



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD

MINUTES

AUGUST 2, 2023

Work Session Began: 6:30 p.m.

Meeting Began: 7:00 p.m.

Place: Community Conference Room, Greece Town Hall

Present

Alvin I. Fisher, Jr., Chairman

Christine R. Burke

John C. Geisler

William E. Selke

William Timmons

Mathew J. Trau, Junior Engineer

John T. Caterino, AICP, Planner / Clerk of the Planning Board

Janelle Castellana, Planning Board Secretary

Absent

Jamie L. Anthony

Michael H. Sofia

Christopher A. Schiano, Esq., Deputy Town Attorney

Additions, Deletions and Continuations to the Agenda

Addition: Notice for Zoning Board of Appeals to become Lead Agency for Environmental Review; Bell Atlantic Mobile Systems, LLC

Announcements

Policy of Decorum

OFFICE OF PLANNING & ZONING

1 VINCE TOFANY BOULEVARD • GREECE, NEW YORK 14612

TEL.: (585) 723-2355 • FAX: (585) 723-2442

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PUBLIC HEARINGS

Old Business

None

New Business

None

SITE PLANS

Old Business

None

New Business

1. Applicant: Bell Atlantic Mobile Systems, LLC (d/b/a Verizon Wireless)
Location: 448 Long Pond Road
Mon. Co. Tax No.: 034.03-4-22
Request: Site plan approval for a proposed cellular service telecommunications facility, consisting of a freestanding antenna tower (124 feet-high, including lightning rod) and related antenna(s), accessory antenna structures, and access driveway, on approximately 0.23± acres.
Zoning District: R1-18 (Single-Family Residential)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Robert W. Burgdorf, Nixon Peabody LLP, presented the application:

Mr. Burgdorf: This application is in front of the Zoning Board of Appeals for a special use permit and this Board for a site plan of a 120-foot lightning rod and pole communications facility and related equipment. This is to solve coverage service deficiencies. There is extremely limited flexibility as to where this could be placed and still mesh with the other cells. In order for the network to work properly, the engineers develop what is called a search area, a tight geographic area where basically it has a gap with neighboring cells. A site acquisitionist goes out and tries to find the best site. We try to find an existing tower or rooftop but in this area, we don't have that option. It basically is the aesthetics of antenna, they don't pollute, they don't vibrate, they don't have lights, they don't create noise. We have tried to find the best space, so that it works properly without unreasonable cost or delay. There were six (6) potential locations; Four (4) landowners said no, the fifth location failed the secondary RF analysis. And that leaves us with this location. We met with staff, they asked us to make some changes to the compound and landscaping. The Zoning Board of Appeals asked us to get one photo simulation directly on, so we are preparing that. They also want a RF consultant to review the application, so we are aware that we will be paused while that takes place. This did get reviewed by Monroe County, and they did have a bunch of questions and comments primarily around the wetlands so we are having our civil engineers review that and will get a written response before the next meeting. At last night's meeting the Zoning Board of Appeals declared themselves Lead Agency for the coordinated

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environmental review and I assume this Board is comfortable with that and will respond positively to them being Lead Agency.

Mr. Selke: Where are the wetlands? What comments did the Zoning Board have last night?

Mr. Burgdorf: Along the northeast, we are well outside of those wetlands but the County had questions and we will address them. The Zoning Board wanted a photo simulation dead on, we have some just off the driveway, we will get that. The other comment was about barbed wire, we think it is good for security, some don't like it so we said we could plant shrubs to hide it or if they were really set against it, we can come to another agreement. They are mulling over that.

Mr. Caterino: As the applicant did mention, they do have an active application with the Board of Zoning Appeals for a special use permit for the telecommunications facility and a variance for the use of barbed wire. From a SEQR perspective, it's an Unlisted Action, and the Zoning Board is going to claim Lead Agency for the coordinated SEQR review. This afternoon, letters were sent out to interested and involved agencies, Planning Board being one of them, that is why we have the item on the agenda tonight for the Planning Board to decide on. This evening we won't be acting on the application. The Zoning Board also passed a resolution to hire a consultant, which is typical for these types of applications to review the RF analysis and why this property was selected to fill in any coverage gaps. It was reviewed by Monroe County Planning and Development. As mentioned, most of the comments were regarding the environmental factors of the property such as floodplain and wetlands especially to the east of the site. They will need a permit from the Monroe County Department of Transportation for the curb cut onto Long Pond Road. In terms of Planning comments, mostly regarding the leased area and with initial meetings with Verizon, we recommended instead of having the equipment area to the north, swap so that it is to the south and further in the tree line and having the driveway on the northern end of it. Instead of the chain link fence with barbed wire, going to a solid wood board on board and get some really good screening, and doing away with the barbed wire. Along the northern portion of the equipment area and the western area to also provide some conifer trees or something year-round to shield the compound area. This property is zoned single-family residential and it is a very large parcel, so there is potential for single-family development down the road if this application was to be approved. One thing we did on a similar application was that if this was ever approved in the future for development is maybe going back after the fact and adding additional plantings along the northern and western ends to provide buffering. Planning Board member Mike Sofia could not attend tonight's meeting but did email me comments:

I am unable to make tonight's meeting, but I would like to express my preliminary thoughts and concerns and have them read into the record. Putting this tower in the edge of the farmland will be a visual deterrent to any future residential development for that land. The photo's provided prove that the 124-foot tower is nowhere buffered by 45-foot trees. The statement made on section B, Page 2 that "it would not change the character of the neighborhood" is just not accurate. Although I do not question the need for the tower, I personally live within ¼ mile of the proposed site and have not had any concerns with service, which leads me to believe this is not the only spot that the tower needs to be replaced. I recall a past proposal at the edge of farmland on Vintage Lane that we recommended the applicant go back to the drawing board for another location in which they moved it further east in the woods parallel to 390 that is perfectly secluded and buffered. I noted the few other locations the applicant mentioned that were approached for this tower, but I highly recommend this applicant go back to the drawing board and do the same.

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Just to comment on Mike's comments here, the one item he brought up regarding future development. That is something that the Board of Zoning Appeals needs to look into as part of the special use permit, it is one of the requirements, that it doesn't impact the orderly pattern of development. So, one thought, a conceptual plan of the property showing if housing was to be built there, how it would be done and to make sure development wouldn't be prohibited by the placement of this cell tower. Regarding Mike's comment about the location the tower and buffering, one thought I had was to move the cell tower and equipment area south of the treeline to provide buffering to the north and then any visual impact would be directly on Long Pond Road. His comment for the need of the tower, I let him know that Zoning Board has hired a consultant to review the need.

Mike Kotter, 448 Long Pond Road: I own this property. The location of the tower, its north of the woods just because I didn't want the woods cut down in that area, the house is right there so putting it south then I would have to look at it all the time and I have a walking path back there. I am not sure how flipping he plan work but it's ok with me. I have no plans on developing the land. I plan to keep it farmland.

Mr. Geisler: Do you live there now?

Mr. Kotter: I am rehabbing the house.

Mr. Geisler: If an accident happens with this shelter, who is covered?

Mr. Burgdorf: Verizon has enormous amounts of liability insurance. As far as accidents with the towers, I can count on one hand how many times the towers have come down. They have withstood hurricanes. Light poles in parking lots are not built to the standards these towers are built and people aren't concerned with them. There are instances where they can come down, and we do have insurance.

Mr. Geisler: Are there any radiation concerns with the towers?

Mr. Burgdorf: People have asked that for a long time. This is a radio signal, extremely weak radio signal.

Mr. Geisler: What were the other locations that declined?

Mr. Burgdorf: One was the Lake Ontario State Parkway, they declined. There is a piece of property owned by the Town of Greece, they declined. A property owned by an LLC on Janes Road, they declined. St. Mark's Church declined. We tried one on Woodsmoke Lane, but it wasn't really in the search area, it was confirmed that it wouldn't work. That lead us to this location.

Mr. Selke: I live right around this area, and I have the best cell coverage.

Mr. Burgdorf: This is a capacity issue more than a coverage issues.

Mr. Selke: How do you know you have a particular need; did you have complaints?

Mr. Burgdorf: It can be based on complaints. The RF engineers look at dropped calls. They watch the trends and see where there is a problem.

Mr. Selke: Are you sharing your site with other people?

Mr. Burgdorf: We have master license agreements all worked out so it's all ready for co-location with Zoning approval. They are built for three co-carriers.

Mr. Caterino: The Zoning Board through the special use permit could require that they allow for co-location in the future for other carriers.

Mr. Geisler: I think board on board fencing will look better with or without additional landscaping.

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Mr. Selke: Is there a security issue that requires barbed wire fencing?

Mr. Burgdorf: No, it's just standard.

Mr. Selke: Is there high voltage?

Mr. Burgdorf: No, it is like a 220-house line.

Mr. Fisher: One of the issues we have it trying to buffer. Solid fencing is better.

Mr. Selke: What is the entrance off the road like?

Mr. Burgdorf: We have a swing gate, and it is locked. There is a bend in the road and that helps with the appearance of the compound.

