

CITY OF AUBURN PLANNING BOARD
WEDNESDAY, NOVEMBER 4, 2015 6:30 PM, MEMORIAL CITY HALL

Present: Sam Giangreco, Anne McCarthy, Andy Tehan, Crystal Cosentino, Theresa Walsh, Frank Reginelli

Absent: Tim Baroody

Staff: Stephen Selvek, Senior Planner; Brian Hicks, Code Enforcement; Greg Gilfus, Traffic Officer APD; Stacy DeForrest, Corporation Counsel

Agenda Items: PUBLIC HEARING: 60 Wallace Avenue, Subdivision Review; 284 North Street, Site Plan; 12 Lake Avenue, Site Plan Review; 14 Allen Street, Site Plan Review.

Items Approved: SEQRA Negative Declaration, Zoning Recommendation and Subdivision Approval for 60 Wallace Street; Request for Review of Assistance for 14 Allen Street

Applications Denied: None

Applications Tabled: 284 North Street; 12 Lake Avenue

Chair calls the meeting to order. The Pledge of Allegiance is recited. Roll is called.

Chair welcomes new Corporation Counsel staff member Stacy DeForrest to the Planning Board.

Chair announces a change in the agenda to the following applications:

284 North Street: Site Plan Review for the construction of a new storage building and associated site improvements. Applicant Blair Longo for Blair Construction, Inc.

Chair requests to table application for submission of more information for Environmental Review.

12 Lake Avenue: Site Plan Review for the construction of a 28 vehicle parking lot, site improvements and use of the existing building. Applicant Edward Myers for Cayuga Centers.

Chair requests to table the application because the applicant's attorney is working on a real estate transaction.

Motion to table Site Plan applications 284 North Street and 12 Lake Avenue made by Andy Tehan, seconded by Frank Reginelli. All in favor none opposed. Motion Carried.

Public will be notified if these items come before the Board in upcoming meetings.

Agenda Item 1: Approval of October 6, 2015 Meeting Minutes.

Chair asks for a motion to approve the minutes of the October 6, 2015 meeting. So moved by Frank Reginelli, seconded by Theresa Walsh. All members vote approval. No members opposed. Motion carried.

Agenda Item 2: 60 Wallace Avenue: Public Hearing, Subdivision Review and associated zoning amendment to create two residential (R2) zoned lots. Applicant Mark E Bachman for ESBD Property, LLC.

Chair invites applicant to present the project.

Mark Bachman, owner of ESBD property- On October 6th the proposal was presented to Planning Board members. The parcel of land known as 50-60 Wallace Ave which is surrounded by residential and lot 60 was residential but converted about a decade ago to industrial. Neighbors in the area are seeking to purchase the property however the property needs to be rezoned and subdivided.

Chair opens Public Hearing. There being none Chair closes Public Hearing and asks for Board comments. There being no comments from the Board, Chair asks for staff comments.

Stephen Selvek- Tonight there is a resolution for Negative Declaration for SEQRA, resolution for a Zoning Amendment Recommendation and a Subdivision Approval Resolution for your consideration.

Stephen Selvek shows a map of the property on the projector screen and points out the current property location and states that it is zoned industrial and the intention is to subdivide portions B and C and have them rezoned R2 residential. Minimum lot sizes are met for both of them from a subdivision standpoint. Reviews the completed SEQRA with Board members and reads Part III of the SEQRA: Goal 1 in the Revitalizing Neighborhoods section of the City Comprehensive Plan includes the desire to protect neighborhood character. The proposed action to re-zone and subdivide the subject parcel at 50-60 Wallace Ave supports this goal and it does not include any physical alterations to the property. The existing uses of the property, i.e. vacant land, residential use, and commercial use, will be continued and there is not intent to alter those conditions at this time.

Based on the information a Negative Declaration under SEQRA is recommended.

Chair asks for a motion to accept the SEQRA Negative Declaration Resolution for 60 Wallace Ave made by Crystal Cosentino seconded by Frank Reginelli. All in favor, none opposed. Motion carried.

Chair asks for a motion to accept the Recommendation to City Council on the Zoning Amendment Resolution for subdivision application 60 Wallace Ave made by Anne McCarthy seconded by Andy Tehan. All in favor, none opposed. Motion carried.

Chair asks for a motion to accept the Subdivision application of 60 Wallace Ave Street made by Theresa Walsh seconded by Crystal Cosentino. All in favor, none opposed. Motion carried.

Agenda Item 3: 14 Allen Street: Site Plan Review for the installation of a telecommunication tower and facility. Applicant: Crown Castle

Chair invites applicant to present the project.

Andrew Leja, Barclay Damon, Syracuse- Representing applicant Crown Castle. A series of updated plans have been submitted with the additional information that was requested from the Planning Department. This information includes:

- There was a question to the width of the gravel access driveway. It will be 12 foot wide.
- First 20 feet of the driveway paved
- A culvert pipe which will tie into the drain on Allen Street
- Submission of draining plan and an updated Environmental Assessment Form will be submitted to the Board

Chair states that due to last month's late notice to neighbors there will be another opportunity tonight for the public to be heard on this agenda item.

