

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 1 of 8
Subject to approval by Zoning Board

Present: Mark Boyce, Chairperson, Clint Barber, Vice-Chairperson, Bruce Bemis, Rebecca Hodgson, Hugo Leone and Gordon Strong

Member Patricia Brennan was present, observed from the audience.

Absent: Carl Harrison

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 opened the 1st Public Hearing at 7:03 PM

PUBLIC HEARINGS (2)

Variance Request

Application #: 0007-07

Applicant: William & Tammy Bartholomew

Location: 3 Thomas Road

SBL#: 103-1-10

Acres:

Zoning: APD

Surveyor:

ISSUE:

Denial of building permit for a 20' x 20' addition to home, two variances are needed, one due to lack of acreage needed to build, build-out exceeds 10% lot coverage, and 2nd variance due to lack of reaching required setbacks.

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 2 of 8
Subject to approval by Zoning Board

Mrs. Bartholomew came forward.

Mr. Boyce asked if SEQR had been completed and if anything was received back from County Planning. Nothing has been received from County Planning.

Mr. Boyce stated a vote cannot be taken tonight due to the lack of response from County Planning. Mrs. Bartholomew asked the Clerk why there has not been a response from County Planning. Mrs. Bartholomew then asked the Clerk why this was taking so long to get approved. She does not want to wait until November for an answer. The Planning Clerk stated all information from the file was sent to County Planning on September 10th, their meeting was September 20th. Mrs. Bartholomew asked why then has this Board not received a response from the County. The Clerk explained the procedure of submitting completed applications and the cutoff date of submission to the County and County Planning meeting dates. Mrs. Bartholomew stated there was a complete application in the file why was it not submitted to the County until September 10th. Mr. Colozza added SEQR was not received and it needs to go with the file to the County. Mr. Strong interjected there are procedures to be followed and certain time frames.

The Board reviewed the plan with Mrs. Bartholomew. Mr. Leone asked if this location was the only place the addition could be built. Mrs. Bartholomew responded the septic system location, the garage and a small back porch limit the placement of the addition.

Mr. Boyce reviewed SEQR and discussed item #10 (*Does action involve a permit approval, or funding, now or ultimately from any other Governmental agency (Federal, State or Local)? Yes or No*) with Mr. Colozza, due to the County Road. Mr. Boyce asked Mrs. Bartholomew to re-examine the SEQR form and answer item #11 (*Does any aspect of the action have a currently valid permit or approval? Yes or No*) Mrs. Bartholomew answered No and added "*This is an active application.*"

Ms. Hodgson discussed maximum lot coverage with Mr. Colozza as explained in his letter addressed to this Board, labeled as "*A Attachment to Bartholomew application*" (also attached to these minutes). Mrs. Hodgson asked Mr. Colozza what the allowed maximum coverage was. Mr. Colozza responded 10% but the problem with this is the lot is small and grand fathered Mr. Barber added this lot was there before Zoning Laws. Mr. Colozza agreed, however he added, with the buildings already there it currently exceeds the maximum lot coverage and with the proposed addition it will be a total of 571 sq ft. over the maximum lot coverage.

Mr. Boyce asked about the setbacks. Mr. Colozza explained two variances are needed because this is a corner lot and there are two road frontages. Mr. Boyce stated he thought more could be taken for the setback on the Thomas Road side, he then confirmed the two variances were for the County Route 32 setbacks and the build out of maximum lot coverage. Mr. Colozza stated that was correct.

Mr. Boyce asked if there were any more questions or comments. None were noted.

Mr. Boyce stated the Public Hearing will be left open until next month due to the time requirements for the County to respond.

Mrs. Bartholomew did not stay for the regular monthly meeting.

Mr. Boyce opened the 2nd Public Hearing.

Mailed 11/1/2007

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 3 of 8
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:

ISSUE:

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 4 of 8
Subject to approval by Zoning Board

Building permit revocation due to setback requirements, stop work order issued July 20, 2007.

