Town of Somerset

Planning Board

June 6, 2019

Present: Norman Jansen, Chairman

Chris Czelusta

Krista Atwater

Laura Bishop

David Haylett, Town Attorney

Charles Neal

Attendance: 2 residents, Nancy Pestinger

Chairman Jansen called the meeting to order at 7:32 pm.

PUBLIC HEARING – ANIMAL HUSBANDRY – 7349 Lake Road, **SEQR Review**

Secretary Austin read the notice of said public hearing that was duly published in the Lockport Union Sun & Journal with the same notice being posted on the sign board at Somerset Town Hall and the town website.

Nancy Pestinger stated that she has a retired therapeutic riding horse (retired from Equi Star), 34 years old, and she had the choice of getting her back or putting her to sleep, so she brought her home in August. She also has 2 rescue donkeys that are 10 and 7, and they are just like pets.

Chairman Jansen asked if there were any questions from the neighbors (1), and there were not.

Board member C Czelusta asked if she had a place to dispose of manure and Nancy stated there was a lot in the back corner (northeast corner).

Attorney Haylett asked if she had plans for more animals and she stated no. She does not plan on replacing them. No heavy equipment. Attorney Haylett gave her the rules and regulations for the Special Use Permit.

1. The permit shall comply with all existing laws and ordinances of the Town of Somerset.; and
2. Any violations of this permit shall be grounds for revocation;
3. The premises shall be kept neat and orderly.
4. The permitee (Ms. Pestinger) shall reside on the premises.

Public hearing is closed at 7:39 pm.

**APPROVAL OF MINUTES**

On motion of L Bishop, seconded by K Atwater, the following resolution was ADOPTED Ayes 5 Jansen, Atwater, Czelusta, Bishop, Neal

Nayes 0

Resolved the minutes of the May 2, 2019 meeting (with corrections) are accepted.

**NO OLD BUSINESS**

**NANCY PESTINGER ANIMAL HUSBANDRY SEQR DECLARATION:**

Attorney Haylett stated that this is an unlisted action and some findings have to be made. He read the impact assessment form and gave us his thoughts and if you said if the board agreed they can vote on it.

1. Will the proposed action create a material conflict to an adopted land use plan or zoning regulations. No or small impact may occur.
2. Will the proposed action result in a change in the use or intensity of use of land? No or small impact may occur.
3. Will the proposed action impair the character or quality of the existing community? No or small impact may occur.
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a critical and environmental area. No or small impact may occur.
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No or small impact may occur.
6. Will the proposed action cause in increase in the use of energy and fails to incorporate reasonable available energy conservation or renewable energy opportunities. No or small impact may occur.
7. Will the proposed action impact existing public private water supplies and public private wastewater treatment utilities? No or small impact may occur.
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No or small impact may occur.
9. Will the proposed action result in an adverse change to natural resources. No or small impact may occur.
10. Will the proposed action result in an increase in potential flood erosion, flooding, or drainage problems? No or small impact may occur.
11. Will the proposed action result in an increase in potential flood erosion, flooding, Will the proposed action create a hazard to environmental resources or human health? No or small impact may occur.

On motion by C Neal and second by C Czelusta, the following resolution was

ADOPTED Ayes 5 Jansen, Atwater, Bishop, Czelusta, Neal

Nays 0

RESOLVED, that this is designated as an unclassified SEQR action.

RESOLVED, that this proposal will result in small or no adverse environmental impact.

On motion by K Atwater and second by C Czelusta, the Special Use Permit for Animal Husbandry with the five conditions laid out by Attorney Haylett be approved.

ADOPTED Ayes 5 Jansen, Atwater, Bishop, Czelusta, Neal

Nays 0

RESOLVED, that this application for the Special Use Permit for Animal Husbandry with the five conditions laid out by Attorney Haylett is approved.

**NEW BUSINESS**: No new business.

There being no further business, K Atwater moved to adjourn the meeting at 7:45 pm, seconded by C Czelusta. Carried unanimously.

Respectfully submitted,

Melinda F. Austin

Planning Board Secretary