

**TOWN OF SOMERSET
PLANNING BOARD
JUNE 1, 2017**

Present: Jon Hotaling
Krista Atwater
Chris Czelusta
Norman Jansen
Gary Few
David Haylett, Counsel

Attendance: 5 residents

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

PUBLIC HEARING – FLINT SUBDIVISION – 9571 LAKE ROAD

Clerk Carmer read the notice of said public hearing that was duly published in the Lockport Union-Sun & Journal with the same notice being posted on May 18, 2017 at the Town Hall and on the town website.

Mike Flint announced that things have changed. He was going to subdivide the property for his daughter to build on, but she found a house to purchase in Newfane. He would still like to divide the property in case one of his children wants to build in the future.

Attorney Haylett stated that Mike filed the disclosure letter as required by state law since he is a public officer.

K. Atwater asked which piece will the pond be on?

Mike said it will be on his property.

K. Atwater asked if there will be distance issues if someone buys the property.

Discussion ensued regarding distances and property lines. Mike said that he will not be selling the property to anyone.

Attorney Haylett asked where the driveway will be.

Mike said it will be on Carmen Road.

Attorney Haylett asked if the surveyor did a legal description as he will need one for the transfer.

C. Czelusta asked how much property will be left after he splits off the 14.35 acres.

Mike said that he will retain 20 acres approximately.

Chairman Hotaling closed the hearing at 7:39PM.

RECOVENE PUBLIC HEARING – MILLER – 9801 TOWNLINE ROAD – EQUIPMENT REPAIR FACILITY

On a motion of C. Czelusta, seconded by N. Jansen, the following was
ADOPTED Ayes 5 Hotaling, Atwater, Czelusta, Few, Jansen
Nays 0

Resolved the public hearing for James Miller reconvene at 7:40PM.

Chairman Hotaling stated that he still has concerns about not having drains in the building and said that we can make it a condition of the permit. He wants to see a trough type drain into a holding tank for the pad and building.

James asked if this has to be done by a civil engineer.

Attorney Haylett said no.

Chairman Hotaling provided an idea for an inexpensive tank.

Discussion ensued regarding different types of drains and how they are installed.

Attorney Haylett asked for the proposed hours.

James said 7:30AM – 4:30PM.

Attorney Haylett reminded James that the board does not want unloading of equipment on the road.

C. Czelusta said the road has a big shoulder so on occasion it should be ok.

Superintendent Flint said that is not a problem as long as it does not become a habit.

K. Atwater suggested he place cones when he does need to unload on the road.

Chairman Hotaling asked what size sign he would like to put on his building.

James asked how many 2' x 2' signs he can have.

Chairman Hotaling stated he does not recommend multiple signs.

James said he will have a 30" x 70" sign that has his company name "Top Power" and the phone number.

Attorney Haylett read the conditions for the permit which included draining to a holding tank.

With no persons desiring to be heard, on a motion of C. Czelusta, seconded by N. Jansen,

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

Resolved the public hearing is closed at 7:55PM.

APPROVAL OF MINUTES

On a motion of G. Few, seconded by N. Jansen, the following resolution was

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

Resolved the minutes of the May 4, 2017 meeting are accepted as submitted.

COMMUNICATIONS

Clerk Carmer reminded the board members that they are signed up for training on June 28th.

Clerk Carmer read a retirement letter from Gary Few, effective June 30, 2017.

MILLER SEQRA NEGATIVE DECLARATION

Attorney Haylett read the board findings and stated we have already read through Part I and that no further review is necessary.

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

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

Resolved a negative SEQRA is declared as there is no significant impact upon the environment.

MILLER SPECIAL USE PERMIT

On a motion of G. Few, seconded by N. Jansen, the following resolution was

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

Resolved the Special Use Permit for an equipment repair facility at 9801 Townline Road is approved in accordance with the application with the following terms and conditions:

1. This Special Use Permit shall conform to ordinances of the Town of Somerset in all other respects.
2. Any violation of condition(s) of the Special Use Permit shall be grounds for revocation.
3. The premises shall be kept neat and orderly.
4. Sign no larger than 30" W x 70" L
5. Drain must be installed that drains to a holding tank
6. Business shall operate normal business hours between the hours of 7:00AM – 7:00PM, with exceptions made for emergency repair calls
7. Unloading of equipment on public highway limited to only when necessary

FLINT SEQRA NEGATIVE DECLARATION

With everyone having read Part I, Attorney Haylett read Part II.

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

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

Resolved a negative SEQRA is declared as there is no significant impact upon the environment.

FLINT SUBDIVISION DECISION

On a motion of G. Few, seconded by N. Jansen, the following resolution was

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

Resolved the Subdivision for 9571 Lake Road is approved.

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Chairman Hotaling announced that Charles Neal has been interviewed to replace Gary Few.

SPECIAL USE PERMIT RENEWALS

Clerk Carmer stated that Aaron Baker has not responded to our final letter asking him to appear at this meeting.

Attorney Haylett will prepare a resolution revoking the permit.

Clerk Carmer stated that both registered letters sent to Joseph LaForest were returned. Discussion ensued regarding the options to be taken on this permit.

Chairman Hotaling wants Code Enforcement to visit the property.

There being no further business, G. Few moved to adjourn the meeting at 8:08PM, seconded by N. Jansen. Carried unanimously.

Respectfully submitted,

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