

**TOWN OF SOMERSET  
PLANNING BOARD/PUBLIC HEARING  
MAY 5, 2022**

**Present:** Norm Jansen, Chairman  
Krista Atwater  
Chris Czelusta  
Charles Neal  
David Haylett, Town Attorney

**Attendance:** Bob Verheyn  
Chris Bronson  
Jim Hoffman  
Agnes Laport  
Fred Leuer  
Dale Nikitas  
Carl Stoloski, Applicant  
Stephanie Stoloski, Applicant  
Kevin Wagner, CIR Electircal Construction Corporation  
Anthony Wedekind  
Lauren Wedekind, Applicant

**PUBLIC HEARING**

**Owner/Applicant:** Carl and Stephanie Stoloski

**Property Location:** 7731 West Somerset Road  
Appleton, NY 14008  
Tax Map No. 16.00-3-14.111)

**Re:** Application for SEQR review and subdivision of land from a 22.3-acre parcel to two parcels (one parcel of 3.8 acres and one parcel of 18.50 acres).

The Hearing opened with S. Stoloski explaining that there is an offer pending on their house and they would like to subdivide their property to 3.8 acres with a house and garage and keep the remaining 18.5 acreage to be used for agriculture. She explained that they own the surrounding properties. She showed the survey to the Board members. Atty. Haylett was concerned that that there will be no road frontage on one of the divided parcels which would make it a non-conforming lot with 80' frontage and if anyone would want to build on it, they would need to obtain a variance to do so. S. Stoloski mentioned that later, they may choose to absorb the property and then a Variance would not be necessary.

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Chairman Jansen asked those in attendance if they would like to view the maps, but no one came forward. He then invited the Planning Board to ask any questions.

K. Atwater asked if there is a barn on the property to which S. Stoloski responded that it is a mechanics garage and not a barn and that this is part of the 3.8 acres that they will be selling.

With no further questions, this part of the Hearing was closed, and the next order of business was opened.

Owner: Lauren Wedekind

Applicant: Lauren Wedekind/CIR Electrical Construction Corp.

Property Location: 9135 Coleman Road

Barker, NY 14012

(Tax Map No. 18.00-1-24.11)

Re: Application for a SEQR review and Site Plan approval to install a 21.60 kW ground-mounted solar electric PV System in the Agricultural District pursuant to the Town of Somerset Zoning Code.

K. Wagner with Solar by CIR explained the ground-mount solar project. He made a proposal to build a 21.60 kW ground-mount residential solar array which will be put in the footprint of a pre-existing barn on the property. Chairman Jansen invited him to come forward and display the maps and drawings that showed the project. K. Wagner went on to explain that there will be 45 panels, 5'x9' across, it is 66' x 15' deep and 12.5' high. C. Neal asked if there would be a back-up battery system to which K. Wagner said no, that it would be grid type. He also asked if there are any other structures nearby that would be affected by reflection off the panel to which K. Wagner said there are no close residents, there are only sheds. He also said that they would be fixed to the ground and would not disturb the soil except for a quick drill for 6-8 posts. C. Czelusta asked how close the neighbors are to which L. Wedekind said that the closest is about a quarter mile away and there is a family stretch of 100 acres where her aunt and brother live.

Atty. Haylett explained that the project is a Tier II because it is ground-mounted and that they project falls under the new Solar Law, so a SEQR review and a Site Plan Approval is all that is needed. Chairman Jansen opened the Hearing up to questions.

J. Hoffman asked that the applicant review the new Solar Law regarding setbacks and heights.

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Atty. Haylett interjected with questions pertaining to this. He asked if it will be set 25' from any side or rear property lines to which K. Wagner said yes. The next question was if the maximum height would be greater than 15' to which K. Wagner said it would be 12.5'. He asked if the panels are anti-reflective, to which K. Wagner said they have anti-reflective coating. He asked if it would be shielded from the neighboring properties as much as possible, to which he responded that they would be. He said that it would be 243' from the front and the other road 375'. Atty. Haylett confirmed that this is a residential project that would only be used for the house and property for personal use. With no further questions, the Public Hearing was closed at 7:45pm and the meeting was opened.

### **APPROVAL OF MINUTES**

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

|         |      |   |                                 |
|---------|------|---|---------------------------------|
| ADOPTED | Ayes | 4 | Jansen, Atwater, Czelusta, Neal |
|         | Nays | 0 |                                 |

Resolved: The Minutes of the March 3<sup>rd</sup>, 2022 meeting were accepted as submitted

**COMMUNICATIONS:** There were no Communications

### **OLD BUSINESS** Outstanding Special Use Permit Renewals

Annual renewal of outstanding Special Use Permits from March 3, 2022; Atty. Haylett explained that Brott/Rosenberg should not be sent a renewal letter since their Special Use Permit is for a pond. Once approved by the Planning Board, there is no need for a renewal. Second letters and emails were sent to AT&T Mobility and Mary Harrigan. A signed letter was returned by Mary Harrigan, with no response from AT&T. Discussion ensued regarding the course of action that should be taken regarding the permit for AT&T. Atty. Haylett said that he would send a letter to the owner of the tower and will also copy the landowner in on the letter.

On a motion by K. Atwater, seconded by C. Czelusta to renew the Special Use Permit for Barrett/Harrigan, the following resolution was

|         |      |   |                                 |
|---------|------|---|---------------------------------|
| ADOPTED | Ayes | 4 | Jansen, Atwater, Czelusta, Neal |
|         | Nays | 0 |                                 |

Resolved: The Special Use Permit renewal for Barrett/Harrigan was approved.

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**NEW BUSINESS**

Atty. Haylett said that the Stoloski subdivision is an unlisted action and that there would need to be a resolution made declaring that the Planning Board is the Lead Agency for SEQRA and that no further review is necessary.

On a motion by C. Czelusta, seconded by C. Neal that the Planning Board is the Lead Agency, the following resolution was

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

Resolution: The Somerset Planning Board is the lead agency for SEQRA and hereby finds that the action will have no moderate or significant negative environmental consequences and hereby makes a negative declaration.

On a motion by K. Atwater, seconded by N. Jansen to approve the subdivision for Stoloski, the following resolution was

ADOPTED    ayes   4        Jansen, Atwater, Czelusta, Neal  
                 Nays   0

Resolution: The application for minor subdivision of 7731 West Somerset Road was approved.

Atty. Haylett explained that the solar project is an unlisted action so there will need to be a resolution. He said that this project had to go before the County Planning Board last April where it was approved. He reviewed the SEQR findings with the board and they determined that there was no or small significant impact to the environment.

If the Board agrees with these findings as Lead Agency there will need be a resolution that the project will not result on significant impacts to the environment. On a motion by C. Neal, seconded by C. Czelusta to approve the SEQR findings, the following resolution was

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

Resolution: The Somerset Planning Board is the lead agency for SEQRA and hereby finds that the action will have no moderate or significant negative environmental consequences and hereby makes a negative declaration.

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On a motion by C. Czelusta, seconded by C. Neal to approve the Site Plan for solar the following resolution was

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

Resolution:   The Site Plan for the solar project was approved.

**ADJOURNMENT:**   There being no further business, K. Atwater made a motion to adjourn the meeting at 7:55pm, seconded by Chairman Jansen.   Carried unanimously.

Respectfully submitted,

Sandra Lewis  
Planning Board Secretary