**Planning Board Public Hearing & Special Meeting Minutes, January 4, 2017**

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

**Present:** Deputy Chairperson Frank Zimdahl, Pat Foser, Michele Murphy, and Pam Sheradin

**Absent:** Pat Bianconi

**Others Present:**

Village Officials:Clerk Ann Balloni, Attorney Tom Blair, Code Enforcement Officer Patrick Doyle, ZBA member Laura Holland, Historian Dr. Linda Schwab, and Engineer Ken Teter

APC Tower representative Jeff Davis and local resident Margaret Flowers

**Call to Order:** Mr. Zimdahl called the meeting to order at 7:05 pm.

**Application #16-52 from APC Towers, LLC and Verizon Wireless for construction of a cell phone tower on Wells College Campus at 170 Main St (Tax Map #193.5-1-1)**

Mr. Zimdahl requested that APC Tower representative, Jeffrey Davis, inform the Planning Board of any new information regarding Application #16-52. Mr. Davis noted that a revised Full Environmental Assessment Form (FEAF) was submitted on December 31, 2016 to clarify the area of disturbance of the underground utility trench from Fry Road to the project location site is 6’, not 4’ (question E.1.b.) Mr. Zimdahl confirmed with the applicant that, once the trench is complete and the lines are buried, the trench will not be visible.

Mr. Davis also noted that Agricultural Land classification regarding soil was revised per information received from New York State Agriculture and Markets (question #E.1.b. & E.3.b.)

Mr. Davis also submitted a revised site plan noting a new swale to address drainage from the access road to the Woods Lot parking area.

A tree survey was also completed and 23 trees are slated for removal. To mitigate the number of trees removed for the project, Mr. Davis was questioned about alternative sites. Specifically, the north side of the Woods Lot parking area which has already been approved for expansion due to plans approved for the construction of a new dorm. Mr. Davis noted that moving the project site to the north side of the Woods Lot parking area is a 20’ elevation difference and would result in a taller, more visible tower.

**Public Hearing:** On motion by Ms. Foser, seconded by Ms. Murphy, the Planning Board voted to open the public hearing for Application #16-52 at 7:17 pm.

AYES: Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

Mr. Davis explained the need for greater cell phone coverage for Wells College as well as the village. Currently, coverage is received from a tower in Romulus, across Cayuga Lake, which results in spotty coverage depending on the season. Verizon is also the only option for service in the area but, with the new tower, other carriers have the option of renting space from APC.

The new tower will also improve 911 service in the area. Emergency calls via cell phone currently go to the Seneca County 911 center and now will be appropriately relayed to the Cayuga County 911 center.

Mr. Davis remarked that extensive research was completed prior to choosing the proposed location and their goal is to provide the greatest amount of coverage, for both Wells College and the village, as unobtrusively as possible.

**Public Comments**

**Dr. Linda Schwab (Village Historian):** Dr. Schwab provided photos showing the visibility of the proposed tower and its base for most of the year. Dr. Schwab also referenced letters (attached) addressed to the Planning Board voicing her concern for the tree removal plan for the proposed access road. Dr. Schwab also expressed thanks to Village Engineer, Ken Teter, for raising these same concerns with the applicant.

Dr. Schwab questioned if Wells College placed any restrictions on the location of the cell tower and asked if locating the tower in the Woods Lot parking area is plausible, noting that 8 parking spaces would be lost as opposed to 23 trees. Dr. Schwab noted that, in a prior application from Wells College that included expansion of the Woods Lot parking area, it was strongly recommended by project consultants not to continually “chip away” at the forest area. Dr. Schwab, referencing a connection with the previous application, also questioned if this is segmentation.

Dr. Schwab thanked the applicant for their extensive research on the project and reiterated her questions:

* Was APC given any restrictions by Wells College?
* Could the project be considered segmentation?
* Is the north side of Woods Lot a plausible alternative site?

**Margaret Flowers:** Dr. Flowers introduced herself as a Professor Emerita of Biology at Wells College and voiced her concern with the project location and the proposed access road. Dr. Flowers developed the Forest Ecology course at Wells and has expertise in botany and plant ecology. Dr. Flowers noted that currently, the wooded area is undisturbed and changes in the dynamic of the ecosystem by segmenting the area could result in loss of the forest.

Mr. Davis addressed Dr. Schwab’s question regarding any restrictions placed on the applicant by the property owner, Wells College. The only request noted from Wells by Mr. Davis was to camouflage the cell tower by placing it near other tall structures, notably the water tower and tall trees.

Mr. Davis was then asked if the access road was necessary for aesthetic purposes to help “hide” the tower and if the road would only be used for the initial construction project. Mr. Davis replied that aesthetics are a consideration, but also noted that the road will be used for maintenance and access for other carriers should they decide to rent space.

