

Chairman John Dunkle called the November Planning Board meeting to order at 7:30 p.m. Present were Michael Emerson, Sandy Palmer, John Dunkle, Robert Carr, Kathleen Maloney, Diane Cass and Deborah J. Costello, Planning Board Secretary. Also present was Roger Cook, Code Enforcement Officer. Absent was Jim St. Pierre.

1. Minutes

A motion was made by Robert Carr and seconded by Diane Cass to approve the October 13, 2015 minutes as written. There was no further discussion. All voted in favor and the motion carried.

**2. Juli & Dan Pace – Estate of Doug Trush – 4428 Stonebridge Road – Rural Zone
Tax Map #97.-1-27.1 (103.415 acres) - proposing to create Lot A (68.883 acres) on the south side
and includes the house and Lot B (34.532 acres) on the north side**

The applicants are proposing to subdivide 103.415 acres on Stonebridge Road. Lot A will be 68.883 acres on the south side of Stonebridge and will include the house. Lot B will be 34.532 acres on the north side of Stonebridge and will be retained by Juli and Dan Pace. Lot B meets the criteria for a flag lot. The Board reviewed the subdivision map and had no issues.

A Public Hearing was inadvertently not scheduled for the November meeting. One will be scheduled for a special meeting on November 30th at 8 p.m.

**3. David Haswell – 4738 Fox Hill Road, Erieville – Waterfront Zone – Tax Map #134.-2-4.23
proposing to replace a 25 ft. railroad tie retaining wall with quarried stone and construct natural
stone steps with quarried stone - has secured a DEC Permit – Site Plan Approval**

Mr. Haswell is proposing to replace a 25 ft. long railroad tie retaining wall with quarried stone 18” high and to construct steps with the same material. The steps will be cut into the landscape. No vegetation will be removed.

The board reviewed the plans prepared by NRCS and the photos submitted by the applicant and had no concerns. The Board elected to waive a Public Hearing.

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The Board reviewed the submitted short form EAF. A motion was made by Robert Carr and seconded by Sandy Palmer to a. declare the Town of Nelson Planning Board Lead Agency, b. to declare the proposal an unlisted action and c. based on a review of the potential environmental impacts outlined on the short form EAF, to make a negative declaration. There was no further discussion. All voted in favor and the motion carried.

Approval

A motion was made by Sandy Palmer and seconded by Kathleen Maloney to approve a Site Plan for proposed shoreline modifications as depicted on a plan titled; “Haswell Residence (Erieville, NY) Project and Site Plans Shoreline Stabilization” dated August 24, 2015 as prepared by NRCS, U. S. Department of Agriculture Natural Resources Conservation Service. There was no further discussion. All voted in favor and the motion carried.

**3. Paul Restante – 131 Pleasant Point, Erieville – Waterfront Zone – Tax Map #133.9-2-23.1
Addition of a 24’ x 15’ (original proposal 24’ x 18’) 1 story garage on the non-lake side of the
property – Site Plan**

Mr. Restante is proposing a one story addition for covered parking at 131 Pleasant Point that already includes a 2 story residence on a 50’ x 80’ lot. The addition will be about 11 ft. in height and will not impact anyone’s view. Mr. Restante met with the Planning Board in July to discuss the proposal informally and to discuss a solution to ongoing drainage problems. There are issues with runoff from property across the road that causes water to go under the house and up through the slab.

Mr. Restante also met with the ZBA informally to discuss three potential issues; side yard setback, setback to the road and lot coverage. The ZBA had no concerns with the side yard setback or the setback from the road. Lot coverage was a concern. The ZBA suggested Mr. Restante work with the Planning Board on mitigation of coverage and drainage.

Mr. Restante’s plan is to install a curtain drain between the road and house to intercept the uphill runoff that currently flows under the house slab. The drain would be stone filled trench approximately 4 ft. deep and would run along the south side of the house to daylight near the shore below the septic system. The drain would be installed even if the addition is not completed. The Board discussed a concept for remediation of the curtain drain discharge which would consist of a stone filled level spreader trench with a shoreline planting bed in accordance with the Town of Nelson “Guidelines for Improving Lake Water Quality”

The Board discussed the road side setback. A 20 ft. right-of-way for Pleasant Point Road is shown on the submitted survey and on the tax map. Mr. Restante questioned whether the private right-of-way constituted a street. Roger Cook noted that the Town of Nelson Land Use and Development Law defines a street as “A term used interchangeably with road, avenue, lane, and highway, among others; a right-of-way improved or intended to be improved as a private or public way for vehicular traffic which affords principal means of access to abutting properties.”

Therefore, it appears the proposed addition will not meet the road setback requirements and will require a variance. However, the proposed addition appears to be in line with adjacent structures.

Planning Board – Town of Nelson
November 10, 2015
7:30 p.m. – Nelson Town Office
Page 3

The Board requested the applicant to submit the following for the next Planning Board meeting:

- Survey showing accurate lot and building dimensions
- Landscaping and drainage management plans, including curtain drain and planting bed details
- Building plans with height dimensions, side and front elevations , building materials and colors

A Public Hearing will be scheduled for the December meeting provided the applicant can submit the requested information by November 30th.

5. Suzanne Burns – 3693 North Lake Road – Waterfront Zone – Tax Map #121.18-1-1- proposing to replace 80 ft. of existing seawall with precast concrete blocks – DEC permit obtained – Site Plan Informal

Ms. Burns is proposing to replace 80 ft. of existing seawall with precast concrete blocks in the same footprint as the existing wall. The proposed seawall will be 2 ft. wide. The rocks will be keyed into the lake bed. A layer of rip rap will be used along the toe of the wall on the lake side. Ms. Burns submitted a plan to the DEC (Department of Environmental Conservation) and was issued a permit.

The Board asked the applicant to submit the approved plans prepared by NRCS and to show how the seawall will tie into adjacent properties along with a planting plan for the area behind the seawall. A Public Hearing will be scheduled for the December Planning Board meeting.

Chairman Dunkle informed the Board that a meeting will be held with the New York State Department of Transportation on Thursday, November 12th at 9 a.m. at the Nelson Town Office to discuss ways to improve pedestrian and traffic safety on Route 20 given the arrival of new development. Supervisor Roger Bradstreet, Councilor Jennifer Marti, Roger Cook (Code Enforcement Officer), Kristi Cranwell (Nelson Farms), Jeff & Linda Schoenfeld (Nelson Odeon), Nancy Demyttenaere (McKinnon/Baumbach properties) and Planning Board Chairman John Dunkle will be attending. Chairman Dunkle invited any Board member interested to also attend.

Roger Cook, Code Enforcement Officer, updated the Board on road construction on the Madden property, formerly owned by Roger Olcott, in the Scenic Overlay District. Roger has asked Mr. Madden to discuss the project with the Planning Board at the December meeting.

As there was no further business before the Board, a motion was made by Kathleen Maloney and seconded by Robert Carr to adjourn the meeting. There was no further discussion. All voted in favor and the motion carried. The meeting was adjourned at 9 p.m.

Respectfully submitted,

Deborah J. Costello, Planning Board Secretary
Town of Nelson Planning Board

