

**TOWN OF NORTHAMPTON PLANNING BOARD  
JUNE 9, 2020  
7:00 P.M.  
TOWN HALL**

**MEETING NOTES**

**PRESENT:**

**ROBERT SMITH, CHAIRMAN  
JAMES CONKLING, MEMBER  
JACK GROFF, MEMBER  
ROBERT ANDERSON, MEMBER  
ED ANKER, ALTERNATE MEMBER**

**SCOTT D. HENZE, FULTON COUNTY PLANNING DIRECTOR**

**I. CALL MEETING TO ORDER:**

The meeting was called to order at 7:03 p.m.

Chairman Smith requested that Ed Anker, who is the Alternate Member to the Planning Board, participate as an acting member for tonight's meeting.

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

MOTION: To approve the minutes to the March 10, 2020 meeting.

MADE BY: Member Conkling

SECONDED: Member Anderson

VOTE: 3 in favor, 0 opposed, 2 abstained  
(Members Groff and Anker due to the fact they were not in attendance during the March 10, 2020 meeting.)

### III. UPSTATE BOYS CLUB, LLC MAJOR SUBDIVISION:

#### A. Background:

- The Subdivider of this application is Upstate Boys Club, LLC.
- The previous owner/subdivider was Stephen A. Woodland.
- The Representative Agent of the project is Chris Foss of Ferguson & Foss Professional Land Surveyor's.
- The Subdivider owns parcel 59.2-1-11 being 47.35+/- acres along Bunker Hill Road.
- The Subdivider is proposing a 5-lot subdivision of the 47.35+/- acre property into the following:

Lot 1 - 4.64 acres  
Lot 2 - 4.02 acres  
Lot 3 - 4.02 acres  
Lot 4 - 14.81 acres  
Lot 5 - 19.87 acres

- The property is located within the Town's Rural Residential 2 Zoning District requiring a minimum lot area of 1 acre.
- The property is located within two (2) Adirondack Park Agency (APA) Land Use Classifications having the following lot size requirements:

Lot 1 - 4.64 acres - Low Intensity - 3.2 acre  
Lot 2 - 4.02 acres - Low Intensity  
Lot 3 - 4.02 acres - Low Intensity  
Lot 4 - 14.81 acres - Low Intensity  
Lot 5 - 19.87 acres - Rural Use - 8.5 acre

- The Subdivider is proposing the subdivision to accommodate five (5) small seasonal homes with individual onsite well and septic systems to be developed on the lots.
- The Subdivider is proposing a 60' wide right of way (ROW) to access the five lots.
- The Subdivider is proposing to create a Homeowners Association (HOA) to maintain the 60' wide right of way (ROW).

DISCUSSION: Scott Henze reviewed the background information with Planning Board members as is identified in the Agenda. Planning Board members noted that the most recent subdivision plat map prepared by Ferguson & Foss Professional Land Surveyors is somewhat confusing in

relation to the proposed 60' wide ROW and how that ROW cross is over lots 1-4.

B. Documentation Submitted/Other:

The applicant submitted the following other materials:

1. Completed Town of Northampton Subdivision application dated 3/31/2020 having Application No.P02-20.
2. Subdivision Map of Stephen A. Woodland dated August 2, 2007 and last revised on November 16, 2011 drawn by Ferguson & Foss, Chris Foss, P.L.S.
3. Subdivision Map of Upstate Boys Club, LLC dated March 23, 2020 drawn by Ferguson & Foss, Chris Foss, P.L.S.
4. Warranty Deed dated October 9, 2019 between Stephen A. Woodland and Upstate Boys Club, LLC.
5. Jurisdictional Determination J2011-0445A from the NYS Adirondack Park Agency dated November 29, 2011.
6. Completed Part 1 of the Full State Environmental Quality Review (SEQR) form.

