

**TOWN OF NORTHAMPTON PLANNING BOARD  
MAY 8, 2018  
7:00 P.M.  
TOWN HALL**

**MEETING NOTES**

**PRESENT:**

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

**STEVEN NAPLE  
JAMES CONKLING  
JACK GROFF  
ROBERT ANDERSON**

**MATT GINTER, CODE ENFORCEMENT OFFICER  
SCOTT D. HENZE, FULTON COUNTY PLANNING DIRECTOR**

**OTHER:**

**MR. HAUGH**

**I. CALL MEETING TO ORDER:**

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

(Chairman Smith suggested that one of the other Planning Board members conduct the meeting given the fact that he was in attendance via Facetime. Planning Board members agreed to have Scott Henze, Planning Director, run the meeting.)

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

MOTION: To approve the minutes to the April 18, 2018 meeting.

MADE BY: Member Conkling

SECONDED: Member Groff

VOTE: 5 in favor, 0 opposed

**III. CHARLES & WENDY HAUGH - LOT LINE ADJUSTMENT REQUEST:**

Application No. P02-18

A. Background:

The applicants are proposing a lot line adjustment to property they own having SBL# 32.19-1-17 as follows:

ADD: 13,000S.F of parcel SBL# 32.19-1-18 owned by Fitzgerald.

COMBINE: SBL# 32.19-1-16 owned by applicant.

COMBINE: SBL# 32.19-1-15 owned by applicant.

All properties to be owned by the applicant will be combined to form one single lot having .895 acres in total.

Remaining property owned by Fitzgerald will equal 2.34 acres.

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

All properties are located within the Adirondack Park Agency's Hamlet Land Use Area.

The applicant has provided the following:

1. Application for a Lot Line Adjustment
2. Owner Authorization Form
3. Subdivision Waiver
4. A copy of the APA Jurisdictional Determination J2018-0166.
5. Quitclaim Deed.
6. A copy of a completed Part I Short Environmental Assessment Form.
7. An executed copy of a contract for the purchase and sale of real estate.
8. A survey map prepared by Ferguson & Foss Professional Land Surveyors dated August 25, 2017 and revised on April 30, 2018.

**DISCUSSION:** Scott Henze reviewed the background information as identified within the Agenda. Planning Board members reviewed the proposed lot line adjustment map. Scott Henze asked Matt Ginter, Code Enforcement Officer if he has found any issues with the application. Matt Ginter stated that all of the application materials have been provided and he sees no other issues.

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:** Scott Henze reviewed the start of the Lot Line Adjustment procedure given that the applicant has requested a subdivision waiver based upon the criteria. Scott Henze asked Planning Board members if they agree that all of the criteria have been met. Planning Board members agreed.

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 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:** Scott Henze briefly reviewed the submission requirements as identified within the Agenda. Scott Henze asked Matt Ginter whether or not the applicant had paid the lot line adjustment fee? Matt Ginter stated that he has done so. The consensus of the Planning Board was that the Project Applications and map provided meet the submission requirements.

### 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, propose to act 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 Charles & Wendy Haugh line adjustment having Application No. P02-18 as an Unlisted action and to designate the Planning Board as the Lead Agency to perform an Uncoordinated Review and to authorize the Fulton County Planning Department to prepare Parts II and III on the Boards behalf.

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

➤ MOTION: To issue a Negative Declaration for the Charles & Wendy Haugh line adjustment having Application No. P02-18 identifying that:

- 1. The applicant has submitted a Jurisdictional Determination J2018-0166 from the NYS Adirondack Park Agency (APA) indicating that the project does not require an Agency permit.
- 2. All lots meet the Town's minimum lot area requirements.

and to authorize Member Anderson to sign Part III of the Short EAF on the boards behalf.

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

4. Planning Board Review and Approval Procedure

- (a) Upon submission of a complete application, the Planning Board shall, within 62 days, review the application and shall either approve or deny the application. Approval may be granted when the Planning Board determines that the proposed adjustment meets all requirements for a Lot Line Adjustment and would not adversely affect the site’s development or neighboring properties, would not alter the essential characteristics of the neighborhood or adversely affect the health, safety or welfare of Town residents.
- (b) No public hearing shall be required.
- (c) If the waiver is granted, the applicant shall file a map with the Fulton County Clerk within 30 days of the approval date. The

map shall be signed by an empowered duly authorized officer of the Town of Northampton Planning Board. No person shall file plans for any lot line adjustment without first obtaining the Planning Board's signature on the plans.

(d) If the Planning Board denies the request for waiver, the applicant may proceed with the minor subdivision review process as set forth in this Article.

**DISCUSSION:** The Planning Board had no further discussion.

**MOTION:** To approve the request for a waiver to the Town of Northampton Subdivision Regulations and to approve the application for the Charles & Wendy Haugh line adjustment having Application No. P02-18 as submitted and to Member Anderson to stamp and sign the Lot Line Adjustment maps.

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

#### **IV. CODE ENFORCEMENT REPORT:**

**DISCUSSION:** Matt Ginter, Code Enforcement Officer, reminded Planning Board members that the Planning Board will hold a special meeting on May 15<sup>th</sup> to review a proposed major subdivision application that is pending submittal, as well as continue working on the update to the Town's Comprehensive Plan.

#### **V. OTHER BUSINESS:**

#### **VI. CLOSE OF THE MEETING:**

**MOTION:** To close the meeting at 8:40 p.m.

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