

Town of Hamburg Planning Board
Meeting 11-20-96, Actions Taken

Schoellkopf Estates
3 lots
Old Lakeshore Rd.

Approved.

Shannon Heights Subdivision
23 sub lots
Zoned R-2
North St., Allen & Bristol

Tabled to Dec. 4th

Kryszak Subdivision
2 lots - Allendale &
Dorchester

Approved.

Southtown's Christian Ctr.

Tabled to Dec. 4th

Eberhardt 2 lot subdivision
North Creek Rd.

Set Hearing for Dec. 4th

Rolling Ridge Estates
Abbott near Holly Place

Approved.

Sprint Spectrum - Newton Abbott

Favorable recommendation to
ZBA

Sprint Spectrum- Hopevale
Property

No recommendation. Need more
answers.

Yovienne Subdivision
120 lots
Taylor Road

Sketch more acceptable.
Rezoning required.

Town of Hamburg Planning Board
Meeting - November 20, 1996

The Town of Hamburg Planning Board met in regular session on Wednesday, November 20, 1996 at 7:30 p.m. in Room 7 of Hamburg Town Hall. Those attending included: Chairman Richard Crandall, Vice-Chairman David Phillips, Secretary Gerard Koenig, Dick Pohlman, Don Fitzpatrick, Sue Ganey, Paul Eustace. Others attending included: Rick Lardo, Drew Reilly, Rich Whipple, Attorney Don McKenna, and Terry Dubey, Stenographer.

Schoellkopf Estates - 3 lots - Old Lakeshore Road

Secretary Gerard Koenig read the following Legal Notice of Public Hearing:

**TOWN OF HAMBURG
PLANNING BOARD
LEGAL NOTICE
SCHOELLKOPF ESTATES - 3
LOTS - OLD LAKESHORE ROAD**
Notice is hereby given that the Town of Hamburg Planning Board will hold a Public Hearing on the Schoellkopf Estates Subdivision located on the Old Lakeshore Road at 7:30 p.m. on November 20, 1996 at the time of Hamburg Town Hall.
ALL THE SEVERAL PARCELS OF LAND known in the Town of Hamburg, County of Hamilton, State of New York, being more or less 30.46 Township 9, Range 6 of the Holland Land Company's Survey, the same being as follows:
BEGINS at a corner monument on the main line of Old Lakeshore Road, distant 299 feet northeasterly of the northern line of the lands now or formerly of the Holland Land Company said line, being monumented by a stone marker designated L.C.R. No. 15; thence northwesterly at an interior angle of 94°34' along the north line of Liber 4937, Page 1, passing thru 2 concrete monuments a distance of 624.00 feet to a concrete monument; thence continuing northwesterly at an interior angle of 166°29' along the northerly line of Liber 1295, Page 557, passing thru 2 concrete monuments a distance of 561.00 feet to the southeasterly line of lands now or

formerly of David Oliver Smith; thence northwesterly at an interior angle of 270°00'00" a distance of 196 feet more or less to the top of a high bank; distant 144 feet more or less southeasterly of the Lake Erie shoreline; thence northeasterly along the top of said bank a distance of 863 feet more or less to a point on the southwesterly line of Liber 539, page 148; said point being on the top of bank distant 144 feet more or less southeasterly of the Lake Erie Shoreline; thence southeasterly along the southwesterly line of Liber 539, Page 148 a distance of 981 feet more or less to the northwesterly line of Lake Shore Road; thence southwesterly along the northwesterly line of Lake Shore Road a distance of 698.15 feet to the point of beginning containing 30.46 acres of land. Subject to easements and rights of way of record.
Nov. 7, 1996

Richard Crandall, Chairman
Gerard Koenig, Secretary
11-14 Planning Board

Chairman Crandall noted that this is a resubmission on the 4 lot subdivision that was approved about 2 months ago. The applicant has come back with a resubdivision of 3 lots. That is why the Public Hearing is being held.