DISCUSSION: Scott Henze reviewed the application submission materials as identified within the Agenda. Scott Henze stated that he and Anthony Fancher, Code Enforcement Officer, have copies of all of the information that was submitted. However, Mr. Foss only provided the proposed subdivision plat maps for all Planning Board members at this time. Member Anderson questioned whether or not a new Jurisdictional Inquiry Form had been requested from the APA based upon the newly-revised subdivision plat map. Scott Henze stated that, to date, he does not believe as though a new jurisdictional inquiry form has been submitted to the APA based upon the new subdivision plat. However, Mr. Henze identified that he would be recommending to the Planning Board that the APA be coordinated with under the required State Environmental Quality Review (SEQR) process that would trigger the APA's initial comment on the proposed project.

C. Subdivision Approval Procedure

1. Pre-Application Procedure

a. Pre-Application Meeting (Required for Major Subdivision)

- For applicant and Board to discuss a subdivision concept.
- Discuss SEQR.
- To determine if subdivision is major or minor.

b. Resource Analysis (Required for Major Subdivision)

- The required information to be included within the Resource Analysis is as follows:
  1. The proposed subdivision name or identifying title, and the words “Town of Northampton, Fulton County, New York.”
  2. The name of the property owner(s) and the authorized applicant, if different from the property owner(s).
  3. Aerial map at a scale of 1” = 400’ or larger, showing the location of the proposed subdivision parcel with respect to all streets and property within 1,000 feet of the applicant’s parcel and superimposed with 10’ contours, NYSDEC wetlands, NWI wetlands, floodplains, streams, water bodies, NYSDEC Natural Heritage Program data, and public trails.
  4. A list including general location of features known to exist on the parcel including but not limited to historic buildings, stone walls, rock outcrops, significant trees and stands of trees, potential wildlife habitats and view sheds. This list is a preliminary step in identifying existing features and is subject to modification and interpretation of the reviewing bodies.
  5. Provide an 8½ x 11 soils map indicating if Prime and/or Statewide important soils, as defined by the Soil Survey of Fulton County New York, exist on the property.
  6. General subdivision information necessary to explain and/or supplement the Aerial Map.
- Does the Planning Board agree that any of the above Resource Analysis items have already been supplied or that will be required?

DISCUSSION: Scott Henze stated that the Town of Northampton’s Major Subdivision Application Review Procedures require a pre-application and resource analysis as part of a major subdivision. Scott Henze reminded Planning Board members that this process is outlined in particular for when a new subdivision project is being proposed from scratch and a potential

applicant would come before the Planning Board with a concept that may simply be hand drawn. Scott Henze stated that the resource analysis would provide a bit more in depth information to the Planning Board on a generic application without requiring the potential applicant to spend a great deal of dollars to put together a resource analysis. Scott Henze stated that, however, typically what has happened in the Town of Northampton is that applications for major subdivisions are provided to the Planning Board after a great deal of background information has been developed by an applicant and therefore is typically jumping the hurdle of going through the pre-application meeting and resource analysis etc. Planning Board members determined that, based upon the extent of information that has been provided to date on the subdivision plat map, that that information would suffice for the resource analysis moving forward.

c. Sketch Plan

- For applicant and Board to review and discuss the proposal and reach an agreement on requirements of Article VIII and to classify the subdivision as either Minor or Major.
- The required information to be included on a Sketch Plan is as follows:
  1. 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.
  2. A density calculation as outlined in Subsection F.3. Density Calculation.
  3. Sketch plan on a topographic survey of the proposed area to be subdivided showing, in simple sketch form, the proposed layout of streets, lots and other features.
  4. General subdivision information necessary to explain and/or supplement the vicinity map and sketch plan.
- Does the Planning Board agree that any of the above Sketch Plan items have already been supplied or that will be required?
- Does the Planning Board agree that the subdivision is a Major Subdivision?

DISCUSSION: Scott Henze reiterated again that the current application is beyond what a typical sketch plan phase would be to date. However, reviewed the requirements of the sketch plan with the Planning Board for additional consideration. Member Anker questioned the datum and baseline information that was used to develop the contours on the subdivision plat. Member Anker indicated that it is confusing to know what the base elevation is and he would suggest that revised elevations be drawn on the subdivision plat with the true elevations. Scott Henze stated that he would request clarification from Chris Foss, Ferguson & Foss Professional Land Surveyors, as to why he utilized the contours that he has identified.

