

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

MEETING NOTES

PRESENT:

**ROBERT SMITH, CHAIRMAN
STEVEN NAPLE
JAMES CONKLING
MATT GINTER, CODE ENFORCEMENT OFFICER
SCOTT D. HENZE, PLANNER/GIS FULTON COUNTY PLANNING DEPT.**

OTHER:

**CHRIS FOSS, FERGUSON & FOSS PROFESSIONAL LAND SURVEYORS
SKIP TAYLOR**

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 June 14, 2016 meeting.

MADE BY: Member Naple
SECONDED: Member Conkling
VOTE: 3 in favor, 0 opposed

III. 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.

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.

Lot #6 - Remaining lands of F.M. Sinclair, LLC 107+/- acres (Not a part of this subdivision)

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, and May 18, 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

D. Planning Board Actions to Date:

- During the May 10, 2016 meeting, the Planning Board determined the subdivision application to be a major subdivision of 6 lots.
- During the May 10, 2016 meeting, the Planning Board determined that the information provided satisfied the Resource Analysis.
- During the May 10, 2016 meeting, the Planning Board determined the sketch plan to be complete.
- During the June 14, 2016 meeting, the Planning Board determined that the Preliminary Plat requirements have been met.
- During the June 14, 2016 meeting, the Planning Board determined that the Final Plat requirements have been met.
- During the June 14, 2016 meeting, the Planning Board initiated SEQR by proposing to act as the Lead Agency to perform a coordinated review and to coordinate with the following involved agencies:
 - Town of Edinburg
 - NYS Adirondack Park Agency
 - NYS Department of Environmental Conservation
 - NYS Department of Health
 - NYS Office of Parks, Recreation & Historic Preservation
 - To date, the following agencies have responded in favor of the Planning Board acting as the Lead Agency and have no other concerns:
 - NYS Adirondack Park Agency

- NYS Department of Environmental Conservation
- NYS Department of Health
- Town of Edinburg Planning Board

- During the June 14, 2016 meeting, the Planning Board scheduled a Public Hearing for 7:00 P.M. Tuesday July 14, 2016.
 - Legal advertisement in Leader Herald on June 24, 2016.

E. F.M. SINCLAIRE, LLC SUBDIVISION Public Hearing:

1. The public hearing was opened at 7:01 P.M.
2. Speakers:

Skip Taylor:

Comment 1: Does this subdivision affect the old schoolhouse that was located near the properties?

Comment 2: Does the Planning Board send a direct mailing to adjacent property owners or those property owners in the area?

Comment 3: Why are no adjacent property owners here? They should be contacted.

Comment 4: Is the notice put on the Town's website?

3. The public hearing was closed at 7:13 P.M.

C. State Environmental Quality Review Cont'd

During the June 14, 2016 meeting the Planning Board classified the action as an unlisted action to perform a coordinated review and coordinated with the following agencies:

1. NYS Department of Health
2. NYS Department of Environmental Conservation
3. NYS Adirondack Park Agency
4. NYS Office of Parks, Recreation & Historic Preservation
5. Town of Edinburg

- To date, the following agencies have responded and agreed with the Planning Board acting as the lead agency:

1. NYS Department of Environmental Conservation
2. NYS Adirondack Park Agency
3. NYS Department of Health
4. Town of Edinburg Planning Board

- 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 Long EAF and to prepare Part 3 issuing a negative declaration on the boards behalf.

MADE BY: Member Conkling

SECONDED: Member Naple

VOTE: 3 in favor, 0 opposed

F. Approval of Preliminary Plat:

- Within 62 days after the date of such hearing, the Planning Board shall approve, with or without modification, or disapprove such preliminary plat; and the ground of a modification, if any, or the ground for disapproval shall be stated upon the records of the Planning Board. The time in which the Planning Board must take action on such plat may be extended by mutual consent of the subdivider and the Planning Board. When so approving a preliminary plat, the Planning Board shall state in writing modifications, if any, as it deems necessary for submission of the plat in final form.
- Within 5 days of the approval of such preliminary plat it shall be certified by the Clerk of the Planning Board as granted preliminary approval, a copy filed in its office, a certified copy mailed to the owner and a copy forwarded to the Town Board. Failure of the Planning Board to act within the time periods prescribed herein shall constitute approval of the preliminary plat.

