

Town of Northumberland Zoning board
Minutes
Wednesday, June 6th, 2007 7:00 pm
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Corrected and approved by Zoning Board

Present: Chairperson, Mark Boyce, Rebecca Hodgson, Hugo Leone, Gordon Strong, Clinton Barber, Bruce Bemis and CJ Lofgren, Alternate

Town Employees: Tia Kilburn, Planning / Zoning Clerk

Absent: Patricia Brennan, Alternate

The monthly meeting was opened at 7:04 PM, by Chairperson, Mark Boyce. Those in attendance stood and recited the Pledge of Allegiance.

Old Business:

There was no old business to review.

New Business:

Application #: 0002-07

Applicant: Guy Murphy / Anne Decker

Location: 401 Colebrook Rd

SBL# 129.1- 20

Acres: 1.295

Zoning: R-3

*Denial of Building permit from Rich Colozza, Code Enforcement Officer, due to an area variance is needed from ZBA and subdivision review is needed because 3 acres is required, 1.29 is available.

Mrs. Decker explained they wanted the parcel which stands alone on one side of Colebrook Road. Currently it is zoned R-3, there is a barn on this parcel the Decker's would like to incorporate into the design of the dwelling.

Ms. Hodgson asked the age of the barn. Mr. Murphy stated the barn was built somewhere between 1820 and 1830.

Mr. Leone asked what type of home did they want to build. Mrs. Decker stated it would be a stick built home they would like to attach to the barn due to her and her husband's love of the old barn and antiques. They wanted to keep it rustic.

Ms. Hodgson wanted to confirm there wasn't any other land available surrounding this parcel to join it with to reach the 3 acre zoning. Mrs. Decker stated no, only on the opposite side of the road. Mr. Bemis inquired about the acreage across the road. Discussion ensued about the road dividing the parcels. Mr. Colozza explained the concept of making it a separate parcel in comparison to creating two sub-standard size

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lots by taking the balance of the acres needed from the opposite side of the road. Mr. Bemis asked if Mr. Murphy was willing to give the 3 acres from the larger parcel and this 1.29 parcel, as an option. Mr. Murphy said that was an option, however the water line is already available on the smaller single parcel.

Mr. Strong asked if any homes are on either side of the smaller parcel. Mrs. Decker stated there is a new home on the right, however it is not occupied at this time.

Mr. Bemis discussed the 2 parcels around this parcel. It was an illegal subdivision, and the lot line has been removed. Mr. Boyce asked if there is or could be any development on the back parcel behind this lot. Mrs. Decker and Mr. Murphy said no this is nothing there now and they didn't believe there would be. Ms. Hodgson inquired how far it was to the stream and if it would interfere with the setbacks. Mr. Decker said the stream was outside their setbacks and all the setbacks were ok.

Mr. Leone asked about the SEQR. Mrs. Decker had already completed. The Board reviewed and Mr. Boyce asked her to complete a couple of items on the back of the application.

Discussion on SEQR and if this Board would act on it now or after the Public Hearing. This Board will be lead on SEQR.

Mr. Strong made a motion to schedule a Public Hearing for June 27, 2007 at 7:00 PM. Ms. Hodgson 2nd the motion.

Mr. Bemis amended the motion to include the monthly meeting for July will follow the Public Hearing.

Mr. Strong,	“Aye”
Ms. Hodgson,	“Aye”
Mr. Leone,	“Aye”
Mr. Barber,	“Aye”
CJ Lofgren, Alternate	“Aye”
Chairperson, Mark Boyce,	“Aye”

ACTION TAKEN:

Motion passed, 7-0, the Public Hearing will be scheduled for June 27, 2007 at 7:00 PM. Clerk to send memo to the Planning Board with information on the Public Hearing, requesting any comments. Zoning will take lead on SEQR.

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Applicant: William Freitag / Larry Ball

Location: 4 Stormy Ln

SBL: 116.7-1-23

Zoning: R-1

**Building / Zoning permit denied by Rich Colozza, Code Enforcement Officer, due to no longer an allowed use, previous manufactured home was removed over 18 months ago.

Mr. Freitag would like to declare a hardship due to the property was deeded to his wife and he only obtained it after their divorce.

