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Planning Board Members Present: Melanie Eggleston, Lisa Black, Holly Rippon-Butler, Mary Beth McGarrahan and Vice Chair James Heber

Members Absent: Brit Basinger, Jeff King and Chair Susan Martindale

Town Employees Present: Dave Brennan, Town Counsel, Charles Baker, Town Engineer, Richard Colozza, Code Enforcement Officer and Tia Kilburn, Clerk

Vice Chair Heber opened the Public Hearing meeting and addressed all in attendance and asked them to stand and salute the flag at 7:04 pm. Quorum established.

First item on the agenda, public hearing for Daniel Shaw, Application #: 0010-21, Subdivision. Mr. Shaw was not in attendance at this time. Vice Chair Heber asked if there were anyone from the public that wished to speak, none was noted. It was determined by the Board the public hearing would be left open.

Vice Chair Heber addressed the continuations of public hearings, first is a public hearing for Angelo Rosse, Application #: 0002-21.

Mr. Donald Zee introduced himself as the Attorney for the Applicant, he stated he was unsure if the members of the Board received his email from earlier in the day with the responses to the questions posed at the public meeting, if they did not, he had copies with him. Board members asked for copies. Vice Chair Heber asked Mr. Brennan if he looked at the old plats of the original subdivision? Mr. Brennan responded yes, Vice Chair Heber then asked if he saw what it said on the original subdivision? Mr. Brennan said yes. Vice Chair Heber asked if Mr. Brennan is saying this could still be done even though it said it could only be agricultural? Mr. Brennan explained it said there is a limitation on use, as limited by the 1977 Zoning Ordinance to certain specified uses and he is saying of those of the agricultural zone of which mining is not a listed use, Mr. Zee has a position on that. He added he has said it is something the Board can address and reconsider if you want because you are the Board that imposed that restriction, but he believes it is a restriction that is there because of the subdivision. Vice Chair Heber stated he was probably the only member that was here, when the Planning Board makes a ruling like that he asked if Mr. Brennan was saying that future Planning Board's can over-rule it? Mr. Brennan replied if there are some changes in circumstance over the course of 20 years, you can consider the application to revisit that, there is something to be said that you can't go back when you have a new Planning Board and start undoing what you don't like what was done 5 years ago. Vice Chair Heber agreed and said it seems like that is what is going on, he said that is his opinion. Mr. Zee interjected, if you look at the Zoning Code at that point in time, mining was not a permitted use in any district. The definitions of mining and excavation and soil removal was included in the definition in the Zoning Code. He explained in subsequent Zoning Codes the Town Legislative body permitted mining in agricultural zoned properties. Obviously, we are here because lot 1 of Virginia is of course, in fact zoned agricultural, so they are seeking a permit which is a permitted use under the current Zoning.

Vice Chair Heber asked if there were any comments from the Board, he added it is a lengthy response they just received tonight and the Board members need to be able to look at it. Ms. Eggleston agreed because they just got it tonight. Mr. Zee stated they understand, he said this is a continuation of the public hearing and if members of the public want to speak, they have provided a transcript, they have a stenographer tonight for any other questions raised by the members of the public. He said on the agenda there were 2 letters submitted that they have not received, so they have not been able to respond to them, but he is here to answer any questions raised by the public or the Board. Vice Chair Heber asked if anybody from the public had any questions regarding this application?

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Ms. Earley stated they have been in the development since 2008, 5 years of mining would create noise, trucks, dust and a safety hazard to all of them that live there and it will decrease their property values.

Vice Chair Heber asked if there were any other comments? Mr. Butcher said he lived on Virginia Pl and he is speaking on behalf of himself and his wife, they are one of the closest ones to the site. He said the noise is unreal when they are digging up there, his wife listens to the beeping, the track hoes and the vibrations, she picks up everything. One of their biggest concerns is, he says he is going to use it for free stalls, agricultural but it is probably going for leach sand, leach fields and stuff like that. There are going to be several companies going in and out of there, if there were one company that would be like striking gold if they bought all of it and it took 5 years to remove it. But that is not going to happen, they are going to have different track hoes coming in and out, getting unloaded, different trucks, different days and all of them are not going to say, they can only load between 9:00 and 5:00, that is never going to happen, it's crazy and it will definitely devalue their homes, the dust, dirt, everything else, the road, big trucks going up and down through there.

