

Town of Northumberland Zoning Board of Appeals
Meeting Minutes
Wednesday,
March 2, 2016 7:00 pm
Subject to correction by the Zoning Board
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Zoning Board Members Present: David Gougler, Gary Applegate, Carl Harrison, Bruce Bemis, Aimee Gates, Paul Becker and Mark Boyce, Chairperson.

Members Absent: Todd Heym and Jeremy DeLisle, Vice-Chairperson

Town Employees Present: Tia Kilburn, Zoning Board Clerk

Mark Boyce, Chairperson, called the public hearing order at 7:04 PM.
All in attendance stood and recited the Pledge of Allegiance.

Application #0001-16, Mr. Ed Smith, representing the Applicant Joyce Cole

Mr. Smith explained Ms. Cole is seeking a 5.91 acre area variance. He was unsure what this Board needed to see or what questions he could answer. He stated the property has been used for a single family residence and a few horses owned by Mrs. Cole, he believes she has only one horse currently, he then stated the dwelling is actually attached to the barn, the dwelling is a small one bedroom loft. There is approximately 33 acres of tillable soil and Ms. Cole will retain most of the road frontage with the residence, to create almost 5 acres. He then explained Ms. Cole hopes to obtain a variance to allow the continued use for animals, there is a minimum of tillable land that he is hoping to purchase from Ms. Cole and he further explained the reason for the way they are hoping to subdivide the parcel is that there is a steep bank in the rear of the property leading to the Snook Kill which is not good for much of anything. Mr. Boyce reiterated the dwelling and barn will be set on approximately 5 acres. Mr. Smith stated his goal was to obtain as much tillable land as he could, he also discussed the road frontage to go with it and he would put in an access point to the field that would be on a flat stretch of road that is safer than some of the fields on hills or corners over in that area. Mr. Smith then stated that is about all he knows at this time, he stated Ms. Cole will be back in April from Florida, she asked him to attend this meeting and the Planning Board meeting to begin the process. Mr. Boyce asked if there were any other questions, Mr. Bemis asked where the septic was located for the dwelling, the Clerk assisted in pointing out the septic on the site map submitted by the applicant. Mr. Boyce asked Mr. Smith if he would be representing Ms. Cole at the Planning Board meeting, Mr. Smith responded yes, Ms. Cole should be able to take over in April. Mr. Boyce stated they will need a SEQRA, State Environmental Quality Review Form, and a Survey, Mr. Smith said he was unsure what the SEQRA was and Ms. Cole was hoping to hold off on the survey until she could at least obtain a variance needed to allow for her animals. The Clerk stated she would email Ms. Cole the link for the long form SEQRA, it needs to be a long form because it is in the Agricultural Protection District. Mr. Boyce then said this application will also have to go to Saratoga County Planning for review because of the Agricultural District. Discussion ensued on joining the applications for this Board and the Planning Board, Mr. Smith stated Ms. Cole had expressed the desire to complete this variance application before getting to far into the Planning aspect and spending additional monies. Mr. Boyce asked if there were any additional comments or concerns, none were noted. Mr. Boyce then stated they would table this application until the next monthly meeting, April 6th, and the Planning Board may request additional information.

Application #0003-16, Tisa Development, LLC - 13' Front Setback

Owner - Lisa Breen

Ms. Breen explained her excavator started 64.3' back in the front, he measured, dug and poured the foundation then the surveyor began work because she wants to get a two lot subdivision out of this lot, and her surveyor discovered the garage is over the line for the setback in the front. She then explained the reason for this is they changed the angle of the road before she purchased the lot, she stated they are 45.3 to the edge of the Town's easement and 37.8 from the road. When they discovered they were over 13' the structure was framed and they stopped work on the garage, after talking to Richard

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Colozza, Code Enforcement Officer for the Town, they shingled the garage to protect from the elements. Mr. Boyce asked if there were any additional questions, comments or concerns. Mr. Gougler asked if there was a survey prior to the sale of the parcel, Ms. Breen stated it was surveyed by Tommell before the road was put in and then Barbera Homes bought the whole thing and this lot lost road frontage when they built the road and her excavator was not aware of that. Mr. Gougler stated somebody started in the wrong spot, Ms. Breen stated she was learning and did not know the Right of Way was unaccounted for. Mr. Gougler stated it appeared 15' over, Ms. Breen responded depending on which line you are looking at, she then added she sent a letter to the neighbor with an offer to purchase a piece of their property however, she has not gotten a response yet. Mr. Boyce reiterated this was on Caitlin Ct, Ms. Breen said yes and asked if this could be a side setback instead of a front setback and Mr. Boyce responded no, it is a front setback, he then asked if there were any additional questions at this time, Mr. Gougler asked how many other houses were in there, Ms. Breen responded about 15 or 20 and pointed some out to the board. Mr. Boyce asked if she was planning on subdividing, she responded yes. Ms. Breen asked if anyone was interested in the house plans, no interest was noted. Mr. Boyce stated this application requires a public hearing, Ms. Breen asked about the length of time and if the neighbors would be involved in the decision, Mr. Boyce responded typically it is one meeting and the neighbors will be notified. Ms. Breen asked if she should still halt the progress now that they have this in motion, Mr. Boyce stated he could not advise on that.

Mr. Gougler made a motion to schedule a public hearing for application 0003-16, for a 13 ' front yard area variance,
Mr. Harrison 2nd the motion,
All in attendance unanimously agreed.

ACTION

Application will be submitted to Saratoga County Planning, Public Hearing will be scheduled for April 6th at 7:00 PM.

MISCELLANEOUS

The Clerk asked if the Board had recommendations for Chairperson and Vice-Chairperson

Mr. Harrison made a motion Mark Boyce remain Chairperson for 2016,
Mr. Becker 2nd the motion,
All in attendance unanimously agreed.

Ms. Gates made a motion for Jeremy DeLisle to remain Vice Chairperson for 2016,
Mr. Applegate 2nd the motion,
All in attendance unanimously agreed.

Mr. Boyce asked the Clerk to forward the recommendations to the Town Board.

Mr. Boyce made a motion to adjourn the monthly meeting at 7:55 PM,
Mr. Harrison 2nd the motion,
All in attendance unanimously agreed.

FUTURE MEETINGS

April 6, 2016

Respectfully submitted,
Tia Kilburn, Zoning Board Clerk