Mr. Bill Arlow of Nussbaumer & Clarke appeared on behalf of the subdivision. The property is owned by the partnership and they have decided to subdivide into 3 parcels and the revision includes

a driveway relocation. Chairman Crandall noted that a question was also raised about the property line along the Lakeshore Rd. and the Planning Board Attorney has responded to a question on this topic. (see attachment).

Chairman Crandall asked if anyone wished to be heard for or against this subdivision. (3 times). Hearing no comments, the hearing was declared closed.

Motion was made by Mr. Phillips, seconded by Mr. Fitzpatrick to approve the 3 lot Schoellkopf Subdivision; that the lots are according to the zoning code and that the applicant has filed for the subdivision; that a Negative Declaration can be issued, and to waive the filing of a map cover. Carried.

Shannon Heights Subdivision - Bristol, North Sts. for Hometown Housing Corp. 23 sub lots.

Secretary Koenig read the following Legal Notice of Public Hearing.

PLANNING BOARD
TOWN OF HAMBURG
COUNTY OF ERIE, NEW YORK
NOTICE OF PUBLIC HEARING
The Planning Board of the Town of Hamburg, Erie County, New York, hereby gives notice that it will hold a public hearing on the proposed Shannon Heights Subdivision located in North and Great Streets, Shannon Heights, Erie County, New York, on the 23rd day of November, 1996, at 7:00 p.m. in the Town of Hamburg, Town Hall, 100 North Street, Hamburg, New York. The purpose of the hearing is to receive comments from the public on the proposed subdivision. The hearing will be held in accordance with the provisions of the Town Law of the State of New York, being

Part of Lot 3, Township 9, Range 8 of the Holland and Company survey, and being more particularly described as follows:
*BEGINNING at the corner of the intersection of the west line of the former Hamburg Railway Company, and the north line of North Street (33 feet wide), said north line being parallel to and 20 chains north of the south line of Lot 8; thence northerly along the west line of the former Hamburg Railway Company, and its northerly extension a distance of 497.02 feet to a point; thence northeasterly at

an exterior angle of 164-39-15, a distance of 462.51 feet to a point; thence northeasterly at an interior angle of 138-30-09, a distance of 110.27 feet to a point; thence easterly at an interior angle of 90-00-00, a distance of 249.34 feet to a corner of said lands of Hamburg Natural History Society; thence westerly at an interior angle of 164-39-15, along the south line of the Hamburg Natural History Society, a distance of 225.97 feet to a corner of said lands of Hamburg Natural History Society; thence southwest-erly at an interior angle of 98-00-00, along the west line of the Hamburg Natu-ral History Society, a distance of 249.34

feet to a point; thence south-ward at an interior angle of 166-41-52, a distance of 124.72 feet to a point; thence southward at an exterior angle of 29, a distance of 377.00 feet to the north line of North Street; thence southward at right angles and parallel to North Street, a distance of 46.34 feet to the point of plac-ing, containing 6.020 acres.
dated: 11-7-96
Richard Crandall,
Gerard Koenig,
Plann

Mr. John Reed, Tim Regan, and Steve Polowicz appeared before the Planning Board on this proposal. Mr. Reilly explained that this proposal was rezoned from M-1 and M-2 to R-2. The Town Board approved the rezoning. This request has come to the Planning Board for subdivision review. This appeared to make sense. It would be much better to develop the property as residential as opposed to industrial development. The Town purchased the property for this use.

Comments from Engineering are as follows: 1. The portion of the subdivision north of S.L. Nos. 3 and 21 is not located within a sanitary sewer district. A sewer district extension will be required. The proposed sewer routing for servicing the site should also be established and shown. 2. There is an existing six inch watermain along North Street. The Erie County Water Authority (ECWA) should be contacted for pressure and flow information in the existing system, to determine if the 8 inch main extension required

for the subdivision would have adequate pressure and flows. Documentation of such should be presented. 3. Stormwater detention facilities will be required as part of the development of the subdivision. 4. The recreation areas are to be labeled as for either active or passive recreation activities. Specify the proposed ownership of the areas. 5. The common property lines for S.L. 8 and 9 and 15 and 16 should be a straight line (instead of being angled and radial to the cul-de-sac). G. Kapsiak. S.L. 1 and 23 should be labeled as without access to North Street. 7. What is the purpose of the buffer zone in the northeast corner of the property? If the adjacent recreation area is to be passive, it does not appear that the buffer zone is necessary.

