

**AGENDA
TOWN OF SOMERSET
ZONING BOARD OF APPEALS
JUNE 14, 2022**

**Owner/ Applicant: Michelle Martini Boyd
Property Location: 1421 Quaker Road
Application to consider Variance to engage in animal husbandry on a .3
acre parcel where a minimum of six acres is required in the R-1 zoning
district**

**Owner/Applicant: Ryan Schuyler
Property Location: 9145 Somerset Drive
Application to consider Variances to construct a 10'x14' accessory
building having a two foot side setback and an eight foot setback on the
south property line**

APPROVAL OF MINUTES FROM MAY 10, 2022

COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS: Boyd/Schuyler decision

ADJOURNMENT

**TOWN OF SOMERSET
ZONING BOARD OF APPEALS
MAY 10, 2022
7:30pm**

Present Scott Ecker, Chairman
 Amos Andrews
 Joe Provencher
 Kent Wakefield
 David Haylett, Attorney

Absent Larry Dent, Zoning Board Member

Audience Mike Lis, Applicant

Chairman Ecker called the Public Hearing to order at 7:32pm

AREA VARIANCE HEARING

Owner/Applicant: Mike Lis
Property Location: 1403 Hartland Road
 (Tax Map No. 9.00-1-41.221) Barker
 Niagara County, New York

Project: To consider Variance of the Town Code to construct a 30' by 40' detached accessory structure in front of the principal building line on said parcel, which the Town Code requires a detached accessory structure be located to the rear of the front building line of the principal building.

The Hearing opened with questions from the Zoning Board Members. K. Wakefield asked if the desired location of the structure is where the stone pad is located, to which M. Lis replied that it is. J. Provencher asked if there was a Variance for the previous structure. M. Lis explained that there was an existing building that he demolished and removed everything. He purchased the house seven years ago and he wanted to improve that building, but it just wasn't feasible. Atty. Haylett commented that he did not have record of a past Variance, and that the Code Enforcement Officer would have informed M. Lis that he did not need another Variance if one already existed. Atty. Haylett explained that if there was no Variance, even though there was an existing structure that had been demolished, then a Variance is necessary.

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K. Wakefield asked if the pole barn will have metal siding and a steel roof to which M. Lis replied that it will. S. Ecker asked if he intended to put in a concrete floor, to which M. Lis said that he hopes to when the price of materials goes down. Atty. Haylett asked if it is shielded from neighboring properties to which M. Lis said it cannot be seen from the road. J. Provencher asked if there was any correspondence from the neighbors to which M. Lis said that there was not. S. Ecker commented that he feels it is a natural place for the building. Both the house and the pole barn are on a slight angle. Atty. Haylett asked how far in front of the house would it be to which M. Lis responded that twenty to thirty percent of the building would be in front of the house on an angle. He also asked if these barns are typical to the neighborhood to which he replied that they are. He asked what the use of it would be and if he would ever intend to run a business out of it, to which M. Lis explained it would be used for storage for his tractor and lawn mower.

With no further questions, the Hearing was closed at 7:40pm

APPROVAL OF THE MINUTES from March 8, 2022

On a motion by K. Wakefield, seconded by J. Provencher, the following resolution was

ADOPTED Ayes 4 Andrews, Ecker, Provencher, Wakefield
 Nays 0

Resolution: The Minutes from March 8, 2022 were accepted as submitted.

COMMUNITCATIONS: There were no Communications

OLD BUSINESS: There was no Old Business

NEW BUSINESS: 1403 Hartland Road Variance

On a motion by K. Wakefield, seconded by J. Provencher that the Variance is classified as a Type II under SEQRA, and no further review is necessary, the following resolution was

ADOPTED Ayes 4 Andrews, Ecker, Provencher, Wakefield
 Nays 0

Resolution: The Variance is a Type II under SEQRA, and no further review is necessary

On a motion by A. Andrews, seconded by K. Wakefield to approve the Variance, the following resolution was

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ADOPTED Ayes 4 Andrews, Ecker, Provencher, Wakefield
 Nays 0

Resolution: Approval of the Variance for the construction of a pole barn on 1403 Hartland Road.

ADJOURNMENT

There being no further business, A. Andrews made a motion to adjourn the meeting at 7:40pm, seconded by J. Provencher. Carried unanimously.

Respectfully submitted,

Sandra Lewis
Zoning Board Secretary



Date: 5.27.22

TO: ZONING BOARD, TOWN OF SOMERSET

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

house chickens on .3 acre parcel

Size of Lot: .33

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

Location: 1421 Quaker Rd SBL # 9.18-1-4

Use District: residential

Owner: Michelle Martini Boyd Applicant: _____

Address: 1421 Quaker Rd Address: _____

Barker NY 14012 _____

Site Plan



Signed: Michelle Martini Boyd Date: 5.27.22

Short Environmental Assessment Form

Part 1 - Project Information

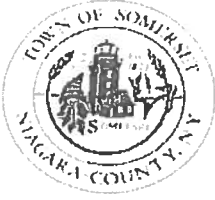
Instructions for Completing

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			
Chickens			
Name of Action or Project: "Chez EGGcelsior" chicken coop			
Project Location (describe, and attach a location map): 1421 Quaker Rd, Barker NY 14012			
Brief Description of Proposed Action: Backyard chickens to be used as support for my daughter Sophia (as per her Doctor.).			
Name of Applicant or Sponsor: Michelle Martini Boyd		Telephone: 716.580.0346	
		E-Mail: Michelle.martini.716@gmail.com	
Address: 1421 Quaker Rd B			
City/PO: Barker		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? 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.		NO	YES
		<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>.33</u> 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 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			

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Michelle Martini Boyd</u> Date: <u>5.27.22</u></p> <p>Signature: <u>Michelle Martini Boyd</u></p>		



Date: 6/2/2022

TO: ZONING BOARD, TOWN OF SOMERSET

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

replace 8x10 shed with 10x14 shed having a 2' side setback and 8' setback on South property line

Size of Lot: .5 Acre

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

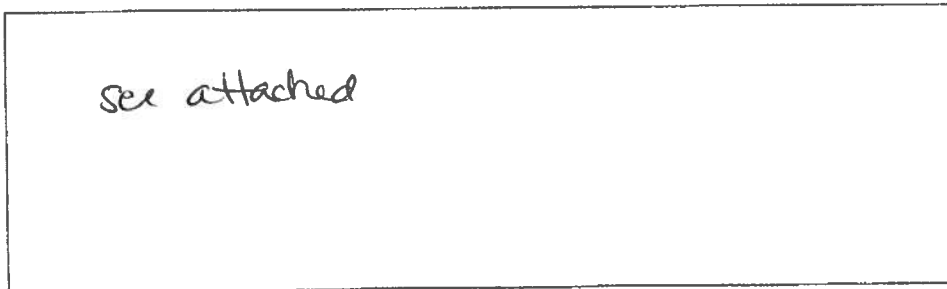
Location: 9145 Somerset Drive, Barker NY 14012 SBL # _____

Use District: _____

Owner: Ryan Schuyler Applicant: SAME AS OWNER

Address: 5830 Densmore Road Livonia NY, 14487 Address: _____

Site Plan



Signed: _____ Date: 06/02/2022

eSigned via SeamlessDocx.com
Ryan John Schuyler
Reg. #161-4585114875764237603078487576

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.

