

VILLAGE OF SODUS POINT
ZONING BOARD OF APPEALS
NOVEMBER 1, 2016

PRESENT

Tom Johns - Chairman
Sue Bassage
Laurie Hayden
Larry La Force
Vic Hill

ABSENT

Vic Hill
Lynn Carlyle

GUESTS

CEO – Kevin Druschel
Attorney Art Williams
Art Ertel
Art Williams
Ann Hayslip
Dave Mc Dowell
Alice Bill
Ed Jones
Penny Shockley

Chairman Tom Johns called the meeting to order at 7:00 P.M.

The first application was an area variance for Edward Jones at 8387 South Shore Road to construct a non-conforming dock 90' in length, where 60' is required; where an 11' section is located on the property line, when 10' is required. Mr. Jones explained the contours toward the land make it difficult to place a dock. In addition, the water level is low in that area. At 48' water level is 10' and at 92 water level is 20". Both adjacent neighbors have 100' docks and are in full agreement with the project.

At 7:04 PM Chairman Johns opened the floor to public comments. No comments, Chairman closed the public comments at 7:05.

Board Discussion: Sue Bassage agrees due to the land contour it makes sense and is the logical solution. Larry LaForce felt it would blend into the area well and understands the low water hardship. Other board members had no objections.

Sue Bassage made a motion to approve, seconded by Larry La Force, all aye, carried.

The second application was a special use permit request that allows for modification in a residential district by Bell Atlantic Mobile of Rochester, L.P., dba Verizon Wireless for a proposed cellular service telecommunications facility, consisting of a freestanding monopole cell tower (119 feet, including lightning rod), on land owned by Phillip Griffiths, 8190 Lake Street Extension; an area variance for an 8' fence where 4' is required.

Nate VanderWal of Nixon Peabody, LLP and Corey McWilliams of Costich Engineering presented to the board various maps showing the area of the project and coverage gaps. When

He explained that under FCC rules Verizon needs to provide an adequate coverage. RF studies were done and the location of the site provides the best coverage. VanderWal showed renderings of the site lines from various locations around the village.

- Looked at nine parcels over an 18-month period before deciding on the Lake Street Extension location.
- Colocation is the best, followed by municipal property and then private.
- The 8' chain link fence was for security.
- There are wetlands and hilly terrain on the south side (Lake Road) of the property which makes that access area a poor choice.
- There will be enough trees left uncut to provide a natural screen for the complex.
- Originally approached the municipality but were turned down. However, at present talks are underway with Village Attorney Williams discuss a location at the Village Sewage Treatment site lot.

7:23 Chairman Johns opened the floor to public comments.

Penny Shockley told the board that her family owned the parcel that Mr. Griffin purchased. Ms. Shockley showed the board the purchase agreement with an easement agreement stating the two shared the right-way. Based on the easement agreement Miss Shockley stated she was not giving her permission for any structural changes to the area. She also advised the board that Verizon had contacted her in 2010-2011 regarding a cell tower, but never heard from them again and would like to be considered. Penny was not opposed to the cell tower but feels it should be located in a LCR or Industrial district.

7:29 Chairman Johns closed the public comments period.

Board Discussion:

Sue Bassage walked the right away and feels an LCR location makes more sense, if the RF study shows adequate coverage.

Laurie Hayden asked for technical clarification regarding the coverage area because so much of the area was over water. She was also concerned about the height and wondered if there would be additional antennas. The Verizon engineer explained there might be some other carriers that will add antennas but the height will not change. Laurie asked what the antennas looked like and whether there would be wires strung around the area. Laurie also felt if this was approved it would set a precedence for cell towers to be erected in other residential areas.

Larry LaForce took a tour of the area and was concerned about the number of trees that were slated to be cleared. He would like to see the area reforested where possible. He agrees the need for more coverage but does not agree with a residential area location. He felt the Malt house or sewerage treatment site were better suited. Larry pointed to the 60 acres for sale on Lake Road. Also felt the board had a responsibility to uphold the Village's LWRP.

Mr. VanderWal addressed Larry's concern stating they had contacted the owners of the Malt House but did not receive a response. She also stated the location would not provide a good RF value.

Tom Johns expressed his desire to make certain all sites were looked at before making a decision. He did not feel the site was consistent with the Village long term plan. He stated that since the Village is no longer considering expansion of the sewer treatment plant that location should be evaluated.

Attorney Williams reminded the Board they could delay a decision but needed to consider the decision needed to be made within 81 days. Mr. VanderWal stated Verizon would agree to a continuation of the hearing process with a decision in 150 days.

Chairman Johns read a letter from the Potters on Lake Street Extension in support of additional services to the area.

Larry Laforce made a motion to delay a decision and continue the hearing within the 150 days as Verizon agreed to, seconded by Laurie Hayden, all aye, carried.

Minutes of October 13th, 2016 Village of Sodus Point Zoning Board of Appeals meeting were read and motion to approve was made by Sue Bassage, seconded by Laurie Hayden, all aye, carried.

There being no further business, meeting was adjourned at 8:15 P.M.

Village of Sodus Point
Zoning Board of Appeals