The Town Board has changed the zoning and removed the industrial portion in between the residential. The Planning Board has the task of deciding if a subdivision should go on this property and how it should be accomplished. Now is the time to review if drainage is proper, is water pressure adequate. The Town purchased the property and the subdivision is being done by the Hometown Housing Corp. The acquisition was made thru the Community Development Block Grant program.

A resident pointed out that there are concerns about the area with respect to the streets. There are no sidewalks available. They have to cross the street to get to the playground. There will be additional traffic and the roads cannot handle additional traffic. Two cars traveling down the street have just enough room to get down the street. Parking is also allowed on Allen and in the summer you can't get thru. There is also a problem with the playground, especially during the baseball season. Sometimes we can't even get in the driveway. The playground is located on the east side of Bristol.

Chairman Crandall responded that this is a relatively small subdivision with the addition of 23 single family units.

Mr. John Macon noted that the money for this project was federally funded. This subdivision was a trade off to getting the funds to purchase the fossil quarry. Years ago, that was zoned light industrial and all businesses were to go into Ravenwood. It was supposed to be good for the economy and that traffic would come in off Jeffrey Blvd. Bristol and Allen are not adequate to accommodate the amount of traffic that this subdivision will create. We have a playground on the other side of Bristol and kids are constantly crossing Bristol. Allen St. cannot accommodate two cars. The other problem I have, is where my property is located, the back yards of these homes will be on Bristol Rd. How would you like to look into someone's back yard all the time. I don't like it.

Chairman Crandall responded that with respect to the financing of the project, we are not aware of that aspect as a Planning Board. That has no bearing on the subdivision.

Shannon Heights Continued

Paul Harvey lives at the corner of Bristol and North. Turning movements on these streets will be very difficult. My home will be 12' from the corner of Bristol. We don't need 50 cars per day going thru there. I have concerns about snowplowing in the winter. If you increase traffic, you will have an accident there. Site plan should be sent to the Highway Dept., Traffic Safety, and Conservation.

Mr. Reilly noted that he has viewed the site, and many times, engineers go in to determine whether this project is feasible. The bulldozing done on the property was to get equipment on the site to test the property and determine whether this project could be developed under the zoning and code requirements. They have been checking topography, how to sewer the property. We will find out if they have resolved those problems.

A resident asked as a taxpayer, how will this benefit us? This will have an adverse affect on children crossing over to that playground.

Mary Ellen McKinnen of 4045 Allen St. asked what type of notification we received. The last time we were here you were putting a chemical dump in our back yard. No one knew about this proposal until the last meeting.

Chairman Crandall responded that you are speaking on a matter that has no bearing on this project. It was not a chemical dump. The project was killed because the information that was presented was erroneous. That has nothing to do with the item tonight.

Mrs. McKinnen asked about notification? I don't get the Hamburg Sun. I read the Buffalo News. The only thing I saw was that they were going to put a buffer in, there would be houses on North St. and we would not feel impact. They have done bulldozing. The rezoning has gone thru. We are wondering, don't we have a say?

Chairman Crandall responded that the rezoning was done correctly. Notices went out to residents of a 500 ft. radius and it was advertised in the paper. A public hearing was held.

Mrs. McKinnen also noted that there is a lot of deer back there. Will anything be done about that?

Jane O'Donnell of Allen St. noted that they are not against the subdivision. They are mainly concerned about access. Our small streets cannot accommodate the infrastructure for that subdivision. There should be another access. I feel this is poor planning for access.

A resident of 4042 Allen St. commented that he feels this is an excercise in futility. I feel the decision has been made.