- SEQR - The Planning Board must initiate SEQR upon completion of the sketch plan phase of the Pre-Application process, and when a Preliminary Plat application is determined to be complete. SEQR shall be completed prior to approval of the Preliminary Plat.
  - Does the Planning Board feel that there is enough information provided to start the SEQR process at this time?
  - If so, it is suggested that the following involved/interested agencies should be identified:
    - NYS APA
    - NYS DOH
    - Other?

DISCUSSION: Scott Henze reviewed the required State Environmental Quality Review language as identified within the Agenda. Scott Henze asked Planning Board members whether or not they felt as though there was enough information to start the SEQR process. Scott Henze stated that, based upon his initial review, he is recommending that the NYS Adirondack Park Agency, as well as the NYS Department of Health, be coordinated with on this major subdivision application. Planning Board members discussed at length whether or not the application is ready to initiate the SEQR process at this time. Scott Henze stated that, if the Planning Board feels as though there is enough information for the other Interested Agencies to understand what their jurisdiction may be over the major subdivision application, then he recommends that the Planning Board move forward with a coordinated review and initiate SEQR. Planning Board members agreed that there is enough information to commence the SEQR process at this time.

MOTION: To classify the Upper State Boys Club, LLC major subdivision application as an Unlisted Action under Section 617 of 6NYCRR and propose that the Town of Northampton Planning Board act as the Lead Agency to conduct a Coordinated Review of said action.

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

### **End Sketch Plan Procedures**

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#### **Start of Major Subdivision Preliminary Plat Procedures**

#### D. Major Subdivision - Preliminary Plat

##### 1. Application Procedure

Prior to filing an application for the approval of a plat, the applicant shall file an application for the approval of a preliminary plat. The application shall:

- a. Be made on forms available at the office of the Code Enforcement Officer.
- b. Include all land that the applicant proposes to subdivide.
- c. Be accompanied by an original and 7 copies of the preliminary plat and supplementary material described in Subsection G(7), Preliminary Plat of these regulations.
- d. Comply in all respects with the requirements specified in Subsection F, General Requirements and Design Standards of these regulations and with the provisions of Section 276 and Section 277 of New York State Town Law.
- e. Be submitted to the Clerk of the Planning Board.
- f. Be accompanied by fees as specified by the Town Fee schedule.

DISCUSSION: Scott Henze reviewed the major subdivision preliminary plat application procedures with the Planning Board. Planning Board members had no further comments.

## 2. Required Data and Documents - Preliminary Plat

- *The Planning Board should review the Preliminary Plat requirements (page 110) with the applicant at this time. The Planning Board should indicate what requirements will be required (Comply), what requirements will be waived (Waive) or what requirements have been met (Accepted).*

### (a) Data required by Subsection G.2. General Requirements:

- A NYS Licensed Land Surveyor shall be required for all subdivision plats. (~~Comply~~)(~~Waive~~)(Accepted)
  - A NYS Licensed Engineer shall be required for all Major subdivision plats. (~~Comply~~) (~~Waive~~) (~~Accepted~~)
    - The Planning Board noted that a NYS Licensed Engineer would be required to design the proposed onsite septic systems as well as the proposed private road.
  - Sketch plans and plats shall be clearly and legibly drawn 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. (~~Comply~~)(~~Waive~~) (Accepted)
- (b) The name of the property owner(s) and the authorized applicant, if different from the property owner(s). (~~Comply~~) (~~Waive~~) (Accepted)
- (c) Tax number of all parcels to be subdivided. (~~Comply~~)(~~Waive~~) (Accepted)
- (d) Location, bearings and distances of trace boundary including georeferencing information or latitude and longitude coordinates of the plat as available. (~~Comply~~) (~~Waive~~) (~~Accepted~~)

### Comments:

- Planning Board members requested that the base elevation be included on the subdivision plat with the elevations contours that are currently used be updated to actual elevation contours.

