

Town of Northumberland Planning Board
Minutes
Monday, September 17, 2007 7:00 pm
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Subject to Planning Board approval

Present: Patricia Bryant, Chairperson, Brit Basinger, Vice-Chairperson, James Heber, Susan Martindale, Jeff King, Wayne Durr, Kevin Pumiglia and CJ Lofgren

Absent: Joseph Kowalewski

Town Employees Present: Richard Colozza, Town Code Enforcement Officer, Jim Mitchell, Town Engineer and Tia Kilburn, Planning Board Clerk.

All in attendance stood and recited the Pledge of Allegiance

Chairperson, Patricia Bryant opened Informal Public Hearing at 7:03 PM, and explained the procedure to the audience.

INFORMAL PUBLIC HEARING

Major Subdivision Preliminary Stage

Application #: 0001-07

Applicant: Scot Trifilo

Location: Loudon Road

SBL#: 155-1-31

Acres: 39+

Zoning: R-3

Surveyor: Joe Bianchine, ABD Engineers

Ms. Bryant asked Mr. Trifilo if he wanted to open the Informational Hearing with his plan. Mr. Trifilo responded no and stated the public knows of his plan and would like to hear any questions or comments from them.

Speakers from the public;

Mr. Jeff Clark, a neighbor from Loudon Rd, asked Mr. Trifilo to give a brief synopsis. Mr. Trifilo displayed his subdivision plan and addressed the audience. He explained he has 40 acres on Loudon Rd and the zoning is residential 3 acres, his plan was for 4 homes on 40 acres, the lot sizes will be 4 to 24 acres, the average house having 10 acres with a private shared driveway 12 to 14 foot wide. He stated what he is proposing after a discussion with the neighbors and this Board, what he thought would be the least intrusive and would be less of an impact is to have the 4 homes in the back and not doing a public road but a private drive 12 to 14 foot wide. What he would like to do is leave the present driveway cut there and basically is in the center of the parcel to a clearing (1st home) then back to the remaining 3 houses. The homes will be small to midsize 2800' to 3400' sq ft.

Mr. Clark then asked what the market price would be. Mr. Trifilo responded he was unsure.

Mr. Trifilo added he had spoken to one of the neighbors, Mr. Leon Reed (not in attendance tonight), and Mr. Reed was concerned with the line of trees separating the parcels, and a buffer to his own property. Mr. Trifilo stated he would deed restrict the trees on both sides, Mr. Reed's side and Mr. Kudlacik's side, to protect them as "no cut areas" at least back to the clearing. Mr. Trifilo stated Mr. Reed had told him he was concerned with about 400' back and Mr. Trifilo said he told Mr. Reed he would deed restrict it to the 1st house which is more like 800' back. Mr. Trifilo then added on Mr. Paul Kudlacik's side it is pretty much open field at this time and Mr. Trifilo told Mr. Kudlacik he could move the small white pines to his own property if he liked. Mr. Trifilo stated basically from Loudon Rd in to the clearing you would only see the driveway. Mr. Clark asked if the rectangle on the map was Mr. Kudlacik's property and where was Mr. Reed's property. Mr. Trifilo pointed out the two parcels in question the woods and fields.

Mr. Clark asked if wetlands would be impacted. Mr. Trifilo responded, no he had the wetlands delineated and no wetlands would be impacted, there is a stream there some wetlands are Federal and some are State, however, he is not near them and he was planning on leaving the back parcel alone. Mr. Clark then asked how would they snowplow, who would be responsible. Mr. Trifilo stated that would be up to the new owners it would be written in the deeds. He then discussed the possibility of each owner maintaining 25% ownership or one owner having 100% ownership of the driveway, another option Mr. Trifilo discussed was he would retain the driveway and maintain himself.