Regardless of concerns of the taxpayers, the Town feels it was good to rezone it this way.

Mr. Reilly responded that the Town can request to rezone a property. There is a lot of property that is not zoned correctly. When the Town acquired the property, they looked at it and had some ideas in mind. They saw this chunk of land that was separated by the quarry, and they would like to preserve this. On the other side, there is a light industrial park. This is an isolated industrial zone with the only access being North St. If the area would be industrial, the access would still be on North St. Since everything around this parcel is residential, the Town Board felt this was in the Town's best interests. The drawing was also sent to the Traffic Safety Board with the following response: They stated concerns about the ability of the existing roads (especially North, which is narrower than the others to handle the increase in traffic despite the fact that this is not considered a large development, will any improvements be made to North? (Item to go back to Traffic Safety).

Motion was made by Mr. Phillips, seconded by Mr. Pohlman, to table this matter for 2 weeks to be reviewed again by Highway, Traffic Safety, and the Conservation Board. Item to be on December 4th Work Session.

Public Hearing - Kryszak Subdivision - Dorchester & Allendale Pkwy.

Secretary Koenig read the Legal Notice of Public Hearing:



PLANNING BOARD
Kryszak Subdivision
Notice is hereby given that the Planning Board will hold a Public Hearing on a 2 lot subdivision known as Kryszak Subdivision located near 4536 Dorchester Parkway on November 20, 1996 at 7:40 p.m. in Hamburg Town Hall, S-6100 S. Park Avenue.
All that tract or parcel of land situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot 48, Township 9, Range 7 of the Holland Land Company's Survey, further bounded and described as follows:
Beginning at a point on the centerline of Dorchester Parkway (50' wide), distant two hundred forty-four and no tenths feet (244.0') west of the centerline of Allendale Parkway (50' wide) and said point of beginning being the southwest corner of Sublot 91 of Map Cover 925;
thence east along the centerline of

Dorchester Parkway a distance of one hundred and no tenths feet (100.0') to a point;
thence north at right angles to the centerline of Dorchester Parkway a distance of two hundred thirty-three and no tenths feet (233.0') to a point on the north line of Sublot 91 of Map Cover 925;
thence west along the north line of Sublot 91 of Map Cover 925 and parallel with the centerline of Dorchester Parkway a distance of one hundred and no tenths feet (100.0') to the northwest corner of Sublot 91 of Map Cover 925;
thence south along the west line of Sublot 91 of Map Cover 925 a distance of two hundred thirty-three and no tenths feet (233.0') to the point of beginning and containing 0.53 acres of land more or less.
Dated: 11-8-96
Richard Crandall, Chairman
Gerard Koenig, Secretary
Planning Board

Mr. Kryszak appeared on behalf of his 2 lot subdivision. Comments from Engineering are: 1. Public water service is not available to the proposed lot facing Dorchester. A waterline extension along the frontage of the property from Allendale Pkwy. would be required to service the site. 2. Public sanitary sewer service is not available on this portion of Dorchester Pkwy. A main line extension toward McKinley Pkwy. would be required to service the site. 3. The westerly most portion of the new subplot is zoned C-3. 4. The proposed sublots should be numbered.

Chairman Crandall asked 3 times if anyone wished to be heard for or against the subdivision. Hearing no comments, the hearing was declared closed.

Motion was made by Mr. Koenig, seconded by Ms. Ganey to issue a Negative Declaration for the project; approve the preliminary, waive the filing of the map cover, and that the prospective purchaser be made aware that he will have to extend the water and service as based on the Engineering memo. Carried.

Southtown's Christian Center - Southwestern & Lakeview Rd.

