

Town of Northumberland Planning Board

Minutes

Monday, November 10, 2008 7:30 pm

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*Accepted by Planning Board*

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

**Absent:** CJ Lofgren, 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 7:33 PM

All in attendance stood and recited the pledge of allegiance.

**OLD BUSINESS**

**Minor Subdivision (2 lot)**

Application #0009-08

Applicant: Danielle Pieratti & Matthew Yelland

Location: 240 Mott Road

SBL#: 91.-1-18.12

Zoning: APD

Status: Conceptual

Representative:

Tabled

**NEW BUSINESS**

**Mining Permit**

Referred to Planning Board from the Town Board

James Maloy, Inc.

Po Box 16

Loudonville, NY 12211

Mr. Colozza stated the Town Board referred this application to the Planning Board to make them aware Dec issued a mining permit. Mr. Durr asked where the mining would take place. Mr. Colozza said it is the “Wells” parcel on West River Road. It was stated on the permit the entrance was on Mott Road, however he thought that was incorrect. Mr. Durr asked what they were going to mine. Mr. Colozza said it could be sand or shale.

**Lot Line Adjustment**

Application #0010-08

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

Location: East side of Leonard Street

SBL#: 91.-1-26.222

Zoning: Hamelt

Status: New

Representative: Michael Toohey, Esq.

Mr. Basinger recused himself.

Mr. Toohey introduced himself to the Board and discussed the previous subdivision approved by this Board for the same parcel. Mr. Toohey explained this Board had requested that provisions be made for the back parcel for it not to be land locked. There are 3 tax parcels involved and this proposal is to create 2 tax parcels. Mr. Toohey

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stated the intent was to widen one lot to 100' because it is currently undersized. All zoning laws will be followed and Mr. Toohey stated he thought the easiest way to proceed was to merge the back lot into the two front lots. He reiterated they would not be creating anything illegal and it would be expanding undersized lots. Mr. Toohey said there is currently a total of 4 parcels in the Rourke Estate and they would be reduced to 3 parcels. Ms. Martindale asked if the lots currently go from the road all the way back to the Railroad. Mr. Toohey said that currently they do not extend all the way back. Another option for the back lot would be to grant a "Right of Way" and keep it as a separate building lot. Mr. Colozza displayed the final approved subdivision map from the file and discussed the parcels with the Board and Mr. Toohey. Mr. Colozza pointed out the dotted line on the proposed lot line adjustment map represents the original existing boundaries and the solid lines represent the proposed adjustment. Mr. Durr asked Mr. Toohey to show the Board the new lots. Mr. Toohey pointed out the adjusted lines will go from the road front all the way back to the Railroad boundary, he explained the "cut" on one side is not straight back in order to go around the well casing and the stone pond. Ms. Martindale asked why they wanted it to move around the stone pond. Mr. Toohey said the original intent was to have the stone pond belong to the larger contemporary house, the neighboring house originally belonged to Mr. Rourke's mother and the pond fit better with the design of the contemporary home. Mr. Colozza said Mr. Toohey has moved the lines to comply with the zoning laws and not to create subsized lots.

Mr. Durr asked if they had looked at this proposal before. Mr. Toohey said yes, when the subdivision was approved, and he then reviewed the contingencies with the Board not to create a "land locked" parcel. Ms. Marry stated she believed this lot line adjustment would make the parcels more appealing and perhaps it would make it easier to sell them.

Mr. Heber stated the Board can waive some of the requirements of the Subdivision Regulations, however they still need maps and mylars to be signed. Mr. Durr stated he was ok with the waiver.

Mr. Heber made a motion to waive all procedural requirements.

Ms. Martindale 2nd the motion,

All in attendance unanimously agreed 4-0, 1- recused procedural requirements waived, new maps will be presented.

**ACTION TAKEN**

Procedural requirements waived, new maps / mylars will be presented.

**MISCELLANEOUS**

October monthly minutes will be reviewed at the December monthly meeting.

Mr. Durr addressed the application for acceptance of Stafford Way as a Town Road ( attached).

Mr. Heber explained Neil Petteys, Highway Sup't., Mr. Mitchell, the Town's Engineer and himself had conducted an onsite visit with Mr. Gary Bordeau of Bordeau Builders. Mr. Heber stated he had some objections pertaining to drainage and suggested the Town retain the Bond for any future repairs or improvements. Mr. Durr asked if there was a Bond Proposal on the table. Mr. Colozza said no, the Bond had not been addressed, the entire bond would be retained. Mr. Colozza stated Mr. Petteys expressed the intent for the Town to be able to maintain (plow) the road this winter to make sure it would be passable.

Mr. Heber said he was unhappy with the retention outlet pipe. He stated he had expressed to Mr. Mitchell the spillway has to flood the pipe 3' before it clears, however Mr. Mitchell was fine with the road transfer. Mr. Heber said he wanted to state he had some concerns for any future issues. Mr. Durr said they appreciate the input, and asked if the Bond was ever been reduced. Mr. Colozza responded no, it is to be reviewed in the summer of '09 and the full Bond will be retained until then. The Town's highway department will plow. Mr. Heber asked if this Board had to do anything with this request. Mr. Colozza said no, it will be documented that this Board reviewed it.

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Discussion on the October monthly minutes, they will be reviewed at the December meeting due to a lack of members that were present in October.

Mr. Heber made a motion to close the monthly meeting at 7:50 PM,

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

All in attendance unanimously agreed, monthly meeting closed at 7:50 PM.

**FUTURE MEETINGS:**

December 8<sup>th</sup>, 2008 – 7:30 PM