

AGENDA  
TOWN OF SOMERSET TOWN BOARD  
JANUARY 3, 2024

OPEN REGULAR MEETING

PUBLIC HEARING FOR AIRBNB LAW, REOPEN

APPROVAL OF MINUTES OF PREVIOUS MEETING

MONTHLY REPORTS: SUPERVISORS MONTHLY REPORT  
POLICE REPORT  
CODE ENFORCEMENT REPORTS

ANNUAL REPORTS:

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS: RESOLUTION – AIRBNB LAW  
RESOLUTION - AUDIT COMMITTEE REPORT  
RESOLUTION - PRE PAY BILLS  
RESOLUTION -

ANNUAL APPOINTMENTS – YEARLY REORGANIZATION APPOINTMENTS

NEW MEMBERS: BARKER FIRE DEPT NEW MEMBERS

AUDIT OF CLAIMS  
PRIVILEGE OF THE FLOOR  
ADJOURNMENT

Next Regular Meeting February 14, 2024

TOWN BOARD REGULAR MEETING  
December 13, 2023

A Regular Meeting of the Town Board of the Town of Somerset, County of Niagara and the State of New York was held at the Town Hall, 8700 Haight Road, Barker, New York on the 13<sup>th</sup> day of December 2023.

Present:      Jeffrey M. Dewart----- Supervisor  
                 Jon Hotaling ----- Councilman  
                 Gail Damon ----- Councilwoman  
                 Fred Leuer ----- Councilman  
                 Tracy L. Carmer----- Town Clerk  
                 Michael M. Flint ----- Supt. of Highways  
                 Jesse J. Green ----- Supt of Water/Sewer/Grounds  
                 David Haylett ----- Attorney  
                 Brian Sibiga ----- Engineer

Absent:        Robin R. Jansen ----- Councilwoman  
                 Mindy Austin ----- Confidential Asst. to the Supervisor

Audience:    16 residents and a reporter

Supervisor Dewart called the meeting to order at 6:00PM with the pledge to the flag and a prayer for guidance.

OPEN HEARING ON SHORT-TERM RENTALS at 6:01PM

Clerk Carmer read the notice of public hearing for a Local Law regulating short-term rentals. Said hearing was sent to the Union Sun & Journal and posted on the town website on November 13, 2023. Clerk Carmer then summarized communications (attached) received pertaining to the law.

Laura Smith of Lakeview Drive asked if there are any zones that this law does not apply to?

Attorney Haylett advised that it is a blanket law.

Laura stated that a next door neighbor has a "hotel" 10 feet from Laura's window and it is intrusive. Laura is opposed to having it in such close proximity. There are different transient visitors each week, and that is not right. They bought the house based on it being zoned residential.

Curtis Smith stated that the owner wanted to build across the street too, and that would disrupt the neighborhood.

Laura advised that neighboring towns such as Lewiston and the city of Buffalo have a moratorium. Niagara Falls has very specific locations that allow the rentals. Laura feels that the renters are coming here to have a party on their vacation.

Attorney Haylett stated that we have nothing in the code now, this law is to regulate it. Currently a homeowner can advertise their home as a rental and there is nothing we

TOWN BOARD MEETING  
DECEMBER 13, 2023 PAGE 2

can do to stop them. Attorney Haylett stated that a person who lives in the home and rents out part of it is considered a bed and breakfast (BNB), and we have laws that regulate that. The BNB law does not cover renting a house where the owner is not present. It also does not capture tenants who are there month to month.

Chris Walsh of Lakeshore Drive stated that there is one on Lakeshore Drive where the owner is not there and there is a constant changeover of people. Chris stated that there could be two or three different groups of people in a week. Chris' questions and concerns are:

- what about pets with an unfenced yard? will the number of pets be limited?
- what is the definition of a bedroom?
- are the renters allowed to invite family and friends over for a big party?
- do neighbors have a say in how many rentals are allowed in a neighborhood?
- blazing fire pits are left unattended.

Supervisor Dewart stated that the board will look into these and reword the law as needed.

Nova Popovich of Lower Lake Road lives there and runs a short-term rental and stated that this law is restrictive, overregulating and redundant.

Angie Popovich advised that this may be a zoning issue. They are more than 500 feet from their neighbors and there is no one around. They are classified as a BNB but this law states that you cannot advertise. They advertise and have never had an issue. Angie stated that a few years ago the definition of a bedroom changed. No longer is it considered a bedroom if the room has a closet, it just needs to be staged as a bedroom. As they live at the home and have so much room between them and their neighbors, Angie feels that the residents in close proximity to each other do have a legitimate complaint, and they all should not be lumped together.