Mr. Tommaso Briatico appeared before the Planning Board on a proposed sanctuary for the Southtown's Christian Center. Comments from **Engineering** are as follows: 1. Include an appropriate clearing, stripping and Erosion Control plan and associated construction details in accordance with Federal, State, and local regulations. 2. Note on the plan that a N.Y. State Dept. of Transportation permit is required for work within the Southwestern Blvd. right-of-way, and that an Erie County Highway Dept. permit is required for work within the Lakeview Rd. right-of-way. 3. The approval of the Erie County Health Dept. is required for the sewage disposal (septic) system. We will not approve the plans without their review and approval. 4. Public water service is not presently available along the frontage of the site. The developer is currently discussing water service options with the Erie County Water Authority. We will not approve the plans without the approval of the ECWA. Show the proposed waterline extension and fire hydrants on the plan. 5. The Landscape plan is to be reviewed and approved by the Planning Dept. 6. A 6" raised concrete curbing is to be specified at the entrance driveways off Southwestern Blvd., and Lakeview Rd. All landscape islands are to also have 6" curbing. The road and parking areas adjacent to storm water detention basins are to be curbed and protected by bollards, fence, or guide rail. 7. The storm sewer system is to have a minimum of 2 feet of cover over the top of the pipe, and a minimum diameter of 10 inches. Rip-rap stone is to be placed at all end sections. Detail and specify the quantities of rip-rap stone required. 8. A minimum of sixty (60) feet of pipe is required under all driveway connections to Southwestern Blvd. and Lakeview Rd. 9. Provide a perimeter swale along the east side of the

Southtown's Christian Ctr. (Cont.) developed portion of the property. Include proposed swale grades on the plan. 10. Show locations of parking lot lighting fixtures. 11. Additional proposed grade elevations, as well as arrows to indicated the directions of drainage flows are required. Provide a cross-section for the drainage channel proposed along the southerly property line. 12. It is required that the storm water detention facilities detain the difference between the 25 year/6 hour storm developed conditions and the 10 year pre-construction conditions. The calculations require 8" pond outlet pipes, but 12" outlet pipes are shown on the plan. Provide details of the detention ponds. Specify 3 feet horizontal on 1 foot vertical mowable side slopes. Provide an outlet control structure for overflow conditions at the ponds. 13. Delineate the locations of any Federal and State wetlands within and adjacent to the property. 14. It is suggested that the proposed Southwestern Blvd. driveway closest to Lakeview Rd. be eliminated. Two driveways to the site should provide sufficient access.

Mrs. Claudia Yates, resident of Lakeview Rd. & Versailles, complained about the parking along Lakeview Rd. when services are held and is concerned about the safety hazard. Response given is that the egress on Southwestern Blvd. has been eliminated and that this is a different site.

Motion was made by Mr. Pohlman, seconded by Mr. Eustace to **Table** for the implementation of the Engineering concerns and item is to be on the December 4th meeting agenda. Carried.

James Eberhardt 2 lot subdivision - North Creek Road

Applicant appeared before the Planning Board on his 2 lot subdivision and advised that he has made the survey available. Motion was made by Mr. Koenig, seconded by Mr. Eustace to schedule a public hearing for December 4th at 7:30 p.m. Carried. Comments from **Engineering**: 1. The sublots should be numbered and the lot dimensions provided. 2. Public water service is available along Southwestern Blvd. 3. Public sanitary sewer service is not available along the Southwestern Blvd.

Rolling Ridge Subdivision - Mike Metzger - Patrick Development.

Mr. Michael Metzger appeared before the Planning Board with revised drawings of the site plan for this 81 sub-lot subdivision. Chairman Crandall pointed out that they have addressed the fire flow and pressure problem. Mr. Koenig noted that the Traffic Safety Board discussed the possibility of the 1 way street. That question had come up before and the board felt that the memo they issued at that time was fine for this time. Street A&B has been designated at the request of the Engineering Dept. and they can come down with a final name when it is reviewed by the dept. and Fire Control. The name of the street will be accomplished by the developer and the Engineering Dept. (see Eng. comments)

Rolling Ridge (Cont.)

Traffic Safety did hear from the residents in the area and have recommended signage changes for that location. Most of the signage will be outside this subdivision.

