

**TOWN OF NORTHAMPTON PLANNING BOARD
MAY 10, 2016
7:00 P.M.
TOWN HALL**

MEETING NOTES

PRESENT:

**ROBERT SMITH, CHAIRMAN (via Facetime 655 Luisa Lane #4 Naples
FL 34104)**

**STEVEN NAPLE
JACK GROFF
BOB ANDERSON**

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

OTHERS:

**PETER AND RHONDA CUCCHI
STEVEN G. DE NIGRIS, ATTORNEY TO CUCCI
PAT CHERKO
CHRIS FOSS**

(Due to technology difficulties, Planning Board members requested Scott Henze, Fulton County Planning Department, to conduct the meeting.)

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:58 p.m.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the April 12, 2016 meeting.

MADE BY: Bob Smith
SECONDED: Bob Anderson
VOTE: 4 in favor, 0 opposed

III. CHRISTIAN & MEGAN KLUEG TEMPORARY USE PERMIT CONT'D:

A. Background:

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.

During the April 12, 2016 meeting, the following items were discussed:

1. Method of Waste Disposal - Applicant noted that there is some form of existing septic system on the site however it is unknown what condition it is in. The applicant agreed that the method of waste disposal will be to transport offsite.
2. Electric - Applicant noted that there is an existing power pole located in the NYS DOT ROW that would service the site. Applicant acknowledged that the power pole would be utilized for electric service.
3. Access Drive - Applicant acknowledged that there is an existing access drive that is utilized by the adjacent landowner and is located on HRBRRD property. This access drive would be utilized.
4. RV - Applicant does not know what kind of RV would be placed on the lot however acknowledged that it would be located in the center of the lot.
5. JIF - Applicant acknowledged that a JIF was submitted to the APA for the construction of a single family residence but not for the placement of an RV on the site.

DISCUSSION: Scott Henze stated that, for the benefit of the Planning Board, he has included background information that was discussed with the applicant during the April 12th meeting. Planning Board members reviewed the background information identified within the Agenda.

B. Review Cont'd:

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.

➤ **Does the Planning Board have additional questions?**

DISCUSSION: Planning Board members had no further questions.

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

➤ **Does the Planning Board have additional questions?**

DISCUSSION: Planning Board members had no further questions.

(3) Method of waste disposal.

➤ **Does the Planning Board have additional questions?**

DISCUSSION: Member Naple stated that he is concerned with the applicant's lack of identifying a particular type of camper or recreational vehicle. Member Naple questioned whether or not the intended RV would have an internal waste tank or not. Planning Board members agreed that this would be an important item for them to consider issuing this temporary use permit.

(4) Input from adjacent land owners.

➤ **Does the Planning Board have additional questions?**

DISCUSSION: The Planning Board had no further questions.

(5) Other concerns.

DISCUSSION: The Planning Board had no further questions.

C. State Environmental Quality Review Cont'd

During the April 12, 2016 meeting, the following SEQR action was taken:

- The Planning Board reviewed the proposed temporary use in reference to 6NYCRR Part 617 SEQRA and classified the action as an Unlisted Action under SEQRA, proposed itself to act as the Lead Agency and to perform a Coordinated Review of the proposed action with the following interested agencies:
 1. NYS Department of Transportation.
 2. NYS Department of Environmental Conservation.
 3. NYS Adirondack Park Agency.
- On April 19, 2016 the NYS Department of Environmental Conservation responded agreeing to the Planning Board acting as the Lead Agency.
- On April 21, 2016 the NYS Adirondack Park Agency responded agreeing to the Planning Board acting as the Lead Agency.
- NYS Department of Transportation did not respond therefore agrees to the Planning Board acting as the lead agency.

➤ The Planning may now complete SEQR. The Fulton County Planning Department recommends the following actions be taken:

1. Designate the Planning Board as the Lead Agency.
2. Issue A Determination of Significance.

MOTION: To designate the Planning Board as the Lead Agency under 6NYCRR Part 617 State Environmental Quality Review and to authorize the Fulton County Planning Department to prepare Part 2 of the short EAF and to prepare Part 3 issuing a negative declaration on the boards behalf.

MADE BY: Member Anderson
SECONDED: Member Smith
VOTE: 4 in favor, 0 opposed

D. Take Action on Application for Temporary Use Permit

DISCUSSION: Planning Board members agreed that they would need to know whether or not the proposed RV would have an internal wastewater holding tank or not. Planning Board members felt as though this would be an important consideration in issuing this permit and, at this time, agreed to table any further action until this information has been provided by the applicant. Planning Board members asked Scott Henze to send a letter to the applicant requesting information on the RV the applicant proposes to utilize on the site.