Nova discussed redundancy and said that issues that can be mitigated with this law can also be mitigated through other ordinances. Examples of this are dogs and open fires. Nova does not like the section of law that states that they can be fined or imprisoned, and said that this sounds like Moscow, not Somerset. Nova stated that the law is focusing on the negative aspects and that we are trying to regulate something that we know nothing about. Nova cannot think of any adverse effects that cannot be mitigated through other ordinances that are in affect and feels that the board is missing a growth opportunity. Nova supplied examples of renters spending money in our town.

Attorney Haylett explained the difference between bed and breakfast (owner occupied) and air BNB. He stated that this law specifically excludes bed and breakfast, and that Nova can advertise on Air BNB. Attorney Haylett stated that the process for both types is similar, and that we are trying to put conditions into place so as not to disturb the neighborhood.

Nova asked if they will have the same fee and Attorney Haylett advised that he assumes so, but the law is not in place so the fees have not been set up yet.

TOWN BOARD MEETING  
DECEMBER 13, 2023 PAGE 3

Dean Schatz of Lakeview Drive stated that there is an Air BNB across the street from them that is not regulated and there are many issues. Dean believes a moratorium should be put in place immediately until this can be ironed out. Dean reaffirmed the concerns that have been discussed. Dean heard that this law is copied from Olcott's law and stated that Olcott has had many problems. Who polices it (regarding dogs, the number of people, etc.)? Dean stated that this is a business and they should follow the rules, like they have to follow rules for their business.

Mike Lawrence of Huntington Beach Road thought from the last meeting that there was going to be a moratorium placed immediately, and that we were going to make our own rules, not base it on someone else's.

Supervisor Dewart stated that this is our own law and it does not follow Olcott's or Newfane's. Also, a moratorium was never discussed at our last meeting.

Councilman Leuer clarified that he was the one who spoke at the zoning board of appeals meeting, and that the discussion was misunderstood. He stated that he would suggest a moratorium, not that there would be a moratorium. He also said that Newfane had a law that they were working on, not that we were going to copy theirs.

Mike advised that the Air BNB has security camera and they go on whenever Mike walks outside. Mike stated that daily there are people there, and that closeness should be considered.

Councilman Leuer stated that the purpose of this law is to go before the Planning Board for approval. This gives the homeowners in the area the opportunity to voice their opinion at that time. Also, the permit would be renewed annually. The neighbors can go to that meeting as well to voice their opinion (either good or bad). If it is determined that the rules are not being followed, the permit can be pulled.

Councilman Hotaling said that it is not a slam dunk. That all special use permits have restrictions to abide by.

Laura Smith stated that in theory, as people move out, the street can become full of investors or absentee landlords.

Judy Brounscheidel of Lakeview Drive stated that the property next door to them is not taken care of and the owners are out of state. Judy feels that their privacy is lost.

Attorney Haylett discussed the process of revoking a permit. Right now there is nothing that the board can do, but the zoning officer can cite them for violating any local law.

Attorney Haylett discussed the options for proceeding:

- close the public hearing and vote on it tonight;
- leave the hearing open and revisit it in January with tweaks made from tonight's comments;
- introduce a moratorium through local law;
- start over, separating zoning districts

TOWN BOARD MEETING  
DECEMBER 13, 2023 PAGE 4

Dale Howard of Huntington Beach stated that he looks at the value of their property, and their quality of life. Dale lives next to the park and has cameras everywhere. They have had people sitting on their deck; dogs pooping in their yard; people going on his property and taking rocks. Dale talked to other towns such as Newfane and Wilson. Dale said that the Development and Tourism Advisory Committee should meet and include a couple of residents who live in the short-term rental area for residents to go to. Dale also wants to involve the Village of Barker, Somerset police, Code Enforcement Officer, and the Barker Fire Department. Dale also advised to look at the DEC rules for open burning. Dale asked where the overflow parking will go. Dale is not opposed to this and said that if it is done right, it will be ok. Dale also asked if complaints are confidential.

Attorney Haylett stated that the complaint is FOILable, but the person is redacted.

Dale advised that the committee meetings would be open to the public per Open Meetings Law. Dale said that the attorney did a good job putting the law together and we can use it as a framework, but we need the committee to make it a Somerset law.

Attorney Haylett stated that the reason that we put penalties in the law is to have a little "teeth" to enforce the law, and he doesn't envision anyone going to jail for violating it, although they could.

Dale said that we are going to put a strain on our code enforcement having to go around and do the inspections and report to the Planning Board. Dale finished by saying that we can welcome these people into our neighborhood, they just need to behave.

Krista Atwater of Lower Lake Road said that the concern seems to be a particular neighborhood and people who are not watching the property. Krista has stayed at Air BNBs and said that the rules are very strict, and you could be fined by the landlord if you didn't follow the rules. Krista stated that this seems to be situational issues, not Air BNB issues. Krista said that you cannot get customers by word of mouth, you have to advertise. Perhaps we should go beyond New York State and see what other states are doing as it can be done properly and we can bring needed income to our town.

Angie Popovich asked if there will be a requirement for privacy fences.

Mike Lawrence said that there will still be noise so you will hear the swearing and loud music.

Angie said that it will keep the dogs away, and there is a noise ordinance.

Supervisor Dewart stated that we need the law to be able to do something about it.

Laura Smith said that new people come each week and they do not have the same vested interest. Can the minutes from the Zoning Board meeting of October 17<sup>th</sup> be a part of this record?

Attorney Haylett stated that they cannot, but they are on record with the Zoning Board. If someone wants to print them off and hand them off, they can do that next month.

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Dale Howard stated that we can make this work if we look at all of the issues, but it will take some boring into.

Curtis Smith asked if this is left open, is there anything that we can do about it now.

Supervisor Dewart said no.

Chris Walsh said that you can make a complaint directly to Air BNB.

RESOLUTION 121-2023

**LEAVE HEARING TO REGULATE SHORT-TERM RENTALS OPEN**

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved to leave the hearing open until the next meeting on January 3, 2024.

Attorney Haylett advised that if there are any significant changes, a new notice will be sent to the paper and a copy of the law will be at the Town Clerk's office.

RESOLUTION 122-2023

**APPROVAL OF THE MINUTES**

On a motion of Councilman Leuer, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved the minutes of the previous meeting on November 8, 2023 are accepted as submitted.

RESOLUTION 123-2023

**APPROVAL OF SUPERVISOR'S REPORT**

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved the Supervisor's Report for November 2023 is accepted as submitted.

MONTHLY REPORTS RECEIVED

Supervisor's Monthly Report

Police Report

Code Enforcement Officer's Report

COMMUNICATIONS:

Clerk Carmer advised that the Multiple Sclerosis Society is asking to use the town park again this year for their Bike MS ride which is taking place on August 10, 2024, from

TOWN BOARD MEETING  
DECEMBER 13, 2023 PAGE 6

9am – 1pm. Clerk Carmer also advised of a change in channel lineup from Charter Communications.

RESOLUTION 124-2023  
**2024 REORGANIZATIONAL MEETING**

On a motion of Councilwoman Damon, seconded by Councilman Leuer, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved the reorganizational meeting of the Town Board will be held on January 3, 2024 at 6:00PM.

RESOLUTION 125-2023  
**PREPAY BILLS**

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved that all bills incurred for 2023 are authorized to be pre-paid.

RESOLUTION 126-2023  
**BUDGET AMENDMENTS**

On a motion of Councilman Leuer, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved as provided in section 107 and section 115 of the New York State Town Law, that the Supervisor of the Town of Somerset is hereby authorized to expend from the unexpended balance or surplus revenues such sums as may be necessary to cover amounts by which the actual expenses were incurred in 2023 in any amount exceeding the amount budgeted.

RESOLUTION 127-2023  
**YEAR-END AUDIT**

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved that the Audit Committee, consisting of Councilwoman Damon and Councilman Leuer, are authorized and directed to perform the year-end audits of the Town Clerk, Code Enforcement Officer, Supervisor, Justice and Tax Collector on a date and time to be determined.

RESOLUTION 128-2023

**ENCUMBRANCES**

On a motion of Councilman Leuer, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved the funds for invoices of goods not received in 2023 are hereby encumbered.

RESOLUTION 129-2023

**BIKE MS**

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

**RESOLVED**, National Multiple Sclerosis Society is authorized to use Town roads, and the Town Park as a rest stop, for their 62.5 mile "Bike MS" fundraising event on August 10, 2024.

Engineer Sibiga provided an update on the new requirements for cyber security. This is a New York State Public Health law that used to be prepared by Niagara County, but they have passed this on to the towns to complete. Jesse Green has been very helpful with the report, so the work should be completed at less than \$7,500 and the cost is time and materials only. The deadline is 12/31/2023 and the documents will not be FOILable because of the public health impact. Engineer Sibiga advised that there is another mandate being passed along next year related to water services.

