

Town of Northumberland Zoning Board of Appeals
Wednesday,
December 14, 2016 7:00 pm
Subject to Corrections by the Zoning Board
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Zoning Board Members Present: Aimee Gates, Carl Harrison, Gary Applegate, Bruce Bemis, Paul Becker, John Amidon and Mark Boyce, Chairperson

Members Absent: Jeremy DeLisle, Vice Chairperson,

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

Mark Boyce, Chairperson called the Public Hearing to order at 7:07 PM

All in attendance stood and recited the Pledge of Allegiance.

Application #0012-16, Area Variance, Rocco & Diane Sperrazza, 41 Homestead Road

Mr. Sperrazza introduced himself and gave a summary of the proposed application; a request for a 4.33 acre area variance to allow for agricultural pursuits. He stated the area he proposes to utilize for the horses is approximately 50' from the road and it is at the furthest part of his property away from the surrounding neighbors. The need the 4.33 acre variance because 10 acres is needed for agricultural pursuits, his parcel is 5.67 acres.

Mr. Sperrazza then stated concerns were expressed at the last meeting and he would like to address each of them, he submitted information to the Board members and reviewed them as follows;

1. Where would they ride or exercise the animals; he stated 7/10ths of a mile from his home is a trail system on Gailor Road, he stated Gailor Road is a dirt road and added he would trailer his horses if he needed to get them to the trails. However, he said riding the horses up the road would not be any more of a hazard than the tractor trailer frequently parked in front of 24 Homestead Road, he added he, himself maintains a Class A Tractor Trailer license.
2. Prior to 2006 horses would be allowed on his property, however; due to people taking advantage of certain tax codes the ordinance was changed to require 10 acres. He said 26 Homestead Road is labeled as Triple J Ranch and that property consist of 5.5 acres, he stated they have horses, he indicated he just wanted to do the same. He then added there are also cows next to the horse paddock; he stated his horses would not change the neighborhood.
3. Concern was expressed about the well water contamination; Mr. Sperrazza said all the fertilizer used in the fields have not contaminated the wells therefore his horses will not.
4. How the manure would be handled; Mr. Sperrazza stated there is a company located in Saratoga *Equicycle*, he stated this company handles all the manure, straw and shavings for Belmont, Saratoga and Aqueduct facilities, they will deliver a dumpster for waste to his property and then they remove it from his property and distribute it to composting facilities and mushroom farms.
5. Concern of the depletion of water; He submitted facts that a mature oak tree can consume up to 50 or more gallons of water per day, he stated he has oak trees on his property and in that area. He then added if he removed one of those trees he could water his horses for two days using the same amount of water.
6. Deforestation; He stated as per NY State Department of Conservation (he submitted an article from NYS

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Dec) today *New York State has more forest than it has had in the past 150 years*. He then added he will not be logging his property just removing a few trees and he stated is well within his rights.

Mr. Sperrazza said the Town has a Right to Farm law and he feels he has addressed the previously mentioned concerns.

Mr. Boyce asked if there were any questions from the Board, Mr. Amidon asked how many trees would be removed and who was concerned about the water, Mr. Sperrazza responded approximately 2 acres would be used and a few trees cleared for the barn and paddock, and Ms. Carr was concerned about the water. Mr. Amidon then reiterated it is not municipal water they are private wells. Mr. Boyce asked if Saratoga County owned the trail system and if there were a sign, Mr. Sperrazza stated yes and submitted a photo of the sign, *Saratoga County Forestland F. Donald Myers Education Center Environmental Conservation & Forestry Program Land-Lab*. He then stated he had submitted a copy of a map for the trail system that is marked, *Reforested Lands of Saratoga County Kalabus - Perry Trail*, he added it spans part of Northumberland and the Town of Northumberland Wilton.

Mr. Boyce then asked if there were any comments or concerns from the public; Ms. Carr stated she is concerned about the water contamination at 26 Homestead Road, her father in laws property, she added the applicants just purchased this property in August and if they had done their due diligence they wouldn't be here in front of the Board asking for a variance and she added they have 2 parcels one is 5.5 acres and the other is 69 acres. Mr. Sperrazza then stated his neighbor has 12 acres and if that neighbor sells him 5 acres from the back of his property then he would be allowed to have the horses in the same spot without a variance. Ms. Carr stated that at the October 12th meeting Ms. Gates had said 5 acres for horses would be tight and they needed more property, she then added riding horses down the road would not be good. Mr. Sperrazza said there is a tractor that goes down the road (he submitted a photo) and stated horses would be no different. Ms. Carr responded riding them in the road is not safe and she was more concerned with the water contamination.

Mr. Boyce asked if there were any other comments or concerns, none were noted. He then stated the application request horses only and asked if they would have any other livestock, Mr. Sperrazza responded no, just horses for his family. Mr. Boyce then stated the application does not limit the number of horses, Mr. Sperrazza said they are only considering 4 and they would be fine with a limit. Ms. Gates asked how much pasture they were planning; Mr. Sperrazza said 3 or 4 acres. Mr. Amidon asked if they would be removing the manure from the barn and pasture as well, Mr. Sperrazza said yes. Mr. Bemis asked if the barn would be in front or behind the dwelling, Mr. Sperrazza said in the front and he indicated the proposed location stating it was the furthest spot from the neighbors. Mr. Amidon asked how far the barn would be from the property lines, Mr. Sperrazza responded 30' from side and 75' from the road front, he added the ordinance only requires 25' from the side and 50' from the front. Mr. Bemis asked when they would build the barn, Mr. Sperrazza said probably in the spring and added it is all frozen now. Mr. Boyce asked if there were any questions, none were noted.