Chair opens Public to be Heard.

Jane Rogers, 26 Case Ave- I live directly across the street from the proposed site. Went out with a tape measure and the tower will be less than 300 feet from my front door. Mr. Carpenter lives across the street from me and it is less than 110 feet from his property line. I have other concerns regarding health issues and the proposed tower will be less than 1200 feet from BOCES which is considered a school.

Chair mentions that it is not within the Board's jurisdiction to review the application based on health issues.

Jane Rogers- Questions if there are any rules with distance of the proposed tower to property lines?

Stephen Selvek-The Code does not have specific regulations on radio/cell towers, but the minimum setbacks for any zone does have met and this being an Industrial zone has a required a setback of 50 feet. The Planning Board has requested that the tower setback be at least 150 feet. In the submitted plans it does show that the monopole is 150 feet from property lines. I would also like to follow up on Sam's comment regarding health impacts, the federal law 1996 telecommunications act prohibits this Board from making a decision based on perceived health impacts. However we will not stop you from discussing your concerns.

Jane Rogers- I am also concerned with the property values. Are the assessments on nearby homes going to be dropped? No one will buy my house if there is a 150 tower in front of my house.

Karen Walter, 15 Case Avenue- This has been my family's homestead since 1915. In collaboration with residents packets were presented to Board members. I heard Mr. Leja say he will be amending the Environmental Form. In reverence to the 1996 telecommunications prohibition of health concerns you will note that we have outlined plenty of other reasons that this should not be considered. I noted in the packet that if this tower was absolutely needed, we would have no problem if AIDA wanted to utilize that property for that purpose but would like the tower to be at least 1,500 feet from the residents. Our research shows that the World Health Association states that the tower is to be located 1,500 feet from schools. That is not stated on the Environmental Form. The tower will be closer than 1,500 feet from a school. Mr. Hayden was clear that there had to be a need. We are not seeing a need in the City of Auburn but there is a need outside of the City so we are being used to help our neighbors. In the Comprehensive Plan there is a goal to maintain neighborhoods. I get that on the other side of the fence it is industrial but on our side of the fence it is residential. This is not going to generate any income to the City; it is going to generate \$900 revenue to AIDA's pocket. Maintain residential neighborhoods, we would like to have the same consideration that the last applicant went through (60 Wallace Ave). Someone brought up lawsuits and as long as we talk about law suites, AIDA wanted to make sure they had indemnity with the City. I want everyone to think hard on the impact. AIDA staff said they were acting in good faith. A neighborhood resident that spoke before me wanted to start a Dog Grooming business and she had to do a traffic study and contact neighbors. We did not hear anything about this tower.

Alyssa Lawton, Mother lives at 17 Case Ave- Mother grew up on Case Ave this has been a life here. Not just Casey Park School, my sister lives on Perrine Street and when we measured the tower we saw that it would only be 300 feet from the school. As with the World Health Association, the tower should not be less than 1,500 feet away from the school. If you want to use this property that is fine, but please not at the expense of the people who are there and have been there.

Ron Quill, 5 Case Ave- AIDA stands for Auburn Industrial Development Authority. This has nothing to do with Auburn Industrial Development. McQuay does not receive cell service because it is a steel building. They have landlines. So it is not a matter of cell service. This is going to affect the residents of this area. We have nothing against cell towers or cell phones. I have 11 cell phones on my bill. I have no

problems with servicing areas that need service but (refers to the map shown at the previous meeting regarding service gaps.) This is not doing anything for the City of Auburn. There is not a need in the City. This tower, this location and our concerns are very important. The health issues are on the mind of every one of us.

John Nevidomsky, 20 Case Ave- Family has been on Case Ave since 1950. Everything is well covered. The cell tower needs to be in the country, away from schools. Maybe look at the dump as a location.

Kevin Lawton, 66 Standart Ave- Mr. Leja made amendments they are taking the access road from 22 ft. top 12 ft. wide. If power was to go out and the need to run the tower with the generator, inducing a fuel powered machine, what if there was a fire. Is there enough room now to get a fire truck to the area? I suggest adding a circular or hammerhead for turnaround. Also it has not been surveyed to plan. I visited the site and believe the stake was placed in the wrong spot. The look and feel of a neighborhood will not be the same if this tower is put up. These are long time tax payers who have lived a long time in the neighborhood.

Alexander Vanderpool, 3 Elizabeth Street- Made a great point about health issue, if there are concerns write a letter to your congressman. These residents have made a great job suggesting why it is not wanted because of the property values and the point regarding the service for Throop; the residents have done everything appropriately. There is plenty of other open space that is not near residential neighborhoods. It is this Board's responsibility to vote no or you need to explain to the neighbors why a cell phone tower is needed in that location.

