

Town of Northumberland Zoning Board of Appeals

Minutes

Wednesday,

July 1, 2009 7:00 pm

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Subject to Zoning Board Approval

Present: Mark Boyce, Chairperson, Hugo Leone, Bruce Bemis, Julie Trollip and Carl Harrison.

Absent: Clinton barber, Rebecca Hodgson and Gordon Strong.

Town Employees Present: Tia Kilburn, Zoning Board Clerk.

Mr. Boyce called the monthly meeting to order at 7:07 PM.
All in attendance stood and recited the Pledge of Allegiance.

OLD BUSINESS

None

NEW BUSINESS

Application #: 0004-09 – Area Variance / pump setbacks & lot coverage %

(Site Plan Review – Special Use Permit)

Applicant: Stewart's Shops Corp.

Location: 1917 Route 32N

SBL#: 103.12-4-3

Zoning: Hamlet

Acres: .868 +/-

Status: Preliminary

Application #: 0002-09 – Use Variance

Applicant: Lawrence & Donald Neville

Location: 4750 Route 50

SBL#: 116.-1-41

Zoning: C?R

Acres: .51

STATUS: Preliminary

Mr. Boyce asked the clerk why this application was submitted as a Planning Board Subdivision Application. The clerk explained that this was the application Mr. Neville had submitted to the Planning Board was for a site plan review. Mr. Strong asked if Mr. Neville purchased this parcel or if he was leasing it. The Clerk stated she believed he purchased it. Mr. Strong asked if Mr. Neville lived there. The Clerk responded no, as Mr. Neville had stated to the Planning Board. Mr. Bemis described the driveway as a drop off on a slope. He stated automobiles travel quite fast in that area of Route 50 creating a hazard for people coming out of driveways. Ms. Trollip asked where exactly the parcel was located. Mr. Leone

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explained it was on Rte 50 just before *Scott's Garage*.

The Board reviewed the file for the previous owner at that location *Just Service*. The Board discussed the *use* category this application would fall under.

Ms. Trollip asked if Mr. Neville would also have auto sales there. The Clerk stated he told the Planning Board he was out of the auto repair business he had in the Town of Wilton. Mr. Leone stated maybe the Board should confirm that in writing from Mr. Neville. Mr. Bemis asked the board members if they had seen this location and all the auto parts, tires and junk on the property. Mr. Strong agreed it was a mess.

Mr. Strong asked Mr. Boyce if he determined the category. Mr. Boyce said it could fall under personal service or retail business however the retail doesn't cover the work done on site, to him it would be more of a personal service. He then stated if the Planning Board is referring this application to the Zoning Board it should be on the use variance form along with a written referral from the Planning Board or Mr. Colozza, the Code Enforcement Administrator. He then read the approval for a use variance granted to the previous business *Just Service* for an operating permit as a small business. Mr.

Strong said he thought it would be the same as *Just Service*. Mr. Leone stated he thought there was a dispute about the building being on the wrong property. Mr. Bemis said he thought it was just the chain link fence. Mr. Boyce said they need more details and then it can be sent to County Planning. Mr. Strong stated they should look at a home occupation category. Mr. Boyce said it would not fall into that and the Planning Board needs to determine the use and then come to this Board for a use variance using Mr. Ward, the town's attorney, suggestion. Mr. Strong asked what *Just Service* was granted. Mark said it was a use variance for a small business office. The Clerk then added *Just Service* did not complete the process, they did not return to the Planning Board. Mr. Strong said this application would probably be a retail business. Mr. Boyce stated they will look into that, it is possible. Mr. Strong asked the Clerk if she would send a letter to Mr. Neville requesting he complete a use variance application and he provide additional details for the business. Mr. Boyce asked the Clerk if she would get a written referral from the Planning Board and then added he thinks this approval may take awhile with all the paper work and the need for County Planning and a public hearing.

ACTION

The Clerk will send Mr. Neville a use variance form and request additional details for the business use. The Clerk will also obtain a written referral from the Planning Board for a use variance stating the specific use.

Mr. Boyce asked if there was any other business for the Board. None was noted.

Mr. Leone made a motion to close the monthly meeting at 8:20 PM,
Mr. Bemis 2nd the motion,
All in attendance unanimously agreed.

FUTURE MEETINGS

Regular Monthly Meeting, June 3, 2009 – 7:00 PM if needed

Respectfully submitted,
Tia Kilburn, Zoning Board Clerk