

**TOWN OF SOMERSET
PLANNING BOARD MEETING
MAY 2, 2024
7:30pm**

CALL MEETING TO ORDER

HEARING

Owner/Applicant: E. William and Joyce Russell
Property Location: 8697 Lake View Drive
Application for SEQR review and Special Use Permit to operate a bed and breakfast in the Lake Shore Residential District

APPROVAL OF THE MINUTES

April 4, 2024

COMMUNICATIONS

OLD BUSINESS

No old business

NEW BUSINESS

Decision on E. William's and Joyce Russell's request to operate a bed and breakfast

ADJOURNMENT



Date: 4/17/24

TO: PLANNING BOARD, TOWN OF SOMERSET

Pursuant to Article _____ Section _____ of the Code of the Town of Somerset, application for a Special Use Permit is hereby made:

Bed + Breakfast

Size of Lot: 51 by 160

(Include Site Plans showing frontage and setbacks and construction plans showing all facilities and proposed uses.)

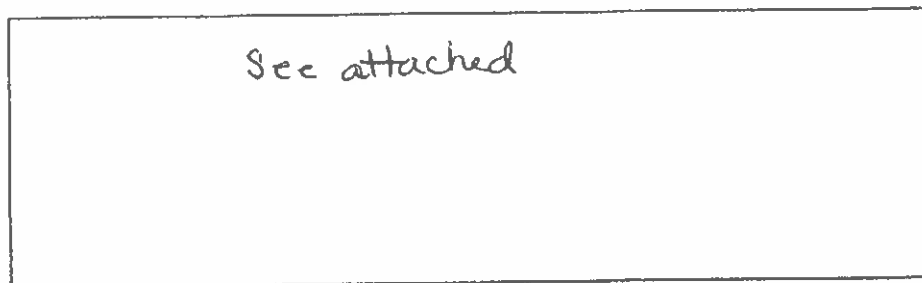
Location: 8697 Lakeview DR. SBL # 293889 2.14-1-22

Use District: _____

Owner: E. William, Joyce Russell Applicant: Joyce Russell

Address: 8697 Lakeview DR Address: 8697 Lakeview DR
BARKER NY 14012 BARKER NY 14012

Site Plan



Signed: Joyce Russell Date: 4/17/24

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

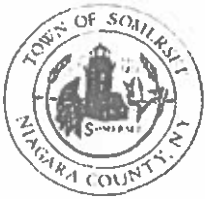
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Established ABNB - 5 yrs			
Name of Action or Project: TOWN Somerset COMPLIANCE			
Project Location (describe, and attach a location map): 8697 LAKEVIEW Dr BARKER NY 14012			
Brief Description of Proposed Action: To continue to operate Establishe (1) ABNB Room IN home with OWNERS ON PREMISES. NIAGARA County health Dept APPROVED As well Joyce Russell As Somerset PLANNING Board (Attached)			
Name of Applicant or Sponsor:		Telephone: 716 418 5856	
2627 LAKEVIEW DR.		E-Mail: joyce.russell69@yahoo.com	
Address: BARKER NY 14012			
City/PO: 11 0		State: NY	Zip Code: 14012
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO YES
If Yes, list agency(s) name and permit or approval:			<input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan? <u>Established</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	N/A
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? <u>LAKE ONTARIO</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional			
<input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe: <u>(Established)</u>	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Joyce Russell</u> Date: <u>4/17/24</u> Signature: <u>Joyce Russell</u>		

PRINT FORM



Town of Somerset
Office of Code Enforcement and Zoning
P.O. Box 368
8700 Haight Road
Barker, NY 14012-0368
(716) 795-9556

To : Niagara County Health Department

A Certificate of Occupancy & Use has been issued for a short term seasonal rental. Located at 8697 Lakeview Dr. Barker, N.Y. 14012 SBL#2.14-1-22 For a one bedroom rental with a maximum occupancy persons- 3. Owner of property is Joyce Russell.

Sincerely,

Mark D. Remington
Code Enforcement Officer
Town of Somerset

LAKE ONTARIO



EDGE OF WATER

51'± MS.

50' MP.

FENCE
0.6' W.

1.8' WIDE CONC. BREAKWALL
CITIAN LINK FENCE

STAIRS

CONC.
BOAT-HOUSE

L-1336, P-507

PARALLEL

9

10

11

12

518.0' D. = 518.03' MS.

MS.

90°

W. LINE OF LOT 12

MET.
SHED

1.35'

30.1'

1 STY.
W.F.
COTTAGE
8697

29.3'

6.9'

7.6'

5.1'

3.9'

42.65'

2.5' N.

1.6' N.

9.5' E.

78° 40'

FENCE

SPLIT RAIL FENCE

51.0' D. & MS.

2.8' N.

0.4' E.

FENCE POST
1.2' S., 0.5' W.

36.78'

51.0' MP. & MS.

2.25'

2.22'

3.12'

131.5' MS.

157.0'± MS.

0.16'

26'±

51'± MS.

50' MP.

51.0' MP. & MS.

2.5' N.

1.6' N.

9.5' E.

78° 40'

FENCE

SPLIT RAIL FENCE

51.0' D. & MS.

2.8' N.

0.4' E.

FENCE POST
1.2' S., 0.5' W.

36.78'

51.0' MP. & MS.

2.25'

2.22'

3.12'

131.5' MS.

157.0'± MS.

0.16'

26'±

51'± MS.

50' MP.

51.0' MP. & MS.

2.5' N.

1.6' N.

9.5' E.

78° 40'

FENCE

SPLIT RAIL FENCE

51.0' D. & MS.

2.8' N.

0.4' E.

FENCE POST
1.2' S., 0.5' W.

36.78'

51.0' MP. & MS.

25' Right of Way

Lakeview Drive

DEDICATED BY L-1622, P-6701

*-Legal Addition conservatory April 24th 1990

-1707.3' D. TO THE E. OF LOWER LAKE RD.

Quaker Road

**TOWN OF SOMERSET
PLANNING BOARD HEARING/MEETING
APRIL 4, 2024**

Chairman:	Norm Jansen
Board Members:	Krista Atwater
	Chris Czelusta
	Charlie Neal
	Robert Wendler

Attorney:	David Haylett
Applicant:	Larry Parlier
	(6) in Attendance

PUBLIC HEARING

Owner/Applicant – Larry Parlier

Location of Property – 1650 Carmen Road

Project – To amend a Special Use Permit to convert an existing one-unit apartment into a four-unit apartment located on the same lot as the principal building in the Agricultural Zoning District.

Chairman Jansen opened the hearing at 7:30pm.

Along with the application, L. Parlier presented floor plan drawings showing the 4 apartments.

He explained the project as follows:

- Driveway is 70' across which will allow for eight cars
- Nothing will be added to the footprint; just adding two additional apartments
- Has a 1500 galloon septic tank which meets all requirements
- One apartment will be separately metered for electric; other three will have electric included in the rent
- All apartments will have the water cost included in the rent
- All units will have one bedroom; each unit is approximately 800 square feet

L. Parlier explained that he has an interested buyer, contingent on the approval of the Planning Board.

Discussion ensued with those in attendance, with the following concerns:

- No resident manager in the building
- Additional 4 cars in driveway affecting traffic in area
- Noise from additional renters
- Apartment building will reduce the value of surrounding properties
- Land around Parlier property is farm or single-family residence; Apartments do not keep the existing character of the land

Planning Board

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A resident asked if the hearing could be tabled to give more time for town residents to respond to the issues. Atty. Haylett explained that the hearing was published in the Union Sun and letters were sent to neighbors within the allotted time required.

Chairman Jansen commented that the decision of the Planning Board is based on what is best for the Town, however neighbor's comments and concerns are taken into consideration.

K. Atwater commented that if issues arise, there are people in place that can handle these issues such as the Building Inspector, Zoning Officer, and Dog Control Officer.

With no further discussion, and with a motion by K. Atwater, seconded by C. Czelusta, to close the public hearing, the following resolution was

ADOPTED Ayes 5 Atwater, Czelusta, Jansen, Neal, Wendler
 Nays 0

Resolution: The public hearing was closed at 8:15pm.

APPROVAL OF THE MINUTES

On a motion by K. Atwater, seconded by C. Neil to approve the Minutes from March 7, 2024, the following resolution was

ADOPTED Ayes 5 Atwater, Czelusta, Jansen, Neal, Wendler
 Nays 0

Resolution: The Minutes from March 7, 2024 were accepted as submitted.

COMMUNICATIONS

There were no communications

OLD BUSINESS

There was no old business

NEW BUSINESS

Decision regarding amending the existing Special Use Permit for L. Parlier

Atty. Haylett read aloud the SEQRA findings. On a motion by K. Atwater, seconded by R. Wendler to classify this as an unlisted action for SEQRA and no significant adverse effects will result, the following resolution was

ADOPTED Ayes 5 Atwater, Czelusta, Jansen, Neal, Wendler
 Nays 0

Resolution: This is an unlisted action under SEQRA, and no significant adverse effects will result.

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At this point Chairman Jansen removed himself as a voting member because of his friendship with A. Treitler, who was in attendance and had a personal interest in outcome of the board's decision. This being the case, K. Atwater stepped into the position of Chairperson.

On a motion by K. Atwater, seconded by C. Czelusta to approve the amending of the Special Use Permit, with conditions as follows:

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.

the following resolution was

ADOPTED	Ayes	4	Atwater Czelusta, Neal, Wendler
	Nays	0	
	Abstain	1	Jansen

Resolution: The requested amendments to the Special Use Permit for L. Parlier, as set forth in the Application, subject to the conditions, are granted.

Special Use Permit Renewals:

NEW BUSINESS

Regarding the open Special Use Permit renewals, response is still pending from those who have not signed and returned the 2024 renewal letter. Further action regarding this will be discussed at the next Planning Board Meeting.

ADJOURNMENT

There being no further business, N. Jansen made a motion to adjourn the meeting at 8:45pm, seconded by K. Atwater. Carried unanimously.

Respectfully submitted,

Sandra Lewis
Planning Board Secretary