

**TOWN OF SOMERSET
PLANNING BOARD
MAY 4, 2017**

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

Attendance: 10 residents

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

PUBLIC HEARING – BARRETT/HARRIGAN - APARTMENT AT 1640 CARMEN 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 April 21, 2017 at the Town Hall and on the town website.

Clerk Carmer stated that a neighbor, Andrew Treitler, verbally stated his support for both the Barrett/Harrigan apartment and Larry Parlier's request for an apartment.

Diane Barrett stated that their original intent was to turn the apartment into a garage but they have a friend going through a divorce and needs a place to stay.

Chairman Hotaling advised that there was a permit issued for the property previously, but it needs to be renewed with the change of ownership.

Chairman Hotaling closed the hearing at 7:32PM.

PUBLIC HEARING – PARLIER - APARTMENT AT 1650 CARMEN 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 April 25, 2017 at the Town Hall and on the town website.

Larry Parlier stated that the septic system is designed for the load of a 4 bedroom unit, but he will likely have only 3 bedrooms. He plans to have one bedroom for himself and two for the apartment.

N. Jansen asked if the septic approval was done for the original building. Larry said he just installed the septic system 2 years ago.

C. Czelusta asked if Larry is discontinuing the woodworking shop.

PLANNING BOARD MEETING
MAY 4, 2017 PAGE 2

Larry said no, it will still be there. He put an addition on the back before he sold his property and would still like to keep his shop in addition to adding an apartment.

Chairman Hotaling asked Larry if he resides there now.

Larry said yes, he has a certificate of occupancy and this request is to add an apartment to it.

Attorney Haylett asked if there is enough room for parking.

Larry said yes, it is 60' x 60'.

C. Czelusta asked what is the square footage of the apartment?

Larry said it is going to be approximately 20' x 30', two stories. He is making it two bedrooms because that is more appealing to renters than one bedroom. He will live in 2/3 of the upstairs and turn the other 1/3 into the apartment.

Chairman Hotaling closed the hearing at 7:40PM.

PUBLIC HEARING – YATES/LANDERS – SUBDIVISION AT 8455 LOWER 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 April 25, 2017 at the Town Hall and on the town website.

Realtor Richard Hellert discussed the overall property and said by making the parcel two acres it makes the sale easier. They have not done a survey yet so the drawing was provided on a tax map. The depth of the property will be 288 feet with 320 feet of lake frontage. Six acres will remain with the current owners.

N. Jansen asked about frontage.

Richard said the drawing does not include the building as it stays with the house.

K. Atwater discussed the 203 feet of road frontage vs the amount needed for a building lot along with right to access.

Richard said the road frontage will not change. The driveway will be the right of way to get to the property and they will have a maintenance agreement.

Attorney Haylett stated his concern was the landlocked piece but that was covered by the right of way. He said we will need a site plan in the future. He advised that county approval is not needed. He asked who the neighbors are.

Richard said that Camp Kenan is on one side and the other side is vacant.

Chairman Hotaling closed the hearing at 7:50PM.

PLANNING BOARD MEETING
MAY 4, 2017 PAGE 3

James Miller could not attend the meeting but submitted answers to the questions the board had for him. The board elected to leave the hearing open until next month. Attorney Haylett advised that Niagara County Planning Board approved James' request.

C.Czelusta asked Attorney Haylett if he has an update on the request for a pet pig. Attorney Haylett said that they would need a permit as a pig is not defined as a household pet.

APPROVAL OF MINUTES

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

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

Resolved the minutes of the April 6, 2017 meeting are approved as submitted.

COMMUNICATIONS

Clerk Carmer advised that a letter was received from the Niagara County Department of Health stating that the waterline extension installation for Lighthouse Christian Camp was approved.

BARRETT/HARRIGAN DECISION

Attorney Haylett stated that this is a Type II action under SEQRA so no further review is necessary.

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

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

Resolved the Special Use Permit for an apartment at 1640 Carmen Road is approved.

PARLIER DECISION

Attorney Haylett stated that this is a Type II action under SEQRA so no further review is necessary.

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 apartment at 1650 Carmen Road is approved.

YATES/LANDERS DECISION

Chairman Hotaling asked Richard Hellert to submit a site plan sooner rather than later. Everyone has read SEQRA Part I so Attorney Haylett read SEQRA Part II.

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

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

Resolved the Subdivision for 8455 Lower Lake Road is approved with the condition that there is a Right of Way or Easement in the deed for the lake lot.

SPECIAL USE PERMIT RENEWALS

Chairman Hotaling stated that NYSEG would like to extend their Special Use Permit.

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

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

Resolved the Special Use Permit for NYSEG is extended through December 31, 2017.

Clerk Carmer stated that Aaron Baker signed for his registered letter, but has not responded to us.

The board directed Clerk Carmer to send another letter advising Aaron to appear at our next board meeting or his permit will be revoked.

Clerk Carmer stated that the first registered letter sent to Joseph LaForest was returned. The second registered letter has not been returned yet, but has not yet been signed for.

Chairman Hotaling said that he wants Code Enforcement to inspect the property as a tree fell into the back of the house during the big wind storm.

Attorney Haylett discussed revoking the permit vs zoning enforcement and feels zoning enforcement is the better way to approach this.

Chairman Hotaling discussed having our constable talk to the tenants to let them know that the landlord is not responding to our requests and they may be forced to move.

Attorney Haylett said the tenants can be brought to court for the junk that is all over the yard and they can be told to clean it up.

It was determined that Attorney Haylett will talk to Code Enforcement Remington to visit the property with a constable and get a 30 day letter out to the landlord and the tenants. We will leave the permit renewal open until next month.

Attorney Haylett advised that for future meetings we ne need to require that everything be submitted before someone can be placed on the agenda. That is stated in our code.

Chairman Hotaling asked for an update on chickens. Several residents have chicken coops and we require a permit.

Attorney Haylett said this is an evolving issue right now as many people are turning more toward being organic and even people in cities are wanting to raise chickens.

There being no further business, N. Jansen moved to adjourn the meeting at 8:15PM, seconded by G. Few. Carried unanimously.

Respectfully submitted,

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