

Town of Northumberland Planning Board  
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Monday, October 18, 2010 7:30 pm  
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**Present:** James Heber, Susan Martindale, Lisa Black – alternate and John DeLisle – alternate

**Absent:** Kevin Pumiglia, Jeff King, CJ Lofgren, Brit Basinger - Vice Chairperson and Wayne Durr – Chairperson

**Town Employees Present:** Richard Colozza, Code Enforcement Officer and Tia Kilburn, Planning Board Clerk

Mr. Heber assumed role of the Chairperson, and opened the monthly meeting at 7:40 PM, all in attendance stood and recited the Pledge of Allegiance.

**OLD BUSINESS**

**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. Heber announced application # 0004-10 and Mr. Danks introduced himself. Ms. Aubin presented to the Board maps with the proposed lot line adjustments and explained the placement of the well(s), septic(s), 2 dwellings and the setbacks. She stated the reason for this particular design for the layout was to come as close to the zoning requirements as possible and to reserve a group of trees on their parcel where they reside. Mr. Heber asked the current number of lots and what would be affected. Ms. Aubin stated there are 3 lots now and they will reduce it to 2 lots after the adjustment. Ms. Martindale asked for clarification of what currently existed. Ms. Aubin pointed out 2 dwellings that will be affected. Discussion ensued on all the parcels owned by the applicant and which 2 would be affected. The applicants stated they live in one now and currently rent the other. Mr. DeLisle asked if the back parcel has been deeded in as required by the "land swap" for the previous subdivision. Mr. Danks said no, and explained how the "swap" occurred, his home was existing and land was taken from the front of the property in order to create the roadway for the subdivision and land was given to the applicant on the back side of his property as compensation. Mr. DeLisle asked what was discussed at the last meeting for this application. The Board reviewed the minutes from the July meeting. Mr. Danks state he did not recall any requirement to have the lots joined.

Discussion ensued on where lot lines are to be drawn for 2 lots and the setbacks. The Board reviewed the maps. Ms. Martindale asked what the zoning was in that area, Mr. Colozza said it was R-1, residential one acre. Mr. DeLisle asked what size each lot would be when completed. Mrs. Aubin stated they wanted to make the lots comply with zoning, therefore each will be at least 1 acre. Ms. Martindale stated the also need to work on making both lots comply with the road frontage requirements. Mr. Heber explained the road frontage could be measured from the building line if land is not available at the road to comply, however the Board prefers straight lines if the road frontage can be met. Ms. Aubin reiterated they wanted to keep the trees for privacy. Mr. Heber stated they could put a "no cut" clause in the deed without creating a "cookie cutter" layout. Ms. Aubin said their realtor said that would be hard to enforce.

Mr. Colozza and Mr. Danks discussed the placement of the well for the front lot. Ms. Black asked if the layout was ok if the setbacks were met. Mr. Heber stated the Board tries to avoid "cut up" lots to prevent additional lots from being created.

Mr. Heber stated there are only 4 Board members present and he was not comfortable voting on anything for this application tonight because the other members may have other questions or concerns. The applicants will need a survey which cost money, if changes need to be made an additional survey will be needed. He added the road frontage intent is to not do this, "cut up", he stated it is not like the applicant can't give them the road frontage. Mr. Heber reiterated he would like more Board members to review and vote before the applicant spends money just in case there are changes then they

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would only need one survey. Mr. Heber stated he would rather have the "no cut" for the trees put on the deed. Mr. DeLisle stated they could create and use a buffer. Ms. Aubin asked if this Board had ever seen that enforced. Mr. Heber added the "no cut" or "no touch area" is used in subdivisions.

Mr. Heber asked the applicants if they could wait until next month for additional review, Mr. Danks said they were in no hurry and Mr. Heber thanked the applicants.

**ACTION TAKEN**

Applicant will return next month.