MOTION: To _____ a Permitted Temporary Use Permit as per Article X (C) Permitted Temporary Uses Requiring a Zoning Permit to Christian and Megan Klueg on property they own identified as 17.2-1-28 and having the following reservations:

1. Timeframe: June 1-August 31, 2016
2. Remove Recreational Vehicle off-site upon expiration of Permit. Recreational Vehicle is not to be stored on tax parcel 17.2-1-28.
- 3.

MADE BY:
SECONDED:
VOTE:

IV. RHONDA & PETER CUCCHI TEMPORARY USE PERMIT:

A. Background:

Rhonda & Peter Cucchi own a .25+/- acre parcel 17.2-1-1 along NYS Route 30.

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

B. Documentation Submitted/Other:

The applicant submitted the following materials:

1. Town of Northampton Application for Temporary Use Permit.
2. A section of a copy of a Tax Map or survey map identifying the lot, the location of a deck and a camper trailer.
3. Copy of Warranty Deed dated September 7, 2012.
4. Completed Short EAF

DISCUSSION: Scott Henze reviewed the background and documentation submitted as outlined within the Agenda. Matt Ginter, CEO, stated that the deck identified on the copy of the section of the tax map or survey map no longer exists and has been removed from the site. Mr. Cucchi agreed that that particular deck had been removed.

E. 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: Scott Henze asked Mr. Cucchi whether or not he submitted a jurisdictional inquiry form (JIF) to the APA for the placement of a Recreational Vehicle on his property? Mr. Cucchi stated that he did not submit a JIF to the APA for this temporary use permit. Matt Ginter questioned whether or not Mr. Cucchi could utilize the previous JIF that was submitted. Matt Ginter indicated that he believes that a non-jurisdictional determination was made.

2. What improvements are existing the property?

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

DISCUSSION: Scott Henze asked Mr. Cucchi to state what existing improvements were on the property referencing the list identified within the Agenda. Mr. Cucchi stated that the only improvement that are on the property is a stairway that goes down the hill to the beach area. Matt Ginter stated that the stairway is technically below the 100 S.F. threshold that is considered as a structure by the APA.

Scott Henze asked Mr. Cucchi whether or not there was an existing access drive? Mr. Cucchi stated that there is an existing access drive that is utilized.

Scott Henze asked Mr. Cucchi whether or not there is an existing electric power pole on the site? Mr. Cucchi confirmed that there was an existing electric power pole and that the RV is powered by it.

Scott Henze asked Mr. Cucchi if there were any holding tanks for water or wastewater? Mr. Cucchi stated that there is one (1) holding tank that is located on the property adjacent to his. Mr. Cucchi stated that they do not utilize that holding tank.

Scott Henze asked Mr. Cucchi whether or not there is an existing well on the site? Mr. Cucchi stated that they share water with the property next door.

Scott Henze asked Planning Board members whether or not there were any additional questions regarding existing improvements on the property? Planning Board members had no further questions.

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:

2. 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: Scott Henze referenced the submitted copy of the Tax Map or survey map which identifies the location of the camper trailer. Scott Henze asked Planning Board members whether or not the location of the RV was adequate? Planning Board members found that the proposed location of the RV is satisfactory.

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

DISCUSSION: Scott Henze identified that Mr. Cucchi would be utilizing the electric from an existing power pole.

(3) Method of waste disposal.

DISCUSSION: Scott Henze asked Mr. Cucchi how he would dispose of waste on the site? Mr. Cucchi stated that his RV has a holding tank whereby it is pumped by DeJong. Member Naple asked Mr. Cucchi whether or not the tank that he was referring to is the tank that is located within the trailer? Mr. Cucchi confirmed that the tank to be pumped is the wastewater holding tank within the trailer.

(4) Input from adjacent land owners.

DISCUSSION: Scott Henze asked Matt Ginter whether or not that he has been provided with any input from adjacent landowners. Matt Ginter stated that he has not received any correspondence to date.

(5) Other concerns.

DISCUSSION: Member Naple stated that he has driven past Mr. Cucchi's property recently and noticed that the access drive to the property is relatively steep in nature. Member Naple asked Mr. Cucchi whether or not he would have the ability to remove the RV in and out of the site once the timeframe of the temporary use permit has expired? Mr. Cucchi stated that he would be able to remove the RV from the site once the permit has expired.