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Mr. Jeff Adler, a parcel owner from Loudon Rd, asked if Mr. Trifilo planned on living in one of the homes. Mr. Trifilo said no. The price of the homes was discussed. Mr. Trifilo stated it depends on the cost he has to put into the project. Mr. Clark asked what would stop the neighborhood from being surprised by low income housing. Mr. Trifilo stated the cost he has into already and he is a quality builder not a quantity builder, he only builds one or two homes a year for clients that come to him requesting a certain type of construction, with nicer things. Mrs. Betty Powell, from Loudon Rd, stated she has seen Mr. Trifilo's work and he is strictly a high end builder, he does a very nice job, then she asked what the lot sizes would be. Mr. Trifilo stated lot sizes from 4 acres to 24 acres, 4 houses over 40 acres average about 10 acres per.

Mr. Clark asked Mr. Colozza if there were any subdivisions about the same size with a shared driveway. Mr. Colozza responded he did not think there were any with that long of a driveway. Mr. Pumiglia asked the length of Mr. Trifilo's proposed shared drive. Mr. Trifilo responded pretty close to 800 or 900'. Discussion on the shared driveway ensued. Mr. Trifilo state he has done this type of shared drives before and has not had any trouble, people buying into something like this know what they are getting into. He then stated he would talk to his lawyer about keeping the driveway so he can maintain it, he would hold title to it and the owners would get a yearly maintenance fee, but that would be discussed with the owners and it would be his responsibility to have it done. Ms Bryant asked if that would create another lot. Mr. Colozza said yes, Ms. Bryant said that would create a another lot and they would get into the road frontage issues and then would not necessarily be a good idea.

Mr. Alder said 4 houses and one would have more acreage and become sub dividable. Mr. Trifilo said, no, on the site plan there would be a note for no further subdivision. Mr. Alder questioned why Mr. Trifilo would put 4 small houses on such a good piece of property and not get much of a profit. Mr. Trifilo said he was not here for much of the profit, this is not a money maker right now, if someone wanted to buy it for what he has in it he would sell it. Mr. Alder responded with, nobody works without receiving money. Mr. Trifilo stated he could be putting more houses on there but he would rather just get it done and get out. He already has some money into it.

Mr. Alder asked if the drive would be directly across from Chelsea Dr. Mr. Trifilo stated no, a little bit closer to Mr. Kudlacik's house because Chelsea comes out before Mr. Reed's house. Mr. Alder then stated if he owns the property across from Chelsea he has the opportunity to put a two or four way stop there. Mr. Trifilo said he did not think that was necessary. Mr. Alder said Mr. Trifilo does not think it is necessary but they live there, not him. Mr. Trifilo stated there is a community down the street with 43 lots that has a stop sign coming out, it's a city rd then there is community the other way that has 22 lots and a stop sign coming out of it. Mr. Alder stated this is an opportunity to slow people down on Loudon Rd. Mr. Trifilo said he was not going to ask people to stop to let someone out of a private driveway. Ms. Bryant agreed, this would not be a town rd. Mr. Alder reiterated it would be a good opportunity.

Mr. Clark stated coming out of Chelsea there is a three way stop onto Loudon Rd, Wilton did that very successfully on Loudon putting stop signs on Edie Rd and Ingersol Rd where they came across Loudon Rd for basically a traffic speed control. However they had to work with the State Regulations to do that, but that is something the Planning Board should consider for the future, not to impact Mr. Trifilo at all, but it is something the residents of Loudon Rd have to commission and generally once or twice a winter there are cars off the road in front of his house. They sail down through there and have no regard to the safety aspect of the curves, there are kids on Loudon and with more developments sooner or later some kid is going to get reamed by a car. Mr. Heber asked what the speed limit was on Loudon Rd. Mr. Clark responded with, it depends, the speed on Loudon as posted is 45 MPH but the curves or corners have a speed posted at 20 MPH.

Ms. Bryant asked if anybody else had questions or comments.

