

Town of Northumberland
Public Hearing
July 14, 2022

The Public Hearing was called to order @ 8:00 AM by Deputy Supervisor John DeLisle. The purpose of the Public Hearing was to receive the public's comments on an amendment to the Site Plan to Local Law #1 2021 – A local law Amending the Town of Northumberland Zoning Ordinance to Establish a Planned Unit Development District for Stone Bridge Farm to include a single-family dwelling to be located within the Agricultural Use Area of the PUDD. Deputy Supervisor John DeLisle asked the applicant, Anthony Melfi if he would like to give an overview of the proposal.

Mr. Melfi, 125 Sherman Lane, stated that his PUDD allows a mixture of uses. There is an Agricultural Use area, Commercial Use area and Mixed-Use area. Mr. Melfi stated that he presently has a Rehabilitation center for Thoroughbreds within the Agricultural Use area. Mr. Melfi stated that he wishes to build an 1,800 sq ft single story home in the Agricultural Use area.

Deputy Supervisor John DeLisle opened the Public Hearing for comments.

Paul Woolley , 646 Stonebridge Road, stated that his property borders Mr. Melfi on the westerly side. Mr. Woolley stated that he attended the Planning Board Meeting when Mr. Melfi presented this project. At the Meeting Mr. Melfi stated the house was only going to be 1,200 sq. ft. Mr. Woolley stated at the Planning Board Meeting there was no Site Plan, no Application, no maps to show where this single-family resident was going to be placed. Mr. Woolley stated that on the map provided, the single-family resident was being built close to Sherman Lane vs out in the Agricultural Use area. Mr. Woolley stated that Mr. Melfi had approached him regarding purchasing his home. Mr. Woolley stated that he was not interested in selling his home. Mr. Melfi kept on asking to purchase his property so Mr. Woolley gave him a ridiculous price. Mr. Melfi instead, placed this proposed house right in line with his deck. Mr. Woolley stated that originally his home, along with Mr. Hoffman's home was part of Stonebridge farm but were sold off by the previous owner, Jeffrey Tucker. Mr. Woolley stated that the PUDD was put in place so they could hold Wedding Events at the farm. Mr. Woolley stated that was in agreement with the PUDD Local Law because under Section 5. – Allowable Uses, F. "No other uses shall be permitted except as approved by the Town Board as being in conformity with this Ordinance". Mr. Woolley also stated that under Section 7: Construction Requirements "In the event of new construction or in the event that existing structures need to be improved for purposes allowed under this Local Law, all construction shall comply with the N.Y.S. Fire Protection and Building Code. All plans for building construction or site development shall be prepared by a licensed architect, professional engineer, landscape architect or exempt land surveyor in accordance with the requirements of the N.Y.S. Education Law. All construction shall be subject to inspection by the Town Building Inspector, Town Engineer and Town Highway Supt, as may be applicable." Mr. Woolley stated that this was not done. Mr. Woolley also stated that Section 8. Compliance with Town's Land Use Regulation "Uses permitted, including those requiring issuance of a Special Use Permit and Site Plan Review, in the Stone Bridge Farm PUDD are set forth in Section 5 and 6 above. For any future development proposals within the PUDD, the applicant shall follow the procedures of the Town, including but not limited to Amendment of the PUDD, the Zoning Ordinance and the Subdivision Regulations as applicable. No additional uses shall be

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permitted except as approved by the Town Board as being in conformity with this Local Law. Mr. Woolley stated that the proposed location of this single-family dwelling is in violation of this section. Mr. Woolley stated that the Town Board needs to consider the following:

- A. Evaluation the proposed Site
- B. Are these soils where the proposed home is considered in prime fertile farmland
- C. The proposed home needs to be closer to Sherman Lane vs out in the middle of farm land
- D. The proposed home needs to be closer to other residences on that parcel.