Scott Henze stated that Mr. Cucchi's application identifies a request for the temporary use permit between the dates of June 1st and August 31st. Scott Henze stated that, due to the fact that the Planning Board will be required to perform a State Environmental Quality Review (SEQR) on this project, there would be no decision that would be able to be made by the Planning Board until the next Planning Board meeting to be held on Tuesday, June 14th. Mr. Cucchi asked the Planning Board to clarify that the Planning Board would not be able to make a decision tonight. Scott Henze stated that a coordinated SEQR Review will be required for this project and the Planning Board would coordinate its review with the NYS Department of Transportation (NYSDOT), NYS Department of Environmental Conservation (NYSDEC) and the New York State Adirondack Park Agency (APA). Scott Henze stated that those agencies have thirty (30) days to respond to the Planning Board's proposal to act as the Lead Agency. Scott Henze stated that, during the June meeting, the dates for requesting the temporary use permit would need to be changed. Mr. Cucchi stated that, during the next meeting, alternate dates can be set. Matt Ginter stated that he is not as strict on the dates identified within the permit and usually allows a couple days of leeway.

F. State Environmental Quality Review

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: Scott Henze asked the Planning Board whether or not there were any other agencies that they would like to coordinated the SEQR Review with? Planning Board members had no further comments.

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 Department of Transportation, NYS Department of Environmental Conservation and NYS Adirondack Park Agency.

MADE BY: Member Anderson
SECONDED: Member Groff
VOTE 4 in favor, 0 opposed :

V. PATRICK & ALICE CHERKO TEMPORARY USE PERMIT:

A. Background:

Patrick & Alice Cherko own a .52+/- acre parcel (75.20-2-2) at Circle Road that is accessed via County Highway 110.

The property is located within the Medium Density Residential Zoning District and located within the APA Moderate Intensity land use area.

The property does not directly front HRBRRD lands.

B. Documentation Submitted/Other:

The applicant submitted the following materials:

1. Town of Northampton Application for Temporary Use Permit.
2. Copy of a Tax Map identifying the lot and approximate location of the proposed RV to be placed on the lot.
3. Copy of Warranty Deed dated January 31, 1977.
4. Completed Short EAF
5. APA Jurisdictional Determination J2016-0273 (non-jurisdictional)

DISCUSSION: Scott Henze reviewed the background and documentation submitted as outlined within the Agenda. Scott Henze asked Planning Board members whether or not they had any comments regarding the background or documentation that has been submitted? Planning Board members had no comments.

G. 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:

3. What improvements are existing the property?

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

DISCUSSION: Scott Henze asked Mr. Cherko what improvements are existing on the property, such as access drive, holding tanks, water well, electric and other structures? Mr. Cherko stated that he owns three (3) of the four (4) adjacent lots in the general vicinity. Mr. Cherko stated that a well is on one (1) of those properties that he utilizes. Mr. Cherko stated that his trailer has an existing wastewater reservoir within it. Mr. Cherko stated that the wastewater would be transported to a neighboring septic system. Mr. Cherko identified that there was an existing access drive on the site, as well as existing electric. Scott Henze asked Planning Board members whether or not they had any further questions regarding what existing structures were on the property? Planning Board members had no comments.

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:

3. 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: Scott Henze stated that Mr. Cherko had provided a copy of a tax map and hand drew the location of the RV on the particular lot. Scott Henze asked Mr. Cherko to identify what lots he owns as illustrated on the tax map. Mr. Cherko stated that he owns five (5) lots

in the general vicinity identified as Lot 59, Lot 58, Lot 57, Lot 54 and Lot 35 as identified on the copy of the tax map provided. Mr. Cherko stated the only lot that he does not own is the lot directly to the south of Lot 56.

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

DISCUSSION: Scott Henze identified that Mr. Cherko stated that he would be utilizing an existing electric power pole on the site for his electric services.

(3) Method of waste disposal.

DISCUSSION: Scott Henze identified that Mr. Cherko has indicated that he would be utilizing his existing wastewater tank within his camper and removing said wastewater to a septic system.

(4) Input from adjacent land owners.

DISCUSSION: Scott Henze asked Matt Giner whether or not he had been provided with any input from adjacent property owners? Matt Ginter stated that he has not received any input to date.

(5) Other concerns.

DISCUSSION: Member Groff asked Mr. Cherko what the dimensions of his trailer were? Mr. Cherko stated that it is roughly 8' wide by 39' long.

Member Naple asked Mr. Cherko what he would do with the trailer once his temporary use permit has expired? Mr. Cherko indicated that his mother lives on one (1) of the adjacent lots. Mr. Cherko stated that he would be able to move the camper to her property. Matt Ginter confirmed that if the camper was stored on his mother's property being a single-family residence, it would simply become an accessory which is allowed under the Zoning Regulations.