Mr. Applegate made a motion to close the public hearing for application #; 0011-16,
Mr. Harrison 2nd the motion,
All in attendance unanimously agreed.

Mr. Boyce then opened the regular monthly meeting and reviewed the SEQRA, State Environmental Quality Review Form; he read his answers out loud. He stated on Part 1, sections D & E are not necessary to answer. He then stated Sections A thru H were no or small impact may occur, however; he asked the applicant to review

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section F and make a notation to see the attached Zoning Board of Appeals application.

Mr. Boyce then made a motion to declare a negative declaration on the SEQRA, State Environmental Quality Review Form for application #0011-16,
Mr. Bemis 2nd the motion,
All in attendance unanimously agreed.

Mr. Boyce asked if there were any additional discussion on this application, Mr. Applegate asked if they wanted to limit the number of animals allowed, Mr. Harrison stated that could be part of the motion.

Mr. Harrison made a motion to approve application #0011-16 and limit the number of horses to 4 and require they follow the waste management program as discussed.
Mr. Applegate 2nd the motion,
Ms. Gates interjected she was in favor of the limit of 2 horses.

Mr. Boyce called for a roll call vote;

Bruce Bemis	Aye	Paul Becker	Obstain
Carl Harrison	Aye	Gary Applegate	Aye
Aimee Gates	Nay	John Amidon	Aye
Mark Boyce, Chairperson	Aye		
Jeremy DeLisle	Absent		

ACTION:

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

Application #0013-16, Stone Bridge Iron & Steel, Inc. Area Variance

Mr. Britt Carmer addressed the Board and gave an overview of the application he stated the application has been in front of the Planning Board and because it is over a 25% increase in build out it needs a variance. He described the proposal as the demolition of a couple of buildings and the construction of a heavy production bay with a crane so they can get more work and be more competitive with Canada, currently they have to subcontract out or decline some work. Mr. Colozza interjected stating this is an existing non-conforming use and is currently going through IDA, Industrial Development Agency review; he explained that there are certain time frames and requirements that have to be met before they can proceed. Mr. Boyce reiterated this application has already been in front of the Planning Board, Mr. Colozza responded yes, this proposal is for over a 50% increase in the building and he is allowed 25%. Mr. Boyce asked what the current use was and where the build out would be. Mr. Carmer explained and indicated where the new expansion would be. Discussion ensued on what was to be removed and what would be added. Mr. Carmer stated the current breakroom for employees would be removed along with parking. Mr. Bemis asked if there would be an increase in cranes. Mr. Carmer responded yes, a 20 Ton crane inside a 65' wide bay he stated they are limited to a 10 Ton crane now in a 45' bay. Mr. Bemis then asked if they are added cranes outside, Mr. Carmer responded no. Mr. Amidon asked if it was to increase productivity would it also be a chance of more employment , Mr. Carmer said yes. Mr. Becker asked if he could only do the 25% now and then increase the size more later if he would need the variance, Mr. Colozza responded no, it is only 25% for life. Mr. Amidon asked if there have been any complaints from any of the neighbors, Mr. Carmer responded not so far and the new addition will have insulated panels to reduce the noise. Mr. Boyce asked how soon they needed a decision, Mr. Carmer

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stated as soon as possible, they would like to get it built over the winter months. Mr. Boyce asked if it still had to go to Saratoga County, Mr. Colozza responded no and discussion ensued on the IDA and Saratoga County's involvement. Mr. Boyce asked if there were a SEQRA, State Environmental Quality Review Form, Mr. Carmer responded yes and submitted it. Mr. Bemis asked if they also had a train type system on the floor to move the product from one crane to the other, Mr. Carmer explained the process stating they also have a conveyor system and transfer carts. Mr. Boyce asked if there were any additional questions, Mr. Colozza stated the Planning Board had sent a recommendation for an approval and requested a joint public hearing with this Board at the next meeting for this Board.

Mr. Boyce made a motion to accept the application #0013-16 and hold a joint public hearing with the Planning Board on January 4th, 2017, at 7 pm,
Mr. Becker 2nd the motion,
All in attendance unanimously agreed.

ACTION

Application accepted, Joint Public Hearing with the Planning Board to be scheduled January 4th, 2017 at 7 pm.

Mr. Boyce asked if there were any additional business for the Board, none was noted.

Mr. Becker made a motion to adjourn the monthly meeting at 8:17 pm,
Ms. Gates 2nd the motion,
All in attendance unanimously agreed.

FUTURE MEETINGS

Joint Public Hearing with the Planning Board to be scheduled January 4th, 2017 at 7 pm, followed by the regular monthly meeting.

Respectfully submitted,
Tia Kilburn, Zoning Board Clerk