

**TOWN OF NORTHAMPTON PLANNING BOARD
FEBRUARY 11, 2020
7:00 P.M.
TOWN HALL**

MEETING MINUTES

PRESENT:

**ROBERT SMITH, CHAIRMAN (*via Zoom Meetings)
STEVEN NAPLE
JAMES CONKLING**

**ANTHONY FANCHER, CODE ENFORCEMENT OFFICER
SCOTT D. HENZE, PLANNING DIRECTOR, FULTON COUNTY**

**OTHERS: John Hodgson, Otto Kenyon, Bob Lesperence, NY Land and Lakes,
Alan Lord, NY Land & Lakes, Colleen Cordone**

I. CALL MEETING TO ORDER:

The meeting was called to order 7:00P.M.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the November 12, 2019.
meeting.

MADE BY: Member Conkling

SECONDED: Member Naple

VOTE: 3-0

III. LOUIS RITZ MINOR SUBDIVISION (P01-20)

A. Background:

- Louis Ritz is proposing to subdivide a 29.79 acre parcel (59.2-1-12.1) he currently owns at 258 Bunker Hill Road into the following:

Parcel 1 - 8.116+/- acre vacant parcel to be conveyed to Otto Kenyon. This parcel was originally to be combined with existing parcel 59.2-1-21.

Parcel 2 - 18.832+/- acre vacant parcel to be conveyed to John Hodgson. This parcel will be combined with existing parcel 59.2-1-15.

- A .762+/- acre portion of the parcel is to be combined with existing parcel 59.2-1-17 owned by Mr. Ritz.
- Town Zoning District = Rural Residential 2 - 1 acre minimum lot area required.
- APA Land Use Areas = Low Intensity - 3.2 acres 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. Warranty Deed
3. APA Project Permit Summary 2019-0118.
4. Subdivision Plat prepared by Northeast Land Survey & Land Development Consultants, P.C. dated January 27, 2020 and signed by David Bogardus, PLS.

DISCUSSION: John Hodgson provided a brief overview of the Subdivision project for Planning Board members. Planning Board members recognized the information that has been provided by the applicant. Member Naple identified several corrections that would need to be made by the applicant. These corrections were as follows:

Town of Northampton Subdivision Application

1. Mailing Address and Location of proposed subdivision should be 258 Bunker Hill Road, Mayfield NY 12117 to reflect that this is the

mailing address and location of the proposed subdivision of Louis Ritz.

2. Tax SBL# - Should include both parcel 59.2-1-12.1 & 59.2-1-17 as referenced in the APA project 2019-0118 Permit issued on January 8, 2020.
3. Zoning District - Should identify Rural Residential 2.
4. Current parcel size (acres) - Should be 27.71 to reflect the actual acreage as identified on the actual survey map provided by Northeast Land Survey & Land Development Consultants, P.C. dated January 27, 2020.
5. Number of proposed lots - Should describe the three (3) lots and how they will be combined or not combined with existing lots.

Northeast Land Survey & Land Development Consultants, P.C. dated January 27, 2020

1. A correction be made to remove reference that Parcel No. 2 is to be combined with Otto Kenyon's Parcel No. 59.2-1-21. Parcel No.2 is to remain a stand-alone parcel.
2. Parcel No. 2 - To add the significant other to Mr. Kenyon being Toni M. Rizio.
3. Parcel No. 2 - To remove the "Area After" calculation as Parcel No. 2 would not be combined with Otto Kenyon's Parcel No. 59.2-1-21.
4. Parcel No. 3 - Recalculate the "Area After" figure to include combining with existing parcel 59.2-1-15 owned by John Hodgson.

APA Project Permit 2019-0118

Planning Board members expressed confusion when referencing the APA project permit documentation in relation to the subdivision map. Member Naple requested that clarification be made that the APA utilized the same subdivision map that was presented to the Planning Board when determining their permit requirements.

1. Confirmation that the APA utilized the same subdivision map presented to the Planning Board to determine their permit requirements.