Mr. Paul Kudlacik came forward and stated he had questions for the Board, although most of them have been already been addressed by the Board. Mr. Kudlacik said basically, if the Town approves a 4 lot subdivision, he and Mr. Reed had a discussion and they were both comfortable with the location of those houses, one lot with 24 acres and a note "cannot further subdivide". Mr. Kudlacik's also stated he would like to see, the safety, the driveway being in the center for the first 500 to 600' then curve, because right now it is right against his lot (Mr. Kudlacik's). Mr. Kudlacik added he does not know if there is any control, but due to traffic concerns, would also like to small business restrictions. Then Mr. Kudlacik said the buffer, Mr. Trifilo mentioned down each side next to the adjacent landowners to help protect their

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interest as to those next to them. As far as the “no cut zone” , Mr. Kudlacik stated he did not know what that means, he understands you cannot cut trees but would dead trees be able to be removed, he has a tree by his driveway that was hit by lightening and does that mean that tree cannot be cut and whatever is to be cut has to be approved by adjacent landowners. Mr. Trifilo answered yes, it means nothing under a certain diameter could be cut, but dead or damaged trees could be removed. Mr. Kudlacik said he wanted to make sure no buildings of any sort could be built in the little strip of land on either side in the buffer zone. Mr. Heber then told Mr. Kudlacik, they would be allowed to do what you are allowed to do and not be allowed to do what you are not allowed to do. Mr. Kudlacik said he understood. Mr. Heber then added, because in that zone there are certain things that can be done and certain things that can't be done in that zone. Mr. Kudlacik stated again he understood and just wanted protection, the provisions on this lot and the original ones said there was only one house per subdivision lot and now all he is saying is Mr. Trifilo can subdivide and he cannot on his lot, and he just wants to make sure there is some protection there for them, he stated he believes there are differences and they need to be considered.

Ms. Bryant thanked Mr. Kudlacik and asked for any additional questions or comments for the Board, she then said this was the chance, and added this is not a Public Hearing and as this project proceeds there will be a Public Hearing and the property owners will get letters again that there is a Public Hearing but the people are the ones that live there and the Board has been wrestling with this full concept and if you have been talking with Mr. Trifilo you know the Board wanted to hear from the people and see if there was anything specific to bring to the Board as they continue to wrestle with this project.

Mr. Alder said he only had one additional question, is the drive going to be wide enough for two cars to pass. Mr. Trifilo stated it will be 12 to 14' wide. Mr. Alder stated it is basically not a driveway but a private road. Mr. Trifilo disagreed it will be a driveway and if you measure yours it is probably 20 feet wide, this is 14 feet and if you have two cars that aren't 7 feet and it will be clear on both sides so if someone has to pull over to the side. Mr. Alder stated it would not be wide enough for 2 emergency vehicles. Mr. Pumiglia said not for two emergency vehicles but for two cars. Discussion ensued on the width. Mr. Pumiglia stated the CDS regulations call for 12 feet.

Ms. Bryant asked for any other questions or comments. None were noted. She thanked Mr. Trifilo and said they have about two minutes before the monthly meeting opens if someone wants a breather.

Ms. Bryant called the monthly meeting to order at 7:34 PM.

OLD BUSINESS

Major Subdivision Preliminary Stage

Application #: 0001-07

Applicant: Scot Trifilo

Location: Loudon Road

SBL#: 155-1-31

Acres: 39+

Zoning: R-3

Surveyor: Joe Bianchine, ABD Engineers (not present)

Mr. Trifilo continued to discuss his map/plan. He then pointed out that it does not reflect the “no cut buffer” and the driveway will be in the center of the parcel, not as displayed on this plan.

Ms. Bryant said there were a couple of things on the Boards side to discuss. She stated she was not an expert on boundary line adjustments and lot line adjustments and there was a difference she was unsure which one this was. She then said, she thought they would have some clarification on it and she wanted Mr. Ward, the Town's Attorney, to clarify if this needs a boundary or lot line adjustment. (Mr. Ward is not present tonight and nothing was received from him) Mr. Trifilo stated he could do it concurrently with this subdivision and he needed to submit a separate application for the adjustment. Mr. King said to combine the parcels they should look at the Regulations to see what is allowed.

