

Town of Northumberland Zoning Board of Appeals  
Meeting Minutes  
Wednesday,  
July 6, 2011 7:00 pm  
Subject to Zoning Board Approval  
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**Present:** Hugo Leone, Bruce Bemis, Julie Trollip, Jeremy DeLisle, Clinton Barber, Vice-chairperson, and Mark Boyce, Chairperson

**Absent:** Rebecca Hodgson, Carl Harrison.

**Town Employees Present:** Richard Colozza, Zoning Administrator and Tia Kilburn, Zoning Board Clerk.

**Planning Board Members Present:** James Heber, Brit Basinger and Chairperson, Wayne Durr.

Mr. Boyce, Chairperson, called the Public Hearing to order at 7:07 PM. (Held jointly with the Planning Board)  
All in attendance stood and recited the Pledge of Allegiance.

**PUBLIC HEARING**

**Zoning Application #: 0008-11 - Area Variance, Applicant: Theresa Rousseau,  
SBL#: 116.7-1-9 , Location: 4882 Route 50**

Ms. Rousseau described her request as a Home Occupation for Tailoring and Alterations. She stated customers would be there by appointment only, one at a time. She described the parking and stated there is adequate space to turn vehicles around to be able to drive out onto Route 50. Mr. Boyce asked if there were any questions or comments for this application / applicant. Mr. Heber, Planning Board member stated he would like to make a favorable recommendation to approve this application.

Mr. Leone made a motion to close the public hearing,  
Mr. Bemis 2nd the motion,  
All in attendance unanimously agreed.

**REGULAR MONTHLY MEETING**

Mr. Boyce called the regular monthly meeting to order and announced the application of C&S Construction as the next application to review.

**Area Variance, Zero Lot Lines, Application#: 0009-11 – Applicant(s): C & S Construction / Luther (Chuck) Waldron,  
SBL#: 116.16-1-(5), (6), (9),(10), (13), (14) and 116.20-1-(19) & (20).**

Mr. Boyce asked if there were any correspondence for this application, the Clerk responded the Planning Board Chair submitted a letter. Mr. Boyce read the letter aloud as follows;

Chairman Zoning Board of Appeals,

During the 13 June 2011 Planning Board meeting our members discussed C&S Construction's application #0009-11 for a zero lot line variance. As a result of this discussion, the Planning Board unanimously voted to recommend denial of C&S Construction's application #0009-11 for a zero lot line variance to the Zoning Board of Appeals. The Planning Board requests the Zoning Board of Appeals to consider to following points, which were the basis for the recommendation to deny application #0009-11 for a zero lot line variance.

1. This is a cluster subdivision approved by the Town of Northumberland Planning Board and the developer.
2. Has the Homeowners Association been contacted, the applicant needs permission to proceed.
3. No zero lot lines have been approved by the Planning Board of the Town of Northumberland.
4. Request the Zoning Board look to see what the dwellings would be considered, Town houses and / or Condos are not allowed in the Town of Northumberland.

Please contact me with any questions or concerns related to our recommendation to deny C&S Construction's application #0009-11 for a zero lot line variance. My intent is to be present at the 6 July 2011 Zoning Board of Appeals Meeting.

Thank you.

Respectfully,

Wayne Durr, Chairman Planning Board

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Mr. Boyce asked the Board for any discussion. Mr. Barber asked why did the Planning Board design this subdivision this way with the "eyebrows"? Mr. Heber stated they didn't design it, the developer did. Mr. Waldron interjected that was not true and the Planning Board did not like the "lollipops" and there was a lot of input from the Planning Board to reach the final design. Ms. Trollip stated she went to one of the sites (lots) to visualize the zero lot lines. Mr. Waldron stated he just need to get the houses closer together to allow for privacy in each of the yards. Ms. Trollip asked if it was necessary for the houses to touch. Mr. Waldron said no, he prefers them not to touch, however he wants the front and side separations. He stated he is having trouble selling these lots and would just like the zero lot lines he can use as a vehicle to sell them. Mr. Gerber, an observer from the public, stated he was concerned with the shared fire wall for the townhouses. Mr. Leone reminded the audience the public hearing is closed and no additional discussion from the public can be allowed. Ms. Trollip asked if they had to approve this application as it is written or does this board have some flexibility. Mr. Colozza stated they don't have to grant this as it was submitted they can give the minimum required variance to relieve the problem. Discussion ensued among the Board. Mr. Boyce stated they would either have to take action on this application tonight or schedule a special meeting because the public hearing has been closed and the next regular meeting will be past the 60 day mark. He explained if they go past the 60 day mark it will be approved by default. Mr. Colozza re-iterated they did not have to give the zero lot lines, they can give something else, the minimum they see is needed. Mr. Boyce asked if there were a motion for this application, Mr. Barber asked what the motion would be for, Mr. Boyce stated either as the application is written or with modification or changes, he added it was not his personal decision just an option for the board.