Mr. Woolley stated that the Agricultural Use Area needs to follow Article VI – Agricultural Protection District:

A. Findings and Purpose

The Town of Northumberland finds that the protection of agriculture is essential to the implementation of the goals and objectives of the Town of Northumberland’s Comprehensive Land Use Plan. Protection of land for agricultural purposes is a legitimate and important zoning objective under New York State’s statutes, which the regulations in Article VI of the Town of Northumberland’s Zoning Ordinance seek to achieve.

- 1. To protect and maintain the Town’s farmland for present and future agricultural use within the Town’s Agricultural District as established under Article 25AA of New York State Agricultural and Markets Law;
- 2. To implement the Town of Northumberland Comprehensive Land Use Plan, which contains the goals of protecting rural and agricultural lands, discouraging nearby incompatible land uses, and promoting agriculture as an important and integral component of the local economy;
- 3. To support and protect farming by stabilizing the agricultural land base;
- 4. To maintain a viable agricultural base which will support agricultural processing and service industries;
- 5. To separate agricultural land uses and activities from incompatible residential, commercial, industrial development and public facilities;
- 6. To prevent the fragmentation of the Town’s existing farming community by non-farm development; and
- 7. To reserve the Town’s most productive soils form agriculture.

Mr. Woolley stated if this proposed home is approved, it will be the third (3) residence on this parcel. Mr. Woolley stated that there are four (4) Travel Trailors parked on this site. He has been told that there is also a Spa on this property and Mr. Melfi hopes to move his Saratoga Springs Bed and Breakfasts to this property.

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Mr. Woolley stated the Town Board also needs to follow Article X "Site Plan Review" Section E1 and Section E2 and E3 in the Town's Zoning Ordinance.

The following standards and considerations shall be utilized by the Planning Board for the review of a site plan and no application shall be approved, or approved with conditions or modifications, which does not reasonable comply with these standards. In addition, any applicable standards or requirements found in Article V., VIII., IX., and XI. shall also apply and be utilized by the Planning Board in its review of a proposed site plan.

1. **Aesthetics:**

- a. Site development shall be planned so that it harmonizes with the existing landscape character and blends into the landscape by using existing landforms and vegetation
- b. Where new construction or substantial rehabilitation is concerned, the needs of the site for planting, paving, screening and other landscaping amenities shall be considered.

2. **Off-Site Impacts:**

- a. Development shall be planned and undertake so as to minimize impacts upon adjoining and nearby land uses.

3. **Existing Topography and Vegetation:**

- a. Existing vegetation, topography and careful siting methods shall be utilized to minimize the visual impact of the proposed development.

Mr. Woolley stated that the traffic on Stonebridge Road and Sherman Lane is already horrible. His driveway comes out on Sherman Lane and there are days that he can't get out.

Mr. Woolley stated that the present uses on this property are a lot different than the ones approved in Local Law #1 2021 – A local law Amending the Town of Northumberland Zoning Ordinance to Establish a Planned Unit Development District for Stone Bridge Farm.

Mr. Woolley ended by stating that if Mr. Melfi moved the location of this proposed home to right along Sherman Lane vs. out in the field, he would not object to the amendment to the Local Law.

Donald Hoffman, 662 Stonebridge Road, stated that he agreed with Mr. Woolley's comments and concerns.

Town Attorney David Brennan informed the Public that the Town Board will not be making a decision today. Town Attorney David Brennan asked what is the consensus of the Town Board

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Members regarding the Public Hearing. Town Attorney Brennan stated that the Town Board can close the Public Hearing or they can leave it open. Councilman George Hodgson made a motion to hold the Public Hearing open until the next Regular Monthly Meeting to be held on August 11, 2022 @ 8:00 AM. Councilman Paul Bolesh seconded the motion. All in favor, motion carried.

Town Attorney David Brennan informed Anthony Melfi that he is welcome to respond to the concerns raised by the Public this morning. Mr. Melfi stated that he will discuss his options with his Attorney. Town Attorney David Brennan stated that if he could forward his responses to the Town Clerk, she can forward them to the Town Board Members prior to the August 11, 2022 Town Board Meeting.

The Town Board at 8:36 AM went into the Regular Monthly Meeting.

Respectfully submitted,

Denise Murphy
Town Clerk