Mrs. Brennan came forward and presented sketches of the original plan and a 2nd “new” plan. The Board reviewed the sketches. She explained why the 50’ front set back requirement could not be met. Mrs. Hodgson asked what the changes were for the 2nd plan. Mrs. Brennan stated the side setback will be 10’ and 15’ is required per Mr. Colozza. While reviewing the sketches, Mrs. Hodgson stated the closer the garage was moved to the road the wider the side setback became in the front of the garage. Mrs. Brennan agreed. Mrs. Hodgson asked how many feet from the back of garage was it to the property line. Mrs. Brennan responded the back of the garage will be 10’ (feet) from the line. Mr. Leone reiterated the front will have a 17 ½’ (feet) front setback. Mrs. Brennan agreed and Mrs. Hodgson added if it is pulled closer to the road the side setback widens. Mr. Barber asked if it will be built square with the house. Mrs. Brennan responded yes. Mr. Strong examined the diagram and stated it shows the house as square with the lot/rd. Mr. Colozza discussed the sketch Mrs. Brennan brought is just that a sketch. Mrs. Hodgson asked Mr. Colozza if he had seen the new sketch. Mr. Colozza stated he had only a quick look due to just receiving it tonight before the meeting when Mrs. Brennan gave it to the Clerk to make copies for the board. Mrs. Hodgson asked where it would be at 15’. Mrs. Brennan responded probably somewhere in the middle of the garage, she then added looking at safety, any closer to the road would not be good.

Mr. Barber asked if there was a turn around. Mrs. Brennan said no, but the turn around could go on the side and added there is a terrible blind spot there and it doesn’t matter where she puts it, it would be the same.

Mr. Boyce asked what the size the lot was. Mrs. Brennan stated it was 2.79 acres.

Mr. Boyce then asked if there was a reason Mrs. Brennan chose this side of the lot to place the garage. Mrs. Brennan responded the other side has a gully and a stream. Mr. Bemis added the driveway entrance is on that side now. Mrs. Brennan said yes, this side is where the driveway is now. Mr. Leone asked if she had to remove trees. Mrs. Brennan said yes, the cherry and pear trees she planted.

Mrs. Hodgson asked Mr. Colozza where he saw as a viable place for the garage. Mr. Colozza stated this “new” plan shows moving the garage up and there is not enough room. Mrs. Brennan stated they had measured from the center of the road. Mr. Colozza responded they have to measure from the pins on the survey of Mr. Sedrish when he had his site plan review because that is the most current. Mr. Strong reviewed Mr. Sedrish’s survey and said that it stated to measure from the side of the road not the center of the road. Mr. Colozza then added, the Planning Board made Mr. Sedrish do a 20’ clear cut back, the brush is still there so the cut is not complete yet but that is how the survey came up. Mr. Barber stated they should see what the neighbors say and Mr. Boyce agreed.

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 5 of 8
Subject to approval by Zoning Board

Mrs. Hodgson repeated what Mrs. Brennan had said, she can't tuck it into the left side of the house, then added Mr. Colozza, you said if she does go on the left of the house it would be ok. Mr. Colozza then said she could put it here (left side yard) and fill in this ditch. Mrs. Brennan said if she puts it there she would not have drainage and if she moved it up on the current side as planned she would not have to add any fill. Mr. Colozza said two variances are needed but if the garage could be put in the back yard or on the other side of the house it would only need one variance for the side setback. Mrs. Brennan stated it cannot go out back because of the "points" and the other side of the yard is the same size, then she added it would take a great amount of money she doesn't have to fill the gully and take down trees. Mr. Leone asked what was in the back besides the shed. Mrs. Hodgson added and it gets narrow. Mrs. Brennan said she has two point wells out there. Mr. Colozza stated "points" are only 2" or 2 1/4" the house was miss placed at an angle and there is room out back. Mr. Boyce asked where the septic was. Mr. Colozza said it was in the front yard. Mrs. Hodgson asked how deep the gully was. Mrs. Brennan stated it was not very deep but it was wet, Mr. Colozza added it was about the same as on the other side of the house, Mrs. Brennan responded no, it was deeper and it would cost about ten thousand dollars to fix.