H. State Environmental Quality Review

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:

4. NYS Department of Environmental Conservation.
5. NYS Adirondack Park Agency.

DISCUSSION: Steve Naple questioned whether or not a SEQR Review would be necessary for this particular application since Mr. Cherko submitted a JIF to the APA and the response the jurisdictional determination dated May 9, 2016 #J2016-0273 indicated that the proposed travel trailer does not require permit from the Agency. Planning Board members discussed what the NYSDEC would be looking at given the fact that there is no existing well or septic on the property. Planning Board members could not identify any other involved agencies to coordinate a SEQR review with. Upon further discussion, the Planning Board agreed to classify this particular action as a Type II Action.

MOTION: To classify the action of issuing a Temporary Use Permit as a Type II Action under 6NYCRR Part 617.5(c)(15) State Environmental Quality Review.

MADE BY: Member Naple
SECONDED: Member Anderson
VOTE: 4 in favor, 0 opposed

VI. F.M. SINCLAIRE, LLC SUBDIVISION:

A. Background:

- F.M. Sinclair, LLC owns a 200+/- acre parcel along Sinclair Road. The 200+/- acre parcel is comprised of the following:

Town of Northampton/Fulton County - SBL# 61.3-1-12

Town of Edinburg/Saratoga County - SBL# 106.18-1-1

- The majority of the parcel is located within the Town of Northampton/Fulton County.
- The portion of the 200+/- acre property proposed to be subdivided into five (5) lots is located within the Town of Northampton's Medium Density Residential Zoning District that requires a minimum lot area of 20,000 S.F. and total APA density of 1.3 acres per principal building.
- The portion of the 200+/- acre property proposed to be subdivided into five (5) lots is located within the Moderate Intensity APA Land Classification.

- The project received a Jurisdictional Determination (J2016-0059) dated February 16, 2016 from the APA. The determination was no APA permit or variance is required.

DISCUSSION: Scott Henze reviewed the background information as identified within the Agenda with Planning Board members. Scott Henze asked Planning Board members if there were any questions regarding the background information? Planning Board members had no further questions.

B. Subdivision Proposal:

The applicant is seeking to subdivide a portion of the 200+/-acre property into five (5) lots as follows:

- Lot #1** - 8.834+/- acres - Vacant lot to be conveyed for a future residential use.
- Lot #2** - 10.797+/- acres - Improved lot to be retained by property owner.
- Lot #3** - 3.678+/- acres - Vacant lot to be conveyed for a future residential use.
- Lot #4** - 3.691+/- acres - Vacant lot to be conveyed for a future residential use.
- Lot #5** - 3.587+/- acres - Vacant lot to be conveyed for a future residential use.

DISCUSSION: Scott Henze reviewed the subdivision proposal as outlined within the Agenda with Planning Board members. Scott Henze asked Chris Foss whether or not this information identified within the Agenda is accurate? Chris Foss agreed that the information as outlined is accurate.

C. Documentation Submitted/Other:

The applicant submitted the following other materials:

1. Town of Northampton Application for Subdivision form.
2. Proposed Subdivision Plat titled F.M. SINCLAIRE, LLC dated October 14, 2015 - Revised January 5 & March 23, 2016 drawn by Ferguson & Foss Professional Land Surveyors, PC.
3. APA Jurisdictional Determination J2016-0059 dated February 16, 2016
4. Completed Part 1 of Full EAF
5. Deed References

DISCUSSION: Scott Henze reviewed the documentation submitted as identified within the Agenda. Member Naple questioned where the remaining acreage is located as it is not identified on the provided map. Chris Foss stated that the remaining acreage is located on the opposite side of Sinclair Road. Member Naple stated that he would like to see the entire property outlined on the map. Planning Board members discussed including the entire 200-acre site on the map. Chris Foss stated that he could add the additional lands to the inset map which would provide a visualization of the entire property. Planning Board members felt as though this would be adequate. Chris Foss stated that he has not surveyed the additional lands on the opposite side of Sinclair Road due to the fact that that particular area of land is not being considered under the subdivision at this time. Chris Foss stated that if, in the future, the owner decides to subdivide the remaining lands on the opposite side of Sinclair Road, the APA would consider the entire subdivision to include the five (5) lots being proposed for that future subdivision at that time.

Steve Naple questioned why the subdivision application indicates five (5) lots when technically it should be six (6) with the addition of the remaining lands on the opposite side of Sinclair Road. It was agreed to change the number of lots to 6 within the application.