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Ms. Bryant stated the Board received a letter from Neil Petteys, Town Highway Superintendent, (attached) and he was not in favor of the shared driveways. Mr. Petteys stated in his letter, concern about the traffic flow and the difference between this plan and a Town Rd being the maintenance issue. Ms. Bryant said Mr. Trifilo may have the best intentions in the world but just like anybody else's driveway we cannot control the snow bank heights and the Highway Superintendent is not here tonight to discuss it. The Board only has his letter to go by. Ms. Bryant then asked if Mr. Trifilo had a copy of Mr. Petteys's letter. Mr. Trifilo responded no. (the clerk gave him a copy)

Mr. Trifilo took a look at the letter and said two or more driveways would be more difficult to control than one driveway. If you were to have two driveways coming out that would be more difficult because you would have two cars pulling up to fight to get out, to him that would be more difficult than one driveway with two cars, one behind each other, one would pull out and then the next would pull up and go out. Ms. Bryant said Mr. Petteys is the Superintendent and she has to respect his opinion, the Board will talk to Mr. Petteys and find out what his specific concerns are and can get him at a meeting, the Board just received his letter tonight.

Mr. Trifilo said also if Mr. Petteys has concerns about what is happening at the intersection where it would come out to Loudon Rd, basically the center of that is cleared on both sides, so whether it would be a 12' wide Town Rd or 12' wide private driveway it would look the same, it is grass now it is a field. Ms. Bryant responded it may be a control issue, the Town cannot control a private drive. The Board needs to speak with Mr. Petteys.

Ms. Bryant stated she wanted Mr. Trifilo aware of the letter from Mr. Petteys and that some of the members are not comfortable with this concept. There are problems with the front parcel being part of a previous subdivision and four shared driveways when the policy is two shared driveways maximum. Mr. Trifilo said if he puts a road in there whether the Town owns it or the homeowners, this is what it will be, one ingress and one egress tied up with keyholes. Mr. Colozza said the Regulations would have to be changed because the Regulations state only two keyhole lots.

Ms. Bryant stated there is still two different parcels there, until they are joined it is still two different parcels. Mr. Pumiglia said the adjustment should have been done first. Mr. Trifilo stated he only has one parcel on the tax map. Ms. Bryant stated that does not make it one lot as Mr. Ward previously had said there are two lots and the tax map is different. Mr. Pumiglia said lot lines are moved all the time and there is no real reason to deny a lot line adjustment because you see what is down the road, this Board cannot deny because of that. Mr. Colozza said but the Board can still deny the subdivision if they don't approve of the plan, then he asked the Board if the intent of this subdivision fits within the master plan of the Town.

Discussion ensued on what was legal and what was not.

Ms. Bryant stated she thought they were getting into legal issues and they were not qualified to discuss the law. The Board needs to get information from Mr. Ward to see where they stand and get the information to Mr. Trifilo so he knows where he stands.

Mr. Pumiglia stated there is two separate issues here and without the adjustment Mr. Trifilo cannot do the subdivision. Mr. Trifilo responded with, then you will land lock my parcel. Ms. Bryant said no, you bought it land locked.

Mr. King said they were getting off track.

Ms. Bryant then said the Board needs to look at what is best for the Town and what is legal. Mr. Trifilo asked what if he had brought in an application for a lot line adjustment first, would the Town ask him what his intentions were. Ms. Bryant responded yes. Mr. Pumiglia stated that it doesn't matter what his intentions were.

Ms. Bryant said she still wanted Mr. Ward's advice. Mr. Trifilo said he needed to bring his Attorney with him and he did not buy land locked property. Mr. Basinger stated Ms. Bryant said we need Mr. Ward's advice and we will leave it at that. Mr. Trifilo asked if the Board will deny the lot line adjustment. Mr. King said if Mr. Trifilo wants to submit a lot line adjustment, ok the Board will look at it. Ms. Bryant stated she would call Mr. Ward and get his opinion/advice in writing and get this issue behind to move on. Mr. Trifilo asked for a copy of that to take to his Attorney. Ms. Bryant stated Mr. Trifilo could have a copy. Mr. King asked if the back parcel had any road frontage. Mr. Colozza said it use to but now doesn't. Mr. King said the lot line adjustment has not been presented to this Board. Ms. Bryant stated she

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would call Mr. Ward tomorrow, and follow up. Ms. Bryant then stated this Board wants to do things correctly and legally.

Mr. Trifilo stated he wanted the Board to agree the neighbors are ok with his plans for the subdivision. Mr. Basinger said he doesn't believe the neighbors or the Board are 100% pleased, there are things they need to do to fix the problems and concerns like the small business / zoning, and the "no build policy" in the buffers, then they can figure out the rest. Mr. Trifilo said he thought the Board was comfortable with the 4 homes and as he understood the lot line adjustment was just a technicality. Mr. Durr stated yes the lot line adjustment was part of it.

Mr. Basinger suggested they stop here and wait for Mr. Ward's response.

Ms. Bryant stated she would follow up with Mr. Ward and Mr. Trifilo would get a copy of Mr. Ward's response.

ACTION TAKEN:

Tabled until next month. Ms. Bryant will contact Mr. Ward for his input / advice. The Clerk will forward written correspondence from Mr. Ward to Mr. Trifilo. The Clerk will submit information to County Planning in preparation for a Public Hearing.

NEW BUSINESS

Site Plan Review / Shoreline Overlay

Application #0006-07

Applicant: Jim O'Donnell

Location: 1439 West River Rd
Solomon Acres

SBL#: 92-1-2

Zoning: AG

**Full SEQR received August 28, 2007.

Ms. Bryant announced Mr. O'Donnell's application, as a shoreline overlay and the site plan needs to go to the County.

(Mr. King had a prior commitment and excused himself from the remainder of the meeting.)

Ms. Bryant asked what were Mr. O'Donnell's plans for now, the fence and the barn. Mr. O'Donnell said yes, the barn is post and beam, he would restore the home later. Mr. O'Donnell stated he just wanted a yea or nay for the fence and barn. Ms. Bryant responded it is more than just that, than is a shoreline overlay. Mr. Colozza said it needs a site plan review. Ms. Bryant stated it needs to go to the County for the site plan review. Mr. Colozza said this is in the agricultural protection district on a County Road and asked who Mr. O'Donnell dealt with at SHIPO. Mr. O'Donnell discussed SHIPO and the dock on the canal with Mr. Colozza.

Mr. Pumiglia asked if there was going to be new lighting installed. Mr. O'Donnell said no, no new lighting.

The Board reviewed the map, and had some discussion.

Mr. Colozza asked if the Board wanted a new clean map. Ms. Bryant stated plans had to be clear to go to the County. Mr. Heber said they would need the building location on the map.

Mr. O'Donnell asked if the dock was an issue if the Canal Corp. didn't have a problem with it. Ms. Bryant asked if they can see it from the River and Mr. Colozza responded it should be blocked by the island and it shouldn't be a problem if the Canal Corp. is ok with it.

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Ms. Bryant asked Mr. Heber about SEQR, Mr. Heber said there needs to be a Public Hearing and SEQR needs to go to the County with a clean map. Mr. O'Donnell asked what the Board needed. Mr. Colozza stated something to send to the County. Ms. Bryant said they need the building laid out and the fence on the map. Mr. Basinger stated the map needs to show all the site plan requirements are met. Mr. Colozza said an elevation certificate may be needed if the Board wants to request it. Ms. Bryant asked what was the Boards pleasure. Mr. Pumiglia stated the flood plain has been done, and asked if the house was within the flood plain. Mr. O'Donnell responded no, the house is not in the flood plain and pointed it out on the map. Ms. Bryant stated it is in the shoreline overlay.

