

Town of Middlefield Planning Board  
Minutes of the regular meeting, October 4, 2018

Present: R. deRosa, M. Fink, R. Kortick, J. Nemec, B. Ralston

Also: Peg Leon, Town Board Member; Neal Newman, Middlefield ZEO

Meeting called to order at 7:02 PM

- Reading of the September 6, 2018 Minutes. Motion to approve by J. Nemec, 2<sup>nd</sup>. Bill Ralston. All in favor.
- The vacancy created as the result of Michael Fink's resignation is now advertised. He has agreed to serve until the vacancy is filled.
- Member Roy Kortick will be taking a six (6) month leave of absence effective December 2018.
- Peg Leon asked what the process is for formally submitting proposed changes/definitions to the Zoning Laws to the Town Board. Past minutes reflect those changes. Appended to these minutes are (4) proposed changes for the Town Board's consideration.

Motion to adjourn by M. Fink, 2<sup>nd</sup>. by R. Kortick

Meeting adjourned at 7:55 PM

Respectfully submitted by Richard J. deRosa, Secretary

Appendix: Proposed amendments to Zoning Law to be submitted to Town Board

A. Lot Line Adjustment: A lot line adjustment is defined as the alteration of boundaries between two or more lots or parcels of land, in such a way as to change their sizes and/or shapes, without creating any new lot or parcel, and without creating any nonconformity or increasing any existing nonconformity with Zoning law. Such adjustment of boundaries may include a conveyance of a portion of one lot or parcel to the owner(s) of adjacent lots or parcels.

Procedure for a Lot Line Adjustment:

A lot line adjustment may be approved by the Town of Middlefield when a landowner or landowners propose to change the boundaries between two or more adjoining lots or parcels. This process shall not be used to create any new lot or parcel.

A completed application for lot line adjustment must be submitted to the Planning Board at a regular or special meeting, along with the following:

1) A sketch plan of all lots involved in the boundary change. This plan should include the total size of each lot, the proposed change in boundaries, the approximate acreage involved in the boundary change, locations of all structures, and all dimensions, including road frontage for all lots and setbacks from roads and neighboring lots. All lots involved in the boundary change should be identified by tax map number as well as street address. A complete survey map that fulfills the requirements of a sketch plan may be used as the sketch plan. The Planning Board will consider any

possible adverse effects on the proposed lots or neighboring lots, including conformity with Zoning law, and determine if the proposal is allowable as a lot line adjustment.

2) A copy of the deed for each lot or parcel involved in the boundary change. A letter of authorization must be presented from any landowner involved in the boundary change who is not present at the Planning Board meeting.

3) A survey map of the portion of any lot that will be altered in the process. The survey map must indicate both the existing and the proposed new boundary lines and acreage. The total acreage and road frontage of all lots involved, both before and after the boundary change, must be noted on the survey map.

4) A copy of the boundary line agreement or deed(s) that will be used to carry out the alteration of boundaries. If a deed(s) is used, it must indicate that the portion being transferred from one lot or lots is to be incorporated into the other lot or lots, and can not be considered a separate taxable parcel.

In order to expedite the process, the sketch plan, survey map and other documents may all be presented at the same Planning Board meeting. The Board will determine if the application is complete, and if all requirements are met, will recommend approval to the Town Board.

If the lot line adjustment is approved by the Town Board, the the deed and survey map must be filed with the Otsego County Department of Real Property within 62 days of the date of approval.

B. "Junkyard: A lot or land used for the collection, sale, or storage of wastepaper, rags, scrap metal or discarded material, or for the collection, dismantling, storage or salvage of machinery or two or more unregistered vehicles, or for the sale of parts thereof. (Under current NY State General Municipal Law, Agricultural operations are exempt.)" *See August 2, 2018 PB minutes.*

C. " Amend Article 5, E, 1b of our Zoning Laws as follows: Change "Tourist Home" to "Transient Rental."

D. "To Adopt the following language from the current Otsego County definition of transient and residential rentals: ' For purposes of this definition, a Transient Rental shall mean the leasing of or portion of a dwelling to individuals for a term of less than three months, or where the tenant does not move his or her furniture, possessions and belongings into the dwelling with the intention of making it the tenant's official residence." *See July 5, 2018 Minutes*