

**TOWN OF MAYFIELD PLANNING BOARD
MAY 31, 2018
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**
____ **ADRIEN ZAMBELLA, ALTERNATE**

____ **MICHAEL STEWART, CODE ENFORCEMENT OFFICER**

OTHERS PRESENT: Glen Henry

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:00 p.m.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

DISCUSSION: None

MOTION: To approve the minutes to the May 16, 2018 meeting.

MADE BY: Aaron Howland
SECONDED: Adam Lanphere
VOTE: All in favor

**III. ADRIEN ZAMBELLA – SITE PLAN AMENDMENT FOR BOAT REPAIR
BUSINESS ALONG PARADISE POINT ROAD:**

A. Background:

Adrien Zambella owns a piece of property at 182 Paradise Point Road in the Town of Mayfield (Tax Map Parcel No. 104.-2-14.2). Mr. Zambella received a Site Plan approval from the Planning Board for a boat repair and storage business on March 21, 2018. He would now like to amend that Site Plan application by moving the proposed 36' x 44' garage that will be used for

the boat and motor repair business from the front portion to the back portion of the property. The building will be along the proposed gravel roadway that leads to the trailer storage area on the back side of the property.

DISCUSSION: The Board reviewed and discussed the relocation of the building from the original location. The consensus was that the building would have less of an impact than the prior approved location and that the relocation was not significant enough to require a new public hearing.

B. Planning Board Action:

In accordance with Section 902 of the Town of Mayfield Zoning Law, the proposed placement of the building at a different location on the applicant's property requires the Planning Board to reexamine the Site Plan drawing before a Building Permit is issued. The Planning Board must determine if a new public hearing on the application is necessary or if the amendment can be approved with or without conditions.

DISCUSSION: The Board felt that the new location was an improvement.

MOTION: To approve the modified site plan as submitted without a new public hearing.

MADE BY: Jerry Moore
SECONDED: Richard Miles
VOTE: All in favor

IV. CHARLES HENRY – SUBDIVISION ALONG BUTTER STREET:

A. Background:

Charles Henry owns a piece of property along Butter Street in the Town of Mayfield (Tax Map Parcel No. 88.12-1-11.1). The property is approximately 2.2 acres in size. There are two (2) residences on the parcel. The applicant would like to subdivide the property into separate parcels for each home. Lot #1 will be 1.19+/- acres in size, and Lot #2 will be 1.01+/- acres in size.

B. Code Enforcement Office/County Planning Department Review:

Section 1008 of the Town of Mayfield Zoning Law outlines the submittal requirements for a minor subdivision. After reviewing the application submittal, the Town Code Enforcement Office and County Planning Department would like to offer the following comments:

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. However, in accordance with Section 280-a of the Town Law of New York State, no permit for the erection of any building can be issued unless a lot has direct access to a street or highway. The access required by Town Law does not include a right-of-way over another property. Under NYS Town Law, a parcel must have at least 15' of direct access onto a public street.

DISCUSSION: A discussion was had regarding Section 280a requirements and it was felt that since no permits were being issued and the houses were already there; no violation would be created. Also Mr. Stewart stated that it has been his office determination and policy that this regulation applies to new construction on vacant lots and not replacement homes and additions.

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

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

DISCUSSION: It was determined that no topographic features were needed.

3. The name of the owner(s) 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, if available.

STATUS: Provided.

5. All available utilities and 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 location of the well on Lot #1 seems to be a significant distance from the existing residence. Is this the well that is used by the residence?

DISCUSSION: Mr. Henry states that this is the well that serves the residence

7. All existing restrictions on the use of land including easements, covenants, and zoning lines. A copy of such covenants or deed restrictions that are intended to cover all or part of the tract shall be included.

STATUS: There is a 15' driveway easement shown for Lot #2 in the proposed subdivision. Easements for overhead electric lines will also need to be included in the deeds to both parcels.

DISCUSSION: Mr. Henry agreed that easements will also be provided in the deed for the electric lines.

8. An actual field survey of the boundary lines of the tract giving complete descriptive data by bearings and distance made and certified by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by monuments as described in Article III of this document, and shall be referenced and shown on the plat.

STATUS: Provided.

9. All on-site sanitation and water supply facilities shall be designed to meet the minimum specifications of the State Department of health and a note to this effect shall be stated on the plat and signed by a licensed engineer.

STATUS: The location of the existing septic field has been identified.

DISCUSSION: This was acceptable to the Board

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 sub-divider.

STATUS: Provided.

12. A Short Environmental Assessment form with Part I completed by the applicant. The Planning Board may require a Full Environmental Assessment Form if circumstances are warranted.

STATUS: Provided.

13. 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 prospective 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: It was acceptable to the Board as filled out.

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

DISCUSSION: The Board did not feel any additional information was needed.

3. Section 617.6 (b) of 6 NYCRR states that, when a single agency is involved, the agency will be the lead agency when it proposes to undertake, fund or approve a Type 1 or Unlisted Action that does not involve another agency. If the agency has received an application for funding or approval of the action, it must determine the significance of the action, within twenty (20) calendar days of its receipt of the application, an Environmental Assessment Form or any additional information reasonably necessary to make that determination, whichever is later. Therefore, does the Planning Board wish to issue a Determination of Significance under SEQR at this time?

DISCUSSION: The Board was ready to make a decision.

MOTION. : To make a negative declaration for this project

MADE BY: Aaron Howland
SECONDED: Adam Lanphere
VOTE: All in favor

D. Planning Board Action:

Section 1008(B) of the Town of Mayfield Zoning Law indicates that the Planning Board shall hold a public hearing on a subdivision application within sixty-two (62) days from the time the Planning Board determines that the preliminary plat is complete. Consequently, does the Planning Board feel that enough information has been provided by the applicant to schedule a public hearing on the subdivision application?

DISCUSSION: To vote now.

MOTION. To schedule a public hearing for June 20th at 6:00 pm

MADE BY: Aaron Howland
SECONDED: Richard Miles
VOTE: All in favor

V. **OTHER BUSINESS:**

A. Chairman's Update:

(John Kessler, Chairman) None

B. Code Enforcement Update:

(Michael Stewart, Code Enforcement Officer) None

VI. **CLOSE OF THE MEETING:**

MOTION: To close the meeting at 6:10 p.m.

MADE BY: Aaron Howland
SECONDED: Richard Miles
VOTE: All in favor