

Joint Public Hearing
Town of Shelby Planning Board & Zoning Board of Appeals
Shelby Town Hall
4062 Salt Works Rd
Medina, NY 14103
August 4, 2020

Planning Board Members Present: Kirk Myhill Chairman
 Bradley Pask Secretary
 Larry Hill
 Teresa Wilkins
 Jerry Velesko
 Roger Wilkins Alternate

ZBA Board Members Present: Craig Lacy Chairman
 Patti Bushover Secretary
 Larry Szatkowski
 Sharlene Pratt
 Marian Fry

Others Present: Dan Wolf Town of Shelby Code Enforcement Officer, Edward Zelazny 11535 Harrison Rd Medina NY property owner, James Zelanzny 11722 Harrison Rd Medina NY, Peter George Representing Tarpon Towers II, LLC applicant, Nate Vander Wal Attorney for Nixon Peabody LLP Representing Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless applicant, John Silverhand Video Taping Meeting

also local citizens: Betty Grimes 5070 South Gravel Rd Medina NY, William & Jennifer Wilson 5041 Creek Rd Medina, Tom Fenton 12411 Ridge Rd Medina NY, David Schuble 11021 Ryan Rd Medina, NY, Philip D. Keppler 4765 S. Gravel Rd Medina, NY, John Silverhand Video Taping Meeting

Call to Order: Planning Board Chairman K Myhill called the Business Meeting to order at 6:45 p.m.

Chairman K Myhill opened the Public Hearing with the reading of the Public Notice (see Att. 1) published July 21, 2020. Chairman Myhill called for comments from the public Nate Vander Wal Attorney for Bell Atlantic/Verizon Wireless introduced Peter George of Tarpon Towers II. Mr. Vander Wal explained the need of the tower. Local communication towers are at or over their capacity which is causing slow or no transmission of data, dead areas and dropped calls. He also explained that with the continuing need for increasing fast and demand for communication than this tower at this height would not only help meet that demand but also assist the existing towers by taking some of their load.

W. Wilson stated he was not pleased with the location, asked if there had been other areas considered. Mr. Vander Wal explained that there had been 9 other areas looked into and

determined not useable or was not wanted. This was the site that was the best location. Wilson also asked if there was going to be cables attached to the tower. Ver Walt stated that this was a free standing tower. W. Wilson ask if there would be any other providers using the tower chairman Myhill stated that they would have to come before the planning board for a special use permit.

Betty Grimes asked Chairman Myhill why only 17 people received notice of this public hearing. Chairman Myhill explained that all neighbors within 500 feet of the location of the special use permit receive a letter. B Grimes also asked about the safety of the tower anything that may fly off in a wind storm or if the tower should fall. Peter George of Tarpon Towers II explained that if the tower should fall that the location was an area that had no residences and is was unlikely that anything should fly off the tower.

Jennifer Wilson express concerns about RF waves she explained that her son has a sensitivity to various items. Mr. Vander Wal explained that there are many communication towers near schools and in populate areas. J Wilson also express a concern of the tower effecting the value of their property.

Chairman Myhill called for more questions ZBA had no questions. A Second call for questions. Philip D. Keppler explain that he was having trouble with communication from the Ryan Road location of his business and would this tower help. Mr. Vander Wal explained that this tower would assist the other area towers. Mr., Keppler also asked if there was any information about the proposed towers on West Lee Road and Lewiston Road. Mr. Vander Wal stated he did not know.

Chairman Myhill asked for more questions when none were heard he asked for motion for closing the public hearing. Motion made by Roger Wilkins seconded by Larry Hill Public Hearing was close at 7:20.