

MINUTES OF THE TOWN OF WAYNE
 PLANNING BOARD
 FEBRUARY 6, 2017

The February 6, 2017, Planning Board meeting started at 6:32PM with a roll call of the members.

<u>MEMBERS PRESENT:</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>LATE ARRIVAL</u>
Glenn Neu, Chair	___	_X_	___
Nancy Gabel	_X_	___	___
Donna Sue Kerrick	_X_	___	___
Chris Mooney	_X_	___	___
Jon Serdula	_X_	___	___
Stan Witkowski, Vice-Chair	_X_	___	___
Dennis Carlson, liaison	_X_	___	___
Gill Harrop, CEO	_X_	___	___

<u>ALSO PRESENT:</u>		
Theresa Whiteford		Stanley A. Zyla
George Baldwin		Candy Dietrich
Anna & David Bauer		Jodelle Judge
Lauren Panzarina		Jen Rouin
Daniel Brennan		Bill Mahr
Meg Morrison		Han Peter Weis
Les and Marianne Reimsnyder		Jay Palerono
Tony and Nancy Mattiaccio		Mary Jo Yunis
Attorney Daniel Brennan, representing Nixon Peabody LLP		
Attorney Ed Premo, representing the Town of Wayne		

MINUTES:

Ms. Kerrick made a motion to approve the December 5, 2016, minutes as presented, seconded by Ms. Gabel.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Glenn Neu	___	___	___	_X_
Nancy Gabel	_X_	___	___	___
Donna Sue Kerrick	_X_	___	___	___
Chris Mooney	___	___	_X_	___
Jon Serdula	_X_	___	___	___
Stan Witkowski	_X_	___	___	___

Ayes-4. Nays-0. Abstain-1. Absent-1.

NEW BUSINESS:

Special Permit Application No. 05SP16: NY RES No. 3 Cellular Partnership d/b/a Verizon Wireless. Plan to construct and operate a wireless communications facility at 9658 Day Road.

Attorney Brennan handed out a cover letter dated February 6, 2017 and an updated search ring report (both on file) that addressed the following items:

- The objective was to have a free standing lattice tower.
- The proposed tower height would not be increased. Pg. 16 item 8.
- Moving the tower further away from the road could result in loss of signal. Pg. 16 item 9
- The corrected overlay for the search area. Pg. 16 item 10.
- Alternate locations and ultimate loss of cell coverage. Pg. 17 item 10

The Planning Board members stated the following concerns:

- The proposed Tower would not address the first responders need due to lack of service around Waneta and Lamoka Lakes.
- The proposed Tower addressed Keuka Lake residents that were more seasonal rather than the year round residents.
- Would like to see the numbers concerning the year versus seasonal residents.

Attorney Ed Premo, addressed the following items:

- Visual impact appeared to be a major concern for the proposed site.
- The possibility of lowering the height of the Tower to lessen the impact.
- An analysis for the possibility of 2 shorter towers at 2 different sites that could address the loss coverage on Keuka, Waneta and Lamoka Lakes.
- The possibility of updating the existing Branchport Tower to accommodate more data.

George Frantz, Land Use Planning Developer, Teacher at Cornell University and Consultant for the Town of Wayne, gave a slide presentation showing the visual impact of the proposed Tower from 4 different locations. (on file).

Mr. Frantz further noted the following discrepancies of the Verizon search ring report:

- According to the USGS topo map, you wouldn't lose elevation for the Tower locating it further to the northeast corner, since the contour of the land runs parallel.
- Were the propagation studies in error since the USGS topo map shows the Town of Wayne elevation higher not lower?

Mr. Witkowski opened the floor for those present and the following concerns were noted:

- Ms. Morrison inquired if the other site locations have been looked at.
- Ms. Rouin stated her concern to protect the beauty of Keuka Lake area.
 - a) The proposed Tower would be only 400 ft. from her property.
 - b) Her next step would be to contact "I Love Keuka Lake", to address the proposed Tower site.
 - c) The repeated errors in the Verizon report due to the potential boiler plate answers and would like a 100% accurate informational account for the proposed site.
- Mr. Bauer stated the proposed tower would be 400 ft. from his property.
- Ms. Bauer stated the proposed tower would be directly across the road from them and any lighting would be an issue.
- Ms. Judge stated she purchased 35 acres of land downhill from the site and was concerned about environmental aspect and whether potential radiation could eventually harm her animals and plants.

