

TOWN OF MAYFIELD

PLANNING BOARD

WEDNESDAY, JANUARY 15, 2025
6:00 P.M.

MEETING MINUTES

PRESENT:

- X JOHN KESSLER (Chairman)**
- X AARON HOWLAND (Vice Chairman)**
- RICHARD MILES**
- X JERRY MOORE**
- X GRANT RAUCH**
- X DAVID JANKOWSKI, ALTERNATE**
- X BONNIE VANPATTEN, ALTERNATE**

- X RALPH DESIDERIO, TOWN BOARD LIASON TO THE PLANNING BOARD**
- X NORMAN BARBOSA, CODE ENFORCEMENT OFFICER**
- X AARON ENFIELD, FULTON COUNTY SENIOR PLANNER**

OTHERS PRESENT: Chris Foss, Tom Van Schaick, Jon Close, Carol Jablonski, Pete Stearns, Cathy Stearns, Ryan Chapple, Chris Longo, Brian Showers, Clint Kenfield, Bob Johnson

AGENDA ITEMS:

1. 2025 Election of Chairman and Vice Chairman
2. Brian Showers – Public Hearing – Site Plan for a Retail Establishment (Shed Family & Farm) at 3721 State Highway 30 (152.-6-3)
3. Thomas and Patricia Van Schaick – Public Hearing – Minor Subdivision along Woods Hollow Road
4. Empire Engineering – Public Hearing – Site Plan for a Multi-Family Dwelling (Mayfield Vistas) at 2364 State Highway 30 at the corner of Jackson Summit Road (104.-1-12)
5. Bulldog Leasing LLC – Minor Subdivision along St Hwy 29 # 150.-5-4
6. Town of Mayfield Town Board – Review of Battery Energy Storage System (BESS) LL

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:00 pm

II. APPROVE MINUTES OF THE PREVIOUS MEETING:

Chairman Kessler indicated that due to a delay in the U.S.P.S., Planning Board members did not have a chance to fully read through all the minutes of December meeting. He asked that approval of the minutes be tabled.

MOTION: To table approval of the December 2024 meeting minutes.

MADE BY: Grant Rauch
SECONDED: Jerry Moore
VOTE: Unanimous

III. ELECTION OF OFFICERS:

A. Background:

In accordance with Section 271 of the Town Law of New York State, the Chairperson of the Planning Board is appointed by the Town Board. However, in the absence of this appointment, the Planning Board is authorized to designate a member to serve as the Chairperson.

MOTION: To appoint John Kessler as Chairman of the Town of Mayfield Planning Board in 2025.

MADE BY: Grant Rauch
SECONDED: Jerry Moore
VOTE: Unanimous

MOTION: To appoint Aaron Howland as Vice Chairman of the Town of Mayfield Planning Board in 2025.

MADE BY: John Kessler
SECONDED: Grant Rauch
VOTE: Unanimous

IV. INTRODUCTION OF PLANNING BOARD ALTERNATE – BONNIE VANPATTEN:

Mr. Enfield introduced Ms. VanPatten, and mentioned that the Town Board opted to fill the second alternate seat on the Planning Board for 2025.

Mr. Enfield indicated that he has already briefed Ms. Van Patten and provided her a physical copy of the Comprehensive Plan, Zoning Map, and Zoning Ordinance.

Ms. VanPatten inquired if she could still ask questions even though she could not vote.

Chairman Kessler mentioned she could.

V. BRIAN SHOWERS – PUBLIC HEARING – SITE PLAN FOR A RETAIL ESTABLISHMENT (SHED FAMILY & FARM) AT 3721 STATE HIGHWAY:

A. Background:

Property Owner Brian Showers is looking to lease his property at 3721 State Highway 30 (SBL 152.-6-3) which is approximately .82+/- acres in size. He is looking to rent out his property to Shed Family & Farm, a business which sells prefab sheds. No water is slated to be used and a porta potty will be used for employees.

The project is located within the Resource Hub and and a Retail or service Establish is an allowed use under Site Plan Review. A Retail or Service Establishment can be defined as “a use

or structure, not otherwise described in this Law, that provides goods and/or services directly to consumers where said goods and/or services are available for immediate purchase and removal.

