

**TOWN OF NORTHAMPTON PLANNING BOARD
NOVEMBER 10, 2014
7:00 P.M.
TOWN HALL**

MINUTES

PRESENT:

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

OTHER: LEO CRISTIANO

I. CALL MEETING TO ORDER:

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

II. APPROVE MINUTES OF THE LAST MEETING:

MOTION: To approve the minutes to the September 9, 2014 meeting.

MADE BY: Member Anderson
SECONDED: Member Conkling
VOTE: 4-0

III. CRISTIANO - LOT LINE ADJUSTMENT REQUEST:

A. Background:

The applicant is proposing a lot line adjustment to SBL# 31.2-2-10.1 & 31.2-2-10.2 as identified on the survey map provided by Ferguson & Foss dated September 13, 2012 and revised on October 7, 2014.

All properties are located within the Town's Hamlet Mixed Use Zoning District.

Both properties are located within the APA Hamlet Land Classification area.

The applicant has provided the following:

1. Application for a Lot Line Adjustment
2. Subdivision Waiver
3. Executor's Deed
4. Warranty Deed
5. Part 1 Short EAF
6. Ferguson & Foss dated September 13, 2012 and revised on October 7, 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: The Planning Board determined that all criteria have been met.

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: The Planning Board determined that all submission requirements have been met.

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: No discussion.

MOTION: To classify the action as an Unlisted action under SEQR and to designate that the Planning Board act as the Lead Agency to perform an Uncoordinated Review of the proposed action and to authorize the Fulton County Planning Department to Prepare Part 2&3 on the Planning Boards behalf.

MADE BY: Member Anderson

SECONDED: Member Conkling

VOTE: 4-0

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

MADE BY: Member Conkling

SECONDED: Member Anderson

VOTE: 4-0

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.

DISCUSSION: The Planning Board determined that the project is not a subdivision.

MOTION: To approve the request for a waiver to the Town of Northampton Subdivision Regulations and to approve the application for a Lot Line Adjustment.

MADE BY: Member Anderson
SECONDED: Member Naple
VOTE: 4-0

END

IV. CODE ENFORCEMENT REPORT:

No report

V. OTHER BUSINESS:

None

VI. CLOSE OF THE MEETING:

MOTION: To close the meeting at 7:32 p.m.
MADE BY: Member Naple
SECONDED: Member Anderson
VOTE: 4-0