

Town of Northumberland Planning Board
Minutes
Tuesday, January 16, 2007 7:30 pm
(Resumed on) Monday, January 22, 2007 7:30pm
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Tuesday January 16, 2007

Present: Patricia Bryant - Chairperson, Brit Basinger, and Susan Martindale

Absent: Ed Martin, James Heber, Jeff King, Kevin Pumiglia, Wayne Durr, and Kevin Gifford, alternate.

Town Employees Present: Richard Colozza – Town Code Enforcement Officer, and Debbie Colozza – Interim Planning Board Clerk.

Due to a power outage throughout the Town on Monday, January 15 that continued into Tuesday, many of the board members were unable to be present for the meeting. After a brief delay in beginning the meeting, Chairperson Bryant addressed the public and applicants present at 7:45pm, to inform them that since the Board wasn't comprised of a quorum (present) and would not be able to make any decisions that evening – it was determined to postpone the meeting and reschedule it for the following Monday night January 22, 2007.

All Planning Board members would be informed of the action taken and the change to the meeting via e-mail correspondence and also with a letter from Patricia Bryant of the meeting change.

With this information, the meeting was postponed until Monday January 22, 2007

Monday, January 22, 2007

Present: Patricia Bryant - Chairperson, Brit Basinger, James Heber, Kevin Pumiglia, Wayne Durr, and Susan Martindale

Absent: Ed Martin, Jeff King, and Kevin Gifford, alternate.

Town Employees Present: Richard Colozza – Town Code Enforcement Officer, Jim Mitchell, Town Engineer, and Debbie Colozza – Interim Planning Board Clerk.

Patricia Bryant resumed the January Planning Monthly Board meeting at 7:30pm. She thanked those that were at last Tuesday nights meeting (January 16) for returning this evening and for understanding many of the Board members family/home situations from last weeks power outage.

The Board moved forward with **Old Business**

Final Review for Major Subdivision

Application #: 0002-06

Applicant: Boswell Engineering

Location: King Rd., adjacent to Plantation Rd.

SBL#: 142.-1-2.11,142.-1-2.2,142.-1-2.3,142.-1-2.4

Acres: 32.76

Number of lots: 16 single family residences

Zoning: R-1

Representative: Iver Anderson

After the December review of the application with Mr. Anderson, Boswell Engineering did not have time to complete the revisions and the applicant notified the Town office that they wouldn't be present at the January meeting. They expect to be ready to proceed at the February monthly meeting.

ACTION TAKEN

Applicant to return in February with updates to plans.

Minor Subdivision and Site Plan Review

Applicant: Steven A. Sedrish

Location: Rugg Road

SBL#: 129.-1-52.1

Acres: 46.55

Number of lots: 2

Zoning: R-3

Surveyor: David Bolster

Representative: Garry Robinson

Due to conflict chairperson Patricia Bryant recused herself from this application. Brit Basinger assumed the role of the chairperson on this application.

Garry Robinson presented updated plans that had been discussed at the prior meeting.

Brit Basinger asked the Board if they had any additional input regarding the plans. There was no additional info regarding changes to the plans. In review of open materials, the Board needed to complete the SEQRA application. The Board reviewed as a group – since Ed Martin, SEQRA officer for the Board, was unable to be present. The Natural Heritage letter was on file. James Heber made a motion to give a negative declaration to the SEQRA application after the review. Kevin Pumiglia seconded the motion. The vote to approve the SEQRA application was unanimous by the Board.

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Following discussion, James Heber made a motion to approve the application for a Minor Subdivision with the changes that had been made to the final plan submission by the applicant. Susan Martindale seconded the motion to approve. The vote by the board to approve the Minor Subdivision was unanimous.

With this approval given, the Board also needed to review the special use permit needed. Following discussion, James Heber made the motion to approve the special use permit requested by the applicant. Wayne Durr seconded the motion to approve the special use permit. The vote to approve was unanimous by the Board.

ACTION TAKEN

The Steven A. Sedrish application received unanimous approval by the Board. The applicant will need to pay any outstanding fees that remain before the final Mylar can be released to the applicant for recording. A bill of outstanding fees will be forthcoming from the day clerk of the Planning Board.

Patricia Bryant resumed her role as Chairperson on the Planning Board following the Sedrish application review.

Lot Line Adjustment

Application: 0012-06

Applicant: S.T. B. Builders (Mr. Brennan)

Location: Gates Ave (Lindsay Hill subdivision)

SBL#: 129.-1-81.2

Acres: 2.512

Zoning: R-3 Cluster

Surveyor: Gilbert Van Guilder, PLLC

Mr. Van Guilder noted to the Board that this application is not ready to move forward and that the Board will forward the necessary information to the Town Attorney for his review on legal issues involving this application and the line changes that are proposed.

Mr. Van Guilder asked that the Board table this application further until the February meeting. The Board acted accordingly on the application.