Mr. Colozza stated if the Board grants the front variance for the setback the parked cars in the driveway would block the view, because of the curve in the road. He then explained the Board should be aware of the 20' Mr. Sedrish needs to cut back for a view from the road as required by the Planning Board. Mrs. Brennan said she has trees there are they are not going anywhere.

Mr. Boyce asked to hear from the neighbors.

Mr. Sedrish came forward and explained he owns the parcel to the East of Mrs. Brennan, on the side she wants to build the garage. He stated her map/plan is not drawn to scale, her shed is only 2' (feet) from his line. He then stated he had left 50' (feet) of trees between the two places to maintain privacy. Mr. Sedrish stated if Mrs. Brennan puts the garage in that location it will not be 10' (feet) from his line, and there are other options for the garage location.

Mrs. Hodgson reiterated the lot gets narrower as it goes back. Mr. Barber stated it could go in the back.

Mr. Sedrish said when he built he tried to protect her property and actually moved one of his buildings over, he then stated at the very minimum he would like to ask to have a more accurate survey done, he does not feel this map Mrs. Brennan has presented is accurate. Mr. Strong agreed Mrs. Brennan's map may not be accurate. Mrs. Brennan stated the "pin" she measured from is from the first survey done 14 years ago. Mr. Leone asked Mr. Sedrish if his property line went straight back. Mr. Colozza asked Mr. Sedrish if he brought a copy of his survey with him to share with the Board. Mr. Sedrish did display a copy for the Board to discuss.

Mr. Strong asked Mr. Sedrish if the issue was, he didn't want to see the garage that close to his property line. Mr. Sedrish responded yes, that is correct, and added Mrs. Brennan has almost 3 acres of land and there are other options and she does not have to put it on top of the road or on the property line. Mr. Barber asked if Mr. Sedrish had a contour map. Mr. Colozza stated that would only show Mr. Sedrish's. The Board reviewed Mr. Sedrish's survey Mr. Boyce asked if this was in the agricultural district. Mr. Sedrish stated no he did not believe so. Mr. Bemis asked Mrs. Brennan if she had a survey of her property. Mrs. Brennan stated she could try to find one. Mr. Bemis asked if she had tried to acquire one. Mrs. Brennan stated she went to the County but they did not have one registered. Mr. Bemis asked if she could get one. Mrs. Brennan said she knew the chain of ownership of her house and she would talk to previous owners and see if she could get a copy of their survey but it doesn't matter because she will still have to have one of her own done.

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 6 of 8
Subject to approval by Zoning Board

Mr. Boyce asked Mr. Sedrish if he had anything else for the Board. Mr. Sedrish said no he was waiting, in case the Board had any questions on his survey.

Mr. Leone asked Mrs. Brennan about the land in the back. Mrs. Brennan stated the trees are huge in the back and it would take money she doesn't have to remove them.

Mr. Bemis asked if they had poured the foundation yet. Mrs. Brennan said no, they were digging and then she had trouble with the contractor and then the "stop work" order was issued. Mr. Sedrish added the original plan would be over the line and he then pointed out the shed and iron pipe. Mrs. Brennan stated it would be 3 ½' (feet) on her side. Mr. Sedrish said as drawn on your map. Mrs. Hodgson asked if on version #2 were the numbers accurate and drawn correct. Mrs. Brennan stated yes, *J. Green Contracting* did the measurements on both of the versions at the same time and he will be the one building the garage. Mrs. Hodgson asked Mr. Sedrish if he said that on the original plan the building would be 3 feet from the line. Mr. Sedrish stated no he did not say that, he said he did not think it was accurate. Mr. Colozza stated the plan that Mrs. Hodgson was looking at just came in tonight and no one has looked at it yet.

