

Regular Meeting of the Great Valley Planning Board
Zoning Board of Appeals
July 10, 2019

Present: Chris Schena (chairperson)
Amy Detine
Al Puszcz
Jeff Ramsten
Don Roll
Steve Ward

Others: Aaron Tiller
Becky Kruszynski
Rob Brenner Nixon & Peabody
Chris Borncamp Verizon wireless consultant
Patrick Makubire Verizon RF Engineer
Clarence Bickell
Rick Howard
Bob Miller

The meeting was opened by Chris at 7:00 PM with the Pledge of Allegiance.

The Public Hearing for **Verizon Wireless** was opened by Chris. Verizon Wireless is looking for variances on fall zone, setback, and fencing on their small cell tower project adjacent to 5939 Pittsburgh-Buffalo Highway (Route 219) – tax map no. 56.003-1-33.1. Rick Howard asked how we are to be guaranteed that this will work. Rob Brenner said it is capacity driven. The Martin Rd. cell tower (big tower) serves Great Valley and the surrounding area and is being overtaken by Ellicottville traffic, school traffic, and Snowpine traffic so the big tower can't do its job. The proposed small cell will not solve any gaps only the overload. Don stated that the big tower is not doing its job and Snowpine is normally used for 3 months out of the year. Don and Amy said there wasn't improvement when the big tower was put in so how can the small cell solve issues when the big tower didn't. Patrick Makubire said he will check into issues. Steve is concerned that it will only offload 3.71%. Patrick said the small cell will tilt down to cover the immediate area so traffic doesn't have to go to the big tower. Rob said Ellicottville is pulling from the big tower and with the small cell the big tower can be down tilted for Great Valley. He also stated they are trying to solve the issues. Rick stated he has worse service than before the big tower and was told he is in a dead zone because he is too close to the big tower. Patrick asked if anyone had reached out to customer service and Amy said she had and was told to reset her phone. Clarence Bickell asked why the small cell should be put in Great Valley and not Ellicottville. Rob said it is a proximity issue and as bad as service is now it will only get worse if issues are not addressed. Bob Miller was looking for an exact location and questioned the fencing. Rob told him there is a stake across from Snowpine Rd. and there will be a small fence. Rick stated the original map showed coverage to Howe Hill Rd. but coverage is only a small diameter around the big tower. Patrick told him the antenna facing Ellicottville would be down tilted to make coverage better around the big tower. Amy asked if anyone had verified that the big tower was functioning and Patrick said yes. Steve is concerned about the statement in the documentation that says “At this juncture, there are no

plans for an additional site in or around Great Valley” when there is little or no coverage to the west. Rob said this is the first step in alleviating deficiencies and they would look again after modifications are made and then decide the next step. Chris asked what data was used to determine the small cell location. Patrick said traffic arcs are used to determine as close as possible where traffic is coming from. Jeff asked if down tilt could be done before small cell is put in. Rob said it is a reasonable request but coverage can't be degraded and they can't experiment. Chris asked when down tilt will happen and Patrick said after the small cell is up and active. Clarence said the big tower should be completed before the small cell is started and asked why the big tower is working without a CC. Rob said Verizon was not involved in the big tower construction but the small cell would be owned and serviced by Verizon. Verizon would be the construction manager with a 3rd party contractor. Rob said a condition of approval could be to fix the deficiencies and he would follow up with Horvath about unfinished issues with the existing big tower. Al asked about the dead cell tower on Plum Brook. It was asked who owned the tower and Patrick said latitude and longitude will determine who the owner is. Rob said the law requires decommissioning but Chris said he thought it was done before zoning. A motion to close the Public Hearing for Verizon at 7:40 PM was made by Amy with a 2nd by Steve. All in favor.

The Public Hearing for **Nancy Norton** was opened by Chris. Nancy had a minor subdivision for tax map no. 73.002-1-22.2 approved on October 8, 2014. She never completed the subdivision and now she is ready to move forward but would like to make a change. She wants to remove a “jog” around the overhang of one of the mill buildings. By doing this the setback to the building would be 5' instead of the required 15'. It was decided that she should have the building torn down to get rid of the setback problem. A motion to close the Public Hearing for Nancy Norton at 7:45 PM was made by Steve with a 2nd by Amy. All in favor.

The Planning Board Meeting was opened. A motion to accept the minutes of the June 12, 2019 meeting as submitted was made by Amy with a 2nd by Al. All in favor.

Steve asked how the angle of the down tilt is determined. Patrick said they analyze how bad the site is interfering with other sites. The Planning Board will be notified when the down tilt is complete. Jeff asked what if there is no satisfaction after the down tilt is done. Verizon will show proof with a new updated coverage map for 1000' to 3000'. Steve asked about coverage of other directions that are not currently covered and Rob said the tilt change will be for the area going to Ellicottville only. Rob will work to get Horvath to finish what they started. He will work with Rich Rinko to find out what is not complete. The Planning Board meeting was paused at 7:50 PM.

Chris opened the Zoning Board of Appeals meeting to act on the variances for Verizon. The site is 6' x 6' with a utility pole 43' above ground with a 24” antenna on top and a 2' x 4' cabinet with an electric meter 8' above ground. Verizon is seeking variances on the fall zone, setback, and fencing. A motion to accept variances on the fall zone, setback, and fencing was made by Steve with a 2nd by Amy. All in favor. A motion to close the Zoning Board of Appeals meeting at 7:55 PM was made by Steve with a 2nd by Amy. All in favor.

Chris reopened the Planning Board meeting. A motion to accept the SEQR for **Verizon Wireless** of a negative declaration was made by Amy with a 2nd by Al. All in favor. A motion

to approve the special use permit with conditions of the Planning Board will be notified when the down tilt is complete which must be within 6 months of completion of the small cell; show proof of updated coverage and provide a new updated coverage map; and Horvath violations fixed for the cell tower on Martin Rd. was made by Jeff with a 2nd by Steve. Don opposed.

Vince Destefano wants to split a 32A parcel into 4 parcels on Plum Brook Rd. - tax map no. 56.003-2-10. One of the parcels would have no road frontage except for a 50' easement. The board decided last month that he would have to add the 50' to lot # 4 which would make it a flag lot or it would not be approved. Chris told the board that he agreed to do the flag lot. A motion to determine a minor subdivision was made by Jeff with a 2nd by Steve. All in favor. A motion to accept the SEQR of a negative declaration was made by Don with a 2nd by Amy. All in favor. A motion to approve the minor subdivision was made by Jeff with a 2nd by Amy. All in favor.
Chris will do Notice of Decision.

A motion to accept the lot line adjustment for a subdivision for **Nancy Norton** – tax map no. 73.002-1-22.2 with the condition of tearing down the mill building was made by Jeff with a 2nd by Al. All in favor. Aaron stated that she has the option to leave subdivision the way it was already approved on October 8, 2014.

Chris stated that our existing solar panel law will work for Dennis Ryan for his aquaponics project if he stays within the 125% max of what would be used. For Dennis to move forward with his project he will need to do a site plan and complete an application for a special use permit and then there would have to be a public hearing.

Chris stated that he has not yet received the 3 phase maps from National Grid that are needed to move forward with solar districting.

Al brought up the issue of having an even number of people on both the Zoning Board of Appeals and the Planning Board. It was decided to make Amy the alternate for the Planning Board and to make Al the alternate for the Zoning Board of Appeals so there will be 5 voting members on each board .

Don moved to adjourn at 8:35 PM with a 2nd by Steve. All in favor.