

TOWN of ELMA PLANNING BOARD

1600 Bowen Road Elma, NY 14059

Phone: 716-652-3260

July 16, 2013

PUBLIC HEARING - 7:00 PM

NYSE&G COMMUNICATIONS TOWER, STOLLE RD, ELMA

MINUTES OF PUBLIC HEARING- July 16, 2013

Prior to the Public Hearing, as required by Elma Town Code, NYSEG mailed a notice, certified/return receipt, of intent to build a communication tower, to all residents within five hundred feet of the proposed site. The receipts were returned to the Building Department and a copy of the list of the property owners was provided to the EPB. All owners were verified as having received a notice.

The EPB was also given notice by the ZBA that at their June 11th meeting, NYSEG was granted a continuance of their request for a variance on height requirements.

PRESENT:

Deputy Chairman James Millard

Member David Baker

Member Michael Cleary

Member Gregory Merkle

Member Robert Waver

Alternate Charles Putzbach

ABSENT:

Chairman Thomas Reid

Member Michael Cirocco

TOWN REPRESENTATIVES:

Phyllis Todoro, Town Attorney

Raymond Balcerzak, Asst. Bldg. Inspector (attend 6:30 - 6:40; excused)

James Wyzykiewicz, Town Engineer

The Public Hearing was opened at 7:00 PM by Deputy Chairman Millard. Representing NYSEG were Attorney Josh Silver and Engineer Peter Stritzinger. Attorney Silver reviewed the tower information as presented in earlier meetings:

- Will be 300' high and located on 32 AC on Stolle Road, Elma.
- Substation with high voltage transmission line.
- Will support a microwave antennae.
- Will be a link between Elma and Lockport.
- Will support smart grid technology.
- NYSEG is subject to Department of Defense requiring latest technology.
- Public utilities need to upgrade equipment & support smart grid initiatives.

Mr. Stritzinger said this will provide day to day communications for utility personnel including emergency supplemental information. Computerized devices will monitor electricity and report back to a secondary collector to a prime collector in Binghamton.

Then NYSEG can identify now what has been damaged whereas before they had to send out crews.

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He said that: "This is the most critical site in WNY and that it is going to take information from many different sites; also monitor from substation to substation; and includes renewable resources." Attorney Silver said that NYSEG needs the tower to be 300' to maintain a line of sight. It will be 99.9% reliable.

Ten people attended the Public Hearing, eight of them residents living in the 500' radius zone. Addresses were: 221, 371, 381, 391 and 431 Stolle Road. Concerns expressed with responses from NYSEG:

- Affects on wildlife - now and long term: *None.*
- Any affects on water table: *No affect surface water. No drainage district.*
- Increased traffic: *Only NYSEG personnel. Tower is unmanned.*
- Health affects: *None according to multiple studies.*
- Affects on property values: *Unknown.*
- Length of construction: *6-8 weeks to build.*

In response to questions from the EPB, Mr. Stritzinger said there are similar towers in Binghamton, Lockport and Orchard Park. He explained the basic construction, stating that the tower could withstand severe ice buildup and winds of 110 mph. He also said that the tower is 140' from the access road but put on the other side, it would be 30' from wetlands. Attorney Silver said that the tower could support expandability which could be mutually beneficial. He also said that the smart grid technology is efficient and should result in considerable savings.

Deputy Chairman Millard concluded the Public Hearing by asking how many were in favor of the tower? No responses. How many were opposed to the tower? All. The Public Hearing was adjourned at 8:15.

MINUTES OF REGULAR EPB MEETING - July 16, 2013

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, July 16, 2013 at 8:15 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

I APPROVAL OF MINUTES JUNE 18, 2013

Motion made by Michael Cleary and second by David Baker to approve the Minutes of the EPB Regular Meeting on June 18, 2013.

Ayes: 6. Nays: 0. Motion Carried.

II NYSE&G COMMUNICATIONS TOWER, STOLLE RD

Deputy Chairman Millard posed several questions to Attorney Silver regarding where the property lines are; if the tower could be moved to the north or east; where the wetlands are on the parcel; lights on the tower. Attorney Silver said co-location on the tower is open but it will depend on its location. He also agreed to provide/examine the following for the next meeting:

1. Submit an official copy of the survey of the entire parcel.
2. Consider locations for tower: north? east? distance from residents for each.

3. Copy indicating Wetlands delineation.
4. Tower lighting detail including wattage.
5. Any health study information on short/long term affects.

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Motion made by Deputy Chairman Millard and second by Gregory Merkle to table any action until the regular August 20th meeting when information will be provided by NYSEG addressing the four points outlined by the EPB to Mr. Silver.

Ayes: 6. Nays: 0. Motion Carried.

III WORKSHOPS/MEETINGS - IN-HOUSE

The following are expected to qualify for two hours each of continuing education credit as required by NYS for municipal boards.

1. SEQR Revisions (DEC) - November 19 @ 6:00 - 7:45 PM

Fred Frank, Senior Planner, Parsons Brinckerhoff, (formerly with Wendel) has agreed to conduct a workshop prior to the regular November EPB meeting. This will cover the regulations regarding the new SEQR Forms and submission on line to the DEC. Revisions still in progress.

2. In-House Operations and NYS Case Law Review for 2012-13
October 15 @ 6:00 - 7:45 PM

- Town Web Site & Applications
By Diane Rohl & Michael Cirocco
- Erie County Intra-net Mapping
By Michael Cirocco
- Overview by Town Board Members (one per Board)
Town Board, ZBA, ECB
- Update & Discussion on MDCC
Undetermined as yet
- NYS Case Law Review (relative to Planning Boards)
Diane Rohl (Sources: NYPF, Towns & Topics)

IV FYI

Bldg Inspector's Report - June 2013
ECB Minutes - Town Web Site
ZBA Minutes - Town Web Site
Town Board Minutes - Town Web Site
MDCC Minutes - Not on new Town Web Site (hard copy provided)

VII Audience Recognition

None further.

VIII ADJOURN

Meeting adjourned at 8:50 PM by unanimous consent.

Respectfully submitted,

Diane Rohl,
EPB Secretary