Mr. Boyce asked if this has to go to the County for review. Mr. Colozza said any variance has to go to the County, yes. Mr. Sedrish asked if this should have been in the office for the public to look at prior to this public hearing as stated in the newspaper and the letter he received. Mr. Colozza said yes it should have been for the Public Hearing. Mr. Barber said we are in the Public Hearing. Mr. Colozza agreed and explained that all the information is suppose to be in the office prior to the hearing and the public has to be allowed to review. Mr. Strong asked Mr. Colozza how many days prior to the meeting does it have to be in. Mr. Colozza said he was not sure, he would have to look it up. Mr. Strong asked who the applicant submits the items to. Mr. Colozza stated the Clerk because she is the one to setup the public hearing. Mr. Colozza then said we went ahead and setup the public hearing thinking it was going to come in. Mrs. Brennan asked what was going to come in. Mr. Colozza responded the completed map. Mrs. Brennan said no, she was told to bring them to the Board. Mr. Colozza said yes, through the office and added this 2nd version was not handed in until tonight, it was not in the office for the public to review and it did not get sent to the County for review with the other information.

Discussion on when information should be in the office. Mr. Strong stated he thinks they need to address the maps and when information needs to be in the file. He then asked Mr. Colozza if maps get sent out to everyone. Mr. Colozza said not to the public but the letter says they can come to the office and examine the file and the map the Board is considering, all information needs to be in the file for the public to see what the project involves. Mr. Barber asked why this has to go to the County when it is on a Town rd. Mr. Colozza responded any variance has to go to the County. Mr. Barber thought it was only if it was on a County and State Rd. Mr. Colozza said it is within 500' (feet) of agricultural zone as well. Mr. Barber said it is not in the agricultural zone. Mr. Colozza responded it doesn't have to be in it, it is within 500' (feet). Mr. Barber stated he had never heard that. Mr. Colozza said any variance, area or use from the ZBA needs to go to the County. Mrs. Brennan asked if this Board votes and then sends it to the County. Mrs. Hodgson said we cannot vote, it needs to go to the County and they send a referral to this Board, then we can vote.

Mr. Strong stated they are going to need something better than this. Mrs. Hodgson asked if they could present the new version Mrs. Brennan brought in tonight to the public. Mr. Colozza said they would have to ask the Town's Attorney because they would be changing the application with a different map and then he added Mr. Sedrish came into the office several times to review this file and this information was not in the file just the original map and that is what the public hearing on, the original.

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 7 of 8
Subject to approval by Zoning Board