Pre-Application Conference for a Minor Subdivision

Application#: 0011-06

Applicant: Randy Countermine

Location: 500 Colebrook Rd.

SBL: 129.1-51.11

Acres: 24.78

Number of Lots: 4

Zoning: R-3

Surveyor: Gilbert VanGuilder, PLLC

Mr. VanGuilder presented two new proposals to the Board showing two concepts of CDS configurations along with the conventional proposal previously submitted. He noted that the Board and the Highway Superintendent (Neil Petteys) had concerns with driveways exiting onto Colebrook Rd. in close approximation to the Taylor Rd/Colebrook Rd intersection. The highway superintendent would prefer the driveways to be further away from the intersection than closer to the intersection. The new plans show ways that this has been corrected. The other concern was with the back lot. With the 4 building lots and the lot in the back (#5) it will be designated as a non-buildable lot and forever left as open space for agricultural purposes. Currently it is the parcel that is used as the tree nursery and it will continue to be used for that purpose by Mr. Countermine.

In reviewing the two CDS plans:

Plan 1 is the applicants preferred plan. It showed the 4 lots along the road frontage with driveways clear of the intersection of concern and the lot behind as the one left forever as open space.

Plan 2 is a keyhole type plan with the 4 buildable lots to one end and a keyhole road that would be shared by all the driveways. The Agricultural or open space would be along the front of the road and the houses would be clustered in one end.

Mr. Countermine will still own the 5th lot and maintain it has a nursery,

The conventional plan showed 5 buildable lots with the 5th lot having being able to allow for a house and the open space.

James Heber wanted it made clear on all the plans that the back lot would always be left as open space and be noted that a house would not be allowed to be built. The back parcel would have the road allowance for a vehicle to have access to the back for farming purposes only. It needed to have the language written onto the final plans as the understanding that the applicant would not be able to build a dwelling on the parcel.

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Brit Basinger asked the applicant to tweak the 4 building lots a bit (more parallel to the road) to allow for a farm vehicle to have a clear passage at the back edge of lot #1 so if in future the adjoining /connecting lot were to be farmed there would be a means to connect to the two parcels.

ACTION TAKEN

The Board and the applicant both like the CDS #1 design to move forward with; the applicant will need make the few changes noted on the design as discussed. The applicant will return next month – February meeting - with updated files showing the adjustments made and then the Board can direct the application from there.

New Business

Pre Application Conference for Minor Subdivision

Application #: 0013-06

Applicant: Beverly J. Hicks

Location: 154 Pettis road

SBL#: 116.-1-69.1

Acres: 46.91

Lots: 2

Zoning: R-3

Beverly Hicks presented her proposal to the Board. This is a lot line change to the parcel to make it into 2 lots. Ms. Hicks has a court order directing her with the okay to present this plan, as there are a number of individuals named on the estate.

The Board asked the applicant to show the actual line that will divide the property into two parcels. Currently it is a dotted line and needs to be corrected to show the actual delineation of the lots. Because there could be ownership issues the Board would like to have the Town Attorney review the court order to be sure that all legal steps are defined.

It was also noted that the application would need to go to Saratoga County Planning for their review. That will be sent down to Saratoga County from the Town office. The map also needs to have all surrounding property owners names included on both sides of the road. The Board felt that a public hearing could be set for the February meeting to entertain any concerns of other property owners on this proposal.

ACTION TAKEN

Court order will be forwarded to the Town attorney for his review on legal matters and concerns. Application will be forwarded to Saratoga County Planning for their review of

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the application. The applicant was instructed to have the delineation line added to the map and also all surrounding property owners including those across the road from the parcel. Town will set a Public Hearing for this application for the Tuesday, February 20th meeting at 7:00pm.

Miscellaneous business

Stonybrook Land – Lot Adjustment

Application #: 0010-06

Owner/Applicant: Stonybrook Land, LLC Owner: David Lipinski, President

Location: Corner of West River Rd and Mott Rd.
“The Solomon Parcel”

SBL#: 92.-1-2

Acres: 25.8

Number of Lots: 2

Zoning: AG

Final maps ready to sign

ACTION TAKEN:

All the final mylars and maps are in the office, completed and ready for signing. These were completed following the meeting.

Other Business:

Patricia Bryant noted that Jim Mitchell has come on the Board as our Town Engineer for 2007. Questions that the Board needs to address:

1. Do we need/want Jim Mitchell to be present at all monthly meetings?
2. Do we need to continue with the agenda meetings that are typically held the week prior to the monthly meetings?

The Board discussed and determined that Jim Mitchell or a representative from his firm would be at the meetings on an as needed basis. Jim Mitchell noted that he would and will recommend to all developers that any correspondence is to be sent to him and he will follow up with direction and his thoughts to the Board in advance of the meetings. He will request that materials be to him by the first of each month for any reviews that he may need to do.

