

**TOWN OF SOMERSET
PLANNING BOARD/PUBLIC HEARING
MARCH 4, 2021**

Present: Norm Jansen, Chairman
Krista Atwater
Laura Bishop
Charles Neal
David Haylett, Town Attorney
Anthony Serianni

Attendance: Stephanie Mason
John Mason
Jon Hotaling, Councilman

Chairman Jansen called the Public Hearing to order at 7:40p.m.

PUBLIC HEARING

Applicant: Stephanie Mason
Owner: John Mason
Property Location: 2134 County Line Rd.
Barker, Niagara County
(Tax Map No. 30.00-1-19.1)

Re: Application for a Special Use Permit to operate a bake shop in an
Agricultural District

Chairman Jansen opened the Hearing inviting Stephanie Mason to explain what she wished to do. She replied that she would like to put a bake shop on her father's property.

Questions from the board:

K. Atwater asked if S. Mason has already been running her bake shop, to which she replied that she has been operating for one year.

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K. Atwater asked if it was approved by the Health Department at this time. S. Mason replied that previously she was not aware of the licenses that she needed to obtain or the health department permit that is required until she was informed by somebody. She said that she was just baking for family and friends the past year but now she is renovating the building and plans to contact Scott Ecker from the Department of Health. She wants to get her Special Use Permit to run the bakery and go about things the right way.

K. Atwater said that she has always heard good things about her and that she believed that she just had a lack of knowledge of how things are to be done according to the Town of Somerset's code.

Chairman Jansen asked if she intended to have a sign, what lights she intended to use, and what her hours of operation would be. S. Mason explained that she will start off with Saturdays and Sundays and that there are brackets in place for a sign from the previous woodworking business.

L. Bishop had no objection to the project.

C. Neal asked what the two-five year plan is. S. Mason replied that initially, she and her mom will be the only ones working there but she is hoping to eventually hire a part time employee to help with counter work and custom orders. She said that there is plenty of room for parking.

Atty. Haylett asked if it was going to be a storefront to which S. Mason affirmed that it will not be a place where customers could sit down and eat. He explained that the Niagara County Planning Board reviewed and approved this. He questioned if the building was on the same tax lot as the house, to which she answered yes.

J. Hotaling said that the hours of operation should be noted regardless of whether she was going to be part time or not. K. Atwater explained that storefront hours should be defined differently from hours of operation.

Atty. Haylett recommended that her hours be noted long enough so that she doesn't have to come back to the board to get approval for more. S. Mason defined her hours to be 6am-6pm.

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Atty. Haylett asked how close the closest neighbors are. It was answered about a half mile away. He asked J. Mason if he owned the property, to which he replied yes. S. Mason said that she lived a couple houses down from him.

K. Atwater commented that if S. Mason wants a sign bigger than 2'x2', she should ask for it now. S. Mason replied that she would like a 4'x4' sign, but she may end up going smaller.

Chairman Jansen reminded her that the Town of Somerset likes a dark sky at night. J. Mason replied that they would be using a simple quartz light, nothing too big.

Provisions of a Special Use Permit were read aloud.

With no more questions, the Public Hearing was closed at 7:53p.m., and the regularly scheduled meeting was opened.

Part 1 of the Environmental Assessment Form was submitted for review: Atty. Haylett replied that no or small impact would occur as a result of this project. Previously there was a Special Use Permit attached to this location for a woodworking shop. Minimal traffic would increase to the area as a result of the bake shop. He explained that if the board agreed with these findings, there would have to be a resolution made.

On a motion by C. Neal, seconded by K. Atwater, the following resolution was

ADOPTED	Ayes	4	Jansen, Atwater, Bishop, Neal
	Nays	0	

Resolution that no or small impact would occur as a result of this project. This is an unlisted action, not Type 1 or Type 2.

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On a motion made by K. Atwater and seconded by C. Neal, the following resolution was

ADOPTED	Ayes	4	Jansen, Atwater, Bishop, Neal
	Nayes	0	

Resolution to approve a Special Use Permit to operate a bake shop in the Agricultural Zoning District, Tax Map Number 30.00-1-19.1.

Applicant Stephanie Mason and property owner John Mason agree with the following conditions:

1. The Special Use Permit shall conform to ordinances of the Town of Somerset in all other respects.
2. Any violation of the conditions shall be grounds for revocation of this Special Use Permit.
3. The premises shall be kept neat and orderly.
4. Hours open to the public is permitted between 6a.m.-6p.m., Sunday to Saturday.
5. One sign permitted not to exceed 4'x4' and lighting not to disturb neighboring property owners.

APPROVAL OF MINUTES

On a motion by k. Atwater, seconded by C. Neal, the following resolution was

ADOPTED	Ayes	4	Jansen, Atwater, Bishop, Neal
	Nayes	0	

Resolved: The minutes of the February 4, 2021 Public Hearing/Meeting were accepted as submitted.

COMMUNICATIONS:

Atty. Haylett brought to the attention of the Planning Board that Horvath Communications may need to shift the cell tower ~100ft and move over the driveway access. This change may have to come back to the Planning Board to amend the current Special Use Permit.

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The 2021 documented training hours for board members were reviewed upon request

OLD BUSINESS: There was no old business

NEW BUSINESS: Annual renewal of existing Special Use Permits
At 8:06p.m. on a motion by C. Neal, seconded by L. Bishop the following resolution was

ADOPTED Ayes: Jansen, Atwater, Bishop, Neal
 Naves: 0

Resolution: All Special Use Permit renewals that have been signed and returned (excluding C. Neal) were approved. Those that are outstanding are AT & T Mobility, Diane Barrett and Mary Harrigan, Crown Castle, Jody Grahn, and Anita Schmitt. These permit holders should be sent a second letter, certified mail.

At 8:07p.m. on a motion by K. Atwater, seconded by L. Bishop the following resolution was

ADOPTED Ayes: Jansen, Atwater, Bishop
 Abstain: C. Neal

Resolution: Special Use Permit renewal for the C. Neal's airstrip was approved

ADJOURNMENT: There being no further business L. Bishop made a motion to adjourn the meeting at 8:09p.m., seconded by C. Neal. Carried unanimously.

Respectfully submitted,

Sandra Lewis
Planning Board Secretary