

**TOWN OF MAYFIELD PLANNING BOARD  
AUGUST 19, 2015  
6:00 P.M.  
TOWN OF MAYFIELD TOWN HALL  
MEETING NOTES**

**PRESENT:**

**JOHN KESSLER, VICE CHAIRMAN  
MARILYN SALVIONE  
AARON HOWLAND  
ROBERTA RICCIARDI**

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

**OTHERS PRESENT:**

**WALLY HART  
4 STAFF MEMBERS - BRIGHT FUTURES LEARNING CENTER  
ART DAHL  
CHRISTINE DAHL  
MARTY GRECO  
ANN GRECO  
CHRIS FOSS**

**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 15, 2015 meeting.
MADE BY:	Marilyn Salvione
SECONDED:	Aaron Howland
VOTE:	4 in favor, 0 opposed

### **III. MARIO AND ANN GRECO – CONTINUATION OF PUBLIC HEARING ON A SITE PLAN FOR SELF-STORAGE FACILITY ALONG RICEVILLE ROAD:**

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

Mario and Ann Greco own a piece of property at 382 Riceville Road in the Town of Mayfield (Tax Map Parcel No. 103.4-1-16.113). The property has access off of Riceville Road and is adjacent to NYS Route 30. The applicant's property is approximately .93 acres in size. They would like to install seven (7) various sized storage units on the property with access driveways and additional landscaping provided.

#### **B. July 15, 2015 Meeting:**

During its July 15, 2015 meeting, the Town of Mayfield Planning Board held a public hearing on Mario and Ann Greco's Site Plan application for a self-storage facility along Riceville Road. As part of the discussions that took place during the public hearing, the Planning Board noted that the applicants were asked to clarify if improvements could be made in the right-of-way over the Rice Homestead Property. It was pointed out that the applicants' engineer stated in his response back to the Board that Mr. Greco's attorney would be reviewing the deed for the subject property to see if there were any restrictions regarding making improvements within the easement. In the absence of that letter from the applicants' attorney, the Planning Board decided to table any further action on the application until a letter was provided from Mr. Greco's attorney.

STATUS: In a letter dated August 3, 2015, Mr. Greco's attorney, Paul Kolodziej, Esq., indicates that he has reviewed the deed for the property and is of the opinion that the Grecos have the right to make improvements to the right-of-way.

DISCUSSION: The Planning Board offered no comments regarding Mr. Kolodziej's correspondence.

#### **C. Public Hearing:**

1. The public hearing was reconvened at 6:02 P.M.
2. Speakers:

County Senior Planner Sean Geraghty explained that it is not necessary for anyone who spoke last month to repeat the same comments for the Planning Board this month. Mr. Geraghty stated that if there are new comments on the Site Plan application itself

or comments regarding the applicant's attorney's correspondence to the Board, those comments should be offered to the Planning Board.

Art Dahl indicated to Planning Board members that he would like them to know that the Mayfield Historical Society's offer to purchase Mr. Greco's property has not been answered.

There were no further comments during the public hearing.

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

D. State Environmental Quality Review:

During its July 15, 2015 meeting, the Town of Mayfield Planning Board authorized the filing of a negative declaration under SEQR for the Greco's Site Plan application. Consequently, unless new additional information has been provided, no further SEQR action is necessary.

DISCUSSION: County Senior Planner Sean Geraghty explained that he received a letter from the NYS Office of Historic Preservation concerning Mr. Greco's Site Plan application. Mr. Geraghty explained that the comments from the Historic Preservation Office were submitted well after the comment period that was offered by the Planning Board during the SEQR process. Mr. Geraghty explained that, basically, if State and federal funding is not being used to undertake the project, the Historic Preservation Office has very little regulatory control or authority over the project. He indicated that the Historic Preservation Office has suggested that there may be visual impacts that result from the Greco's Site Plan proposal and have suggested that the Planning Board may want to consider having the applicants provide additional vegetative buffer screening along the road.

E. Planning Board Action:

In accordance with 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 Mario and Ann Greco's Site Plan for a self-storage facility along Riceville Road at this time?

DISCUSSION: After briefly discussing the application, the Planning Board felt that all of the requested information had been provided and

that no further amendments would need to be made to the Site Plan drawing.

MOTION: To approve Mario and Ann Greco's Site Plan for a self-storage facility along Riceville Road.

