

Town of Northumberland Zoning Board of Appeals
Meeting Minutes
Wednesday,
April 4, 2012 7:00 pm
Corrected by the Zoning Board of Appeals
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Members Present: Julie Trollip, Bruce Bemis, Hugo Leone, Jeremy DeLisle, Rebecca Hodgson , Clinton Barber, Vice-Chairperson and Mark Boyce, Chairperson

Members Absent: Carl Harrison.

Town Employees Present: Richard Colozza, Building and Zoning Administrator and Tia Kilburn, Zoning Board Clerk.

Mr. Boyce, Chairperson, called the Monthly Meeting to order at 7:03 PM.
All in attendance stood and recited the Pledge of Allegiance.

Mr. Boyce announced application #0003-12 for Applicants Thomas and Sherry Koski.

Area Variance

SBL: 104.-1-2

Applicant: Thomas and Sherry Koski

Application #: 0003-12

Location: 366 Purinton Rd

Zoning: APD

Mr. Warren Woodworth addressed the Board and stated he would be representing Mr. and Mrs. Koski in regards to this application. He said they reside in Sarasota Florida and the property for this application was acquired by them through a "short sale", and there was no survey completed at that time. He said both parcels involved were owned by the same people, one parcel is approximately 1.03 acres and the other parcel is 2.05 acres. When the previous owners built the garage or carriage house the property line actually goes through the building, the previous owners were not concerned because they were going to utilize both parcels, however they ultimately had to sell both parcels. Mr. Woodworth stated the intention of Mr. and Mrs. Koski is to build a caretakers dwelling on the 2nd parcel for himself and his wife. He stated Mr. Colozza discussed this application with the Town's Attorney, Doug Ward and it was decided the best way to go was to "reverse" the lot sizes. Mr. Colozza stated he did discuss this application with Mr. Ward and because both parcels are within the APD zone and they are considered sub-standard lots because neither lot is 5 acres, he said the previous owners had planned on combining the lots. Mr. Colozza stated Mr. Ward said it would be possible to move the property line making the larger lot smaller and what is now the smaller lot larger. Mr. Woodworth stated there is a total of 330 foot frontage. Mr. Barber asked if they have determined the placement of the well and septic. Mr. Woodworth said they have not gotten that far yet. Mr. Boyce asked if there would be a problem with the road frontage, 500 ft is required in that zone and one lot only has 166 ft. frontage and the other has 340 ft. Mr. Woodworth stated they did not believe it would be adverse to the neighborhood, he added Lyle Purinton's farm surrounds the entire thing. Mr. Boyce asked if the only issue was because it was less than 5 acres, and if the setbacks would be ok. Mr. Colozza stated that Mr. Ward wanted 2 separate lots however, either way the vacant lot is a buildable lot. Mr. DeLisle reiterated both lots are currently buildable. Mr. Colozza said yes, the setbacks can be reduced because of the undersized lots for the zone, he added the existing dwelling has the septic in the front and the well is located in the back. Mr. Boyce asked for clarification, they need 2 variances for 2 undersized lots. Mr. Colozza responded yes they are asking for both lots to remain undersized. Mr. Boyce then asked if any other setbacks needed to be addressed. Mr. Colozza said no. Mr. Boyce asked Mr. Colozza if this application needed to go to the Planning Board, Mr. Colozza responded no, if granted the variance(s) he can issue the building permit. Mr. Boyce then expresses his concern for the future and if they would be creating a problem. Discussion ensued on when the carriage house was built. Ms. Trollip asked if there was a "permission" letter signed by the owners for Mr. Woodworth to represent them. The Clerk responded yes. Mr. Boyce asked if there was a motion for this application.

Mr. Barber made a motion to schedule a public hearing for the next monthly meeting,

Ms. Trollip 2nd the motion,

All in attendance unanimously agreed.

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Action

Public Hearing will be scheduled for May 2nd, 2012 at 7:00 PM.