Because the Board members are now working more closely with him, he or his son will plan to attend the February meeting and then determine at that time if he should be at the

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March meeting. Each meeting the Board will make a determination on Board needs of Jim Mitchell for the next monthly meeting.

Rich Colozza noted that the Board needs to be very clear and specific on the language that is to be set if any contingencies are added to the plans. These need to be outlined very precisely by the Planning Board so that the applicant is clear and indicates specifically what is to be placed on the final Mylar drawings before submitting for Jim's final review and inspection.

In that respect, Patricia Bryant asked that it be Jim Mitchell that reviews final Mylars and plans before she signs off as the Town's representative on all the maps. Jim Mitchell will review final plans and provide a letter back to the Board and Patricia Bryant indicating if the plans meet the requests of the Board and the language used by the applicants and can be duly signed as official by the Board.

As for the agenda meetings:

Rich Colozza noted that if an agenda meeting is to be held that it is kept as a Board agenda meeting and that the Board shouldn't ask upcoming applicants to attend to discuss the plans. The agenda meeting should be one where the Board sets the agenda and concerns of plans are outlined to discuss with the applicant at the following meeting.

Kevin Pumiglia added that if there were no Major Subdivisions that need the Board to review or scrutinize in advance then no agenda would be needed.

Brit Basinger thought that an agenda meeting could be decided as major plans come along. After each monthly meeting – the Board could review what would be upcoming and determine if an agenda meeting was necessary.

With these thoughts in mind, the board determined that there would be no agenda meeting held in February and that the monthly meeting is set for Tuesday, February 20th at 7:00 pm for the Public hearing followed by the monthly meeting.

Recommendations to the Town Board

The Board recommends that the chair and vice chair for 2007 Planning Board be kept the same with Patricia Bryant continuing in the role of chairperson and Brit Basinger in the role of vice chairperson. The clerk will advise the Town clerk of this decision.

The board would also like the Town Board to discuss the possibility of an additional alternate to the Planning Board. It has been brought to the Boards attention that Kevin Gifford the current 2nd alternate – is very involved with military duties/leave and as such has not been in attendance for most of the 2006 meetings. While military leave is

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acceptable reason to miss meetings, the Board would like a 3rd alternate (Susan Martindale is 1st alternate) to be appointed by the Town Board so that the Board always has two alternates in attendance.

With similar situations, the Planning Board would like to be able to notify the Town Board if a member of the Planning Board misses more than three monthly meetings in a row and have the Town Board follow up to be sure that the reason a member is missing meetings is a reasonable one. The Board member upon receiving a letter would be instructed to contact the Town Clerk with why they have missed and/or if they are still willing to serve on the Planning Board for the duration of their term.

It is the intent of the Planning Board that if you are serving as a board member that you are actively engaged in the monthly meetings, as the input from all members is necessary to have a pro-active Board making decisions that will benefit our Town and community.

The Planning Clerk will note this information to the Town Clerk for the Town Board agenda at their February meeting.

Rich Colozza reminded the Board of the upcoming Saratoga County Planning session on Wednesday January 24 at the Saratoga Springs City Center and also the flyer received about the February 2, 2007 ECOS Conference to be held at Union College in Schenectady.

Review of December minutes

After review of the December minutes (2006), James Heber made a motion to approve the December minutes with corrections. Susan Martindale seconded the motion. The vote to approve the minutes with corrections from December was unanimous.

Corrections to December 2006 Minutes

Page 5, last paragraph

[change from]: **Patricia Bryant** thanked Mr. Peters for his comments. **She** noted that the Public Hearing has still been open.....

[change to]: **Brit Basinger** thanked Mr. Peters for his comments. **He** noted that the Public Hearing has still been open.....

Page 6, following - Under New Business

[add] Patricia Bryant resumed her role as Chairperson on the Planning Board.

Page 7, second to last paragraph

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[change from]: Mr. **Van guilder** presented to the board.....
[[change to]: Mr. **Van Guilder** presented to the board.....

Upcoming Meetings

February:

February Agenda meeting: February 12 moved to Tuesday February 13 – by the Boards determination this evening - has been cancelled.

The February Monthly Meeting changed from February 19th to Tuesday February 20th in honor of President's Holiday observations. This meeting will begin at 7:00pm with a Public Hearing. The Board will meet in the gymnasium due to court being in session as well.

March

The March Agenda meeting will be determined at the February monthly meeting as to whether one needs to be held.

The March Monthly meeting will be held on Monday, March 19, 2007

Motion to Adjourn:

With no other business to discuss a motion to adjourn was made. James Heber made the motion to adjourn the January meeting of the Northumberland Planning Board and Susan Martindale seconded the motion. Motion to adjourn was unanimous. The January meeting ended at 9:00pm.

Respectfully submitted

Deborah Colozza, Interim Planning Board Clerk