The applicant will be open by appointment only and will have 1 to 2 staff members on an as needed basis, potentially longer hours during the warmer seasons.

B. Fulton County Planning Department Review:

During our December 10, 2024 meeting, the Planning Board started their review of the abovementioned project. At the conclusion of the review, the Planning Board did not have any additional questions.

C. General Municipal Law 239-m:

During the Tuesday, December 17, 2024 meeting, the Fulton County Planning Board reviewed the above project and offered no recommendation.

D. State Environmental Quality Review Act:

During the December meeting, the Planning Board declared the project as an Unlisted Action and decided to do an UnCoordinated Review of this project.

E. Public Hearing:

The Public Hearing was opened at 6:04 pm

Speakers: None

The Public Hearing was closed at 6:05 pm

F. SEQRA (cont.)

Following the Public Hearing, is there any additional information that would negate the Planning Board from issuing a Negative Declaration?

DISCUSSION:

MOTION:

To authorize a Negative Declaration under SEQRA for Brian Shower's Site Plan for a Retail Service Establishment at 3721 NY-30 due to the following reasons:

1. The Town followed all the steps pursuant of 6NYCRR part 617;
2. There are utilities ready to service the lot if necessary;
3. The applicant will not be adding significant traffic to State Route 30 and/or nearby State Route 29;
4. The applicants structures are all portable and the makeup of the lot may shift over the new several months / years depending on sales;
5. The applicant followed rules within the Town of Mayfield Zoning Ordinance; and

To authorize the Fulton County Planning Department to fill out Part 2 & 3 of the SEAF.

MADE BY: John Kessler

SECONDED: Grant Rauch

VOTE: Unanimous

G. Planning Board Action:

Following the Public Hearing, the Planning Board has 62 days to make a final determination. Does the Planning Board wish to make that determination at this time.

MOTION:

To approve Brian Shower's Site Plan Review for a Retail Service Establishment at 3721 NY-30 as presented.

MADE BY: Aaron Howland
SECONDED: Grant Rauch
VOTE: Unanimous

VI. THOMAS AND PATRICIA VAN SCHAICK – PUBLIC HEARING – MINOR SUBDIVISION ALONG WOODS HOLLOW ROAD:

A. Background:

Thomas and Patricia Van Schaick own 61.70 acres at 157 Buckos Bay Road (Private Road), off Woods Hollow Road, which also includes another private road for seasonal residents known as Maple Ridge Road (Tax Map Parcel No. 137.1-1-19). They are looking to subdivide the property into two (2) parcels.

1. 29.227 acres which include Buckos Bay Road
2. 32.871 acres.

A majority of the property is in the Rural Use category of the Adirondack Park Agency. The individual who is purchasing one of the parcels currently maintains Maple Ridge Road for the residents.

B. Fulton County Planning Department Review:

During our December 19, 2024 meeting, the Town of Mayfield Planning Board started their review of the project stated above. At that time, the Planning Board asked that the following information be provided on the plat:

1. Within the notes section, the following information needs to be listed: “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: Provided.

2. Right to farm statement must be placed on the Survey map as follows: “It is the policy of this state and this community to conserve 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 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.

FURTHER DISCUSSION:

Chairman Kessler mentioned there is no location map on the plat and will need to be provided.

Mr. Foss indicated he would put on the final plat.

C. State Environmental Quality Review Act:

The Planning Board declared the project as an Unlisted Action and the Planning Board did a Coordinated Review involving interested agencies (NYS Department of Environmental Conservation and Adirondack Park Agency). To date, no comments have been made.

MOTION: To declare Lead Agency under SEQRA

MADE BY: Grant Rauch
SECONDED: Aaron Howland

VOTES: Unanimous

D. Public Hearing:

The Public Hearing was opened at 6:12 pm

Speakers: None

The Public Hearing was closed at: 6:13 pm

E. SEQRA (cont.)

Following the Public Hearing, is there any additional information that would negate the Planning Board from issuing a Negative Declaration?

