

Chairman John Dunkle called the July 2017 Planning Board meeting to order at 7:00 p.m. Present were Michael Emerson, Jim St. Pierre, John Dunkle, Diane Cass, Kathleen Maloney and Deborah J. Costello, Planning Board Secretary. Also present was Roger Cook, Code Enforcement Officer. Absent were Sandy Palmer and Robert Carr.

1. Minutes

A motion was made by Kathleen Maloney and seconded by Diane Cass to approve the June 2017 minutes as written. There was no further discussion. All voted in favor. The motion carried.

2. Arthur & Pamela Matthews – 3535 Rippleton Road – Site address: Welsh Church Road (across from the Welsh Church – Tax Map #109.-1-23.1 – Rural Zone and Scenic Overlay District -proposing to construct a 40’ x 60’ pole barn – Application sent to the Madison County Planning Department Special Use Permit – Public Hearing Continued

Chairman Dunkle noted the Planning Board met with the Matthews June 17th at the Matthews’ property located on Welsh Church Road to explore possibilities for relocating the proposed barn to a site that would have less of an impact to the vista of the Welsh Church. Mr. Matthews notified us that they would not be able to attend this meeting. Mr. Matthews asked to be put on the agenda for the August meeting. The public hearing was adjourned at the June meeting and the adjournment will be continued to the August meeting.

A motion was made by Jim St. Pierre and seconded by Mike Emerson to continue the adjournment of the public hearing for the Matthews until the August 2017 meeting. There was no further discussion. All voted in favor. The motion carried.

3. Edward & Jane Ryan – Represented by John and Nick Ryan (sons) -2943 Hardscrabble Road Rural Zone – Tax Map #120.-1-4.1 - proposing to subdivide 21.473 + acres – Subdivision

Edward and Jane Ryan, represented by sons John and Nick Ryan, are proposing a 2 lot subdivision of 21.473+ acres located at 2943 Hardscrabble Road. A two (2) acre lot is proposed and will include the house, well and septic. The remaining 19.473+ acres will remain hayfield and woods. Nothing is proposed at this time other than to take the hay off the 19.473+ acres. The State of New York has a 30 ft. right of way on the property. Roger Cook, Code Enforcement Officer, noted that the trail right of way can be used in determining lot sizes because highway right of ways are also counted as part of the parcel. On this property the area to the centerline of Hardscrabble Road and including the trail right of way is 2.218+ acres. The applicants will have a perk test done on the remaining 19.473 ± acres.

Public Hearing

The Board, at its discretion, waived the Public Hearing, as the proposal is a Type I minor subdivision. The minor subdivision is a Type I action and the application can be reviewed as an expedited review.

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SEQR

In accordance with the Town of Nelson Resolution No. 001-2014, the proposed minor subdivision is classified as a Type II action and therefore does not require SEQR review.

Approval

A motion was made by Jim St. Pierre and seconded by Diane Cass to approve a Subdivision as depicted on a Subdivision map titled, “Map of Lands of Edward & Jane Ryan (Hardscrabble Road) Part of Lots 77 & 80 Town of Nelson, Madison County, New York,” prepared by David A. Vredenburg, Licensed Land Surveyor and revised December 13, 2015 with the condition that a perk test will be conducted on the 19.473+ acre parcel prior to the Chairman signing the final maps. There was no further discussion. All voted in favor. The motion carried.

**3. Steven Fuller – 2733 Tuscarora Road – Waterfront Zone – Tax Map #133.17-1-23
proposing drainage of surface water – (County Recommendation received) - Site Plan**

Mr. Fuller is proposing to put a network of underdrains in that will collect runoff and discharge to a drywell to drain surface water from his yard. Mr. Fuller gets some runoff from Tuscarora Road and has contacted the County to clean the culvert. Mr. Fuller is not aware of where the groundwater table is and is only proposing to go 12-24 inches deep. There will be a stone trench topped with loose sandy topsoil. Mr. Fuller wants to maintain the yard. Mr. Fuller was advised to put a silt fence up during construction.

The GML was returned for local determination and noted, “The installation of a dry well to mitigate storm water runoff at parcel 133.17-1-23 in the Town of Nelson would have no county wide or inter-municipal impacts.” It was also noted if the well is the proper size and is maintained the potential negative impact to Tuscarora Lake would be minimal.

