

Town of Northumberland Planning Board

Minutes

Monday, March 8, 2010 7:30 pm

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Subject to Planning Board Approval

Present: James Heber, CJ Lofgren, Lisa Black – alternate as acting member, John DeLisle – alternate and Wayne Durr – Chairperson

Absent: Jeff King, Kevin Pumiglia, Susan Martindale and Brit Basinger - Vice Chairperson

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

Chairperson, Mr. Durr opened the monthly meeting at 7:30 PM, all in attendance stood and recited the Pledge of Allegiance.

OLD BUSINESS

None

NEW BUSINESS

Site Plan Review - Special Use Permit (Lot Line Adjustment)

Application #0001-10

Applicant: Pember Dupras

Location: 167 Wall St

SBL#: 156.-1-11 & 156.-1-12 A & B

Zoning: Agricultural

Owner: Lynwood & Phyllis Thomas

Status: Preliminary

Mr. Durr announced the application for Mr. Dupras. Mr. Dupras explained he had gone to the Zoning Board of Appeals for a use variance because although these parcels are in the agricultural district there is not enough acreage to even operate a farming operation. He explained he has been using this location for backup storage for his tent business for several years now, he operates out of another barn owned by Mr. Herb Thomas on Route 29. Mr. Dupras explained this location would be a benefit to him and his company because he would be able to use a fork truck inside the building and then he could use Herb Thomas's barn for backup storage. Mr. Durr asked if Mr. Dupras had any maps the board could look at. Mr. Dupras said he only had the maps he submitted to the Zoning Board, and added he really was not changing anything. Mr. Colozza said Mr. Dupras was willing to combine the two parcels, however it would still be lacking the 10 acres needed for any use, and he is trying to conform to the zoning regulations, however, he still needs a use variance even though he is not changing anything. Mr. Colozza explained this is an allowed use in the agricultural district with a special use permit. Mr. Heber stated this really was not an application for a lot line adjustment because he was taking out a boundary and making it one parcel. Mr. Colozza confirmed.

Mr. Heber asked how long these parcels have been deeded like this. Mrs. Thomas, the owner of the parcels, said her house was built in the '60's, it was around then. Mr. Heber asked Mr. Dupras if he would live in the house. Mr. Dupras said no, it would probably be rented out. Mr. Durr asked how long the farm had been shut down. Mrs. Thomas said approximately 12 years, her husband did some landscaping and had some trucks there. Mr. DeLisle asked what the primary use of the barn was, Mrs. Thomas said it was just storage. Mr. Durr asked how far the closet neighbor was.

Discussion on the location of the parcels and the neighborhood.

Mr. DeLisle asked about fire safety for the barn and the intended storage. Mr. Colozza said Mr. Dupras primarily would only be storing tents and they are probably already treated, the seats / chairs may have to be looked at, the volume of storage will have to be looked at as well. Mr. DeLisle then asked if there is enough room for fire trucks and emergency vehicles to get in there. Mr. Colozza stated there was plenty of room for that.

Mr. Heber asked about putting in buffers and parking. Mr. Dupras said he had not planned on adding any additional buffers, the parking is there, he may bring in some gravel, a little paving and create a larger turn around area.

Discussion ensued on the screen buffer and the current natural buffers. Mr. Dupras said Beaver Street side is blocked by the barn. There is a ditch and natural buffers in front of the barn, he may plant some more shrubs / hedges but because of

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the grade of the land it may take a while for them to grow up enough to buffer.

Mr. Durr asked if Mr. Dupras planned on erecting a sign, Mr. Dupras responded no.

Mr. Heber asked if there were going to be any retail business, Mr. Dupras said no, there would be no customers on this site.

Mr. Heber then asked the hours of operation and if he planned on installing additional lighting. Mr. Dupras said the hours of operation varied because they really just picked up and then returned at the end of an event, he added he was not going to change any lighting there. Ms. Lofgren asked if there was currently any dusk to dawn lighting. Mrs. Thomas said there is one mercury light. Mr. Dupras added he is there almost every day however, not as much as at Mr. Thomas's on Route 29. Mr. Colozza said he has used this barn for storage and there have not been any complaints or concerns from anyone that he knows of, then he discussed the other businesses in the area.

