

Town of Northumberland Zoning Board of Appeals
Meeting Minutes
Wednesday,
April 6, 2016 7:00 pm
Subject to correction by the Zoning Board
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Zoning Board Members Present: David Gougler, Gary Applegate, Carl Harrison, Bruce Bemis, Aimee Gates, Paul Becker and Mark Boyce, Chairperson.

Members Absent: Todd Heym and Jeremy DeLisle, Vice-Chairperson

Town Employees Present: Richard Colozza, Code Enforcement Officer & Tia Kilburn, Zoning Board Clerk

Mark Boyce, Chairperson, called the public hearing order at 7:15 PM.
All in attendance stood and recited the Pledge of Allegiance.

Application #0003-16, Tisa Development, LLC - 13' Area Variance / Front Setback

Owner - Lisa Breen

Kevin Weed, Surveyor for the Applicant, presented the application as needing a 13' front yard area variance because the excavator was following the original subdivision survey and the foundation was in before they realized it was not a 50' Right of Way but a 60' and the pavement was moved back due to the curve in the road. He stated this lot changed from the original survey. Mr. Boyce asked who owned lot #2, the adjacent property and if there is a house there, Mr. Weed responded yes there is a house there. Mr. Boyce then asked if there were any questions or comments from the public, none were noted, he then asked if there has been any correspondence received, the clerk stated only from Saratoga County Planning containing a response of "No Significant County Wide or Inter Community Impact". Mr. Boyce asked if there was a motion for this application.

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

Mr. Boyce then opened the regular monthly meeting; Application #0003-16, Tisa Development, LLC, Mr. Boyce then asked if this parcel was in an approved subdivision, Mr. Colozza responded yes, it is an older subdivision and they took a sliver from the original lot to make the building lot larger and he added it was a "cal de sac" type subdivision and then they changed it. Mr. Boyce stated the SEQRA, State Environmental Quality Review Form was not signed, the applicant Ms. Breen signed and dated the form. He then asked if the Planning Board had taken any action on the SEQRA, the clerk responded no they suggested the Zoning Board take lead. Mr. Boyce asked if the minutes indicated the Planning Board referred this application and for this Board to assume lead for the SEQRA? The Clerk responded yes. Mr. Boyce then reviewed part 1 completed by the applicant and completed part 2. Mr. Bemis asked how far along the construction of the dwelling was, Ms. Breen stated the house is in the finishing stages and the garage has siding and the roof, it has not yet been sheet rocked or taped, Mr. Boyce reiterated the garage is just weather tight, Ms. Breen agreed. Mr. Boyce then asked if there were any other questions or concerns from the Board, none were noted. He then asked why item E.2.o on the SEQRA is answered "yes", it reads "Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?" Mr. Weed responded because any tree over 3" could be a habitat for the now endangered long eared bat. Mr. Boyce then asked if the subdivision process will take a year or more to complete, Ms. Breen responded the current house will be complete within 30 days. Mr. Boyce reiterated she needed this area variance for the subdivision to move forward, Ms. Breen responded yes, the construction is not started for the house and she does not anticipate it be started right away. Mr. Boyce then said part 2 of the