- When granting approval to a preliminary plat, the Planning Board shall state the terms of such approval, if any, with respect to the preliminary plat; the character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety, morals and general welfare; and the amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the subdivision plat. Approval of a preliminary plat shall not constitute approval of the subdivision plat, but rather it shall be deemed an expression of approval of the design submitted on the preliminary plat as a guide to the preparation of the plat, which will be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of these regulations. Prior to approval of the subdivision plat, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information obtained at the public hearing.
- Approval of the preliminary plat may not be revoked by the Planning Board unless a substantial change in the character of the area or the availability of new information about the site and its surroundings indicate the unsuitability of the development, as shown on the preliminary plat. Before revocation, the applicant shall be informed, in writing, of the reasons therefore and shall be given an opportunity to be heard before the Planning Board.
- Approval of a preliminary plat shall expire 6 months from the date of approval. Extensions for periods of 6 months may be granted by the Planning Board upon application. Such applications for extensions may be granted unless changed conditions or new information indicate the unsuitability of the development as shown on the preliminary plat.

DISCUSSION: Member Naple stated that there are no private roads involved with the subdivision. Member Naple indicated that the subdivision is pretty straight forward and all issues have been addressed during previous meetings.

MOTION: To approve without modification the proposed F.M. SINCLAIRE, LLC major subdivision preliminary plat.

If modification, the following shall be modified:

MADE BY: Member Conkling
 SECONDED: Member Naple
 VOTE: 3 in favor, 0 opposed

G. Approval of Final Plat:

Section 276 of Town Law

- Approval of final plats (b) states that: "Final plats which are in substantial agreement with approved preliminary plats... When a final plat is submitted which the planning board deems to be in substantial agreement with a preliminary plat approved pursuant to this section, the planning board shall by resolution conditionally approve with or without modification, disapprove or grant final approval and authorize the signing of such plat, within 62 days of its receipt by the clerk of the planning board.

Application Procedure for Final Plat

- Within 6 months after tentative approval of the preliminary plat is granted, the applicant shall file with the Planning Board an application for approval of a final plat. The application shall:
 - a. Be made on forms provided by the Planning Board at the time tentative approval of the preliminary plat was granted.
 - b. Include the entire subdivision or a section thereof which derives access from a street improved to Town standards or for which street a performance bond for such improvement is held by the Town.
 - c. Be accompanied by an original and 7 copies of the plat, as described in Subsection G.8., Final Plat, of these regulations.
 - d. Comply in all respects with the preliminary layout as tentatively approved.
 - e. Comply with the improvement requirements of Subsection H, Required Improvements and Agreements, of these regulations.
 - f. Be presented to the Clerk of the Planning Board at least 10 days prior to a regular meeting of the Board.

Public Hearing on Final Plat

- Within 62 days of the submission of a plat in final form for approval, a hearing shall be advertised at least once in a newspaper of general circulation in the Town at least 5 days before such hearing; provided, however, that when the Planning Board deems the final plat to be in substantial agreement with a preliminary plat approved under

Subsection D (4), Preliminary Plat of this Article, and modified in accordance with the requirements of such approval if such preliminary plat has been approved with modification, the Planning Board may waive the requirement for such public hearing.

DISCUSSION: Scott Henze stated that the Planning Board just approved, without modification, the subdivisions on preliminary plat. Scott Henze stated that Town of Northampton Subdivision Regulations identify that if the final plat is in substantial agreement with the preliminary plat, and the preliminary plat has been approved without modification, the Planning Board has the ability to waive the second public hearing that would be required under the final plat procedures. Scott Henze stated that the Planning Board, at the start of any major subdivision application, the Planning Board has addressed with the applicants all of the regulations and requirements identified within the Subdivision Law from sketch plan phase through preliminary plat and all the way to final plat with the applicant. Scott Henze stated that, by addressing and discussing all other requirements through all phases of the subdivision, the applicant and Planning Board are on the same page and are able to expedite the subdivision review process from the preliminary through final plat phases. Scott Henze stated that, thus far, this has been very effective in moving projects along. However, also providing a thorough review by the Planning Board.

MOTION: To waive the public hearing on F.M. SINCLAIRE, LLC major subdivision final plat application based upon granting approval of the preliminary plat.

