

Town of Northumberland Zoning Board
Minutes
Wednesday, November 7, 2007 7:00 pm
Page 1 of 5
Subject to approval by Zoning Board

Present: Mark Boyce, Chairperson, Clint Barber, Vice-Chairperson, , Rebecca Hodgson, Hugo Leone and Carl Harrison

Absent: Patricia Brennan, Bruce Bemis, Gordon Strong

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

All in attendance stood and recited the Pledge of Allegiance

Chairperson, Mark Boyce addressed the 1st Public Hearing at 7:06 PM

PUBLIC HEARINGS (2 open from October)

Variance Request

Application #: 0007-07

Applicant: William & Tammy Bartholomew

Location: 3 Thomas Road

SBL#: 103-1-10

Acres:

Zoning: APD

Surveyor:

Town of Northumberland Zoning Board
Minutes
Wednesday, November 7, 2007 7:00 pm
Page 2 of 5
Subject to approval by Zoning Board

Mrs. Bartholomew came forward.

Mr. Boyce asked for County Planning's response, the clerk gave the County's letter and SEQRA to Mr. Boyce.

Mr. Boyce asked if there were any questions on this application. Mrs. Hodgson asked Mr. Colozza how much the proposed addition exceeds the 10% coverage. Mr. Colozza stated he would have to check his figures. Discussion ensued. Mr. Leone said the previous notes stated it was over the maximum lot coverage by 171'. Mrs. Bartholomew said she thought the maximum lot coverage was for new parcels. Mr. Colozza stated the proposed addition increases by 400 sq ft and he believes that would make it 528' over the maximum coverage allowed but he was unsure. Mrs. Hodgson asked if it would be less than 25% over. Mr. Colozza said yes. Mr. Barber asked if there would be additional bedrooms. Mrs. Bartholomew stated they just need a bigger living room and no additional bedrooms would be built. Mr. Leone said they could add a stipulation stating no additional bedrooms would be allowed. Mr. Barber asked if it has been the same size lot before the rezoning and the house has always been there. Mrs. Bartholomew said the house has been there about 70 years.

Mr. Boyce asked if there was any correspondence on this application. The clerk stated only from County Planning.

Mr. Boyce asked the Board if they had any questions or comments. Mrs. Hodgson asked what the County said and if SEQRA was complete. The clerk gave the Board the County's letter and stated it said *No significant county wide or inter community impact*, however there was a comment as follows; *The town should obtain clarification from the applicant regarding the intended use of the proposed addition. Due to the odd configuration of the existing lot, with the addition of this structure the bulk of the lot will be covered by impervious surface. This will ultimately limit any further expansion of septic systems should additional bedrooms be added to the home that changes the size of the system required.*

Mr. Boyce asked for additional questions or comments. None were noted. Mr. Boyce asked for the application from the file and asked Mrs. Hodgson if she had any questions on the SEQRA form. Mrs. Hodgson stated no. Mr. Boyce asked what the current zoning was. Mrs. Hodgson said agricultural.

Mrs. Bartholomew asked about the sequence of the process and when she would be able to get her building permit. Mr. Boyce explained the Board has 60 days after the public hearing is closed to make a decision, then if approved she will need to go to the building department for her building permit.

Mr. Barber made a motion to close the public hearing for this application.

Town of Northumberland Zoning Board
Minutes
Wednesday, November 7, 2007 7:00 pm
Page 3 of 5
Subject to approval by Zoning Board

Mr. Leone 2nd the motion,
All in attendance unanimously agreed, motion passed, public hearing closed.

Variance Request

Application #: 0008-07

Applicant: Matthew & Patricia Brennan

Location: 385 Rugg Road

SBL: 12-9-1-75.2

Acres:

Zoning:

Town of Northumberland Zoning Board
Minutes
Wednesday, November 7, 2007 7:00 pm
Page 4 of 5
Subject to approval by Zoning Board

Mr. Boyce asked for the application from the file. The clerk gave Mr. Boyce the application with a new drawing and the SEQRA form.