Vice Chair Heber asked if there were any other comments? He asked the Board if they wanted to take some time? Ms. Eggleston said the public never got to see the responses to their questions that were brought up during the public period last time. Vice Chair Heber agreed and said they just got it so the public has not seen it. He added what was submitted tonight are the responses to the public comments, he said he didn't attend the last meeting but since they just received them the Board or public can't respond to them because they haven't seen them yet. He stated he is asking the Board to make a continuance, he asked Mr. Brennan if there were equal ramifications of continuing? Mr. Brennan said no, he would suggest they give Mr. Zee a copy of the 2 letters that came in from the public and hold it open for another month. He said at that point it would have been held open for 2 months and they should have had sufficient opportunity for public comment and responses to them then it can be turned over to the Board for a decision. Vice Chair Heber asked if there were a motion for a continuance?

Mr. Zee said he is asking that at the last meeting there was a substantial number of members of the public here and the Board took on discussion, he asked that the Board doesn't move to a vote until later, he didn't know if that was the intent tonight. He said they will provide another copy of the transcript as soon as they can and they will try to respond to the questions, but he feels they are repetitive. Mr. Brennan agreed and said the Board is not going to have any substantive action on this after they pass a motion to adjourn. He said they will not discuss it after Mr. Zee and the applicant walk out of the room, he asked Mr. Zee if he agreed and conceded to a continuance. Mr. Zee agreed. Ms. Eggleston asked how the public will get their responses, Mr. Brennan said the Clerk can email them to the public that request it. Vice Chair Heber asked if there were a motion for a continuance?

Ms. Eggleston made a motion to table the application for a continuance at the next meeting,
Ms. Black 2nd the motion,
All in attendance unanimously agreed.

Site Plan Review for Saratoga RV Park tabled at the applicant's request.

Lot Line Adjustment, Natalie Toro, 28 Castlewood Dr Application #: 0014-21. Ms. Toro explained she purchased the home in 7/2019 and has been maintaining the area and has placed a shed where she thought was her property. She did not realize it was on the neighbor's property. She had a survey done and found it was not hers she has spoken with the neighbor and they have agreed to a land swap or lot line adjustment. The neighbor will trade that piece with her for a piece in the back of their lots. The Board reviewed the survey map. Vice Chair Heber asked if there were any questions from the Board, none were noted. Ms. Toro asked if it could be exempt from the public

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hearing requirement of the subdivision regulations. Ms. Eggleston asked if there was written authorization from the neighbor, the Clerk responded yes. Mr. Brennan asked Mr. Colozza if there were any setback issues with the new lot lines, Mr. Colozza replied there should not be. Ms. Rippon-Butler asked if the septic was marked on the map? Mr. Colozza said it is in the middle, Vice Chair Heber reiterated there would not be any encroachments on the septic. Mr. Colozza said no, Ms. Rippon-Butler asked about the wells, Mr. Colozza replied it is marked and way down the hill. Vice Chair Heber said she has everything except for the well and septic locations for both lots, and they are supposed to be on the sketch plan according to the subdivision regulations for a waiver. He explained if the Board likes it they can basically waive the public hearing and process it now. Ms. McGarrahan asked Ms. Toro if the circle on the map was the well, Ms. Toro said yes. Mr. Brennan stated they can conditionally approve it conditionally and have the surveyor indicate the well and septic on there.

Ms. Eggleston made a motion to approve the lot line adjustment contingent upon the well and septic being indicated on the final plat for both lots.

Ms. Black 2nd the motion.

All in attendance unanimously agreed.