Mr. O'Donnell said the house and barn have a 500' setback, and stated he would go through the site plan check list and see what he needs. He then asked if the Board can waive things. Mr. Heber staid there has to be a Public Hearing we cannot waive that. Mr. Colozza stated the Board can waive things from the list. Mr. Basinger reviewed the checklist from the Zoning Ordinance Book, page 81, with Mr. O'Donnell. Mr. Basinger stated the Board **did not** need the following items from Mr. O'Donnell;

(exactly as written in the Regulations)

- e. Grading and drainage plan, showing existing and proposed contours at no more than five (5) foot intervals;*
- h. Provision for pedestrian access;*
- k. Description of the method of sewage disposal and location of design and construction materials of such facilities;*
- m. Location of fire and other emergency zones, including the location of fire hydrants;*
- n. Location , design and construction materials of all energy distribution facilities, including electrical, gas and solar energy;*
- r. Designation of the amount of building area proposed for retain sales or similar commercial activity;*
- s. General landscaping plan and planting schedule; and t. Other elements integral to the proposed development, as considered necessary by the Planning Board, including identification of any State or County permits required for the project's execution.*

Mr. Basinger said he wanted Mr. O'Donnell to illustrate the proposal and all improvements on the map. Mr. Basinger asked if there would be any signage. Mr. O'Donnell said no. Mr. Colozza reiterated they need a clean map for the County. Mr. Heber stated a Public Hearing would be scheduled for next month if everything was received.

ACTION TAKEN:

Mr. O'Donnell needs to supply the Board with the requested information on a clean map containing everything for the County, including the location, elevations and the dock detail. Mr. O'Donnell needs to illustrate his proposal and all improvements.

If information is received with enough time to send out to County Planning,, a Public Hearing will be scheduled for October 15, 2007

Minor Subdivision

Application#: 0009-07

Applicant: John & Donita Martindale

Location: 658 West River Rd

Acres: 32 ¼

SBL#: 118-1-9.11

Zoning: AG

Surveyor:

(Board Member Ms. Martindale recuse herself.)

Mr. & Mrs. Martindale, and Mr. Story came forward. Ms. Bryant reminded the Board about the discussion from last

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month pertaining to a zigzag of the driveway. Mr. Story stated they are not going to do that now.

Ms. Bryant asked if they found a way to gain the required road frontage. Mr. Martindale explained to the board their plan to share an existing driveway with the neighbors Mr. And Mrs. Corlew. The Board discussed the driveway and achieving setbacks.

Mr. Colozza stated they need to submit to the County for the driveway cut approval. He then reviewed with the Town's Engineer, Mr. Mitchell, and the Board a mylar from the previous subdivision of Weissleder.

Mr. Pumiglia asked if there was a Right of Way granted already. Ms. Bryant discussed last months meeting, because he was not in attendance, with Mr. Pumiglia to bring him up to date.

Ms. Bryant asked for Mr. Mitchell's input. Mr. Mitchell asked about the flood plain, asking if the drive will be 2' above as stated previously. Mr. Colozza said the surveyor will issue a flood certificate. Mr. Mitchell then discussed the building line with Mr. Colozza and setbacks from the flood plain.

Ms. Bryant asked if Mr. & Mrs. Martindale had received a copy of Mr. Colozza's letter to the Board listing items to look at (*letter attached*). Mr. Colozza stated no, he usually is doing it for the Board, to point out things they may want to look at. The clerk gave Mr. & Mrs. Martindale a copy of Mr. Colozza's letter. Ms. Bryant stated it was a good list to follow and Mr. & Mrs. Martindale reviewed the letter/list.

Mr. Heber asked Mr. & Mrs. Martindale if they understood they needed a special permit because of the shoreline overlay. Mr. Story said yes they understood and the driveway needs to go to the County for approval as well.

Mr. Mitchell said it needs to meet all legal requirements. There was a discussion about Mr. Colozza's list, the Board agreed (A. 1.) does not apply and reads as;

Town Planning Board should look at Subdivision of Ken Weissleder and possibly do a wide driveway cut from County Rd to be used by the land owners Isaac Kalvaria (Weissleder Subdivision) and Martindale and the property of Corlew. This property of Kalvaria is proposed as a lot line adjustment giving a keyhole lot to Martindale could be written with the driveway cut being shared at the County Rd entrance.

