

Town of Northumberland
Planning Board
Location; Town Hall
Accepted by the Planning Board
Monday, January 23, 2023
7:00 pm
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Planning Board Members Present: Melanie Eggleston, Brit Basinger, Jeff King, Holly Rippon – Butler and Chair Susan Martindale

Members Absent: Lisa Black, Marybeth McGarrahan, Vice Chair James Heber

Town Employees Present: Lindsay Dodd, Town Counsel, Michael Terry, Code Enforcement Officer, Tia Kilburn, Clerk

Chair Martindale opened the meeting and addressed all in attendance and asked them to stand and salute the flag at 7:00 pm. Quorum established.

Chair Martindale announced the first item on the agenda; Application # 0001-23, Scott Ahlschwede, Lot Line Adjustment, 883 Purinton & West River Roads, agricultural zone. She asked Mr. Alschwede to give the Board a synopsis of his proposal.

Mr. Alschwede explained he actually wants to do two lot line adjustments, one is with Dan Lundquist, his neighbor, which is probably 2 acres and the other is another of his parcels and he will call it behind this larger one. He asked the Board if they had the map. The Clerk assisted the applicant and explained the 3 affected parcels with the Board, she stated the SBL #'s ending with, 1.112, 1.3 and 1.113, the 1.3 is the neighbor and the 1.112 & 1.113 are Mr. Alschwedes parcels. Mr. Alschwede explained there is a natural stream or gully that cuts off the larger parcel and it just makes sense to add that piece to his 8.07 acre parcel and Mr. Lundquist has agreed to selling him about 2 acres of his land to add to the 8.07 acre as well to make it all one approximately 20 acre parcel. Discussion ensued on property lines.

Mr. King reiterated they are not creating a parcel; they are taking some from two parcels to add to one parcel also owned by Mr. Alschwede. Mr. Alschwede agreed. Mr. Basinger asked if he will still have access to the back parcel, Mr. Alschwede showed him where the main entrance was off Purinton Road, he added it makes sense because currently that piece is not accessible from the road and Mr. Lundquist added for him it makes sense because there is a natural buffer of trees separating that section of his parcel, so when Mr. Alschwede proposed to buy it and put his horses in there he agreed.

Mr. King asked if there were any structures on any of the parcels currently? Mr. Alschwede replied he built a barn and a running shed, no house. Discussion ensued on structures and locations.

Mr. Basinger asked if both parcels will exceed the minimum zoning? The Clerk replied yes. Chair Martindale asked if it was going to remain agricultural use, Mr. Alschwede replied yes.

Mr. Alschwede then asked to waive the subdivision regulation of a public hearing for these lot line adjustments.

Chair Martindale asked if there were any questions? Ms. Rippon-Butler asked to clarify the number of adjustments along West River Rd, Mr. Alschwede stated it is two, he owns 8 acres and 100 acres, he is proposing to take some from the 100 acre and buy a small piece from Mr. Lundquist, it will be two lot line adjustments to make one 20 acre parcel. Mr. Lundquist added it is reducing his property from 10.1 acres to 8 acres, so he is still staying above the 5 acres for zoning and Mr. Alschwede is using it for horses.

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Ms. Eggleston asked if Mr. Lundquist had horses or agricultural pursuits on his property? Mr. Lundquist stated he has a barn and a running shed but he doesn't have horses, the previous owners did, he stated he has fostered retired horses there but not for the last couple of years. Ms. Eggleston stated it is 10 acres for agricultural pursuits, Mr. King agreed, Ms. Rippon-Butler stated it is not a problem particularly for this project but more for the zoning. Discussion ensued on 10-acre requirement for agricultural pursuits in the agricultural district.

Mr. Lundquist explained he has done favors for people in the past and not charged, he has let people keep horses at his place when they go to Florida for the winter. Ms. Eggleston stated for her that is fine but, in the future, if he sells it and someone buys it thinking there is a barn and they can do agricultural pursuits. Mr. King agreed and said it will preclude anyone in the future from having a horse farm, and according to the regulations it precludes him from having animals there anytime with 8 acres, whether it is two weeks or year round. Mr. Lundquist stated based on his experience and the people he has done the favors for that would be ok, he agreed not to have horses.

Mr. Basinger asked what the next step was, Chair Martindale stated he is asking to waive the public hearing and subdivision regulations for this lot line adjustment, Mr. King said the main one is the public hearing they can waive it. Chair Martindale asked if there were a motion?

Mr. King made a motion to suspend the public hearing requirement for application # 0001-23, Lot line Adjustment,

Ms. Eggleston 2nd the motion,
All in attendance unanimously agreed.

Mr. King asked if there were any additional questions, concerns or comments? None were noted.

Mr. King made a motion to approve the lot line adjustment for application #0001-23,

Ms. Eggleston 2nd the motion,
All in attendance unanimously agreed.

Mr. Alschwede asked what he did next, the Clerk explained they get their survey maps, bring them into the office, she will have them signed by the Chair of the Board and then he can file them with the County with the deeds. She added they need two mylars and two paper maps minimum. Chair Martindale stated they will also need the Right to Farm verbiage on the maps.

Chair Martindale announced the next item on the agenda; New Business Application # 0002-23, Site Plan / Special Use Permit for Tracy Mauran, owner James Pentaudi located at 13 Leonard St, Church in the Hamlet zone.

Mr. Mauran stated he did not know what to do, the Clerk assisted him and pointed out to the Board the original site plan from Mr. Pentaudi's transformation to the theater from a church, Chair Martindale stated it is dated 2003. The Clerk agreed and said it was used for a theater and residence mix use and now Mr. Mauran wants to covert it back to a Church.