Vice Chair Heber announced the next item on the agenda, Siting of the Fire Substation proposed for Rugg Rd, for Schuyler Hose Company. Mr. Koziol, Laberge Group, Engineer explained they have been looking for a while for a location for the substation on the out skirts of the Fire District due to the distance there are slower response time to this area, Lindsay Hill and Terrel Hills. The proposed building is 48' x 90', roughly 4600 sq ft, 2 bay, 2 car apparatus deep. He discussed the layout containing a drilled well, a large water holding tank outside, 13 parking spaces, 2 of those handicapped all are 9' x 20'. There will be building mounted lighting. He stated they have prepared a SWPPP, Stormwater Pollution Prevention Plan. It is a 3 acre parcel out of 196.20, Vice Chair Heber asked if it will be a subdivision as well, Mr. Koziol replied no they will be leasing it, they thought because it was a lease it would not require a subdivision. Mr. Brennan stated he would take a look at it, but typically it doesn't. Vice Chair Heber asked if this was the Merchant Farm? Mr. Koziol replied yes and pointed out the old house on the map and 2 barns. He discussed the existing conditions and why they located the building where it is, they hired a soil Scientist to delineate the wetlands, he added there are site restrictions and they avoided certain impacts with the placement of the building. He indicated on the map where the wetlands were, Vice Chair Heber asked if they were Army Corp wetlands, Mr. Koziol stated it is jurisdictional, there is a small area by the road that is not connected so they are non-jurisdictional. Once they located the wetlands it was offset by the Town Code and NYS DEC and he indicated on the map where the original intent was to locate the building, Mr. Brennan asked if they were Federal or State wetlands? Mr. Koziol replied they are both, Vice Chair Heber questioned them being both, Mr. Koziol stated they did not do any jurisdictional determinations because they are not proposing any impacts. Vice Chair Heber stated it has to be over 12 acres to be State. Mr. Koziol stated they looked for endangered habitats, none were found. Ms. Rippon-Butler asked if the owner was going to continue to farm the property, Mr. Koziol replied yes. He then discussed the site plan. Vice Chair Heber asked if because it is a lease and only 3 acres and in the ag district there is a 5-acre requirement. Mr. Koziol stated they went with 3 acres to meet the zoning, the Clerk interjected it is not in the ag zone it is 3 acre zone. Ms. Rippon-Butler asked if it qualified as a public utility, the Clerk responded yes. Mr. Koziol discussed the setbacks and how the site plan meets the Town requirements. Mr. Brennan asked what sort of apparatus will be there, it was stated one engine and one tanker and potentially a brush truck or utility vehicle and the 4th bay will be used as storage for an 1856 pumper that sits in the facility down in the Village. Mr. Brennan discussed the doors for access to the bays and the method the trucks will use the enter and exit the building with the way the parking is laid out. The Fire Chief explained; currently, when returning they approach the fire house to back in, everyone gets out of the vehicle except the driver, two people get on either side to stop traffic, Mr. Brennan said it doesn't look like there is enough room to nose in before they hit

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the parking spots. Discussion ensued on the tight area to turn the trucks around and back into the building. Budgetary reasons they cannot expand the pavement. Mr. Brennan asked when they get called out how do the fire fighters get into the building with going through the front overhead doors? Mr. Koziol stated there are entrance doors on front and on the side of the building. Mr. Brennan stated his point was that they don't want to encourage people to enter on a call through the bay doors, The Fire Chief said the policy in place is even if the bay doors are open people have to enter through the side doors. Vice Chair Heber stated they will have to schedule a public hearing, Mr. Brennan asked if it needed Saratoga County Review because of the location? It was determined it is on a Town Road next to an agricultural district and needed County Review. Mr. Brennan discussed SEQRA, State Environmental Quality Review Form. It was determined as a Short Form. Vice Chair Heber asked if there were any questions from the Board? Ms. Eggleston asked if anybody would be staying there? Fire Chief replied no, the only time there should be people there is meeting nights and drill nights, there will be no overnight sleeping quarters. Mr. Brennan asked if they would be doing drills here or at the main station? Fire Chief replied both and explained future planning is they can add on to the parking lot area for auto extrication training. Inside the building itself they will be doing ladder or bail out training where they do jumping out windows. The normal meeting nights will be in the Village and training here will depend on the training. Mr. Brennan asked if they used a whistle or siren? Fire Chief replied they don't have the whistle anymore it is all done with pagers and radios. Ms. Eggleston asked how many calls they expect in that general area? Fire Chief replied on average now they do about 165 to 170 calls a year, that station will be dedicated for any structural response outside of the Village, there will be two engines, one in each building and both engines will respond to all calls. It would be difficult to separate the area each station covers it will all be based on staffing. Ms. Eggleston asked how many trucks will be able to fit in this station? Fire Chief said it could be 6- 8, with the apparatus they have now there will be 3 there and there will be 5 guys for the engine, 2 for the tanker and three for the brush truck and whoever else shows up may have to grab their gear and go to the main station. Mr. Brennan asked what they do with the turnout gear, do they have some people always respond to one station or the other or do they carry the gear with them? The Chief said yes, that is the idea they are going to have crews for station one and crews for station two, and the in between people, each person will have two sets of gear one at each station. Vice Chair Heber asked about medical responses. Fire Chief said they don't do medical, they will if it is an EMS assist. There will be engine rescue out of both stations, both will have 1st aid equipment on them. Ms. Eggleston asked if there was going to be a kitchen and bathrooms? The Fire Chief said yes there will be a bathroom, an office and a lounge area not a kitchen. Ms. Eggleston asked if there was going to be a space for renting, The Chief said no. Mr. Brennan asked about laundry facilities for the turn out gear? The Chief explained at the other station they have a gear extractor, a commercial washing machine. If they have to wash the equipment then the 2nd set of gear gets used and they will bring the equipment to that station to be washed. Mr. Brennan reiterated it will not go into the septic system up here? Ms. Eggleston asked how long it took to fill a truck with water, assuming it will be from the well? The Chief stated if they have to fill the apparatus, they will go to different fill sites in the area and draft or they can go to the Village and fill with the water supply there, they will probably not use the well there to fill the apparatus. Mr. Colozza said one thing to keep in mind is Terrill Hills, Castlewood, James Court and Maplewood the homeowner's insurance, fire insurance if it gets built, they will get a reduction in the insurance. The Fire Chief said most insurance companies have a 5-mile radius and Terrill Hills is borderline the 5-mile radius. The rest are outside the 5 miles from the current station. Station two has been discussed for a while, this will help so many people on the outer reach of their district. Ms. Eggleston asked how long the lease was for, Mr. Barass replied 99 years. Vice Chair Heber asked if Mr. Brennan could look into that because this Board has not run into it before. Discussion ensued on the lease.

Mr. Barass explained they serve part of Easton, Greenwich, part of the Town of Saratoga and Northumberland, the Village and the Town of Northumberland is their largest geographic area and it is important for them to provide adequate protection. Vice Chair Heber stated they will schedule a public hearing for next month, Mr. Brennan said

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they will refer it to the County as well.

Mr. Shaw arrived at the meeting and Vice Chair Heber asked Mr. Verdi if he minded if they address that application prior to his. Mr. Verdi agreed.

Mr. Shaw apologized for being late. The Clerk stated she submitted the application to Saratoga County Planning and they requested additional information. She explained Mr. Shaw is supplying the information and she will forward it to the County. They can leave the public hearing open and he can return next month after the County has a chance to review the application. Mr. Shaw asked what happened earlier in the meeting at the public hearing, is it moving forward? The Clerk replied yes. Mr. Shaw asked if there was anything else he had to do, The Clerk said not until the 27th of September, the next meeting as long as she gets the information from his surveyor.

Vice Chair Heber announced application #0011-21, Joe Verdi, Verdi Storage Containers site plan, 46 Pettis Rd. Paul Lubera of Lansing Engineering addressed the Board, he displayed a large site plan. Mr. Lubera refreshed the Board on the project he stated it is similar to the previous use and they are proposing to expand the parking not to exceed one acre so there will only be .88 acres of disturbance for the threshold for SWPP, the Board asked them to show the distance from Gurnsprings Road, it is approximately 405' from the expansion to the road. He stated they received Mr. Baker's comments and they will be responding and preparing a plan with those comments. Not shown on the map is the wetland delineation because they are not going to impact it at all, but it will be shown on the plan and they will respond to Mr. Baker's comment. Mr. Brennan asked Mr. Baker to go through the high points of his comments for the Board.

Mr. Baker agreed and said one of the things was a delineation, he suggested the Storm Water Management because it does appear that the distance of the existing and proposed impervious areas will be exceeding the acre. Mr. Lubera interjected they are not going to disturb anything they are just adding on and it should be under the one-acre threshold. He said the existing has been there since the '70's or '80's and their conversations with DEC is if it was existing for a certain number of years and they are not impacting it at all it is not included in the project. They will have a specific disturbance line and they anticipate it being less than an acre. Mr. Baker said he still questions whether they considered the existing and the proposed is over an acre. He added he has requested a grading and drainage plan to show how the site will drain, erosion and sediment control he has asked to see the existing location of the septic system, buffers. Mr. Lubera agreed and said they will show it. Mr. Baker said also signage, he saw on the plan there will be a sign on the building. Mr. Lubera stated there will be no free-standing sign only the one on the building. Mr. Baker stated his concern would be the stormwater runoff, there is a considerable amount of existing and proposed that is considered impervious even though it is gravel. Mr. Brennan reiterated Mr. Baker is concerned with the stormwater and delineation and the buffers? Mr. Lubera agreed and added the erosion and sediment plan.