Mr. DeLisle asked about the access to Wall ST and the visibility for the trucks ingress and egress. Mr. Dupras said there have been no problems, tractors and spreaders have been in and out of there for years without any problems. Mrs. Thomas agreed, and said they did have a fire once and the fire trucks were able to get in and out without any problem. Mr. Heber stated the Board members could drive by the location.

Mr. Colozza said the Zoning Board of Appeals has scheduled a public hearing for the use variance and would like to ask this Board if they would like to join a joint public hearing to expedite the application.

Discussion on a joint public hearing, Mr. Durr asked what night of the week would it be. The Clerk said the Zoning Board has scheduled theirs for April 7th, a Wednesday. Mr. Durr said not every member of this Board has to attend and he would be willing to attend on behalf of the Planning Board, Ms. Lofgren agreed she could attend as well.

Mr. Heber asked who owned the land surrounding these parcels, and he suggested Mr. Dupras add the hours of operation, the screening buffers and that he is going to use the existing lighting on the application somewhere before the public hearing so he will have the answers if anyone asks.

Mr. Durr asked the Board what they wanted to do tonight.

Mr. Heber made a motion to join in the Public Hearing with the Zoning Board of Appeals, for the review of this application for Mr. Dupras, # 0001-10, Site Plan Review, Special Use Permit and Lot Line Adjustment.

Ms. Lofgren 2nd the motion,

All in attendance unanimously agreed.

Mr. Heber made a motion for a favorable recommendation to the Zoning Board of Appeals for this application of Mr. Dupras, # 0001-10.

Ms. Lofgren 2nd the motion,

All in attendance unanimously agreed.

Mr. Durr reiterated suggestion to for Mr. Dupras to add to the application before the public hearing; hours of operation, lighting, buffers, Mr. Heber said Mr. Dupras could add it in writing on the map. Mr. Dupras agreed. Mr. Durr thanked Mr. Dupras.

ACTION TAKEN

The Clerk will schedule a "joint" public hearing with the Zoning Board of Appeals for April 7th, 2010 at 7:00 PM. Mr. Dupras will add suggested information to his application.

MISCELLANEOUS

Frank Shaw – Renewal of DEC Mining Permit / Modification

Mr. Heber said a renewal issued by NYS Dec should be reviewed by the Planning Board, to watch any changes from the original permit. Ms. Lofgren asked what the modifications to this permit were. Mr. Colozza said it was the same "foot print" however there would be changes to the pond. Mr. Heber said the modifications also included making the mining process longer and he believed the Planning Board has to renew their site plan as well, however he did not think any of the neighbors were having any problems with it. Discussion ensued on the the next step to take. The Board reviewed the letter received from DEC as notification of the renewal. Mr. DeLisle asked if any inspections are or were performed, Mr. Heber said not by the Town but they should look at the hours, dust control, noise and the foot print. Mr. Colozza added there are

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five (5) items (listed on page 54 in the Zoning Regulations) that the Planning Board can control, DEC will take care of the rest, there is ingress and egress on a State Road and this Board can tell him how big the pond gets. Mr. Heber said he felt they should have a public hearing, Mr. Durr agreed. The Clerk asked the Board how she should proceed for the public hearing because Mr. Shaw did not notify the Town of the renewal; they received a letter directly from DEC. Mr. Heber suggested a letter be sent to inform Mr. Shaw this needs to be reviewed and request he come before this Board. Mr. DeLisle asked if there was information in the original file they could review. Mr. Colozza said he was unsure how much information was in the file.

ACTION TAKEN

Clerk will notify Mr. Shaw review is needed, locate the original file and send information to this Board for review before the next meeting.

Mr. Durr asked if there were any minutes to approve.

Mr. Heber made a motion to close the monthly meeting at 8:03 PM,

Ms. Black 2nd the motion,

All in attendance unanimously agreed, monthly meeting closed at 8:03 PM.

FUTURE MEETINGS:

Joint Public Hearing with Zoning Board of Appeals, Wednesday, April 7th, 2010, 7:00 PM

Regular Monthly Meeting, Monday, April 12th, 2010 - 7:30 PM

Respectfully Submitted,

Tia Kilburn,

Planning Board Clerk