

Town of Northumberland Planning Board

Minutes

Approved by the Planning Board

Monday, April 9, 2012 7:30 pm

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Present: CJ Lofgren, Susan Martindale, Lisa Black and Wayne Durr, Chairperson.

Absent: Brit Basinger, John DeLisle, Jayme Heber, Jeff King - Vice Chairperson.

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

Mr. Durr called the room to order at 7:31 PM.

All in attendance stood and recited the Pledge of Allegiance

OLD BUSINESS

Mr. Durr asked if Applicant Bree Pisacane, Application #0001-12 was present, the Clerk responded no she had requested to have her public hearing post-phoned until next month as she would be out of town tonight.

NEW BUSINESS

Site Plan Review / Public Garage / Auto Sales

Application #: 0002-12

Applicant: Maureen Wilber

SBL#: 116.-2-27.2

Location: 4737 Route 50

Zoning: C/R

Acres: 1.13

Ms. Wilber explained this is a new application with changes, Mr. Durr asked if this was the same location as the application for the "Marina Application". Ms. Wilber said yes, that feel through and this is a new application for a public garage and they want to add auto sales to the use because she has someone interested in leasing the property. Ms. Wilber explained she has been to the Zoning Board of Appeals for the change in use, they were going to hold a public hearing next month and expressed interest in combining the public hearing with this Board. Mr. Durr asked her to explain the new application. Ms. Wilber stated the person interested in leasing was here and she thought he could explain his auto sales. Mr. Parnham stated his business is called "Saratoga Performance Car", which involves used car sales, he said he felt there would be approximately 10 cars on the lot to be sold at any given time. The Board discussed the site plan and re-selling cars. Mr. Durr asked if he would be performing repairs on the vehicles. Mr. Parnham said no, he would not however, he believed Ms. Wilber wanted to obtain the approval for a public garage just in case she needed that option in the future. Mr. Durr asked if this location was near the cabinet shop approved a couple of years ago. Mr. Colozza responded that shop is a couple of lots down the road. Discussion ensued on the neighborhood and it's uses. Ms. Lofgren asked if vehicles came in for repair where would they be parked; Ms. Wilber explained there wouldn't be any cars stored on the property to be repaired at this current time, she explained there may be a need in the future for the repair use if Mr. Parnham should decide not to lease the property. Mr. Colozza explained there was no reference to auto sales in the Zoning Regulations, the public garage would be the primary use and auto sales would be an accessory use. Mr. Durr stated this application covers the auto sales but does not include the repairs, Ms. Lofgren asked what the plan was if the cars to be sold needed repairs, and if they were not being parked behind the garage where would they be kept. Mr. Colozza stated there would not be any more than 10 cars at anytime. Ms. Martindale asked what the current zone was, Mr. Colozza responded C/R, Commercial Residential. Mr.

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Durr explained the need for clear answers for the public hearing. Ms. Wilber stated no more than 10 vehicles maximum. Discussion ensued on the tax map in the file because it only showed one parcel. The Clerk presented the original survey from previous owners "Dow's Garage" and a subdivision from 1989 and again 1995. The Board reviewed the maps and subdivisions and determined the residence next door use to be attached to this garage however, has since been subdivided from it. Mr. Durr stated he is comfortable with the determination of the property lines, and asked if the rest of the Board was comfortable with it, they responded yes. He then asked if anyone else has any additional questions. Ms. Lofgren asked what the hours of operation would be. Mr. Parnham stated the hours have changed and he updated the packet of information he gave the Board. Ms. Martindale asked if they could sell vehicles without inspecting them, Ms. Lofgren responded yes. The Board reviewed the revisions to the packet. Mr. Durr asked if the Board wanted to join the public hearing with the Zoning Board of Appeals, the Board responded positively, Mr. Colozza stated they will have a joint public hearing on the Zoning Board of Appeals meeting night and then return to this Board. Mr. Durr stated the joint public hearing will be scheduled for Wednesday, May 2nd 2012, at 7:00 PM. Ms. Martindale asked about lighting, discussion ensued on any sign. Mr. Durr asked when the change of use changed. Mr. Colozza responded it has not been an continuing use for a commercial garage. Mr. Durr said there is no grandfather clause for repair. Mr. Colozza said the repair will have to get a license and register with New York State, even private garage can do that. Mr. Durr asked if they need a variance for the repair part. Mr. Colozza said yes, it is the commercial residential zone, the auto sales will change the use. Mr. Durr asked if the variance is not granted can they still sell cars? Mr. Colozza stated no, there is no use for auto sales in the Zoning Regulations, they will need a primary use.