D. Subdivision Approval Procedure

1. Pre-Application Procedure

a. Pre-Application Meeting (Required for Major Subdivision)

- For applicant and Board to discuss a subdivision concept.
- Discuss SEQR.
- To determine if subdivision is major or minor.

DISCUSSION: Scott Henze stated that the Town of Northampton Subdivision Regulations are wide ranging and were drafted in a way for the Planning Board to review a wide variety of varying subdivision proposals. Scott Henze stated that the first step within the review of a subdivision is to look at a Resource Analysis. Scott Henze stated that, in this particular case, the applicant has already provided a survey of the proposed subdivision lots. Scott Henze stated that this particular application also is dealing with a predominantly open, vacant farm field area without significant stands of trees or rockout crops or other natural features. Member Naple asked Chris Foss whether or not he has looked to see if there were wetlands on the site? Chris Foss stated that, to his knowledge, there are no wetlands on the site. Upon further discussion, the Planning Board agreed that the information provided to date would satisfy the Resource Analysis.

b. Resource Analysis (Required for Major Subdivision)

- The required information to be included within the Resource Analysis is as follows:
1. The proposed subdivision name or identifying title, and the words “Town of Northampton, Fulton County, New York.”
 2. The name of the property owner(s) and the authorized applicant, if different from the property owner(s).
 3. Aerial map at a scale of 1” = 400’ or larger, showing the location of the proposed subdivision parcel with respect to all streets and property within 1,000 feet of the applicant’s parcel and superimposed with 10’ contours, NYSDEC wetlands, NWI wetlands, floodplains, streams, water bodies, NYSDEC Natural Heritage Program data, and public trails.
 4. A list including general location of features known to exist on the parcel including but not limited to historic buildings, stone walls, rock outcrops, significant trees and stands of trees, potential wildlife habitats and view sheds. This list is a preliminary step in identifying existing features and is subject to modification and interpretation of the reviewing bodies.
 5. Provide an 8½ x 11 soils map indicating if Prime and/or Statewide important soils, as defined by the Soil Survey of Fulton County New York, exist on the property.
 6. General subdivision information necessary to explain and/or supplement the Aerial Map.

DISCUSSION: The Planning Board determined that the information submitted to date satisfies the Resource Analysis.

c. Sketch Plan

- For applicant and Board to review and discuss the proposal and reach an agreement on requirements of Article VIII and to classify the subdivision as either Minor or Major.
- The required information to be included on a Sketch Plan is as follows:
 1. A vicinity map sketched at a scale of 2,000 feet to the inch, showing the relationship of the proposed subdivision to existing community facilities that serve it, such as roads, commercial areas, schools, etc. Such a sketch may be superimposed upon a United States Geological Survey Map of the area.
 2. A density calculation as outlined in Subsection F.3. Density Calculation.
 3. Sketch plan on a topographic survey of the proposed area to be subdivided showing, in simple sketch form, the proposed layout of streets, lots and other features.
 4. General subdivision information necessary to explain and/or supplement the vicinity map and sketch plan.

DISCUSSION: Scott Henze stated that, like the Resource Analysis, the applicant has provided a surveyed map that is of an appropriate scale. Scott Henze stated that he would recommend that the Planning Board should require that the density calculation be included on the revised plat map. Planning Board member agreed.

Member Naple asked Chris Foss whether or not there were any structures located to the north of the proposed subdivision site? Chris Foss stated that, to his recollection, there are not many, if any, structures that are located adjacent to the site.

- If the Planning Board deems the Sketch Plan is complete, the Board must classify the subdivision as either a Major or Minor Subdivision.

DISCUSSION:

MOTION: The Planning Board acknowledges that the F.M. SINCLAIRE, LLC 6-lot subdivision to be a **Major** subdivision under Article VIII.

MADE BY: Member Smith
SECONDED: Member Anderson
VOTE: 4 in favor, 0 opposed

- SEQR - The Planning Board must initiate SEQR upon completion of the sketch plan phase of the Pre-Application process, and when a Preliminary Plat application is determined to be complete. SEQR shall be completed prior to approval of the Preliminary Plat.
 - The Fulton County Planning Department has reviewed the request. It is recommended that the Planning Board classify the action as a Unlisted Action, propose to act as the Lead Agency and perform a Coordinated Review with the following interested agencies:
 - Town of Edinburg
 - NYS Adirondack Park Agency
 - NYS Department of Environmental Conservation
 - NYS Department of Health
 - NYS Office of Parks, Recreation & Historic Preservation

DISCUSSION: Scott Henze stated that, upon his initial review of the subdivision application, he has identified a list of potential Involved and Interested Agencies for SEQR. Scott Henze reviewed the list with Planning Board members and asked whether or not they felt as though the list should be modified or amended. Planning Board members agreed that the list provided is complete.

Matt Ginter stated that a part of this subdivision is located within the Town of Edinburg, Saratoga County. Matt Ginter stated that the Town of Edinburg Planning Board will be performing a lot line adjustment in conjunction with the Town of Northampton Planning Board's review of the subdivision. Matt Ginter stated that, from his understanding, the Town of Edinburg is not interested in becoming the Lead Agency under SEQR for this project. Matt Ginter stated that the Town of Edinburg understands that the Town of Northampton has the greatest authority over this particular subdivision given the fact that the majority of the land, as well as the access road and, most likely, the majority of houses to be built on the lands will occur in the Town of Northampton.

(The Planning Board determined to hold off on starting a SEQR coordinated review until additional information was provided on the subdivision plat)

MOTION: To classify the F.M. Sinclair, LLC major subdivision of lands as an Unlisted action under 6NYCRR Part 617 State Environmental Quality Review and to propose that the Planning Board act as the lead

agency and to coordinate the review with the Town of Edinburg, NYS Adirondack Park Agency and the NYS Department of Environmental Conservation, NYS Department of Health and NYS Office of Parks, Recreation and Historic Preservation.

MADE BY:
SECONDED:
VOTE:

End Sketch Plan Procedures

Start of Major Subdivision Preliminary Plat Procedures

E. Major Subdivision - Preliminary Plat

1. Application Procedure

Prior to filing an application for the approval of a plat, the applicant shall file an application for the approval of a preliminary plat. The application shall:

- a. Be made on forms available at the office of the Code Enforcement Officer.
- b. Include all land that the applicant proposes to subdivide.
- c. Be accompanied by an original and 7 copies of the preliminary plat and supplementary material described in Subsection G(7), Preliminary Plat of these regulations.
- d. Comply in all respects with the requirements specified in Subsection F, General Requirements and Design Standards of these regulations and with the provisions of Section 276 and Section 277 of New York State Town Law.
- e. Be submitted to the Clerk of the Planning Board.
- f. Be accompanied by fees as specified by the Town Fee schedule.

2. Required Data and Documents - Preliminary Plat

- *The Planning Board should review the Preliminary Plat requirements (page 110) with the applicant at this time. The Planning Board should*

indicate what requirements will be required (Comply), what requirements will be waived (Waive) or what requirements have been met (Accepted).

(a) Data required by Subsection G.2. General Requirements:

- A NYS Licensed Land Surveyor shall be required for all subdivision plats. ~~(Comply)~~ ~~(Waive)~~ (Accepted)

DISCUSSION: Scott Henze informed Chris Foss that the Planning Board will review all of the preliminary and final plat data and documents that are outlined within the Agenda. Scott Henze stated that the Planning Board would discuss each item and identify whether they feel as though the project will have to comply or whether or not those particular data sets could be waived or, lastly, whether or not the data that has been provided is accepted. Scott Henze stated that, upon the completion of identifying the required data and documents with the preliminary and final plat, he would draft a letter indicating what particular data sets will be required to be submitted within the preliminary plat. Chris Foss stated that that would be beneficial for him.

- A NYS Licensed Engineer shall be required for all Major subdivision plats. ~~(Comply)~~ (Waive) ~~(Accepted)~~
 - Sketch plans and plats shall be clearly and legibly drawn at an adequate scale to show detail from 1"=50' to 1"=200' for parcels under 100 acres; and 1"=200' for parcels of 100 acres or more. (Comply) ~~(Waive)~~ ~~(Accepted)~~
- (b) The name of the property owner(s) and the authorized applicant, if different from the property owner(s). ~~(Comply)~~ ~~(Waive)~~ (Accepted)
- (c) Tax number of all parcels to be subdivided. ~~(Comply)~~ ~~(Waive)~~ (Accepted)
- (d) Location, bearings and distances of trace boundary including georeferencing information or latitude and longitude coordinates of the plat as available. ~~(Comply)~~ ~~(Waive)~~ (Accepted)
- (e) A vicinity map sketched at a scale of 2,000 feet to the inch, showing the relationship of the proposed subdivision to existing community facilities that serve it, such as roads, commercial areas, schools, etc. Such a sketch may be

superimposed upon a United States Geological Survey Map of the area. ~~(Comply)~~ ~~(Waive)~~ (Accepted)

