implications resulting from the proposed action.

MADE BY: Rick Simmons
SECONDED: Aaron Howland
VOTE: 5 in favor, 0 opposed

D. Public Hearing:

1. The public hearing was opened at 6:06 P.M.
2. Speakers:

There was no one to speak regarding Mr. Frank's Site Plan application.

3. The public hearing was closed at 6:07 P.M.

E. Planning Board Action:

According to Section 906 of the Town of Mayfield Zoning Law, the Planning Board, within sixty-two (62) days after the 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 Robert Frank's site plan for RMF Motor Sports Expansion at this time?

MOTION: To conditionally approve Robert Frank's Site Plan application for the expansion of RMF Motor Sports along Riceville Road, with the stipulation that percolation and pit test results be provided to Town Code Enforcement Officer before the new septic system designed and constructed.

MADE BY: John Kessler
SECONDED: Robert Ricciardi
VOTE: 5 in favor, 0 opposed

VII. LEXINGTON FOUNDATION – SITE PLAN FOR PAUL NIGRA CENTER FOR CREATIVE ARTS:

A. Background:

Lexington Foundation would like to use the former Tetra Tech property at the intersection of NYS Route 30 and 30A (Tax Map Parcel No. 119.-9-6) to develop the Paul Nigra Center for the Creative Arts. The Center will be located in the southernmost building on the property, which is a single-story structure approximately 16,675 sq. ft. in size. The interior of the building will be renovated to accommodate an art center and studio space for music and performance, painting and pottery studios, culinary instruction, yoga studio and dance studio and gallery for display of artworks. The building at the north end of the site is a 1-story building with a walkout basement and has approximately 17,030 sq. ft. of space. A program called “Transitions” will be operated out of this building, which will have a small number of students during the school year and an estimated 40 students per session during the months of June, July and August.

B. Code Enforcement Office/Planning Department Review:

The Town of Mayfield Code Enforcement Office and the Fulton County Planning Department have reviewed the site plan application in accordance with the Town of Mayfield Zoning Regulations and would like to offer the following comments:

1. A tax map should be superimposed on the Site Plan drawing to show the dimensions of the property.

DISCUSSION: Steven Smith, P.E., representing the applicant, indicated that he would have a tax map included on the revised Site Plan drawing.

2. The size and design of any new signage on the property should be identified on the Site Plan drawing.

DISCUSSION: Wally Hart, Lexington Foundation, indicated that his Agency would simply be replacing signage at the existing locations on the property.

3. According to Section 603 of the Town Zoning Regulations, off-street parking standards for uses not specified in the Zoning Law, shall be established by the Planning Board during the Site Plan review

process. The applicants have 82 existing spaces adjacent to the buildings. An additional 191 spaces of overflow parking are available on the opposite side of the entrance driveway to the site.

DISCUSSION: After a brief discussion, there was a general consensus among Planning Board members that sufficient parking is available on the property for the activities that are proposed to occur at the new Center for Creative Arts.

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 Short Environmental Assessment Form, provided by the applicant, has been completed adequately?

DISCUSSION: Planning Board Member John Kessler pointed out that the address on the Short Environmental Assessment Form and the Site Plan drawing are different.

Town Code Enforcement Officer Mike Stewart indicated that the address issue can easily be clarified.

Mr. Geraghty pointed out that the Lexington Foundation will be receiving funding for this project from the NYS Department of Homes and Community Renewal (DHCR) and, therefore, a coordinated review under SEQR should be completed. Mr. Geraghty noted that DHCR will most likely want the SEQR process documented before it releases funds for the project.

Mr. Hart agreed and indicated that he would get a contact name to the Board for the Coordinated Review process.

2. Does the Planning Board feel that any additional information should be provided as part of the SEQR process?

DISCUSSION: The Planning Board did not ask for any additional information.

