

## TOWN OF NELSON PLANNING BOARD MINUTES

December 11, 2007

Attendance: Bob, John, Kevin, Jan & Sandra - Jim Stokes, T.A., Chris Westcott, Secretary, Roger Cook, CEO  
Absent: Jim, & Ed

The meeting was opened by Chairman Dunkle at 7:00 p.m.. He then welcomed the guests.

### Planning Board Agenda:

#### 1. John & Mary Ann Lansing - Site Plan Review - Walrath Rd. - Public Hearing Continued

- a. John Lansing submitted a new map dated 12-06-07 showing the location of the driveway, a 1433 sq. ft. house with an attached garage, setbacks, distances and existing contours, and coverage. The plan also noted that the lot area excluding the road R.O.W. is .79 acres and total coverage is 8%.
- b. The three property owners that were not notified last month received letters announcing the continuation of the public hearing for this meeting.
- c. It has been determined that the proposed building area will be in the RB zone. According to the detailed Town WF zoning maps. The chairman said that technically the Planning Board would not need to review the proposal (since it is not in the WF zone, however since the review with public comment process has begun, the Board would continue its site plan review.
- d. The Board noted that this property is non-conforming (area with configuration) and therefore should be in accordance with Section 351 of the zoning ordinance code.
- e. The Board reviewed the applicable criteria for a non-conforming RB building lot:
  - 50' front yard setback
  - 30' side yard setback
  - 10% building coverage
  - 15% total coverage
- f. The Chairman noted that since the property is a corner lot, rear yard setbacks are not applicable, and there should be 50' front yard setbacks on two sides, in accordance with Section 111.108 of the zoning code.
- g. The Board compared the submitted plan with the applicable RB criteria, and found it conformed, with the exception of the side yard setback, which was shown as 20 ft. This would require a variance.
- h. The Chairman received a faxed revised plan from the Surveyor just prior to the meeting that showed a 30' side yard setback, and shared copies with the Board, the applicant and the public. Since the Lansing's had not seen the plan prior to the meeting, the chairman asked them if they were comfortable with the revised plan. The Lansing's replied that they were. The Board determined that the revised plan conformed with RB zoning.

- i. Jim Stokes and Roger Cook confirmed that the revised plan would not require any variances. Jim pointed out that since this is a building lot, the Board must then consider the merits of the proposal solely on site plan related issues.
- j. The Chairman read into the record a letter received for the Town engineer dated 12-11-07, which stated that his review of the septic system design found no inconsistencies with standards or regulations.
- k. The Chairman again noted that there was no record at the Town of any previous applications for development of the lot being formally denied by the Planning Board.
- l. The Public Hearing was reopened at 7:30 p.m.
  - a. Christine LaFave cited the Planning Board minutes from 1995 regarding the subject property. She noted that the Planning Board at the time said a variance would be required for a 900 sq. ft. She also noted that the submitted plan did not meet the Site plan requirements for grading, building height, driveway location.
  - b. Tom LaFave noted that total imperious cover of the property should be provided. The Board was urged to control growth in the area, and not to give special privileges to any applicant. Tom also said that the area resident's planned on taking legal action against the Town if this project was approved.
  - c. Paul Wodzinski expressed concerns that the building was being squeezed onto the lot, and that the Planning Board was not acting objectively.
  - d. Eric Meade recommended the septic system be located further away from the lake, because of the gravel soils with large cobbles and concerns about rapid soil absorption rates.
  - e. Peres McCarthy said that since the project conformed to zoning and Health Dept. septic standards, there is no reason to deny approval.
- m. The Chairman urged the speakers to submit their comments to the Board in writing.
- n. Jim Stokes advised the Board to adjourn the public hearing until a satisfactory site plan was submitted.
- o. The Board reviewed the Site Plan criteria with the Applicant, and specifically requested the plan show proposed grading, limits of disturbance, and metes and bounds for the waterfront parcel. The Applicant will contact his Engineer, and submit a new plan.

Sandra made the motion to adjourn the Public Hearing until January 8, 2008 at 7:05 p.m.  
Seconded by Kevin,. All voted in favor and motion carried.

