

Town of Northumberland Planning Board

Minutes

Monday, February 11, 2008 7:15 pm

Page 1 of 4

Final accepted by the Planning Board

Present: Jeff King, Kevin Pumiglia, Susan Martindale and Bernadette Marry

Absent: Wayne Durr - Chairperson, Brit Basinger - Vice Chairperson, James Heber, CJ Lofgren

Town Employees Present: Jim Mitchell, Town Engineer and Tia Kilburn, Planning Board Clerk

Kevin Pumiglia opened the Public Hearing at 7:15 PM
All in attendance stood and recited the pledge of allegiance.

PUBLIC HEARING

Minor Subdivision

Application #: 000-07

Applicant: Scot Trifilo

Location: Loudon Road

SBL#: 155-1-31

Acres: 39+

Zoning: R-3

Surveyor: ABD Engineers

Mr. Trifilo explained his proposal to build 2 single family dwellings on 40 acres. The back lot would be a keyhole lot. Mr. Trifilo displayed and discussed information he had obtained pertaining to the Van Alstien subdivision. Mr. Trifilo displayed an overlay of his plan over the top of the previous subdivision. Mr. Trifilo said the original map showed house placements and it shows Mr. and Mrs. Powell own a 20' right of way, also the map dated 1990 shows the original house plan falls within Mr. Trifilo's buildable area and the driveway touching Mr. Kudlacik's driveway next door.

Mr. Pumiglia asked Mr. Trifilo to clarify if his parcel became landlocked because of the Powell's parcel. Mr. Trifilo said no. Mr. Pumiglia asked if Mr. Trifilo's parcel was part of the Powell's with the access at that time. Mr. Trifilo said no.

Mr. Pumiglia asked if there were any comments or questions from the public on this application.

Mr. Kudlacik, an adjoining parcel owner, approached the Board and stated he wanted to address the new information Mr. Trifilo had presented tonight pertaining to the Van Alstien subdivision. Mr. Kudlacik said he agreed there was a strip of land to get to the back parcel, however Mr. Van Alstien did not create that right of way, it was there from about 1936.

Mr. Kudlacik then submitted to the Board a hard copy of a presentation that he had prepared (attachments 1 & 2). He then read it to the Board and the Public explaining that his intention was not to stop the proposal by Mr. Trifilo to build 2 houses. Mr. Kudlacik explained how the proposal changes the current adjacent land owners' investments.

(Please see Mr. Kudlacik's proposal – attached)

He thanked the Board for their time and asked if they had any questions for him on his presentation. Mr. Pumiglia asked Mr. Kudlacik where the driveway minimum of 60' from adjacent lot lines came from as stated in his presentation. Mr. Kudlacik said a driveway in the middle of the front lot would be less disruptive than driveways on either side near adjacent parcels. Mr. Pumiglia asked Mr. Kudlacik to clarify his attachments to his presentation, was his suggestion for an open field with 2 driveways. Mr. Kudlacik said no, one driveway would follow the existing driveway and an additional driveway toward the center would create sufficient space between parcels. Ms. Marry asked Mr. Kudlacik what was on the other side of his parcel. Mr. Kudlacik said another house was there and he showed the placement on the original subdivision map.

Mr. Pumiglia asked if there was anyone else wanting to speak tonight. Mr. Leone Reed, an adjacent land owner stood and stated he was Mr. Trifilo's neighbor at 69 Loudon Rd. Mr. Reed said the house Mr. Trifilo is planning to build on the front parcel was not placed there during the original subdivision. He said he had spoken to the builder at the time the building

Town of Northumberland Planning Board

Minutes

Monday, February 11, 2008 7:15 pm

Page 2 of 4

Final accepted by the Planning Board

was going on for that subdivision and was assured there would not be a house built there. Mr. Reed stated the builder said he was going to build back further on the lot. Mr. Reed asked if he could use Mr. Trifilo's map and overlay to show his house is not located where it is indicated on the original subdivision map. Mr. King asked for a closer look at the overlay. Mr. Reed stated he did not care if there were 3 or more houses located on the back parcel, however if Mr. Trifilo shifts the driveways and places a house in the front it would open it all up. Mr. Reed said currently his home is surrounded by 30 and 40' white pines, if they are removed there is nothing under them and it would expose his house. Mr. Reed said placing homes on the front lot would double the density of the neighborhood. Ms. Marry asked if Mr. Reed's house was the one in the woods next to Mr. Trifilo's parcel. Mr. Reed responded yes and his intent when he purchased it was privacy. Mr. Pumiglia said Mr. Trifilo has the right to build anywhere within the building envelopes. Mr. Reed said he wanted the front building envelope removed and he doesn't want the Town to create the probability of building on the front lot. Mr. Pumiglia asked for any additional comments or concerns from the Public. None were noted.