- (f) Topography at a contour interval of not more than 10 feet, unless waived by the Planning Board and referred to a datum satisfactory to the Board. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (g) The names of property owners within 200 feet of the property boundary, including those adjoining and those across roads fronting the proposed development. If the proposed development property is within an agricultural district containing a farm operation or within 500 feet of a farm operation located in an agricultural district, the applicant shall complete an Agricultural Data statement, in accordance with NYS Agriculture District Law, which shall contain the name and address of the applicant, a description of the proposed project and its location, and the name and address of all property owners within 500 feet of the property boundary. ~~(Comply)~~ ~~(Waive)~~ (Accepted)
- (h) Location, name and dimensions of existing streets, easements, deed restrictions, zoning district boundaries, property lines, buildings, parks and public properties. ~~(Comply)~~ ~~(Waive)~~ (Accepted)
- (i) Location of existing sewers, water mains, culverts and storm drains, if any, including pipe sizes, grades and direction of flow. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (j) Location of pertinent natural and other features such as watercourses, wetlands, floodplains, rock outcrops, stone walls, agricultural district lands, contiguous forest, and single trees 15" or more in diameter (dbh) as measured 4 feet above the base of the trunk. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (k) Location, width and approximate grade of all proposed streets with approximate elevations shown at the beginning and end of each street, at street intersections and at all points where there is a decided change in the slope or direction. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (l) Proposed provision of sanitary waste disposal, water supply, fire protection, stormwater drainage, street trees, streetlight

fixtures, street signs and sidewalks.) ~~(Comply)~~ (Waive)
~~(Accepted)~~

- (m) Lot lines of all proposed or existing lots, and suggested building envelopes. (Comply) ~~(Waive)~~ ~~(Accepted)~~
- (n) Conceptual future plans for the parcel, if any. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (o) Location and approximate dimensions of all property proposed to be reserved for park or public uses. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (p) A copy of the Adirondack Park Agency response to either a Jurisdiction Inquiry Form or permit application (as applicable). ~~(Comply)~~ ~~(Waive)~~ (Accepted)
- (q) Information on all other County and State permits required for subdivision plat approval. ~~(Comply)~~ ~~(Waive)~~ (Accepted)
- (r) A written statement of any requests for specific waivers of requirements by the Planning Board. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (s) Other data which must be available for consideration of the subdivision at this stage.

- Soils Perc Test on each Lot in location of proposed building site.

DISCUSSION: Scott Henze stated that the only other item that he feels as though may be pertinent to include is a Soils Percolation Test on each lot. Scott Henze stated that by including the Soils Percolation Test on each lot, it confirms that each lot does have adequate soils for building. Chris Foss stated that he has done soils percolation tests. However, the only issue is that, at this time, there are no specific housing plans and the soils percolation would most likely occur in the direct vicinity of the proposed house location. Matt Ginter confirmed Chris Foss' comment and stated that Soils Percolation Tests should occur directly in the location of the proposed house. Chris Foss stated that he could perform the Soils Percolation Tests. However, any developer, engineer or architect would perform their own Soils Percolation Tests to verify the initial one (1) that he performed anyways. Upon further discussion, the Planning Board decided not to require a Soils Percolation Test at this time and acknowledged that given the site location, the soils should be adequate and

that a soil percolation test would be performed at a later date once buildings were proposed on the site. It was noted that the CEO would require these tests to be performed prior to issuing a building permit.

3. Required Data and Documents - Final Plat

- *The Planning Board should review the Final Plat requirements (page 112) with the applicant at this time. The Planning Board should indicate what requirements will be required (Comply), what requirements will be waived (Waive) or what requirements have been met (Accepted).*

The plat submitted to the Board shall show or be accompanied by the following information:

- (a) Data required by Subsection G.2., General Requirements and Subsection G.7., Preliminary Plat, subsections (b) through (s).
- (b) Location, width and name of each proposed street and typical cross sections showing street pavement and, where required, curbs, gutters and sidewalks. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (c) Lengths and deflection angles of all straight lines and radii: length, central angles, chords and tangent distances of all curves for each street proposed. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (d) Profiles showing existing and proposed elevations along the center line of all proposed streets and the elevations of existing streets for a distance of 100 feet either side of their intersection with a proposed street. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (e) Present elevations of all proposed streets shown every 100 feet at 5 points on a line at right angles to the center line of the street, said elevation points being indicated at the center line of the street, each property line and points 30 feet inside each property line (only when required by the Board because of the existence of steep slopes). ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (f) Setback lines. (Comply) ~~(Waive)~~ ~~(Accepted)~~
- (g) Location, size and invert elevations of existing and proposed stormwater drains and sanitary sewers; the exact location of utilities and fire hydrants. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (h) Location of any existing wells onsite and other proposed lot wells and individual water supply system details such as

pumps, storage, treatment, controls, etc. (Comply) (Waive) (Accepted)