Ms. Foser questioned the different color markers around the site. Per Mr. Davis and Mr. Teter, they are part of the tree survey and the red & white markers are Verizon while the green are Mr. Teter’s designation. Noted “W” spray-painted on the trees could not be verified.

Ms. Foser also questioned if painting the tower green, like the water tower, was an option. Mr. Davis noted that would be a Community Preservation Panel consideration.

**State Environmental Quality Review (SEQR)**

Village Attorney, Tom Blair, confirmed with Village Clerk, Ann Balloni, that there were no objections to the Planning Board declaring themselves the Lead Agency for the coordinated review.

Mr. Davis remarked that a letter from the New York State Department of Environmental Conservation Natural Heritage Program (attached) was received on December 30, 2016 and Mr. Davis submitted a copy to the village on January 4, 2017. The letter identifies the Bald Eagle within .7 miles of the project site and suggests that additional information from other sources may be required.

A notice on the New York State Historic Preservation Office (SHPO) website noted that an archeological study was not conducted and Mr. Davis replied that the survey is usually done following the approval for the project. Mr. Davis and Dr. Schwab noted that, during construction, if anything notable is discovered the project will cease until a full archeological survey is completed.

Mr. Davis also noted that the New York State Agricultural & Markets data sheet was submitted and they had no concerns with the project.

The Planning Board proceeded to complete part 2 of the Full Environmental Assessment Form (FEAF, attached). Mr. Blair and Mr. Teter remarked that certain questions required careful consideration and Ms. Foser suggested that the Planning Board consider continuing the SEQR at their January 25, 2017 meeting for discussion of the more pertinent questions. The other members indicated that they were comfortable completing part 2 of the FEAF.

1. Impact on Land – Yes, but no or small impact
2. Impact on Geological Features – No
3. Impact on Surface Water – Yes, but no or small impact
4. Impact on Groundwater – No
5. Impact on Flooding – Yes, but no or small impact
6. Impacts on Air – No
7. Impact on Plants and animals – Yes, but no or small impact. The Planning Board reviewed the sub-sections, a.-j., and discussed the various plants and animals in or near the project site. Members referenced the SEQR workbook and discussed that research was submitted regarding Kentucky coffee trees, the Long - Eared bat, and woodpeckers during the SEQR process for a previous application in the same vicinity and concluded that there would not be any significant impact.
8. Impact on Agricultural Resources – Yes, but no or small impact
9. Impact on Aesthetic Resources – Yes, but no or small impact. The Planning Board reviewed the sub-sections, a.-g., and discussed the effect of the project on State Rt 90, a scenic byway. The Planning Board referenced the SEQR workbook and determined that the project is located next to an existing water tower, buffered by large trees, and within proximity to 60’-90’ stadium lights.
10. Impact on Historic and Archeological Resources – Yes, but no or small impact. The Planning Board reviewed sub-sections a.-d., and referenced the SEQR workbook, determining that the project would not have a significant impact again due to the other structures in the area and the surrounding vegetation.
11. Impact on Open Space and Recreation – No
12. Impact on Critical Environmental Areas – No
13. Impact on Transportation – No
14. Impact on Energy – Yes, but no or small impact
15. Impact on Noise, Odor, and Light – Yes, but no or small impact
16. Impact on Human Health – Yes, but no or small impact
17. Consistency with Community Plans – No. The Planning Board referenced the Village Master Plan and determined that the project is a benefit to the community due to the county 911 improvements. The members also noted that cell phone towers are regulated in the Village Zoning Law as a public utility.
18. Consistency with Community Character – No. The Planning Board referenced the SEQR workbook for sub-sections “e” & “f”, determining that the project does not deter from the character of the community due to the water tower, stadium lights, and electric poles in the area.

On motion by Ms. Foser, seconded by Ms. Sheradin, the Planning Board voted to close the public hearing for Application #16-52 at 9:30 pm.

AYES: Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

On motion by Ms. Foser, seconded by Ms. Murphy, the Planning Board voted to issue a negative declaration and complete the SEQR process for Application #16-52.

AYES: Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

Ms. Murphy confirmed with Mr. Davis and Mr. Blair that if SHPO or other agencies submitted additional information on environmental issues that the SEQR could be re-opened.

Mr. Blair noted that a SEQR resolution will be drafted and a copy provided to the applicant.

Mr. Davis was reminded that any further approvals from the Planning Board are contingent upon the Community Preservation Panel issuing a Certificate of Appropriateness at their next meeting.

**Adjournment:** On motion by Ms. Sheradin, seconded by Ms. Foser, the Planning Board voted to adjourn the special meeting at 9:35 pm.

AYES: Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk