

Town of Northumberland Zoning Board of Appeals  
Meeting Minutes  
Wednesday,  
April 3, 2013 7:00 pm  
Accepted by the Zoning Board of Appeals  
Page 1 of 3

**Zoning Board Members Present:** Bruce Bemis, Carl Harrison, Jeremy DeLisle, Mark Boyce, Chairperson and Julie Trollip, Vice-Chairperson.

**Members Absent:** Hugo Leone, David Gougler and Rebecca Hodgson

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

Mr. Boyce, Vice-Chairperson called the Monthly Meeting to order at 7:05 PM.  
All in attendance stood and recited the Pledge of Allegiance.

**NEW BUSINESS**

Appeal Application #0004-13, Byron Potter, 28 Foot Area Varaince.

Mr. Potter introduced himself to the Board and explained his request for a 28 foot area variance to be able to construct a garage on his property located at 11 Poplar Way. He explained there is a drainage ditch on one side of his dwelling which he cannot block off and due to the placement of his leach field he cannot achieve the 50' required setback for his proposed garage. Mr. Boyce asked if he could move back toward the leach field, Mr. Potter stated he may be able to adjust the placement a little more but he was waiting for the frost to get out of the ground so he could see better where the leach ends. Mr. Delisle asked how far it would be set from the house and the leach as it is proposed now. Mr. Colozza stated there are expansions in that area and he has to stay away from the drainage area. Discussion ensued on the location and drainage on Mr. Potter's map. Mr. Delisle asked if Mr. Potter was the original builder of the home, Mr. Potter said no but he is the original owner and explained it can be wet in the area until it drains off and the property slopes away from the house. Mr. Bemis asked if there was a full foundation for the house, Mr. Potter said yes, however the existing attached garage has footings. Discussion ensued between Mr. Potter and Mr. Bemis on the construction of the house. Ms. Trollip reiterated the garage could not be built on the other side of the house. Mr. Potter stated the well is in that area as well. Mr. Bemis asked about the water on the ground and if it was swampy, Mr. Potter stated it gets wet and drains through his side yard to the small stream behind the house from the drainage culvert. Mr. Boyce asked where the garage doors would be placed. Mr. Potter stated they would be facing the road. Mr. Boyce asked if there were any additional questions or comments for Mr. Potter. Mr. Delisle asked what the garage would be for, Mr. Potter responded storage and to park antique vehicles he currently owns but has to store somewhere else. Ms. Trollip asked if Mr. Potter had neighbors across the road, Mr. Potter responded no, however Mr. Swota could be building over further on the other road. Mr. Boyce asked if there were a State Environmental Quality Review Form for this application, the clerk responded no, Mr. Colozza stated it will have to be a Long Form State Environmental Quality Review Form because it is in the Agricultural district. The clerk stated she can assist Mr. Potter in obtaining the form he needs.

Mr. Boyce made a motion to accept this application as complete, contingent upon the receipt of the Long Form State Environmental Quality Review Form,  
Mr. Delisle 2nd the motion,  
All in attendance unanimously agreed.

Mr. Boyce made a motion to schedule a public hearing for application #0004-013 for the next monthly meeting May 1st, 2013 at 7:00 Pm,  
Ms. Trollip 2nd the motion,  
All in attendance unanimously agreed.

**ACTION**

Application accepted as complete, contingent upon the receipt of the Long Form State Environmental Quality Review Form and a public hearing will be scheduled for May 1st, 2013.

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Page 2 of 3

**OLD BUSINESS**

Appeal Application #0003-13, David and Cynthia Swota, Forest Lane Dr.

Mr. Swota explained he went before the Planning Board and they directed him to this Zoning Board of Appeals for an area variance before he can complete his subdivision. He stated he currently owns 12.30 acres and would like to use it for the intended use of Residential / Agricultural. Mr. Swota asked for assistance with his long form State Environmental Quality Review Form and Mr. Boyce offered to assist him. Mr. Swota stated he has the property pinned by his surveyor, Mr. Rourke. Mr. Boyce stated when he gets the survey map they will need a copy for the file. Mr. Swota stated it can be done by Friday. Ms. Trollip reiterated the reason for the subdivision was to sell the current home and build a new home. Discussion ensued on the amount of a variance needed. Mr. Colozza explained Mr. Swota's property is located in an unfinished subdivision, he added they were all smaller lots and the people bought more than one lot because the subdivision fell apart. Mr. Boyce asked Mr. Swota how quickly he expected to complete this process, Mr. Swota stated he would like to be able to finish up by April or May. Mr. Boyce explained the process and additional discussion ensued on the need for a specific variance size. Mr. Boyce reiterated that Mr. Swota's intent was to retain 10 acres for his agricultural pursuits. Mr. Boyce then explained this Board has review this application, accept it as a completed application with the survey and then move to a public hearing he stated it would probably be June before they would be able to open the public hearing. Mr. Swota stated he had already gone to the Planning Board, Mr. Boyce explained the administrative requirements for this Board to approve the percentage of the variance needed for the undersized lot however they could co-ordinate the public hearing and State Environmental Quality Review Form with the Planning Board to save Mr. Swota some time. Mr. Swota asked what he needed to bring to the Board, Mr. Boyce stated they need a completed application with the survey

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

Ms. Trollip made a motion to close the monthly meeting at 9:03 pm,  
Mr. Leone 2nd the motion,  
All in attendance unanimously approved

**FUTURE MEETINGS**

March 6, 2013 - As Needed

Respectfully submitted,  
Tia Kilburn, Zoning Board Clerk