Mr. Strong wanted to know if he had a right of way. Mr. Freitag stated yes. Mr. Bemis wanted to know if the parcel and the right of way were both in Mr. Freitags' name. Yes, Mr. Freitag answered.

Mr. Strong wanted to know the size of the home. Mr. Freitag said it is a doublewide 28' by 56'.

Ms. Hodgson wanted to know who Mr. Ball was and if he had an interest. Mr. Ball will purchase the parcel if variance is approved for the doublewide.

Mr. Barber wanted to look at the right of way on the larger tax map. The Board reviewed the map, right of way and the development's entrance. Ms. Hodgson asked if the right of way was off of the development's entrance. Mr. Freitag stated yes it was. Mr. Strong asked what the width of the right of way was. Mr. Colozza stated it is 15' and zoning for keyhole lots is 25', however this is an approved easement when the subdivision was created.

Mr. Leone inquired about the septic and leach? Mr. Freitag responded there is a drilled well and 1,000 gallon septic, the leach is 3 tiers of 60'.

Mr. Bemis based on lot size, he may need an area variance as well. Mr. Colozza stated this is a pre-existing lot that was in use, if it were a house it would be ok, the size of the lot does not effect the setbacks, it is R-1 zoning. Mr. Bemis agreed even though it is less than 1 acre he could build. Mr. Ball stated this doublewide will sit in almost the exact location as the previous singlewide.

Mr. Freitag offered the Deed, the clerk made copies for the Board and the file. The easement is on an existing deed for another parcel. Mr. Leone asked what the time limit was to place a trailer on this parcel from the approval date. Mr. Colozza stated we would have to look it up, he didn't not know exactly. Mr. Ball stated he would start the placement preparation as soon as the variance is approved.

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Ms. Hodgson wanted to confirm the reason a stick built or modular could not be installed. Mr. Ball stated due to the minimal road frontage, the easement width a modular could not be installed and due to the cost of a stick built that was not an option.

Mr. Leone asked if there was a restriction on the year of the replacement doublewide. Mr. Colozza stated it only needed to be an improvement. Mr. Ball said the replacement is a 1995.

Mr. Bemis asked if there were any additional questions on this application. (changed to Mr. Boyce ..., by motion, October 3, 2007)

Mr. Strong stated there really is not much other use available for this parcel other than a mobile home. Mr. Freitag stated he has been trying to sell this parcel with no luck.

Mr. Leone asked if the frame was still on the parcel. Mr. Freitag said no a porch decking was there and would be removed this weekend.

Mr. Ball stated he would like to pour footings and not pour a full slab. Mr. Colozza wanted to confirm they would be below the frost line and that was sufficient.

Mr. Leone made a motion to set up a public hearing for June 27, 2007 at 7:00 P.M.
Mr. Barber 2nd the motion,

Rebecca Hodgson, “Aye”
Gordon Strong, “Aye”
and CJ Lofgren, Alternate “Aye”

Mr. Bemis abstained due to the fact he believes the right of way is on his daughter's property. (changed to recused, and *strike “due to the fact he believes the right of way is on his daughter's property”*, by order of motion made October 3rd, 2007)

Chairperson, Mark Boyce, “Aye”

ACTION TAKEN:

Motion passed 6-1 (recused), the Public Hearing will be scheduled for June 27, 2007 at 7:00 PM.

Miscellaneous:

Richard Forman, of Route 50 wanted to address the Board with some questions.

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Mr. Forman wants to subdivide his parcel, and obtain approval for the next owner to own horses before he subdivides and sells.

Ms. Hodgson stated they could not give an approval on the information they have right now. Mr. Forman would have to submit an application and all the information necessary for the Board to consider an approval.

Ms. Hodgson wanted Mr. Colozzas' input on Mr. Foremans' inquiry. Mr. Colozza stated due to a "grand fathered" use clause the sale and subdivision would take away the current use allowing horses because this is in commercial / residential zoning.

Next Meeting:

The next scheduled meeting for the Zoning Board is June 27th, 2007, 7:00 PM due to the 4th of July Holiday and the need for Public Hearings.

Adjourn:

Chairperson Mark Boyce made a motion to adjourn the meeting at 7:30 pm. CJ Lofgren second the motion, unanimous by all in attendance. The motion carried.

Respectfully submitted,
Tia Kilburn
Planning/Zoning Clerk