Area Variance / Home Occupation

SBL: 129.15-2-4

Applicant: Lois Jenkins

Application #: 0004-12

Location: 244 Colebrook Rd

Zoning: R-3

Mrs. Jenkins explained she would like to start a home occupation consisting of Alterations and Sewing. She stated it will not change the neighborhood in any way, she proposes to have one sign out front of the home approximately 18' x 24". They have expanded the driveway to include a turn around because they do not want anyone backing out of the driveway. Mr. Barber asked where on Colebrook Road the dwelling was. Mrs. Jenkins explained the location as being near the tree farm. Mr. Barber asked if they had received a variance prior to this. Mr. Colozza stated that was a different parcel within the same subdivision and he explained at the time of the subdivision the applicant wanted to retain land for agricultural pursuits, it is the R-3 district, the subdivision was approved with modifications such as reduced sizes for that zone therefore technically they are undersized lots for the R-3 zone, it was done legally and adjustments were made, however home occupations were not specifically listed with the approval. Mr. Leone asked if Mrs. Jenkins would have any employees, Mrs. Jenkins said she would be the only one and she goes and picks up her work and then re-delivers it. She stated she would have people / clients come on an appointment only basis. Mr. Leone then asked if the sign was within the regulations, Mrs. Jenkins said she had discussed that with Mr. Colozza and it was. Mr. Colozza stated this application will still have to go to the Planning Board for a site plan review. Mr. Bemis asked if it was located next to the Merchant farm, Mr. Colozza said yes and explained the distance from dwelling to dwelling. Mr. Boyce asked if the Planning Board was aware of this application, Mr. Colozza stated she is on the agenda for their next meeting on Monday. Mr. Colozza said this Board could just do an interpretation and then send it directly to the Planning Board. Mr. Boyce stated he felt since it was an application for a variance they could join with the Planning Board for a joint public hearing. Mr. Colozza agreed. Mr. Leone asked if it was going to be in the basement and if there would be proper hand railings. Mrs. Jenkins said yes and the railings were already in place. Mr. Boyce asked if a State Environmental Quality Review Form had been submitted, Mr. Colozza responded no and Mr. Boyce asked if there could be a short form submitted before the public hearing, Mrs. Jenkins agreed.

Mr. Barber made a motion to schedule a public hearing for the next monthly meeting, May 2nd at 7:00 PM,

Mr. Leone 2nd the motion,

All in attendance unanimously agreed.

Action

Applicant will submit a short form State Environmental Quality Review Form, Public Hearing will be scheduled for May 2nd, 2012 at 7:00 PM.

SBL: 116.-2-27.2

Applicant: Maureen Wilber

Application #: 0002-12

Location: 4737 State Route 50

Zoning: C/R

Maureen Wilber discussed a proposal for a public garage for automotive repair and auto sales, located at 4737 Route 50,
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Gansevoort, NY 12831, the old "Dow's Garage". She stated there will be no storage. Discussion ensued on a previous application Mrs. Wilber had submitted and she stated this application is new and the previous is withdrawn. Mr. Barber asked if there was a State Environmental Quality Review Form submitted. Mr. Colozza responded no. Mr. Boyce asked the Board if they had any questions pertaining to this new application. Mr. Barber stated that listing as a public garage leaves the use open. Mr. Boyce stated if the variance is approved limits can be imposed. Mr. Colozza stated the public garage is an allowed use in the C/R zone however; the accessory use for the auto sales will need approval. Ms. Trollip stated a public garage basically gives permission for everything that goes with repairs. Mr. Colozza said there was nothing in the regulations for auto sales; it would be an accessory use. Ms. Trollip read the definition for a public garage. Ms. Trollip stated if this application was granted it would cover everything in the definition, and asked if the garage has drains in it. Mr. Barber said NY State Department of Environmental Conservation does not like drains. Mrs. Wilber stated that the tanks have been removed from the ground and there should be paperwork in the file stating that. Mr. Bemis stated he was concerned with the cars being in the front and didn't like them being parked in the back. Mrs. Wilber stated it is wet and then promised nothing would be behind the garage because of an agreement with the neighbor. Mr. Bemis stated he has noticed something has been driven back there because he can see the tire tracks. Mrs. Wilber said the tracks are from the bush hog they used to clean it up. Mr. Bemis stated he would like to see the promise or agreement in writing. Mr. Leone said they can add it as a stipulation if approved. Mr. Barber agreed they can add verbiage that they can maintain the area with something like a bush hog however there will be no parking back there. Mr. Leone asked if they planned on adding a towing business and have junk cars there. Mrs. Wilber and her prospective lease holder stated no, he would not be conducting any repairs there himself, however, Mrs. Wilber would like to retain the option if in the future there was a need for repairs. Ms. Trollip stated liquids and chemicals concern her. Mrs. Wilber stated she was being cautious who she would lease to. Discussion ensued on a joint public hearing with the Planning Board.

Mr. Leone made a motion to schedule a joint public hearing with the Planning Board for the Zoning Boards next monthly meeting, May 2nd at 7:00 PM.,
Mr. Barber 2nd the motion,
All in attendance unanimously agreed.

Mr. Boyce asked if the applicant could submit a short State Environmental Quality Review Form before the public hearing.

Action

Applicant will submit a short State Environmental Quality Review Form and public hearing will be scheduled for May 2nd at 7:00 PM.

Miscellaneous

Ms. Trollip made a motion to accept the March meeting minutes as corrected,
Mr. Barber 2nd the motion,
All in attendance unanimously agreed.

Ms. Trollip made a motion to adjourn the monthly meeting at 7:50 PM,
Mr. Barber 2nd the motion,
All in attendance unanimously agreed.

FUTURE MEETINGS

May 2nd, with Public Hearings.

Respectfully submitted,
Tia Kilburn, Zoning Board Clerk