## 2 James & Gerlinda Oaksford - Site Plan Review - Woodcock Terrace - Public Hearing

- a. Jim & Gerlinda propose to build an accessory building the other side of Woodcock Terrace with the driveway coming off of Eatonbrook Rd.
- b. They have scaled down the building dimensions so as not to have to get a variance. They are proposing a 20' x 30' building, totaling 600 sq. ft., with siding to match the cmp. The height is less than 15'.
- c. Public Hearing opened at 8:09 p.m. As there was no one present for or in opposition of this application the Public Hearing was closed at 8:09 1/4 p.m.
- d. The Board reviewed the deed that provides access to the property from the existing driveway.

After review of the short form SEQR, John entertained a motion to establish ourselves lead agency and to declare this an unlisted action and based on review of the short form EAF, to make a negative declaration. Bob so moved. Seconded by Jan,. All voted in favor and motion carried.

Bob made the motion to approve the proposed 20 x 30 accessory building as shown on the survey plan submitted dated 12-11-2007, with one condition:

1. Applicant to plant two (2) trees that will grow to full size.

Seconded by Sandra. All voted in favor and motion carried.

The Board discussed referring the site plan for the Lansing's to Madison Co. Planning.

As Randy Reynolds did not show up for the meeting, bob made the motion to continue the Public Hearing until the January 2008 meeting. Seconded by Jan. All voted in favor and motion carried. Roger said that the barn for holding auctions will hold 35 people and the septic system was for a 3 bedroom home.

Roger suggested that the David Kanes proposal for a retaining wall replacement be sent to the County for review. He will also inform the applicant that they will need to submit a site plan to the Planning Board.

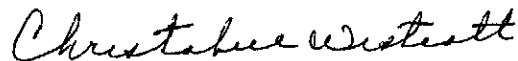
John said that the Chairman position will be up next month and the Board should be considering a recommendation to the Town Board. Also John said that he would like to have a Deputy Chairman appointed.

Bob said that he would be sending his resignation letter from the Planning Board to Supervisor Williams.

As there was no other business Bob made the motion to adjourn the meeting. Seconded by Jan. All voted in favor and motion carried.

Meeting adjourned at 8:27 p.m.

Respectfully submitted by,



Christabell Westcott, Secretary  
Town of Nelson Planning Board

## TOWN OF NELSON PLANNING MINUTES

November 13, 2007

Attendance: Bob, Kevin, Jim, Ed, Jan Sandra & John

Also in Attendance: Jim Stokes, Tn. Attorney, Chris Westcott, Secretary

The meeting was opened at 7:00 p.m. by Chairman, John Dunkle. He then welcomed the guests.

Bob made the motion to accept the September meeting minutes as amended, Seconded by Jan. All voted in favor and motion carried.

The motion to accept the October meeting meetings was made by Bob and seconded by Ed. All voted in favor and motion carried.

### Planning Board Agenda:

1. John & Mary Ann Lansing - Site Plan Review - Walrath Rd. - Public Hearing
  - a. John passed out pictures of the property. John & Mary Ann would like to build a 1600 sq. ft. home and garage on the 1.121 acre lot..
  - b. A survey map of the parcel showed the setbacks conforming to wither WF or RB zoning.
  - c. Access to the lot would be off Walrath Rd.
  - d. Plans were received from Rick Easterly, Engineer for a conventional septic system. The distance from the adjoining property well's was greater then 100 ft.
  - e. John read from the minutes of the 1995 meeting concerning a request from the Jaquiths to move an existing camp from the lake front lot onto this lot and build a new home on the lakefront lot. At the time the members of the planning Board asked for more information, expressing, concern about the size of the lot. According to the records Jaquiths never came back to the board.
  - f. Public Hearing opened at 7:10 p.m.
  - g. Tania Wodzinski, Neighbor on Green Rd. Asked what size the house would be and wanted to have a topography of the lot.
  - h. Tom LaFave, Neighbor across Walrath Rd. Also representing Mrs. Eastman and Scott Grimm read a four page letter of reasons why this request should be denied. He sited Section's 220.25, 221.10, 216.3 and 220.13 of the zoning law. Tom's main concern was the effect on the lake. The letter was given to the Board to be put in the record. Further comments against the proposal were made aby Paul Wodzinski and Christine LaFave.
  - i. The Board requested the applicant show topography, limits of clearing, driveway location and building confirmation for the next meeting.
  - j. Greg Isbell said that he and his Grandmother were not notified by letter of the Public Hearing. Also Scott Grimm was not notified.
  - k. Eric Meade spoke of the 1995 proposal to build on the lot.
  - l. Bob made the motion that the Board leave the Public Hearing open and have the Town

Engineer and the Town Attorney look at the issues, relating to the septic, drainage, the notification of neighbors, history of the lot and the zoning designation. Sandra so moved and seconded by Jim. All voted in favor and motion carried.

