

**TOWN OF NORTHAMPTON PLANNING BOARD  
APRIL 12, 2016  
7:00 P.M.  
TOWN HALL**

**MEETING NOTES**

**PRESENT:**

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

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

**CRISTIAN KLUEG**

**I. CALL MEETING TO ORDER:**

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

**II. APPROVE MINUTES OF LAST REGULAR MEETING:**

MOTION: To approve the minutes to the March 8, 2016 meeting.

MADE BY: Member Anderson

SECONDED: Member Conkling

VOTE: 5 in favor, 0 opposed

**III. CHRISTIAN & MEGAN KLUEG TEMPORARY USE PERMIT:**

A. Background: \*See GIS location map.

Christian & Megan Klueg own a .16+/- acre parcel (17.2-1-28) along NYS Route 30.

The property is located within the Rural Residential 1 Zoning District and located within the APA Rural Use land use area.

A. Documentation Submitted/Other:

The applicant submitted the following materials:

1. Town of Northampton Application for Temporary Use Permit.
2. Survey of Lands of Edward A. Bode as prepared for Christian C. Klueg and Megan Klueg dated November 11, 2015.
3. Copy of Warranty Deed dated September 9, 2015.
4. Short EAF

DISCUSSION: Planning Board members reviewed the documentation that was submitted as identified within the Agenda.

B. Planning Department Review:

The Fulton County Planning Department has reviewed Article X (C) Permitted Temporary Uses Requiring a Zoning Permit within the Town's Zoning Ordinance. The following questions should be considered for additional background information:

1. What communication has the applicant had from the APA? JIF?

DISCUSSION: Chairman Smith asked Mr. Klueg whether or not he has submitted a jurisdictional inquiry form to the NYS Adirondack Park Agency (APA)? Mr. Klueg stated that his intentions for the property is to eventually build on the lot. However, it is his understanding that he falls within a setback of the APA, as well as would fall within the necessary setbacks for the Town of Northampton due to the lot size and the configuration of the lot. Mr. Klueg stated that he did have his engineer, being Environmental Design Professionals, submit a jurisdictional inquiry form regarding building on the property. However, he has not submitted a jurisdictional inquiry form for the placement of a recreational vehicle on the lot.

Matt Ginter stated that he does not require an applicant to provide a jurisdictional inquiry form. However, it is recommended that they do. Matt Ginter stated that if the Planning Board wished that he require a jurisdictional inquiry form to be provided in order to be placed onto the Planning Board's Agenda, then he would start doing so.

2. What improvements are existing the property?

- Access Drive?
- Holding Tanks?
- Electric?
- Structures?

DISCUSSION: Mr. Klueg stated that his ultimate intention is to build on the lot. Mr. Klueg stated that there is an existing access drive that is shared by the adjacent property owner and comes off of NYS Route 30 through lands regulated by the Hudson River Black River Regulating District (HRBRRD). Mr. Klueg stated that there is also an existing septic tank and leachate pipe on the property. However, it is undetermined as to its usefulness at this time. Mr. Klueg stated that there is also an existing power pole located in the NYSDOT right-of-way. Matt Ginter stated that, regarding the existing septic tank, he would determine that the existing septic tank would be deemed as non-usable due to the fact that the applicant would not be able to provide him with a sound description of what the tank consists of or year installed etc. Matt Ginter stated that the applicant would need to hire an engineer in order to certify the tank. Matt Ginter stated that his interpretation is that the tank is non-existent. Member Naples asked what Mr. Klueg would do regarding septic? Mr. Klueg stated that he does not believe that he would use or require septic. Mr. Klueg stated that he has spent a few days at the site already and no septic was needed. Member Naples stated it is the responsibility of the Planning Board to make sure that adequate septic concerns are addressed. Planning Board members furthered a discussion regarding the method of waste disposal. Mr. Klueg determined that if he should put a camper or recreational vehicle on the site, that he would simply utilize either an external holding tank that would be removed offsite and waste disposed thereof or he would remove the waste via the holding tank within the RV or camper and dispose of the waste offsite that way. Member Naples questioned whether or not there was a well on the property. Mr. Klueg stated that he does believe that there is a well on the property due to the fact that there is piping.

3. The Application for Temporary Use Form requests a description of the camper/travel trailer. The applicant has indicated "TBD". The Planning Board should request an explanation.

DISCUSSION: Chairman Smith asked Mr. Klueg for a description of the camper. Chairman Smith acknowledged that, given the information provided thus far, and given the fact that Mr. Klueg has not currently purchased a camper or travel trailer, that this question could remain open at this time.