MADE BY: Member Conkling
SECONDED: Member Naple
VOTE: 3 in favor, 0 opposed

Action on Final Plat

- Upon resolution of conditional approval of such final plat, the Planning Board shall empower a duly-authorized officer to sign the plat upon completion of such requirements as may be stated in the resolution. Within 5 days of such resolution, the plat shall be certified by the Clerk of the Planning Board as conditionally approved, a copy filed in his/her office and a certified copy mailed to the applicant. The copy mailed to the applicant shall include a certified statement of such requirements that, when completed, will authorize the signing of the conditionally-approved final plat. Upon completion of such requirements, the plat shall be signed by said duly-authorized officer of the Planning Board. Conditional approval of a final plat shall expire

180 days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which a conditionally-approved plat may be submitted for signature, if in its opinion, such extension is warranted in the circumstances, for not to exceed 2 additional periods of 90 days each.

➤ See draft Resolution

DISCUSSION: Scott Henze stated that attached to the Agenda you will find Resolution #2016-02 that he has drafted on the Board's behalf thus far. Scott Henze stated that he had sent this draft Resolution to Planning Board members via e-mail a week ago. However, some additions have been made as the SEQR Coordinated Review responses have been obtained. Scott Henze stated that you will see within the Resolution that the date that each agency sent a letter to the Planning Board are identified within the Resolution. Scott Henze stated that, based upon the actions taken by the Planning Board tonight, he will complete the Resolution and send to Bob Smith for signature.

MOTION: To adopt Resolution 2016-02 to approve without conditions the F.M. SINCLAIRE, LLC Major Subdivision Plat and to authorize Chairman Smith to sign said plat on behalf of the Planning Board.

END AGENDA ITEM

IV. FULTON COUNTY DEVELOPMENT STRATEGY CONT'D:

The Planning Board has discussed/endorsed the following project concepts:

1. Extend municipal sewer along NYS Route 30 from Sacandaga Park to the Town of Northampton/Mayfield line and North into the Village of Northville to service Northville's Commercial area.
2. Request the APA to re-classify the existing Land Classifications along the entire length of NYS Route 30 and extending 1,000 feet perpendicular to a classification that allows for increased density of development due to the availability of municipal sewer.
3. To develop the "Red Barn Properties" into the following uses:
 - RV Park complex (KOA)
 - Cottage Industry utilizing local raw materials (create jobs).

- Small Scale technology industry to support the likes of GlobalFoundaries etc (create jobs).

DISCUSSION: Scott Henze stated that, within the Agenda, he identified the discussions that took place between Planning Board members regarding what the Planning Board wished to include within the Fulton County Development Strategy. Scott Henze reviewed those topics as identified within the Agenda. Steve Naple stated that he recently spoke to a real estate friend of his whereby he stated that he discussed the proposed RV Park Complex at the Red Barn property. Steve Naple stated that his real estate friend asked what the hook was regarding what the draw would be for the RV Park. Steve Naple stated that his friend stated that RV Parks tend to be very popular if they are located along a waterfront or if they are located directly on or adjacent to a golf course. Member Naple indicated that part of the development of the RV Park may include a golf course, particularly being an 18-hole golf course. Planning Board members discussed the connection between the existing Sacandaga Park Golf Course with an adjacent development of an additional nine (9) holes.

Scott Henze stated that, during the previous meeting, Planning Board members identified that they would like to see a reclassification of the Adirondack Park Agency lands along the entire length of NYS Route 30 extending 1,000' perpendicular to and to be reclassified to a Hamlet classification. Scott Henze stated that, although this is a very aggressive vision and it may be a little out of the realm of possibility, Planning Board members identified that the reclassification to Hamlet should extend all the way to the NYSDEC boat launch, as well as south along NYS Route 30. Scott Henze stated that he would take a look at the existing APA land uses as well as the Town's Zoning Districts south of the existing APA Hamlet area to see how far additional Hamlet area could be feasibly located. Scott Henze stated that the remainder of the lands he would recommend that the reclassification to something such as Moderate Intensity be considered.

