

## Colden Planning Board Meeting

March 15, 2022

Planning Board  
Members Present: Walt Kammer (Chairman), Andrew Gow, Jackie May,  
Peter Newsom, George Reinhardt, Cheryl Schenne,  
and Bobby Walker

Also Present: Patti Zurbrick (Councilwoman), and Jake Monacelli (Applicant)

Walt called the March 15, 2021 Planning Board Meeting to order at 7:03 PM in the courtroom at the Colden Town Hall. The meeting was also hosted via GoToMeeting.

### Minutes

#### February 15, 2022

The Board Members reviewed the minutes from the meeting held on 2/15/22. George motioned to approve the minutes and Cheryl seconded, all were in favor.

#### February 22, 2022

Peter suggested a sentence to be added to the second page stating that: The Planning Board Members had a detailed discussion on how to resolve the issue. Andy motioned to approve the revised minutes and Peter seconded, all were in favor.

Walt requested to delay on reviewing or approval Wendy's minutes and wait until she's available to review them with the Board Members.

### Site Plan Review

Walt reviewed the map detail where the tower will be located. Peter provided the photos of the tower site for the presentation review. Walt mentioned that the parcel is under two separate SBL numbers. The telecommunications Co-location Application requires a Site Plan Review by the Planning Board per section 108-112. The Site Plan Review also requires NY SEQRA (specifically a Short Form SEQR & EAF submission). The SBA site has a permitted telecommunications tower governed by the terms of an existing Special Use Permit (SUP). The SBA/T-Mobile's standing, as the applicant, is confirmed. The Tower Ownership is consistent with representations and submissions. The Applicant has paid the \$1,000 co-location application fee. The fee for the Building Permit application must be paid at the time of

submission after the Planning Board Site Plan Review and SEQR approval by the Town Board is completed. The Applicant's Supplemental Submission of Design Drawing package is properly signed and sealed by a NYS Design Professional on behalf of the Applicant. The Applicant's Supplemental Submission of the Structure Analysis Report, in accordance with Code 96.3A(2)(a) and (b), properly signed/sealed by a NYS Design Professional.

The activity will take place on a parcel associated with applicant's existing tower, known as SBL 213.007-2.1, at or near 7414 State Rd. No Subdivision of the land or parcel boundary changes will be made by reason of this Application.

Lot remains as presently defined in deed and survey. The geometry and extent of the existing SBA Tower Special Use Permit remains unchanged.

The Application is to co-locate new equipment/antennas on the existing SBA tower; a backup generator will also be installed. All of the equipment involved is INSIDE of existing fence compound.

As per code Article XXI, under 108-113 requires a formal Site Plan Review for the Application.

Chapter 108, Ag-zoning Article IX 108-36.A(22)(a) defines permitted use for Telecommunications Facilities as a Principal Use via Special Use Permit to accordance with Chapter 96 (Telecommunications).

- The Applicant's package was received by the Town Clerk on 2/7/22.
- Parcel is SBL 213.00-7-2.1 being +/- 32 Acres, and is an irregular shape.
- Parcel in Ag zoning; Road Frontage Zoning of R-RB. The proposed co-location is well back on the parcel and fully with Ag-zoning.
- Short Form Part 1 SEQR Part 1 reviewed by Environmental Board at the 3/1/22 meeting. The SEQR form was reviewed by the Environmental Board on 3/1/22 and a negative declaration was issued by the Board. The Town Board will process the SEQR Part # in accordance with their duties.
- Chapter 108 108-36 Applies to the Application; Zoning is at the work site and is defined as Agricultural.
- The submission shows the overflow tower height will not be increased as per 96-3A(2)(c). the height provisions of the existing SBA Tower SUP will remain unchanged.
- The Applicant's consultant, Airosmith Development, has submitted a letter, dated 2/5/22, explaining the proposed telecommunications co-location operations planned for the site. The letter meets the Planning Board requirements.
- NYS PLS Sealed project drawing package was submitted by the Applicant; no new sealed survey was submitted since the existing SUP defines that information. However, all new submissions required here per Chapter 96 96-3 were signed and sealed by a NYS licensed Design Professional.

- No notice requirements, for parcels within a zone of impact, under the Colden Zoning are required for the Application. There isn't a need for a Public Hearing as this is simply a Building Permit matter once the Site Plan Review and SEQR process is completed.
- During the Planning Board Chairman's review, Walt determined that per NYSDAM AGML there were no AGM-303-B District parcels within a 500' zone of impact of the project site.
- NYSDAM Overlay Parcel database confirms no nearby parcels in a AGM-303 B District.
- Examination of NYSDAM Agricultural Overlay Districts indicate that the project parcel isn't included in any AGM-303-B overlay.
- No EC DEP 239(m) Referral comments received to date if solicited.
- No land disturbance. No SWPP is due to any regulatory reason.
- The proposed use is consistent with the existing Colden Master Plan and Zoning Plan. No New conversion of Ag land to other purpose is proposed.
- No roadside signage proposed in the application submitted; will be confirmed during meeting.
- No provisions of Article XIV, Supplemental Use Regulations seem to apply to this co-location.
- At the Planning Board Meeting, the Applicant will give a short narrative of the present plans and future plans known at this time.

Walt asked Jake for a short narrative. Jake confirmed that additional signage won't be used and installing of additional antennas and equipment.

Walt mentioned that he would like to confirm that the proper Port-A-Potty during construction period, properly maintained and managed; confirm and document policy as part of Building Permit submissions. Jake will pass the information along to his Managers.

There were no additional comments from the Planning Board.

Cheryl made the motion to approve the Site Plan and Peter seconded. All were in favor. Jake left the meeting at 7:37 PM.

Walt reviewed that the Comp and AFPP status is generally going according to plan. Schedules will be revised and/or extended slightly to adjust to farmers schedules for their input. The Colden's promotion for the Comp and AFPP citizen feedback will be advertised and promoted on social media, the Colden website, and in three local newspapers which serve the a Colden citizens. The Town Board approved a landowner mailing promoting citizen input. This was discussed and planned at both of the AFPP and Comp Plan meetings. The Planning Board's preferred method of data collecting is via online survey sites as created by the Town of Colden Consultants.

For data integrity, respondent identification will be required for both the online and the hardcopy survey methods. Each respondent should only submit one form, either hardcopy or online but not both.

An online map, highlighting the location of Colden's various farm and Ag locations has also been prepared and will be an adjunct to the online survey process for those who desire to use it. The Planning Board will not rush the development process for either Plan in order to insure the best possible end products is produced taking into account that the popular feedback from the citizens.

Walt reviewed the upcoming meetings scheduled for the Planning Board. A regular Planning Board meeting will take place on 4/19/22 and a Special Planning Board meeting will be held on 4/26/22.

**Brief Planning Board Status:**

None for March at this time, other than the previous Comp & AFPP update. Walt asked the Board Members to refer to their email for the latest action item report sent to Jesse Hyrik (Planning Board Liaison).

Walt asked for any short comments, and Jackie asked about a schedule for set projects in the first and second quarter in 2023. Walt gave a brief summary and will provide a time layout at the next meeting.

Jackie motioned to adjourn the meeting at 7:53 PM, and Bobby seconded. All were in favor.

Submitted by: Crystal Barrett