Mr. Strong discussed the map stating the Board still needs something better than the maps submitted to make a decision. He felt he could not make a decision looking at this map and Mr. Leone agreed he wanted something with accurate measurements. He said they need a cleaner map and measurements with steaks in the ground. Mrs. Brennan said there are steaks in the ground. Mr. Strong asked Mr. Colozza if he had seen the steaks in the ground. Mr. Colozza said no he had not been out there recently. Mrs. Brennan said this map she brought tonight is what the Board asked for last month. Mr. Strong asked Mr. Colozza if he would go out there and meet with the contractor to get measurements, the Board needs to know if it is 9' - 10'(feet) or whatever it is. Mr. Barber told Mrs. Brennan to use Mr. Sedrich's survey and tie strings to the pins and measure that way. Mrs. Brennan stated that is what they did. Mr. Bemis stated what bothers him is the situation on the new map has distances of 10' (feet) and 3 ½' (feet), the lot is 1,132' (feet) long and the difference from the front line to the back line only drops 11' (feet). He stated it has to be more of a gradual line to the back otherwise there would be a crook in that line and he agrees with Mr. Strong they need solid figures. Mr. Strong stated that is how he feels about it, he wants Mr. Colozza to go out and measure it, put steaks in the ground. Mrs. Brennan said there are steaks in the ground. Mr. Strong said it is possible she didn't really realize where to measure from, she was measuring from the center of the road. Mr. Barber asked the difference between Town Roads and County Roads. Mr. Leone said he thinks it is 29 ½' (feet) on a County Road to the property line. Mr. Colozza stated there are pins set out there where to measure from on Mr. Sedrich's survey. Mr. Strong told Mrs. Brennan to use them then. Mrs. Brennan asked what they were talking about. Mr. Strong reiterated the Board needs accurate measurements from the edge of the road, from the survey pin. Mr. Leone said they would then have to send that to the County, the County needs accurate measurements too. Mrs. Brennan asked what were they exactly looking for. Mr. Strong said they need front measurements and side measurements, not that the map Mrs. Brennan had was not a good one, but they need accurate measurements. Mr. Strong explained what exactly they were looking for, measurements from the steak supposedly at the road, back to the corner of the garage and from the edge of the painted tree to the side of your garage, as accurate as possible, it is to your benefit (Mrs. Brennan's) to be accurate. Mrs. Brennan discussed the measurements with Mr. Strong. Mr. Strong said they still need them on the map. Mr. Leone stated if they send this particular map to the County they will send it back.

Mr. Boyce stated Mrs. Brennan could revise the application with appropriate measurements. Mr. Strong said he would definitely like to have Mr. Colozza go out and measure. Mr. Strong told Mrs. Brennan they wanted to work with her on this. Mr. Colozza said he would go out and help the contractor get measurements. Mrs. Brennan said the wood was not going to last.

Mr. Boyce stated if Mrs. Brennan didn't want to re-submit the information with accurate measurements they could close the public hearing and rule on this application. Mr. Boyce asked her if she wanted to revise the application. Mrs. Brennan stated she would revise the plan but at the same time the wood would not last the winter. Mr. Bemis asked what wouldn't last the winter, the wood for the garage is covered. Mrs. Brennan explained all her delays up to this point, and added she is willing to change the plan and will move it to where it is reasonable. The other side of the parcel has the same problems and there is a big gully and to fill it in and all the trees to take down would be to expensive.

Mr. Bemis said they needed a good detailed map and it might cost some money. Mrs. Brennan said her contractor told her to just write the measurements down on this drawing.

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 8 of 8
Subject to approval by Zoning Board

Mr. Leone asked if the garage could go smaller in size. Mr. Strong asked how long has the house been there. Mrs. Brennan said since 1987. Mr. Strong stated there should be a plot plan on file then. Mr. Colozza told Mrs. Brennan to contact Bolsters the one who did Mr. Sedrish's survey and he could "pin" the house and take measurements from there. Mrs. Hodgson added it needs to be clear as a bell how close your current house is to the line and if she uses Mr. Sedrish's survey and his pins it wouldn't cost her anything. Mrs. Brennan asked why they wanted to know how close the house is. Mr. Colozza stated because then the surveyor can plot the garage for you if you hire a surveyor to do a site plan for you and then had to move the garage it would be a lot more money, but if you plot the house it is easier. Mrs. Hodgson agreed and added Mrs. Brennan has existing numbers to work from that are certified or approved, they are real numbers, the numbers here are a little rough. Mrs. Hodgson said Mrs. Brennan could borrow a map from someone and Mr. Colozza said he would come and help you measure, then it wouldn't cost you anything. Mrs. Brennan said she did not want to write down all the numbers and be wrong, then she added she would have a survey done. Mrs. Hodgson asked why she wanted a survey. Mrs. Brennan responded with then she will know where she stands. Mrs. Hodgson asked isn't that what borrowing a survey and measuring will do. Mrs. Brennan said no, she had done that and it was wrong, she wanted to be sure. Mr. Strong said your right call a surveyor to be sure and put the pins down, she is right she may want to know exactly where her lines are and be done with it. Discussion ensued on the need for a new survey. Mrs. Brennan stated this has been going on for months, it is taking longer and longer, to her it would be better to get the survey and do it that way and be done. Mr. Strong added she may want to know where her lines are. Mr. Leone added then there is no question.

