

**TOWN OF SOMERSET
PLANNING BOARD
March 6, 2014**

Present: Jon Hotaling
Brian Carmer
Chris Czelusta
Norman Jansen
Mike Norris, Counsel

Absent: Gary Few

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

APPROVAL OF MINUTES

On a motion of B. Carmer, seconded by N. Jansen, the following resolution was
ADOPTED Ayes 4 Hotaling, Carmer, Czelusta, Jansen
Nays 0

Resolved the minutes of the February 6, 2014 meeting are approved as submitted.

COMMUNICATIONS

Code Enforcement Report for February received and filed.

Clerk Carmer read a letter from Fellowship House stating they are honored to be a part of Somerset, Appleton and Barker communities and that 1262 individuals have been admitted to Somerset House since they opened on October 20, 1986. They thanked the Board for their support to help these individuals and their families with their recovery from addiction. The letter also informed us that the tree that had fallen in their yard has been removed. They apologized for the delay but they had to follow the procedure of securing 3 bids and submitting them to their insurance company.

Attorney Norris stated that he has not heard back from The Murray Law Firm regarding the proposed NYSEG Communications Tower and he will follow up on that.

Clerk Carmer advised that she left a message to get an update on whether an upcoming conference can be credited for the annual training requirement. Clerk Carmer will provide the information in an email when it is received.

UPDATES ON SPECIAL USE PERMITS

Clerk Carmer stated that she has received all but two of the permits back from recipients who did not receive a notice to appear at this meeting. A second notice was mailed to both permit holders with a deadline of March 31, 2014. Discussion ensued regarding obsolete businesses being removed from the business association sign and new businesses being added. Chairman Hotaling stated that he will follow up with Richard Meyers.

Assistant Code Enforcement Officer Lee could not attend the meeting, so Councilman Wayner gave an update that Assistant CEO Lee provided him.

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- Asst. CEO Lee investigated the possible air strip that was brought to the board's attention at last month's meeting. None of the neighbors have ever seen aircraft there, so there doesn't appear to be any issues.
- Asst. CEO Lee visited Pete Lutz' repair shop to discuss whether it's also operating as a machine shop. Chairman Hotaling also had a conversation with Mr. Lutz. He has a small machine that he has used, and he has machines that aren't hooked up yet. Down the road he may want to start a machine shop and at that time he will apply for another special use permit.
- Officer Lee is trying to locate someone to talk to about the trailer on Lake Road but he's not having any luck yet.

Councilman Wayner stated that Officer Lee's training has started and will be completed in July. Next week, CEO Remington, Asst. CEO Lee, Councilman Wayner and Clerk Carmer will be trained on the new software for the Code Enforcement office. The updated software will allow us to better track the progress of any particular issue or property.

TICKETT AND WELLER PERMITS

A certified letter was sent to both permit holders requesting their presence at today's meeting if they would like to renew their Special Use Permit. Both letters were signed for. No one was in attendance for either party. Chris Czelusta spoke with Mr. Tickett and he told Chris that he would like to do something different with his windmill but doesn't have the money right now and he feels that he should be able to keep the permit because he paid the fee for it. Extensive discussion ensued regarding various permits and how or if they are being used. Mr. Tickett's permit was reviewed and discussion ensued about whether or not the Special Use Permit's conditions are still being met and whether to extend to Mr. Tickett another opportunity to come before the Board.

On a motion of J. Hotaling, seconded by N. Jansen, the following resolution was
ADOPTED Ayes 4 Hotaling, Carmer, Czelusta, Jansen
Nays 0

Resolved to have the Code Enforcement Officer attempt to speak with the property owners and inspect the windmill on two visits and report back to the board at the May meeting whether the conditions of the permit are being met. If violations are found, a letter will be mailed to Mr. Tickett giving him 30 days to fix the violation. If the violation(s) is not fixed, a hearing will be held to determine if the permit should be renewed or revoked.

The conditions of the Special Use Permit for Weller's Greenhouse were reviewed. Discussion ensued regarding whether the permit should be renewed.

On a motion of B. Carmer, seconded by C. Czelusta, the following resolution was
ADOPTED Ayes 4 Hotaling, Carmer, Czelusta, Jansen
Nays 0

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Resolved to have the Code Enforcement Officer attempt to speak with the property owners and inspect the greenhouse on two visits and report back to the board at the May meeting on whether the conditions of the permit are being met. If violations are found, a letter will be mailed to the Wellers giving them 30 days to fix the violation(s). If the violation(s) is not fixed, a hearing will be held to determine if the permit should be renewed or revoked.

Discussion continued regarding rules and regulations for permits and whether permits stay with the property. The board discussed inspecting all properties with Special Use Permits. Attorney Norris stated that is too cumbersome and all of the permits were discussed at last month's meeting with no other serious concerns being raised. If a taxpayer or board member has a concern, then it should be reported to the Code Enforcement Officer and he will determine whether it should be looked into. A concern was reported at last month's meeting about a building having 4 apartments without a permit. It was decided that Chairman Hotaling will contact Assistant Code Enforcement Officer Lee to look into it.