MADE BY: Marilyn Salvione

SECONDED: Aaron Howland

VOTE: 4 in favor, 0 opposed

#### **IV. LEXINGTON FOUNDATION – SITE PLAN AMENDMENT FOR PAUL NIGRA CENTER FOR CREATIVE ARTS:**

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

On January 21, 2015, the Lexington Foundation received a Planning Board approval of its Site Plan application for the Paul Nigra Center for Creative Arts at the intersection of NYS Routes 30 and 30A (Tax Map Parcel No. 119.-9-6). There are two (2) buildings on the property that were part of the Foundation's original proposal. The larger building on the south end of the site was to be renovated to accommodate an art center and studio space for music and performance, painting and pottery studios, culinary instruction, a yoga studio and dance studio and gallery for display of artworks. The building at the north end of the site was to be used for a program called "Transitions."

In a letter dated August 10, 2015 to Town Code Enforcement Officer Mike Stewart, the Foundation is requesting permission to use approximately 2,800 sq. ft. of the building at the south end of the site for the Bright Futures Learning Center. (See attached letter.)

DISCUSSION: Wally Hart, representing Lexington Foundation, indicated to Planning Board members that the Bright Futures Learning Center will be using approximately 2,800 sq. ft. of space in the building at the south end of the property. He explained that the area to be used by the Bright Futures Learning Center is comprised of 10 offices surrounding an open area. He indicated that, as you look at the building, the Bright Futures Learning Center will be located to the left of the gallery space that has been created for the Paul Nigra Center for Creative Arts. Mr. Hart explained that Lexington Foundation really has no use for the space since it originally considered building only 10,000 sq. ft. of space for the Center for Creative Arts, but ended up purchasing the 32,000 sq. ft. Tetra Tech Building.

After briefly discussing the Lexington Foundation's proposal, Planning Board members felt that a second public hearing on the application was not

necessary. Planning Board members talked briefly with staff members from the Bright Futures Learning Center about programs and the areas in the community that would be served by those programs.

B. Planning Board Action:

MOTION: To approve Lexington Foundation's Site Plan amendment to use approximately 2,800 sq. ft. of space at their facility for the Bright Futures Learning Center.

MADE BY: Marilyn Salvione

SECONDED: Roberta Ricciardi

VOTE: 4 in favor, 0 opposed

**V. DAVID HINE - SUBDIVISION ALONG DENNIE ROAD:**

A. Background:

David Hine owns a piece of property along the east side of Dennie Road in the Town of Mayfield (Tax Map Parcel No. 73.-1-63.2). The applicant's property is approximately 17.05 acres in size and includes an existing home. Mr. Hine would like to create a 7.35 acre lot around the existing home and a new 9.7 acre building lot.

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: Provided.

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. Additionally, the proposed location of a home on the new building

lot will result in a lengthy driveway. The width and construction specifications for that driveway should be noted on the subdivision plat.

DISCUSSION: Mr. Geraghty explained that he looked at the property on USGS topographic maps and noticed that there is some significant elevation changes from one end of the property to the other. He also pointed out that, under the State Fire Code, any homes located in excess of 300' from a public road must be provided with a driveway that will allow emergency vehicular access.

Town Code Enforcement Officer Mike Stewart added that any building in excess of 500' must also have turnouts on the driveway.

The Planning Board agreed that the topographic features of the property, as well as a driveway specification for the new building lot, must be provided on the revised subdivision 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: There are no percolation or pit test results provided on the subdivision plat.

DISCUSSION: Mr. Geraghty noted that, given the uncertain topographic conditions on the property, there could be a need to have an engineered system designed for the new building lot.

Planning Board Member Aaron Howland agreed and explained that he has done some work in the vicinity of this property and has found very shallow soils. He speculated that an engineered system may have to be constructed for the new building lot.

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.

DISCUSSION: There was no one representing the applicant available to answer this question.

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: Provided.

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.

13. A statement must be included on the subdivision plat regarding the Town's Right To Farming Law which states, "It is the policy of this State and this Community to preserve, protect and encourage the development and improvement 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.

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. Geraghty suggested that the Planning Board hold off on any SEQR action until it has received additional information from the applicant. Mr. Geraghty pointed out that the review will not be coordinated with any other agencies and, therefore, waiting until next month's meeting will not delay the review of this application.

Planning Board members agreed to wait until the applicant has provided information on topography and percolation and pit test results before conducting its SEQR process.

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 Hine's subdivision application at this time?

MOTION: Authorizing a public hearing on David Hine's subdivision application for a piece of property along Dennie Road for 6:00 p.m., Wednesday, September 16, 2015.



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

**VI. OTHER BUSINESS:**

A. Code Enforcement Update:

Mr. Stewart indicated that the Dollar General Store in the Village of Mayfield will have its grand opening this weekend.

**VII. CLOSE OF THE MEETING:**

MOTION: To close the meeting at 6:22 p.m.

MADE BY: Marilyn Salvione  
SECONDED: Roberta Ricciardi  
VOTE: 4 in favor, 0 opposed