

REGULAR ZONING BOARD OF APPEALS MEETING  
November 12, 2009

**MEMBERS PRESENT:** Chairman John Moorehead Rick Stevens  
Dan Leary ZBA Secretary/Alternate Paige Boratko  
Lorraine Morris

**ALSO PRESENT:** Ruth Kinch, Mr. Tim Richmond, Mr. Patrick Britt

**CORRESPONDENCE:**

- ZBA Minutes of October 8th, 2009
- Codes Report from CEO R. Herrmann –October, 2009
- Application for Use Variance from Mr. William May - 189 State Rte 5 West, Elbridge (#040.-06-04.0)
- Application for Use Variance from Mr. Jay Suriano of SBA Towers 5950 Fowler Rd, Elbridge (#035.-01-01.0)
- Application for Use Variance from Mr. Steve Morgan – 5210 Campbell Rd, Elbridge (#043.-02-12.0)

Chairman John Moorehead called the meeting to order at 7:00 p.m. and reopened the hearing for Mr. William May.

**HEARING#1** - Mr. William May – 189 State Rte 5 West, Weedsport, N.Y.

**REFERENCE: ZBA FILE TM #040.-06-04.0**

**REFERENCE: Minutes from 09/10/09 and 10/8/09**

Ruth Kinch was present before the board on behalf of Mr. William May for a third time. Ms. Kinch requested to have a continuance on the hearing as her Attorney was unable to be present at tonight's meeting. On a motion made by Rick Stevens and seconded by Dan Leary the meeting was adjourned with all in favor at 7:02 p.m.

Chairman John Moorehead continued the regular meeting. Rick Stevens made a motion to open hearing #2, seconded by Dan Leary. It passed with all in favor, the hearing opened at 7:03p.m.

**HEARING#2** - Mr. Jay Suriano – SBA Towers 5950 Fowler Rd, Elbridge (#040.-06-04.0)

**REFERENCE: ZBA FILE TM #035.-01-01.0**

Application from Mr. Jay Suriano of SBA Towers for a Special Permit from the provisions of the Town of Elbridge Zoning Laws Chapter 30.47 Regulation of Telecommunication Towers, Paragraph (B), Subsection (5) Co-location; to be located at 5950 Fowler Rd, Jordan N.Y.

The ZBA secretary read the legal notice posted in the Post Standard newspaper. Mr. Tim Richmond of Pyramid Net Services was present before the board representing Mr. Jay Suriano and AT&T. Mr. Richmond stated that AT&T would like to upgrade the tower to increase the capacity for data. They would like to add one antenna per sector making a total of three antennas. At this point there is already six antennas on the tower. The new antennas will be identical to the existing antennas. A cabinet will be added inside their own shelter which is already there to accommodate the extra antennas. SBA has provided an engineering report for structural analysis. The existing tower was built to accommodate four carriers and at this time there is only one which is SBA. There will be no changes to the height of the tower or the ice bridge. There will not be any new transformers added, ground installations or electrical work needed. One Co-axle cables will be added for each antenna. The board examined the structural analysis report, pictures and drawings.

A motion was made by Rick Stevens and seconded by Lorraine Morris to close the hearing for SBA Towers. It passed with all in favor at 7:20 p.m.

Chairman John Moorehead continued the regular meeting and did the Environmental Assessment form which passed with a negative declaration.

On a motion made by Rick Stevens and seconded by Dan Leary the following resolution was:

**ADOPTED:** 4 - AYES  
0 - NAYS

**Resolved:** That the Town of Elbridge Zoning Board of Appeals approves the application for Use Variance from SBA Towers located at 5950 Fowler Rd, Elbridge (#035.-01-01.0)

Chairman John Moorehead continued the regular meeting.

#### **APPROVAL OF MINUTES:**

The board members reviewed the previous month's minutes of October 8<sup>th</sup>, 2009. A motion was made by Rick Stevens and seconded by Dan Leary to approve the minutes as unchanged. It passed with all in favor at 7:30 p.m.

**NEW BUSINESS:** Application from Mr. Steven Morgan for a Use Variance from the provisions of the Town of Elbridge Zoning Laws Chapter 30.31, Article III, Paragraph "B" for an addition to the existing structure to allow for office space and equipment and truck storage to be located at 5210 Campbell Rd, Elbridge, has been faxed to the Town Clerks office. The original application and fee will be forth coming for the next meeting of December 10<sup>th</sup>, 2009.

#### **OLD BUSINESS:**

- Creation of the new Zoning Application is in the works.

**ADJOURNMENT:** With no further business, on a motion made by Robert Decker and seconded by Rick Stevens, the meeting was adjourned with all in favor at 7:40 p.m.

Respectfully Submitted  
Paige Boratko, Secretary

**NOTE:** Mr. Patrick Britt, Attorney for Mr. Steve Morgan met informally after the meeting was closed and asked if the board anticipated and difficulties with the use variance requested by Mr. Morgan on Campbell Rd. Several board members expressed their concerns for Carpenters Brook Stream which runs very close to the property in question.