**NEW BUSINESS**

**Lot Line Adjustment**

**Application #0005-10**

**Applicant: Shane Newell**

**Owner: Stone Bridge Farms, LLC**

Location: 179 Austin Rd

SBL#: 117.-1-55 (& 117.-1-52)

Zoning: AG

Acres: .68 acres

Status: Final

Mr. Heber asked for clarification on the location of this parcel. Mr. Colozza stated it belonged to Vance at one time and had a trailer on it, Mr. and Mrs. Powell moved their house there when the trailer was moved, it is a pre-existing lot. Mr. Newell explained there are 3 parcels owned by Stonebridge Farms, they have sold one and this parcel is under contract however, the buyers wanted to expand to a 1 acre parcel. He stated there is no survey yet, when this Board expresses approval it will be surveyed and they will add anything required to the map. Mr. Newell presented a sketch map to the Board to show the proposed adjustment. Mr. Heber asked if the dotted lines were the adjustment, Mr. Newell said yes there are 2 adjustment lines. He added they will follow the contour of the road and there are no setback requirements on Austin Rd that he knew of. Mr. DeLisle asked if this was a private road. Mr. Heber responded yes.

Mr. Newell asked if the Board had to determine if this was a lot line adjustment or a subdivision. Mr. Heber stated it should be a lot line adjustment and asked what was left of the 2nd parcel. Mr. Newell stated it was 92 acres, and the entire thing would not be surveyed. Mr. Heber said that was fine they just want to see how much land is affected and how far it would be to the back maintenance building to the property line. Mr. Newell stated it would be at least 500' to the building, Mr. Colozza added it must be more than that. Mr. Newell stated they had checked and there will not be another structure within 1,000'. Mr. Heber asked the Board if they had any concerns about this application. Discussion ensued on what was required and what could be waived for this application. Mr. Heber stated he would entertain a motion at this time.

Ms. Martindale made a motion to waive the public hearing.

Mr. DeLisle 2nd the motion,

All in attendance unanimously agreed, motion passed.

Mr. Heber said they would need a survey map. Mr. Newell asked if they had to wait for the survey to get approval or if they could get an approval tonight contingent on the map. Mr. Heber stated he would entertain a motion.

Mr. DeLisle made a motion to approve the lot line adjustment for application # 0005-10, for applicant Shane Newell, contingent upon the survey map showing the 2nd lot (92 acre parcel) is conforming, and the distance to the maintenance building in addition to the standard requirements for the Town of Northumberland.

Ms. Black 2nd the motion,

All in attendance unanimously agreed, motion passed.

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Mr. Heber thanked the applicant.

**ACTION TAKEN**

Public Hearing waived, application approved with contingencies; the survey map showing the 2nd lot (92 acre parcel) is conforming, and the distance to the maintenance building in addition to the standard requirements for the Town of Northumberland.

**Lot Line Adjustment / Subdivision**

**Application #0006-10**

**Applicant: Dale Cox**

**Owner: Carol Cox**

Location: Starks Knob Rd

SBL#: 144.-1-(8), (9), (10), (11)

Zoning: AG / Hamlet

Acres: 75 acres

Status: Preliminary

Mr. Heber asked Mr. Cox to show the Board what is existing and what is proposed. Mr. Cox explained using his map as reference. Ms. Martindale asked if these parcels use to be all one. Mr. Cox said yes it has already been subdivided. Mr. Heber stated this application will be a subdivision and asked what zone it was in. Mr. Colozza stated the front is in the Hamlet zone and the back parcels are in the Agricultural zone, it also includes shoreline overlay. Mr. Cox stated they desired to break off his Mothers dwelling from the farm and deed a parcel to his sister. He explained there is an old dwelling on one parcel that is being torn down. Mr. DeLisle asked if he had to tear down the dwelling. Mr. Cox said yes it was a requirement. Mr. Colozza explained that was a requirement when they built the Mothers house to remove the old home so it would only have one dwelling. Ms. Martindale asked what the sister's intent was for the land. Mr. Cox said he did not know what his sister would do with her parcel, he just wanted to keep his with the farm and remain agricultural use. Mr. Heber stated this application needs to go to County Planning and it will need a State Environmental Quality Review Form, SEQRA form. Ms. Martindale asked if it also need a National Heritage letter, Mr. Colozza was unsure because if it is pre-existing, and Mr. Cox is going to farm, Mr. Ward, the Town's Attorney, is going to research that. Mr. Heber said this application does not look like a big deal. Mr. Colozza agreed it should not be hard, the Board may want to add a note for any future construction requiring deep hole and perk test. Mr. Heber asked what the Road frontage was in the Hamlet zone, and the Board reviewed the regulations. Ms. Black stated it was all written on Mr. Cox's maps. Mr. Heber reiterated the lot to be subdivided is almost 2 acres, the setbacks and road frontage looked good on this map. Mr. Heber then added a note should be put on the maps for Lots # 1 and 3, before any construction a deep hole and perk test must be performed. Ms. Martindale reiterated the land use was not changing. Mr. Cox said it would remain agricultural use. Mr. Colozza said lot #1 is in the shoreline overlay, however the "new" house is over 500' from it. Mr. Cox agreed.

