**Zoning Board of Appeals November 9, 2016 Public Hearing and Regular Meeting Minutes**

The meeting was held at the Aurora Firehouse meeting room at 7:00 pm

**Present:** Chairperson Karen Hindenlang, Laura Holland, Ann Tobey, and Jeri Vargo

**Absent:** Marie Taylor

**Others Present**

**Village Officials:** Clerk Ann Balloni, Code Enforcement Officer Patrick Doyle, and Planning Board Chairperson Pat Bianconi

**APC Towers, LLC Representatives:** Jeff Davis and Robert Willson

**Public Hearing**

**Application #16-52 from APC Towers, LLC and Verizon Wireless for an Area Variance (Height) for a Public Utility Monopole Telecommunications Facility at 170 Main St (Wells College Campus)**

**Call to Order:** Ms. Hindenlang called the Public Hearing to order at 7:00 pm. Ms. Hindenlang noted that there is a quorum present and that ZBA members attended a site visit for the proposed cell tower on November 7, 2016 at 3:30 pm.

Ms. Hindenlang asked Village Code Enforcement Officer, Patrick Doyle, to explain his determination that Application #16-52 requires an area variance for height.

The proposed tower is 125’ with a 5’ lightning rod attached. Mr. Doyle cited Section 405.P.1.a of the village zoning law which limits the height of primary structures to 50’ and accessory structures to 16’. Mr. Doyle considers the tower to be an accessory structure.

Ms. Hindenlang asked the applicant to give a presentation of the proposal.

APC Towers, LLC representative, Jeff Davis, remarked that the project addresses a coverage capacity gap in the area. Mr. Davis noted that Wells College has been a focus area for a couple of years and that, currently, coverage in the area comes from a tower across the lake.

Mr. Davis explained that Verizon conducted a search ring map and determined that a macro tower on the proposed site would offer the greatest coverage. Mr. Davis also noted that the proposed site is close to the Wells College water tank, consolidating visual intrusions, and is remote from residential homes.

Ms. Hindenlang questioned Mr. Davis if the site of the village water tank on Sherwood Road was considered due to the utility often giving preference to municipalities. Mr. Davis replied that the Sherwood property was too far north to accommodate the coverage area.

Ms. Holland questioned if additional height is needed for other carriers. Mr. Davis replied that Verizon has rights to 115’ and other carriers are allotted to 105’ on the tower. Mr. Davis further remarked that the tower could be extendable and the proposed tower is the minimum height.

Ms. Balloni asked to direct a question to Mr. Davis, and inquired if our local 911 calls would still be routed through Seneca Falls if the new tower was built. Mr. Davis replied that the new tower would be used to identify the location of our 911 calls in future.

Ms. Vargo noted that the compensation amount to Wells College is redacted on the application. Mr. Davis replied that Wells will be paid a monthly rate and APC is not required to disclose the amount because the public utility designation is strictly for zoning purposes.

Ms. Hindenlang questioned if the site was on tax exempt property and Mr. Doyle remarked that the tax assessor is responsible for re-designating the leased property as taxable.

Ms. Hindenlang and Mr. Davis discussed a tentative timeline for review of the project and acknowledged that the ZBA cannot make a determination until the State Environmental Quality Review (SEQR) is complete. Ms. Balloni explained to Mr. Davis that differing board deadlines for review don’t line up with the SEQR process and Mr. Davis agreed to an extension of the 45 day Site Plan decision as long as the 150 day deadline for all board reviews is met.

**Public Comment:** No public comment.

On motion by Ms. Vargo, seconded by Ms. Tobey, the ZBA voted to adjourn the public hearing to the next ZBA meeting (TBD).

AYES: Hindenlang, Holland, Tobey, and Vargo

NAYS: None

Motion carried unanimously.

**Call to Order:** Ms. Hindenlang called the regular meeting to order at 7:42 pm.

**Changes to the Agenda:** Ms. Hindenlang reiterated to the board that SEQR must be complete before the ZBA can make their determination and asked for a motion to remove Application #16-52 from New Business.

On motion by Ms. Vargo, seconded by Ms. Holland, the ZBA voted to remove Application #16-52 from the agenda under New Business.

AYES: Hindenlang, Holland, Tobey, and Vargo

NAYS: None

Motion carried unanimously.

**Approval of Minutes:** On motion by Ms. Holland, seconded by Ms. Vargo, the ZBA voted to approve the October 12, 2016 minutes.

AYES: Hindenlang, Holland, Tobey, and Vargo

NAYS: None

Motion carried unanimously.

**Announcements:** Ms. Balloni reminded the ZBA of the upcoming safety training on November 10, 2016 from 6:00 pm – 8:00 pm in the firehouse meeting room. Dinner will be provided.

**Old Business:** Ms. Hindenlang acknowledged that Mr. jetty received Mr. Doyle’s letter accepting Mr. Jetty’s verbal withdrawal of Application #14-41 & #16-39. Mr. Jetty noted on the letter that he agreed with Mr. Doyle’s letter and signed and dated his agreement (attached).

**New Business:** No New Business was discussed.

**Adjournment:** On motion by Ms. Tobey, seconded by Ms. Vargo, the ZBA voted to adjourn the meeting at 7:46 pm.

AYES: Hindenlang, Holland, Tobey, and Vargo

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk