

Town of Northumberland Planning Board
Minutes
Corrected by the Planning Board
Monday, September 9, 2013 7:15 pm
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Present: Susan Martindale, CJ Lofgren, James Heber, Lisa Black, John DeLisle, Melanie Eggleston, Brit Basinger, Jeff King - Vice Chairperson and Wayne Durr, Chairperson.

Absent: None

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

Chairperson, Wayne Durr opened the Public Hearing at 7:22 PM.

All in attendance stood and recited the Pledge of Allegiance

PUBLIC HEARING

Application #: 0006-13 - Subdivision

Applicant: Penny Gifford Hargett

SBL#: 103.12-5-6

Location: Route 32

Zoning: Hamlet

NO Public participation. No questions or concerns from the Board.

Mr. Heber made a motion to close the Public Hearing for Application #0006-13,

Mr. Basinger 2nd the motion,

All in attendance unanimously agreed.

Mr. Durr opened the monthly meeting at 7:30 PM.

Mr. Heber reviewed and completed the long for State Environmental Quality Review Form.

Mr. Heber made a motion to declare a negative declaration, no significant impact on the State Environmental Quality Review Form,

Ms. Lofgren 2nd the motion,

All in attendance unanimously agreed.

OLD BUSINESS

Application #: 0006-13 - Subdivision

Applicant: Penny Gifford Hargett

SBL#: 103.12-5-6

Location: Route 32

Zoning: Hamlet

Mr. Heber made a motion to approve application #0006-13, for a 3 lot subdivision as submitted.

Mr. King 2nd the motion,

All in attendance unanimously agreed.

ACTION

Public Hearing Closed, Negative Declaration on State Environmental Quality Review Form, Application Approved.

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Application #0005-13 - Amerigas Site Plan

Mr. Colozza gave an update on the status of this application; he stated he has conducted two visits to the site with the engineer for Amerigas and they are working as fast as they can to get something into this Board for review.

Mr. Heber asked if there were a recommendation for the amendments to the Comprehensive Use Plan and Local Laws pertaining to the Landfill Zone.

Mr. Basinger made a motion "The Town of Northumberland Planning Board recognizes and supports the need and desire of the Town Board of the Town of Northumberland to effect the change in the Comprehensive Land Use Plan, Local Laws and the Zoning of the parcels containing SBL#s, 104.-1-84.21, 104.-1-85.2 and 104.-1-85.1 for the purpose of reviewing, permitting and operating of landfills in what is now designated the Agricultural Protection District.

Mr. Heber 2nd the motion,

Roll Call Vote was conducted by Mr. Durr, Chairperson of the Board as follows;

Brit Basinger:	<u>Aye</u>
Lisa Black:	<u>Aye</u>
John DeLisle:	<u>Aye</u>
C.J. Lofgren:	<u>Aye</u>
Susan Martindale:	<u>Aye</u>
Mr. Heber:	<u>Abstain</u>
Melanie Eggleston:	<u>Aye</u>
Jeff King:	<u>Aye</u>
Chairperson Wayne Durr:	<u>Aye</u>

Motion for recommendation passed 8-1, 8 aye's 1 abstained, resolution created as follows;

Resolution Adopting Advisory Report Recommendations on Proposed Amendments to the Town Zoning Ordinance to Create Landfill District

WHEREAS, the Town Board of the Town of Northumberland ("Town") is considering amendments to the Town Zoning Ordinance to create a Landfill District; and

WHEREAS, the proposed amendment to the Zoning Ordinance would amend the zoning map to change the zoning district designation of approximately 267 acres of tax parcels 104.-1-84.21, 104.-1-85.1, and 104.-1-85.2 from Agricultural Protection District to Landfill District; and

WHEREAS, The Town Board is considering complimentary amendments to the Town Comprehensive Land Use Plan, amendments to Local Law No. 1 of 1989, the repeal of Local Law No. 1 of 1992, and amendments to Local Law No. 2 of 1991 (Soil Disturbance Law) to effectuate the creation of the Landfill District and limit Landfill operations in the Town to this District only; and