Vice Chair Heber asked if it would all be done before the next meeting? Mr. Lubera said yes. Vice Chair Heber asked if the Board wishes to schedule a public hearing or if they wanted to see it before they schedule?

Ms. Black made a motion to schedule a public hearing for the next meeting, September 27, 2021,
Ms. Eggleston 2nd the motion,
All in attendance unanimously agreed.

Mr. Brennan asked Mr. Baker and the Clerk if this also needed to go to County Planning, the Clerk said it has already been submitted at the request of the Board last month.

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Vice Chair Heber announced the last item on the agenda, subdivision / shoreline overlay for James O'Donnell, application # 0012-21, West River Road.

Kim Bender, Realtor from Select Sotheby's, Vice Chair Heber stated he was not at the previous months meeting however, he understands there was discussion about the original plat said "no further subdivision", Ms. Bender stated she had the original if he wanted to look at it. Vice Chair Heber said he had a copy of it, he asked if there were a determination made by the Board, Mr. Brennan said no. Vice Chair Heber asked if they should make a determination before going forward? Mr. Brennan asked what sort of determination? Vice Chair Heber replied the original subdivision says "no further subdivision" on it except for lot 2 and this is lot 1.

Ms. Bender asked if she could review it to bring Vice Chair Heber up to speed on it. She said there were 11 lots in the subdivision, and then there was "other lands". She stated the "other lands" is the property that they are subdividing now, it was not part of the 11 lots and if you add up the acreage of each one of the 11 lots you come up with the area of subdivision listed on the map, 253.56 acres and it does not include that parcel. That lot is not part of the 11 it does not have a number, she stated she went through each one of the deeds associated with the 11 lots and each one of those deeds does say "no further subdivision except for lot 2", then you look at the deed for the "other lands" that deed talks about building homes. The particular deed for the "other lands" does not mention no further subdivision, but it does say "any new homes constructed on the property in the future shall be single family residences stick built or modular not less than 1,800 sq ft excluding garage area". It also talks about no unregistered vehicles to be stored and all new utility services must be installed underground. She said that proves that this lot was not part of the 11-lot subdivision.

Vice Chair Heber stated he has another map with a lot line adjustment, the Board and Mr. Brennan reviewed and compared maps. Original subdivision 2006 and a lot line adjustment discovered in the Clerks research into the file involving lot 1 and the lot of "other lands" dated 12/18/2006, duly signed by the Chair of the Board at that time and filed in the County Clerk's Office.

Ms. Bender stated she had not seen the lot line adjustment map, Mr. Brennan reviewed it with her. Mr. Phillips, Attorney and Mr. Story, previous land owner also said they were not aware of the map. Mr. Story stated he did not remember that lot line adjustment.

Mr. Brennan asked Mr. Colozza what he and the Clerk found when they did the research? Mr. Colozza said it is extremely confusing because they did lot line adjustments and if you have those minutes the reason, they put no further subdivision is because they rendered it Historical Value, so we assume the lot they are talking about is the one they are trying to divide. The Colonel that owned the house, this was his farm and that is what National Heritage said they were looking at the historical value of the open field they recommend Archaeological Survey. The notation said no further subdivision because of the historical value and this is the only lot with historical value. A decision has to be made at this stage, Mr. Baker cannot even review any of this because there is no engineering for any of these, they have to do a shoreline overlay, we don't know the heights of the houses will they be on stilts? The Clerk explained the lot line adjustment map and stated she also has the proof of recording with the County for the lot line adjustment with lot one, then if you look at the notes lot 1 says "no further subdivision".

