

**TOWN OF NORTHAMPTON PLANNING BOARD
OCTOBER 13, 2021
5:00 P.M.
TOWN HALL**

MEETING NOTES

PRESENT:

**ROBERT SMITH, CHAIRMAN (VIA ZOOM)
STEVEN NAPLE, MEMBER
JAMES CONKLING, MEMBER
JACK GROFF, MEMBER
ED ANKER, ALTERNATE MEMBER**

**TODD UNISLAWSKI, ACTING CODE ENFORCEMENT OFFICER
SCOTT D. HENZE, FULTON COUNTY PLANNING DIRECTOR**

**OTHERS:
BRAD BROOKS**

I. CALL MEETING TO ORDER:

The meeting was called to order at 5:12 p.m.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the September 8, 2021 meeting.

MADE BY: Member Conkling

SECONDED: Member Groff

VOTE: 5 in favor, 0 opposed

DISCUSSION: Chairman Smith requested that Scott Henze conduct the meeting due to the fact that he was attending via Zoom.

III. LOT #3 & LOT #4 PARTRIDGE RUN (ADIRONDACK ESCAPE) LOT LINE ADJUSTMENT REQUEST (PROJECT P01-2021):

A. Background:

Kevin Ferguson owns Lot #3 having tax parcel number 76.3-3-9.113 being approximately 1.03+/- acres. Stephen Tomlinson owns Lot #4 having tax parcel number 76.3-3-9.12 being approximately 1.02+/- acres.

A lot line adjustment is being requested that will adjust the original lot line giving each property owner an equal amount of property (540+/- s.f.).

The Lot Line Adjustment request is to resolve an oversight that occurred when the well was drilled to serve lot 4.

All properties are located within the Town's Rural Residential 2 Zoning District requiring a Minimum Lot Area of 1 acre.

All properties are located within the Adirondack Park Agency's Low Intensity Use Land Use Area.

The applicant has provided the following:

1. Completed application for Lot Line Adjustment dated 10.13.2021.
2. Lot Line Adjustment Map between the owners of Lot #3 & Lot #4 Partridge Run prepared by Environmental Design Partnership dated August 31, 2021.

DISCUSSION: Scott Henze reviewed the background information as was identified in the Agenda. Scott Henze stated that the lot line adjustment request was being sought to resolve an oversight that occurred when the well was drilled to serve Lot #4. Scott Henze indicated that each lot owner would receive the same area (540+/- sq. ft.) so that it would be an even swap.

Member Naple questioned how far the typical setback for a well should be? Todd Unislawski, Code Enforcement Officer, stated that, to his knowledge, there is no specific setback for a well to a property line. However, there are setbacks between wells and on-site septic systems.

Member Naple questioned who the owner of Lot #4 was, whether it was Kevin Ferguson, as identified within the Agenda, or Richard and Jennifer Klena, as identified on the application for lot line adjustment? Todd Unislawski stated that he had issued a building permit to the Klenas and, therefore, it was under his assumption that the Klenas were the owners of the property. Scott Henze

stated that, in preparing the Agenda, he used the information that is within the County's iMap GIS system, whereby that lot transaction may have not been recorded to date.

B. Planning Department Review:

The Fulton County Planning Department has reviewed Article VIII (C): Lot Line Adjustments within the Town's Zoning Ordinance and Subdivision Regulations document. Below is a general outline of steps for the Planning Board to follow to review a Lot Line Adjustment.

START OF LOT LINE ADJUSTMENT PROCEDURE

1. An applicant may request that the subdivision review process be waived when a proposed subdivision is a lot line adjustment that meets the following criteria:

(a) It would not create an additional lot.

(b) It is a minor modification of an existing lot line; or is the conveyance and merger of a portion of one parcel to an adjoining parcel.

(c) It would not create a nonconforming parcel or cause any other parcel to become nonconforming under this Law or the New York State Adirondack Park Agency Act and Adirondack Park Land Use and Development Plan.

(d) It would comply with all applicable zoning requirements of this Law and applicable New York State Department of Health regulations pertaining to well and septic system distances from parcel boundaries.

➤ Does the Planning Board feel that the existing Lot Line Adjustment request meets all of the criteria above?

DISCUSSION: Planning Board members reviewed the information as identified within the Agenda in regards to the request for waiver to the Town's actual Subdivision Regulations. The Planning Board agreed that the project was to be reviewed as a lot line adjustment.

2. Submission requirements

To request a lot line adjustment, the applicant shall submit:

- (a) A waiver application that shall be signed by the parcel owners, or their duly authorized agents, of both affected parcels.
- (b) A plat or map of the parcels affected by the proposed adjustment, showing all existing buildings, the location of existing utility or other easements or rights of the location of existing utility or other easements or rights-of-way of wells and of septic systems. The map shall show the existing lot lines and the location of the proposed new lot line, and the existing and new setback distances to any existing buildings.