WHEREAS, the Landfill District would comprise property currently owned by Finch Paper LLC ("Finch") and Saratoga County; and

WHEREAS, Finch currently operates on its property within the proposed Landfill District facilities known as the Finch Paper Sludge Management Facility ("Finch Landfill"), which is an existing landfill with a current New York State Department of Environmental Conservation ("NYSDEC") Part 360 operating permit; and

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WHEREAS, Saratoga County has built a landfill ("County Landfill") on its property in the Landfill District, and the County Landfill has a current NYSDEC Part 360 operating permit; and

WHEREAS, the proposed amendments to the Zoning Ordinance to create the Landfill District are being proposed to make the zoning consistent with actual, permitted, and existing landfill uses and to limit any landfill operations to the Landfill District only; and

WHEREAS, The Town board referred the amendments to the County Planning Board pursuant to GML§239(1) and (m), and the County Planning Board has recommended approval of the Amendments; and

WHEREAS, On August 29, 2013, the Town Board held a hearing on the proposed Amendment pursuant to the Town Zoning Law Article XV(C)..

NOW, THEREFORE, BE IT

RESOLVED, that the Planning Board hereby supports the Town Board's proposed amendments to the Town Zoning Ordinance and related local laws and the Town's Comprehensive Plan in order to create the Landfill District be adopted; and finds

1. The proposed amendments to the Town Zoning Ordinance, related local laws and the Comprehensive Plan, in confining landfill operations to the Landfill District, where such operations are presently vested uses, are consistent with the purposes of the Ordinance which are aimed at limiting such use to the extent practicable.
2. The areas in the Town that are subject to the proposed amendments of the Zoning Ordinance are the approximately 267 acres comprising the proposed Landfill District - the area in which such activities are already vested, In conforming the District to the boundaries of the vested landfill uses therein, the Amendments will not create any new effects.
3. Adequate public services and supports facilities exist for the two landfill facilities that comprise the Landfill District: the Finch landfill facility is operational and the County Landfill has been constructed pursuant to a DEC Part 360 Permit.
4. The indirect implication of the amending the Town Zoning Ordinance and related local laws, and Comprehensive Plan is to limit landfilling activities in the Town to that area where such activities are already vested uses.
5. The proposed amendments to the Town Zoning Ordinance and related local laws and Comprehensive Plan to create a Landfill District are consistent with the general underlying objectives of the town Comprehensive Land Use Plan general underlying objectives of the town Comprehensive Land Use Plan (including the proposed amendments thereto) to limit landfilling in the Town to the extent practicable in order to preserve the Town's special agricultural, open space, and rural lifestyle.

Introduced by: Brit Basinger

Seconded by: James Heber

Chairperson Wayne Durr:	<u>Aye</u>
Vice Chairperson Jeff King:	<u>Aye</u>
Brit Basinger:	<u>Aye</u>
Lisa Black:	<u>Aye</u>
John DeLisle:	<u>Aye</u>
C.J. Lofgren:	<u>Aye</u>
Susan Martindale:	<u>Aye</u>
Mr. Heber:	<u>Abstain</u>
Melanie Eggleston:	<u>Aye</u>

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NEW BUSINESS

None

MISCELLANEOUS

Mr. Heber made a motion to accept the August Planning Board minutes as submitted,
Ms. Lofgren 2nd the motion,
All in attendance unanimously agreed.

Mr. Heber made a motion to adjourn the September monthly meeting at 7:40 PM,
Mr. King 2nd the motion,
All in attendance unanimously agreed.

FUTURE MEETINGS:

Regular Planning Board Monthly Meeting October 7, 2013, 7:00 PM, as needed.

Respectfully Submitted,
Tia Kilburn,
Planning Board Clerk