2. Gary Anderson - Line change - Erieville Rd. - Public Hearing

- a. Gary is increasing his lot from 1 acre to 1.87 acres by moving a line on a triangle shape piece of land from the farm. He purchased his lot from his brother Eric.
- b. The Public Hearing opened at 7:50 p.m. Jerry Tillotson and Dawn Furness and son, Marty did not have a problem with this request. Public Hearing closed at 7:55 p.m.
- c. This is a lot of record. The railroad bed was purchased in 1932.

John entertained a motion to establish ourselves as SEQR lead agency and to declare this an unlisted action and based on review of the short form EAF, to make a negative declaration. Bob so moved and seconded by Ed. All voted in favor and motion carried.

Motion made by Bob to approve the proposed line change of Gary Anderson's depicted on the survey, prepared by Wissenback Land Surveying, dated 7-6-2007. Proposal creates a 100.917 acre lot and a 1.87 acre lot. Motion amended to require the final plat have both signature's of landowners.. Seconded by Jan. All voted in favor and motion carried.

3. James & Gerlinda Oaksford - Site Plan Review - Woodcock Terrace

- a. James & Gelinda would like to build a storage building on the upper lot. They combined two lots into one two years ago.
- b. Calculated lot coverage is 7.2%.
- c. They will modify the proposed building does not to need a lot coverage variance from the ZBA.
- d. Proof of access to the lot, the final size of the building, and the building height is needed for the next meeting.
- e. Public Hearing was scheduled for next month.

4. Steven Goldberg - Tuscarora Rd. - Amended Site Plan Review

- a. Daniel Manning, Architect represented Steven.
- b. Steven wants to build a single stall garage at 116 Tuscarora Rd., not to exceed 15 ft. in height, that will support the house that is currently under construction.
- c. No further vegetation will be removed.
- d. The Board decided this plan of a 526 sq. ft. garage is not a significant change to the Site Plan approved by the board for a house in 2006. The Board did not feel that a Public Hearing was necessary.

- e. It was noted that the proposed garage and house meet all the requirements for WF zoning, and will not add a significant amount of imperious area to the lot.
- f. The Board expressed concern that the drainage facilities depicted on the original site plan for the house have not been installed.

Sandra Made the motion to approve the amended site plan for the Goldberg property prepared by Architectural Assoc. Dated 11-13-2007 for the 526 sq. ft. garage, with the following conditions:

- 1. The garage be construction as depicted with similar architecture and quality as the house.
- 2. The maximum height of the proposed garage conform to the requirements of 15 ft. high.
- 3. No additional clearing be conducted for this proposal.
- 4. The Applicant prepares modified drainage plans that accommodate the construction of the proposed garage, to be submitted and approved by the C.E.O. prior to construction of the garage.
- 5. That the drainage facilities that were depicted on the original site plan be installed prior to construction of the garage.

Seconded by Bob. All voted in favor and motion carried.

5. Gordon Armstrong - Site Plan Review - Sunrise Blvd.

- a. Gordon is representing Tom Stevens (Brother-in-Law).
- b. Tom owns Lot 1 of the Brown subdivision which he would like to build a house on Eatonbrook Lake. Lot two is not being built on.
- c. There has been some tree removal to have the right kind of soil trucked in for an alternative raised bed septic system. There will be more tree removal to put the driveway in.
- d. Rick Easterly and Roger Cook did soil testing with Carl Isbell.
- e. Gordon was told that he will need a land disturbance permit to remove trees, and to develop the site.
- f. John went over the history of the Brown subdivision, with restrictive covenants regarding erosion control and land disturbance.
- g. Gordon is to look at the requirements for development of this lot in the WFZ. Tom is to be notified that there will be no further work or additional tree cutting until the Site Plan is approved.

6. Randy Reynolds - Special Use Permit - Route 20 - Public Hearing

- a. Randy submitted an amended parking plan. Parking spaces 14, 15 and 16 were eliminated. No. 2 is designated as handicap parking.
- b. He stated that he has complied with the Board's request to eliminate outdoor storage.

- c. The current site plan proposal is for auctions. It will need to be amended to include the proposed retail use. Randy is to determine what the retail sales involves.
- d. This application will be referred to Mad. Co. Planning Board Dept. when it is completed.
- e. Roger has determined the capacity of the building and the septic system. The applicant stated that the board will contact Roger for review.
- f. The Board noted that Randy has made good progress with the parking plan submitted and the cleaning up of the property
- g. The Board would like to see a layout where the saleable items will be stored and sold, where the people will be seated and how the business will be run, the hours of business.
- h. The Public Hearing was opened at 9:40 p.m.
- i. Debbie Wilcox asked if there could be a restriction for seating people. Carol Elmer voiced her concern of holding auctions, noise and creating a traffic hazard. They both are totally opposed to this request.
- j. Bob made the motion to adjourn the Public Hearing until Dec. 11, 2007 at 7:05 p.m. Seconded by Ed. All voted in favor and motion carried.

7. Bruce Shaffner - Informational - Erieville Rd.

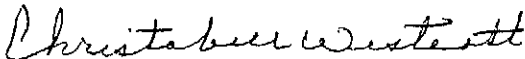
- a. Bruce has purchased the house by the post office in Erieville. The neighbor in back would like to purchase a part of the lot to have more area between his lot line and his pond. This is already a non-conforming lot and taking a piece of it would make it more non-conforming.
- b. Jim Stokes advised the Board that the proposal will need an area variance from the ZBA.
- c. The Board did not have a problem with the concept of the proposed line change A survey map with the house and septic was requested by the Board for review at the next meeting.

Bob said that he has been on the Board for 10 years and he feels that it is time to retire.

As there was not anymore business, Bob made the motion to adjourn the meeting. Seconded by Ed. All voted in favor and motion carried.

Meeting adjourned at 10:10 p.m.

Respectfully submitted by,



Christabell Westcott, Secretary  
Town of Nelson Planning Board

## TOWN OF NELSON PLANNING BOARD MEETING MINUTES

October 10, 2007

Present: James, Kevin Pace, Sandra Palmer, Roger Cook, CEO, James Stokes, Attorney & Chris, Sec.

Absent: Edward Nelson, Jan Roberts, Robert McKinnon & John Dunkle

The meeting was opened by Acting Chairman James St. Pierre at 7:00 p.m. He then greeted the guests. Jim said that as there was not a quorum that no decisions would be made at tonight's meeting.

After review of the September 11, 2007 meeting minutes, as there was not a quorum the minutes will be approved at the Nov. Meeting.

Planning Board Agenda:

### 1. John & Mary Ann Lansing - Site Plan Review - Walrath Rd. - Public Hearing

- a. John presented two new preliminary maps. One with the Building in front of the lot and the accessory building in the back and one with the buildings reversed. They would like to build a small house with a garage attached.
- b. This lot is located on Walrath Rd. and Greene Rd. It has a small lot by the lake as part of this parcel.
- c. The neighbor has a shed that is partly on John's property that needs to be resolved.
- d. For the next meeting John is to have a complete site plan with buildings, driveway, setbacks, % of lot coverage, placement of well and septic system which will be designed by an Engineer, elevations and what trees will be removed.
- e. A Public Hearing was scheduled for Dec. Letter will have to be sent out to the neighbors.

### 2. Randy Reynolds - Special Permit/Site Plan Review

- a. As the original Public Hearing on this application dated 6-25-2007 was closed in August, Randy requested that the Board accept the resubmittal of the original application for his Special Permit/Site Plan review.
- b. A proposed site plan was presented with parking spaces located.
- c. For the next meeting Randy was asked to show dimensions between parking spaces of 7-15. Road frontage distance, side yard set back on east side of property, distance of parking by the house and two spaces on row may have to be eliminated, show layout of potential seating in the barn, storage of items and how they are displayed. Approximate parking overflow conditions, evaluation on septic system (how many people will it handle), water tested in bathroom.
- d. Randy said that the reason that he wants an auction house is to hold smaller auctions rather than have estate auction's on site.
- e. Outdoor storage is still going on. Randy was asked what timeline he would have the

storage items gone. He said that some of it was what he had sold and the Buyer picked it up. He said that if it is not gone by Friday that he will take it to the landfill

- f. Randy aid that some of the outdoor storage was Retail garden merchandise that he is selling. It was suggested that he come in with plans of an auction and retail sale for garden merchandise, what will be displayed and when, show where it is going to go and how it will look. Submit plans for a sign for Retail and Auction Co..
- g. Randy made a verbal agreement to remove everything outside but the iron work by October 22, 2007.

As there was no any other business the meeting was adjourned at 8:26. p.m.

Respectfully submitted by



Christabell Westcott, Secretary  
Town of Nelson Planning Board

## TOWN OF NELSON PLANNING BOARD MEETING MINUTES

September 11, 2007

Attendance: Robert McKinnon, Jan Roberts, Kevin Pace, Sandra Palmer, James St. Pierre, Ed Nelson & John Dunkle

Also in Attendance: Roger Cook, CEO, James Stokes, Town Attorney and Chris Westcott, Sec.

The meeting was opened at 7:00 p.m. by Chairman John Dunkle. He then greeted the guests.

The draft of the revised comprehensive plan was handed out to the Board. John explained what it was for and what it would do for the Town. A Public Hearing has been scheduled for Oct. 3, 2007 at 7:30 p.m.

The minutes of August 14, 2007 were reviewed, Jan made the motion to accept these minutes as presented. Seconded by Ed. All voted in favor and motion carried.

### Planning Board Agenda:

1. Susan Padrosa/Alice Wallace - Subdivision - Pleasant Pt. - Public Hearing
  - a. Susan said that she would like to take an existing garage down and build a new one in the center of the same lot. She has talked with three or four neighbors that were concerned that the property value would go up if she combined the four (five) parcels into one.
  - b. The garage height would exceed the 15' allowed. Although the combining of nonconforming lots is encouraged in the WFZ.
  - c. The Public Hearing was opened at 7:33 p.m. As there was no present for this application the Public Hearing closed at 7:33 1/4.
  - d. The first floor of the garage will be used as a storage area for boat, with a garage door facing the ROW. The second story will be used as a storage loft with windows at both ends. The structure will not be habitable, however there will be a lavatory and sink on the first floor that will utilize the existing cottage well and septic system.
  - e. A letter from Easterly Engineering dated 7-24-07, regarding the adequacy of the existing septic system was received.

John entertained a motion to establish ourselves as SEQR lead agency and to declare this an unlisted action and based on review of the short EAF to make a negative declaration. Bob so moved, seconded by Jan. All voted in favor and motion carried.

A motion was made by Jan to approve the subdivision plan prepared by D. W. Hannig, L.S. titled "Resubdivision of Lots 34,35,49,50 & 51" of the Clarence Funk property, dated 8-28-07, depicting consolidation of all of the 5 individual into one lot totaling 0.8 acres, and to approve the site plan for the proposed demolition of the existing garage and the construction of a new two story 26' x 30' garage with a roof height 25 ft., as depicted on architectural plans prepared by

Wolfe Garitona, and as depicted on a site/septic system plan dated 7-23-07 prepared by Esterly Engineering, with the following conditions:

1. The site plan approval is contingent upon the filing of the subdivision map.
2. The site plan approval is subject to receiving a height variance from the ZBA for the proposed garage.
3. A landscaping plan will be submitted to Roger Cook for approval as part of a building permit application.

Seconded by Ed. All voted in favor and motion carried. The Planning recommends the ZBA grant a variance for the proposed height.

2. Randy Reynolds - Site Plan - route 20 - Public Hearing continued.

- a. Randy gave an itemized list in response to Johns letter.
- b. The Board cannot take action tonight because the Site Plan has not been received. Randy said that he was waiting for Vrendenburgh to get it together. The Site Plan will have to be referred to Madison County Planning Board for review.
- c. Bob had questions on the water supply and septic system. These were items that were not covered in the list. Roger will check with the health on this.
- d. Bob and John noted there were three sales events held at the property since the last Planning Board meeting and materials were being stored outside.
- e. Jim Stokes reviewed the potential consequences of continuing to conduct sales/auction business events and outside storage on the property without approval from the Town.
- f. After discussion Randy said that he would rescind application for the auction business.

The motion was made by Bob to accept the withdrawal of the special use permit application by Randy Reynolds, and to close the public hearing without further discussion. Seconded by Jim. All voted in favor and motion carried.

3. Edward & Susan Generous - Site Plan Review - Tuscarora Rd.

- a. Rick Easterly represented the Generous's for this application and submitted site plans. The Tax Map No. corrected.
- b. They would like to build a log cabin on lot 1R of the Goose Bay subdivision for seasonal use.
- c. The existing driveway will be used. There is a 12" culvert under the driveway.
- d. There is a small piece across the road on the lakeside that is no concern of the Board.
- e. The drainage has been installed and all water will drain into a natural wet pond.
- f. Plans for a sewage disposal system were examined by the Board.
- g. The Board did not feel that a Public Hearing was necessary, as the lot and all aspects of the site plan and structure comply with the WFZoning .