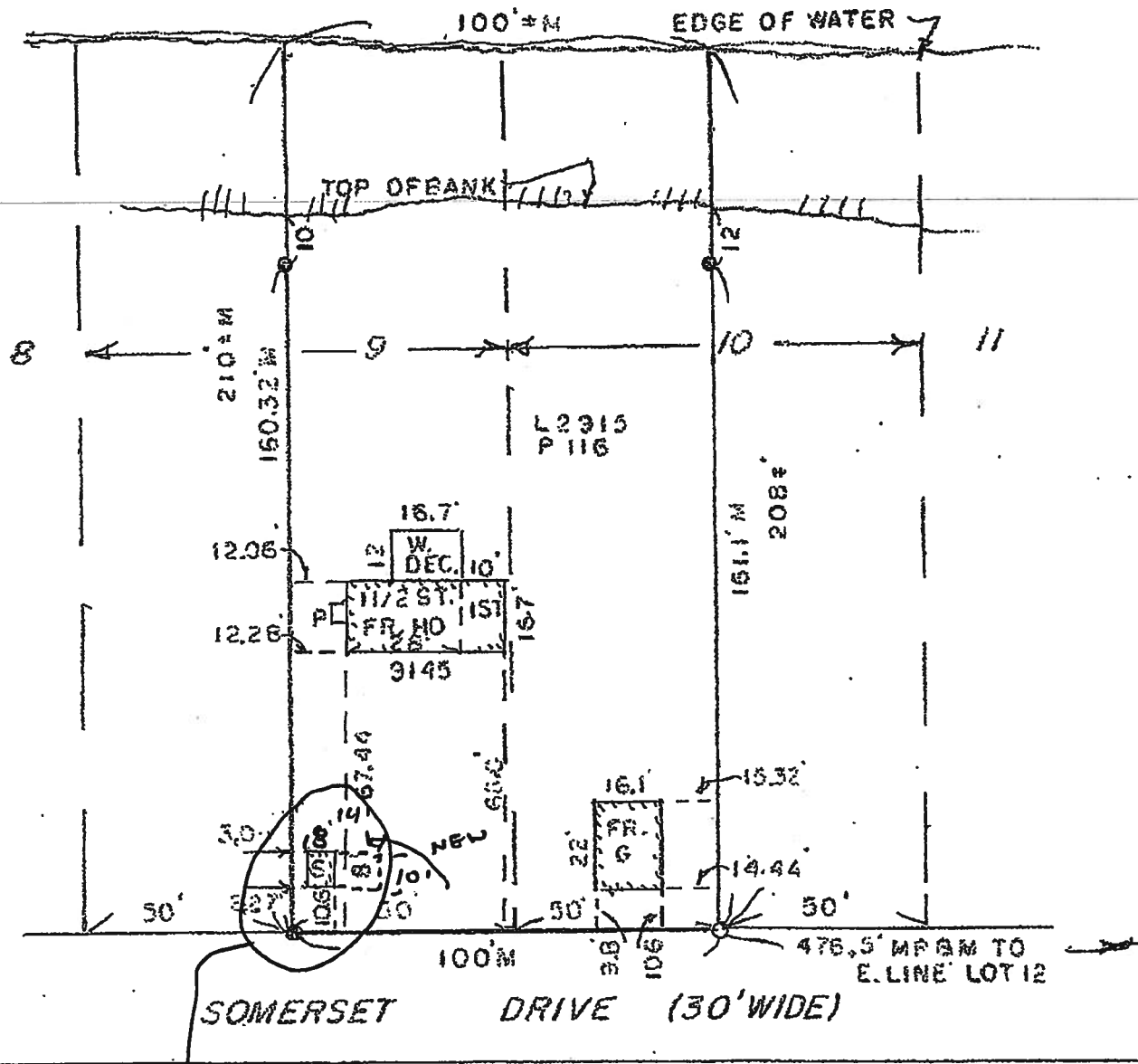
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: SHED Replacement			
Project Location (describe, and attach a location map): 9145 Somerset DR, BARKER, NY			
Brief Description of Proposed Action: Replace 8x10 shed with a 10x14. with 2' side setback + 8' setback South property line			
Name of Applicant or Sponsor: RYAN Schuyler		Telephone: 360-929-3258	
Address: 5830 Densmore RD		E-Mail: sky2022@mailfence.com	
City/PO: LIVONIA		State: NY	Zip Code: 14487
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>1.5</u> acres	
b. Total acreage to be physically disturbed?		<u>minimal</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.5</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" 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, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? If Yes, identify: _____	NO	YES	
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input 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?	NO	YES	
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input 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? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>RIAN Schyler</u></p>		<p>Date: <u>6/2/2022</u></p>
<p>Signature: <u>RS</u></p>		

LAKE ONTARIO



OLD SHED 8x10.5
 NEW SHED 10x14

REFERENCE:

MAD BY THE U.S. GEOLOGICAL SURVEY