## **START OF PERMITTED TEMPORARY USE PROCEDURE**

Subject to the specific regulations and time limits that follow, and to the other applicable regulations of the district in which the use is permitted, the following temporary uses of land are permitted following the issuance of a Temporary Use Permit:

### 1. Recreational Vehicles on Undeveloped Lots

*RECREATIONAL VEHICLE (RV): Any portable vehicle or structure which is designed to be self propelled or permanently towable on its own wheels (sometimes referred to as a “fifth-wheel” or “tow-behind”); which is designed and intended to be used for temporary living quarters for travel, recreational or vacation purposes.*

*UNDEVELOPED LOT: Land that is generally in its natural state before development. For purposes of this definition, some clearing of natural vegetation may have occurred on an undeveloped lot.*

(a) Notwithstanding the Town’s “Ordinance for the Regulation of Mobile Homes and Mobile Home Parks and Travel Trailers and Trailer Camps”, a recreational vehicle (RV), as defined by this Law in Article XVI, Definitions, and meeting the requirements of this Section C, may be used for recreational or temporary housing purposes on an undeveloped lot unless it is located within the boundary of the Sacandaga Park Neighborhood Conservation Overlay District.

(b) A limit of one (1) recreational vehicle shall be permitted on an undeveloped lot for a period of up to 90 days within a calendar year, except that no recreational vehicle shall be permitted on an undeveloped lot within the boundary of the Sacandaga Park Neighborhood Conservation Overlay District.

(c) A Temporary Use Permit for the temporary use of a recreational vehicle as described in this section shall be issued by the Planning Board. In considering a Temporary Use Permit application, the Planning Board may take into consideration the following:

- (1) Location of the lot and the recreational vehicle in relation to adjacent lots.

DISCUSSION: Chairman Smith asked Mr. Klueg what his intentions regarding the location of a future RV on the site would be located. Mr. Klueg stated that he would place the RV or camper in the direct center of the lot.

(2) Access to electrical connections or use of a generator.

DISCUSSION: Chairman Smith acknowledged that Mr. Klueg had identified that there was an existing electrical pole in the NYSDOT right-of-way that once serviced the former structure on the property. Chairman Smith asked Mr. Klueg what he would do regarding electrical power if needed. Mr. Klueg stated that he would have the service at the pole reinstated for his use. Member Naples asked Mr. Klueg if he would ever use a generator. Mr. Klueg stated that he will not use a generator. He would utilize the electrical service at the pole.

(3) Method of waste disposal.

DISCUSSION:

(4) Input from adjacent land owners.

DISCUSSION: Chairman Smith asked if there was any input from adjacent landowners to date? Matt Ginter stated that he has not received any input from adjacent landowners at this time.

(5) Other concerns.

DISCUSSION:

### C. State Environmental Quality Review

The Fulton County Planning Department has reviewed the applicants submitted Part 1 of the Short EAF and is recommending that the following actions be taken:

1. The applicant should amend Part I of the Short EAF question #2 to indicate that the project is subject to APA Approval due to the fact that the property is located within 150 feet of the edge of the right-of-way of NYS Route 30 being a statutory critical environmental area pursuant to Subsection 810 of the Adirondack Park Agency Act. Any new land use or development within a critical environmental area requires a permit from the APA.

DISCUSSION: Chairman Smith reviewed Item #1 as outlined within the Agenda. Scott Henze stated that he would amend the applicant's Short Environmental Assessment Form to identify that APA approval may be required due to the property being within 150' of the edge of the right-of-way as identified within the Agenda. Mr. Klueg agreed.

2. The applicant should amend Part I of the Short EAF question #7 to indicate that the project is located within a state listed Critical Environmental Area as identified within #1 above.

DISCUSSION: Scott Henze stated that he would amend the applicant's Short EAF indicating that, based upon Item #1 above, the property is located within a statutory critical environmental area. Mr. Klueg agreed.

3. The applicant should clarify question #11 "Will the proposed action connect to an existing wastewater utilities?"

DISCUSSION: Scott Henze stated that Question #11 indicates that the applicant has stated that he might connect to an existing septic. However, based upon the discussions tonight, this item should be a "no." Mr. Klueg agreed.

- The Fulton County Planning Department has reviewed the proposed temporary use in reference to 6NYCRR Part 617 SEQRA and is recommending that the Planning Board classify the action as an Unlisted Action under SEQRA, propose itself to act as the Lead Agency to perform a Coordinated Review of the proposed action.
- The Fulton County Planning Department is recommending that the following Agencies be Coordinated with:
  1. NYS Department of Transportation.
  2. NYS Department of Environmental Conservation.
  3. NYS Adirondack Park Agency.

DISCUSSION:

MOTION: To classify the action of issuing a Temporary Use Permit as an Unlisted Action under 6NYCRR Part 617 State Environmental Quality Review and to propose that the Planning Board act as the Lead Agency to perform a Coordinated Review and to coordinate with the following involved agencies; NYS Adirondack Park Agency, NYS Department of Environmental Conservation and NYS Department of Transportation.