- (i) Location of street trees, street lighting standards and street signs. (Comply) (Waive) (Accepted)
- (j) Areas of all lots in hundredths of an acre; lots numbers as directed by the Town Assessor; and location, material and size of all permanent monuments. (Comply) (Waive) (Accepted)
- (k) Accurate location of all property to be offered for dedication for public use, with the purpose indicated thereon, and of all property to be reserved by deed covenant for the common use of the property owners of the subdivision. (Comply) (Waive) (Accepted)
- (l) Sufficient data, acceptable to the Highway Superintendent, to readily determine the location, bearing and length of all street, lot and boundary lines and to reproduce such lines upon the ground. (Comply) (Waive) (Accepted)
- (m) Necessary agreements in connection with required easements or releases. (Comply) (Waive) (Accepted)
- (n) Formal offers of cession to the Town of all streets and public parks. (Comply) (Waive) (Accepted)

DISCUSSION: Member Naple asked Chris Foss whether or not there was a lot that would not be built upon? Chris Foss stated that, although he does not know at this time, he believes that his client will be selling each individual lot and all lots will be built upon.

Matt Ginter stated that he would like the Planning Board to require some language to be identified on the plat that the portions of each lot located within both the Town of Northampton and the Town of Edinburg be considered as one (1) singular lot, therefore, only one (1) principle building would be able to be constructed on that lot either located in the Town of Edinburg or the Town of Northampton. Chris Foss agreed that he could add language stating this fact.

Member Naple asked Chris Foss whether or not the proposed Lot 2 could be included with the remaining lands on the opposite side of Sinclair Road? Chris Foss stated that it is possible. However, the intentions of his client is to separate the lots at this time.

General Requirements and Design Standards for Subdivisions:

The Planning Board should review the General Subdivision Requirements and Design Standards (page 97) with the applicant at this time. The Planning Board should indicate what requirements will be applicable to the application and what will not. For those that will be applicable, the Planning Board should indicate what will be required.

- (4) Minimum Lot Standards
- (5) Streets (to include Private Roads)
- (6) Blocks
- (7) Driveways
- (8) Preservation of Open Space
- (9) Reservations and Dedications

DISCUSSION: Scott Henze stated that identified within the Agenda are additional design standards for subdivisions to include minimum lot standards, streets, blocks, driveways, Preservation of Open Space, Reservations and Dedications, etc. Scott Henze asked Matt Ginter to confirm that all of the proposed minimum lot sizes are acceptable under the design standards. Matt Ginter confirmed that this was accurate. Scott Henze stated that since there are no private streets within the proposed subdivision, those design standards can be waived. Scott Henze stated that all other general requirements and design standards identified can also be waived as they are not subject to this particular subdivision.

VII. CODE ENFORCEMENT REPORT:

VIII. OTHER BUSINESS:

Member Naple discussed the lack of solar farm regulations within the Town of Northampton. Member Naple indicated that many Town residents are receiving proposals from various solar companies to lease their lands for what seems to be a very good deal (monetary). Matt Ginter, CEO stated that the Town does not

have specific regulations to regulate solar farms. There was a brief discussion amongst members regarding what the process would be if a solar farm was proposed in the Town. Scott Henze stated that the Town of Johnstown passed solar farm regulations in 2015 due to an increased number of solar farm proposals within Johnstown. Scott Henze stated that he would bring a copy of the Town of Johnstown's solar farm regulations for members to review during the June meeting.

Member Groff stated that he would like to include the lands along NYS Route 30 from the start of the Northville Bridge south to be reclassified from its current APA land use to the Hamlet land use. Member Groff stated that he would like to propose this to be included within the project that is being identified within the Fulton County Development Strategy. Scott Henze stated that it is his understanding that, in order for a reclassification of APA lands, there must be a petition from the municipalities, as well as the private property owners to be sold. Scott Henze stated that, however, since the current project is to extend municipal water and sewer infrastructure along NYS Route 30 all the way to the existing Business Development District including a reclassification of the lands along NYS Route 30 to the Hamlet may be looked upon more favorable from the APA.

IX. CLOSE OF THE MEETING:

MOTION: To close the meeting at 8:27 p.m.

MADE BY: Member Anderson

SECONDED: Member Groff

VOTE: 4 in favor, 0 opposed