



Brian Napoli, Chairman

COUNTY OF ORLEANS  
**PLANNING BOARD**  
14016 Route 31 West  
Albion, New York 14411-9382  
(585) 589-3198

Dan Strong, Vice-Chairman

### **County Planning Board Minutes**

Regular Meeting  
October 26, 2023

Virtual Participation  
Originating from Chamber

**CPB ATTENDING:** Janet Navarra-Salvatore, Michael Massaro, Wesley Miller, William Quaranto, Bruce Kirby, Daniel Gardner, David Knapp, Thomas Fenton, Kirk Myhill, Gary Daum, Daniel Strong, Brian Napoli

**CPB ATTENDING VIRTUALLY:** Darryl Sanford

**CPB EXCUSED:** Christopher Kinter, Bruce Newell, George Avery, Bill Eick (Legislator)

**CPB ABSENT:** Kevin Parker, Thomas Keeler, Kevin Johnson, Russell Bosch, Chris Watt, Richard Moss, Timothy Elliott, Edward Urbanik

**GUESTS:** Jason Raduns, Robert Burgdof

**STAFF:** Corey Winters

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Chairman Brian Napoli called the regular meeting of the Orleans County Planning Board (CPB) to order at 7:00 p.m. All present for the meeting were welcomed by him.

### **NEW BUSINESS**

David Knapp made a motion for **APPROVAL** of the **September 28, 2023** minutes, seconded by Gary Daum and carried unanimously.

### **ZONING REFERRALS**

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***23-17 Town of Ridgeway***

***Request for Special Use Permit and Site Plan Review to Display and Sell Manufactured Sheds. Project located at 10836 Ridge Road.***

C. Winters states that the applicant is requesting a Special Use Permit and Site Plan Review to display and sell manufactured sheds. The location of the project is 10836 Ridge Road, located adjacent to the Millers Market. Everything for this project/application exists, no new structures will be constructed, and the applicant will only use this parcel to display the manufactured sheds and similar structures. The business of displaying, and selling these manufactured sheds and structures, has grown to a larger scale than originally anticipated. The applicant has an agreement for \$1.00 with the adjoining parcel, to use the parcel for the display of the manufactured sheds. The agreement covers all covenants, easements, and other restrictions of the acquired parcel. It is noted that these sheds and other similar structures will not be constructed on-site, they are constructed off-site and delivered to display and sell.

The application mentions that it is expecting to add 338' of frontage, which would be used to display the manufactured sheds. All the driveways and parking will remain as is located at the Millers Market. Landscaping on the property will remain, which will help block the view of the sheds from residents and people driving by on Ridge Road.

New York State Parks, Recreation, and Historic Preservation determined that the project site does not contain any items or structures that would be eligible to be listed on the State Register of Historic Places. The proposed parcel does not contain any species of animals, or associated habitats that are listed by the State or Federal government as threatened or endangered. According to SEQR, the property is not located within a 100-year floodplain and does not contain any wetlands.

C. Winters discusses Article VII §755 within the Town of Ridgeway's Zoning Code which includes, Minimum Specifications: Front Setback for building: 75 feet Side Setback 30 feet Rear Setback of 30 feet Lot frontage of 200 feet Lot size One (1) acre, and no manufactured homes shall be displayed within any required building setback. The maximum coverage for buildings shall apply to manufactured homes for sale, in addition to buildings used in the conduct of such sales. C. Winters adds that currently, the Town of Ridgeway does not have any zoning regarding these types of manufactured sheds, the closest the Town has is Article VII §755. He added the Town of Ridgeway's Code Enforcement Officer is in the process of updating the Town of Ridgeway's Zoning Code, to add §754 which would be exclusively for Accessory Structures, Utility Sheds, or the Outdoor Display of Goods for Sale.

As for traffic-generating characteristics, C. Winters stated this application is not expected to increase the traffic-generating characteristics of the area significantly. The only time an increase in traffic would come from the contractors who deliver and pick up these manufactured sheds. Potential buyers of these sheds, will more than likely drive through the display area to look at the variety of sheds they have for sale, rather than parking there while they are going to the Millers Market.

