

**TOWN OF SOMERSET
PLANNING BOARD
October 10, 2012**

Present: Jon Hotaling
Brian Carmer
Chris Czelusta
Gary Few
James Hoffman
Norman Jansen
James Trinder, Alternate
Morgan Jones Jr., Counsel
Andrew Reilly, Engineer

Chairman Hotaling called the meeting to order at 8:57PM and invited James Trinder to participate due to the vacancy of a member.

APPROVAL OF MINUTES

On a motion of G. Few, seconded by N. Jansen, the following resolution was
ADOPTED Ayes 7 Hotaling, Carmer, Czelusta, Few, Hoffman, Jansen, Trinder
Nays 0

Resolved the minutes of the September 12, 2012 meeting are approved as submitted.

COMMUNICATIONS

Code Enforcement Report for August received and filed.

Clerk Connolly read a communication for Infinigy Engineering inviting the Board to make any comments on the effects on Historic properties for the proposed NYSEG project.

**NYSEG COMMUNICATION TOWER
SEQR LEAD AGENCY**

On a motion of G. Few, seconded by N. Jansen, the following resolution was
ADOPTED Ayes 7 Hotaling, Carmer, Czelusta, Few, Hoffman, Jansen, Trinder
Nays 0

Resolved the Planning Board is declared the lead agency for the SEQR (State Environmental Quality Review) review for the proposed 300 foot utility telecommunications tower on the NYSEG property north of Lake Road, west of Hosmer Road.

Andrew Reilly, Engineer, went through the SEQR EAF (Environmental Assessment Form) requirements as follows:

1. There will be a physical change but have no impact as the area is industrial.
2. They are not creating significant to land.
3. There is no impact to any water body.
4. There will be no impact to ground water quality.
5. They are not altering drainage patterns.
6. There will be no impact to air quality.
7. There will be no impact to threatened or endangered species.
8. There will be no impact to non-threatened or non-endangered species.

9. The project is in an Agricultural District, but will have no impact.
10. There will be no impact on aesthetic resources.
11. Verizon did a historic impact study and there was declared no impact for the project therefore the construction of the tower will have no impact.
12. There is no impact on open space or recreation.
13. There will be no impact on any critical environmental area.
14. There is no impact on transportation.
15. There is a slight impact on energy but the impact is minor.
16. There will be noise during construction and there is already noise in the area.
17. There will be a positive impact on the public health and safety. He said the site is completely enclosed and secure.
18. There will be no impact upon the growth of the community.
19. There is no public controversy.

Mr. Reilly stated there is no significant impact upon the environment.

Chairman Hotaling said he is concerned with a collapsible tower.

Mr. Reilly said the tower is designed to be a collapsible tower and that is what will happen. He said NYSEG will be doing a yearly inspection of the tower. Mr. Reilly said he will review the design of the tower when it is received.

Mr. Curley said the tower is designed with break points and NYSEG would not put a tower on the property that would jeopardize their equipment at the substation.

NEGATIVE SEQR DECISION

On a motion of J. Hoffman, seconded by N. Jansen, the following resolution was
ADOPTED Ayes 7 Hotaling, Carmer, Czelusta, Few, Hoffman, Jansen, Trinder
Nays 0

Resolved based upon the submittal of NYSEG and the recommendation of the Town Engineer Andrew Reilly, a negative SEQR is declared as there is no significant impact upon the environment.

APPROVAL OF SPECIAL USE PERMIT

Attorney Jones reviewed all conditions and subsections of §205-43.1 D. & E.

On a motion of J. Hoffman, seconded by N. Jansen, the following resolution was
ADOPTED Ayes 7 Hotaling, Carmer, Czelusta, Few, Hoffman, Jansen, Trinder
Nays 0

RESOLVED that the application of **NEW YORK STATE ELECTRIC & GAS (NYSEG)** for property located at the existing substation on the north side of Lake Road, west of Hosmer Road, Barker, New York 14012, shall be **APPROVED** in accordance with the application with the following terms and conditions:

1. This permit is subject to annual renewal beginning March 2014.
2. This Special Use Permit shall conform to ordinances of the Town of Somerset in all other respects.

3. Any violation of condition(s) of the Special Use Permit shall be grounds for revocation.
4. The premises shall be kept neat and orderly.
5. The tower shall be inspected annually by a licensed professional engineer and a copy of the inspection report shall be submitted to the Town of Somerset Code Enforcement Officer.
6. A bond shall be posted for an amount sufficient to cover the estimate for removal of the tower.
7. Proof of insurance in a sufficient dollar amount to cover potential personal and property damage shall be provided annually to the Town Clerk.
8. Proof of certified mail announcements to all other telecommunications providers in the area declaring the applicant's sharing capabilities and/or siting needs shall be provided to the Town Clerk.
9. The design of the collapsible tower shall be submitted by NYSEG and reviewed by the Town Engineer.
10. NYSEG shall pay the costs of the Town's engineers and attorneys for time spent reviewing and analyzing the application.
11. This special use permit is conditioned upon the approval of the area variance by the Zoning Board of Appeals.
12. Building permit must be applied for and issued by the Code Enforcement Officer.
13. This permit is assignable or transferable upon the approval of the Town Planning Board.

APPROVAL OF SITE PLAN

On a motion of J. Hoffman, seconded by B. Carmer, the following resolution was
ADOPTED Ayes 7 Hotaling, Carmer, Czelusta, Few, Hoffman, Jansen, Trinder
Nays 0

Resolved the Site Plan in the matter of the application of **NEW YORK STATE ELECTRIC & GAS (NYSEG)** for property located at the existing substation on the north side of Lake Road, west of Hosmer Road, Barker, New York 14012, shall be approved.

COMPREHENSIVE PLAN

Chairman Hotaling said the Town Board held a public hearing on the draft comprehensive plan on October 9th and asked that two people from the Planning Board sit on a committee to review comments. He appointed James Hoffman and Chris Czelusta to the committee.

There being no further business, G. Few moved to adjourn the meeting at 9:40 PM, seconded by J. Trinder. Carried unanimously.

Respectfully submitted,

Rebecca A. Connolly, MMC
Town Clerk/Secretary