

PUBLIC HEARING HELD ON JUNE 03, 2003

Present: Nancy Johnsen, Sean Schumacher, Dan Cianfoni and Peter Butler.

Absent: Gary Bogner

Others attending: Kim Kaiser, James Gray, Adam Walters, Scott and Cathy Carroll, Gary Ferrara.

Recording: Rita J. Gurewitch, Deputy Clerk/Treasurer

Co-Chairman Nancy Johnsen called the public hearing to order at 7:00pm. The Legal Notice that was printed in the newspaper on May 23, 2003 was read. This hearing is for the purpose of considering a special use permit at 64 Pratt Road for home occupation of a beauty salon.

Nancy Johnsen asked if anyone present would like to address the board.

Scott and Cathy Carroll are neighbors to the property in question. They are concerned about the size of the operation, parking needs and hours of business.

Ms. Kaiser stated it would be a single chair beauty salon with only one sink, styling station, some shelving and a desk to be located in a section of their basement. The business will be owned and operated by her, with no employees. Hours of operation will be Tuesday and Thursday 9 am to 7-pm and three Saturdays a month from 9:00am to 4:00pm. There would only be one client vehicle in the driveway at any given time, maximum would be two if overlap in timing. Services offered will be haircuts, color, perms, straightening, eyebrow waxing and ear candling, along with products for retail.

Scott and Cathy Carroll stated their questions have been satisfied and do not oppose the special use permit for Ms. Kaiser.

The board asked if she was planning on putting up a sign, Ms. Kaiser stated not at this time.

Nancy Johnsen asked if there were any more questions for Ms. Kaiser or the board. None were presented

The public hearing was closed at 7:15 pm. Regular meeting to immediately follow.

REGULAR PLANNING BOARD MEETING HELD JUNE 03, 2003

Present: Nancy Johnsen, Sean Schumacher, Dan Cianfoni and Peter Butler.

Absent: Gary Bogner

Others attending: Kim Kaiser, James Gray, Adam Walters, Scott and Cathy Carroll, Gary Ferrara.

Recording: Rita J. Gurewitch, Deputy Clerk/Treasurer

Co-Chairman Nancy Johnsen called the meeting to order at 7:16pm. The minutes of the May 06, 2003 meeting were reviewed. A motion was made by Sean Schumacher, seconded by Dan Cianfoni to approve the minutes as written.

REQUEST FOR SPECIAL USE PERMIT - KAISER

A brief discussion was held concerning the public hearing for operating a beauty salon at 64 Pratt Road. Sean Schumacher made a motion to grant Ms. Kaiser the special use permit for home occupation of a beauty salon, seconded by Peter Butler, unanimously voted "aye" and carried. A Special Use Permit is granted for Ms. Kim Kaiser, at 64 Pratt Road.

U-HAUL RENTAL SITE

James Gray of 98 South Main Street, tenant to commercial property located at that address is requesting approval to operate a U-Haul truck rental operation at this site. Current use at this site is an insurance office and mini-storage and is zoned Commercial-1. Property is owned by Albert Wordingham. Mr. Gray presented the board with notarized written permission from Mr. Wordingham to allow him to operate a U-Haul truck rental business on his property.

Mr. Gray presented his application with a diagram showing a display of four to five trucks to the front of the property. Ms. Johnsen questioned the visibility to see beyond the trucks when leaving Merrick Circle to go on to Route 21. She wondered as to the size of the trucks. Mr. Gray stated that none of the vehicles would need a CDL license. (No commercial license is

needed). He was approached by U-Haul because of the mini-storage location. U-Haul likes to co-habitat with storage facilities. Their main location is in Victor, if he doesn't have what a customer wants here, and then they can get one from Victor. They will give him one unit (truck) to start with and increase if the need arises. Any excess vehicles will be stored out back. U-Haul requires visibility of units for advertisement.

Peter Butler suggested the maximum allowed out front to be two vehicles so as not to have too many out front. The set back from the intersection of Merrick Circle and Route 21 is within an allowable distance. If at any time there is a change in the highway (straightening of Merrick Circle), the Planning Board will require to re-examine the operation and review again.

The Planning Board has reviewed the permitted uses for a C-1 zone and decided that the vehicle rental would come under the rules for a car lot. Mr. Gray's operation is within code then.

A motion was made by Sean Schumacher, seconded by Peter Butler, that Mr. Gray may operate a U-Haul Truck Rental operation from his location provided he limit the number of units to two in front, with the required setbacks from Merrick Circle; that if the roadway of Merrick Circle is ever changed, that the U-Haul operation will be re-evaluated at that time to make sure all requirements are within village code. A unanimous vote in favor followed and the motion was carried.

AT&T WIRELESS – CO-LOCATE ON SPRINT TOWER

Sprint PCS was approached by AT&T Wireless to request permission to co-locate on their tower located at 3980 State Route 96 at the Manchester-Shortsville Joint Sewer Treatment Plant. AT&T wishes to co-locate wireless antennas on the existing communication tower.

Gary Ferrara, Zoning Specialist from SBA Network Services, Inc., an agent for AT&T Wireless, submitted a letter of intent in support of the application of AT&T Wireless for site plan approval and the issuance of a special use permit. Also submitted are Exhibits A through F.

AT&T would like to place up to six telecommunications antenna panels on the existing tower and to install a concrete pad at the base of the tower to hold up to four outdoor equipment cabinets.

Permission has been granted by the Manchester-Shortsville Joint Sewer Commission to allow Sprint to sublease a portion of their leased area.

Adam Walters, Atty., questioned if this application needs to be presented to the County Planning Board prior to review. After a brief

discussion, the situation was realized that co-locaters on the Sprint Tower are under the same rulings that were awarded to Sprint at the time the tower was erected and has already been presented to the county. Sprint's special use permit and site plan approval would be extended to all co-locaters that are within the limits of the contract and compliant with the village code. The Planning Board will make sure all Sprint approvals are in place to extend to AT&T Wireless.

Co-Chairman Johnsen questioned the maximum permissible exposure levels of non-ionizing radiation from the cell tower. Mr. Walters and Mr. Ferrara stated that AT&T service personnel check sites regularly and maintain required maintenance to be within FCC guidelines or else they lose their license.

After review of the full environmental assessment form and Exhibit E, the Planning Board issued a negative State Environmental Quality Review (SEQR). It was noted that any reference to "Town" would be changed to "Village".

Under Exhibit F: Structural Report, it was noted that the existing tower is structurally capable of supporting the existing and proposed antennas, though the structure usage will be 105%, the 5% overstress is within allowable engineering tolerances. Any future requests to co-locate will have to reinforce structure and seek Planning Board approval.

A motion was made by Peter Butler, seconded by Daniel Cianfoni, to grant AT&T Wireless approval to locate on the Sprint Tower, unanimously voted "aye" and carried.

SIGN PERMIT – THOMPSON GRAIN, INC.

Thompson Grain, Inc., Merrick Avenue, was approved a sign permit according to specification presented to the planning board. Not to exceed 6'x4', not including support beams and falls within the height requirements.

The next Planning Board meeting will be Tuesday, July 01, 2003 at 7:00 pm.

The meeting was adjourned at 9:00pm.

Respectfully submitted,

Rita J. Gurewitch
Deputy Clerk/Treasurer