- (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~~) (Waive) (Accepted)
- (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) (~~Waive~~) (Accepted)

Comments:

- Planning Board members requested that the base elevation be included on the subdivision plat with the elevations contours that are currently used be updated to actual elevation contours.

- (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) (~~Waive~~) (Accepted)

Comments:

- Planning Board identified that they would like a list as map note or other of all property owners to include the SBL and address in the map of all properties within 200 feet of the property boundary to include those on the opposite side of the road that currently are not identified.

- (h) Location, name and dimensions of existing streets, easements, deed restrictions, zoning district boundaries, property lines, buildings, parks and public properties. (Comply) (~~Waive~~) (Accepted)

Comments:

- Planning Board members again identified that there is some confusion as to how the proposed 60 foot ROW crosses lots 1-4 and how that easement will be within the deeds of those particular parcels. Planning Board members would like further information on this.

- (i) Location of existing sewers, water mains, culverts and storm drains, if any, including pipe sizes, grades and direction of flow. (~~Comply~~) (~~Waive~~) (~~Accepted~~)
- (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~~) (~~Waive~~) (~~Accepted~~)
- (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~~) (~~Waive~~) (~~Accepted~~)

Comments:

- Planning Board members identified that, per the Town of Northampton Zoning Regulations, proposed streets or roads also include private roads and would like a note of the proposed grade be identified on the subdivision plat.

- (l) Proposed provision of sanitary waste disposal, water supply, fire protection, stormwater drainage, street trees, streetlight fixtures, street signs and sidewalks. (~~Comply~~) (~~Waive~~) (~~Accepted~~)
- (m) Lot lines of all proposed or existing lots, and suggested building envelopes. (~~Comply~~) (~~Waive~~) (~~Accepted~~)

Comments:

- Planning Board understands the existing lot layout. However, would like clarification as to whether or not there will be additional lots created on the larger lots in the future.

- (n) Conceptual future plans for the parcel, if any. (Comply) ~~(Waive)~~ ~~(Accepted)~~

Comments:

- Planning Board members would like to know if there are future plans for additional lots or subdivision of the larger parcels at this time.

- (o) Location and approximate dimensions of all property proposed to be reserved for park or public uses. ~~(Comply)~~ (Waive) ~~(Accepted)~~
- (p) A copy of the Adirondack Park Agency response to either a Jurisdiction Inquiry Form or permit application (as applicable). (Comply) ~~(Waive)~~ ~~(Accepted)~~
- (q) Information on all other County and State permits required for subdivision plat approval. (Comply) ~~(Waive)~~ ~~(Accepted)~~
  - Planning Board identified that there may be other State permits required such as a revised Adirondack Park Agency permit.
- (r) A written statement of any requests for specific waivers of requirements by the Planning Board. (Comply) ~~(Waive)~~ ~~(Accepted)~~
- (s) Other data which must be available for consideration of the subdivision at this stage.

Comments:

- Soils Perc Test on each Lot in location of proposed building site.

DISCUSSION: Planning Board members expressed concerns in relation to the proposed private road in relation to emergency services, in particular fire. Planning Board members indicated that the Village of Northville Volunteer Fire Department Chief should be coordinated with in regards to this proposed road to verify that its location would accommodate existing and future equipment of the Fire Department, in particular, whether or not there would need to be a cul-de-sac or some other form of turnaround located at the end or along said proposed roadway. Scott Henze stated that the Town of Northampton Highway Superintendent should also be coordinated with in regards to the proposed location of the road as it is along Bunker Hill Road.