On a motion of B. Carmer, seconded by N. Jansen, the following resolution was
ADOPTED Ayes 4 Hotaling, Carmer, Czelusta, Jansen
Nays 0

Resolved the following Special Use Permits are renewed as per the terms of their permits.

1. ALT, Gary - House Trailer
7455 West Somerset Road, Appleton, NY 14008
2. AUSTIN, Carl - Animal Husbandry
9039 Lake Road, Barker, NY 14012
3. BAKER, AARON – Fabrication/Repair Shop
1995 Hartland Road, Appleton, NY 14008
4. BRATTON, Michael - Housing of 4 horses & 2 beef cows
8495 Lake Road, Barker, NY 14012
5. BUFFINGTON, John - Auto Repair Service
2036 Hartland Road, Appleton, NY 14008
6. AT&T MOBILITY - Communications Tower (formerly Cellular One)
Johnson Creek Road, Barker, NY
7. CHUTKO, James - 4 Unit rental structure
8689 Haight Road, Barker

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8. CROWN ATLANTIC CO. - Communications Tower
at 1943 Quaker Road, Barker
9. DEWART, Jonathan - Animal Husbandry
1408 Quaker Road, Barker, NY 14012
10. DIEZ, Laura – Dog Grooming Business
9760 Haight Road, Barker, NY 14012
11. DONOVAN ORCHARDS LLC – Cidery
For 8503 Lower Lake Road
12. DOWNS, Herbert & Kathleen - Retail Shop
1214 Quaker Road, Barker, NY 14012
13. FAITH UNITED METHODIST CHURCH – Lighted Sign
1449 Quaker Road, Barker, NY 14012
14. FELLOWSHIP HOUSE FOUNDATION INC. - Treat recovering alcoholics
7397 Lake Road, Appleton, NY 14008
15. FIACCO, Steven – Animal Husbandry
1148 Quaker Road, Barker, NY 14012
16. FITCH, RAY & LINDA – Park Commercial Vehicle
1000 Snell Grove Road, Barker, NY 14012
17. GOW, James & April - Animal Husbandry
7349 Lake Road, Appleton, NY 14008
18. GREENE, Steven - Animal Husbandry
9254 Lake Road, Barker, NY 14012
19. GREENWALD, ANDRA – Hair Salon
7939 Townline Road, Appleton, NY 14008
20. HAIGHT'S PARK (Erwin, Robin & Juanita, Haight, Terry) - Campground
9225 Lower Lake Road, Barker, NY 14012
21. KEOUGH, John - Furniture Stripping & Repair
2124 Hosmer Road, Appleton, NY 14008
22. LEWIS, Douglas - Animal Husbandry
8456 Haight Road, Barker, NY 14012

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23. LOCKPORT YMCA – Camp Kenan – 2 wind energy conversion systems
For 8571 Lower Lake Road, Barker, NY 14012
24. LUTZ, Peter - Outboard Motor - Small Engine Repair
8444 Haight Road, Barker, NY 14012
25. MILLER, Johnny R. - J & Sons Woodcraft
2134 Countyline Road, Barker, NY 14012
26. NEAL, Charles - Ultra Light Airstrip
7440 Hoffman Road, Appleton, NY 14008
27. PARLIER, Lawrence Jr. - Apartment
1640 Carmen Road, Barker, NY 14012
28. PARLIER, Lawrence Jr. - Woodworking Shop
1640 Carmen Road, Barker, NY 14012
29. PLUMMER, Courtney – Apartments
9541 Lower Lake Road, Barker, NY 14012
30. PORTER, Anthony & Candy - Berm to conceal construction supplies
1988 Quaker Road, Barker, NY 14012
31. REYNOLDS, Marvin & Jacquelyn - Park tractor trailer truck in residential area
8719 Lake Road, Barker, NY 14012
32. SOMERSET CONSERVATION CLUB - Firing Range
1129 Johnson Creek Road, Barker, NY 14012
33. VOELPEL, John - 2 mobile homes for employees
7366 West Somerset Road, Appleton, NY 14008
34. STEVENS, David – Sign
8398 Lower Lake Road, Barker, NY 14012
35. THUMAN, JEFFREY – Machine Shop
8463 Lower Lake Road, Barker, NY 14012
36. WEKENMANN, John & Dionne - Kennel
7471 Townline Road, Appleton, NY 14008
37. WEST, Terry - Apartment to accommodate mother
9318 Coleman Road, Barker, NY 14012

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38. WEST SOMERSET BAPTIST CHURCH - Double lighted sign
1876 Hosmer Road, Appleton, NY 14008
39. WITTCOP, Grace - Gift & Ceramic Shop
1946 Hartland Road, Appleton, NY 14008
40. ZAGMESTER, Joseph - Windmill
2000 Carmen Road, Barker, NY 14012

Chairman Hotaling asked if there is any update on the Barker Chemical site. Excavation is taking place, but it's uncertain how extensive, if the dirt will be replaced, etc. Chairman Hotaling will take the lead in finding out about the project.

There being no further business, J. Hotaling moved to adjourn the meeting at 8:20 PM, seconded by N. Jansen. Carried unanimously.

Respectfully submitted,

Tracy L. Carmer, RMC
Town Clerk/Secretary