

**TOWN OF NORTHAMPTON PLANNING BOARD
NOVEMBER 10, 2015
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: Mr. Hoffman

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 8, 2015 meeting.

MADE BY: Member Anderson

SECONDED: Member Naple

VOTE: 5-0

III. SCOTT C. HOFFMAN - LOT LINE ADJUSTMENT REQUEST:

A. Background:

The applicant is proposing a lot line adjustment to a portion of SBL# 46.20-1-41 & 46.20-1-52 as shown on the survey map provided by Ferguson & Foss dated June 22, 2015 and revised on July 15, 2015.

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

All properties are located within the APA Moderate Intensity Land Classification area as identified on the July 24 and subsequently October 22, 2015 APA correspondence issuing a conditionally approved permit 2015-115.

The applicant has provided the following:

1. Application for a Lot Line Adjustment
2. Subdivision Waiver
3. Warranty Deed with Lien Covenant (2)
4. Part 1 Short EAF
5. Preliminary APA Correspondence dated July 24, 2015 & APA Correspondence dated October 22, 2015 issuing a project permit for a lot line adjustment 2015-115.
6. Ferguson & Foss survey map dated June 22, 2015 and revised on July 15, 2015.

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: Upon review of the Lot Line Adjustment Criteria, the Planning Board determined that the subdivision process shall be waived.

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 agreed that all Lot Line Adjustment submission requirements have been met and are acceptable.

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 lot line adjustment 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.

MOTION: To classify the proposed lot line adjustment as an Unlisted action and to designate the Planning Board as the Lead Agency under an Uncoordinated Review and to authorize the Fulton County Planning Department to prepare Parts II and III on the Boards behalf.

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

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

MADE BY: Member Anderson
SECONDED: Member Groff
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.

DISCUSSION: Upon review of the application materials, the Planning Board agreed that the request for the Lot Line Adjustment should be granted.

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 and to authorize the Chairman to stamp/sign the Lot Line Adjustment maps.

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

END

IV. CODE ENFORCEMENT REPORT:

Matt Ginter, CEO stated that the proposed Elmer Brown Major Subdivision is moving along. He stated that he received a copy of an APA completed application correspondence that was submitted on October 6, 2015 and finalized on November 6, 2015. He stated that the major subdivision has been reduced to ten (10) building lots and one (1) common area lot.

Matt Ginter stated that Mr. Brian Horton has been in contact with him on a regular basis regarding his proposed Site Plan for a restaurant building on NYS Route 30 that the Planning Board initially reviewed a conceptual plan during the September 8, 2015 meeting. He stated that the APA had delineated the wetlands on the site however Mr. Horton has since changed the location of the septic system to the opposite end of the property whereby the APA will have to return and delineate additional wetlands.

V. OTHER BUSINESS:

Chairman Smith reviewed an article regarding Fulton County's SmartWaters initiative in respect to obtaining water from the Great Sacandaga Reservoir. He questioned whether or not local municipalities, particularly those around the Great Sacandaga Reservoir can act as stakeholders. Scott Henze stated that he has been directly involved with the SmartWaters initiative. He stated that Fulton County hired Environmental Design Partnership (EDP) to research and recommend the feasibility of Fulton County getting into the "water business". He stated that the final report indicated that it is feasible for Fulton County to get into the "water business" and that there were several water sources that Fulton County could utilize. He stated that one (1) of the water sources was the Great Sacandaga Reservoir. He stated that currently, EDP is working on a preliminary engineering study to do just that. Scott Henze stated that EDP's report is available on the County's website.

VI. CLOSE OF THE MEETING:

MOTION: To close the meeting at 7:40 p.m.

MADE BY: Member Naple

SECONDED: Member Groff

VOTE: 5-0