After C. Winters provided the summary of the application to the CPB Board members, Chairman B. Napoli asked either Tom Fenton, or Jason Raduns had anything to add, and neither one had anything to add to the application beyond what was covered by C. Winters.

D. Strong asked if the applicant applied for an Area Variance, based on the proposed setbacks because it would not meet the Town of Ridgeway's Setback requirements. He adds that typically the CPB would see the Area Variance, at the same time, as we (CPB) would be reviewing the Special Use Permit and Site Plan Review. D. Strong additionally mentions that we typically would not see just an Area Variance, but since there is a Special Use Permit and Site Plan Review attached to the application, then we would see it all.

[RECOMMENDATION FOR 23-17](#): Bruce Kirby, made a motion of **APPROVAL with CONDITIONS**. Seconded Gary Daum and carried by all voting members (Thomas Fenton and Brian Napoli abstaining).

**Comments:**

- Ensure that the location of the manufactured sheds does not block the view and flow of traffic and that the application follows the proposed setbacks as mentioned in the Town of Ridgeway's Zoning Code.
- It is noted that the Code Enforcement Officer is in the process of updating the Town of Ridgeway's Zoning Code, to add a section §754 which would exclusively be for Accessory Structures, Utility Sheds, or the Outdoor Display of Goods for Sale.

**Conditions:**

1. Change the site plan regarding the location of displaying the sheds to meet the Zoning Setbacks per the Town of Ridgeway's Zoning Code. Alternatively, send an Area Variance to the Orleans County Planning Board before the Town of Ridgeway makes final approval of the complete application (Special Use Permit, Site Plan, and Area Variance).

**23-18 Town of Barre**

***Request for Use Variance, Special Use Permit, and Site Plan Review for a Telecommunication Tower. Project located at 14295 West Barre Road.***

Before introducing the application, he states that this recommendation from the Orleans County Planning Board will be in two (2) parts. Part A would be a recommendation for the Area Variance, and Part B would be for the Special Use Permit and Site Plan Review.

C. Winters introduces the application to the board, stating that Bell Atlantic Mobile Systems proposes constructing a 170' telecommunication tower within the Town of Barre. The tower will also have an additional 4' lightning rod bringing the total height of the telecommunication tower to 174'. The proposed tower will be constructed out of galvanized steel and will be self-supporting. According to the application, no FAA obstruction lighting is proposed, unless the Federal Aviation Administration or the Local Municipality requires it. A 4'x11.5' concrete pad will be installed to house the supporting equipment to make the telecommunication tower operate correctly. The location of the tower is approximately 500' from the nearest resident (Owner of the parcel), which Bell Atlantic Mobile Systems is leasing a 100'x100' section of the parcel. With that said, no structures are within the fall zone.

C. Winters adds that this telecommunication tower is needed as these sites are overloaded and require capacity relief. Additionally, the project area is subject to significant terrain and/or foliage challenges for signal propagation. The terrain and/or foliage combined with long distances prevent effective propagation of Verizon's signals into this area compounding the capacity issue with areas of variable coverage creating significant gaps in coverage. He states that the primary objectives for this project are to increase capacity, and improve coverage throughout the center portion of the Town of Barre, as well as neighboring residential and commercial areas along, and near these roads. To offload capacity from County House, Barre/Albion, and Shelby, a new dominant server must be created. This new dominant coverage will effectively offload the existing overload sites/cells as well as provide improved coverage where significant gaps exist today. In conclusion, in the search for a co-locatable structure to resolve the challenges for the area and finding no available solution, Verizon proposed to

attach the necessary antenna to a new 174' self-support tower located near 14295 West Barre Road. The solution will provide the necessary coverage and capacity improvements needed for the area.

