

**TOWN OF SOMERSET
PLANNING BOARD
JANUARY 4, 2018**

Present: Chris Czelusta
Krista Atwater
Charles Neal
Norman Jansen
David Haylett, Counsel

Absent:

Attendance: 11 residents

Chairman Jansen called the meeting to order at 7:30PM.

RESUME PUBLIC HEARING – ELDRIDGE/RUTHERFORD – OPEN AND OPERATE AN AIRSOFT FIELD AND NERF-GUN FIELD BUSINESS AT 1943 QUAKER ROAD

The hearing resumed at 7:31PM.

Albert Rutherford passed around a map of the wetlands at the above address that he obtained from Niagara County. He stated the field he will be using is far from the wetlands and the pond is 400' – 500' away from the field.

K. Atwater stated her concern is the noise level and would like to have something in place if there are issues with the neighbors on how it will be handled.

Chairman Jansen said that would be handled through Code Enforcement.

Albert said that the war sounds will not be happening all the time, just on special occasions. He also will not direct the speaker over the fence or away from the center. He stated that he spoke with Rick Ray and they have open communication. He wants to appease the neighbors and said this will be trial and error.

K. Atwater noted that neighbors change so he could have different neighbors once he is set up.

Attorney Haylett said that we have noise laws on the books.

Chairman Jansen asked Albert if he knows how many shell cars he would like to have so that we can put it in the permit.

Albert said he will have up to three and you will not see them from the road.

Chairman Jansen said the permit will state maximum of three to be unseen from the road.

With no one else desiring to be heard Chairman Jansen closed the hearing at 7:40PM.

RESUME PUBLIC HEARING – GREENWALD– CONVERT EXISTING STRUCTURE INTO A ONE FAMILY APARTMENT AT 7939 TOWNLINE ROAD

The hearing resumed at 7:41PM.

Chairman Jansen asked what the size of the doors will be.

Dan Greenwald stated they will be 36" and the apartment will be handicap accessible.

Chairman Jansen asked about parking.

Dan said he will extend his driveway to the front of the barn to accomodate parking.

C. Czelusta asked if he will use existing septic.

Dan said no because it would have to be pumped uphill. He will place a septic system north of the barn where there is sandy soil.

C. Neal confirmed that Dan has spoken with Code Enforcement to make sure he knows what needs to be done.

Attorney Haylett asked if he will need to install a water line and what about heating.

Dan said there is an existing water line at the dog kennel. He dug a line from the kennel to the barn so he can tap into it. He will install a new propane heating system.

Attorney Haylett said that he is concerned with having two residences after his mom is no longer there and will he subdivide.

Dan said not there. After his mother isn't there they have no intention of renting it to anyone.

With no one else desiring to be heard Chairman Jansen closed the hearing at 7:44PM.

Chairman Jansen opened the Regular Meeting at 7:45PM.

APPROVAL OF MINUTES

On a motion of K. Atwater, seconded by C. Neal, the following resolution was

ADOPTED	Ayes	4	Jansen, Atwater, Czelusta, Neal
	Nays	0	

Resolved the minutes of the December 7, 2017 meeting are accepted as submitted.

COMMUNICATIONS

Clerk Carmer stated that the Planning Board received the Lead Agency packet for the upcoming local laws being proposed by the Town Board.

ELDRIDGE/RUTHERFORD SPECIAL USE PERMIT

Attorney Haylett stated that everyone had received SEQRA Part 1 and he read the questions and corresponding answers in Part 2.

Chairman Jansen stated that he would like to incorporate the fencing into the permit. He also would like to include the maximum number of vehicles and the fact that the vehicles need to be removed if the operation ceases.

Fencing was discussed.

C. Czelusta asked what will be used for power.

Albert said a generator. He will build a box around it to eliminate the noise.

Chairman Jansen said we will need to include the hours of operation.

Albert said it will be Saturday and Sunday from 9:00AM – 4:00PM. Sometimes they will play from 4:00PM – 9:00PM. He said it will not be any later than 10:00PM and everyone leaves by 11:00PM. At nighttime the speaker will be off.

K. Atwater asked if there will be alcohol on premises.

Albert said not during play hours. He went on to say he became First Aid certified; he will have port-a-potties for the bathroom; and he would like a sign that will encompass the two gates at the front. It would be 4' x 6'.

Attorney Haylett stated this project is unclassified according to SEQRA.

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

ADOPTED	Ayes	4	Jansen, Atwater, Czelusta, Neal
	Nays	0	

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Resolved the Somerset Planning Board declares that the project will result in no major impacts and, therefore, will not cause significant damage to the environment. No further review is necessary.

On a motion of K. Atwater, seconded by C. Czelusta, the following resolution was:

ADOPTED Ayes 4 Jansen, Atwater, Czelusta, Neal
Nays 0

Resolved the Eldridge/Rutherford Special Use Permit to operate an Airsoft Field at 1943 Quaker Road is approved with the following conditions:

1. Property shall be kept neat & orderly.
2. Property shall comply with all existing laws and ordinances of the Town of Somerset.
3. No more than three (3) automobiles, fully stripped of mechanical components, shall occupy the property. Said automobiles shall not be visible to the road and/or neighboring properties.
4. Any items, including Styrofoam fixtures, shall be removed upon the business ceasing operation.
5. A six foot fence shall enclose the entire play area.
6. Hours of operation shall be between the hours of 9:00AM and 10:00PM.
7. Alcohol consumption is prohibited during business/play hours.
8. Sign advertising business shall not exceed 4' x 6'.

GREENWALD SPECIAL USE PERMIT

Attorney Haylett stated that everyone had received SEQRA Part 1 and he read the questions and corresponding answers in Part 2. He stated this is an unclassified project.

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

ADOPTED Ayes 4 Jansen, Atwater, Czelusta, Neal
Nays 0

Resolved the Somerset Planning Board declares that the project will result in no major impacts and, therefore, will not cause significant damage to the environment. No further review is necessary.

On a motion of K. Atwater, seconded by C. Neal, the following resolution was:

ADOPTED Ayes 4 Jansen, Atwater, Czelusta, Neal
Nays 0

Resolved the Special Use Permit to convert an existing structure into a one family apartment is approved.

SPECIAL USE PERMITS

The board reviewed the list of Special Use Permits that are up for renewal. Clerk Carmer will mail the renewals to all landowners to be returned by March 1st.

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There being no further business, C. Neal moved to adjourn the meeting at 8:10PM, seconded by K. Atwater. Carried unanimously.

Respectfully submitted,

Tracy L. Carmer, RMC
Town Clerk/Planning Board Secretary