



PLANNING BOARD MEETING

October 17, 2016

Members present: Ann Hayslip, Scott Neal, Kathy Berretta, Mike Jenis, Rusty Schryer, Larry VanGee

Members absent: Tim Jones

Mayor Tertinek, several members of the Zoning Board and Village Attorney Art Williams were also present.

Meeting was called to order by Chair Hayslip at 7:00 PM. The minutes of the October 3, 2016 were read and approved. Motion by K. Berretta, 2nd: M. Jenis. Ayes carried.

Old Business: None

New Business:

CHAIR HAYSLIP ANNOUNCED THAT THE MEETING WAS BEING RECORDED

APPLICATION

A proposal from Bell Atlantic Mobile of Rochester (d/b/a/ Verizon Wireless) was presented by Nathan VanderWal of Nixon Peabody, LLP and Corey McWilliams of Costich Engineering for the construction of a 115' monopole tower with an additional 4' lightning rod at 8190 Lake Street, Sodus Point, NY. The property is owned by Phillip Griffiths (Tax #71119-17-095226). There are three requirements for this application: a special use permit will be

required for construction in an R/LCR zone, a site plan review for the project and a variance for the construction of an 8' fence around the complex. **(CODE: 190-69, 190-49, 190-22, and 190-68)**

Mr. VanderWal addressed several areas of the proposal (**SEE APPENDIX "A"**). He stated that Verizon is considered a public utility and as such, is charged by the FCC to provide a certain level of coverage to its customers. It has been shown that the Village of Sodus Point has been lacking in adequate cell phone signal and strength and this tower will remediate that problem. Members of the Planning Board posed several questions to Mr. VanderWal and Mr. McWilliams, and they are as follows:

1. **Location selection:** 9 locations were considered throughout our village, including two belonging to the Village. The sewer treatment site was declined by our Village because of uncertainty about future plans at that site, and the water tower location was deemed inadequate by Verizon.
2. **Soil stability/Drainage:** Mr. McWilliams stated that there will be a geotechnical analysis done once there is some tree clearing done. (Preliminary studies indicated that there wouldn't be an issue.)
3. **Damage to existing Village streets:** Mr. VanderWal stated that Verizon would be willing to provide an analysis of the steps that would be taken if any damage were to occur to an existing Village street during the construction process.
4. **Snow Removal:** The road leading from the Griffith driveway on Lake Street Extension to the complex will only be plowed in the event of an emergency.
5. **Radiation:** the FCC has reviewed radiation from cell phone towers and Verizon falls well below allowable levels.
6. **Noise:** There will only be minimal noise from chain saws and excavators for the first few weeks of the project as the woods are cleared and the road built. After construction, there will be minimal noise at the time of the emergency testing for the generator (approx. ½ hour per month) and in the event of a power failure, the generator will run throughout that outage.
7. **Lighting:** The tower will not be lit (in accordance with FAA requirements) and there will only be motion activated LED lights at the base of the equipment platform,
8. **Signage:** There will be a sign (approx 12" x 12") stating the FCC number and emergency contact numbers,
9. **Collocation:** The emergency services in our Village will be able to share space on the tower at NO cost to the respective services and there will be space available for another cell phone provider to add their equipment in the complex to prevent additional sites from being constructed in Sodus Point.
10. **Lake Road Access:** there are wetlands and hilly terrain on the south side (Lake Road) of the property which makes that access area a poor choice.
11. **Landscaping:** there will be enough trees left uncut to provide a natural screen for the complex.
12. **Potential benefits to our Village/Property Values:** Verizon customers will recognize the benefit of improved cell service and non-Verizon customers may recognize future benefits if their carrier collocates on the Verizon site. There may also be an increase in tax revenue from the property owner if the property appraisal is increased. (Mr. VanderWal will research this issue and report back to the Board) He further commented that Verizon studies have shown that there is no negative impact on the neighboring property values as a result of cell towers.
13. **Removal of the cell tower:** there is a clause in the lease agreement that states that upon the expiration of the term of the lease, the tower and all buildings and equipment will be dismantled and removed, and premises restored to original condition.
14. **Power Source:** the electric will run underground from an existing transformer located at the property owner's house to the Verizon complex. The emergency generator will be fueled by propane.

Chair Hayslip reviewed the order of actions by the various boards that will be required for the proposal:

1. Special Use Permit (SPPB→WCPB→ZB)
2. Site Plan Approval (SPPB→ WCPB→ SPPB)
3. Fence Variance Approval (ZB)

Chair Hayslip and Scott Neal referred to concerns regarding various sections of the village LWRP pertaining to development in the Village (**SEE APPENDIX "B"**) . In response, Mr. VanderWal stated that he will submit a written reply to our concerns regarding the LWRP.

A motion to recommend the special use permit for the construction of a cell tower and complex was made by K. Beretta, 2:R. Schryer. Each Board member was polled separately and **the permit was unanimously declined with all Board members voting NAY.**

The application will now go the Sodus Point Zoning Board for a public hearing on Tuesday November 1, 2016 and the Wayne County Planning Board on Wednesday October 26, 2016.

PRELIMINARY SITE PLAN REVIEW

- A Full EAF was completed and it was determined that the proposed action will not result in any significant adverse environmental impacts.
- CEO Druschel commented that the project will follow the IBC 2015 building codes and is section 3108 compliant.
- A motion was made by M. Jenis, 2nd: K. Berretta to approve the preliminary site plan **with the following conditions:**
 1. Any damage deemed to be caused to Village streets because of the project construction will be remediated by Verizon,
 2. Snow removal will be done on a regular basis, not just in the event of an emergency
 3. A landscaping and tree clearing plan will be presented
 4. A Waterfront Assessment Form needs to be completed

AYES CARRIED

Motion to adjourn at 9:45 PM was made by K. Berretta, 2nd: M. Jenis. Ayes carried.

Our next scheduled meeting will be the Public Hearing for the Verizon site plan on November 7, 2016 at 7 PM.

Ann Hayslip-Chair

Scott Neal-Clerk/member

Mike Jenis/member

Kathy Berretta/member

Tim Jones/member

Rusty Schryer/Ad Hoc member

Larry VanGee/Ad Hoc member