MOTION:

To authorize a Negative Declaration under SEQRA for Thomas and Patricia Van Schaick Minor Subdivision at 157 Buckos Bay Road (Private Road) off Woods Hollow Road due to the following reasons:

1. The project complies with the Town's Subdivision Regulations;
2. The residents of Buckos Bay Road (Private Road) already have HOA agreement with property owners
3. There are utilities ready to service the new lot;
4. No new homes will be constructed; and

To authorize the Fulton County Planning Department to fill out Part 2 & 3 of the SEAF.

MADE BY: John Kessler

SECONDED: Grant Rauch

VOTE: Unanimous

F. Planning Board Action:

Following the Public Hearing, the Planning Board has 62 days to make a final determination. Does the Planning Board wish to make that determination at this time?

MOTION:

To approve the Van Schaick's Minor Subdivision with the following condition:

1. Location Map will need to be placed on the plat

MADE BY: Aaron Howland

SECONDED: Grant Rauch

VOTE: Unanimous

VII. EMPIRE ENGINEERING, PLLC – RECONVENING OF A PUBLIC HEARING FOR A SITE PLAN OF A MULTI-FAMILY DWELLING (MAYFIELD VISTA) AT 2364 STATE HIGHWAY 30 AT THE CORNER OF JACKSON SUMMIT ROAD:

A. Background:

Chris Longo owns 2364 State Highway 30 (SBL 104.-1-12) at the corner of Jackson Summit Road which is approximately 13.634+/- acres in size. He is seeking to construct 36 dwelling units. There is 66 parking spaces, 6 of which are ADA compliant as well as a covered garage. The multi-family dwellings will have a porch on the second floor.

The property is located within the Resource Hub Zoning District and a Multi-Family Dwelling is allowed use within the Town of Mayfield under Site Plan Review. A multiple-family dwelling is defined as "a building or portion thereof designed for year-round occupancy and containing separate dwelling units for three or more families living independently of each other, including apartment houses, townhouses."

The property is also located in Adirondack Park and is classified as a low intensity per the Adirondack Park Agency. In July 2022 the Town Board co-sponsored that property that would allow for changing from Low Intensity to Hamlet classification should Public Sewer be available.

DISCUSSION:

Mr. Enfield reminded the Planning Board of Mr. Mile's concerns about water and sewer at the previous meeting. He stated that when the Planning Board wants to move forward with they can list these as a conditional approval.

B. December 11, 2024:

During our December 11, 2024 meeting, the Town of Mayfield Planning Board opened a Public Hearing on the above-mentioned project. The Planning Board paused the Public Hearing due to some SEQR comments from the New York State Department of Transportation specifically:

1. Requirement for a Traffic Impact Study
STATUS: Mr. Longo sent a Traffic Impact
2. Not allowing a curb cut onto NYS-30

DISCUSSION:

Mr. Longo stated that he received data from NYS-DOT and is very low compared to peak traffic on a State Highway.

Ms. VanPatten inquired on when the traffic data from taken from.

Mr. Longo stated that it was done by NYSDOT in April 2021.

Mr. Enfield brought up the need for emergency services to access the property along NYS-30.

Mr. Rauch stated that the fire department would need to a secondary access. He mentioned that given the current curbcut on NYS-30, it would be a good idea to keep it at that location.

Mr. Longo also mentioned that he has a request in with the County on establishing a sewer district within the Town of Mayfield.

Vice Chairman Howland inquired if any approvals from the Adirondack Park Agency has been granted.

Mr. Longo indicated that approval had not been granted as the property classification change would need to occur first.

C. State Environmental Quality Review Act:

During the December meeting, the Planning Board declared Lead Agency and had a mutual agreement to move the final determination past the required 20-day state mandate.

D. Adirondack Park Agency:

Mr. Longo indicated that he has not heard anything from the Adirondack Park Agency between the December and January meetings.

E. Public Hearing:

The Public Hearing was reconvened at: 6:30 pm

Speakers: none

The Public Hearing was closed/paused at 6:31 pm

F. SEQRA (Cont.)

At the conclusion of the Public Hearing, does the Planning Board feel as though they wish to make a final determination on SEQRA?

