

**TOWN OF NORTHAMPTON PLANNING BOARD
SEPTEMBER 8, 2021
6:00 P.M.
TOWN HALL**

MEETING NOTES

PRESENT:

**ROBERT SMITH, CHAIRMAN
JAMES CONKLING, VICE CHAIRMAN
STEVEN NAPLE, MEMBER (arrived at 6:45 p.m.)
ED ANKER, ALTERNATE MEMBER**

**SCOTT D. HENZE, FULTON COUNTY PLANNING DIRECTOR
TODD UNISLAWSKI, ACTING CODE ENFORCEMENT OFFICER
JIM GROFF, TOWN SUPERVISOR
ALAN LORD, NY LAND & LAKES**

OTHERS:

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:00 p.m.

II. APPROVAL OF MINUTES:

MOTION: To approve the minutes to the June 9, 2021 meeting.
MADE BY: Member Conkling
SECONDED: Member Anker
VOTE: 4 in favor, 0 opposed

III. COMPREHENSIVE (MASTER PLAN UPDATE) –SEPTEMBER 8, 2021:

1. Background:

During the December 12, 2017 meeting, the Planning Board determined that the Town of Northampton Comprehensive (Master) Plan, that was adopted in 2007, was in need of an update.

During their December 20, 2017 meeting, the Town Board passed Resolution 2017-05 appointing the Planning Board as the Comprehensive Plan Committee to update the Town's Master Plan.

2. Content of Town Comprehensive Plan:

- A. Town Comprehensive Plan may include the following topics at the level of detail:
 - (a) General statements of goals, objectives, principles, policies, and standards upon which proposals for the immediate and long-range enhancement, growth and development of the town are based.
 - (b) Consideration of regional needs and the official plans of other government units and agencies within the region.
 - (c) The existing and proposed location and intensity of land uses.
 - (d) Consideration of agricultural uses, historic and cultural resources, coastal and natural resources and sensitive environmental areas.
 - (e) Consideration of population, demographic and socio-economic trends and future projections.
 - (f) The location and types of transportation facilities.
 - (g) Existing and proposed general location of public and private utilities and infrastructure.
 - (h) Existing housing resources and future housing needs, including affordable housing.
 - (i) The present and future general location of educational and cultural facilities, historic sites, health facilities and facilities for emergency services.
 - (j) Existing and proposed recreation facilities and parkland.
 - (k) The present and potential future general location of commercial and industrial facilities.
 - (l) Specific policies and strategies for improving the local economy in coordination with other plan topics.
 - (m) Proposed measures, programs, devices and instruments to implement the goals and objectives of the various topics within the comprehensive plan.
 - (n) All or part of the plan of another public agency.
 - (o) Any and all other items which are consistent with the orderly growth and development of the town.

3. Process:

- a. The Town Board may, by resolution, appoint the Planning Board or a Special Board to prepare a Comprehensive Plan or Amendment.
- b. Once a Special Committee or the Planning Board completes a Comprehensive Plan, the Special Committee or Planning Board must hold its own public hearing.

- c. In the event that the proposed plan or amendment thereto is prepared by the Planning Board or special board, such board may request comment on such proposed plan or amendment from the County Planning Board....
- d. Once a Special Committee or Planning Board completes its work on a Comprehensive Plan, it shall, by resolution recommend the plan to the Town Board.
- e. Prior to adopting a Comprehensive Plan, the Town Board must:
 - 1. Refer the Plan to the County Planning Board to conduct a 239-m review.
 - 2. Conduct SEQR Review.
 - 3. Conduct its own Public Hearing.

4. Table of Contents:

<u>Current Comprehensive Plan</u>	<u>Proposed Comprehensive Plan</u>
a. Vision Statement	Draft Complete
b. General Recommendations	
c. Demographic Analysis (Town Profile)	Draft Complete
d. History	Draft Complete
e. Social Services (Community Facilities)	Draft Complete
f. Environment and Natural Resources	Draft Complete
g. Water/Sewer	Draft Complete
h. Transportation	Draft Complete
i. Recreation	Draft Complete
j. Economic Development	Draft Complete
k. Appendix A Land Use Analysis	Draft Complete
l. Appendix B APA Land Use Analysis	No Change
m. Appendix C Public Opinion Survey Report	No Change

- The Planning Board performed the final review of the proposed Amendments made to the draft Comprehensive Master Plan during their May 12, 2021 meeting and scheduled the required Public Hearing for June 9, 2021.
- The Planning Board conducted the required public hearing on June 9, 2021 whereby there were no comments made.
- During the June 9, 2021 meeting, the Planning Board adopted Resolution 2021-01 to approve the amendments made to the Draft Comprehensive Master Plan and recommended said Plan to the Town Board for adoption.
- A recommendation letter was sent to Supervisor Groff dated June 14, 2021 recommending the amended Comprehensive Master Plan to the Town Board for consideration.
- To date, the Town Board has taken no action in regards to the adoption of the Comprehensive Plan.

DISCUSSION: Chairman Smith reviewed the information as identified within the Agenda. Chairman Smith asked Supervisor Groff whether or not the Town Board had met to discuss the Comprehensive Plan to date? Member Anker asked whether or not any actions have been taken by the Town Board? Supervisor Groff stated that, during the last Town Board meeting, the Town Board did discuss the Comprehensive Plan, however, no actions were taken. Supervisor Groff indicated that, other than the Board members identifying some language discrepancies and other grammatical corrections, the only significant comment that was made was in regards to outlawing Solar Farms within the Town. Supervisor Groff stated that, however, he does not believe that the Town would have the ability to outright outlaw Solar Farms entirely. Member Conkling stated that he had recently done some research in regards to Solar Farm applications and projects within the Adirondack Park. Mr. Conkling stated that his research has shown that five (5) commercial solar projects have been approved and that the New York State Adirondack Park Agency has not specifically finalized a process in which they will continue to review and permit commercial Solar Farms to date. Member Conkling read aloud language that he has drafted to suggest that that be incorporated into the Comprehensive Plan:

“In that the Town of Northampton has limited land suitable for residential and commercial development, the Planning Board decided to wait for guidance from the APA. At this time, we do not allow Solar Farms in our zoning. This conflicts with goals for economic and residential development documented in the revised Plan. Once we have guidance, a moratorium can be issued and adjustments made if needed.”

Chairman Smith asked Planning Board members if they would like to forward a recommendation to the Town Board to include the language as identified by Member Conkling? Member Naples stated that he would support a motion to do so. Seconded by Member Conkling and vote 4/0.

MOTION: To forward a recommendation to the Town Board to include the language as identified by Member Conkling.

MADE BY: Member Naples

SECONDED: Member Conkling

VOTE: 4 in favor, 0 opposed

IV. PROPOSED AMENDMENTS TO THE ZONING CODE:

- The Planning Board has been compiling a list of proposed Amendments to be made to the Town's Zoning Code in parallel to the amendments being made to the Town's Comprehensive Master Plan.
- The Planning Board reviewed the proposed Amendments during the May 12, 2021 meeting and determined that they were complete.
- During the June 9, 2021 meeting, the Planning Board recommended nine (9) amendments be made to the Town of Northampton Zoning and Subdivision Code based upon the update to the Town of Northampton Comprehensive Master Plan.

- Via cover letter dated June 14, 2021 to Supervisor Groff, the Planning Board forwarded the recommended nine (9) amendments to the current Town of Northampton Zoning and Subdivision Code to the Town Board for consideration.

DISCUSSION: Chairman Smith stated that, given the fact that the Comprehensive Plan has not been finalized by the Town Board, that said amendments most likely had also not been discussed. Supervisor Groff confirmed that the Town Board had yet to discuss any of the proposed amendments.

V. SITE PLAN REVIEW CONCEPT – RV PARK:

During the June 9, 2021 meeting, the following discussion took place in regards to a commercial RV concept in the Town of Northampton:

“Scott Henze indicated that Todd Unislawski, Code Enforcement Officer, had informed him that there was an interested party that has an interest in developing a Recreational Vehicle Park along Seven Hills Road. Scott Henze indicated that he suggested that Todd inform him that they should attend tonight’s public hearing, as well as have a discussion with the Planning Board in regards to his intent. Code Enforcement Unislawski indicated that the proposed use is not allowed in the current zoning and, therefore, the applicant would either need to request an amendment to the Zoning Code or seek an Area Variance. Mr. Unislawski indicated that Mr. Henze suggested that they attend tonight’s meeting given the fact that the Planning Board is wrapping up the amendments to the Comprehensive Plan and proposing various amendments to the Zoning Code. Mr. Unislawski indicated that, however, he has not heard back from that interested party since that preliminary discussion.”