SEQR & Public Hearing

Chairman Dunkle noted this is a minor Type II action and SEQR is not required. The Board, at its discretion, waived the Public Hearing.

Approval

A motion was made by Jim St. Pierre and seconded by Kathleen Maloney to approve drainage modifications for the Fuller property located at 2733 Tuscarora Road. There was no further discussion. All voted in favor. The motion carried.

Mr. Fuller inquired about shoreline modifications and was advised he will need to work with the Department of Environmental Conservation to create a plan. Once he has obtained the necessary permits Mr. Fuller will need to meet with the Planning Board to review the plan. The Board will want to see a landscaping plan for the shoreline.

4. Thomas Goodwin – 2881 Tuscarora Road – Waterfront Zone – Tax Map #133.13-1-5 requesting to build a deck – (application submitted to County – GML not received) applicant requires two variances & will meet with the ZBA July 18th – Site Plan

Mr. Goodwin is proposing to build a 16'x22'x10' deck, not attached to the camp, 5 ft. from the water's edge. The deck will be built on 12" concrete piers 5 ft. deep. 6x6's will be anchored to the piers. All materials will be pressure treated. There will be a gap in the deck boards. Mr. Goodwin is proposing #2 stone under the proposed deck. The height will be below the allowed 8 ft.

The lot size is 9,800 sq. ft. of which 3,761 sq. ft. are useable. The applicant will need a variance for percentage of lot coverage and a side yard variance of 1 ft. from the highway boundary. Mr. Goodwin is on the ZBA agenda for July 18th. It was noted the highway boundary appears to run through part of the camp.

Mr. Goodwin is proposing to remove an existing 33 sq. ft. shed and a set of small steps. It was noted that in 2016 Mr. Goodwin received approval for a seawall modification and provided landscaping along the shoreline.

Mr. Goodwin will need a variance for lot coverage of 5% and a 1 ft. side yard variance from the highway boundary. The Board discussed the proposed square footage and offered some suggestions that may help decrease the amount of the variance being requested.

Mr. Goodwin noted the camp has some settling issues that need to be resolved. Once the excavation has been completed and the ground has settled, the applicant would like to add some more landscaping. The Board suggested some possible screening from the road and a raingarden. The applicant will return to the Planning Board when the ZBA makes a determination on the variance requests.

5. Nancy Gallery – 349 Funk Road – Waterfront Zone – Tax Map #133.9-1-33 - proposing to replace an in-kind 95 sq. ft. metal shed with a pre-built non-foundation wooden shed

Ms. Gallery is proposing to replace, in kind, an existing 95 sq. ft. metal shed with a pre-built non foundation wooden shed. The shed will be left natural in color. The proposed shed will be under the 20 ft. height allowed in the waterfront zone. There is an existing pump house on the property and the lots are combined.

SEQR & Public Hearing

In accordance with the Town of Nelson Resolution No. 001-2014, the proposed replacement of a building in kind is classified as a Type II action and therefore does not require SEQR review. The need for a Public Hearing was waived.

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Approval

A motion was made by Diane Cass and seconded by Mike Emerson to replace an existing 95 sq. ft. shed at 349 Funk Road with in kind 95 sq. ft. shed to remain natural as depicted in documentation provided by the applicant. There was no further discussion. All voted in favor. The motion carried.

The Board discussed the sign at the Cazenovia Animal Hospital. Roger Cook, Code Enforcement Officer, noted that Alix Coursen, Erieville Road, had come before the Planning Board some time ago asking to hold weddings at that location. Patrick Gilmore, The Shoppes at Johnny Appleseed, is now asking to hold weddings and other events at the store. There has been some discussion about possibly amending the code to address those requests. Currently that use is not allowed in the rural zone. It was noted that it would need to be with a Special Use Permit and with some oversight.

As there was no further business before the Planning Board, a motion to adjourn the meeting was made by Jim St. Pierre and seconded by Mike Emerson. There was no further discussion. All voted in favor and the motion carried. The meeting was adjourned at 7:42 p.m.

Respectfully submitted,

Deborah J. Costello, Planning Board Secretary
Town of Nelson