

**TOWN OF NORTHAMPTON PLANNING BOARD  
MARCH 10, 2020  
7:00 P.M.  
TOWN HALL**

**MEETING NOTES**

**PRESENT:**

**ROBERT SMITH, CHAIRMAN (\*via Facetime)  
ROBERT ANDERSON  
STEVEN NAPLE  
JAMES CONKLING**

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

**OTHERS:**

**JOHN HODGSON  
OTTO KENYON  
CHARLES BROOKS**

**I. CALL MEETING TO ORDER:**

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

Chairman Smith requested that Scott Henze conduct the meeting given the fact that he was coming through via Facetime.

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

- Scott Henze asked Planning Board members to take a few minutes to review the meeting notes from the February 11, 2020 meeting. Scott Henze stated he was not able to distribute the minutes earlier. Scott Henze referenced that, beginning on page 2 of the meeting notes and based upon discussions during the February 11, 2020 meeting, he identified the various corrections that were requested by the Planning Board to be made to the Town of Northampton subdivision application, as well as the subdivision plat and the Adirondack Park Agency project permit.

MOTION: To approve the minutes to the February 11, 2020 meeting.

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

**III. LOUIS RITZ MINOR SUBDIVISION (P01-20) CONT'D**

A. Background:

- Louis Ritz is proposing to subdivide a 27.71 acre parcel (59.2-1-12.1 & 17) he currently owns at 258 Bunker Hill Road into the following:

Parcel 1 - .762+/- acre vacant parcel to be combined with his existing parcel 59.2-1-17 (This transaction was approved as a Lot Line Adjustment).

Parcel 2 - 8.116+/- acre vacant parcel to be conveyed to Otto Kenyon and Toni Rizio. This parcel will be a stand-alone parcel.

Parcel 3 - 18.832 acre vacant parcel to be combined with parcel 59.2-1-15 owned by John Hodgson.

- 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.

- C. During the February 11, 2020 meeting, the Planning Board determined that the following corrections and clarifications would need to be made:

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.
  - **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** Planning Board reviewed Item #1 in regards to the change of the mailing address on the subdivision application and deemed it to be complete.

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.
  - **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** Scott Henze stated that the original application did not include both tax parcels as identified within the Agenda. The Planning Board identified that the condition has been met.

3. Zoning District - Should identify Rural Residential 2.

- **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** The Planning Board identified that the change has been met.

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.

- **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** The Planning Board identified that the change has been met.

5. Number of proposed lots - Should describe the three (3) lots and how they will be combined or not combined with existing lots.

- **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** The Planning Board identified that the change has been met.

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.

- **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** The Planning Board identified that the change has been met.

2. Parcel No. 2 - To add the significant other to Mr. Kenyon being Toni M. Rizio.

➤ **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** The Planning Board identified that the change has been met.

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.

➤ **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** The Planning Board identified that the change has been met.

4. Parcel No. 3 - Recalculate the "Area After" figure to include combining with existing parcel 59.2-1-15 owned by John Hodgson.

➤ **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** The Planning Board identified that the change has been met.

#### 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.

➤ **Does the Planning Board feel as though the change identified has been satisfactorily met?**

**PLANNING BOARD DISCUSSION:** Scott Henze stated that the Planning Board questioned the APA's Project Permit 2019-0118 in relation to the subdivision map that was provided within the Jurisdictional Inquiry Form to the APA that would be used to provide said permit. Planning Board members identified that the acreages did

not seem to match up with the subdivision plat etc. Scott Henze stated that Mr. Hodgson had several conversations with APA representatives and stated that Mr. Hodgson could explain the resolve. Mr. Hodgson stated that the APA decided to issue a Letter of Permit to Compliance that concurs with the original APA Project Permit 2019-0118 that was issued on January 8, 2020. Mr. Hodgson stated that, as far as the APA is concerned, they have no further comments.

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 February 11, 2020 meeting, the Planning Board scheduled a Public Hearing for the Louis Ritz Minor Subdivision Application P01-20 for Tuesday March 10, 2020 at 7:00P.M.

MOTION: To open the Public Hearing at 7:16 P.M.

SPEAKERS:

Charles Brooks

Mr. Brooks stated that he owns property adjacent to the proposed subdivision at 344 Bunker Hill Road and expressed his support for the subdivision.

MOTION: To close the Public Hearing at 7:20 P.M.

E. 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 Louis A. Ritz Minor Subdivision having Application No. P01-20 as an Unlisted Action under SEQRA, and to declare that the Town of Northampton Planning Board act as the Lead Agency under Section 617.6(b)(4) Uncoordinated Review for Unlisted Actions involving more than one agency.

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

MOTION: To authorize the Fulton County Planning Department to complete Parts 2 and 3 of the Short Environmental Assessment Form on the board's behalf and to file a Negative Declaration under SEQR for the Louis A. Ritz Minor Subdivision Application No. P01-20 in the Town of Northampton since:

1. The project meets the minimum area requirements of the Town of Northampton.
2. There will be no significant traffic impacts stemming from this proposed action.
3. The lands are proposed to remain vacant.
4. The NYS Adirondack Park Agency has issued an Agency Permit 2019-0118 dated January 8, 2020 and a Letter of Compliance dated March 3, 2020 reflecting the original Agency Permit 2019-0118.

MADE BY: Member Conkling  
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: Scott Henze asked Planning Board members whether there were any other comments or concerns in regards to the proposed minor subdivision application before them tonight? Planning Board members had no further comments.

MOTION: To approve the Louis A. Ritz Minor Subdivision application P02-20.

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

- Planning Board members requested Member Anderson to sign the final subdivision plat.

IV. **OTHER BUSINESS:**

➤ None

V. **CODE ENFORCEMENT REPORT:**

➤ No report.

VI. **CLOSE OF THE MEETING:**

MOTION: To close the meeting at 7:45 p.m.

MADE BY: Member Anderson

SECONDED: Member Conkling

VOTE: 4 in favor, 0 opposed