

Town of Northumberland Planning Board

Minutes

Accepted by the Planning Board

Monday, August 13, 2012 7:30 pm

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Present: Susan Martindale, CJ Lofgren, Jayme Heber, John DeLisle and Wayne Durr, Chairperson.

Absent: Lisa Black, and Brit Basinger and Jeff King - Vice Chairperson.

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

Mr. Durr called the room to order at 7:35 PM.

All in attendance stood and recited the Pledge of Allegiance

Mr. Durr, Chairman of the Board announced the following application;

Site Plan Review / Stump Dump Closure

Application #: 0002-11

Applicant: Timothy Powell

SBL#: 144.-1-6.3

Location: 346 Grange Hall Rd

Zoning: AG

Mr. Powell was not in attendance the Board discussed the engineered maps received from Mr. Powell. Mr. DeLisle stated Mr. Powell had permission from the previous owner of his (Mr. DeLisle's) property to fill in the culvert, however he has filled in more than what the map indicates it is much steeper and is on the property line. Mr. Heber asked if it causes standing water. Mr. DeLisle stated the map does not accurately depict what is there. Ms. Martindale asked what happens to the buried stumps over time. Discussion ensued on the decay of materials used and the water runoff. Mr. Durr asked if NY State DEC has approved the plan. Mr. Colozza stated it is theirs to decide and their engineer has to handle it, Jim Mitchell, the Town's Engineer is waiting for notification from them. Mr. Durr asked what would happen if Mr. Mitchell and this Board did not like the plan for closure, could they stop it. Mr. Colozza said it is basically considered erosion control and DEC oversees it. Mr. Durr asked if DEC has seen the plan. Mr. Colozza said Mr. Powell had called the office and indicated he was attempting to get a statement from them for this meeting. Mr. Heber asked Mr. DeLisle if the water from the culvert generated on his property. Mr. DeLisle stated Mr. Powell moved the ravine that used to be there and there is no longer a natural slope to control the soil erosion, now it is a steep slope. Mr. DeLisle asked the Board if they remembered what the property looked like originally and displayed the map Mr. Powell submitted with the application. Discussion on the fill and progress ensued. Mr. Colozza stated the deepest part was the center of the property and Mr. Powell has raised it several feet. He added most of the fill has been added in the front of the property. Mr. DeLisle stated the new map indicates nothing. Mr. Colozza stated DEC requested the closure plan last fall when Mr. Mitchell, Mr. Mt Pleasant from DEC and himself visited the property with Mr. Powell. Mr. Durr asked if there is a plan, Mr. Colozza responded this map is the plan. Mr. Heber stated it shows the water going onto Mr. DeLisle's property. Mr. DeLisle discussed where the survey pins were originally and how his property pin has been covered, he added the ravine use to be on his property and now it is at the bottom under all the concrete. Ms. Martindale asked if concrete was supposed to be dumped there. Mr. DeLisle said yes it was allowed however, the stumps are within 50' of his property and when he inquired to DEC in 2006 they said no stumps were suppose to be within 50' of the property. He then stated Mr. Powell was supposed to keep a record of what material and how much was deposited. Mr. DeLisle said the original plan filed with DEC stated there would be water test conducted and they were only conducted the first couple of years of the project. Ms. Lofgren asked who is monitoring the project. Mr. Colozza stated DEC considered this a small project and at the time Mr. Powell started the neighbor did not object. Mr. DeLisle said the plan changed from the original submitted to control erosion and he was just concerned about a future house that will need a septic and well. Ms. Martindale asked what they could do. Mr. Heber asked if they could recommend to Mr. Mitchell limits of the dump.

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Mr. Durr stated DEC is aware of it and Mr. Mitchell is not able to restrict anything, DEC has to decide. Mr. Colozza agreed Mr. Mitchell doesn't want to recommend anything he is waiting for DEC. Mr. Durr reiterated this Board cannot do anything at this time. Mr. Colozza said they can request the Clerk to draft a letter to DEC asking them to take a better look at it. Discussion ensued on the nature of a letter to DEC, Mr. Heber said they could send something to DEC and Mr. Mitchell like it has come to the Boards attention that the area on the plan containing stumps and concrete appears to be inaccurate on the new map. Mr. Durr stated he would draft and email a letter to the Clerk for the Boards review and comments.

NEW BUSINESS

Lot Line Adjustment

Application #: 0007-12

Applicant: Heber Group, LLC.

SBL#: 104.-1-42.2 & 104.-1-42.111

Location: Fairway Commons / Brownville Rd

Zoning: R-3

Mr. Heber recused himself and stated he would be representing the applicant Heber Group, LLC. for this application. He then explained the application as a lot line adjustment to square up a piece of property and gain a right of way to another. The Board discussed the application and the need for a right of way. Mr. Durr asked Mr. Heber to explain exactly where the parcels were. Mr. Durr asked if the blue color on the map was to be added to the yellow highlighted area and asked who owns the blue area. Mr. Heber stated the Heber Group owns it all. Ms. Martindale asked why the lots were originally subdivided the way they are, Mr. Heber stated that is just the way they did things prior to the Heber Group purchasing. Mr. Durr asked how long ago it was subdivided, Mr. Heber responded sometimes in the 1970's before zoning. Ms. Martindale asked if it was a true rectangle, Mr. Heber said the Road into the apartments is a private road. Mr. Durr asked who owned the property across the street, Mr. Heber said the Heber Group. Ms. Martindale asked why they wanted to do this adjustment now, Mr. Heber said he believed it was to straighten out the lots. Mr. Durr asked if anyone not named Heber was involved. Mr. Heber responded no. Mr. Durr stated he did not see why there would have to be a public hearing and asked what the Board wanted to do.

Ms. Martindale made a motion to approve the lot line adjustment as submitted for this application # 0007-12 for the Heber Group, LLC.

Ms. Lofgren 2nd the motion,

All in attendance unanimously agreed.

ACTION

Application approved.

Wayne asked what the packet for Mr. Basinger was the Board also had. Mr. Colozza stated Mr. Basinger wanted to discuss a possible lot line adjustment with the Board for his own property. The Board reviewed the photos and information Mr. Basinger submitted. Mr. Colozza explained the adjustment mostly affects the back part of Mr. Basinger's property. Mr. Heber stated it gives the Martin's more road frontage and why would he want to do that. Mr. Colozza responded Mr. Basinger wants to add to the back of his parcel. Mr. Durr asked if that would make Mr. Basinger's lot nonconforming. Mr. Colozza said no, he has enough and maybe the Board should wait and have Mr. Basinger explain the proposal.

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MISCELLANEOUS

Mr. Durr Asked the Clerk if there was any other business for the Board. The Clerk responded the June minutes needed to be corrected and approved. The Board asked for a copy of the minutes and reviewed.

Ms. Martindale made a motion to accept the June meeting minutes as submitted,

Ms. Lofgren 2nd the motion,

All in attendance unanimously agreed.

Mr. Heber made a motion to adjourn the meeting at 8:14 PM,

Ms. Lofgren 2nd the motion,

All in attendance unanimously agreed.

FUTURE MEETINGS:

Regular Planning Board Monthly Meeting September 10th, 2012, 7:30 PM.

Respectfully Submitted,

Tia Kilburn,

Planning Board Clerk