Planning Board members discussed the possibility of the Town of Northampton purchasing or taking over the operations of the Sacandaga Park Golf Course. Matt Ginter stated that he was contacted by someone who was interested in purchasing the Golf Course. However, was contingent only if he could construct a residential home on the property. Planning Board members identified that construction of single-family residences were not allowed within the Golf Course Zoning District.

Scott Henze stated that maybe one of the actions that the Town should take is to create a public private partnership with the owner of the Golf Course. Scott Henze indicated that the Town could offer to assist in marketing the Golf Course for sale or in coming up with a development scenario for the Golf

Course. Skip Taylor questioned where the money would come from to own and operate the Golf Course if the Town chose to do so. Jim Conkling stated that the first question would be where would the money come from in order for the Town to come up with a plan for the Golf Course. Jim Conkling expressed that it all depends on what the community wants. Jim Conkling expressed that a community needs to have a plan and a vision for how the community wished to look in the future. Unfortunately, at this time, the Town of Northampton really does not have a particular plan.

Scott Henze stated that, several years ago, the Town of Caroga updated the Comprehensive Plan whereby the Planning Department assisted. Scott Henze stated that the Planning Commission for the Town of Caroga identified that a feasible vision for the Sherman's Amusement Park property that was owned by George Abdella. Scott Henze stated that one of the unique aspects of the Town of Caroga's plan was to create a Town Center which the Sherman's Park was a major part of. Scott Henze stated that, interestingly enough, once Mr. Abdella was aware of the Town's vision, he basically handed over the Sherman's property to the Town for the development. Scott Henze stated that, interestingly enough, some residents in the Town of Caroga felt it was an asset, while others considered it a liability. Scott Henze stated that, since then, a committee was formed to solicit developers to propose what types of development they would consider on the property.

V. SOLAR FARM REGULATIONS:

- During the June 14, 2016 meeting, the Planning Board decided to not propose regulations concerning "Solar Farms" however expressed interest in possible regulations to small scale detached solar arrays.
- See attached Town of Caroga and Ephratah's Zoning Regulations.
- See Town of Sand Lake Proposed Zoning Law example.
- See Town of Paris Zoning Law example.

DISCUSSION: Scott Henze stated that, during the June meeting, Planning Board members discussed potential Solar Farm Regulations. Scott Henze stated that, based upon that meeting, it was identified that the Planning Board really was not interested or concerned as much about large-scale Solar Farm operations as it was about detached single-array residential solar. Scott Henze stated that he has done some research regarding additional regulations for the detached solar. Scott Henze reviewed the Town of Caroga and Ephratah Zoning Regulations, as well as those within the Town of Sand Lake and Town of Paris with Committee members. Member Naple stated that he is surprised that the NYS Department of State does not try to come up with a standardization for the regulation of detached solar facilities. Matt Ginter stated that there are regulations that have been included within the Building and Fire Codes. Scott Henze stated that he has provided these examples as background information

for Planning Board members to review and discuss during the next meeting. Member Naple stated that, prior to the Planning Board moving further with any proposal for additional regulations to detached solar arrays, maybe the Planning Board should ask the Town Board if they would like the Planning Board to continue to look at the issue and propose additional standards. Planning Board members agreed that a letter should be sent under Bob Smith, as Chairman, signature to the Town Board reflecting on what the Planning Board has discussed over the past two (2) meetings, as well as providing some of the examples that Scott Henze has included.

VI. CODE ENFORCEMENT REPORT:

VII. OTHER BUSINESS:

DISCUSSION: Jim Conkling updated the Planning Board regarding a meeting that was held with Path Stone who is a company that constructs housing. Member Conkling stated that Path Stone is currently looking at three (3) particular sites in the Village to construct a 40-unit senior housing/working class housing within the Village. Jim Conkling stated that Path Stone is currently negotiating with the property owners. Jim Conkling stated that the primary property that Path Stone is interested in is the old hotel and post office property. Jim Conkling stated that Path Stone is also looking at the current Village property on North Third Street, as well as the property on North Second Street. Jim Conkling stated that the Sacandaga Task Force for Senior Housing is very excited about the potential for development of senior housing and working class housing within the Village and that this is as far as they have been able to regress thus far.

VIII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 8:16 p.m.

MADE BY: Member Naple

SECONDED: Member Conkling

VOTE: 3 in favor, 0 opposed