

Town of Somerset  
Planning Board  
July 2, 2020

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

Attendance: Richard Hanson -- Representative from Pyramid Network Services  
Jeff Dewart  
1 resident

Chairman Jansen called the meeting to order at 7:30pm

**APPROVAL OF MINUTES**

On a motion by K. Atwater, seconded by L. Bishop, the following resolution was

ADOPTED	Ayes	5	Jansen Atwater, Bishop, Czelusta, Neal
	Nayes	0	

Resolved: The minutes of the June 4, 2020 meeting are accepted as submitted.

**COMMUNICATIONS:** Sandra Lewis read a letter from Jacqueline Reynolds asking to terminate the Special Use Permit granted to 8719 Lake Road, which allows permission to park a tractor trailer truck in a residential area. She states that she no longer requires the permit as she no longer resides in the area.

**OLD BUSINESS:** Re: Apex/Nellist Meteorological Tower

A letter was drafted by Attorney Mark Davis and signed by Norman Jansen to be sent to Janet Nellist and Lighthouse Wind regarding the rescinding of the Special Use Permit for the tower on 9698 Lower Lake Road. 30 days are given for a response. A public hearing will be scheduled on August 6, 2020.

On a motion of L. Bishop, seconded by C. Neal, the following resolution was

ADOPTED	Ayes	4	
	Nayes	0	
	Abstain	1	C. Czelusta

Resolved the authorized signing and sending of the letter.

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**NEW BUSINESS:** Richard Hansen who works for Pyramid Network Services, representing Verizon and Horvath Communications, gave an initial presentation regarding the proposal of a cell tower on Lake Road which would be utilized by Verizon for coverage/capacity of cell phones. A written plan was distributed with exhibits concerning the following:

**Location:** It would be adjacent to Mayer Brothers, beyond the parking lot in the grass area. It would be tucked back and visible from the road

**Zoning:** It meets within the code; it would be in an industrial-zoned area

**Structure of Tower:** A lattice tower is preferred over the mono pole because it is shorter (125' plus 4' lightning rod) and would not require guy wires.

**Environmental Concerns:** Maintenance of tower has regulations which do not permit work at times that will endanger the nesting and wellbeing of birds

**Completion of tower:** At the present time, a building permit and Oklahoma tribal permission must be obtained. Completion must be done by June of 2021.

C. Czelusta asked if the tower will have a foundation. R. Hansen stated that each leg will have its own pillar, rather than having 1 pad for the foundation.

K. Atwater asked if the tower will be fenced in. R. Hansen stated that it will be fenced with a 60'x60' chain link fence, which will have landscaping encircling it to hide the fencing. There would be no barbed wire unless it is required by zoning laws. The fence would be 6' high.

C. Neal asked about lighting, considering that it is under the 200' minimum regulation.

K. Atwater expressed the importance of visibility for Mercy Flight helicopters.

K. Atwater asked about snow removal. R. Hansen explained that inspections would be done on a monthly basis. When necessary, the driveway would be plowed by the construction manager who also keeps track of the weather at the site. The area would be kept clear for 24/7 access.

In closing, Attorney Haylett stated that a light would need a Special Use Permit, that the applicant is responsible for all consultant costs, that this project has to comply with the town code and may need the approval of the Niagara County Planning Board as well.

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

ADOPTED	Ayes	5	Jansen, Atwater, Bishop, Czelusta, Neal
	Nayes	0	

Be it resolved that the town planning board intends to act as a lead agency for the proposal, and directs the town consultant to coordinate the issue into the SEQR notices.

ADJOURNMENT There being no further business, C. Czelusta moved to adjourn the meeting at 8:13pm, seconded by C. Neal. Carried unanimously.

Respectfully submitted,

Sandra Lewis  
Planning Board Secretary