Mr. Pumiglia stated this application has been in front of this Board for a while now and he wants to leave the Public Hearing open and wait for all the Board members to have an opportunity to address the concerns. There are a few Board members absent tonight and the Public Hearing will be left open.

REGULAR MONTHLY MEETING

Mr. Pumiglia called the regular monthly meeting to order.

OLD BUSINESS

Minor Subdivision

Application #: 000-07

Applicant: Scot Trifilo

Location: Loudon Road

SBL#: 155-1-31

Acres: 39+

Zoning: R-3

Surveyor: ABD Engineers

Mr. Pumiglia asked Mr. Trifilo if he had any additional information to share after hearing the neighbors. Mr. Trifilo said Mr. Kudlacik's driveway touches his property line and Mr. Kudlacik is welcome to help locate the house to be built. He added, the house and driveway will be further away from the property line than Mr. Reeds' is and they will be separated by heavy woods. The other side will stay 10' off the property line making room for concessions. Mr. Trifilo said the location of the living quarters would not be visible from Mr. Kudlacik's house. He stated Mr. Kudlacik's garage is on that side of the parcel, there is no window for Mr. Kudlacik to look out to see the new home Mr. Trifilo is building. Mr. Trifilo then added there is no guarantee the buyer will want a house built in the front. He stated someone may want to purchase both lots and then they will have options with the building envelopes. Mr. Pumiglia said the Board is diverse on this project and he would like to table this until next month. Mr. Trifilo agreed he would like this tabled until next month and discuss with the remaining Board members. Mr. Pumiglia stated this application will be tabled until March. Mr. Kudlacik asked if the Public Hearing was going to be left open. Mr. Pumiglia said yes. Mr. Kudlacik asked if he and Mr. Reed should talk to the remaining Board members. Mr. Pumiglia said they would have the opportunity to address the Board again in March. Mr. Reed said Mr. Trifilo wants to give the buyers as many options possible to the location to build and that is what he did not want. Mr. Reed reiterated he did not want a house on the front lot, he stated he wanted the front building envelope removed.

Ms. Marry asked what the maximum number of homes to be built would be. Mr. Trifilo said 2. Ms. Marry asked the size. Mr. Pumiglia interjected and said the Board cannot regulate the size. Mr. King said one other concern for the Board was trying not to open the door to all the other parcel owners to do the same and subdivide. Mr. King asked if Mr. Trifilo was willing to move the building envelope back. Mr. Trifilo said he has already changed the 7 acre lot to 20 acres; he is building 2 homes on 40 acres. Mr. Pumiglia added it was still 2 houses within 7 acres. Mr. Trifilo said it would be 7 acres

Town of Northumberland Planning Board

Minutes

Monday, February 11, 2008 7:15 pm

Page 3 of 4

Final accepted by the Planning Board

on the front lot and that would be setting the precedent for everyone else, it would not decrease the values of the homes it would increase them.

ACTION TAKEN

Tabled until March 10th ,(monthly meeting). Public Hearing left open.

Minor 2 lot Subdivision Site Plan Review 2

Application #0009-07

Applicant: John & Donita Martindale

Location: 658 West River Rd

Acres: 32 1/4

SBL#: 118-1-9.11

Zoning: AG

Surveyor:

Board member Susan Martindale recused herself.

Mr. Pumiglia asked for an update on this application. Mr. Story said they were waiting for a response from the State of New York on the SHIPO letter. The Clerk said that as of this afternoon she did not have a response from the State. Mr. Story said the State had indicated to them, they had questions on the soil type and contents. Mr. Story then asked if the Board believed it was bedrock. Mr. Pumiglia said the State needs to be satisfied. Mr. Mitchell agreed and added this Board needs a letter from the State saying they are satisfied in order to complete the SEQRA form and move on this application. Mr. King said since Ms. Martindale has recused herself, a vote cannot be taken tonight because they lack a quorum.

