

**TOWN OF SOMERSET
PLANNING BOARD
JULY 6, 2017**

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

Attendance: 1 resident

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

APPROVAL OF MINUTES

C. Czelusta asked Attorney Haylett if he prepared a resolution to revoke the permit for Aaron Baker.

Attorney Haylett stated that he reviewed previous permits that were revoked and found that there was discussion but not formal resolutions.

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

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

Resolved the minutes of the June 1, 2017 meeting are accepted as submitted.

Chairman Hotaling stated that at the last Town Board meeting Mr. Royce provided pictures of the snow fence at the Meteorological Tower on the Lyndaker property. He said it was falling down around the guyed wires. Chairman Hotaling talked to Taylor Quarles after the meeting, and at 8:30PM that night Taylor contacted Chairman Hotaling and advised that it was fixed. Chairman Hotaling asked Code Enforcement Officer Remington to inspect it. He does not have an update.

N. Jansen said that it appears one is down again but the corn is getting high enough that it is hard to tell.

Chairman Hotaling said he will get ahold of CEO Remington tomorrow, and they discussed having him inspect it on a regular basis.

N. Jansen stated they did exactly what we asked, but he is not sure it was the right thing to ask for.

K. Atwater said we asked for more but it was a touchy point with them.

Chairman Hotaling said we wanted it to go all the way around, but we compromised to have it placed around the base and the guyed wires. He also said it is even more important on the Alt property.

K. Atwater said they need more posts.

C. Neal suggested dating the photos and discussed the location of the guyed wire.

Discussion ensued regarding entering property without permission.

Chairman Hotaling will contact CEO Remington and Attorney Mark Davis.

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Chairman Hotaling introduced Charles Neal as the newest member of the Planning Board.

SPECIAL USE PERMIT RENEWAL - BAKER

Clerk Carmer stated that the Special Use Permit Renewal was sent to Aaron Baker. A second letter was sent asking him to appear at our April meeting or submit a letter by then. Another letter was sent in April asking him to respond by our May meeting with his intentions. After our May meeting a final letter was sent requiring his presence at our June meeting or his permit will be revoked. He signed for the April and May letters, but the June letter was returned.

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

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

Resolved the Special Use Permit for Aaron Baker is revoked and Attorney Haylett is authorized to send a letter to Aaron Baker.

SPECIAL USE PERMIT RENEWAL - LAFOREST

Clerk Carmer stated that all three certified letters she sent to Joseph LaForest were returned unclaimed.

Chairman Hotaling stated that people still live there and the property continues to get worse.

Attorney Haylett stated that if the permit is revoked the families will not be evicted by the town. Mr. LaForest would be operating without a permit and can be charged for that. We will send him a letter via regular mail and certified mail for a hearing in August. As long as both of the letters do not get returned he is considered to have been notified even if he does not sign for the certified letter.

Discussion ensued regarding who lives there; how do they pay the rent; the tree that fell on the house and is still there; ability to cite the tenants.

N. Jansen asked if he can informally talk to the tenant that he knows and report back.

Attorney Haylett said he can as long as he is not officially representing the board. Attorney Haylett stated that he will talk to CEO Remington or Assistant CEO Lee to send letters to the tenants as well.

On a motion of N. Jansen, seconded by K. Atwater, the following resolution was

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

Resolved to send a letter via regular mail and certified mail to Joseph LaForest giving notice to appear at our next meeting on August 3, 2017 to discuss the violations at his property.

SPECIAL USE PERMIT – SCHMITT

Attorney Haylett stated that Anita Schmitt is getting a notice to appear in court for violation of her ACD.

Chairman Hotaling stated that she has had 7 months to move the Roadway trailer. During that time there were times that the ground was hard enough to move it.

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Attorney Haylett said that we can send Anita a letter notifying her that she is in violation of her Special Use Permit and has 30 days to comply.

Chairman Hotaling stated that we have been very lenient.

K. Atwater wants to make sure the letter is clear so that she fully understands her permit will be revoked.

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

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

Resolved to send a letter via regular mail and certified mail to Anita Schmitt requesting her presence at our next meeting on August 3, 2017.

Discussion was had regarding the possibility of Dollar General opening a store in Somerset.

There being no further business, K. Atwater moved to adjourn the meeting at 8:00PM, seconded by C. Neal. Carried unanimously.

Respectfully submitted,

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