Mr. Boyce stated the public hearing would be left open. He had something, more of a consideration not a question, Mr. Boyce said there is 4' (feet) between the house and the garage on the new plan and asked if there was a way to close that up to give more of a setback on the side of the garage. Mrs. Brennan said there is an oil barrel there. She then added, she could move it closer to the house if it is brought forward. Mr. Boyce said that is what he was looking at based on the 2nd drawing it shows 4' back, if you look at the new plan it shows the house and the garage kind of lined up. Discussion on placing the garage in front of the house. Mrs. Brennan stated she would not place the garage in the front yard. Mrs. Hodgson agreed that would not be good. Mr. Boyce stated they were just trying to examine all the options. Mr. Barber asked if a fuel can be placed in the garage. Mr. Colozza said yes it just has to be filled from the outside. Mr. Leone agreed and added some people put them in the basements.

Mr. Strong asked the Clerk if it says the application is on file for review at the Town Hall when it is published in the newspaper. The Clerk answered yes it does. Mr. Strong then said there is the answer for question if there was map. Mr. Sedrish added, but the most recent map wasn't in until today and he wanted to review the new plan. Mr. Boyce stated the public hearing is still open so the application can be modified. Mr. Sedrish said when he did his, he had to have everything in the office a week or so before. Mr. Boyce stated one thing about a Zoning Variance is as long as the public hearing is still opened the application can be modified to satisfy the variance requirements. Mr. Sedrish stated the main thing he was asking for is the same thing the Board is asking for, a more accurate map to see how far this is going to be from the property line. Mr. Leone said that is what they have to have.

Mr. Boyce asked if there was a SEQR on file for this application. The Clerk gave the SEQR to Mr. Boyce. Mr. Boyce stated he would take a quick read of that in case there are any other items.

Mr. Boyce said if Mrs. Brennan was going to resubmit paper work he wanted her to revisit block #8 on the SEQR, *Will proposed action comply with existing zoning or other existing land use restrictions?* and change it to *NO*, since there is an area variance application in front of this Board. Mrs. Brennan changed it to *NO*.

Mr. Strong made a motion to keep the public hearing open until November 7th, 2007.

Mailed 11/1/2007

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 9 of 8
Subject to approval by Zoning Board

Mr. Leone 2nd the motion,

Mr. Bemis	“Aye”
Ms. Hodgson,	“Aye”
Mr. Barber,	“Aye”
Chairperson, Mark Boyce,	“Aye”

motion passed 6-0.

NEW BUSINESS

Variance Request

Application #: 0007-07

Applicant: William & Tammy Bartholomew

Location: 3 Thomas Road

SBL#: 103-1-10

Acres:

Zoning: APD

Surveyor:

ISSUE:

Denial of building permit for a 20' x 20' addition to home, two variances are needed, one due to lack of acreage needed to build, build-out exceeds 10% lot coverage, and another variance due to lack of reaching required setbacks.

Mrs. Bartholomew had left after the Public Hearing discussion.

ACTION TAKEN:

Keep Public Hearing open until a response from the County is received. Tabled until next month.

Variance Request

Application #: 0008-07

Applicant: Matthew & Patricia Brennan

Location: 385 Rugg Road

SBL: 12-9-1-75.2

Acres:

Zoning:

ISSUE:

Building permit revocation due to setback requirements, stop work order issued July 20, 2007.