Mr. Mauran stated it has not been surveyed since 1951 and he has a surveyor that will be working on it.

Ms. Eggleston reiterated it is a mixed-use theater and residential use, Mr. Mauran agreed, and said Mr. Pentaudi (owner) lives in the back and he is in the process of turning it all over to them, the Church. Ms. Eggleston asked if

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he will be staying there, Mr. Mauran replied yes.

Chair Martindale asked when was the last time it was used as a Church? Mr. Mauran said he did not know and would like to find out. The Clerk stated when they built the new Trinity Church on Ballard Road that was the same congregation, she stated she knows this because it was her families Church, when they built the one on Ballard Road, they left this location. Discussion ensued on the location of the new church.

Mr. Basinger asked if the change in use was triggering the site plan? Mr. Terry replied yes, because of the amount of time that has passed after the theater ceased, in 2021 Mr. Mauran started having services there, he contacted the owner and the owner agreed, but he has been holding Church services in what is basically a theater so he is here to get a special use permit to do a Church but also the site plan review, it is the same building and nothing has changed he is just getting an updated survey in like February or March. He added he has spoken with Dave Brennan; Town Counsel and he suggested getting the ball rolling now and use the old site plan just to get it going.

Ms. Eggleston asked if there was anything signed by the owner of the property? Mr. Terry stated they can get that, they didn't think this would be one and done, that is why Mr. Brennan suggested getting the process started now.

Mr. King asked if there was a list of anything the property needs, any upgrades or adjustments to accept the public? Mr. Terry replied there will be, because it sits on a quarter acre property and sits next to residential properties so when the theater was approved there was to be some sort of screening, but it was never put in. He added that is something they have to decide what kind of screening between the Church and the home next to it, other than that the parking is staying the same and nothing has really changed with the layout.

Mr. King asked about the occupancy if there were a maximum. Mr. Terry stated he has to check the square footage, Mr. King reiterated they will have to find out what it is.

Mr. Basinger asked about signage and lighting? Mr. Terry stated it is all existing, Mr. Mauran does have exit lights there and he said he has been in the building a couple times. Mr. Terry added he has been doing it there, now they are catching up and trying to get all the ducks in a row to get it from a theater back to a Church.

Mr. Basinger asked if the use was allowed in the zone? Mr. Terry replied yes by special use.

Ms. Rippon-Butler asked if the acreage is ok for zoning? Mr. Terry stated it is an existing substandard lot so all the setbacks are reduced proportionally. Mr. Terry reiterated the only thing he has to check is the screening once the survey is completed.

Mr. Mauran stated he is getting it surveyed by Corner Post and he said it will probably after the 1st of March.

Mr. King asked about the well and septic, Mr. Terry stated everything was approved prior with the theater use, so it stands as it is. It is all the same thing, he added he is sure as a Church it will be under the occupancy because when it was approved as the theater they had an agreement they could have overflow parking here at the Town Hall in the front parking lot, they did something with the Town's insurance, so if the parking lot there is not filling up he said he doubts it will be over occupancy for what it was. Mr. Terry stated he will check that out.

Mr. King said he is just trying to check all the boxes and make sure they are asking all the right questions, he said it sounds like they should schedule a public hearing? Chair Martindale asked what kind of changes are being made

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inside the building? Mr. Mauran replied none, he said it was a Church and all Mr. Pentaudi did was basically take the carpet out, he said he just re-painted the whole thing. Mr. Basinger asked if there were pews still in it? Mr. Mauran said there are chairs mounted to the floor.

Mr. King said if screening is an issue, they will need a plan from Mr. Mauran because screening was required before. Mr. Terry interjected they have to wait to get the survey because he is working with little space. Mr. King stated it will be better if they wait to schedule the public hearing until they have the survey so they have a better plan for the public to see. Mr. Terry agreed.

Mr. Mauran asked what the public hearing consist of, Ms. Eggleston explained the neighbors are notified and they can come in and the Board will address any questions or concern they may have.

Chair Martindale asked if it had ADA, American Disabled Association accessibility? Mr. Mauran replied yes.

Ms. Rippon-Butler asked if he was changing the signage out front? Mr. Mauran said no, Mr. Pentaudi had a wooden sign up and he just put a cover over it, he said maybe in the future he may change it. Mr. Terry stated that is something he has to address, he has to measure it because when it was approved it was for a 3' x 4' sign which is 12 sq ft and in the Hamlet they are only allowed 10 sq ft, he said he told Mr. Mauran they can address that after and if he needs to he can come to the Zoning Board for a variance because it was there prior to this.

Mr. King stated in his opinion he did not see any grand issues other than getting the survey done, consider a plan for the screening and then hold the public hearing and keep the process moving.

Ms. Eggleston added and a letter signed by the owner, Mr. Mauran agreed and said he can't guarantee a date for the survey because Corner Post is busy. Mr. Basinger agreed they shouldn't schedule a public hearing without the letter from the owner, Mr. Mauran asked if it had to be notarized?

Mr. King reiterated to Mr. Mauran to get a letter to the Clerk stating they are under contract (with the owner), and when he gets the survey done come back with the survey and then they can talk about the next step of the public hearing. Mr. Mauran asked if at the public hearing everybody comes in and says no, Mr. King explained they take the public comments under consideration. Mr. Basinger stated Mr. Mauran will at the public hearing discuss what his plans are, the Board will listen to the public and not only take that into consideration, but they also see what is in the code.

Chair Martindale asked if there were any additional business for the Board, none was noted.

Mr. King made a motion to adjourn at 7:27 pm,
Ms. Eggleston 2nd the motion,
All in attendance unanimously agreed.

Respectfully Submitted,
Tia Kilburn
Planning Board Clerk