Mr. Barber asked if this has to go to County Planning. Mrs. Hodgson asked if they could waive that requirement. Mr. Colozza stated it is within 500' of the agricultural district.

Mr. Barber asked if there was anything from the Town's Highway Superintendent, Neil Petteys. The clerk stated no.

Mrs. Hodgson asked about the time County Planning takes. The clerk explained the cutoff date for County Planning and said it usually takes 3 to 4 weeks after their meeting to get a response. Mr. Barber asked Mr. Brennan if they preferred the 1st location or the 2nd location for the placement of the garage. Mr. Brennan said the 1st location. Mr. Colozza stated the map that will be keep in file and sent to County Planning should be exactly what they are requesting because it gets confusing with two different maps. Mr. Boyce asked if a surveyor did the measurements. Mr. Brennan said no surveyor, they measured themselves. Mr. Barber asked Mr. Colozza if he went down and helped measure. Mr. Colozza stated no Mrs. Brennan said she would get a surveyor at the last meeting. Mr. Barber said one of the maps says it is 54' from the center and the other map says it is 50' from the edge with a curve there. Mr. Colozza stated yes there is a curve there. Mr. Leone reiterated the Board needs to know which plan they are asking for the 1st or the 2nd. Mr. Barber said they can keep the public hearing open. Mr. Boyce said we need to agree to either close this public hearing or keep it open and get the documentation to go to County Planning. Mr. Brennan asked if anything was missing. Mr. Boyce said the Board needs a clear map, the dated proposal and if he wanted two proposals they will need to be separate with two separate diagrams including the footage on each one, all of the measurements should be taken from the survey pins. Mrs. Hodgson said they can't act (vote) on this application until the County's response is received. Mr. Barber asked if there was anyone from the public who wanted to address the Board.

Town of Northumberland Zoning Board
Minutes
Wednesday, November 7, 2007 7:00 pm
Page 5 of 5
Subject to approval by Zoning Board

Mr. Sedrish came forward to speak. He discussed the map / drawing and stated he believes the footage is still wrong. He stated there are no wetland there. Mr. Sedrish gave the Board pictures of the neighborhood showing distances of the surrounding parcels and what he is building. Mrs. Hodgson asked where Mr. Brennan's house was in relation to Mr. Sedrish's clinic. Mr. Sedrish showed the Board Mr. Brennan's house, his clinic and then his house location. He displayed additional pictures showing neighbors and how they sit back from the road, Mr. Sedrish stated everyone else in the area has built back away from the road. Mrs. Hodgson asked Mr. Sedrish what was the essence of this. Mr. Sedrish responded it shows how everyone has built away from the road and not on the road. Mr. Brennan stated they have wider lots. Mr. Barber said there is natural drainage that runs on one side. Mr. Sedrish stated other people have brought in fill and avoid the run off. He then said he would like to see an accurate map or survey. Mr. Brennan said this map is accurate it is just not drawn to scale. Mr. Colozza stated the house is tilted to an angle and is not square, this is a misconception and the Board should give them guidance. Mr. Barber reviewed the photos with Mr. Brennan and asked actually where the placement of the garage was in the photos. Mr. Brennan stated a survey would take time to get. Mrs. Hodgson asked if they had a building permit once. Mr. Brennan said yes. Mr. Colozza explained the building permit was issued under the assumption the information given was correct. Mr. Sedrish added he went for a site plan and when they measured for the garage it was wrong. Mr. Barber asked where they were on this application. Mr. Boyce asked Mr. Colozza if there was anything else. Mr. Colozza said the other issues are Mr. Sedrish needed 20' the zoning book says 15' is required for parking and 2 cars at a single residence should have 34'. Mr. Barber asked if that was from the edge of the road. Mr. Colozza yes, and if they are pushing the garage forward, they will need a bigger variance for the parking spaces and the turn around space that is in the Zoning Regulations. He add they should have 400 sq ft for the turn around and explained more room is needed due to the curve in the road. Mr. Boyce said if the measurements are accurate they need a common point to start from and the 1st plan needs the road setback as well. Mr. Colozza stated $9' \times 18' = 300'$ for vehicles to turn around as it is stated in the Zoning Regulations. The Town Highway Superintendent, Neil Petteys, said that was a dangerous area when they did Mr. Sedrish's site plan. Mr. Barber asked if they could do a horseshoe driveway. Mrs. Hodgson said the septic is in the front yard. Mr. Colozza said the building configuration showed the house tipped but is at more of an angle than it is anticipated and they need an actual survey line to go by. Mr. Barber asked Mr. Sedrish if he had anymore questions or comments. Mr. Sedrish said he left 50' of trees for privacy he is asking for the same and not to have the garage built on the property line. He reiterated he would also like to see an accurate map.

