

**TOWN OF SOMERSET
PLANNING BOARD
May 1, 2014**

Present: Jon Hotaling
Brian Carmer
Chris Czelusta
Norman Jansen
Brian Seaman, 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 March 6, 2014 meeting are approved as submitted.

COMMUNICATIONS

Code Enforcement Report for March received and filed. Clerk Carmer advised that an item on the report is invalid. When she and the Code Enforcement Officers and Councilman Wayner were learning the updated computer software, they created a permit and were unable to delete it. Code Enforcement Officer Remington has since contacted the software company and had the permit deleted.

Board member Jansen stated that he was approached again by his neighbor regarding the property at the corner of Town Line Road and Johnson Creek Road. He advised the neighbor to talk to CEO Remington again. The issue is with pigs being on the property.

Clerk Carmer read a letter from the Murray Law Firm stating that it is awaiting alternate funding and is requesting an extension of their Special Use Permit to December 31, 2014 for the NYSEG Proposed Communications Tower. Attorney Seaman advised the board that the permit extension can be granted retroactively.

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 Special Use Permit for the NYSEG Communications Tower is reinstated retroactively, expiring December 31, 2014.

WELLER SPECIAL USE PERMIT RENEWAL

Code Enforcement Officer Remington spoke with Mr. Weller regarding his greenhouse. He advised CEO Remington that he no longer plans to use the greenhouse so when the weather is better he will dismantle it.

On a motion of N. Jansen, seconded by B. Carmer, the following resolution was

ADOPTED Ayes 4 Hotaling, Carmer, Czelusta, Jansen
Nays 0

Resolved the Special Use Permit for Richard and Jamie Weller to operate a commercial greenhouse will not be renewed.

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TICKETT SPECIAL USE PERMIT RENEWAL

Mr. Tickett advised CEO Remington that his windmill is broken and he would like a six month extension to decide whether he is going to repair it or take it down.

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

ADOPTED Ayes 4 Hotaling, Carmer, Czelusta, Jansen
Nays 0

Resolved the Special Use Permit for David Tickett to operate a Wind Powered Generator is renewed until December 31, 2014.

UPDATE ON REMAINING SPECIAL USE PERMITS

Clerk Carmer stated that she has received the Special Use Permit renewal for LaForest, but the permit for the signs for the Barker Business Association has not been returned yet. Chairman Hotaling will contact Richard Meyers regarding the Special Use Permit renewal for the signs.

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

ADOPTED Ayes 4 Hotaling, Carmer, Czelusta, Jansen
Nays 0

Resolved the following Special Use Permit is renewed as per the terms of its permit.

1. LAFOREST, Joseph – Two Family Dwelling
1930 Quaker Road, Barker

WEST SOMERSET ROAD APARTMENT BUILDING

Chairman Hotaling announced that the apartment building increase to four apartment units was approved through the Zoning Board so this is not a concern for the Planning Board. Attorney Seaman advised the scenarios when an applicant would go to either the Zoning Board or the Planning Board. Board member Czelusta asked Councilman Alt to talk to the Town Board about the Planning Board and Zoning Board meeting together once per year.

BARKER CHEMICAL UPDATE

The remediation is complete and the DEC has not finished the report yet.

ZAGMESTER SPECIAL USE PERMIT

At a previous meeting when discussing the conditions of Special Use Permits, it was brought up that there is a wind turbine on Carmen Road as well as West Somerset Road and the condition of that turbine is not known because it's not as visible as Mr. Tickett's windmill. Board member Carmer stated that he drove past it recently and observed that it is running and appears to be in good shape.

FUTURE WIND DEVELOPMENT

Chairman Hotaling stated that in the near future the board may be getting an application for a permit for a wind monitoring tower. Currently the company (APEX) is trying to secure land leases.

PROPERTY AT QUAKER AND LAKE ROAD

Chairman Hotaling stated that the roof is caving in and there are trees growing inside. He said that it was boarded up last year so that you can't see inside. He was advised by the maintenance man over a year ago that they were going to put out bids for demolition of the

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property that Spring. He asked CEO Remington where we are with that property. Discussion ensued about the fuel tanks having been removed, whether or not the soil has been remediated, and what is left inside the building. Chairman Hotaling asked CEO Remington to contact the owner and find out what their intentions are with the building.

OPEN DISCUSSION

Jim Ferington asked the board if they have had a chance to evaluate the zoning laws along the lakeshore.

Chairman Hotaling stated that the board has not had a chance to have an official meeting on it yet, but it is under review and a meeting will be taking place.

Attorney Seaman stated that the Town Board is the only body that will be able to change the zoning law. The Planning Board can make a recommendation to the Town Board.

Krista Atwater asked if the Planning Board is taking on the position of judging every property.

Chairman Hotaling stated that it's for Special Use Permits only, to make sure they are complying with their permit requirements.

Krista asked if the residents with a Special Use Permit have their property inspected every year. Chairman Hotaling said yes.

Krista asked why the property on the corner of Town Line Road and Johnson Creek Road was brought up?

Chairman Hotaling advised that the owner is housing animals on property of 2 acres or less. Discussion ensued whether the adjoining properties were ever joined. The Assessor will need to clarify it.

Krista asked if there has been any update on the store that was going to open at the old New England Seafood property.

Chairman Hotaling stated that there is not an update.

Clerk Carmer advised that the store was tentatively supposed to open March 1st.

Chairman Hotaling said he will follow up.

Attorney Seaman distributed suggested language for zoning law changes.

The next meeting is tentatively scheduled for June 5, 2014.

There being no further business, C. Czelusta moved to adjourn the meeting at 8:00 PM, seconded by B. Carmer. Carried unanimously.

Respectfully submitted,

Tracy L. Carmer, RMC
Town Clerk/Secretary