Mr. Brennan asked the applicant and representatives to approach the Board so they can all look at the same information. He said there is one that says 25.79 acres, dated October 12, 2006, Ms. Bender asked if that was the

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lot line adjustment. Mr. Brennan said it seems there is a lot of 5 acres for the historic house and everything else is lot one, then it says “no further subdivision”. Vice Chair Heber agreed. Ms. Bender said the lot with the house has never been just 5 acres. Mr. Phillips stated there is “no further Subdivision” on lot 1 and they revised lot 1, it is hard to look at what boundary lines on lot 1 are on this map. Mr. Brennan pointed out the shoreline overlay district, and it says it is 35.85 acres. Mr. Phillips said what was approved for lot 1 is a chimney shaped lot, and apparently according to Mr. Story the original lot line for the property that is on the road was the original lot with one deed and everything else was another deed and they decided to make the boundary line for lot 1 in the chimney shape configuration so it would include part of each deed. Mr. Story agreed and said it was going to divide the field off from the house so they decided to leave it with the “other lands”. Mr. Story stated they used the wet land as the boundary. Mr. Phillips discussed additional boundary line adjustments involving a piece across the road. Mr. Phillips said there is some confusion, on the notes on the original filed maps it does say “no further subdivision without Planning Board approval”, looking at the minutes they know lots 1 – 11 were under that umbrella of no further subdivision except for lot #2. He said the way he looks at it is the lot they are discussing today was not one of the lots in the subdivision for lots 1 – 11. He reviewed the deeds and said the deed for the lot of interest says it could be subdivided but it was subject to Planning Board approval.

Ms. Rippon-Butler said on the 2006 map it looks like the house lot is the parcel labeled “other lands”, Ms. Bender agreed. Mr. Phillips stated it is an historical house and has to be protected, in the deed to all of the property to O’Donnell there are SHIPO restrictions that talk about what you can and cannot do with the property. He added his experience with SHIPO is that they focus on the structures and the history related to structures as opposed to all of the land, what is proposed here is a 5 acre lot around that and he looks at the 5 acres as providing enough of a buffer that the historical nature of that lot will not be impaired, that is a SHIPO decision. Is there a SHIPO letter in this file yet? Mr. Colozza responded yes, that is what they recommend that the field stay open as part of the historical value with the house. That is why the Planning Board put the note on it, because it was part of the historical value of it, none of the other lots in the subdivision have any historical value. Ms. Bender disagreed and asked if they had the SHIPO letter they could read because he doesn’t say that, he says if you are going to build on it he gives suggestions, he is not saying don’t build on the property. Mr. Colozza said he recommended to the Planning Board not to do a subdivision. Discussion ensued on the SHIPO letter.

Mr. Phillips asked if the historical house was a historical farm? Mr. Colozza said yes it was the Colonel’s farm. Mr. Brennan asked if there was a list from the State with this house on it, usually the list will have the associated structures and land. Ms. Bender said there are 2 letters received when submitted to SHIPO, one is talking about doing a survey, Phase 1A/1B archaeological and it was already done she stated she has talked to the person who did it on a prior land that included this parcel and he said he can just update that so 1A is done and he will go out and do Phase 1B. She added the other letter talked about things that could be done to retain the historical value and the adjacent house that would be built. Mr. Brennan asked her to read paragraphs 2 & 3 of the letter to Mr. Colozza, then he read them (see attached letters). Discussion on interpretation of the meaning of the letter content.

Mr. Colozza stated the project lacks a lot of information, for them to do a shoreline overlay, you have no concept of the kind of house that will be built, will it be on stilts because of the wetlands. He said they need even a basic flood plain elevation. It is all in the flood plain and not only that there is the historical value, the open field is what they are referring to in the SHIPO letter and that is also what the Planning Board referred to when they said no further subdivision because of the historical value. Ms. Bender disagreed. Mr. Colozza stated it is in the Planning Board Minutes, Ms. Bender asked why it was not in the deed, Mr. Colozza replied a deed doesn’t matter, you can write whatever you want in a deed. Ms. Bender said it is in all the other 11 deeds. Mr. Phillips stated his experience with SHIPO they have allowed things in a historical area but they require a covenant to be filed in the

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Clerks office and it is a covenant that runs with the land. Mr. Colozza said he is going by the Planning Board's decision, this Planning Board made a decision and they based it on the historical value and it is coming up again that this lot has historical value, it is up to the Planning Board to first make a decision on that and then send you back to do research on how you are going to build the house and what it is going to look like for the shoreline overlay district. Mr. Phillips said his question is whether the Planning Board adopted the findings of SHIPO relative to the application of history of this particular lot, he agrees the historical house is on this land but he doesn't know if it is the footprint of the land, he doesn't know if there is any limitation on it. Mr. Colozza said the Planning Board made a decision and now you are asking this Planning Board to overturn that decision and say they don't care about the historical value. Ms. Bender asked where did it state that, Mr. Colozza said it is stamped on the map and it is also in the minutes, no further subdivision. Ms. Bender disagreed and stated she did not see it, it says no further subdivision but why when you add the acreage up for the site it doesn't include that property, how do you explain that, how do you explain there is nothing in the deed?