Stephen Selvek reads a letter from David Corey, 28 Case Ave regarding Mr. Corey's opposition to the construction of the cell tower at 14 Allen St. (The letter is part of the site plan review records.)

Chair closes the Public to be Heard section of the meeting and asks for Board comments.

Frank Reginelli- Asks the representatives from Crown Castle why they would like a tower at that specific spot and what would be the alternative plans if you were not to build it at this site?

Andy Leja- As discussed last month part of the application package to the City includes propagation studies which establishes where signals are picked up and where there may be capacity issues. Each tower emits a signal and links it with other towers. The propagation maps demonstrate the need of a particular tower at a particular site. *Propagation map is on the projection screen* Propagation studies show the gap in coverage, carriers and capacity issues of cell service in areas. In this case, when the propagation maps were done there was a gap in capacity and coverage. Computerized programs are able to generate coverage maps and look at the tower in the location. The programs take into consideration topography because these towers work with line of site with other towers. Tonight a gentleman mentioned he had 11 cell phones all Verizon. It demonstrates that capacity is important especially in residential areas. Multiple devices that use coverage lead to capacity issues and it does not matter who the carrier is. These carriers are obligated by allowed by federal government to provide adequate coverage. Verizon did not just pick a location and determine where the tower would fit. It is much more of a process. Crown Castle helps determine the search ring, topography and looks at other towers. Again, all of this information is outlined in the submitted application package. Alternative sites were explored but because of many different reasons they were excluded. This may be because of topography or a property owner that is not willing to negotiate.

Crystal Cosentino questions if capacity issues is market driven or if there is a science behind it.

Wess Weber, Crown Castle- There is a science to it, which is called drive testing. This measures the signals and this is where you get the search ring from. I am not an RF engineer but I do know they

measure the bandwidth of sites. This site will be using fiber to be pushing out the most capacity as possible for the site.

Theresa Walsh questions if there are coverage gaps or capacity gaps?

Wess Webber- There are both. This propagation map (shown on projection screen) shows the coverage gaps but there is a need for capacity. We do not have the maps of the high frequencies.

Anne McCarthy questions the exact area to be covered

Wess Weber- I am not exactly sure but I will share as far as location we were looking at a property on Olympia Ave but there were some wetland issues. We had a great location but there were environmental issues.

Stacy DeForrest- There seems to be some question as to if this will provide coverage in the City?

Wess Webber- Yes, it absolutely will. If you look at the search ring, it is the City of Auburn.

Audience becomes concerned and speaks to the applicant from seats (inaudible). Chair states that the Public to be Heard portion has been closed.

Frank Reginelli- As far as the tower is built the higher the tower the better, correct?

Wess Webber- With the new technology that does not always hold true.

Chair asks for comments.

Stephen Selvek- I would like to request the applicant to clarify where the City boundary is in relation to Aurelius or Throop on the propagation maps. Please identify municipal boundaries so it is easier to see where coverage is going to be provided. As for SEQRA revisions, last month there was a question from the Planning Department as to any scenic or aesthetic resources within 5 miles of the site. The information that has been received from Mrs. Walter has not been given to the applicant. Question to the respect to noise and other items will need to be pursued still including the generator on the site. As to the site plan items they have been addressed: driveway, culvert, grading, draining and increasing the vegetative buffer at the base of the site. Tonight I am asking the Board to adopt a resolution for a request to review assistance. Reads the proposed resolution to the Board. Essentially this will allow us to hire an RF engineer to review the application and look at the elements that an RF engineer would be able to answer to the Board.

Theresa Walsh- Would this individual be able to also look at different locations

Stephen Selvek- Yes, the individual could speak to locations and the suitability of the chosen location.

Crystal Cosentino- How long will it take to hire a consultant and conduct the review?

Stephen Selvek- The time for making a decision is 150 days. That is the time given to this Board to make a decision. If I am given authority by the Board today, I can move forward with this tomorrow. I am familiar with someone in the Rochester area who has provided these services to municipalities in the area.

Andy Tehan- The propagation map covers coverage not capacity. Can a map be provided to show capacity as well?

Stephen Selvek- As to the respect to property values. I would like to ask the applicant to bring documentation regarding property values and the impact of the tower to property values.

Stacy DeForrest- This information would be from a real estate appraiser rather than studies

Chair asks for a motion to adopt the Review Assistance Resolution so moved by Frank Reginelli, seconded by Crystal Cosentino. All vote to approve. None opposed. Motion carried.

Chair asks for a motion to table the application for additional environmental information so moved by Andy Tehan, seconded by Theresa Walsh. All vote to approve. None opposed. Motion carried.

Other Items:

The date of the next Planning Board meeting is Tuesday, December 1, 2015 at 6:30 pm.

Respectively submitted by Renee Jensen