

**TOWN OF NORTHAMPTON PLANNING BOARD
NOVEMBER 12, 2019
7:00 P.M.
TOWN HALL**

MEETING NOTES

PRESENT:

**ROBERT SMITH, CHAIRMAN (NOT PARTICIPATING, ATTENDED VIA
CONFERENCE CALL)**

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

ANTHONY FANCHER, CODE ENFORCEMENT OFFICER

OTHERS:

**COLLEEN CORDONE
TED HORTON
TED HORTON, JR.
HOMER HORTON**

I. CALL MEETING TO ORDER:

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

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the October 8, 2019 meeting.

MADE BY: Member Anderson

SECONDED: Member Naple

VOTE: 4 in favor, 0 opposed

III. **HOMER & WILMA HORTON SUBDIVISION (P02-19) CONT'D (PUBLIC HEARING)**

A. Background:

- The Horton's are proposing to subdivide a 21.86 acre single family residential parcel (18.-1-9) they own at 309 CoHwy 143 into the following:

Lot 1 - 3.014 acres with 219.86' of road frontage that contains a single family home.

Lot 2 - 17.457 acre parcel with 100.35' of road frontage that contains an existing cabin.

- Zoning District = Rural Residential 1 - 2 acre minimum lot area required.
- APA Land Use Area = Hamlet - No Density Req. and Rural Use having an 8.5 acre per principal building requirement.

B. Documentation Submitted/Other:

The applicant submitted the following other materials:

1. Town of Northampton Subdivision Application.
2. Short Environmental Assessment Form
3. Warranty Deed
4. Sketch Plan map dated April 21, 2019 drawn by William E. Kelly P.L.S. No. 051066.
5. November 5, 2018 letter from the NYS Adirondack Park Agency Jurisdictional Determination J2018-00735 identifying that a permit is not needed by the APA.
6. June 17, 2019 letter from former CEO Matt Ginter to the applicants denying their subdivision application based upon the proposal to create one (1) lot having less than the require 150' width requirement within the Rural Residential 1 Zoning District.
7. Copy of August 28, 2019 Town of Northampton ZBA action issuing an Area Variance to allow for the 100.35' lot width of Lot 2.

C. 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 minor subdivision application 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 Homer & Wilma Horton Minor Subdivision application having Application No. P02-19 as an Unlisted Action and to perform an Uncoordinated Review of said action.

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

D. Public Hearing:

A public hearing shall be held by the Planning Board within 62 days from the time of submission of the subdivision plat for approval. Said hearing shall be advertised in a newspaper of general circulation in the Town at least 10 days before such hearing. Property owners located within 100 feet of the land proposed to be subdivided shall be sent a copy of the Public Hearing Notice via Certified mail.

- During the October 8, 2019 meeting, the Planning Board scheduled the required public hearing on the Homer & Wilma Minor Subdivision application P02-19 for Tuesday November 12, 2019 at 7:00P.M. at Town of Northampton Town Hall.

MOTION: To open the Public Hearing at 7:00 P.M.

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

SPEAKERS:

None.

MOTION: To close the Public Hearing at 7:30 P.M.

MADE BY: Member Naple

SECONDED: Member Anderson

VOTE: 4 in favor, 0 opposed

E. Complete SEQR

➤ MOTION: To issue a Negative Declaration for the Homer & Wilma Horton Minor Subdivision application P02-19 identifying that:

1. The applicant has submitted a Jurisdictional Determination J2018-00735 from the NYS Adirondack Park Agency (APA) indicating that the project does not require an Agency permit.
2. The Town of Northampton ZBA issued an Area Variance to allow for the 100.35' lot width of Lot 2 during their August 28, 2019 meeting.

and to authorize Chairman Smith to sign Part III of the Short EAF on the boards behalf.

MADE BY: Member Groff

SECONDED: Member Anderson

VOTE: 4 in favor, 0 opposed

F. Action on subdivision plat

- (1) The Planning Board shall, within 62 days from the date of the public hearing, act to conditionally approve, conditionally approve with modification, disapprove or grant final approval and authorize the signing of the subdivision plat. This time may be extended by mutual consent of the subdivider and the Planning Board. Failure of the Planning Board to act within such time shall constitute approval of the plat.
- (2) Upon granting conditional approval, with or without modification to the plat, the Planning Board shall empower a duly-authorized officer to sign the plat upon compliance with such conditions and requirements as may be stated in its resolution of conditional approval. Within 5 days of the resolution granting conditional approval, the plat shall be certified by the Clerk of the Planning Board as conditionally approved, and a copy filed in its office. Conditional approval

of a 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.

(e) Plat void if revised after approval

No changes, erasures, modifications or revisions shall be made on any plat after approval has been given by the Planning Board. In the event that any plat, when recorded, contains any such changes, the plat shall be considered null and void; and the Planning Board shall institute proceedings to have said plat stricken from the records of the County Clerk.

(f) Filing of approved plat

Approval of the plat shall expire within 62 days from the date of such approval unless within such 62 day period such plat shall have been duly recorded by the owner in the office of the Fulton County Clerk. If the plat is not filed within this period, the approval shall expire as provided in Section 276 of New York State Town Law.

PLANNING BOARD DISCUSSION: Planning Board members reviewed the final rendition of the Homer and Wilma Horton minor subdivision application plat. Planning Board members had no further comments.

MOTION: To approved as submitted the Homer & Wilma Horton Minor Subdivision application P02-19.

MADE BY: Member Groff

SECONDED: Member Anderson

VOTE: 4 in favor, 0 opposed

IV. **OTHER BUSINESS:**

➤ None

PLANNING BOARD DISCUSSION: Colleen Cordone requested that she be provided with a copy of the Planning Board's meeting agendas prior to the meeting.

V. **CODE ENFORCEMENT REPORT:**

➤ None

VI. **CLOSE OF THE MEETING:**

MOTION: To close the meeting at 8:00 p.m.

MADE BY: Member Anderson

SECONDED: Member Naple

VOTE: 4 in favor, 0 opposed