The map shall have the title "LOT LINE ADJUSTMENT between properties of (name) and (name)", and shall include a restriction to the effect that the land added to the existing parcel, and the existing parcel are combined to form a single, undivided lot.

- (c) A fee as established by the Town Board in the Schedule of Fees.
- Does the Planning Board feel that the existing Lot Line Adjustment Map provided meets all of the submission requirements above?

DISCUSSION: The Planning Board had no further comments.

3. 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 a Type II action under 6NYCRR Part 617.5(c)(19) requiring no further SEQR action.

DISCUSSION: Scott Henze stated that the transfer of ownership of lands from one (1) property owner to another is a Type II Action under SEQR.

MOTION: To classify the proposed Lot Line Adjustment of lands between the owners of Lots #3 & #4 Partridge Run having Application No. P01-2021 as a Type II action under 6NYCRR Part 617.5(c)(19) of the SEQR regulations.

MADE BY: Member Conkling

SECONDED: Member Groff

VOTE: 5 in favor, 0 opposed

4. Planning Board Review and Approval Procedure

- (a) Upon submission of a complete application, the Planning Board shall, within 62 days, review the application and shall either approve or deny the application. Approval may be granted when the Planning Board determines that the proposed adjustment meets all requirements for a Lot Line Adjustment and would not adversely affect the site's development or neighboring properties, would not alter the essential characteristics of the neighborhood or adversely affect the health, safety or welfare of Town residents.
- (b) No public hearing shall be required.
- (c) If the waiver is granted, the applicant shall file a map with the Fulton County Clerk within 30 days of the approval date. The map shall be signed by an empowered duly authorized officer of the Town of Northampton Planning Board. No person shall file plans for any lot line adjustment without first obtaining the Planning Board's signature on the plans.
- (d) If the Planning Board denies the request for waiver, the applicant may proceed with the minor subdivision review process as set forth in this Article.

MOTION: To approve the request for a waiver to the Town of Northampton Subdivision Regulations and to approve the application for the Lot Line Adjustment of lands between the owners of Lots #3 & #4 Partridge Run having Application No. P01-2021 as submitted and to authorize the Chairman to stamp and sign the Lot Line Adjustment map.

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

IV. GINO & KRISTEN MAROTTA BUILDING PERMIT APPLICATION FOR THE CONSTRUCTION OF A 3-SEASON ROOM AT 151 MCKINLEY AVE SACANDAGA PARK (PROJECT P02-2021):

A. Background:

Gino & Kristen Marotta own property at 151 McKinley Ave. within Sacandaga Park having Tax Parcel No. 31.16-2-12.

The property consists of a single residential structure with an existing deck. The property owners would like to enclose the existing deck and turn it into a 3-season room.

The property is located within the Town's Hamlet Mixed Use zoning district and within the Sacandaga Park Neighborhood Conservation Overlay District.

The Code Enforcement Officer has determined that the proposal meets all of the required setbacks.

The applicant has provided the following:

1. Completed application for a Building Permit dated 9/16/2021
2. A sketch of the existing deck and proposed construction of the 3-season room that is to scale.

DISCUSSION: Scott Henze reviewed the background information as was identified in the Agenda. Scott Henze stated that this particular project application, as well as the one following, both involve building permit applications within the Town's Sacandaga Park Neighborhood Conservation Overlay District. Scott Henze stated that this overlay district allows for additional review by the Planning Board in regards to regulating consistency within the surrounding Sacandaga Park Neighborhood with new structures. Scott Henze stated that there has been much confusion in the past as to how the Sacandaga Park Neighborhood Conservation Overlay District Standards are applied to specific types of development.

B. Sacandaga Park Neighborhood Design Standards

1. Purpose

The purpose of the design standards of this section is to protect the unique, historic character of the Sacandaga Park neighborhood.

2. Applicability

The building design standards of this section shall apply to the construction of new principal buildings located within the Sacandaga Park Neighborhood Conservation Overlay District.

3. Site Plan Review Application Process

For all new construction located within the Sacandaga Park Neighborhood Overlay District requiring Site Plan Review as provided in Article XII of this Law, the Planning Board shall apply the design standards of Subsection 5 of this Section to the project under review as applicable.

4. Building Permit Application Review Process

- (a) The Planning Board shall review and approve building permit applications for all proposed new construction within the Sacandaga Park Neighborhood Conservation Overlay District.
- (b) Upon receipt of a complete building permit application for a property within the Sacandaga Park Conservation Overlay District, the Code Enforcement Officer shall refer the building permit application to the Planning Board for action.
- (c) Within 62 days of referral from the Code Enforcement Officer, the Planning Board shall approve, disapprove or approve with modification the building permit application.

