

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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or whatever you feel is reasonable and place a restriction to eliminate the commercial use all together.

Mr. Boyce asked how many stalls she had in the barn, Ms. Cole stated she has 4 in the front, she uses the back to store hay and 6 stalls are in terrible shape she uses for storage. Mr. Boyce asked if there were any further questions on this application, none were noted, he then asked if there was a motion to offer.

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

Ms. Gates 2nd the motion,

All in attendance unanimously agreed.

Mr. Boyce made a motion to recommend a joint public hearing with the Planning Board if they so agree,

Mr. Applegate 2nd the motion,

All in attendance unanimously agreed.

ACTION

Application to be sent to Saratoga County Planning Board, Public Hearing to be scheduled, recommend to the Planning Board for a joint public hearing at this Board's next meeting May 4, 2016 at 7:00 PM.

Application #0005-16, Primax Properties, LLC (Dollar General) Interpretation

Chris Boyea - Bohler Engineering MA, LLC

Mr. Boyce discussed the referral of this application by the Planning Board to this Board for an interpretation and then he read Article III, Establishment of Districts, section C. Subsection 8 of the Zoning Ordinance of the Town of Northumberland; *"In the event that none of the above rules is applicable, or in the event that further clarification or definition is considered necessary or appropriate, the location of a district boundary shall be determined by the Zoning board of Appeals."* Mr. Boyea then addressed the Board and explained they propose to redevelop an existing single family dwelling lot, he displayed and discussed the site plan and curb cut for the driveway, which is the preferred method by New York State Department of Transportation to have only one curb cut. He stated there is a private well and septic on the property, they will be grading away from the road. Mr. Boyea then stated they have been working on a lot line adjustment for approximately 5 months, there are two "paper" roads John Street is located between property owners and Mott Street is behind the property on the ridge. He added these two "paper" roads were never developed or utilized by the Town so they just went away, his company has been working on the legalities with the Attorney's and land owners. The Planning Board felt they need interpretation because the store will be in the front of the parcel in the Hamlet Zone and part for the lot line adjustment is the Agricultural Zone in the rear. He stated all the improvements will be in the Hamlet zone and Retail is allowed by a special use permit. The Agricultural will hold the septic, storm water and additional parking. The septic is considered retail because it services a retail store; however, he stated they assume the parking would be allowed in the Agricultural Zone. He then stated there was also a question of where the zoning line occurs in relation to the "paper road", if it is on the back side of Mott Rd then all of the parcel would be in the Hamlet Zone. He stated however, if a variance is needed that is ok, they will apply for it and if not this application will return to the Planning Board for the site plan review. Mr. Boyce asked how much of the land will be disturbed with the build out, will the truck turning require more than the 1 acre and will the storm water be ponding in nature? Mr. Boyea stated they need to follow the regulations for New York State and they haven't progressed to that as of yet, he stated they have enough land to meet compliance. Mr. Boyce then asked if they already own the parcel, Mr. Boyea responded no they are under purchase agreements. Mr. Bemis asked if there is more than one parcel / homeowner, Mr. Boyea said yes. Mr. Boyce asked if a SEQRA, State Environmental Quality Review Form was submitted, the Clerk said yes and retrieved it from the file. Mr. Boyea stated they have already spent \$20,000 or \$30,000 on the site plan and they are sure they will be in