Mr. Boyce made a motion to close the discussion on this application,  
Mr. Barber 2nd the motion,  
All in attendance unanimously agreed.

Mr. Boyce asked if there was a motion on this application.

Ms. Trollip made a motion to approve the area variances(s) for zero lot lines affecting only lot #'s, 22, 22A, 50, 52, 56, 56A, 64 and 64A in the Brampton Woods Subdivision as requested in the application, application # 0009-11, as proposed by C & S Construction.

Mr. Leone 2nd the motion,  
Mr. Boyce called for a role call vote;

Bruce Bemis	<u>Nay</u>
Jeremy DeLisle	<u>Nay</u>
Julie Trollip	<u>Nay</u>
Hugo Leone	<u>Nay</u>
Rebecca Hodgson	<u>Absent</u>
Carl Harrison	<u>Absent</u>
Clinton Barber, Vice Chairperson	<u>Nay</u>
Mark Boyce, Chairperson	<u>Nay</u>

Motion denied unanimously 6-0, 2 members absent

Mr. Boyce asked if there were any modification to the motion, the following reasons were added to the denial; 1. No Hardship was demonstrated and 2. The criteria for the minimum variance required were not met.

**ACTION**

Application denied.

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**Zoning Application #: 0008-11 - Area Variance, Applicant: Theresa Rousseau,  
SBL#: 116.7-1-9 , Location: 4882 Route 50**

Mr. Boyce asked if there were any correspondence for this application, none was noted. Mr. Barber asked if she had adequate parking for two vehicles at a time, Ms. Rousseau responded yes, it is by appointment only and she actually has enough parking for three at a time. Mr. Bemis asked if she owned the property next door. Ms. Rousseau stated yes, her daughter is living there now.

Mr. Leone made a motion to approve a 39 foot area variance for road frontage and .40 of an acre (17,424 ft) total area variance for application number 0008-11 as proposed by Theresa Rousseau residing at 4882 Route 50, Gansevoort, NY 12831.

Mr. Barber 2nd the motion,

Mr. Boyce called for a roll call vote;

Bruce Bemis	<u>Aye</u>
Jeremy DeLisle	<u>Aye</u>
Julie Trollip	<u>Aye</u>
Hugo Leone	<u>Aye</u>
Rebecca Hodgson	<u>Absent</u>
Carl Harrison	<u>Absent</u>
Clinton Barber, Vice Chairperson	<u>Aye</u>
Mark Boyce, Chairperson	<u>Aye</u>

Motion passed unanimously 6-0, 2 members absent.

Mr. Boyce explained the 6 month rule to finish the project and the need for Ms. Rousseau to return to the Planning Board for the approval on the site plan and special use permit.

**ACTION**

Public hearing closed, application approved.

Hugo Leone made a motion to approve the June minutes with corrections, page 3, fourth paragraph, line 8 - change "an" to the word "a". Page 3, sixth paragraph, line 2 - change the word "speak" to "participate in the discussion". Page 4, 1st paragraph remove the words "by the garage" in the last sentence.

Mr. Barber 2nd the motion,

All in attendance unanimously agreed, minutes accepted.

Mark made a motion to adjourn the monthly meeting,

Mr. Barber 2nd the motion,

All in attendance unanimously agreed, monthly meeting adjourned at 7:37 pm.

**FUTURE MEETINGS**

August 3rd as needed.

Respectfully submitted,  
Tia Kilburn, Zoning Board Clerk