RESOLUTION 130-2023

**CYBER SECURITY**

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

**BE IT RESOLVED**, that the Town Supervisor of the Town of Somerset is authorized to sign an agreement with Wendel for the vulnerability assessment, cyber security assessment and emergency response plan for the public water system in an amount not to exceed \$7,500 as set forth in the proposal dated November 2, 2023.

Engineer Sibiga stated that for the REDI project, they are trying to figure out how to make the sludge drying beds a part of it.

RESOLUTION 131-2023

**NEW HIRE FOR HIGHWAY DEPARTMENT**



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On a motion of Councilwoman Damon, seconded by Councilman Leuer, the following resolution was

ADOPTED: Ayes 4 Dewart, Hotaling, Damon, Leuer  
Nays 0

Resolved that Joshua Haight is hired to fill an upcoming vacancy in the Highway Department, with a start date of January 1, 2024.

**SUPERVISOR UPDATE**

- the board was provided with a proposal for a lower electric rate on the supply portion of the bill. The company states that they can save us approximately \$2,590 annually.
- the lights on the stack at the data center are out. This was done so that they could do maintenance on all of their electrical.
- We received two more binders for responses from the solar company to ORES on the proposed solar project.
- Supervisor Dewart and Deputy Supervisor Jansen participated in a ZOOM meeting with AES. They learned that NYSERDA okayed the funding for the solar project about 1-1/2 months ago. Next May or June they plan to hold a public meeting as they have in the past. They are looking at getting permits in 2025 and start construction late 2025 or 2026.
- The county has been given the ok to have ambulance service to supplement the fire halls. As of December 17, 2023 they will start with 2 ambulances. The location will be centralized, and they will be working 12 hours, daytime only. The ambulance will be dispatched on the second tone to a fire company. More ambulances have been ordered.
- A total eclipse will be happening on April 8, 2024 and we are directly in its path. They are anticipating over 100,000 people will be converging on Niagara County.
- Our police department received a traffic safety award from AAA.

**RESOLUTION 132-2023**

**AUDIT OF CLAIMS**

On a motion of Councilwoman Damon, seconded by Councilman Leuer, the following resolution was

ADOPTED Ayes 4 Dewart, Hotaling, Damon, Leuer  
Nays 0

Resolved that the bills have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	No. 404 through No. 446	\$ 78,458.96
Highway Fund	No. 124 through No. 135	\$ 22,319.73
Sewer Fund	No. 166 through No. 180	\$ 5,188.43
Water Fund	No. 107 through No. 111	\$ 476.30

**PRIVILEGE OF THE FLOOR:**

Jim Hoffman feels that the solar company should look at installing solar panels on the landfill since this could reduce the number of panels elsewhere. Jim believes that solar is inevitable so it should be controlled as much as possible. Jim stated again that he wants a moratorium on battery storage until we hear from the Governor's committee.

**RESOLUTION 133-2023**

**EXECUTIVE SESSION**

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved to enter into Executive Session at 7:20PM to discuss a pending lawsuit.

**RESOLUTION 134-2023**

**EXIT EXECUTIVE SESSION**

On a motion of Councilman Leuer, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes           4       Dewart, Hotaling, Damon, Leuer  
              Nays            0

Resolved to exit Executive Session at 7:40PM.

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the meeting adjourned at 7:41P.M. subject to the Call of the Clerk.

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Tracy L. Carmer, RMC  
Town Clerk

9121 Lakeshore Drive  
Somerset, NY 14221  
December 13, 2023

Town of Somerset New York  
Members of the Town Board

Proposed Regulation for Short-Term Rentals



Ladies and Gentlemen of the Board:

As owners of property of Lakeshore Drive for over 30 years, we have reviewed the proposed regulations for short term rentals and are writing to offering suggestions for changes in wording that seem overly restrictive and highly detrimental to property owners who may offer short-term rentals. Owners of property rentals near us are highly responsible and already do what is described in this proposed legislation. What is concerning are parts of the regulations.

Everyone is in favor of health and safety regulations; however, the regulations, as written, in fact, seem more likely to restrict short-term rentals to a degree that would deter visitors from deciding to visit Somerset for short family stays. Visitors DO visit local attractions and support local businesses and restaurants.

Specifically, the regulations state that a notice of a "public hearing" upon acceptance of short-term rental applications shall be sent to those within 500 feet of said property. This number is equal to approximately 1/10<sup>th</sup> of a mile. Within that distance it is likely safe to say that at least one person would oppose the rental which would result in the Town having very few rentals available for vacationers or family members of residents hoping to lodge family close to them.

Secondly, Section C (subsection e) states that conduct on the premises that "disturbs peace or comfort of the neighborhood" could result in the revocation of the rental permit. Further references to punishment reference a fine or "imprisonment not to exceed 15 days, or both." That, by any measure, is strong language.

In conclusion, we can likely all recall instances when our "regular" neighbors have played loud music, built fires that caused hours of smoke to drift into our homes or mowed their lawns with noisy power mowers for hours on end on a Sunday afternoon. No such penalties applied to them.

Let us write regulations that are fair, and that do not penalize those who offer short-term rentals responsibly.

Thank you.

Sincerely,

Peg & Paul Schwabel  
9121 Lakeshore Drive  
Somerset, 14012  
(see mailing address at top of letter)

December 13, 2023



Dear Somerset Town Council,

We are unable to attend tonight's 6:00pm public hearing on the proposed local law for short-term rentals in our community. However, as residents of Somerset, we want to express our firm opposition to allowing short term rentals in our quiet lake house neighborhood.

My family is proud to own a home in this peaceful, residential lake community. We chose to live here because of the tranquility, natural beauty, and strong sense of community. Our neighbors are not just residents - they are our dear friends.

We are deeply concerned that opening up our neighborhood to short term rentals would profoundly damage the character and appeal of this special place. Short term visitors simply do not have the same incentives as residents to maintain the serenity, order and neighborly atmosphere. Issues like noise, trash, parking and disruptive behavior would surely increase.

The prospect of extra revenue does not justify jeopardizing our residential quality of life. Our lake house community was intended for single family homes, not transient hotels. Please listen to the concerns of permanent residents like ourselves who cherish this neighborhood and vote against allowing short term rentals.

Though we cannot attend tonight's hearing in person, please note our staunch opposition for the record. Do not hesitate to contact us if we can provide any other input on this crucial local issue. Thank you for your time and consideration.

Sincerely,  
Bambi and Rick Allen  
8761 Lakeview Drive, Barker

December 13, 2023

Andre Pagliaro  
9115 Lake Shore Drive  
Barker, NY 14012  
[andre.g.pagliaro@gmail.com](mailto:andre.g.pagliaro@gmail.com)  
[REDACTED]

Somerset City Council  
Somerset Town Hall  
8700 Haight Road,  
Barker, New York  
[tracy.carmer@gmail.com](mailto:tracy.carmer@gmail.com)



Subject: Request for Postponement of Short-Term Rental Regulation Discussion

Dear Council,

I hope this letter finds you well. My name is Andre Pagliaro, and I am a concerned resident of Somerset writing to you regarding the upcoming discussion on short-term rental regulations scheduled for December 13th. I appreciate the council's dedication to addressing the needs and concerns of our community.

I am writing to express my concern about the timing of this meeting, especially considering the seasonal nature of short-term rentals in our area. As you may be aware, a significant portion of properties that engage in short-term rentals (or rentals in general) are currently closed for the season, with many property owners not being available in the winter.

Given that the proposed laws and regulations will have a substantial impact on property tax payers, residents, businesses and the community at large, I believe it would be more equitable and practical to provide an extended notice period. This would allow affected property tax payers the opportunity to participate in the discussion and voice their concerns effectively.

Further, considering that the majority of these property owners are not easily available during the winter months, as many of the properties that would be directly affected are indeed seasonal, I would like to request that the city council considers adjourning the discussion on short-term rental regulations until May of next year. This delay would ensure that property tax payers have ample time to prepare, gather information, and actively engage in the dialogue when the affected community is more readily available.

I understand the importance of addressing community issues promptly, but it is crucial to have the input of ALL stakeholders, to make informed decisions that benefit the entire community.

I appreciate your attention to this matter and trust that you will consider the valid request for a more extended notice period (as the notice provided was only one month) and for the postponement of the discussion until May. Thank you for your dedication to serving our community, and I look forward to a thoughtful and well-informed decision on this matter.

Sincerely,  
Andre Pagliaro

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**[Somerset NY] Public Hearing - Short Term Rentals (Sent by Susan Carestia, tcsbcc@aol.com)**

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Contact form at Somerset NY &lt;cmsmailer@civicplus.com&gt;

Wed, Dec 13, 2023 at 4:08 PM

Reply-To: tcsbcc@aol.com

To: tracycarmer &lt;tracy.carmer@gmail.com&gt;

Hello tracycarmer,

Susan Carestia (tcsbcc@aol.com) has sent you a message via your contact form (<https://www.somersetny.org/users/tracycarmer/contact>) at Somerset NY.