Ms. Rippon-Butler said she had a question about the map, looking at the 2006 and the current maps, one has a lot of 5 acres with the house so why are we dealing with a contiguous parcel with 25 acres, is the house and the fields around it currently 2 lots? She added it looks like they are trying to adjust the lot line of the 5 acres at the same time they are trying to subdivide the 20 acres. Mr. Phillips said if they look at the map filed in 2006, map number S799, the subdivision proposal is the subdivision of this lot, which at that time was know as "other lands" of Stonybrook LLC., and it was sold to Jim O'Donnell who is the subdivider in this case, so the new subdivision plat that you have relates to the subdivision of that lot into 5 lots. The Clerk said there is another lot line adjustment completed in December 2006 and she believed that is what Ms. Rippon-Butler is referring to. Discussion ensued on the lot line adjustment and comparison of maps.

Mr. Story said that was a proposed lot line adjustment, the Clerk stated it was approved and signed by the Planning Board and filed with the Saratoga County Clerk. Mr. Story said it was never approved, Mr. Brennan said it is filed with the County Clerk. Mr. Phillips said the map was approved but were conveyances ever made off that map, was it actually every brought into existence as a subdivision? Mr. Story said he does not know, Vice Chair Heber said if it is filed with the County, it was. Mr. Phillips stated a filed map gives somebody the right to subdivide but it doesn't mean it was actually subdivided. Mr. Brennan said no, it is the subdivision and then you can either keep the deeds as your own or give them to someone else. Ms. Bender asked if that meant the 5 acres with the house is already subdivided? Mr. Brennan said it could. Ms. Bender added then they just need to subdivide the other 4. Mr. Brennan stated he thinks they need a separate meeting with Brian Holbriter, the surveyor, with all the recorded maps. Mr. Phillips agreed. Ms. Bender, Mr. Story and Mr. Phillips all stated they had not seen the lot line adjustment map before, Ms. Bender asked where it came from. The Clerk stated she found it in the process of researching the file. Vice Chair Heber stated if it was subdivided it should have two tax parcels, Mr. Brennan went on the County Web Page to search the parcels, he determined the County tax map is not showing it as the map does. Mr. Brennan said they can all do their homework, sit down with Brian Holbriter before the next meeting and go through it then he will be better prepared to advise the Board. Mr. Phillips agreed. Mr. Story stated Mr. O'Donnell told him he was going to subdivide and transfer 20 acres to the farmer but that deal feel through and never got recorded, they did the map but never recorded it. Mr. Brennan reiterated the Clerk says the map is recorded, Mr. Story said yes, the map is but they never went though it. It was determined additional research for clarity needed to be done and the application would be addressed at the September 27th meeting.

Vice Chair Heber asked if there were any other business for the Board or minutes to approve.

Town of Northumberland
Planning Board
Location; Town Hall
Corrected by the Planning Board
Monday, August 23, 2021
7:00 pm
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Ms. Black made a motion to accept the April meeting minutes,
Ms. Eggleston 2nd the motion,
All in attendance unanimously agreed.

Ms. Black made a motion to accept the May meeting minutes,
Ms. Eggleston 2nd the motion,
All in attendance unanimously agreed.

Ms. Black made a motion to accept the June meeting minutes,
Ms. Eggleston 2nd the motion,
Vice Chair Heber abstained from the vote.
All others in attendance unanimously agreed.

Ms. Black made a motion to accept the July meeting minutes,
Ms. Eggleston 2nd the motion,
Vice Chair Heber abstained from the vote.
All others in attendance unanimously agreed.

Ms. Rippon-Butler made a motion to adjourn the monthly meeting at 8:40PM
Ms. Eggleston 2nd the motion,
All in attendance unanimously agreed.

Respectfully Submitted,
Tia Kilburn, Planning Board Clerk