### 3. General Requirements and Design Standards for Subdivisions:

*The Planning Board should review the General Subdivision Requirements and Design Standards (page 97) with the applicant at this time. The Planning Board should indicate what requirements will be applicable to the application and what will not. For those that will be applicable, the Planning Board should indicate what will be required.*

- (4) Minimum Lot Standards
- (5) Streets (to include Private Roads)
- (6) Blocks (N/A)
- (7) Driveways
- (8) Preservation of Open Space
- (9) Reservations and Dedications

DISCUSSION: Scott Henze stated that there are other general requirements and design standards for a subdivision needed within the subdivision section of the Zoning Ordinance. Scott Henze stated that this particular project would involve Item #5 Streets which also includes private roads, as well as Item #7: Driveways and any other preservation of open space that may be proposed. Scott Henze stated that also the reservations and dedications of lands that may involve the proposed private road ROW may need to be addressed. Scott Henze stated that he will include a recommendation that these particular general requirements and design standards be reviewed by the applicant for additional consideration.

### 4. Public Hearing - Preliminary Plat

- A Public Hearing shall be held by the Planning Board within 62-days from the time of the 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.
  - Does the Planning Board feels as though there is enough information to schedule a Public Hearing at this time?
  - Date, time, in-person or Zoom?

DISCUSSION: Scott Henze asked Planning Board members whether or not they felt there was enough information for someone who reviews the proposed major subdivision application preliminary plat to have an understanding of what is being proposed. Scott Henze stated that if the Planning Board feels as though there is enough information, then he recommends that the Planning Board schedule a public hearing on the preliminary plat at this time. Scott Henze quickly reviewed the subsequent processes of a major subdivision application with the Planning Board indicating that there is a second opportunity for a second public hearing during the final plat stage of a major subdivision application if the Planning Board feels as though it would be necessary. Scott Henze stated that, however, that second public hearing could be waived by the Planning Board if they feel as though there were no significant changes from the final preliminary plat to the final plat. Planning Board members agreed that, at this time, there is sufficient information to schedule a public hearing and identified that any comments made during that public hearing could be utilized within the Planning Board's review of the preliminary plat. Planning Board members, however, expressed concerns whether to hold a public hearing if the applicant does not supply the additional information prior to the next meeting. Scott Henze stated that he would coordinate the public hearing notice with Elaine Mihalik, Town Clerk, and what it will need to say in regards to public being present during the public hearing or whether the public hearing would need to be conducted via Zoom or the Planning Board may be required to solicit comments directly through handwritten notes etc.

MOTION: To schedule a public hearing on the Upstate Boys Club, LLC's major subdivision application for Tuesday, July 14, 2020, at 7:00 p.m., located at Town of Northampton Town Hall with said public hearing notice being placed in the Town's newspaper of general circulation no later than July 3, 2020 and said public hearing notice be mailed directly to all property owners located within 100 feet of the project property via certified mail, a cost to be borne by the applicant for said mailing.

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

**End of Major Subdivision Preliminary Plat Procedures**

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**Start of Major Subdivision Final Plat Procedures**

## 5. Required Data and Documents - Final Plat

- *The Planning Board should review the Final Plat requirements (page 112) with the applicant at this time. The Planning Board should indicate what requirements will be required (Comply), what requirements will be waived (Waive) or what requirements have been met (Accepted).*

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) (Waive) (Accepted)
- (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) (Waive) (Accepted)
- (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) (Waive) (Accepted)
- (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) (Waive) (Accepted)
- (f) Setback lines. (Comply) (Waive) (Accepted)
- (g) Location, size and invert elevations of existing and proposed stormwater drains and sanitary sewers; the exact location of utilities and fire hydrants. (Comply) (Waive) (Accepted)
- (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) (Waive) (Accepted)

- (i) Location of street trees, street lighting standards and street signs. (Comply) (Waive) (Accepted)
- (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) (Waive) (Accepted)
- (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) (Waive) (Accepted)
- (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) (Waive) (Accepted)
- (m) Necessary agreements in connection with required easements or releases. (Comply) (Waive) (Accepted)
- (n) Formal offers of cession to the Town of all streets and public parks. (Comply) (Waive) (Accepted)

DISCUSSION:

**IV. CODE ENFORCEMENT REPORT:**

There was no Code Enforcement Report provided.

**V. OTHER BUSINESS:**

None.

**VI. CLOSE OF THE MEETING:**

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

MADE BY: Member Conkling

SECONDED: Member Groff

VOTE: 5 in favor, 0 opposed