5. New construction of principal buildings

- (a) The Planning Board, in its review of new construction projects within the Sacandaga Park Neighborhood Conservation Overlay District, shall reflect the goals of the Town of Northampton Comprehensive Plan with regard to protecting the character of the Sacandaga Park neighborhood.
- (b) All new infill construction of principal buildings within the Sacandaga Park Neighborhood Conservation Overlay District shall be in keeping with the historic architectural style and scale of the adjacent Sacandaga Park neighborhood. At a minimum, the following design standards shall apply to the

construction of all new principal buildings, including the reconstruction of a building demolished or destroyed by fire or other means:

- (1) All structures shall be of wood-frame type construction.
- (2) All structures shall be 1.5 or 2 stories in height.
- (3) All main roofs shall be hip or gable-style or otherwise consistent with surrounding principal buildings.

DISCUSSION: Member Groff asked Brad Brooks, who is the contractor representing the applicant, the reason for the 4" x 12" pitch for the construction of the 3-season room? Mr. Brooks indicated that the existing residential structure has two (2) windows on the second floor that, if there was a different pitch used, that those windows would need to be altered.

Member Groff asked Mr. Brooks whether or not the 3-season room would be screened? Mr. Brooks indicated that the 3-season room would utilize encasement windows (6) being approximately 32" – 36".

Member Anker asked what type of siding would be utilized on the 3-season room? Mr. Brooks indicated that the owner will be utilizing live bark siding that comes in panels. Mr. Brooks indicated that the live bark siding is actually bark off of a tree and then kiln dried and processed to then be used as siding. Mr. Brooks indicated that this type of live bark siding is very expensive.

Scott Henze asked Mr. Brooks what type of siding exists on the residential structure? Mr. Brooks indicated that it is painted wood.

Mr. Henze asked Mr. Brooks what type of roofing would be utilized on the 3-season room? Mr. Brooks indicated that the owner would be utilizing shingles that would match the existing residential structures' shingle type and the color would be black.

Member Anker asked Mr. Brooks whether or not the 3-season room would be insulated? Mr. Brooks indicated that, currently, the 3-season room would not be insulated and that the owners would be utilizing this as additional space during the spring, summer and early fall months and not necessarily during the winter.

Scott Henze asked Mr. Brooks what color the window frames will be? Mr. Brooks indicated that, to the best of his knowledge, the owner purchased bronze colored window frames.

Member Anker stated that this 3-season room would not be seen from making the ad as it is located behind the existing residential structure.

MOTION: To recommend (approval) (~~approval with modifications~~ (~~disapproval~~) of the Gino & Kristen Morotta Building Permit application for the construction of a 3-season room at 151 McKinley Ave Sacandaga Park Project P02- 2021.

MADE BY: Member Anker

SECONDED: Member Groff

VOTE: 5 in favor, 0 opposed

V. RICK & ROSA MASCARDI BUILDING PERMIT APPLICATION FOR THE CONSTRUCTION OF AN ADDITION AT 153 MCKINLEY AVE SACANDAGA PARK (PROJECT P03-2021):

A. Background:

Rick & Rosa Mascardi own property at 153 McKinley Ave. within Sacandaga Park having Tax Parcel No. 31.16-2-11.

The property consists of a single 2-story residential structure with a 1-story addition.

The owners would like to demolish the existing 1-story addition and construct a new 1-story 22'x24' addition.

The property is located within the Town's Hamlet Mixed Use zoning district and within the Sacandaga Park Neighborhood Conservation Overlay District.

The Code Enforcement Officer has determined that the proposal meets all of the required setbacks.

The applicant has provided the following:

1. Completed application for a Building Permit dated 10/6/2021
2. A sketch of the existing residential structure and proposed 22'x24' addition.
3. Existing and proposed floor plans drawn by George T. Farnum, Architect of Ballston Spa, NY.

DISCUSSION: Scott Henze reviewed the background information with the Planning Board as identified within the Agenda.

B. Sacandaga Park Neighborhood Design Standards

1. Purpose

The purpose of the design standards of this section is to protect the unique, historic character of the Sacandaga Park neighborhood.

2. Applicability

The building design standards of this section shall apply to the construction of new principal buildings located within the Sacandaga Park Neighborhood Conservation Overlay District.

3. Site Plan Review Application Process

For all new construction located within the Sacandaga Park Neighborhood Overlay District requiring Site Plan Review as provided in Article XII of this Law, the Planning Board shall apply the design standards of Subsection 5 of this Section to the project under review as applicable.

4. Building Permit Application Review Process

- (a) The Planning Board shall review and approve building permit applications for all proposed new construction within the Sacandaga Park Neighborhood Conservation Overlay District.
- (b) Upon receipt of a complete building permit application for a property within the Sacandaga Park Conservation Overlay District, the Code Enforcement Officer shall refer the building permit application to the Planning Board for action.
- (c) Within 62 days of referral from the Code Enforcement Officer, the Planning Board shall approve, disapprove or approve with modification the building permit application.