- a) There were 42 neighbors along Crystal Beach that opposed the Tower site.
- Ms. Dietrich inquired if Verizon looked to place the Tower on the other side of the Lake.
- Mr. Weis stated he lives at the lower end of Day Rd. but also owned over 14 acres of vineyards on the Westside and wondered if that side of Keuka Lake was considered, he further noted that due to the lay of the land, most of the surrounding areas were vineyards and not home sites.
- Two letters from Mr. and Mrs. Fisher dated January, 2017, and February 6, 2017 were received stating their opposition and advocating using the alternate Town of Wayne site. (on file)
- A letter from Mr. Dungate dated February 1, 2017, was received stated his opposition of the Tower. (on file)
- Ms. Panzarino presented a letter from her father, Joseph Panzarino and one from her, stating their opposition and concerns (both on file) and further stated the focus needed to be on the welfare and health of the community.
 - a) She further stated they had looked for 6 years to find a suitable site overlooking Keuka Lake and their land value would drop considerably due to the Tower site location.
 - b) Potential lighting would be an issue since private aircrafts do fly in and around Keuka Lake.

Attorney Brennan stated as a utility, Verizon is entitled to construct a tower to cover an area that has been identified as an lack of coverage gap area.

He further noted he would address the concerns in writing.

The Planning Board moved to table meeting until the requested information was provided.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Glenn Neu	___	___	___	<u>X</u>
Nancy Gabel	<u>X</u>	___	___	___
Donna Sue Kerrick	<u>X</u>	___	___	___
Chris Mooney	<u>X</u>	___	___	___
Jon Serdula	<u>X</u>	___	___	___
Stan Witkowski	<u>X</u>	___	___	___

Ayes-5. Nays-0. Abstain-0. Absent-1.

William and Dawn Moucha:: Application to construct a roof mounted residential solar PV system on their existing barn located at 8787 Ridge Rd., Town of Wayne.

Upon discussion, the consensus of the Planning Board was this request could be addressed with a building permit and wouldn't need a site plan as long as it didn't exceed the maximum height.

Upon further discussion, Ms. Gabel made a motion to treat the roof mounted solar system as a building permit as long as it didn't exceed the maximum height, seconded by Mr. Serdula.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
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Glenn Neu	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Nancy Gabel	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Donna Sue Kerrick	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Chris Mooney	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Jon Serdula	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Stan Witkowski	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Ayes-5. Nays-0. Abstain-0. Absent-1.

Tony Matticio/Jay Palermo: Pre-lim Subdivision Application SA70-17. Request to subdivide into two conforming building lots in order to construct a new home.

Mr. Palermo stated currently there was a non-conforming lot that had an existing garage on the property. They would like to tear down the garage and construct a new home on the property. In order to accomplish this, they would purchase additional land, tear down the existing garage and make it into a conforming lot to allow for the proposed home site.

Mr. Palermo showed the existing plans for the proposed new structure.

After discussion, the Planning Board recommended he thoroughly follow the requested items A through O on pages 13 and 14 of the subdivision regulations and supply 5 certified stamped survey maps 2 weeks prior to the March 6, 2017, Planning Board meeting.

COMMUNICATIONS:

Mr. Witkowski stated the Planning Board needed to request from the Town Board funds for a consultant to do a visual impact assessment and complete Part 2 of the long for SEQR. The Planning Board also recommends that the Town seek reimbursement from the project applicant Verizon. (As cited from the SEQRA Handbook, Chapter 5, item J: Fees for preparation of EIS or review).

After discussion, Ms. Gabel made a motion that a memo be sent to the Town Board seeking the consultant funds for consultant fees and subsequent reimbursement of funds from Verizon for a consultant, seconded by Ms. Kerrick.

Ms. Gabel made a motion to adjourn the meeting at 9:15 PM, seconded by Mr. Witkowski.

Respectfully,
Maureen Kurtz

Next Meeting: March 6, 2017 starting at 6:30PM