Motion was made by Ms. Ganey, seconded by Mr. Eustace to issue a Negative Declaration for the project; approve the preliminary contingent upon Engineering requirements and that sidewalks be included. Carried.

Sprint Spectrum for a Cellular Tower on the Hopevale Property on Howard Road, & Newton Abbott Property Milestrip Rd.

Ms. Maureen Elwell, Attorney for Sprint Spectrum appeared before the Planning Board on a proposed 140' tower to be located on the Hopevale Property on Howard Road.

There are 3 sites being considered for this use in the Town of Hamburg. Communication towers are mandated by the 1996 Telecommunications Act and New York Law which states that we are public utilities. Mr. Andy Przybysz of Clough Harbor is present. He is in charge of site acquisition and Dave Oloff, who is the radio frequency engineer with Sprint, will explain the studies that were conducted. These systems are used for emergency services, police service, & military. This service is needed and it should be made available throughout the country.

The applicant was asked to consider locating the tower on a present water tower. However, it was explained that this did not meet the criteria nor did the KB tower, because of technical problems, noise, & interference at these site locations.

Mr. Oloff explained how they came up for the specific need. We went out to inspect friendly sites, utilizing an existing tall building, an existing water tank. We put these sites into a data base. From that base, we generated a grid. A grid is a collection of honeycombs of where we would propose to build a facility. It is not just a transmission facility but also a receiving facility. From this grid we created three types of sites: an urban site, located in a densely populated city 100' tall and spacing is between 1-2 miles apart. The second type of site is the suburban site. That is 150' in height on a monopole, and are spaced 3-1/2 miles apart. They cover a suburban and highway area. The third type of site is a rural site between 200-250 tall, and because of its height, it has to be a latticed work tower, and that services a diameter of 7-10 miles which is meant for a rural area.

We have come up with 3 sites in Hamburg; namely, the Town Highway Dept., Hopevale, and Newton Abbott. We are in negotiations with another site.

Chairman Crandall noted that he would like to see some written documentation on the technical aspects that shows me that this would not work on a present water tower. It would be beneficial to

get this located on an existing tower. I don't want to discard that idea unless I have some proof that it isn't feasible. We will need some type of affidavit or letter affirming that this cannot be done, or does not meet the criteria. This Planning Board has some concerns with this particular use.

Engineering has the following concerns: 1. The proposed driveway to the tower site is located in the A-1 100 year flood zone of Foster Brook. A Flood Plain Development permit is required to be obtained for work within the flood zone. The proposed driveway runs parallel to the existing site driveway for over 150 feet. The drive should be relocated out of the flood zone and connect with the existing drive south of the proposed location. 2. The flood plain information "per Erie County Soil" is not correct. Flood plain locations are as determined by FEMA. Revise as necessary. 3. The existing houses located east of the site on Buckingham Lane should be shown for reference purposes. 4. The proposed gravel driveway is to be paved. Provide a proposed pavement section. 5. Barbed wire on top of the fence is not permitted without a variance from the Zoning Board of Appeals. 6. The note on the guy tower schematic "tower mfg. shall " appears to be incomplete. What is the tower manufacturer required to do? 7. Provisions should be made for shared access by other communications companies. 8. It is noted that the Town Board has proposed that the existing 120 feet high water storage tank near S. Western & S. Park could possibly be leased to telecommunications companies for cellular antenna installations. In that this water tank is located less than one mile from the proposed Hopevale tower site, such use may eliminate the need for the Hopevale Tower.

Mr. David Phillips also raised the question of locating to an industrial site such as Ravenwood North? This to him seems like a better location and away from residential areas. An involved discussion also took place on the upcoming ordinance (hearing to be held at the Town Board level on Monday, November 25, at 7:15 p.m.)