3. Section 617.6 (b)(3) of 6 NYCRR states that, when an agency proposes to directly undertake, fund or approve a Type 1 or Unlisted Action undergoing a Coordinated Review with other agencies, it must, as soon as possible, transmit Part 1 of the Environmental Assessment Form, completed by the Project Sponsor, or a Draft Environmental Impact Statement (DEIS) and a copy of any application that has been received to all Involved Agencies and notify them that a Lead Agency must be agreed upon within thirty (30) calendar days of the date the Environmental Assessment Form or DEIS was transmitted to them.

DISCUSSION: Planning Board Member Rick Simmons asked about the possibility of the applicant renting out space on the property to other commercial entities? He noted that if the entire property is removed from the tax rolls, a significant amount of tax revenue will be lost by the community.

Town Code Enforcement Officer Mike Stewart pointed out that the applicants were hoping that Tetra Tech, Inc. would continue leasing space in the maintenance building on the property.

Mr. Hart indicated that he has confirmed with Tetra Tech that they will not be staying and that, for the time being, the maintenance building will not be occupied.

Mr. Simmons asked if a new commercial business eventually leases space in that building, will the applicants be required to come back before the Planning Board?

Mr. Stewart indicated that if a use different from what the property is being used for now is proposed for that building, then it would need to come back before the Planning Board.

Planning Board Member Aaron Howland pointed out that with Tetra Tech moving out of that maintenance shop, the entire property will still be tax exempt.

Mr. Hart indicated that how the property is classified for tax purposes will be the local assessor's decision.

MOTION: To classify the proposed project as an Unlisted Action and to propose that the Town of Mayfield Planning Board act as the Lead Agency for the purpose of issuing a Determination of Significance under SEQR and to offer the other Involved Agencies twenty-five (25) calendar days to comment on the proposed action or the Planning Board's proposal to act as Lead Agency.

MADE BY: Aaron Howland
SECONDED: Robert Ricciardi
VOTE: 5 in favor, 0 opposed

D. Planning Board Action:

In accordance with Section 906 of the Town of Mayfield Zoning Law, 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 Lexington Foundations' Site Plan for the Paul Nigra Center for Creative Arts?

DISCUSSION: Planning Board members held a brief discussion concerning a date for the public hearing in January 2015. A few members indicated that they may be out of town on the Board's regularly-scheduled meeting date of January 21, 2015.

MOTION: To schedule a public hearing on Lexington Foundation's Site Plan for the Paul Nigra Center for Creative Arts for the Planning Board's January 2015 meeting.

MADE BY: Aaron Howland
SECONDED: Rick Simmons
VOTE: 5 in favor, 0 opposed

VIII. DEBORAH RUPERT – SUBDIVISION ALONG NINE MILE TREE ROAD:

A. Background:

Deborah Rupert would like to subdivide a piece of property that is currently owned by the Fletcher Estate (Tax Map Parcel No. 151.-06-5) along Nine Mile Tree Road in the Town of Mayfield. The property is approximately 119+/- acres in size. Ms. Rupert would like to create a

new 10.32+/- acre building lot along the west side of Nine Mile Tree Road.

DISCUSSION: Mr. Phillips indicated that he was concerned that the applicant had not provided any documentation of ownership for the property.

Ms. Rupert explained to Board members that the case was settled on October 31, 2014 and she was told to get a survey of the property, which she did. She talked about the past ownership of the property and how the property was divided amongst family members. She indicated that she had some difficulty contacting her attorney Mike Smrtic.

Mr. Geraghty explained that, in the absence of any proof of ownership, he agreed with Mr. Phillip's and felt that the Planning Board may need to wait until some form of written documentation of ownership is provided.

Town Code Enforcement Officer Mike Stewart asked Ms. Rupert to contact him and he would help her put together the information that is needed by the Planning Board.

IX. OTHER BUSINESS:

A. Training:

Mr. Geraghty indicated that the 2015 Training Sessions will be held at Fulton-Montgomery Community College (FMCC) on Wednesday, February 11th, from 5:00 p.m. to 8:30 p.m. He indicated that this year's topics will be Historic Preservation and Open Space Planning.

X. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:42 p.m.

MADE BY: Rick Simmons

SECONDED: John Kessler

VOTE: 5 in favor, 0 opposed