ACTION TAKEN

Tabled until next month, need response letter from the State for the Phase 1 survey, SEQRA needs to be completed.

**The Public Hearing was closed; it will be 56 days as of the March 10th meeting.

Ms. Martindale rejoined the Board.

Site Plan Review - Special Use Permit, Bed & Breakfast

Application #0011-07

Applicant: Elizabeth Kirkwood

Location: 5 Wilton - Gansevoort Rd, Gansevoort

SBL#: 103-12-4.1

Zoning: Hamlet

Discussion ensued on the status of this application. Mr. King asked if it could be tabled until March due to the absence of Board members. The Clerk stated the Public Hearing was closed on this application, January 14th, and a vote should be taken tonight, due to the expiration date will be past next month's meeting. Mrs. Kirkwood asked if a vote could be taken because she needed something from this Board to be able to close on her mortgage with the bank. Mr. Pumiglia reviewed the SEQRA form; he read the questions aloud and answered them.

Mr. Pumiglia made a motion to declare a negative declaration on SEQRA.

Ms. Marry 2nd the motion,

All in attendance unanimously agreed, motion passed 4-0, Negative Declaration on SEQRA, no significant impact on the environment.

Mr. King made a motion to approve the site plan and issue a special use permit, conditional on satisfying Department of Health Regulations and obtaining any (and all) necessary approvals from them.

Ms. Martindale 2nd the motion,

All in attendance unanimously agreed, motion conditionally passed 4-0.

Town of Northumberland Planning Board

Minutes

Monday, February 11, 2008 7:15 pm

Page 4 of 4

Final accepted by the Planning Board

ACTION TAKEN

Application granted 4-0 with contingencies;

1. Satisfy all New York State Department of Health regulations and obtain their approval.
2. Obtain all necessary permits from New York State and The Town of Northumberland.

As suggested by Saratoga County Planning Board, the Town of Northumberland would like to encourage the applicant to maintain the historical integrity where possible.

Site Plan Review - Special Use Permit

Application #0012-07

Applicant: Larry Neville

Location: 18 Leonard Street (Previously Reed's Store)

SBL#: 103.8-1-16.2

Zoning: Hamlet

Realtor: Ray Henderson, Kelleher Realty

Seller's Realtor: Bob Sears

Mr. Neville explained he applied to the Town of Northumberland Zoning Board of Appeals for the required area variance, and there is a Public Hearing scheduled for March 5th.

Mr. Pumiglia stated there would also have to be a Public Hearing for the special use permit. Mr. Pumiglia suggested scheduling a Public Hearing for this Board for March 10th.

ACTION TAKEN

Public Hearing scheduled for March 10th.

NEW BUSINESS

Minor Subdivision (2 lot) - Lot Line Adjustment

Application #0001-08

Applicant: Clint Barber

Location: State Route 32N (North of Lindsay Hill Rd)

SBL#: 117-1-32 to 117-1-31

Zoning: AG

Status: Preliminary

Mr. Barber explained he wanted to purchase 5 acres from his neighbor and obtain a lot line adjustment to join it with his existing parcel. Mr. King asked if there were any wet land issues. Mr. Barber said yes, in the front. Mr. Pumiglia asked what the intent was. Mr. Barber stated his fields surround this parcel and he did not want anyone building on it. Ms. Martindale asked if he wanted to keep it all agricultural. Mr. Barber said yes that was the intention. Mr. King said this would have to go to County Planning. The Clerk stated a response should be back by March 10th, the next monthly meeting.

ACTION TAKEN

Tabled until March 10th. (monthly meeting)

Mr. King made a motion to close the monthly meeting at 8:45 PM

Mr. Pumiglia 2nd the motion,

All in attendance unanimously approved, monthly meeting closed at 8:45 PM.

FUTURE MEETINGS:

Monday, March 10th, 2008 - Agenda meeting 7:00 PM, public hearing for Mr. Trifilo left open.