Mr. Boyce explained that a survey is not required, however, the Board needs a separate drawing for each proposal with who it was made and prepared by. Mr. Barber asked Mr. Colozza if he could help with that. Mr. Colozza said yes, they did not need a new survey they could just use the pins that are there from Mr. Sedrish's survey. Mr. Barber said Mr. Colozza could go just as a neutral party. Mr. Colozza stated that was not a problem.

Town of Northumberland Zoning Board
Minutes
Wednesday, November 7, 2007 7:00 pm
Page 6 of 5
Subject to approval by Zoning Board

Mr. Barber made a motion to continue the public hearing.
Mr. Leone 2nd the motion,
All in attendance unanimously agreed, motion passed public hearing left open.

Mr. Boyce opened the regular monthly meeting at 7:55 P.M.

NEW BUSINESS

Variance Request

Application #: 0007-07

Applicant: William & Tammy Bartholomew

Location: 3 Thomas Road

SBL#: 103-1-10

Acres:

Zoning: APD

Surveyor:

Mr. Boyce stated the public hearing was closed and he completed SEQRA. Mr. Boyce said the County points out the land will be covered by impervious surface and discussed SEQRA item C.

Could action result in any adverse effects.... Mr. Barber responded no, not adverse. Mr. Colozza said the effect would be minimal. Mr. Boyce asked the clerk to make sure the minutes reflected the discussion on item C1. and there would not be any adverse effects from surface runoff. Mr. Boyce then said SEQRA was completed and asked for any additional discussion.

Mr. Leone made a motion to declare a negative declaration on SEQRA

Mr. Harrison 2nd the motion.

All in attendance unanimously agreed, motion passed negative declaration on SEQRA.

Mr. Leone made a motion to approve this application contingent on the application being for a family room and should not include additional bedrooms or changes that would result in any septic modification or change the capability of the view, this lot predates zoning and is a substandard lot.

Mr. Barber 2nd the motion

All in attendance unanimously agreed, motion passed with contingencies.

ACTION TAKEN:

Negative declaration on SEQRA.

Application approved with contingencies, this application contingent on the application being for a family room and should not include additional bedrooms or changes that would result in any septic modification or change the capability of the view, this lot predates zoning and is a substandard lot. Applicant will contact the building department for her building permit.

Town of Northumberland Zoning Board
Minutes
Wednesday, November 7, 2007 7:00 pm
Page 7 of 5
Subject to approval by Zoning Board

Variance Request

Application #: 0008-07

Applicant: Matthew & Patricia Brennan

Location: 385 Rugg Road

SBL: 12-9-1-75.2

Acres:

Zoning:

ACTION TAKEN:

Public hearing left open until December.

Miscellaneous

October meeting minutes.

Mr. Boyce made a motion to approve October minutes with changes.

Mrs. Hodgson 2nd the motion,

All in attendance unanimously agreed, motion passed October minutes approved.

FUTURE MEETINGS

Public Hearing for Brennan to be left open November 7, 2007 7:00 PM

Mr. Boyce made a motion to close the monthly meeting at 8:30 P.M.

Mr. Leone 2nd the motion,

All in attendance unanimously agreed, motion passed meeting closed.

Respectfully submitted

Tia Kilburn, Zoning Board Clerk