- During a recent Town of Northampton Town Board meeting, said interested party approached the Town Board with a concept of a commercial Recreational Vehicle Park along Seven Hills Road. During that meeting, the Town Board recommended that the interested party present a Site Plan concept to the Planning Board at subsequent meetings.
- Based upon the interpretation of the allowable uses within the District in which the proposal is being considered, Code Enforcement Officer Unislawski identified that the use would not be allowed and the interested party would have to seek a Use Variance from the Town of Northampton Zoning Board of Appeals or request the Town Board to amend the existing Zoning Ordinance.
- During the update to the Town of Northampton Comprehensive Master Plan, the Planning Board has identified within various areas of the Comprehensive Plan Recreational Vehicle projects and facilities to include the following:
 - 1) The Vision Statement
 - 2) Chapter 7: Recreation/Objectives
 - 3) Chapter 7: Recreation #7 (Specifically identifies the Red Barn Airport along NY30 as a specific desired location for a Recreational Vehicle use within the Town’s existing Mixed Use Zoning District.)
 - 4) Chapter 7: Recreation – Second to last bullet under Recommendations

- The Planning Board should review the above-mentioned locations of the Comprehensive Plan that the Planning Board recently forwarded to the Town Board for consideration.

PLANNING BOARD DISCUSSION: Chairman Smith quickly reviewed the background information as identified within the Agenda. It was noted that the proposal to construct an RV Park along Seven Hills Road has not moved forward. However, there has been interest in the development of seven (7) seasonal residential rental structures to be constructed on one (1) lot. Planning Board members discussed whether or not this type of concept would be allowed in the Medium Density Residential Zone. Code Enforcement Officer Todd Unislawski stated a Campground or Group Camp is not allowed in said primarily residential zone. There was no further discussion.

VI. UPDATE TO NEW YORK LAND AND LAKES MAJOR SUBDIVISION PROJECT:

- Alan Lord of New York State Land and Lakes to provide an update to the Planning Board in regards to said approved subdivision project.

PLANNING BOARD DISCUSSION: Alan Lord thanked the Planning Board for allowing him to attend tonight's meeting and stated that he would like to provide an update to the project that the Planning Board had recently approved. Alan Lord passed around a sheet identifying in chronological order the various steps taken for the Woodward Lake Subdivision starting April 2018 when the property was placed under contract to purchase and concluding on September 11th and 12th of 2021 with the Grand Opening weekend. Alan Lord stated that this was an interesting piece of information to put together as it really shows the steps taken and may benefit the Planning Board for future major subdivision projects that come before them.

Alan Lord then presented a sales binder that New York Land and Lakes utilizes when selling lots. Alan Lord indicated that all of the information in regards to the major subdivision application approvals on the local level, as well as the Adirondack Park Agency, Homeowner's Association, prices, as well as a Woodward Lake fact sheet that contains various pieces of information on each respective lot to include deed restrictions etc. are all provided to potential lot buyers for their information when discerning which particular lot that they have the most interest in.

Scott Henze asked Alan Lord what is specifically included in the deeds that have been filed at the County Clerk's Office. Alan Lord indicated that all of the deed restrictions to include the Adirondack Park Agency Permit are included as part of the deeds and the specific Homeowner's Association rules and regulations are referenced in said deeds, however, are filed in the County Clerk's Office as well. Alan Lord stated that he also files all final mylar copies in the County Clerk's Office and not simply just the final subdivision plat copy. Alan Lord indicated that the sales binder includes every piece of information that a landowner may wish to reference during the sale of the lot, as well as once the property owner owns said lot. Alan Lord stated that New York Land and Lakes started providing all of this information in a neat and organized manner several years ago due to the fact that in the past, New York Land and Lakes' staff would receive

numerous phone calls from property owners after they had purchased their lots questioning what they can and cannot do.

Alan Lord showed the final subdivision plot plan to Planning Board members, which included the building envelope areas, as well as all of the engineered septic designs for each lot. Scott Henze asked whether or not when an individual applies for a local Building Permit if that individual would also need to include a separate engineered stamped plans for the septic permit? Alan Lord stated that each specific lot has its own engineered septic design and therefore they should not have to supply a separate engineered design unless the lot owner has requested a change or modification to the approved lot layout by the APA. Alan Lord stated that other than a septic permit being issued and fees collected for said permit, there should be no other engineering plans needed by the lot owner.