Discussion ensued on a long or short form Seqra.

The Board decided a short form would be fine. Mr. Colozza asked if Mr. Cox had to re-do anything now. Mr. Heber stated this application has to go to the County and if he puts the shoreline overlay, the notes for deep hole and perk on the maps he should be all done. Mr. Heber asked if the Board had any questions or concerns, none were noted. Mr. Heber thanked the applicant.

**ACTION TAKEN**

Public Hearing will be scheduled December 13th, 2010 at 7:00 pm. Application will be sent to Saratoga County Planning, applicant will submit a short form Seqra and Mr. Ward will let the clerk know if a National Heritage letter is needed.

**MISCELLAOUS**

Mr. Heber reminded the Board of the Saratoga County Planning and Zoning Conference, January 26th, 2011. He then stated he would be unable to attend this year. Ms. Martindale asked if there were a way she could get a list of training she has already completed and what is required for each level. The clerk stated she would request the information for each member from Saratoga County Planning.

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Mr. Colozza discussed transfer of land that was required for the approval of the Brampton Woods Subdivision. He explained lot #'s 82 and 84 were pre-existing and originally had ingress/egress to Colebrook Rd, in the approval for the subdivision they were required to be changed to Brampton Lane when the Town took over the subdivisions road. Apparently this has not been completed as of yet, Mr. Colozza stated he received a call and one of the home owners are going through a re-mortgage and it has come up as incomplete. Mr. Heber asked if this would be considered a lot line adjustment. Mr. Colozza said not really, it was a requirement that was not completed. Mr. DeLisle asked who the owners were of the parcels were, Mr. Colozza said one of them was Nesbitt. Mr. Heber asked for the sbl #'s and names of the owners so they could entertain a motion and send resolution to Saratoga County as complete. The clerk looked up the information for the Board.

Ms. Martindale made a motion to approve the lot line adjustment (land transfer) between Lots #'s: 82 and 84 of the Brampton Woods subdivision approved May 15, 2006 by a prior Planning Board, SBL #'s: 116.-2-59.1 belonging to Nesbitt and 116.-2-59.2 belonging to Hahn.

Mr. DeLisle 2nd the motion,

All in attendance unanimously agreed, motion passed.

**ACTION**

Clerk will send a resolution to Saratoga County, C & S Construction (the subdivision applicant) and the two parcel owners as a requirement for the Brampton Woods Subdivision requirement.

The Board reviewed the July meeting minutes and Mr. Heber stated he would entertain a motion.

Ms. Black made a motion to approve the July 2010 meeting minutes,

Ms. Martindale 2nd the motion,

All in attendance unanimously agreed, motion passed.

Mr. Heber asked if there were any additional business for the Board, none was noted, he asked for a motion to adjourn.

Mr. DeLisle made a motion to adjourn the monthly meeting at 8:54pm,

Ms. Martindale 2<sup>nd</sup> the motion,

All in attendance unanimously agreed, meeting adjourned at 8:54 pm.

**FUTURE MEETINGS:**

Regular Monthly Meeting, Monday, *November 8, 2010* - 7:30 PM

Public Hearing for application 0006-10, applicant Dale Cox, to be scheduled for December 13, 2010 - 7:00 PM, monthly meeting to follow.

Respectfully Submitted,  
Tia Kilburn,  
Planning Board Clerk