

Town of Northumberland  
Planning Board  
Accepted by the Planning Board  
Monday, November 19, 2018  
7:00 pm  
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**Planning Board Members Present:** Susan Martindale, Chair, Chad Reinemann, Jeff King, Lisa Black and James Heber, Vice Chair

**Members Absent:** Holly Rippon-Butler (out of Town), Melanie Eggleston and Brit Basinger

**Town Employees Present:** Tia Kilburn, Clerk

Chair Martindale opened the meeting at 7: 05 pm; all in attendance stood to salute the flag.

Application #: 0010-18, minor subdivision for applicant John Weber, property owner Ann Cibelli, Mr. Weber explained his application as a 2-lot subdivision, he stated he has a survey of the original farm from 1965, however he does not have a survey of the lot for the proposed subdivision, he reviewed the map with the Board. He stated they propose to take out 5 acres for Ms. Cibelli for her existing house and horse barn and he will buy the rest to build a house and keep it agricultural. Chair Martindale reiterated he was purchasing the remaining 38 acres. Ms. Black asked if he planned on clearing the trees, Mr. Weber responded no, the plan was to keep it natural and there are wetlands there. Mr. Reinemann stated he only has 140' for road frontage and he needs 300', Mr. Weber said 140' was enough and his intent was to keep it agricultural. Mr. Reinemann asked what the total road frontage currently was, Mr. King responded 726' and Mr. Weber agreed. Mr. Reinemann stated the issue is with the road frontage, there is plenty there to split, Mr. Weber stated they cannot but he can make a keyhole lot. Chair Martindale asked if he planned on building, Mr. Weber responded yes, a house and a barn for himself. Mr. King asked if they needed 300' in the agricultural district, Mr. Reinemann responded yes in the agricultural district, Mr. Heber added if they do 300' it would be cut through the existing house. Mr. Weber stated the plan was to stay just to the other side of the barn to keep it more natural following the drainage ditch that curves around it, he added they can have a keyhole lot and it is all staying agricultural. Chair Martindale stated they still needed the acreage in the ag district. Mr. Heber said they need minimum of 10 acres for a farm and 5 acres for a dwelling in the agricultural zone. Mr. Reinemann said he was unsure because of the horse, they need to stay consistent with the regulations. Mr. Heber asked if she boarded horses, Mr. Weber responded no she has one old horse and she is just waiting for it to pass on, she has a few chickens and there is actually an old barn that had burnt so it is buried there, the property is not good for raising horses or crops. Mr. Heber read the definition of a farm from the Zoning Regulations and added they need 10 acres minimum. Mr. King asked Mr. Reinemann if in the ag district 300' road frontage was the standard, Mr. Weber stated it is from the front of the building and he will have that. Mr. Heber agreed they have done that before, measure from the face of the house. Mr. Reinemann agreed and said they have done it that way before, in his personal opinion the 300' is to preserve the agricultural zone. Mr. King stated it is to prevent density in the ag zone. Mr. Weber state he could legally split the parcel into 3 lots, Vice Chair Heber responded no, not without the road frontage. Mr. King said this is an opportunity to define road frontage and the intent of the 300'. Mr. Reinemann said he understood and Vice Chair Heber agreed they don't want to create more density, he added you have to get the lay of the land to see if it would work before splitting it up. Chair Martindale said with the horse stable there what if it sells and the next people think they can have horses too. Mr. Weber said there will be 5 acres, Mr. King stated that removes the ability to run a stable on 5 acres. Mr. Weber commented the horse industry is going down, Mr. Reinemann said they are trying to preserve the agricultural. Mr. King asked about the proposed building area, Mr. Weber said yes, up on the hill there will be about a 2,000' driveway, any of the Board that wants to go look can, he placed flags where the roadway will go in and the house will be upon top to the left. Vice Chair Heber reviewed the definition of a keyhole lot, *Keyhole lot is any lot that has a narrow frontage at the road and is wider behind other lots to provide the minimum lot width required for building.* Mr.

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King stated in the past he remembers using the 300' road frontage from the front of the building and he has plenty there for that and it is in the General Subdivision Requirements. Mr. Reinemann stated he understood the argument to do keyhole lots was because of the land layout however, he is concerned with the boarding of horses and cutting the lot to 5 acres instead of the required 10 acres. Mr. Weber stated if they cut 10 acres his field is gone and the deal is off, he added he has always raised vegetables there. Chair Martindale asked what the plantings were and Mr. Weber stated he had a farm stand, Mr. Reinemann asked where the house was planned, Mr. Weber indicated on the map the location on the hill. Vice Chair Heber asked if the lady knew if she were to sell, she could not market it as a stable, Mr. Weber responded she knows it's not worth much money, only the house and barn have value. Chair Martindale stated they still have to consider the future, Mr. Weber added it cannot be used for horses, Mr. Reinemann responded but she did, Mr. Weber said no it is all wet there is only a pasture behind the barn and one behind the steel building. Mr. Reinemann stated he was still concerned about 5 acres and not the required 10, Vice Chair Heber interjected 5 acres is ok for the house, 10 acres is needed for farming, but is one horse farming per the definition? Chair Martindale asked the Board Members their thoughts, Vice Chair Heber stated they could add "no further subdivision", Mr. Reinemann suggested they get something from her indicating that she understands, Ms. Black agreed the subdivision could hurt her with a future sale. Mr. Weber stated she is not planning on selling and said he gave the Clerk a letter, the clerk responded the letter did not mention farming or animals. Mr. Reinemann stated the subdivision to 5 acres reduces her value. Mr. King stated on 5 acres they could restrict it to her or any future owner cannot operate commercially he then added they can ask the Town's Attorney to interpret the definitions. Mr. Reinemann said they could try to make it a 10-acre lot, Mr. Weber responded they cannot. Vice Chair Heber read the definition of Agricultural Pursuits; *Cultivation of land, or raising or harvesting of any agricultural or horticultural commodity including the raising, shearing, feeding, caring for, training of and management of animals, including the construction alteration or maintenance of fences, agricultural roads agricultural drainage systems, and farm ponds on such lands.* Mr. King reiterated they cannot change it to a 10-acre lot, Mr. Weber asked if he should go to the Zoning Board of Appeals, Vice Chair Heber said not for you for her 5-acre lot so she can keep the horse. Mr. Reinemann stated other people have had to get a variance for under 10 acres then she will need a variance. The Board agreed. Mr. Weber stated he is protecting agricultural, Mr. King said to Mr. Reinemann the point is to get to the next decision, Mr. Reinemann stated to the Zoning Board of Appeals for a variance before the subdivision review. Vice Chair Heber stated they still needed clarification from the Attorney on the definitions.

Vice Chair Heber made a motion to send a recommendation to the Zoning Board of Appeals to approve a 5 acre area variance to have a horse on 5 acres in the agricultural zone.

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

All in attendance unanimously agreed.

Mr. Weber asked if that was the only variance needed and not for the 140' road frontage, Mr. Reinemann stated no, they were ok with that.

Chair Martindale introduced the next application #0009-18, William Tansey for a lot line adjustment. Mr. Tansey stated he was returning with his maps for his lot line adjustment, the Board reviewed the maps.

Vice Chair Heber made a motion to approve the lot line adjustment for application 0009-18, William Tansey as submitted,

Mr. Reinemann 2<sup>nd</sup> the motion,

All in attendance unanimously agreed.

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Mr. King made a motion to accept the October meeting minutes,  
Ms. Black 2<sup>nd</sup> the motion,  
All in attendance unanimously agreed.

Vice Chair Heber made a motion to adjourn the monthly meeting at 8:04 Pm,  
Mr. Reinemann 2<sup>nd</sup> the motion,  
All in attendance unanimously agreed.

Respectfully Submitted,  
Tia Kilburn, Planning Board Clerk