5. New construction of principal buildings

- (a) The Planning Board, in its review of new construction projects within the Sacandaga Park Neighborhood Conservation Overlay District, shall reflect the goals of the Town of Northampton Comprehensive Plan with regard to protecting the character of the Sacandaga Park neighborhood.
- (b) All new infill construction of principal buildings within the Sacandaga Park Neighborhood Conservation Overlay District

shall be in keeping with the historic architectural style and scale of the adjacent Sacandaga Park neighborhood. At a minimum, the following design standards shall apply to the construction of all new principal buildings, including the reconstruction of a building demolished or destroyed by fire or other means:

- (1) All structures shall be of wood-frame type construction.
- (2) All structures shall be 1.5 or 2 stories in height.
- (3) All main roofs shall be hip or gable-style or otherwise consistent with surrounding principal buildings.

DISCUSSION: Scott Henze asked Mr. Brooks what triggered the applicant to totally demolish the existing addition and construct a new addition? Mr. Brooks stated that the craftsmanship of the existing addition isn't very sound and that the foundation itself is also failing so the property owner decided to remove all of the existing foundation as well and build up from there.

Member Anker asked Mr. Brooks what type of foundation would be utilized? Mr. Brooks stated that it would be a fully excavated foundation at 7½ feet deep and poured wall.

Member Anker asked Mr. Brooks to clarify why the pitch of the roof to the new addition is so low. Mr. Brooks identified again as the pitch was determined due to the existing second story two (2) windows. If the pitch was any greater then those windows would be affected.

Scott Henze asked what type of roofing would be utilized on the addition? Mr. Brooks indicated that the roof would be similar to that of the existing 2-story structure being shingled. Mr. Brooks also identified that the siding would most likely be white vinyl that would match existing and that the windows as well would be double hung windows to match existing.

MOTION: To recommend (approval) ~~(approval with modifications)~~ ~~(disapproval)~~ of the Rick & Rosa Mascardi Building Permit application for the construction of a 22'x24' addition room at 153 McKinley Ave Sacandaga Park Project P03-2021.

MADE BY: Member Anker

SECONDED: Member Naple

VOTE: 5 in favor, 0 opposed

VI. CODE ENFORCEMENT REPORT:

DISCUSSION: Todd Unislawski stated that he continues to rearrange the file structure of the Town of Northampton Code Enforcement Office. Mr. Unislawski acknowledged how helpful Robin Wilson has been in organizing the Code Enforcement room and files and assisting him in his daily work when he is in the office. Scott Henze asked Mr. Unislawski whether or not he had received any applications or building permits for the Woodward Lake Major Subdivision Project? Mr. Unislawski stated that he has not received any project applications to date and expects that property owners are lining up contractors as that has been very difficult for people to find.

VII. OTHER BUSINESS:

DISCUSSION: Scott Henze passed around the information release dated October 12, 2021 from the Fulton County Board of Supervisors in regards to the Great Sacandaga Lake Museum/Interpretative Center site. Scott Henze stated that, as this project moves along, that the Town of Northampton Planning Board would be utilized as a sounding board and would most certainly play a role in the development of said project. The Planning Board and Mr. Henze continued discussions in regards to the Great Sacandaga Lake Museum/Interpretative Center. Member Groff questioned whether or not there would be outdoor recreational trails at the project site. Mr. Henze indicated that that is one of the assets that is being considered for the project. Scott Henze reiterated that, to date, other than the acquisition of the property itself, there have been no plans drawn or finalized nor has a title been given to the project itself. Scott Henze stated that although the County has been identifying the project as a "museum", the vision for the project is really for it to be much more than that. Mr. Henze stated that along with continuing to tell the store of the history of the reservoir, the facility could also be utilized by the various Historians for many purposes to include utilizing it as a conference space etc. Scott Henze stated that the County will be meeting with various stakeholders to include all of the area historians, the HRBRRD, Great Sacandaga Lake Fisheries Federation, School Districts and the Great Sacandaga Lake Advisory Council to name a few to obtain feedback on the project and to ascertain what the needs are of those stakeholders and see if the facility will be able to meet those needed. Scott Henze stated that all of the ideas and concepts that the stakeholders provide will really shape the final product (facility). Mr. Henze stated that this outreach will be something that the County will be focusing on in 2022. Mr. Henze indicated that, in the near future, various existing

structures on the site will be removed due to their condition and the site cleaned and made more presentable.

VIII. CLOSE OF THE MEETING:

MOTION: To close the meeting at 5:54 p.m.

MADE BY : Member Groff

SECONDED: Member Naple

VOTE: 4 in favor, 0 opposed
(Chairman Smith left the meeting at 5:45 p.m.)