

Town of Northumberland Planning Board

Minutes

Monday, July 14, 2008 7:30 pm

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*Accepted by the Planning Board*

**Present:** Wayne Durr - Chairperson, Brit Basinger - Vice Chairperson, James Heber, CJ Lofgren, Susan Martindale and Bernadette Marry

**Absent:** Jeff King and Kevin Pumiglia

**Town Employees Present:** Richard Colozza, Code Enforcement Officer and Tia Kilburn, Planning Board Clerk

Chairperson, Mr. Durr opened the monthly meeting at 7:30 PM  
All in attendance stood and recited the pledge of allegiance.

**OLD BUSINESS**

None

**NEW BUSINESS**

**Site Plan Review / Sign Review for Special Permitted Use**

**Application #: 0006-08**

**Applicant: Steve Allen / Reeds Hydraulics**

Location: 4911 Route 50

SBL#: 103.-3-24.2

Zoning: C/R

Status: Preliminary

Michael Allen presented the proposal for a permanent sign to be erected. Mr. Allen explained the sign will be in compliance with all local and state regulations. He said the nature of the business was assembly and retail. Mr. Allen displayed a plot plan with dimensions and location of the proposed sign. He discussed the construction of the sign and the visuals from all directions. The sign will contain an actual hydraulic cylinder and it will be painted black and also maintain the chrome color to represent the nature of the business. Mr. Allen stated there will be landscaping and lighting that will not interfere with the road, traffic or neighbors. Mr. Durr asked the Board if there were any questions, none were noted. Mr. Durr thanked Mr. Allen and stated it was a good presentation. The Board discussed scheduling a public hearing.

**ACTION TAKEN**

Public Hearing to be scheduled for August 11<sup>th</sup>, 2008 at 7:00 PM.

**Minor Subdivision (2 lot)**

Application #0007-08

Applicant: John Ingleston, Executor for the Estate of Floyd Rourke

Location: East and West sides of Leonard Street

SBL#: 91.-1-27

Zoning: Hamlet

Status: Preliminary

Representative: Michael Toohey, Esq.

Mr. Basinger recused himself.

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Mr. Toohey, Esq. explained to the Board the late Floyd Rourke conveyed by "Will" his property located on Leonard Street that is severed by the road. The West side was conveyed to Marylou Emery, who currently has a parcel which borders Mr. Rourke's parcel. The East side will remain in the Estate of Floyd Rourke. Mr. Toohey explained they just wanted to subdivide the east and west and there is no plan for any development at this time, the object was to "settle the will". He stated they would accept any conditions this Board requests. Mr. Heber asked if Ms. Emery planned to combine the parcels and create one. Mr. Toohey responded, not to his knowledge, currently they are separate parcels and the plan was to keep it in the Rourke family for future generations. Mr. Heber then asked how the East side was split, he stated he was familiar with Mrs. Rourke's small house and asked if that house was part of the entire parcel. Mr. Toohey stated Mr. Rourke had received that parcel through his Mother's death and they were separate tax parcels. The Board then examined the tax map and discussed access to a rear parcel currently owned by the "Estate". Mr. Heber stated he was concerned with "land locking" that parcel in the future. Discussion ensued on preventing a "land lock". Mr. Toohey reiterated only one side the West side would be conveyed to Ms. Emery the remaining 4 parcels will stay together in the "Estate" and hopefully sold together. Mr. Durr suggested the Board ask the Town's Attorney, Mr. Ward, for his legal expertise. Mr. Heber stated the subdivision was not a problem, however this Board is concerned on the legality of "land locked" land. He stated if it was found in the future after the sale of the parcels to be an illegal subdivision it would be null. Mr. Toohey asked if this Board would agree to the back lot being sold and merged with one of the front lots to prevent "land locked". Ms. Marry agreed with that statement. Mr. Durr stated something like that would have to be done, however they still needed to talk to Mr. Ward. Mr. Heber stated it would need a short form SEQRA. Mr. Colozza said because of the proximity of the Snook Kill they need to delineate the wet lands and have deep hole and percolation tests performed before any future development. This language should be on the maps. Mr. Toohey agreed to adding that language and asked if there was anything else needed to be added. Mr. Heber said this application needs to go to Saratoga County Planning for review. Mr. Toohey asked for the "Right to Farm" language for the maps. The Clerk stated she would fax it to his office in the morning. Mr. Durr asked if there was any additional questions or concerns, none were noted. He stated a public hearing would be scheduled.