C. Minor subdivisions

(a) Application

Within 6 months after classification of a proposal as a minor subdivision by the Planning Board, the subdivider shall submit a subdivision plat as an application for approval of a minor subdivision plat. Said application shall contain the requirements listed in **Subsection G (8), Final Plat** of these regulations and shall conform to the general requirements and design standards specified in **Subsection F** of this Article. Fees as specified in the Town Fee Schedule for each minor subdivision shall accompany the application. A subdivider is only allowed one (1) minor subdivision of said land every 3 years. The Planning Board shall have the authority to modify survey requirements for minor subdivisions such that only the land being subdivided must be surveyed by a New York State licensed land surveyor. The balance of the land, so long as the subdivision does not result in an undersized lot, does not need to be surveyed unless requested by the Planning Board.

(b) Number of copies

The original and 7 copies of the subdivision plat shall be presented to the Planning Board at least 10 days prior to a scheduled monthly meeting of the Planning Board.

(c) 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.

(d) 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.

D. Subsection F: General Requirements and Design Standards for Subdivisions

1. Compliance required

The Planning Board, in considering an application for the subdivision of land, shall be guided by the policy considerations specified in Subsection A (2), Policy, of these regulations and the following standards.

2. Preservation of existing features

Existing features identified as part of the Resource Analysis which would add value to residential development, such as scenic views from

roadways and public trails, ridgelines, water resources, steep slopes, active farmland, rock outcrops, forested areas, stonewalls, hedgerows, wildlife nesting or migration areas and similar irreplaceable assets, shall be preserved, insofar as possible, through harmonious design of the subdivision.

DISCUSSION: The Planning Board had no comments.

3. Density Calculation

- (a) Whenever a parcel of land is subdivided, the proposed subdivision shall comply with both maximum density and minimum lot size requirements of the land use district as established in Article IV, Schedule B unless Conservation Subdivision is used pursuant to Subsection E of this Article in which case the minimum lot size requirements may be reduced.
- (b) The maximum number of lots into which a parcel may be subdivided shall be determined by dividing the parcel size by the required minimum acreage per principal building provided in Schedule B. If no minimum acreage per principal building is required, the maximum number of lots into which a parcel may be subdivided shall be determined using the minimum lot size.
- (c) The Planning Board shall establish, and the applicant shall show on the plat, the number of lots, the number of dwellings and dwelling units and the number of permissible resubdivisions that may be created on the entire parcel to be subdivided.

DISCUSSION: Scott Henze asked Code Enforcement Officer Anthony Fancher if the minimum acreages required per the Town of Northampton Zoning and Subdivision Code have been met. Mr. Fancher indicated that the minimum area requirements are met.

4. Minimum Lot Standards

- (a) Lots shall be arranged in a manner that protects land of conservation value and protects the scenic resources of the Town. Compact development is encouraged if it advances the protection of significant resources.
- (b) The minimum lot size, lot width and other dimensional standards of Article IV, Schedule B shall apply.
- (c) Side lot lines shall be substantially at right angles or radial to

street lines.

- (d) Through Lots or reverse-frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. An easement of suitable width, across which there shall be no right of access, may be required along the line of lots abutting such traffic artery or other disadvantageous use. As an alternate, where driveway access from a major street may be necessary for several adjoining lots, the Planning Board may require that such lots be served by a combined access driveway in order to limit possible traffic hazard on such street.
- (e) The plat shall provide each lot with satisfactory access to an existing public street or to a subdivision street that will be ceded to public use at the time of final plat approval. Private streets may be permitted only by resolution of the Town Board.
- (f) Radius corners shall be provided on the property line substantially concentric with the curb radius corners.

DISCUSSION: Scott Henze asked Code Enforcement Officer Anthony Fancher if the minimum acreages required per the Town of Northampton Zoning and Subdivision Code have been met. Mr. Fancher indicated that the minimum area requirements are met.

- 5. Streets - Not Applicable
- 6. Blocks - Not Applicable
- 7. Driveways - Not Applicable
- 8. Preservation of Open Space - Not Applicable
- 9. Reservations and dedications - Not Applicable

E. Preliminary plat

The preliminary plat submitted to the Planning Board shall be 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 and shall extend 500 feet past the parcel boundary and shall show or be accompanied by the following information, except where requirements have been waived:

- (a) Data required by Subsection G.2., General Requirements.
- (b) The name of the property owner(s) and the authorized applicant, if

- different from the property owner(s). **(Comply)** *(Provided)* *(Waived)*
- (c) Tax number of all parcels to be subdivided. *(Comply)* **(Provided)** *(Waived)*
 - (d) Location, bearings and distances of trace boundary including georeferencing information or latitude and longitude coordinates of the plat as available. *(Comply)* **(Provided)** *(Waived)*
 - (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)* **(Provided)** *(Waived)*
 - (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)* *(Provided)* **(Waived)**
 - (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)* **(Provided)** *(Waived)*
 - (h) Location, name and dimensions of existing streets, easements, deed restrictions, zoning district boundaries, property lines, buildings, parks and public properties. *(Comply)* **(Provided)** *(Waived)*
 - (i) Location of existing sewers, water mains, culverts and storm drains, if any, including pipe sizes, grades and direction of flow. *(Comply)* *(Provided)* **(Waived)**
 - (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)* *(Provided)* **(Waived)**

- (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) (Provided) (Waived)*
- (l) Proposed provision of sanitary waste disposal, water supply, fire protection, stormwater drainage, street trees, streetlight fixtures, street signs and sidewalks. *(Comply) (Provided) (Waived)*
- (m) Lot lines of all proposed or existing lots, and suggested building envelopes. *(Comply) (Provided) (Waived)*
- (n) Conceptual future plans for the parcel, if any. *(Comply) (Provided) (Waived)*
- (o) Location and approximate dimensions of all property proposed to be reserved for park or public uses. *(Comply) (Provided) (Waived)*
- (p) A copy of the Adirondack Park Agency response to either a Jurisdiction Inquiry Form or permit application (as applicable). *(Comply) (Provided) (Waived)*
- (q) Information on all other County and State permits required for subdivision plat approval. *(Comply) (Provided) (Waived)*
- (r) A written statement of any requests for specific waivers of requirements by the Planning Board. *(Comply) (Provided) (Waived)*
- (s) Other data which must be available for consideration of the subdivision at this stage. *(Comply) (Provided) (Waived)*

DISCUSSION: The Planning Board reviewed the Preliminary Plat requirements and determined which would need to be Complied with, what has been provided and what could be waived.

F. Final plat

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) (Provided) (Waived)*
- (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) (Provided) (Waived)*
- (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) (Provided) (Waived)*
- (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) (Provided) (Waived)*
- (f) Setback lines. *(Comply) (Provided) (Waived)*
- (g) Location, size and invert elevations of existing and proposed stormwater drains and sanitary sewers; the exact location of utilities and fire hydrants. *(Comply) (Provided) (Waived)*
- (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) (Provided) (Waived)*
- (i) Location of street trees, street lighting standards and street signs. *(Comply) (Provided) (Waived)*
- (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) (Provided) (Waived)*
- (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) (Provided) (Waived)*
- (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) (Provided) (Waived)

- (m) Necessary agreements in connection with required easements or releases. *(Comply) (Provided) (Waived)*
- (n) Formal offers of cession to the Town of all streets and public parks. *(Comply) (Provided) (Waived)*

G. 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.

MOTION: To schedule a Public Hearing on the Louis Ritz Minor Subdivision application P01-20 for Tuesday March 10, 2020 at 7:00P.M. at Town of Northampton Town Hall.

MADE BY: Member Smith
SECONDED: Member Naple
VOTE: 3-0

IV. **OTHER BUSINESS:**

- Woodward Lake Major Subdivision Update

PLANNING BOARD DISCUSSION: Alan Lord and Bob Lesperence provided a copy of the Major Subdivision Application materials that had been provided to the NYS Adirondack Park Agency (APA) as part of the APA's permit process. Mr. Lord provided a brief review/update of the project for the Planning Board. Mr. Lord identified that they have factored into the plan an easement in which will provide general public access from the Collins-Gifford valley Road to a scenic overlook that was identified by Planning Board member Groff. Mr. Lord indicated that it may take the APA several months to review the application submitted for completeness prior to moving forward with the actual review of the project. Mr. Lord indicated that at some point, the APA will be inquiring where the project stands

within the local review process. Scott Henze stated that once he receives correspondence from the APA that the application is complete, he will contact the representative that is in charge of the review of the project to discuss process and timelines.

V. **CODE ENFORCEMENT REPORT:**

Mr. Fancher stated that he has completed the necessary Code Enforcement trainings.

VI. **CLOSE OF THE MEETING:**

MOTION: To close the meeting at 8:15p.m.

MADE BY: Member Conkling

SECONDED: Member Naple

VOTE: 3-0