John entertained a motion to establish ourselves as SEQR lead agency and to declare this an unlisted action and based on review of the short form EAF to made a negative declaration. So mov ed by Bob and seconded by Jan,. All voted in favor and motion carried.

John entertained a motion that we grant Site Plan be approval for the proposed lot development on Lot 1R as depicted on the waste water disposal system plan by Easterly dated 7-6-07 and depicted on Lock - n - Log plans, eight (8) sheets, with the following conditions:

1. The structure be installed no greater then the height agreed on.
2. Any additional tree removal be limited to that necessary to install septic system.
3. Applicant obtain a driveway permit from the Mad. Co. DOT.
4. No building permit to be issued until proof of ownership of the lot is provided.


Jan so moved, Seconded by Sandra. All voted in favor and motion carried.

John said that he would not be available for the Oct. meeting, so he made a motion to appoint Jim St. Pierre as Temporary Chairman for this meeting. Seconded by Bob. All voted in favor and motion carried.

Motion made by Ed to adjourn meeting. Seconded by Jan. All voted in favor and motion carried.

Meeting adjourned at 8:43 p.m.

Respectfully submitted by,

  
Christabell Westcott, Secretary  
Town of Nelson Planning Board

## TOWN OF NELSON PLANNING BOARD MEETING MINUTES

August 14, 2007

Attendance: John Dunkle, Jan Roberts, Susan Palmer & Bob McKinnon

Absent: Kevin Pace, Jim St. Pierre & Ed Nelson

The meeting was opened at 7:00 p.m. by Chairman John Dunkle. He then greeted the guests. John announced the Public Hearing for the towns Comprehensive Plan revisions.

After the minutes of July 10, 2007 were reviewed, Bob made the motion to accept these minutes as presented. Seconded by Jan. All voted in favor and motion carried.

Planning Board Agenda:

### 1. Michael West - Subdivision - Irish Hill Rd. - Public Hearing Continued

- a. Michael is proposing a line adjustment between two parcels. The new map showed Lot 1 as 18.498 acres's and Lot 2 as 5.970 acres's.
- b. Public Hearing opened at 7:06 p.,.
- c. Jim Sparks, Neighbor has a concern of future water runoff.
- d. Before any plans for a house on Lot 1 could be done, Roger would send the applicant to the Planning Board for a Site Plan Review
- e. Any future subdivision would require a Site Plan Review.
- f. The house on Lot 2 is to close to the new property line. Michael said that he would move the lot line over three feet to meet the zoning requirements.
- f. The Public Hearing was closed at 7:13 p.m.

John entertained a motion to establish ourselves as lead agency and to declare this an unlisted action and based on review of the short form EAF to make a negative declaration. Bob so moved. Seconded by Jan. All voted in favor in motion carried.

John entertained a motion to approve the line change map of the land of Michael West, part of lot 102, as prepared by David Vrendenburgh, dated 7-11-07 with revisions, with the following conditions:

1. Any development on Lot 1 will require Site Plan Review by this Board.
2. The lot line between proposed lots 2 and 1 be adjusted to provide at least 30 feet side yard setback from the structure on Lot 2.

So moved by Sandra and seconded by Jan. All voted in favor and motion carried.

### 2. Ray Reynolds - Site Plan Review/Special Permit - Route 20 - Public Hearing

- a. Mr. Reynolds said that he has 26 parking spaces on the property where he wants to hold auctions.
- b. He proposes to hold 16 auctions per year ending about Dec. 15 and starting Feb. 15 the following year.
- c. The Board has a concern of the parking . Mr. Reynolds states that he has 26 parking spaces on the property. There will not be parking across Route 20.
- d. The Public Hearing opened at 7:25 p.m.
- f. The following Neighbor's had the following concerns:

Tyler Wilcox, (second property from auction site) has concerns of parking, time which auctions will be held, noise level, outdoor storage and the extra water and sewage that will be used. Would not like to see it like Bouckville.

Carol Elmer, (property across from auction site on the corner of Route 20 and Thomas Rd.) She has many concerns that Tyler has. She is concerned about it being a regular thing. Carol was told that a Special Permit is good for one year and any violations in that year the permit could be revoked.