If you don't want to receive such e-mails, you can change your settings at <https://www.somersetny.org/user/83/edit>.

**Message:**

Short-term rentals bring Hollywood actors, Major League Baseball players, researchers at UB and U of R, travel nurses and doctors, church groups, formerly local families who visit and vacation, tourists to Niagara Falls and the Great Lakes, shoppers, contractors, fishermen, windsurfers and people from the area who want a quick getaway.

These guests patronize Crosby's, The Barnyard, The Grain House, Blackbird Cider, the library, the post office, the churches, the lighthouse and Dollar General, which add to the town's income. They visit Niagara Falls, Lockport, Lewiston, Wilson and Olcott adding to the county's revenue at every location where they spend money.

Niagara Falls was just listed by Forbes Magazine as the number two destination in the world on their Travel Bucket List, which should encourage our town to seek out the tourists and ensure that a portion of their travel dollars are spent in our town.

Airbnb alone has seven million listings in 220 countries with 14,000 listings being added every month. It is a way of life now.

The regulations proposed in Somerset seem more appropriate for hotels where windows do not open and multi-family units in substandard condition as opposed to the single family locations in our town which are well-maintained and accommodating to visitors.

I urge the board to slim down the requirements to the rental owners by acknowledging that building code already requires bedrooms to have exits, an electrical inspection and a permit from the county for septic. The board instead should focus on ways to capture more tourism dollars from those who visit for a short stay.

Laura - I am sending you a copy of my letter that you can share at tomorrow's public hearing if appropriate.

Dear Board Members of the Town of Somerset,

I am writing to express my strong objection to the variance requested by Mr. Christopher Graham for his property at 8716 Lakeview Drive. The variance request, which aims to reduce the frontage requirement from 100 feet to 50 feet, is a matter of great concern for several reasons.

First and foremost, the proposed construction of a 24-foot by 58-foot dwelling with two additional bed and breakfast units would significantly increase the density of vacationers in an already confined space. Our town's zoning regulations exist to maintain a balanced and harmonious community, and the current request threatens to bring an influx of unwanted vacationers to a small and tightly knit area.

Furthermore, it's important to note that Mr. Graham already owns a lakeside dwelling across the street from the property in question, which he operates as a bed and breakfast. If the requested variance is granted, we would have three bed and breakfast units within close proximity, which is clearly inconsistent with the residential nature of our street. The proposed development would result in the operation of three businesses within a relatively small area, which fundamentally contradicts the zoning regulations set in place to preserve the character of our community.

Additionally, our street is primarily residential, and the introduction of a greater number of vacationers with a different mindset than the permanent residents would disrupt the peaceful environment we value. This change would be detrimental to the sense of community and wellbeing that we have enjoyed for years.

In conclusion, I urge the Town of Somerset Board members to carefully consider the adverse impact this variance request would have on our neighborhood's character and quality of life. I respectfully request that you deny Mr. Graham's request for a variance and uphold the existing zoning regulations that protect our community's residential nature.

Thank you for your attention to this matter, and I trust that you will make the decision that best serves the interests of our community.

Sincerely,  
Greg MacConnell  
8707 Lakeview Drive





**Audit Date:** 01/03/2024**Fund:** General Fund**Year:** 2023**Abstract:** 13

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check # Invoice #</u>	<u>Check Amount</u>
<u>447</u>	De Lage Landen Financial	\$289.99			Y	3982	\$289.99
			B1620.4	\$289.99			
<u>448</u>	Bxi Consultants, Inc.	\$62.13			Y	3983	\$62.13
			B1620.4	\$62.13			
<u>449</u>	Grainger	\$169.26			Y	3984	\$169.26
			B1620.4	\$169.26			
<u>450</u>	Penn Power Group	\$428.00			Y	3985	\$428.00
			B1620.4	\$428.00			
<u>451</u>	Hurtubise Tire Inc	\$945.78			Y	3986	\$945.78
			A8810.4	\$472.89			
			B7110.4	\$472.89			
<u>452</u>	Verizon Wireless	\$162.25			Y	3993	\$162.25
			A1355.4	\$17.04			
			A3120.4	\$145.21			
<u>453</u>	Stockham Lumber	\$24.99			Y	3988	\$24.99
			B1620.4	\$24.99			
<u>454</u>	Charter Communications	\$129.99			Y	3996	\$129.99
			B1620.4	\$129.99			
<u>455</u>	Jon Miller	\$50.00			Y	3995	\$50.00
			A3120.4	\$50.00			
<u>456</u>	Grainger	\$160.00			Y	3997	\$160.00
			B7110.4	\$160.00			

