

Town of Northumberland
Planning Board
Accepted by the Planning Board
Monday, December 10, 2018
7:00 pm
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Planning Board Members Present: Susan Martindale, Chair, Chad Reinemann, Melanie Eggleston, Holly Rippon-Butler, Lisa Black and James Heber, Vice Chair

Members Absent: Jeff King and Brit Basinger

Town Employees Present: Richard Colozza, Code Enforcement Administrator, Tia Kilburn, Clerk

Chair Martindale opened the meeting at 7: 00 pm; all in attendance stood to salute the flag.

Application #: 0013-18, minor subdivision for applicant Laura Morse
Mr. Steves, Surveyor explained the application is for a minor 2 lot subdivision, each lot will have an existing dwelling. He said there is currently 2 houses on one lot which Ms. Morse and her brother now own, it was inherited from their father. He then displayed a map and indicated where the proposed property line will be. Ms. Eggleston asked if it was jointly owned with her brother and if she was the executor, Mr. Steves stated the estate of her father owns it, Ms. Morse added her brother is the executor of the estate. Mr. Steves stated there is a shared paved driveway. Mr. Reinemann asked if they had written permission from her brother the executor to proceed with the subdivision, Ms. Morse stated her brother lives out of state and could not be here for the meetings and Mr. Steves stated he will work with the family to get the written permission.

Chair Martindale stated the swimming pool straddles the proposed property line, Mr. Steves said they are in the process of removing it. Ms. Morse said it is an above ground pool.

Mr. Reinemann asked how long the driveway was, Mr. Steves reviewed the map and stated 450' but that is not an exact measurement.

Discussion ensued on the location of the well and septic systems for each dwelling.

Mr. Reinemann stated the biggest issue will be the driveway and the home in the back will need a right of way deeded to the town, or how would that work, Mr. Colozza, Code Enforcement Administrator stated they need 25' on the pavement of the road. Mr. Steves asked if that was the code for road frontage, the driveway will remain with the rear lot and the front house has acreage on the road. Mr. Colozza stated that is fine, 25' on the road and then the back will be considered a keyhole lot, he added they need to create standard lots to the subdivision requirements. Ms. Eggleston asked if they need a turn around for the driveway, Mr. Colozza said there should be a loop or hammerhead for emergency access they need 25'. Mr. Reinemann asked what the width of the right of way would be and Mr. Heber responded 30'. Mr. Steves said they can leave the driveway with the back lot and Ms. Rippon-Butler asked what was the difference for the two with the 25', Mr. Colozza explained the front lot needs a minimum of 25' on the pavement of the road, the back can be 150' from the front of the house, they will need a right of way, they don't have to use it but they have to write it in. Chair Martindale asked if there were any regulations where the turn around has to be, Mr. Reinemann stated on page 100 of the Zoning Regulations mentions emergency vehicles;

Frontage Upon a Street

Every principal building shall be built upon a lot with frontage upon a street improved to meet the standards of the Town of Northumberland.

- 1. The minimum required frontage for one principal building shall be twenty-five (25) feet; and such frontage shall provide actual physical access to and from the lot to be built upon for such purposes of ingress and*

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egress to the lot by emergency vehicles such as fire trucks and/or ambulances.

Mr. Colozza stated after 300' there needs to be a turnaround, discussion ensued on the turn around and shared driveway.

Mr. Steves stated the property line will run right down along the driveway, Chair Martindale asked if the well and septic systems will remain to code, Mr. Colozza responded as long as they meet the setbacks. Mr. Steves stated he will show the locations on the revised map. Discussion ensued on locations of well and septic's.

Mr. Reinemann stated they Board generally likes to be comfortable with a plan before a public hearing is scheduled. Ms. Morse explained where the septic systems were located, Mr. Reinemann stated they have to avoid putting the property line over the septic. Ms. Eggleston asked if the Executor of the estate had signed the request, Ms. Morse responded it is hard because he is in North Carolina. Chair Martindale asked if the deed was in her brother's name, Ms. Eggleston stated they will need permission from the Executor to proceed. Mr. Colozza stated the Brother could get it notarized and either mail it, fax or email it to the office, Mr. Steves said he would work with them to get that.

Mr. Reinemann made a motion to schedule a public hearing,

Ms. Rippon-Butler 2nd the motion.

Vice Chair Heber abstained from the vote.

All others in attendance unanimously agreed.

Public Hearing will be scheduled for January 14th @7 pm.

Chair Martindale reiterated they put the information / location of well and septic on the map, a notarized statement from the Executor and asked if there were anything else. Mr. Reinemann said the Right Of Way, Mr. Colozza stated it would be a keyhole lot with 25' on the pavement of the road to show a way to get to the structure, there has to be at least 25' with the back lot. Ms. Rippon-Butler said list the owners across the street as well, Mr. Reinemann stated it is clear they are both existing, Chair Martindale suggested adding "no further subdivision" to the map and the Board agreed.