Mr. Fisher: This is the type of application that requires coordinated review, and the Board of Zoning Appeals has indicated their desire to become Lead Agency and they go to a variety of people including our Board. Today we are asked to provide a motion which would indicate our agreement that they become Lead Agency for the purpose of Environmental review. So, we need to take that action today.

Mr. Timmons: Mr. Kotter, you said you are rehabbing the house and you were interrupted, was there something else you were going to elaborate on?

Mr. Kotter: I was just thinking of building a house off the back of the existing garage. There is a farmhouse closest to the road, then a three-car garage and I may be building a house off the back of that garage, depending on house the existing house goes. I have most of the inside torn out, not looking great but we will see. That is the only plan I have, just keep farming that field. I am against the barbed wire, has a military feel to it. I prefer the north field as the location of the tower.

Mr. Caterino: Getting back to future development of the property, the overall property is 20± acres, zoned R1-18, so 18,000 square foot lots can be there by code. I think we need to look at what future development could be. Mr. Kotter states he has no intention of doing it, but that doesn't mean things can't change down the road and I think it might be advantageous to look at a concept of what development could look like and how the location of the tower could impact that. Just draw in lots, what a subdivision could look like along the Long Pond Road area. To show that the placement of the tower doesn't prohibit further development of the property or the area. If the Board has any comments before the next meeting, they can get them to me, and I will get them to the Zoning staff and the applicant.

Mr. Fisher: We will continue this meeting to September 20, 2023.

Mr. Geisler made a motion, seconded by Mr. Timmons to continue this application to the meeting of September 20, 2023.

VOTE:	Burke	Yes	Anthony	Absent
	Geisler	Yes	Sofia	Absent
	Selke	Yes	Timmons	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION CONTINUED TO SEPTEMBER 20, 2023

SPECIAL PLANNING TOPICS

Old Business

None

New Business

1. Applicant: Ray Helfrich
Location: 982 North Greece Road
Mon. Co. Tax No.: 058.04-3-65.12
Request: Extension of Preliminary and Final plat approval for the Pollock Estates Subdivision consisting of eighteen (18) residential lots on approximately 11.7± acres previously approved on February 8, 2023.
Zoning District: R1-18 (Single-Family Residential)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Mr. Caterino: The Applicant is just working through some items and watching the market.

Ms. Burke made a motion, seconded by Mr. Timmons, to approve two 90-day extensions, as requested by the applicant.

VOTE:	Burke	Yes	Anthony	Absent
	Geisler	Yes	Sofia	Absent
	Selke	Yes	Timmons	Yes
	Fisher	Yes		

**MOTION CARRIED
APPROVED TWO 90-DAY EXTENSION**

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2. Applicant: 447 Long Pond Road, LLC
Location: 447 Long Pond Road
Mon. Co. Tax No.: 034.03-9-69
Request: Extension of the final plat approval of the Hawthorn Grove Subdivision, consisting of seven (7) lots on approximately 5.91± acres and originally approved on April 7, 2021.
Zoning District: R1-18 (Single-Family Residential)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Mr. Caterino: They are looking to move forward by early next year, but just need some additional time.

Ms. Burke made a motion, seconded by Mr. Timmons, to approve two 90-day extensions, as requested by the applicant.

VOTE:	Burke	Yes	Anthony	Absent
	Geisler	Yes	Sofia	Absent
	Selke	Yes	Timmons	Yes
	Fisher	Yes		

**MOTION CARRIED
APPROVED TWO 90-DAY EXTENSION**

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3. Response to the Board of Zoning Appeals notice of intent to become the lead agency for the coordinated environmental review of the request submitted by Bell Atlantic Mobile of Rochester, LLC (d.b.a. Verizon Wireless) for a special use permit for a proposed cellular service telecommunications facility, consisting of a freestanding antenna tower (124 feet-high, including lightning rod) and related antenna(s), accessory antenna structures, and access driveway; an area variance for the use of barbed wire on a fence (236± linear feet)); and Planning Board site plan approval for same, on property located at 448 Long Pond Road.

Motion by Mr. Geisler, seconded by Mr. Selke, to consent to the Board of Zoning Appeals being the lead agency for the coordinated environmental review of the request submitted by Bell Atlantic Mobile of Rochester, LLC (d.b.a. Verizon Wireless) on property located at 448 Long Pond Road.

VOTE:	Burke	Yes	Anthony	Absent
	Geisler	Yes	Sofia	Absent
	Selke	Yes	Timmons	Yes
	Fisher	Yes		

**MOTION CARRIED
RESPONSE APPROVED**

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ADJOURNMENT: 7:47 p.m.

APPROVAL OF PLANNING BOARD MEETING MINUTES

The Planning Board of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Date: _____

Alvin I. Fisher, Jr., Chairman