Tracy L. Carmer

**Audit Date:** 01/03/2024

**Fund:** General Fund

**Year:** 2023

**Abstract:** 13

Vchr #	Vendor	Vchr Amount	Acct. #	Amount	PD	Check # Invoice #	Check Amount
<u>457</u>	Wendel	\$14,354.78			Y	3998	\$14,354.78
			A1440.4	\$14,354.78			
<u>458</u>	Wendel	\$983.67			Y	3999	\$983.67
			B1440.4	\$983.67			
<b>TOTALS:</b>		<b>\$17,760.84</b>		<b>\$17,760.84</b>			<b>\$17,760.84</b>

**Abstract Certification:**

To the Supervisor:

I certify that the vouchers listed above were audited by the Town Board on the above date and allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount opposite their name.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Tracy L. Carmer, Town Clerk

Tracy L. Carmer

**Audit Date:** 01/03/2024      **Fund:** Sewer Fund      **Year:** 2023      **Abstract:** 13

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check # Invoice #</u>	<u>Check Amount</u>
<u>181</u>	Hurtubise Tire Inc	\$877.62			Y	1946	\$877.62
			SS8120.4	\$877.62			
<u>182</u>	Penn Power Group	\$1,187.00			Y	1947	\$1,187.00
			SS8130.4	\$573.00			
			SS8120.4	\$614.00			
<u>183</u>	State Industrial Products	\$274.96			Y	1948	\$274.96
			SS8130.4	\$274.96			
<u>184</u>	Grainger	\$219.31			Y	1949	\$219.31
			SS8120.4	\$219.31			
<u>185</u>	National Grid	\$308.96			Y	1950	\$308.96
			SS8120.4	\$308.96			
<u>186</u>	Pace Analytical Services, Inc	\$138.00			Y	1951	\$138.00
			SS8130.4	\$138.00			
<b>TOTALS:</b>		<b>\$3,005.85</b>		<b>\$3,005.85</b>			<b>\$3,005.85</b>

**Abstract Certification:**

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Dated: \_\_\_\_\_

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 Tracy L. Carmer, Town Clerk

Tracy L. Carmer

**Audit Date:** 01/03/2024

**Fund:** Water Fund

**Year:** 2023

**Abstract:** 13

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check #</u>	<u>Invoice #</u>	<u>Check Amount</u>
<u>112</u>	NYSEG	\$334.72			Y	1623		\$334.72
			SW8340.4	\$334.72				

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**TOTALS:**                      **\$334.72**                      **\$334.72**                      **\$334.72**

**Abstract Certification:**

To the Supervisor:

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Dated: \_\_\_\_\_

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Tracy L. Carmer, Town Clerk

Town of Somerset

**Audit Date:** 01/03/2024      **Fund:** General Fund      **Year:** 2024      **Abstract:** 1

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check # Invoice #</u>	<u>Check Amount</u>
<u>1</u>	EJK Auto Parts	\$199.31			N		
			B600	\$59.33			
			A600	\$139.98			
<u>2</u>	Niagara County Magistrates Association	\$60.00			N		
			A1110.4	\$60.00			
<u>3</u>	J B Computer Services	\$99.00			N		
			A600	\$99.00			
<u>4</u>	Brian Pavlock	\$2,165.79			N		
			B1355.4	\$2,165.79			
<u>5</u>	Visa	\$570.27			N		
			A600	\$570.27			
<u>6</u>	NYALGRO	\$50.00			N		
			A1460.4	\$50.00			
<u>7</u>	Cintas	\$108.22			N		
			B600	\$108.22			
<u>8</u>	Association Of Towns	\$1,100.00			N		
			A1920.4	\$220.00			
			B1920.4	\$880.00			
<u>9</u>	Ruth Wendler	\$1,628.83			N		
			A1950.4	\$1,000.00			
			B1950.4	\$628.83			
<u>10</u>	Fort Hyde Kennels	\$620.84			N		
			B3510.4	\$620.84			