DISCUSSION:

MOTION:

To authorize a Negative Declaration under SEQRA for Chris Longo's Site Plan for a Multi-Family Dwelling at the corner of NY-30 and Jackson Summit Road due to the following reasons:

1. The plans take pedestrian access when consideration;
 2. Planning Board indicates there are several stipulations of the project that may need to have it come back for an amendment, however, the greater good of this project will be beneficial long-term;
 3. The applicant will be including an HOA to handle necessary trash pick up, maintenance of the area, snow and lawn care;
 4. No boats, RVS will be allowed outside for long-term storage;
 5. There are utilities ready to service the new lot; and
- To authorize the Fulton County Planning Department to fill out Part 2 & 3 of the SEAF.

MADE BY: Grant Rauch
SECONDED: Jerry Moore
VOTE: Unanimous

G. Planning Board Action:

Following the Public Hearing, the Planning Board has 62 days to make a final determination. Does the Planning Board wish to make that determination at this time.

DISCUSSION:

The Planning Board felt that the project could be conditionally approved.

Chairman Kessler mentioned that conditions should be met for the sewer, water, and the Adirondack Park Agency's determination.

Vice Chairman Howland pointed out that language regarding the HOA should be added and information should be made available at the Code Enforcement Officer's office.

Planning Board members had a back and forth conversation with the applicant on sidewalks and pedestrian accessibility.

Mr. Barbosa pointed out that some communities elsewhere have built sidewalks in anticipation for development.

Mr. Rauch stated that it was not necessary at this time.

Mr. Longo worked with Planning Board members on a compromise.

Mr. Enfield stated that should the the sewer, water, and APA Land Use Classification change not go forward, the applicant would need to come back to the Planning Board as the project would be significantly altered.

MOTION:

To conditionally approve Chris Longo's Site Plan for a Multi-Family Dwelling at the corner of NY-30 and Jackson Summit Road with the following stipulation:

1. Should a water district not be established within the Town of Mayfield, the application will need to come back to the Planning Board for additional Review;
2. Should the applicant not be able to secure sewer from Fulton County Sewer District #5, septic will need to be placed on the property, and will need to back to the Planning Board for additional review;
3. Should the Adirondack Park Agency not grant the Hamlet Land Use Classification, they would need to come back to the Planning Board for review.
4. Should New York State Department of Transportation not grant the Curbcut onto NYS-30, the applicant will need to come back to the Planning Board for additional review;
5. HOA documentation will need to be provided to the Code Enforcement Officer prior to leasing or sales of any property which must include information on stormwater, lawn & snow maintenance, and trash pick up;
6. Establish a pavement from Mayfield Vistas to Jackson Summit Road, and should NYS Department of Transportation look at putting sidewalks along NY-30 the can refer to the Site Plan.

MADE BY:

Grant Rauch

SECONDED:

Aaron Howland

VOTE:

Unanimous

VIII. BULLDOG LEASING LLC – MINOR SUBDIVISION ALONG NY-29 (150.-5-4)

A. Background:

Clinton Kenfield, Jr. (Bulldog Leasing LLC) owns 1889 Route 29 (SBL 150.-5-4.5) which is approximately 10.33+/- acres in size. He is looking to subdivide the property into two lots:

Lot 1	Lot 2
4.549+/- acres	5.299

DISCUSSION:

Mr. Enfield indicated some confusion on the plat. He stated that Lot A and B were not part of the proposed subdivision and needs to be removed. The plat will need to be cleaned up removing A& B as part of the project. B will need to be combined with proposed Lot 1.

B. Fulton County Planning Department Review:

The Fulton County Planning Department has reviewed the Minor Subdivision application in accordance Article X: Subdivision Regulation of the Town of Mayfield Zoning Ordinance (2017). As a result of this review the following comments have been made. Subsequently, the Planning Board has the right to waive any requirement.

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 feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than five (5) feet.
STATUS: Provided.
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: N/A
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.
DISCUSSION: N/A
8. An actual field survey of the boundary lines of the tract giving complete descriptive data by bearings and distances 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. Statement saying "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: Not Shown
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 the record owner and subdivider.
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. Right to farm statement must be placed on Survey map as follows: "It is the policy of this state and this community to conserve 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 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: Will need to be provided.

14. Perc. and Pit Test / Septic Design

STATUS: Not Provided. Will be necessary for Lot 1 & 2.

DISCUSSION:

C. State Environmental Quality Review Act:

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 Environmental Assessment Form, provided by the Applicant, has been completed adequately?
2. Does the Planning Board feel that any additional information should be provided as part of the SEQR process?
3. Type I or an Unlisted Action: Section 617.6 (b)(3) of 6 NYCRR states that, when an agency proposes to directly undertake, fund or approve a Type I or Unlisted Action undergoing a Coordinated Review with other Involved Agencies, it must, as soon as possible, transmit Part I 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.

Type II Action: A Type II Action is categorically excluded from SEQR. These actions have been determined not to have a significant adverse impact on the environment. Once an action is determined to be Type II, no further environmental review is required. Section 617.5(c) provides the following actions that are not subject to a Type II Action.

4. It is recommended that the project be classified as an Unlisted Action and to do a coordinated review with the following interested and involved agencies:
 - NYS Department of Transportation
 - NYS Department of Environmental Conservation

DISCUSSION:

Planning Board members did not offer any additional recommendations

MOTION:

To classify Bulldog Leasing LLC's Minor Subdivision as an Unlisted Action and to do a Coordinated Review, giving them 30 days to offer comments.

MADE BY:

Grant Rauch

SECONDED:

John Kessler

VOTE:

Unanimous

D. Planning Board Action:

Does the Planning Board feel as though there is enough information to schedule a Public Hearing?

MOTION:	To table further action until the Planning Board received the NYS Freshwater Wetland Jurisdictional Determination by the NYS Department of Environmental Conservation.
MADE BY:	Aaron Howland
SECONDED:	Jerry Moore
VOTE:	Unanimous

IX. BATTERY ENERGY STORAGE SYSTEMS (BESS) LOCAL LAW:

A. Background:

Over the past year, the Town of Mayfield has been working on establishing a Local Law related to Battery Storage. The committee included Town Board members, Planning Board members, and members of the community, such as the fire department. While there are no active applications within the Town, the Town would like to be proactive instead of reactive on this type of renewable energy.

DISCUSSION:

Mr. Rauch indicated that this technology is evolving, currently lithium-ion, but may be sodium in the future. He indicated that having a generic law that isn't specific to a specific battery type will allow the Planning Board to review it accordingly.

Chairman Kessler indicated concern about network connectivity and cyber security

Mr. Enfield reminded Planning Board members that the Special Use Permit allows the Board to request more information from the applicant.

Mr. Enfield also concurred with Mr. Rauch's statement that amendments can always be made to the local law, however, having something on the books is beneficial

MOTION:	To recommend the Town of Mayfield Town Board approve the Battery Energy Storage Systems (BESS) Local Law with language added to the law
	1. Definition of a lake. As it is identified in 7.2 and not within the definitions of law or the Town's Zoning Code; and.
	2. Adding language in 8.1 to include "appropriately sized water source for mitigation measures"

MADE BY:	Aaron Howland
SECONDED:	Grant Rauch
VOTE:	Unanimous

X. OTHER BUSINESS:

A. Code Enforcement Officer:

Mr. Barbosa indicated he is not working with the Village of Mayfield as their Code Enforcement Officer.

B. Fulton County Planning Department:

Mr. Enfield reminded Planning Board members on Saratoga Planning and Zoning Conference – February 5, 2025.

Mr. Enfield indicated that the Planning and Zoning training will be at SUNY Fulton Montgomery, April 9, 2025.

Mr. Enfield made indicated Mr. DeRocker's surveyor has been in touch with him.

XI. CLOSE OF THE MEETING:

MOTION: To close the meeting at 7:31 pm

MADE BY: Grant Rauch

SECONDED: Aaron Howland

VOTE: Unanimous