

Town of Nelson
Zoning Board of Appeals
January 16, 2007
Nelson Office Building

Attendance: Jeffrey Rubenstein, Tim Etter, Tom Arnold, Mary Perry & Peter Radosta

Meeting was called to order by Chairman, Jeffrey Rubenstein at 7:30 p.m. He then welcomed the new ZBA Board member, Peter Radosta.

After reviewing the minutes of October, November & December 2006, tom made the motion to accept these minutes as presented. Seconded by Tim. Jeff, Tom, Tim & Mary voted in favor and motion carried. Peter abstained.

Agenda:

1. Joseph & Susan Kost - Area Variance's - Funk Road - Public Hearing
 - a. Joseph and Susan are requesting a height & area variance for a loft, North side yard of 2 feet, south side yard of 2 feet and a front yard (road side) of 5 feet. They want to replace a deteriorating 10' by 44' trailer and a 13' by 13' shed with a seasonal cabin 24' by 32'.
 - b. The placement of the septic system does not allow the cabin to be close to the lake.
 - c. The floor space on the first floor is being increased. The existing area coverage is 11.6%, the new coverage would be 14.6%.
 - d. Jeff read Section 220.12 of the Land Use Regulations.
 - e. The Public Hearing was opened at 8:00 p.m.
 - f. Wm. Franklin, Neighbor across the road asked what seasonal meant which, it is not intended for a year round home. He also asked about the septic and how many years it had been there. Joseph said that it passed the perk test when they bought the property.
 - g. Jim St. Pierre asked why they did not go before the Planning Board for a Site Plan Review. Jim Stokes said to have them go to the ZBA before getting Planning Board approval.
 - h. After being referred to the Planning Board for a Site Plan Review, the Public Hearing was adjourned at 8:15 p.m. Public Hearing will continue next month. No decision tonight.
 - i. The biggest concern is increasing the floor plan.
2. Stephen McLean - Area Variance - Route 20 E - Public Hearing
 - a. Steve is before the Board for a side yard, driveway 20 ft. Variance on the driveway which is to close to the property line. He has gotten approval from the Planning Board to combine the lot that the storage building's and the lot that the vegetable stand is on together. Steve is in the process of purchasing the property where the vegetable stand is. New storage buildings are planned for this property.
 - b. The Mad. Co. Planning Dept. Recommendation was to return for local determinations. Everything looked fine with them.

c. The Public Hearing opened at 8:30. A Steve was not present the Public Hearing will continue on 2-20-07.

3. Robert & Pamela Getek & Linda Sullivan - Area Variance - N. Lake Road - Public Hearing

- a. Robert & Pamela Getek and Linda Sullivan are before the Board upon the recommendation of the Planning Board. The Getek's and Linda Sullivan went before the Planning Board for a subdivision as they were exchanging a small amount of property to each other.
- b. They have been to the Planning Board twice and was granted approval for a subdivision.
- c. Robert & Pamela need a 3 ft. variance for a side yard setback. Linda needs a 14 ft. variance for a side yard setback
- d. Pamela explained the property survey and the way that the State made the property lines.
- e. Public Hearing opened at 8:45 p.m. As there was no one present for or against this application, the Public Hearing closed at 8:45 1/2.

Findings:

- a. No undesirable change will be produced in the neighborhood.
There is no other feasible alternate to an area variance for the applicant.
The requested area variance is substantial.
There will be no adverse effect on the physical or environmental conditions in the neighborhood.
The difficulty was self-created.
- b. All information or evidence was considered.
- c. No Public input.
- d. No Intimate knowledge.

Jeff asked for a motion to approve 3 foot variance to allow a 12 foot setback on the side yard on the (East) side for the Geteks. Tom made the motion and seconded by Peter. All voted in favor and motion carried.

Jeff asked for a motion to approve 14 foot variance to allow a 1 foot setback on the west side of the property. Tim made the motion and seconded by Mary. All voted in favor and motion carried.

A Consultant is being hired by the Town Board to review all of the material that Verizon has submitted to the Planning and Zoning Board's.

A joint meeting between the Planning Board and the Zoning Board of Appeals was scheduled after the regular meeting of the Planning Board. on Feb. 12, 2007 to discuss Verizon. This had been cancelled.

Asa there was not any other business, the motion to adjourn the meeting was made by Peter and seconded by Jeff. All voted in favor and motion carried.

Meeting adjourned at 8:57 p.m.

Respectfully submitted by,

Christabell Westcott

Christabell Westcott, Secretary
Town of Nelson
Zoning Board of Appeals