

Town of Nelson
Zoning Board of Appeals
November 16, 2010
Nelson Town Office Building
Page 1

The meeting was called to order at 7:33 p.m. by Acting Chairman Peter Radosta. Present were Mary Perry, Peter Radosta, Tom Harvey and Deborah Costello, Secretary. Absent was Chairman Jeff Rubenstein.

The minutes of the August 17, 2010 meeting were read. A motion to approve the minutes as written was made by Mary Perry. It was seconded by Tom Harvey. All voted in favor and the motion carried.

Acting Chairman, Member Peter Radosta asked for a moment of silence for Zoning Board Member Tom Arnold, who passed away in early fall. Tom Arnold served the Town as a volunteer for many years. Peter Radosta pointed out that Tom Arnold was in many regards a model citizen for many of the things that the Town of Nelson represents.

1. Brian Stearns – 4002 Nelson Heights Road – RA Zone – Area Variance – Public Hearing – Tax Map 107.8-2-47

Peter Radosta thanked Brian Stearns for his patience through this process.

Peter Radosta opened the Public Hearing at 7:35 p.m. The legal notice appeared in the Cazenovia Republican and the neighbors within 500' (feet) were all notified.

Lisa Banac, a neighbor to the left, John Addante, a neighbor across the street, and Vicky & Al Peterson, neighbors to the right had no problem with the addition of the bathroom.

Brian Stearns is asking for a 4'6" variance in order to build a 8' x 10' bathroom off the front of his house located at 4002 Nelson Heights Road.

Brian Stearns explained that he was going out 8' (feet) from the front of the house and over 10' (feet). He showed a profile view of the actual construction with the details. Brian Stearns explained that it would be standard construction methods and the siding would be consistent with what's on the house now. The drainage would tie in with the existing gutter. The vents will be off to the side of the house.

The Board asked about the roof overhang and suggested that another 18 inches be added to what was being asked for. He wouldn't have to use it all but it would give him that extra to work with.

Page 2

Tom Harvey made a motion to close the Public Hearing at 7:50 p.m. It was seconded by Mary Perry. All voted in favor and the motion carried.

There will be no undesirable changes to the neighborhood, there is no feasible alternate to an Area Variance and the request for an Area Variance is substantial. There will be no adverse effects on any physical or environmental conditions in the neighborhood, the difficulty was self created and all the information referenced has been considered and all the parties in question have been heard.

Mary Perry made a motion to approve the front lot Area Variance of 6' 0" (6 feet 0 inches) off the northwest corner of the house. It was seconded by Tom Harvey. There was no further discussion. All voted in favor and the motion carried.

The Area Variance was granted and a letter will be sent to Brian Stearns indicating that his Area Variance was granted. He will then contact Roger Cook, Code Enforcement Officer, to obtain his Building Permit.

2. Bill Cody – 3232 Route 20 East – RA Zone – Granted an Area Variance in August 2010 - To discuss with Board his prior request to build a shed – Tax Map #96.19-1-34

Mr. Bill Cody was not present.

Mary Perry made a motion to adjourn the meeting. It was seconded by Tom Harvey. There was no further discussion. All voted in favor and the motion carried. The meeting was adjourned at 8:56 p.m.

Respectfully submitted,

Deborah Costello
Zoning Board of Appeals Secretary
Town of Nelson

