

Town of Northumberland
Planning Board
Location; Town Hall
Subject to Correction by the Planning Board
Monday, March 25, 2024
7:00 pm
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Planning Board Members Present: Michael Haag, David Williams, Melanie Eggleston, Brit Basinger, Holly Rippon – Butler, Lisa Black and Vice Chair James Heber

Members Absent: Jeff King and Chair Susan Martindale

Town Employees Present: Michael Terry, Code Enforcement Officer and Tia Kilburn, Clerk

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

Vice Chair Heber announced the first item on the agenda; Application # 0001-24, Gilbert Commanda, Minor Subdivision, West River Roads, agricultural zone. He asked for a presentation of the application.

Mr. James Vianna, PLS (Surveyor), stated he is representing Mr. Commanda in this matter, Mr. Commanda was not in attendance. Mr. Vianna stated he is sure everyone knows where the property is, the parcel is approximately 91 or 92 acres in the agricultural zone and they propose to subdivide out 10 acres, he indicated on the map, for the future construction of a single-family residence. He stated in 2002, 22 years ago it was all the way over to the river and down Rte 32, they split off 2 lots making this the 3rd lot to be subdivided off the parent parcel in 20 plus years so there are not any issues with that. He said the survey has been done, he described the property as an open field along the lower perimeter it drops over a hill and down to some drainage swales. He stated the house site would be placed up in the front closer to the road and he put the setbacks on the map to comply with zoning. He submitted the application fee to the Clerk in the form of a check.

The Board reviewed the map and discussion ensued on major vs. minor subdivision due to the number of previously subdivided lots, Vice Chair Heber asked the Clerk if 4 lots would be a minor, the Clerk replied she thought it was 4 or more lots was a major. Mr. Vianna said a major would be within 5 years in the State Department Code. Vice Chair Heber disagreed, Mr. Vianna asked if it was 5 lots forever, Vice Chair Heber stated they will look it up to make sure because it is 4 lots. Mr. Vianna stated it has been 22 years. Vice Chair Heber said that did not matter and basically it was about the fees. Mr. Terry reviewed the definition in the subdivision book, Vice Chair Heber said they wanted to confirm if it was 4 or 5 or more lots, he said there is no time frame because then people would just keep going and subdividing. Ms. Black showed Vice Chair Heber the definition in the book, Vice Chair Heber read it “A major subdivision is also defined as the creation of more than (4) lots.” Ms. Black stated a minor is listed as “not more than 4 lots”, it was determined this would be a minor subdivision.

Vice Chair Heber asked if there were any concerns from the Board, Mr. Williams said he thought that was the main concern. Ms. Eggleston said on the short assessment form, under #12 (b) it is marked yes for sensitive for archaeological sites, Mr. Vianna said yes that is one of the questions, he explained when you go on the State website, the CRIS, Cultural Resource Information System, website, it shows all the archaeological sites, they use to call it the circle and squares map. He continued that basically it is the entire Hudson River corridor, from Glens Falls and south is all sensitive area, it doesn't mean it requires archeology or any of that, it is a buffer area. There are archaeological sites that show and that would be an area that would typically require an investigation. Mr. Vianna reiterated this is in a buffer area that is all along the Hudson River. Mr. Basinger asked if when they build the house if they will have to do an 1A dig? Mr. Vianna said he had one this past summer that was adjacent to the Battlefield, it was in a sensitive area of the Battlefield, they did a 1A and 1B and it has been 10 months now, and nothing has happened. He added this is not in that area this is in the buffer area.

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Vice Chair Heber stated it is in the ag district, he needs a long form SEQRA, State Environmental Quality Review Assessment, Mr. Vianna said that was something he wants to talk to the Board about. Vice Chair Heber stated there is no discussion it is in the ag and it is on a County Road, the ag district it is automatic. Mr. Vianna stated typically a short form is for a single-family residence, he said it really does not apply, (long form) is about 18 pages of stuff that is not applicable. Vice Chair Heber stated it is the rule, Mr. Vianna stated long form is typically reserved for Type II actions, Vice Chair Heber replied he understood that, but there are a couple of things that set it off, being in an ag district, Mr. Vianna asked if because it was in a County or State ag district? The Clerk replied, Town ag district, Mr. Vianna reiterated it is like 20 pages, Vice Chair Heber said there is a DEC mapper, that will fill most in for him. Mr. Vianna asked what that was, Vice Chair Heber stated it is on the DEC website and if he uses it, it will fill in questions for him. Mr. Vianna said he did not know if they are familiar with the long form, there is a lot of stuff on it, Vice Chair Heber replied they are familiar with it, they do them all the time, it is required. Mr. Vianna stated he would like to see the code for that himself. Vice Chair Heber agreed and asked Mr. Terry if he could get that for him. Mr. Terry agreed. Mr. Vianna stated he has never seen it for residential, he added he thinks the real code, he gave a copy to Vice Chair Heber, he stated long form is usually reserved for Type II and Type II specifically excludes residential construction. Mr. Vianna said he is not opposed to doing it, besides the fact he feels it is over *inaudible*. Mr. Vianna gave Vice Chair Heber the State Code for Type II actions, Vice Chair Heber stated he was familiar with it. Mr. Vianna said he was just telling him what he has and he stated the actions listed below are exempt and #11 is construction or expansion of a single family residence. Vice Chair Heber stated the Town Attorney is not present, but it is a subdivision in the ag district, needs a long form. Mr. Vianna asked if he could get a copy of a SEQR that was done and he will follow it. The Clerk said the Board likes to have it completed on the mapper, on the DEC website, otherwise they ask for a National Heritage Letter. Vice Chair Heber explained when it is completed on the mapper DEC automatically indicates what is on the site. Mr. Vianna stated he went through that with the short form, Vice Chair Heber stated it is the same for the long form.

Vice Chair Heber reiterated that is what they need, the long form, a public hearing for next month. The Clerk said it has to go to County Planning so she will need the long form to submit to County, Mr. Vianna agreed, he asked if he could send that electronically? The Clerk replied yes. Vice Chair Heber asked what the next meeting date would be, the Clerk replied April 22nd. Vice Chair Heber stated April 22nd at 7 pm would be the public hearing. Mr. Vianna asked if he did the mailings? The Clerk replied she does them. Vice Chair Heber requested property owners across the road be put on the map. Mr. Vianna agreed.

Vice Chair Heber asked if there was any additional business for the Board, none was noted.

Mr. Williams made a motion to adjourn at 7:20 pm,
Ms. Eggleston 2nd the motion,
All in attendance unanimously agreed.

Respectfully Submitted,
Tia Kilburn
Planning Board Clerk