Mr. Colozza stated the elevation certificate is the key to everything. Ms. Bryant added they also need to consider what it will look like from the river. Mr. Mitchell said they need to submit a complete plan with all the issues addressed.

Ms. Bryant reiterated what was needed;

1. A new map with all the notes on it
2. Long form SEQR
3. SHIPO letter
4. And County approval for the driveway.

National Heritage has been done.

ACTION TAKEN:

Mr. & Mrs. Martindale need to supply the Board with the requested information on a clean map containing everything for the County, including the elevations. Long form SEQR is needed and the SHIPO letter. Mr. & Mrs. Martindale need to obtain County approval for the driveway cut.

Site Plan Review

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Application #0010-07

Applicant: Adam Kolasienski

Location: Route 50

SBL#:

Zoning: Comm/Residential

(Board Member Ms. Martindale rejoined the Board.)

Mr. Kolasienski addressed the Board and reviewed his proposed plan. Mr. Durr asked if the car business was gone. Mr. Kolasienski stated they have not actually "closed" with the bank so he is still there. Ms. Bryant stated they are just going to proceed with Mr. Kolasienski's project as if the car business was already gone from there. Mr. Kolasienski said they have to proceed without him too because where his business is located is where the new driveway, fence and everything else is going.

Mr. Kolasienski explained they were not changing the building at all and displayed a floor plan and the driveway plan. Mr. Kolasienski pointed out the driveway and the present light pole, where the customers would park and where the trucks would go.

Ms. Bryant stated there has to be a loading dock as they talked about last month. Mr. Colozza said there should be a loading birth, at least one. Ms. Bryant asked Mr. Colozza if that wasn't a requirement. Mr. Basinger stated you cannot impede the traffic circulation with a truck backing in and out on Route 50. Mr. Colozza said yes they should have one, even if he doesn't need one, he should show the capability of having one, if he sells the place the next people might need one. Mr. Pumiglia added it doesn't have to be a large cement platform. Mr. Colozza agreed. Mr. Kolasienski showed the Board his idea for loading and unloading. Ms. Bryant asked Mr. Colozza if that would meet the need. Mr. Colozza said yes, but you have to go to the book and see what the requirements for the birth is, the distance, it probably does have it here.

Mr. Basinger stated the other issue is people parking. Mr. Kolasienski showed the Board what his plan was for parking and the handicap parking and where the entrance is on the side. Mr. Kolasienski said they are moving the split rail fence back further and planting vegetation. Ms. Bryant asked if it meets all the setbacks. Mr. Kolasienski responded yes. Mr. Basinger discussed a turn around so people would not be backing all the way out in to traffic. Mr. Basinger reiterated what Mr. Colozza said as long as they are allowing for trucks to back into this area you don't need a loading birth as long as the traffic works like that. Mr. Basinger stated it is good to have 70' from the back of the truck for other vehicles to get by when they are unloading. Mr. Kolasienski stated they could do that but they are trying not to cut down to much vegetation.

Additional discussion on the driveway distances for turning around.

Mr. Basinger asked what type of driveway was he putting in, gravel or asphalt. Mr. Kolasienski stated gravel right now. Mr. Basinger asked how parking spaces would be marked. Mr. Kolasienski responded, with the split rail fence. Mr. Basinger asked if he was going to put individual rail fences in between spots. Mr. Kolasienski said no, just to mark the parking area. Mr. Basinger asked Mr. Colozza if this plan was ok without paving. Mr. Colozza stated as long as it is a dustless surface. Mr. Basinger said he was worried about it just looking like a gravel area, then asked if Mr. Kolasienski thought about some kind of landscaping. Mr. Kolasienski said yes he was going to landscape. Mr. Basinger stated, he personally would like to see some kind of screen there to block the view of the trucks unloading from Route 50. Mr. Basinger discussed what it would look like if someone were driving by and had to look at the back end of the truck, his preference would be some kind of landscaping to deal with it. Mr. Pumiglia agreed it was a good idea because it was also a residential area. The Board discussed with Mr. Kolasienski, what type of plants and landscaping would be appropriate. Mr. Heber stated just plant some trees with some height to them to block it. Mr. Basinger stated he preferred some kind of 6 - 8 or 10 foot solid shrub or hedge. Mr. Kolasienski stated he would do that, they want to clean it up and make it look nice. Mr. Kolasienski said they want it to look more like an extension to the house than a showroom. Mr. Basinger asked Mr. Kolasienski to bring in a new plan including the driveway turn around and the landscaping

