

Town of Northumberland Planning Board

Minutes

Monday, July 12, 2010 7:30 pm

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Present: James Heber, CJ Lofgren, Jeff King, Susan Martindale, , Lisa Black – alternate , John DeLisle – alternate and Wayne Durr – Chairperson

Absent: Brit Basinger - Vice Chairperson 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

Lot Line Adjustment

Application #0004-10

Applicant: David Danks & Christine Aubin

Location: Corner of Duncan Rd & Little Oaks Terrace

SBL#: 129.6-1-29 & 129.6-1-69.1

Zoning: R-3

Acres: .69 acres & .32 acres

Status: Preliminary

Mr. Durr announced application # 0004-10 and Mr. Danks introduced himself. Mr. Danks explained the need for the lot line adjustment because there are two dwellings on separate parcels, however the older dwelling, also the one they live in, is very close to the property line. The other dwelling complies with zoning and is a rental. He stated the concern was that they wanted to bring both parcels as close to conforming with zoning as they can incase some day they wanted to sell one or the other. The plan was to make the setbacks as close to the 25' requirement as possible.

Mr. DeLisle asked if it was necessary, if this was a requirement, for the applicant being that it is existing. Mr. Colozza explained there was a lot line adjustment at the time of the Rimbrave subdivision and a swap of land, because of the entrance of the road for Rimbrave, however these parcels are still not in compliance with the set back requirements.

Discussion ensued on the setbacks and swap of land.

Mr. Heber reviewed the original subdivision mylars with Mr. Colozza. Mr. Durr asked what the advantage would be to this lot line adjustment. Mr. Danks responded just to be in compliance if they wanted to sell someday. Mr. Durr asked if there were shared driveways. Mr. Danks said no, each lot has its own driveway. Mr. King asked if both dwellings were built before zoning. The rental was constructed after and the home he lives in was existing before the subdivision. Mr. King asked what the setbacks should be. Mr. Colozza answered the back and side should be 25' and the back should be 50'.

Mr. Heber discussed the location of the wells and septic systems to ensure there is room for repair or replacements if necessary without encroaching on anything if a lot line adjustment was granted.

Ms. Aubin stated they are not trying to create a new building lot. Mr. Heber said there are actually 3 lots affected and then added they should be creating 2 lots out of the 3. Mr. Danks stated the 3rd lot was not deeded in. Mr. Heber said it should be because of the original subdivision agreement with the land swap. Mr. King asked about the land swap with the subdivision. Ms. Aubin state it was a non-buildable lot, Mr. Colozza added they took from the front of this applicants parcel and gave them some to add on the back for their parcel because of the new road for the subdivision. Mr. Heber added they processed it as a lot line adjustment at that time. Mr. Durr asked if there was something to be done now. Mr. Heber said they should take out the line in between the parcels to create one lot. Mr. Danks asked what he had to do for

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that. Mr. Colozza stated he needed to have the property in the back added to his parcel deed and record 2 deeds instead of 3.

Mr. King said this application looked ok, however they will need a new map showing the wells and septic systems of both dwellings and the neighboring parcels, as well as structures, with the setbacks. Mr. Danks asked which neighbors, Mr. Heber stated the surveyor should know what he needs, he believes one would be the original lot 4 and lot 37, Mr. Colozza told Mr. Danks to make sure and show the setbacks on the maps by the surveyor. Mr. Durr asked if there was anything additional this applicant needed, nothing was noted. Mr. King thanked the applicants.

ACTION TAKEN

Applicant will return with maps showing wells, septic systems, structures and setbacks.

NEW BUSINESS

None

MISCELLANEOUS

Special Use Permit / AG Field Reconstruction

DEC Mining Permit

Location: Route 32

SBL#: 104.-1-61.111

Zoning: R-3

Owner: Frank Shaw

Mr. Heber asked the status of this application. The Clerk stated she had sent a F.O.I.L. request however, has not received anything back from D.E.C., Department of Environmental Conservation. Mr. Heber said she should call D.E.C for answers. Ms. Lofgren stated it seems Mr. Shaw has misled this Board. Mr. King asked what has been done. Mr. Heber stated this Board gave Mr. Shaw a special use permit based on the fact there have been no changes since the original permit was issued. Mr. King asked what could be done, if they could revoke the permit. Mr. Colozza responded and said this Board cannot revoke because the actual permit was issued by D.E.C., there is only a couple of things this Board can control. Mr. Colozza then added it was determined that there is "no stump dump". Mr. Durr asked if Doug Ward, the Town's Attorney, had reviewed this yet. Mr. Colozza stated Mr. Ward determined there was "no stump dump". Mr. Durr asked what Mr. Ward did to determine that. Mr. Colozza said they reviewed it a the Town Board meeting, he had actually taken pictures of the site and they did not show any stump dump. Mr. Durr stated he would call D.E.C. Mr. Heber added the Clerk had sent a F.O.I.L request and has not received anything in return. Mr. King suggested Mr. Durr contact Mr. Ward.

Discussion ensued on what was in the scope of this Boards duties.

Mr. King made a motion to adjourn the monthly meeting at 8:09pm,
Mr. Heber 2nd the motion,
All in attendance unanimously agreed.

FUTURE MEETINGS:

Regular Monthly Meeting, Monday, *August 9, 2010* - 7:30 PM

Respectfully Submitted,
Tia Kilburn,
Planning Board Clerk