Town of Somerset

**Audit Date:** 01/03/2024      **Fund:** General Fund      **Year:** 2024      **Abstract:** 1

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check # Invoice #</u>	<u>Check Amount</u>
<u>11</u>	Niagara Gazette	\$454.00			N		
			A7510.4	\$454.00			
<u>12</u>	N Y Planning Federation	\$295.00			N		
			B8020.4	\$295.00			
<u>13</u>	N Y S Municipal Workers Compensation	\$41,694.00			N		
			A9040.8	\$41,694.00			
<u>14</u>	Niag Co Assoc of Town Supt of Highways	\$500.00			N		
			A5010.4	\$500.00			
<u>15</u>	Nys Assoc Of Town Supt Of Highways	\$250.00			N		
			A5010.4	\$250.00			
<u>16</u>	Town Of Somerset Highway Dept	\$366.41			N		
			A600	\$366.41			
<b>TOTALS:</b>		<b>\$50,161.67</b>		<b>\$50,161.67</b>			<b>\$0.00</b>

**Abstract Certification:**

To the Supervisor:

I certify that the vouchers listed above were audited by the Town Board on the above date and allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount opposite their name.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Tracy L. Carmer, Town Clerk

**Audit Date:** 01/03/2024      **Fund:** Highway Fund      **Year:** 2024      **Abstract:** 1

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check # Invoice #</u>	<u>Check Amount</u>
<u>1</u>	The Pump Doctor, Inc.	\$800.00			N		
			DB600	\$800.00			
<u>2</u>	Strate Welding	\$20.25			N		
			DB600	\$20.25			
<u>3</u>	Niagara Implement Inc	\$119.08			N		
			DB600	\$119.08			
<u>4</u>	EJK Auto Parts	\$937.86			N		
			DB600	\$937.86			
<u>5</u>	NAPA Auto Parts	\$73.12			N		
			DB600	\$73.12			
<u>6</u>	Cintas	\$327.62			N		
			DB600	\$327.62			
<u>7</u>	Niagara Frontier Equipment Sales	\$124.95			N		
			DB600	\$124.95			
<u>8</u>	Jakes Tree Service	\$1,450.00			N		
			DB600	\$1,450.00			
<u>9</u>	Drum Oil & Propane	\$2,777.19			N		
			DB600	\$2,777.19			

Tracy L. Carmer

**Audit Date:** 01/03/2024

**Fund:** Highway Fund

**Year:** 2024

**Abstract:** 1

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check #</u>	<u>Invoice #</u>	<u>Check Amount</u>
<b>TOTALS:</b>		<b>\$6,630.07</b>		<b>\$6,630.07</b>				<b>\$0.00</b>

**Abstract Certification:**

To the Supervisor:

I certify that the vouchers listed above were audited by the Town Board on the above date and allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount opposite their name.

Dated: \_\_\_\_\_

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Tracy L. Carmer, Town Clerk



**Audit Date:** 01/03/2024      **Fund:** Sewer Fund      **Year:** 2024      **Abstract:** 1

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check #</u>	<u>Invoice #</u>	<u>Check Amount</u>
<u>1</u>	Stockham Lumber	\$16.98			N			
			SS600	\$16.98				
<u>2</u>	Genuine Parts Company, Inc.	\$7.99			N			
			SS600	\$7.99				
<u>3</u>	EJK Auto Parts	\$43.27			N			
			SS600	\$43.27				
<u>4</u>	Grainger	\$27.62			N			
			SS600	\$27.62				
<u>5</u>	Cintas	\$186.74			N			
			SS600	\$186.74				
<u>6</u>	Ruth Wendler	\$1,178.45			N			
			SS1950.4	\$1,178.45				
<b>TOTALS:</b>		<b>\$1,461.05</b>		<b>\$1,461.05</b>				<b>\$0.00</b>

**Abstract Certification:**

To the Supervisor:

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Dated: \_\_\_\_\_

\_\_\_\_\_  
Tracy L. Carmer, Town Clerk

**Audit Date:** 01/03/2024      **Fund:** Water Fund      **Year:** 2024      **Abstract:** 1

<u>Vchr #</u>	<u>Vendor</u>	<u>Vchr Amount</u>	<u>Acct. #</u>	<u>Amount</u>	<u>PD</u>	<u>Check #</u>	<u>Invoice #</u>	<u>Check Amount</u>
<u>1</u>	Core & Main	\$257.77			N			
			SW600	\$257.77				
<u>2</u>	Crestline Software	\$1,742.27			N			
			SW8310.4	\$1,742.27				
<u>3</u>	Niagara County Water Dist	\$63,347.66			N			
			SW600	\$63,347.66				
<u>4</u>	UDIG-NY	\$20.00			N			
			SW600	\$20.00				
<b>TOTALS:</b>		<b>\$65,367.70</b>		<b>\$65,367.70</b>				<b>\$0.00</b>

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Dated: \_\_\_\_\_

\_\_\_\_\_  
Tracy L. Carmer, Town Clerk