- g. Jim Stokes, Town Attorney said that Mr. Reynolds application is not complete because there is not a site plan. He suggested that the Public Hearing be adjourned to next month. Bob made the motion to adjourn the Public Hearing until the Sept. Meeting. Seconded by Jan. All voted in favor and motion carried.
- h. The Board requested documentation of the parking and use of the property. It was suggested the Applicant take part of the survey map to Hal Romans and Hal would know what has to be done. A narrative of his proposal, address the concerns of the neighbors, there will be no parking across Route 20.

3. Susan Pedros & Alice Wallace - Site Plan Review - Pleasant Pt..

- a. Susan owns four separate parcels on Pleasant Pt. and gets four separate tax bills. Two parcels are on the lakeside and two across the road.
- b. There is an existing garage on one parcel across the road that Susan would like to take down and build a new one toward the center of the property.
- c. It was suggested that the four parcels be combined into one lot. This would allow the placement of the new garage in the center of the lot.
- d. A new map showing the four parcels into one was requested by the Board.
- e. Public Hearing scheduled for the Sept. meeting..

4. Marquardt Switches - Site Plan Review - Route 20 - Final Plan

- a. Terry Horst, Bob Kent and Shawn were present.
- b. Engineers report from Richard Elliott was received.
- c. Final Site Plans were received containing grading and drainage plan. Erosion control, layout plan with demenision's, revised site plan, landscaping, lighting and traffic plans.
- d. In the lighting plan, there will be 12 parking lot lights (adding 1) relocating five. Adding 1

wall pack light going from three to four. All lights have shields on them. Sandra asked if something could be done with the lights that are there now as they cause a pink glow at night. Shawn said that he could put the timer so that they would not all be on for weekends.

- g. A total of 225 parking spaces are planned. 135 existing will be removed and 135 new ones be added.
- h. All issues have been addressed.

Based on the Engineers review of the Site Plan package, John entertained a motion to grant Site Plan approval to Marquardt Switches, Inc. for their expansion prepared by Mazian & Horst, Landscape Architects & Land Planners with the following condition:

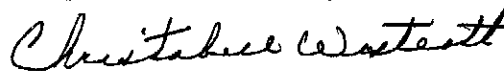
- 1. That the outside lighting be reduced for weekends.

Bob so moved and seconded by Jan. All voted in favor and motion carried.

As there was not any other business, John made the motion to adjourn the meeting. Seconded by Jan. All voted in favor and motion carried.

Meeting adjourned at 8:54 p.m.

Respectfully submitted by



Christabell Westcott, Secretary  
Town of Nelson Planning Board

## TOWN OF NELSON PLANNING BOARD MEETING MINUTES

July 10, 2007

Attendance: Bob McKinnon, Ed. Nelson, John Dunkle, Jim St. Pierre & Kevin Pace, Jim Stokes  
Absent: Jan Roberts & Sandy Palmer

The meeting was opened at 7:00 p.m. by Chairman John Dunkle. He then greeted the guests.

After the minutes of June 12, 2007 were reviewed, Bob made the motion to accept these minutes as presented. Seconded by Ed. All voted in favor and motion carried.

### Planning Board Agenda:

1. Michael West - Subdivision - Irish Hill Rd. - Public Hearing
  - a. An updated map was not received so, no action was taken.
  - b. Public Hearing opened at 7:05 p.m.
  - c. Michael is proposing a line change between two parcel's, to create a 18.498 acre lot, and a 5.970 acre lot on Irish Hill Rd.
  - d. Jeff & Karen Meyers, John Pall, Jim Sparks came to the table and reviewed the map. Their concern is a storm water issue. They are concerned that development of this lot will create more runoff.
  - e. Some of the area drains north to Irish Hill Rd., where erosion has been significant. Any building permit for this lot would have to come before the Board for a Site Plan Review.
  - f. Neighbors' also expressed concern about any future subdivision plans for the 5.970 acre parcel.
  - g. Jim said that if there is no other public comments he makes the motion to adjourn the Public Hearing until next month. Seconded by Ed. All voted in favor and motion carried.
  
2. Everett Murray - Line Change - Nelson Rd. - Continuation
  - a. Timothy Murray & Robert Screes represented Everett.
  - b. The new map has a shaded area where the new line is and the area to be conveyed to Bob.
  - c. The application is signed by both Parties's.
  - d. The Short Form SEQR was received.
  - e. The Public Hearing was held last month.

John entertained a motion to establish ourselves as lead agency and to declare this an unlisted action and upon review of the short EA. to make a negative declaration. Bob so moved and seconded by Jim. All voted in favor and motion carried.

