

## **12/13/11 Zoning Board Minutes**

### ZONING BOARD OF APPEALS

The hearing on Tuesday, December 13, 2011 was called to order by Chairman Schafer at 7:00 PM.

Members present: Harry Kaczmarek also: Ray Balcerzak, Bldg Inspector  
Michael Komorek Phyllis Todoro, Town Attorney  
Greg Kalinowski  
Donald Trzepacz  
Robert Schafer, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case # 1197 for Upstate Cellular Network d/b/a Verizon Wireless, 175 Calkins Road, Rochester, who is requesting a variance for a 100 foot wireless telecommunications tower. §59-A5(A)(1)(b)(5).

Jared Lusk from Nixon Peabody was present to represent Verizon Wireless. Chairman Schafer addressed the audience and made all residents who attended the meeting aware that this meeting is a continuance from the August 2011 meeting and that the board will still take into consideration everyone who spoke at the last meeting. Chairman Schafer asked if there have been any changes at the Blossom Fire Department site that should be noted on the case. Mr. Lusk stated that nothing has changed since the original meeting regarding that property.

Don Trzepacz made the point that this meeting is only for the Blossom Road Fire Department site and no other location.

No one spoke for the project.

The following spoke against the project:  
Tom Feneziani, 1050 Blossom Road, Elma  
Mr. Luders, 2060 Bowen Road, Elma

Dale Kling, 381 Main Street, Elma  
Francis Schaub, 991 N. Blossom Road, Elma

Mr. Komorek made the motion: In the matter of Appeals Case # 1197 for Upstate Cellular Network d/b/a Verizon Wireless, 175 Calkins Road, Rochester, who is requesting a variance for a 100 foot wireless telecommunications tower. §59-A5(A)(1)(b)(5). I move the variance be granted to construct and operate a 100 foot wireless telecommunications facility on property owned by the Blossom Benevolent Association of Blossom, Erie County doing business as Blossom Fire Company identified by tax map #136.01-1-11.1 in the Town of Elma. In addition all Elma Town Codes and Ordinances must be met. Seconded by Mr. Trzepacz. Poll vote – 5 ayes, 0 nays. Motion carried.

The minutes of the last meeting on November 8, 2011 were approved.

Paperwork was distributed to all members and the meeting was adjourned at 7:21 PM.

Respectfully submitted,

Kerry A. Galuski  
Secretary-Clerk