

**TOWN OF NORTHAMPTON PLANNING BOARD
AUGUST 12, 2014
7:00 P.M.
TOWN HALL**

MINUTES

PRESENT:

**ROBERT SMITH, CHAIRMAN
ROBERT ANDERSON
STEVE NAPLE
JAMES CONKLING
JACK GROFF**

**MATT GINTER, CODE ENFORCEMENT OFFICER
SCOTT D. HENZE, PLANNER/GIS FULTON COUNTY PLANNING DEPT.**

OTHER:

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:00 p.m.

II. APPROVE MINUTES OF LAST TWO (2) MEETINGS:

MOTION: To approve the minutes to the July 8, 2014 meeting.

MADE BY: Member Conkling
SECONDED: Member Naple
VOTE: 5-0

MOTION: To approve the minutes to the July 23, 2014 meeting.

MADE BY: Member Anderson
SECONDED: Member Conkling
VOTE: 5-0

III. SCUNZIANO SUBDIVISION

A. Background:

1. During the May 13, 2014 meeting, the Planning Board classified the subdivision to be a minor subdivision.
2. During the May 13, 2014 meeting, the Planning Board classified the project as an Unlisted Action, proposed to act as the Lead Agency and to coordinate with the NYS APA and DOH.
3. During the May 13, 2014 meeting, the Planning Board set a Public Hearing for July 8, 2014.
4. The Planning Board held the Public Hearing on July 8, 2014. During the July 8, 2014 meeting, the Planning Board conditionally approved the Scunziano Minor subdivision application upon issuing a Negative Declaration under 6NYCRR PART 617 State Environmental Quality Review and to authorize the Fulton County Planning Department to prepare a final Resolution.

B. SEQR CONT'D:

MOTION: To issue a Negative Declaration for the Scunziano Minor Subdivision and to authorize the Chairman to sign Part III of the EAF.

MADE BY: Member Conkling

SECONDED: Member Naple

VOTE: 5-0

C. Scunziano Minor Subdivision Resolution:

DISCUSSION: Planning Board members reviewed the draft Resolution and moved for its adoption as drafted. * See *Planning Board Resolution 2014-1*

IV. YADDAW - LOT LINE ADJUSTMENT REQUEST:

A. Background:

The applicant is proposing a lot line adjustment to SBL# 31.4-6-21.1 & 31.4-6-20.5 as identified on the provided survey map revised July 28, 2014.

All properties are located within the Town's Medium Density Residential Zoning District.

Both properties are located within the APA Moderate Intensity and Rural Use Land Classifications.

The applicant has provided the following:

1. Application for a Lot Line Adjustment
2. Subdivision Waiver
3. Warranty Deed with Lien Covenant
4. Quitclaim Deed
5. Letter from Kathryn M. Williams-Yaddaw dated July 22, 2014
6. Suggested Legal Description from the office of Ferguson & Foss Professional Land Surveyors, PC dated November 20, 2013.
7. Part 1 Short EAF
8. Survey Map revised July 28, 2014

B. Planning Department Review:

The Fulton County Planning Department has reviewed Article VIII (C): Lot Line Adjustments within the Town's Zoning Ordinance and Subdivision Regulations document. Below is a general outline of steps for the Planning Board to follow to review a Lot Line Adjustment.

START OF LOT LINE ADJUSTMENT PROCEDURE

1. An applicant may request that the subdivision review process be waived when a proposed subdivision is a lot line adjustment that meets the following criteria:

- (a) It would not create an additional lot.
- (b) It is a minor modification of an existing lot line; or is the conveyance and merger of a portion of one parcel to an adjoining parcel.
- (c) It would not create a nonconforming parcel or cause any other parcel to become nonconforming under this Law or the New York State Adirondack Park Agency Act and Adirondack Park Land Use and Development Plan.
- (d) It would comply with all applicable zoning requirements of this Law and applicable New York State Department of Health regulations pertaining to well and septic system distances from parcel boundaries.

- Does the Planning Board feel that the existing Lot Line Adjustment request meets all of the criteria above?

DISCUSSION: Member Naple asked the applicant if the existing driveway located on lot 31.4-6-21.1 does loop around as identified on the Survey Map. The applicant indicated that the existing driveway does loop around as illustrated on the survey map.

Member Naple asked Matt Ginter whether or not the required setbacks are met? Matt Ginter stated that the setback requirements are 15' as indicated on the map.

Member Naple asked the applicant the reasoning for proposed Adjustment A as indicated on the Survey Map. The applicant stated that Adjustment A will straighten out the rear lot line and provide more yard space behind the existing house.

2. Submission requirements

To request a lot line adjustment, the applicant shall submit:

- (a) A waiver application that shall be signed by the parcel owners, or their duly authorized agents, of both affected parcels.
- (b) A plat or map of the parcels affected by the proposed adjustment, showing all existing buildings, the location of existing utility or other easements or rights-of-way of wells and of septic systems. The map shall show the existing lot lines and the location of the proposed new lot line, and the existing and new setback distances to any existing buildings.

The map shall have the title "LOT LINE ADJUSTMENT between properties of (name) and (name)", and shall include a restriction to the effect that the land added to the existing parcel, and the existing parcel are combined to form a single, undivided lot.

- (c) A fee as established by the Town Board in the Schedule of Fees.

- Does the Planning Board feel that the existing Lot Line Adjustment Map provided meets all of the submission requirements above?

DISCUSSION: Chairman Smith stated that he does not see where the existing wells and septic systems are identified on the Survey Map. upon further discussion by the Board, it was determined that the

locations of the existing wells and septic systems would need to be identified to include the distances of each to the proposed and existing lot lines.

3. State Environmental Quality Review

- Article II: Permits and Approvals Process Section E SEQRA (Page 4 In Ordinance):

"The Town shall comply with the provisions of the New York State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations as codified in Title 6, Part 617 of the New York Codes, Rules and Regulations. Upon receipt of any complete application, the Town or any officer, department, board of the Town shall initiate the New York State Environmental Quality Review process by issuing a determination of significance".

- The Fulton County Planning Department has reviewed the proposed subdivision in reference to 6NYCRR Part 617 SEQRA and is recommending that the Planning Board classify the action as an Unlisted Action under SEQRA, designate itself as the Lead Agency to perform an Uncoordinated Review of the proposed action and authorize the Fulton County Planning Department to prepare Part II and Part III on the Boards behalf.

DISCUSSION: None

MOTION: To classify the action as an Unlisted Action under SEQRA and designate that the Planning Board act as the Lead Agency to perform an Uncoordinated Review of the proposed action. The Planning Board authorizes the Fulton County Planning Department to prepare Part II and Part III on the Boards behalf.

MADE BY: Member Anderson
SECONDED: Member Conkling
VOTE: 5-0

- MOTION: To issue a Negative Declaration for the Yaddaw Lot Line Adjustment and to authorize the Chairman to sign Part III of the Short EAF.

MADE BY: Member Conkling
SECONDED: Member Anderson
VOTE: 5-0

4. Planning Board Review and Approval Procedure

- (a) Upon submission of a complete application, the Planning Board shall, within 62 days, review the application and shall either approve or deny the application. Approval may be granted when the Planning Board determines that the proposed adjustment meets all requirements for a Lot Line Adjustment and would not adversely affect the site's development or neighboring properties, would not alter the essential characteristics of the neighborhood or adversely affect the health, safety or welfare of Town residents.
- (b) No public hearing shall be required.
- (c) If the waiver is granted, the applicant shall file a map with the Fulton County Clerk within 30 days of the approval date. The map shall be signed by an empowered duly authorized officer of the Town of Northampton Planning Board. No person shall file plans for any lot line adjustment without first obtaining the Planning Board's signature on the plans.
- (d) If the Planning Board denies the request for waiver, the applicant may proceed with the minor subdivision review process as set forth in this Article.

MOTION: To approve the request for a waiver to the Town of Northampton Subdivision Regulations and to conditionally approve the application for a Lot Line Adjustment and to authorize Chairman Smith to sign said Survey Map upon acceptance of the conditions specified below.

The Conditions are as follows:

1. Revise the July 28, 2014 Survey Map to identify the location of the existing wells and septic systems on both 31.4-6-21.1 & 31.4-6-20.5 to include the distance of each to both existing and proposed lot lines.

MADE BY: Member Naple
SECONDED: Member Anderson
VOTE: 5-0

END

V. CODE ENFORCEMENT REPORT:

Chairman Smith questioned the status of the Adirondack Escape project. Scott Henze stated that he has been in contact with Attorney Poulin who informed him that he has contacted the Town Attorney on three (3) occasions requesting an Letter Opinion accepting the proposed access easements and agreements but has not recieved them. Scott Henze stated that he contacted the Town Attorney via electronic mail whereby he recieved a response indicating that the Town Attorney is away on vacation this week.

Chairman Smith asked Scott Henze what the Planning Boards direction was regarding the final actions for approval to that subdivision.

Scott Henze stated that the Planning Board authorized the Chairman to sign the subdivision Plat upon receipt of the Town Attorney's Legal Opinion accepting the access easements and agreements. Scott Henze stated that the Planning Board would need to draft a Resolution once those agreements are accepted by the Town Attorney.

Matt Ginter stated that he has been removing miscellaneous signage around Town particularly at the intersection of NYS Route 30 and Bridge Street. He stated that election signs are regulated in the Town's Zoning Ordinance to be allowed for a certain number of day prior to an election and a certain number of days after an election.

Matt Ginter informed the Board that Brian Horton, owner of the Village Cafe and Pizzeria is moving along on his plans to build a restaurant on his property along NYS Route 30 at its intersection with County Highway 152. He stated that since the Ordinance does not include within the schedule of Use Table the definition of Restaurant, he has determined that it is a Service Establishment that is allowed within the Hamlet Mixed-Use District.

VI. OTHER BUSINESS:

Member Conkling provided members with an updated document of the Adirondack Park Regional Assessment Project. He stated that the Adirondack Park communities are dying on the vine and that includes the Town of Northampton and Village of Northville. He stated that Adirondack Park communities show an aging population and low economic development.

Member Conkling informed the Board that Supervisor Groff and Mayor Spaeth along with other representatives have been working with the Adirondack Park

Agencies Economic Development Unit. He stated that this unit is analyzing the Northampton/Northville community and will provide guidance on how to redevelop the area and promote economic development in a favorable way. He stated that our communities need to attract families to the area that will support the school system and businesses within the community. He stated that however, families will not relocate to the area if there are no jobs for them. Member Conkling stated that he would provide Members with a copy of the draft study/plan during the September meeting.

VII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 7:45 p.m.

MADE BY: Member Naple

SECONDED: Member Anderson

VOTE: 5-0