**ACTION TAKEN**

Public Hearing to be scheduled for August 11<sup>th</sup>, 2008.

Notes to be added to the maps; "Right to Farm" and some language pertaining to the "rear parcel" as agreed to by the Attorneys and this Board. An additional note for wetland delineation and perk and deep hole test for future development will also be reviewed by Mr. Ward and added.

**Minor Subdivision (4 lots)**

Application #0008-08

Applicant: Luisa Cirelli

Location: Corner Brownville Rd and NYS Rte 32

Acres: 39 +/-

SBL#: 104.-1-87

Zoning: R-3

Status: Preliminary

Representative: Kevin Hastings, P.E.

Mr. Hastings, stated they wish to subdivide 39+/- acres into 4 single family dwelling lots. He said the deep hole tests have already been completed, 3 of the lots have loamy fine sand and the 4<sup>th</sup> could have some challenges. Mr. Hastings displayed and discussed maps showing the placement of the houses, driveways and the wetland buffer which follows the tree line. Mr. Basinger asked if these were DEC wetlands. Mr. Hastings responded he was unsure. Mr. Basinger asked why the separation was 100' on the maps. Mr. Hastings stated they wanted to meet all the Town Regulations for Zoning. Mr. Hastings explained all 4 lots will have on site septic and wells.

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Ms. Martindale asked about the existing dwelling near the current parcel. Mr. Hastings said the house placement meets the setbacks required from them. Mr. Heber suggested Mr. Hastings speak to Neil Petteys, the Town Highway Sup't about the driveways. The Board reviewed the house placements and setbacks. Mr. Basinger asked Mr. Colozza if the Town's Engineer, Mr. Mitchell had seen this plan. Mr. Colozza stated a copy was sent to him, and Mr. Mitchell had questioned the wet lands. Mr. Heber asked if the test results were on this map. Mr. Hastings stated they were in the handout. Mr. Basinger asked Mr. Colozza if he was present for the testing. Mr. Colozza said he was. Mr. Durr asked for any additional questions or comments. He then stated they needed to name all the owners of all the surrounding parcels on the map. Mr. Colozza stated Mr. Mitchell would review the wet lands and all the distances, a National Heritage letter would also be needed. Mr. Hastings agreed. Mr. Durr asked Mr. Colozza what was next for this application. Mr. Colozza said they should talk to Mr. Petteys for the driveways, a National Heritage letter is needed and this will have to go to Saratoga County Planning. Mr. Heber asked if this application needed a short form SEQR or a long form. The Clerk stated they already had a short form and Mr. Hastings stated they would submit a long form as well. Discussion on the driveways ensued pertaining to the length and requirements. Mr. Colozza stated Subdivision Regulations, Section IX (4) states the requirements. He then stated the requirements need to be on the maps and if the houses exceed 200' back the house numbers have to be 4" large not 3". Mr. Durr asked for any additional questions or concerns. Mr. Heber stated a long form SEQR and the National Heritage letter are needed, and a note for no further subdivision on the maps. Ms. Martindale added the "Right to Farm" language is also needed.

**ACTION TAKEN**

Public hearing scheduled August 11<sup>th</sup>, 2008.

Additional items to be supplied by Mr. Hastings / the applicant; Long form SEQR, National Heritage Letter.

Notes to be added to the maps; "Right to Farm" and "no further subdivision", driveway requirements, perk and deep hole test and the size of the house numbers.

**MISCELLANEOUS**

Mr. Heber made a motion to approve the May monthly meeting minutes

Mr. Durr 2<sup>nd</sup> the motion,

All in attendance unanimously agreed the May monthly meeting minutes accepted.

Mr. Heber made a motion to close the monthly meeting at 8:27 PM,

Mr. Basinger 2<sup>nd</sup> the motion,

All in attendance unanimously agreed, monthly meeting closed at 8:27 PM.

**FUTURE MEETINGS:**

Monday, August 11<sup>th</sup>, 2008 - 7:00 PM

3 Public Hearings