

Town of Northumberland Planning Board
Minutes
Subject to approval by the Planning Board
Monday, June 09, 2014 7:00 pm

Planning Board Members Present: Jayme Heber, Melanie Eggleston, Lisa Black, Brit Basinger, Susan Martindale, Jeff King - Vice Chairperson and Wayne Durr, Chairperson.

Absent: None

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

Mr. Durr, Chairperson opened the public hearing at 7:03 PM.
All in attendance stood and recited the Pledge of Allegiance

NEW BUSINESS

None

OLD BUSINESS

Application #: 0003-13 - Minor Subdivision, Dave & Cynthia Swota

Addressed the Board and stated he was before this board last year and was denied this same subdivision because of lack of information. He stated he was confused what he needed to do to complete the subdivision and he had already worked through the area variance last year to create a 1 acre lot to go with his existing dwelling and retain approximately 11 1/2 acres for a new dwelling and agricultural pursuits. Mr. Durr asked him if he was aware the variance has expired, Mr. Swota responded no and asked what he had to do now. Mr. Durr said the variance was granted May 6th, 2013 and expires if permits are not obtained or conditions are not met within 6 months as per the Zoning Ordinance, Article XIV, Section D, Subsection 8 which reads Expiration of Appeal Decision: Unless otherwise specified by the Board of Appeals, a decision on any appeal shall expire if the applicant fails to obtain any necessary building permit or comply with the conditions of said authorized permit within six (6) months from the date of authorization thereof. The Board of Appeals may increase this period from six (6) months to one (1) year at its discretion. Mr. Durr added he needs to return to the Zoning Board of Appeals. Mr. Heber stated he wanted to verify that information and he reviewed the Zoning Ordinance then agreed with Mr. Durr. Mr. Heber stated because this is in the agricultural zone 5 acres is required for single family dwellings. Mr. Swota asked if he could use all the same paperwork from last year, Mr. Durr said that should be fine. Mr. Swota asked why, if the variance was granted, he has to do a subdivision on property he already owned that has 12 lots. Mr. Heber explained at some point someone combined all the lots to make one, probably for tax purposes and now they wanted to make 2 lots so they have to re-subdivide. Mr. Swota presented a map he had from Saratoga County showing individual lots and stated he has one deed that references each lot, one for his dwelling and then there are 11 more lots referenced. Mr. Heber reiterated that somehow it was put together and the original deed recognizes all the lots as the description of the (1) parcel. Mr. Swota said ok, he excepted that but he did not want to build 12 houses, he only wanted to sell his existing dwelling, build a new one and retain the right to farm, at some point the zoning changed to 5 acre minimum for a dwelling and he needs 10 acres for agricultural pursuits, that is why he need the variance for the existing 1 acre lot. He then asked what he has to do to complete this subdivision. Mr. Heber stated he will need a survey, Mr. Basinger asked if the lot size will be in compliance with the zone, Mr. Heber said no, he needs the variance. Mr. Swota asked why he needed to spend money for a survey on something he already owns, he asked what he need on the map, Mr. Heber stated he 1st needs the variance. Mr. Basinger stated he had two options, he could ask this Board to subdivide the parcels and leave 5 acres with the dwelling or he can ask the Zoning Board of Appeals for the variance. Mr. Swota asked if he has to show the building lot on the survey because he and his wife have not decided where exactly they want the house yet. Mr. Basinger said that was not necessary for the subdivision process, Mr. Heber interjected they will need a perk and deep hole test at the building stage. Mr. Swota asked if his current map was acceptable, Mr. King said it doesn't show the 2 separate lots and the boundaries. Ms. Black gave Mr. Swota a copy of the minutes from the May 13, 2013 Planning Board and said what is need on the map is underlined. Mr. Basinger added he needs the survey and 2 separate deeds with the lot descriptions.

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ACTION

Applicant to Zoning Board of Appeals, Expired Variance, surveyor, deeds and maps containing requirements.

MISCELLANEOUS

Mr. Durr asked if there were any other business for the Board, the Clerk stated Ms. Lofgren has resigned. The Town Board will be conducting interviews with volunteers to be members of the Zoning Board of Appeals and the Planning Board.

Mr. King made a motion to accept the May meeting minutes as submitted,
Mr. Heber 2nd the motion,
All in attendance unanimously agreed.

Mr. Heber made a motion to adjourn the monthly meeting at 7:30 PM,
Mr. King 2nd the motion,
All in attendance unanimously agreed.

FUTURE MEETINGS:

Regular monthly Planning Board meeting, July 14, 2014, 7:00 PM.

Respectfully Submitted,
Tia Kilburn,
Planning Board Clerk