



# TOWN OF SOMERSET

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Jeffrey Z. Slavin  
*Mayor*

Rich Charnovich  
*Town Manager/Clerk-Treasurer*

May 6, 2013  
Council Minutes

### Council Members and Mayor

Mayor Jeffrey Slavin  
Council Member Barbara Condos  
Council Member Cathy Pickar  
Council Member Barbara Zeughauser  
Council Member Franny Peale

### Town Staff and Consultants

Larry Plummer, Town Inspector  
Dr. Tolbert Feather, Town Arborist  
Rich Charnovich, Town Manager

### Town Residents and Contractors Signed In

Ray Daniels, Falstone  
Varda Daniels, Falstone  
Matthew Fiehn, Barnes Vanze Architects  
Alan Davidson, Essex  
John Coleman, Falstone  
Catherine Coleman, Falstone  
Nancy Jardini, Essex  
Richard Smith, Trent  
Amy Power, Uppingham  
Maura Vanderzon, Falstone  
Lucy Freeman, Dorset  
Bob Chlopak, Dorset

Brendan O’Leary, The Atlantic Company  
Ross Rassuli, The Atlantic Company  
Chris Madison, Equity Residential

The Mayor and Council began the meeting with a moment of silence for those who lost their lives as a result of the horrific tragedy at the Boston Marathon on April 15, 2013.

### **PUBLIC COMMENT**

Ray and Varda Daniels, Falstone, expressed concerns about the downspouts that were constructed on the home at the 5529 Uppingham property.

### **CONSENT**

#### **Items that were approved on the Consent Agenda:**

Council Liaison assignments for 2013-2014

Confirmation of the Mayor’s appointment of Abby Nolan, Surrey to the Tennis Committee

Confirmation of the Mayor’s nomination of Alan Dock, Falstone, to the Parks and Natural Resources Committee.

#### **Items moved to the Non-Consent Agenda:**

Discussion of the Swim Team schedule was moved to the Non-Consent Agenda via 4-0 vote. Motion Council Member Pickar, second Council Member Zeughauser.

### **NON-CONSENT**

#### **Town Manager’s Financial Report**

Town Manager Charnovich presented the May Financial Report to the Council and Mayor

#### **Adoption of the FY14 Budget**

Motion Council Member Pickar, second Council Member Zeughauser to adopt the FY14 budget maintaining the real and personal property tax rates at the same rates. Motion passed 4-0.

#### **4727 Essex Avenue Site Plan Modification**

Motion Council Member Zeughauser, second Council Member Pickar to approve the following site plan modifications:

1. Previously permitted 10' high shed to be relocated 5' from the property line.
2. Previously permitted gravel driveway to rear of house to be relocated and is now proposed to be a concrete basketball pad
3. Existing front path to be made wider and new walkways added
4. New HVAC Units shown relocated as requested at the April 17, 2012 Meeting
5. Construct a 5 foot wooden fence along the rear property line
6. Construct a 5 foot double gate at the west rear of the house to an existing rear west side property line fence

Motion passed 4-0.

#### **4806 Falstone Avenue waiver and building, deck, dumpster and HVAC Unit Permits**

Mr. Plummer provided his report to the Council. The applicant is requesting a .56-foot waiver from the right side set back since the restriction line is 7 feet. The purpose for the request is to accommodate an ADA project to install an elevator in their home for their son. Motion Council Member Zeughauser to approve the waiver request. Second Council Member Pickar. Motion passed 4-0.

Motion Council Member Zeughauser, second Council Member Pickar, to approve the building, deck dumpster and HVAC Unit permits. Approval of the HVAC Unit permit is contingent upon it passing the noise level requirements. Motion passed 4-0.

#### **4713 Essex Avenue Building and Dumpster Permits**

Mr. Plummer provided his report. The applicant is requesting building and dumpster permits to perform renovations to the house rooftop. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 4-0.

#### **5517 Trent Street Building and Dumpster Permits**

Mr. Plummer provided his report. The applicant is requesting building and dumpster permits to enclose the existing covered porch. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 4-0.

#### **4815 Essex Avenue Generator Application**

Mr. Plummer provided his report and recommended approval. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 4-0.

#### **Status of construction projects at 5529 Uppingham, 5513 Uppingham and 5510 Trent**

Town Inspector Plummer presented his report to the Council on these 3 projects.

### **Building Permit Extension at 5529 Uppingham**

Discussion took place regarding the concerns of Ray and Varda Daniels. Council Member Peale requested that as part of the extension, the Mayor or Manager send a letter to the property owner at 5529 Uppingham asking them cordially if they would be willing to address the concerns of Mr. and Mrs. Daniels. Motion Franny Peale, second Council Member Pickar. Vote was 2-2 with Council Member Condos and Zeughauser voting against. Mayor Slavin broke the tie to approve the motion 3-2. A 3-month extension was granted and a letter would be send to the property owner at 5529 Uppingham.

### **5415 Trent Street Tree Removal Request**

Dr. Feather provided his report. The applicant is requesting to remove 15 Leyland Cyprus trees from the property. It was determined that the applicant did not need to put up an escrow amount. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 4-0.

### **5513 Uppingham Tree Removal (Tree 707)**

Dr. Feather provided his report. Motion Council Member Zeughauser, second Council Member Pickar to approve the removal of the tree as per Dr. Feather's request. Motion passed 4-0.

Dr. Feather also brought up a second tree at 4505 Cumberland that he requested to be removed on an emergency basis. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 4-0.

### **4701 Willard Avenue Project Revised Letter of Conditions**

The Attorney for the applicant requested several minor changes to the Agreement that was approved at the April Meeting. The Town's Attorney reviewed and approved of the requested changes. Motion Council Member Peale, second Council Member Zeughauser. Motion passed 4-0.

### **Swim Team Meets**

Motion Council Member Pickar, second Council Member Zeughauser to approve the 2013 Swim Team Meets with the exception that June 29<sup>th</sup> be moved to an away Meet. Motion passed 4-0.

### **Swim Team Rules Approval**

This item was tabled until the June Council Meeting so the Town Attorney could review the Rules.

**Contract with NB Health and Fitness, L.L.C. DBA Wet Yet? Water Fitness**

Motion Council Member Condos, second Council Member Pickar. Motion passed 4-0 to approve the contract for the 2013 pool season

**Mayor's Report**

Mayor Slavin advised the Council that his report was available for anyone who wanted to see it.

**Adjourn 10:20 pm**