John entertained a motion to approve this proposed line change between Murray & Screes, as depicted on the survey map prepared by David Vrendenburgh dated June 28, 2007. Jim so

moved and seconded by Ed. All voted in favor and motion carried.

3. Harry Chase - Site Plan Review - Chaphe Hill Rd.

- a. Roger represented Harry. Harry wants to put a 12' x 18' addition onto an existing house. Roger sent him to the Planning Board because of the storm water runoff.
- b. Because of the runoff problem on Chaphe Hill Rd., the Town Board wishes to have any building permit applications to come before the Planning Board.
- c. After discussion of the storm water runoff, Bob made the motion that the proposed addition would not significantly impact stormwater runoff, and therefore no further action needs to be taken by the Board. Seconded by Jim. All voted in favor and motion carried.

4. William & Susan Gulke - Site Plan Review - Tuscarora Rd.

- a. William & Susan Gulke was represented by Robert Markowski.
- b. The Gulkes are proposing to replace foundation under the camp and raise it 4' to 6' so as to use it for storage. This space would not be considered habitable. It will have an overhead door on one side to put his boat in for storage..
- c. The Board determined that there will be no increase in lot coverage usage or impervious area.
- d. They would also like to move the deck from one side of the cottage to the other side of the cottage.

John entertained a motion to establish ourselves as lead agency to declare this an unlisted action and upon review of the SEQR to make a negative declaration. Seconded by Ed. All voted in favor and motion carried.

John entertained a motion to approve the proposed foundation construction under the structure at 3139 Tuscarora Rd., owned by William & Susan gulke, with the following conditions:

1. That the foundation height result in no greater than 6 feet interior height.
2. The basement space will be rendered non-inhabitable.

Bob so moved and seconded by Jim. All voted in favor and motion carried.

5. Randy Reynolds - Site Plan Review - Route 20

- a. Randy was present with Robert DeCock, Owner of the property on Route 20. Randy is renting the property to have a auction service. This is in Heavy Commercial Zone and the use is compatible with the other businesses in the area.
- b. Randy is before the Board to discuss the parking for auction events.

- c. The property has space to park only 10-12 cars. He has obtained permission from Cornues and Emrich's to use their properties for over flowing parking. Randy said he will employ two parking attendants to direct traffic.
- d. Randy also proposed obtaining a permit to fill in some of the adjacent Nelson Swamp Wetland in order to expand parking.
- e. The Applicant also pledged to remove all outdoor storage.
- f. The Board expressed concerns regarding the size of the property for the use, the need for offsite parking across Rt. 20, and any proposed disturbance to Nelson Swamp. Safety concerns for pedestrians crossing the four lanes of Rt. 20 were expressed.
- g. The applicant was asked if any alternative sites for auctions had been considered. The applicant replied that other sites with more parking were not affordable.
- h. A Public Hearing was scheduled for next month.
- i. Jim Stokes, Town Attorney read Section 207.4 of the Land Use Regulations which states that the use, since it is un-named, will require a Special Permit, as well as approval of the parking plan.

6. Marquardt Switches - Site Plan Review - Route 20 - Continued.

- a. Terry Horst and Bob Kent presented a revised plan, noting the set back requirements.
- b. It was also noted that additional pavement area will be added on the west side to accommodate truck turning movements from the new loading docks.
- c. A copy of the SWPPP was presented to the PB, and the Town Engineer.
- d. The PB requested that a full set of its plans be submitted for the next meeting, addressing following issues:
  - 1. The relocated access road intersect the Town road at right angles.
  - 2. Parking layout, traffic circulation, and possible future parking and building expansion areas.
  - 3. Any relocation or modification to sewer facilities be approved by the Mad. Co. S.D.
  - 4. Lighting - to be minimized to reduce night glare.
  - 5. Additional landscaping and tree planting.
  - 6. Truck turning radius, emergency vehicle access, snow plowing.
- e. The Town Engineer noted that the proposed expansion was within the design limits of the existing detention basin. He will review the SWPPP, and the proposed site drainage plan for the next meeting.
- f. John read the comments from the Madison County Planning Board, that there would be no adverse County impact. Returned for Local Determination.

As there was not any other business, Bob made the motion to adjourn the meeting. Seconded by Jim. All voted in favor and motion carried.

Meeting adjourned at 9:15 p.m.

Respectfully submitted by

*Christabell Westcott*

Christabell Westcott, Secretary  
Town of Nelson Planning Board