

Chairman John Tobin called the February 2017 ZBA meeting to order at 7 p.m. Present: Carl Shaw, John Foley, John Tobin, Eric Lints and Kathryn Eberst.

1. Minutes

A motion was made by Eric Lints and seconded by John Foley to approve the December 2016 minutes as presented. There was no further discussion. All voted in favor. The motion carried.

2. Clint Tankersley – 3125 Tuscarora Road – Waterfront Zone – Tax Map #'s 133.5-1-23 and 133.5-1-23.1 – proposing to remove an existing 372 sq. ft. garage and replace with a new 576 sq. ft. garage; a second floor 539 sq. ft. addition is proposed for the main house building footprint will remain unchanged – variances for a side yard (west) setback of 4.81 ft., percentage of coverage for structures of 3.1% and a front (lakeside setback to second floor) of 15.38 ft.

The Tankersleys, represented by William Ferraldo of Harmony Architects, are proposing to remove an existing 372 sq. ft. garage and replace with a 576 sq. ft. garage and a 539 sq. ft. second floor addition to the main structure will provide additional bedrooms. A raised hip roof is proposed for the main structure and will extend over the porches. The footprint of the camp will remain unchanged and the height of the principal structure and proposed garage will be under the height allowed in the waterfront zone.

The garage is being enlarged to accommodate the storage of a boat and a quilting studio. The quilting studio will have a shower and a sink for quilting purposes. The only thing encroaching on the side yard setback is the stair. A new septic system was designed by Wayne Matteson and approved by the Madison County Health Department. One modification was made to the original septic plan. The size of the leach field has been reduced. The driveway is lawn and will remain as such. The number of windows in the garage have been reduced.

The GML Recommendation Report was returned for Local Determination. There was a concern regarding the hipped roof and the views of the southeasterly neighbor. It was determined there would be no impact.

A 242 sq. ft. rain garden is proposed to help with water runoff and plantings are proposed along the shoreline and modified to allow access to the dock. It was noted the applicants will combine the two lots.

The ZBA was concerned that the proposed quilting space could become an additional living area although no kitchen is currently proposed. Mr. Ferraldo noted they had this discussion with the Planning Board and this area will be constructed as “unfinished” as possible. It may serve as a bunkhouse occasionally.

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Public Hearing

Chairman Tobin opened the Public Hearing at 7:25 p.m. Diane Cass and Tim McLaughlin provided an email stating they had no issues with the proposal.

A motion was made by John Foley and seconded by Carl Shaw to close the Public Hearing. There was no further discussion. All voted in favor. The motion carried. The Public Hearing was closed at 7:26 p.m.

The findings were as follows: There will be an undesirable change in the neighborhood, there is no feasible alternate to an area variance for the applicant, the requested area variance is not substantial and there will be no adverse effect on the physical or environmental conditions in the neighborhood. The difficulty was self-created, all information and evidence was considered, all parties in question have been heard and there was no intimate knowledge to take into account.

Approval

A motion was made by John Foley and seconded by Kathryn Eberst to approve a side yard variance of 4.81 ft., a lot coverage variance of 3.1% lot coverage and a front (lakeshore setback to second floor) variance of 15.38 ft. with the condition that the quilting studio above the garage is not converted to a dwelling unit. There was no further discussion. All voted in favor and the motion carried.

As there was no further business before the Board, a motion was made by Eric Lints and seconded by Carl Shaw to adjourn the meeting. There was no further discussion. All voted in favor. The motion carried. The meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Deborah J. Costello, Secretary
Zoning Board of Appeals
Town of Nelson