Mr. Boyce asked if there was any further discussion on this application. Mr. Leone stated the motion was made and 2nd. Mrs. Hodgson stated procedurally she did not know if that was allowed. Mr. Boyce said you can amend a motion. Mrs. Hodgson stated she would like to make a motion to reconvene this public hearing on the 17th of October in the interest of time. Mr. Bemis asked Can she get her land surveyed in that time element. Mrs. Hodgson stated that is a good question. Mr. Boyce said there is also the issue of the submission to the County. Mrs. Hodgson stated instead of waiting a month, she thought they could tighten that up. Mr. Strong stated his question was will they have to re-advertise. The Clerk stated if they were to call a special meeting, the public has to be notified because they are not expecting a meeting to be in the middle of the month, and not the 1st Wednesday of the month. Mrs. Hodgson reiterated continuing would not require additional advertisement and mailings. The Clerk stated that is correct. Mr. Leone

Mailed 11/1/2007

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 10 of 8
Subject to approval by Zoning Board

added and you don't know when the surveyor will get there. Mr. Bemis said she may not be able to get the surveyor there in a month. Mr. Strong stated that could change on the 7th because they cannot keep continuing the public hearing.

Mrs. Brennan asked since she is doing the survey what does she need, front or the back. Mr. Strong stated she needed the front setback and the side setbacks, and added he will do it all. Mrs. Brennan asked if it were easier to go for a 5' (foot) variance. Mrs. Hodgson stated typically the smaller the variance the better. Mr. Bemis asked if Mrs. Brennan understood it is a 5' (foot) variance, not 5' (feet) from the line. Mrs. Brennan responded yes. Mr. Bemis added it will be 11' (feet) from the line. Mr. Colozza added to make sure she has the house plotted. Mr. Boyce agreed, house and any significant features, site the point in the back. Mr. Strong added pictures if she could. Mr. Boyce said anything that could help. Mrs. Hodgson asked how deep the gully was, 5' (feet), 50' (feet). Mr. Boyce said yes add that in there too. Mr. Bemis asked if the stream was actually on her property. Mrs. Brennan said it goes through it. Mr. Bemis said have the surveyor show that. Mr. Boyce re-examined the SEQR.

Mr. Strong stated the sooner the information is received, the better. The Clerk can get it out to the members to review.

Mr. Boyce said ok, they have a motion and a 2nd, he asked if they were still looking to change the date. Mrs. Hodgson said not any more, no. Mr. Boyce asked for anymore discussion. None was noted. Mr. Boyce then stated the motion to hold the public hearing at the next regular meeting will carry, November 7th.

ACTION TAKEN:

Motion passed, 6-0, the Public Hearing will be left open for November 7, 2007 at 7:00 PM. Mrs. Brennan will have a new survey. Mr. Colozza does not have to go to Mrs. Brennan's to measure due to she stated she would have a survey done.

Miscellaneous

Review of Meeting Minutes

Mr. Bemis made a motion to change the phrasing of his vote on page 4 of the June 6th and on page 10 of the June 27th meeting minutes from abstained to recused, and *strike "due to the fact he believes the right of way is on his daughter's property"*

Mr. Strong made a motion to change the start time of the executive session on page 8 of the June 27th meeting minutes from 8:55 PM to 7:55 PM.

Mr. Leone motion to approve minutes with changes.

Mr. Barber 2nd.

Mr. Bemis	"Aye"
Ms. Hodgson,	"Aye"
Mr. Strong,	"Aye"
Chairperson, Mark Boyce,	"Aye"

Motion carried.

Mark made a motion to adjourn the monthly meeting at 8:38 PM.

Mrs. Hodgson 2nd the motion.

Mr. Bemis	"Aye"
Mr. Strong,	"Aye"
Mr. Barber,	"Aye"

Mailed 11/1/2007

Town of Northumberland Zoning Board
Minutes
Wednesday, October 3, 2007 7:00 pm
Page 11 of 8
Subject to approval by Zoning Board

Mr. Leone ,
Motion carried.

“Aye”

FUTURE MEETINGS

Public Hearings to be left open November 7, 2007 7:00 PM

Respectfully submitted
Tia Kilburn, Planning Board Clerk