Tom Braun, of Buckingham Lane, appeared with residents of that area in opposition to the application. Most of the concerns have been answered this evening. I have studied the project presentation made by Sprint Spectrum. As far as silver towers, we would like to know how silver would blend with the sky. On a bright sunny day, when we are using our yards, the tower will be an eyesore--horizon pollution. The proposed ordinance covers aesthetic value. Reference was made to our "classy" homes in the area. Your concerns are my concerns. This would blend in in an industrial park but not in a residential area. You have talked about utility structures in neighborhoods. We do not have that. All our services are underground and we don't have to look at telephone poles. We don't want to look at them. The trees in the area are about 60-70' in height. The Tower will be 140' in height. Half of the tower will be sticking up in our back yards. The closest back yard will be 225' away from the base of the tower.

There is green space behind our homes on Buckingham which we have maintained since 1974. You have talked about phones in the next 5-10 years. I am an electrician at General Mills. I know something about electronics and I am not an expert. The next generation of cell telephone will be satellite driven. What is going to happen to this tower then? I have discussed this matter with a real estate agent and asked if it would be difficult to sell with a tower behind our back yard. They said yes. Did anyone say they wouldn't buy the home because of a tower. They answered me with "yes, it happens all the time. Those homes are more difficult to sell.

In this report, there is reference made to tower views, sale price, size of lots, and sale dates. They don't give asking price or how long these properties were on the market. The next item is a touchy subject. They quote Dr. Ely Thomas on biological affects of micro-wave, electro-magnetic fields. I am not an expert. In my opinion, this is just an opinion. He says there is no proof of magnetic radiation being harmful. It is my opinion it is safe.

Mr. Reilly noted that the government has made that a moot point. You cannot comment on health effects on towers. In 1996, the government said you can't do it. We are powerless in commenting on health affects on Towers.

Mr. Braun continued that we are concerned about aesthetics. The people here are the ones who the tower will affect.

Mr. Reilly noted that the ordinance will be discussed at the next Town Board meeting. If towers are proposed in residential areas, we try to make them go thru procedures. They are to provide some type of screening. We can comment on tower color. We don't know what color to choose. We don't know if silver is the best color.

Mr. Oloff explained that if the tower becomes obsolete, we have to take it down and return the site to its original condition. We are willing to make that a condition of its approval. There is also a bond to take care of that issue.

Mr. Don McFeeley of Buckingham Lane noted that this tower will be 200' from his back yard and is very upset about it.

Barbara Stepian also noted that this tower will be in her back yard. She is considering investing more money in her home as this is where she wants to be and is also concerned.

Dave Kelly noted that he has consulted with a real estate broker to determine how well homes are selling on Victorian Place due to the towers right in their back yard. He was advised that it is difficult to sell next to something like this.

Board members noted that they are having a difficult time in determining what type of recommendation to forward to the ZBA

At the present time we have many unresolved issues yet to be determined. We have no verification as to why these towers could not be located in a different place; we need more information, and do not feel we can make a recommendation either pro or con as there are many concerns that have not as yet been addressed.

Motion was made by Mr. Pohlman, seconded by Ms. Ganey to forward the minutes of this meeting to the Zoning Board explaining that we need more information as there are many concerns not yet addressed, and cannot make a recommendation at this time. Carried.

On the proposal for the Newton Abbott Site, motion was made by Mr. Pohlman to forward a favorable recommendation for a cellular tower on this site, that the tower should have a provision for a minimum of at least 3 carriers for co-location of other wireless carriers on the Sprint facility, seconded by Mr. Eustace. Carried.

Yovienne Subdivision - 120 sub lots - Taylor Road

Mr. Bill Arlow appeared before the Planning Board with a sketch plan of a 120 sub lot subdivision to be located off Taylor Road. This will require a rezoning. Board members noted that the drawing is getting better to what is expected of a site of this nature. No action was taken.

Motion was made by S. Ganey, seconded by Mr. Pohlman to approve minutes of Sept. 18th, October 3rd, October 16th, and November 6th. Carried.

Motion was made by Ms. Ganey, seconded by Mr. Eustace to adjourn. Carried. Meeting adjourned at midnight.

Richard Crandall, Chairman
Gerard Koenig, Secretary
Planning Board

Next meeting: 12-4-96, 7:30 p.m.

Appeals.