Ms. Martindale made a motion to join the Zoning Board of Appeals for a joint public hearing, Wednesday, May 2, 2012 at 7:00 PM.

Ms. Black 2nd the motion,

All in attendance unanimously agreed.

Action

Public Hearing will be scheduled jointly with the Zoning Board of Appeals for May 2nd, 2012, 7:00 Pm.

Special Use Permit / Home Occupation

Application #: 0004-12

Applicant: Lois Jenkins

SBL#: 129.15-2-4

Location: 244 Colebrook Rd

Zoning: R-3

Acres: .73

Mrs. Jenkins explained she would like to start a home occupation and she needs a special use permit. Mr. Durr asked where the home was located; Mrs. Jenkins explained and discussed the proposed plan as Alterations and Sewing. She explained they are planning on adding a permanent turn around area so people do not have to back out onto the road, she said they currently have been turning around on the yard. She added the most cars that would be there would be 2 at a time. Mr. Colozza explained this parcel is part of an approved subdivision that was altered because of the APD, Agricultural Protection District; the requirements were changed to preserve agricultural land however the uses were not specifically changed. Mr. Durr asked if they had lighting installed. Mrs. Jenkins explained the current lighting and said they did not plan on adding any lighting, it would be by appointments only. Mr. Durr said this application will need a public hearing, Mr. Colozza replied they could join

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the Zoning Board of Appeals because she also needs an area variance. Mr. Durr reiterated they need the area variance because they shrunk the lots for the subdivision, for the APD zone. Mr. Durr also asked if they wanted Neil Petteys, the Highway Superintendent to take a look at this because of the additional traffic. Mr. Colozza said yes he will discuss this with Mr. Petteys. Mr. Durr asked if there were any additional questions, none were noted.

Ms. Martindale made a motion to join the Zoning Board of Appeals for a joint public hearing, Wednesday, May 2, 2012 at 7:00 PM.

Ms. Lofgren 2nd the motion,

All in attendance unanimously agreed.

Mr. Durr explained the procedure of a public hearing to Mrs. Jenkins.

Action

Public Hearing will be scheduled jointly with the Zoning Board of Appeals for May 2nd, 2012, 7:00 Pm.

Mr. Durr stated they have been playing "phone tag" with Mr. Danks about his previous application, therefore he has not spoken with them as of yet. Mr. Colozza gave an update on Mr. Powell's application for the closing of his stump dump, Mr. Colozza stated Mr. Powell had contacted the office and indicated he now has a new Engineer working on his project and should have something within a week or two. Mr. Colozza also gave an update on Mr. Diehl's subdivision application stating he did not have any new information and was unsure if Mr. Diehl has not submitted the National Heritage Letter as of yet. He added he believed there were some health issues Mr. Diehl was dealing with.

Ms. Martindale made a motion to adjourn the monthly meeting at 8:14 PM,

Ms. Lofgren 2nd the motion,

All in attendance unanimously agreed.

FUTURE MEETINGS:

Joint Public Hearing with the Zoning Board of Appeals, Wednesday, May

2, 2012, 7:00 PM.

Public Hearing for Application #0001-012, Applicant: Bree Pisacane, followed by the regular monthly meeting, May 7th, 2012 at 7:15 PM.

Respectfully Submitted,

Tia Kilburn,

Planning Board Clerk