Scott Henze asked Alan Lord to describe how New York Land and Lakes markets and sells their lots developed. Alan Lord stated that New York Land and Lakes has four (4) real estate agents that are in the office accepting calls from potential lot buyers. Alan Lord stated that once the marketing campaign starts to sell particular lots, the real estate agents field calls and have refined a process that has been successful in identifying how many calls are serious in comparison to how many calls are simply inquiring about prices. Alan Lord stated that, nonetheless, all callers will be sent a sales binder with information on lot sales whereby then real estate agents will contact each respective interested party a week or two (2) after they have received the sales binder to start the discussions as to what their level of interest in the purchase of one (1) of the lots may be. Alan Lord indicated that, shortly after the marketing campaign started, New York Land and Lakes had a list of approximately 225 inquiries. Alan Lord stated that as the real estate agents continue to work with each potential lot purchaser, those numbers drop and he believes as though this weekend during the Grand Opening that there may be 120 or so reservations for lot showings. Alan Lord stated that once the real estate agents have determined that a person is interested, then they will actually setup a Zoom video conference call with said potential purchasers and walk them through the entire lot layout and answer any questions etc. Alan Lord stated that New York Land and Lakes also has a “buyer’s club” program which are people that have purchased lots from New York Land and Lakes previous subdivisions. Alan Lord indicated that buyer’s club members have the opportunity to purchase lots a week prior to the official Grand Opening weekend. Alan Lord indicated that, through the buyer’s club, New York Land and Lakes currently has five (5) lots under contract already.

Supervisor Groff asked whether or not Mr. Jaffee had purchased the original house back from New York Land and Lakes? Alan Lord indicated that Mr. Jaffee has requested, however, terms and restrictions have not been finalized.

Member Anker asked whether or not there had been local interest in some of the lots?: Mr. Lord indicated that he is not 100% sure whether there has been. He has tried to stay out of the real estate portion of the projects. However, he does believe that there was someone from Schenectady that may be attending the weekend’s Grand Opening. Mr. Lord indicated that, based upon the real estate structure used, the potential purchasers are well educated on the entire subdivision and are most certainly interested in purchasing lots. Mr. Lord indicated that, to purchase a lot, there is a down payment made and then the remaining payment made in “x”

number of days. Scott Henze asked Mr. Lord how many lots are available for the Grand Opening? Mr. Lord indicated that there are approximately 25 lots remaining and that he fully expects by the end of this Grand Opening weekend that there would be \$4 million in sales with selling roughly 2/3 of the lots. Scott Henze asked Mr. Lord whether or not he would disclose the cost of the private road and cul-de-sac that was constructed? Mr. Lord indicated that he utilizes a site development contractor that he has used in the past and the total cost of the private access road/cul-de-sac, as well as the access roads to the common areas, costs roughly \$350,000 which was a very good price. Planning Board members thanked Alan Lord for attending and providing said update.

VII. UPDATE ON COUNTY INITIATIVES:

1. The NY 30/30A County Sewer Infrastructure Project:

PLANNING BOARD DISCUSSION: Scott Henze updated Planning Board members on the NY Route 30/30A County Sewer Infrastructure Project indicating that the development of the Map, Plan and Report that will identify the entire District from the City of Gloversville to the Village of Northville has commenced and design and permitting will take place in 2022 with bidding said Phase I of the project over the winter months of 2022 and 2023 with a construction project occurring in 2023. Scott Henze generally indicated that the Phase I of the project would be making the connection into the northernmost portion of the City of Gloversville at NYS Route 30A, then heading east out NYS Route 349 and generally following the NYS Route 30/30A Corridor into the Village of Mayfield.

VIII. CHAIRMAN'S REPORT:

None.

IX. CODE ENFORCEMENT REPORT:

Received a request from the Fulton County Planning Department in regards to Building Permit applications issued in 2020, as well as 2021, which he is currently compiling. Todd Unislawski stated that, to date, he has issued approximately 75 Building Permits in the Town of Northampton.

Member Naple asked Mr. Unislawski whether or not if a seasonal permit was issued to the RV that has been discussed in the past along NYS Route 30? Mr. Unislawski stated that a seasonal permit was in fact issued.

Member Anker asked whether or not there was any regulations or codes that requires a person to side their house so that the Tyvek wrap or other insulation wrap was not the only thing showing on the exterior of the house? Mr. Unislawski stated that, to his knowledge, there is nothing in

the Town of Northampton Zoning Code, however, the building code states that sheeting must be applied to protect the wood underneath.

X. CLOSE OF THE MEETING:

MOTION: To close the meeting.

MADE BY: Member Conkling

SECONDED: Member Naple

VOTE: 4 in favor, 0 opposed

The next regularly-scheduled meeting of the Planning Board is October 13, 2021.