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Ms. Bryant asked for any comments from Mr. Mitchell. Mr. Mitchell asked about the neighbors access and what was going to happen after they update his driveway. Mr. Kolasienski stated he would leave it alone, the neighbor is on the other side of the 15' buffer zone for the new driveway. Mr. Mitchell discussed the need for a curb cut permit to comply with the State requirements. Discussion ensued about the new driveway and the present drive used by the neighbors. Ms. Bryant said they would need a permit from D.O.T, explaining who ever controls the road controls the curb cut. Mr. Kolasienski asked why would he need a new permit if the driveway has already been there he is just improving it. Mr. Heber explained he may not need anything but he needs to contact them, they may come out and say you already have a 300' wide driveway now and you are just cutting it down, its fine but you need a letter from D.O.T.

Mr. Basinger asked if the Board was familiar with the businesses south of King Road, how they are set back in and have nice landscaping and the buildings are maintained, and he explained that was what he would like to see. Mr. Basinger asked if they could landscape in front of the building to avoid parking there. Mr. Kolasienski discussed moving the fence back and his parking plan. Mr. Basinger worked with Mr. Kolasienski to design a plan they could agree on.

Ms. Bryant asked if there was anything else for Mr. Kolasienski, none were noted and she thanked Mr. Kolasienski. He stated he would submit new map layouts with the changes suggested. She asked if SEQR had been submitted. The clerk stated it had been.

Ms. Bryant asked if they wanted to schedule a public hearing, the Board answered to the affirmative.

ACTION TAKEN:

Mr. Kolasienski will submit new maps for the clerk to submit to County Planning and schedule a public hearing for October if time permits when the information is received.

Minutes

Ms. Bryant suggested changes for the August 20th monthly minutes as follows;

Page 4 strike "*Ms. Bryant said she thought personally this could be the best plan so far but mentioned the extra traffic.*" from paragraph 4

Page 4 change "*Ms. Bryant agreed this **could** be the best plan for four houses.*" to "*Ms. Bryant agreed this **may**...*" in paragraph 4

Page 6 strike "*Ms. Bryant stated the barn should be ok.*" from the second paragraph.

Page 6 change "*Ms. Bryant **said and** you will do as **you are told.***" to "*Ms. Bryant **asked if** you will do as **the State requests.***" in paragraph 8.

Page 8 change "*Ms. Bryant then **stated then** there is **no** public access.*" to "*Ms. Bryant then **asked if** there is public access.*" in paragraph 3.

Mr. Heber made a motion to approve with changes suggested by Ms. Bryant

Mr. Durr 2nd the motion.

Unanimous by all in attendance.

MISC.

Mr. Heber made a motion to approve the Reduction in the Performance Guarantee Bond for Bordeau Builders, Inc (DiSiena) from \$98,375.00 to \$83,895.00 as approved by the Town Engineer and contingent upon approval from the Town Board.

Mr. Durr 2nd the motion and unanimous by all members in attendance, motion passed.

FUTURE MEETINGS

Monday, October 15, 2007 Agenda Meeting at 6:30 PM,

Town of Northumberland Planning Board

Minutes

Monday, September 17, 2007 7:00 pm

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Subject to Planning Board approval

Mr. Heber made a motion to adjourn the September monthly meeting at 9:43 PM

Mr. Pumiglia 2nd the motion and all in attendance unanimously agreed.

Respectfully submitted

Tia Kilburn, Planning Board Clerk