Application # 0014-18, Evan Rock, Home Occupation

Ms. Rock explained she would like to propose a home occupation at 7 Virginia Place, they have not purchased the property and existing home however, they have a contract contingent on an approval. She explained she is a licensed massage therapist. Vice Chair Heber asked if the property is still in the agricultural zone even in within the subdivision, Mr. Colozza said yes the developer transferred the rights most of the parcels are an acre and over. Mr. Reinemann stated they need 5 acres in the agricultural zone, Vice Chair Heber said this is 2 acres and he doesn't understand how it could still be agricultural, Mr. Colozza stated they need 5 acres, maybe only because of the TDR or the cluster development, the front of the subdivision is supposed to be agricultural, discussion ensued on the subdivision being in the agricultural. Vice Chair Heber stated they need a variance, Mr. Reinemann said they can send a recommendation to the Zoning Board saying they support the project. Vice Chair Heber asked the differences in the requirements for Residential one acre vs. Agricultural, Mr. Reinemann responded R-1 does not have home occupation, Residential three acre is 3 acres, this Board could make a recommendation as R-3. Mr. Colozza stated the (2) on Schedule A means it would be combined for the subdivision requirement, meaning each use is not counted individually, the primary use of the dwelling and the home occupation for agricultural would be 5 acres and for the R-3 it would require 3 acres for both uses. Mr. Reinemann asked when the Subdivision was put in, Vice Chair Heber stated it is a cluster development, they are still building and some of the lots cannot be developed but there is a special permitted use for the agricultural zone. Mr. Colozza stated they will need an area

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variance because it does not meet the requirements for agricultural (5 acres). Mr. Reinemann asked if a sign is also proposed, Ms. Rock said on the door entrance if approved and a 4' by the road, or just on the door, the entrance will be separate from the dwelling entrance. Mr. Reinemann stated they could combine public hearings with the Zoning Board and for the sign included they will come back. Discussion ensued on a variance. Ms. Eggleston asked if the area variance stays with the land, Mr. Colozza responded yes it would stay with the property. Ms. Eggleston stated that would open it up for the neighbors, Mr. Colozza stated it is allowed up to 500 sq. ft of the house then it would become commercial. Ms. Eggleston asked if there would be any employees and if a certification is needed, Ms. Rock responded no other employees only herself and yes she does have a certification. Mr. Reinemann asked what the proposed hours would be, Ms. Rock stated 9 am to 6 pm 3 to 5 days a week, she added there will be lighting for the walkway to the entrance and she also has a 2nd location she currently works at in Albany, so maybe just 3 to 4 days a week at her home. Mr. Reinemann asked if the sign would be 4' x 4', Ms. Rock said yes 4' square. Mr. Colozza interjected yes that is allowed. Chair Martindale asked if the sign would be placed at the driveway, Ms. Eggleston said Item K in the requirements addresses additional parking, Ms. Rock said yes in the image of the lot it shows parking along the driveway, approximately 2 spaces, 39' x 13'. The Board reviewed the plan and photos, Ms. Rock stated the trees in front of the house will stay, they want to keep them so you wouldn't see the house too much. Chair Martindale asked if there were any additional questions or a referral for the Zoning Board. Ms. Rock asked if that was an approval, Mr. Reinemann stated he was in favor of a positive recommendation, Chair Martindale stated it needs to go to the Zoning Board of Appeals for review. Mr. Colozza stated they can join a joint public hearing with Zoning and this Board's recommendation to save money on the public hearing. Ms. Rock stated their offer has been accepted by the sellers and contingent upon an approval for the home occupation, it is still on the market so maybe if she could get a copy of the recommendation, they would not lose the house. Vice

Chair Heber reviewed the site plan and made a motion to send a favorable recommendation to the Zoning Board of Appeals for their review for an area variance,
Ms. Rippon-Butler 2nd the motion,
All in attendance unanimously agreed.

Mr. Reinemann reiterated the sign be on the site plan with a description. Vice Chair Heber agreed and added show the location for the public hearing.

Chair Martindale asked if there were any additional business for the Board, the Clerk stated the Zoning Board is offering a joint public hearing for the review of Tankards Tavern at their next monthly meeting, January 2, 2019. It was decided by the Board they would accept.

Discussion ensued on alternates becoming permanent member(s) to fill vacancy and with the New Year and if Ms. Martindale would remain Chair. Both topics tabled.

Vice Chair Heber made a motion to adjourn the meeting at 8:12 PM,
Mr. Reinemann 2nd the motion,
All in attendance unanimously agreed.

Respectfully Submitted,
Tia Kilburn, Planning Board Clerk