MADE BY: Member Conkling  
SECONDED: Member Anderson  
VOTE: 5 in favor, 0 opposed

#### **IV. FULTON COUNTY DEVELOPMENT STRATEGY:**

##### A. Scope of Work:

- See Handout.

##### B. What will be needed from the Town of Northampton:

1. Identify/formulate & endorse an economic development project within the Town to be included within the Fulton County Development Strategy. A potential project may include:

➤ Sacandaga Park WWTF Update

- Update existing/construct new WWTF to service:
  - a. Existing Sacandaga Park area connected to existing WWTF
  - b. Extend along NYS Route 30 servicing properties within:
    - i. Hamlet Mixed Use District
    - ii. Business Development District
    - iii. Medium Density Residential District
    - iv. Mixed Use District
  - c. Extend into Village of Northville along:
    - i. Bridge Street
    - ii. Main Street

➤ Broadband Initiative

DISCUSSION: Scott Henze stated that, based upon the preliminary introduction of the Fulton County Development Strategy during the April meeting, he has drafted a map to illustrate what the intentions of the project would include the extending of the municipal sewer infrastructure down NYS Route 30 in order to service the zone Business Development and Mixed Used Area of the Town. Scott Henze stated that it was also discussed that the sewer infrastructure would be extended north along NYS Route 30 outside of the Sacandaga Park and across the Northville Bridge along Bridge Street and along Main Street in the Village of Northville. Scott Henze stated that he is working with the Village of Northville's Comprehensive Plan

Committee and one of the recommendations is to research the feasibility of sewer infrastructure along Bridge and Main Streets primarily being the commercial areas of the Village. Planning Board members reviewed the map provided and agreed that this is acceptable. Scott Henze stated that he would like to continue with further discussion on the mixed use area along NYS Route 30 or better known as the Red Barn Airport lot. Scott Henze stated that this particular lot was zoned as mixed use that would allow for a multitude of uses to include residential, commercial, light manufacturing, etc. Scott Henze stated that he recalls both the Comprehensive Plan and when the Town was undertaking their revised zoning, that this particular site was identified as a good potential for a mix of uses due to its size. Scott Henze stated that if he recalls this site on either side of NYS Route 30 is around 200 acres in size. Scott Henze stated that, as part of this particular project to be identified within the Fulton County Development Strategy, asked the Planning Board whether or not they would also like to include the mixed use site within the Strategy. Planning Board members agreed that the extension of water and sewer along NYS Route 30 to service the only viable commercial areas within the Town to extend down to the area zoned as mixed use to include the mixed use project property would be a beneficial project to identify within the Fulton County Development Strategy. Scott Henze stated that, during the next meeting, he would come prepared with a large map illustrating the mixed use area, as well as some more details regarding the proposed development of the site. Scott Henze stated that he will provide information regarding wetlands, soils, topography etc. of the site whereby the Planning Board could then start laying out the site for a proposed development of mixed uses to be included within the Strategy. Scott Henze asked Planning Board members to just think about what the types of uses they feel would be beneficial on the site as well as thinking about a potential layout of the site.

## **V. CODE ENFORCEMENT REPORT:**

Matt Ginter stated that he has received some preliminary information regarding a potential major subdivision of a lot along Sinclair Point, better known as the Sinclair Mansion, whereby half of the property is located in the Town of Edinburg and half in the Town of Northampton. Member Conkling stated that he would be attending an upcoming APA conference. Member Conkling stated that the Sacandaga Task Force for Senior Living has recently completed a SMART Growth Grant Request for the property along First Street in the Village whereby the grant award announcements would be provided at the APA conference. Member Conkling stated that the Sacandaga Task Force for Senior Living has also been working with Pat Stone to look at various lots and properties within the Village for senior housing. Recently, representatives of Pat Stone have visited the Village and found that the interest in the existing hotel and oval office site in the Village. Member Conkling stated that Pat Stone

is looking into the development of 40 units at this site, primarily for senior housing but also mixed housing uses such as assisted living, as well as other residential uses.

**VI. OTHER BUSINESS:**

Member Naples stated that he recently attended a solar conference at FMCC. Member Naples stated that it is his understanding that several residents in the Town have been receiving requests from solar companies to lease their land to put up solar arrays. Member Naples questioned what the Town of Northampton should do with this situation. Matt Ginter stated that he has heard from others that these solar companies are seeking leases from large parcel owners and are indicating that they would pay up to \$1,500 per acre to lease their properties. Matt Ginter referenced a recent conversation with a person who discussed this with a solar company and stated that after everything was discussed, these solar companies are being misleading with property owners.

**VII. CLOSE OF THE MEETING:**

MOTION: To close the meeting at \_\_\_\_ p.m.

MADE BY: Member Conkling

SECONDED: Member Naples

VOTE: 5 in favor, 0 opposed