According to the submitted SEQR, the parcel on the proposed project will be constructed on 216.2 acres, with that said; the Tower, Supporting Equipment, and Meter Board will all be located within 100'x100' areas, which is being leased from the landowner of the parcel. The site will have a 12' wide gravel driveway off West Barre Road to provide access to the site. The proposed project will not use the existing water or sewer services within the Town of Barre along with no noise pollution from the project. The project will have outdoor lighting, which consists of one (1) 25-watt Flood light that is activated by a spring wound timer. The proposed complex and tower will be constructed in a single phase lasting three (3) months.

The parcel contains wetlands and/or waterbodies according to the SEQR, the location of the tower and supporting equipment is not located within the wetlands on the parcel. The parcel is not within a 100-year, or 500-year flood plain. Upon reviewing the SEQR, the project site is located within a designated agricultural district (Orleans County Agricultural District No. 1), and of the 216 acres, 6.3 acres are deemed highly productive soil. Lastly, the project site does not contain any building or archaeological findings, which is or have been nominated by the New York State Board of Historic Preservation for inclusion on the State or National Register of Historic Places.

C. Winters discusses Article VII §350-63 within the Town of Barre's Zoning Code, which is for Telecommunication Facilities. Some of the standards covered under this section are Co-locations, Dimensional Standards, Lighting and Marking, Appearance and Buffering, Access and Parking, and Security.

C. Winters added that during construction, traffic density is expected to increase due to the construction of the telecommunication tower and supporting structures such as driveways, fencing, and supporting buildings for storage. However once the project is completed in the estimated three (3) months, the traffic density can be expected to return to normal. The only time people will be on the site of the tower is for maintenance or updating the electronics associated with the tower to expand or improve the performance of the telecommunication tower.

After the introduction by C. Winters, Chairman B. Napoli introduced the Verizon Rep (Robert Burgdof) who attended via Zoom. Robert Burgdof stated that he has no more information to add based on the detailed introduction that was given and would be willing to answer any questions the CPB has.

D. Strong asks Robert Burgdof if the fall zone is located outside of the leased 100'x100' agreement with the landowner. Robert Burgdof answered yes it does, but we had a conversation with the landowner during the meeting process and the landowner did not mind if the fall zone was outside the signed agreement of the 100'x100' area. The roadway to the tower would be accessible by an easement rather than a lease Robert Burgdof added.

The CPB board asked will the tower be 5G. Robert Burgdof replied that starting the tower will not be 5G, but it does have the capability to, it is just an equipment change. Robert Burgdof adds that the tower can hold up to 3 other providers.

[RECOMMENDATION FOR 23-18A:](#) Kirk Myhill made a motion of **APPROVAL**. Seconded by David Knapp and carried by all voting members (Wesley Miller abstaining).

**Comments:**

- The Telecommunication Tower will be 5G compatible per conversations with the Town of Barre.
- The Telecommunication Tower will allow other providers (AT&T, T-Mobile, etc.) to use the tower in the future.

[RECOMMENDATION FOR 23-18B:](#) Tom Fenton made a motion of **APPROVAL with CONDITIONS**. Seconded by Janet Navarra-Salvatore and carried by all voting members (Wesley Miller abstaining).

**Comments:**

- MRB Group has reviewed the site Plan, and the Engineering firm has updated the Site Plan based on their review and suggested comments.

**Conditions:**

1. Post the address of the site near the entrance of the property in the event of an emergency so first responders can quickly locate the property.
2. Forward Site Plans to the Orleans County Office of Emergency Management for their comments and review.

**OTHER BUSINESS**

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[Genesee Finger Lakes Regional Planning Council – Fall 2023 Training Workshop:](#) C. Winters updates the CPB members on an upcoming training session that is located at the Conference Center at Wayne/Finger Lakes BOCES located in Newark, NY. This training session will take place on November 9, and attendees can earn up to 6.5 credit hours. The cost of this workshop is \$80 and your municipality should be able to reimburse you for the cost of this training. Call our office if you want to register and we can email you the link to the event.

**ADJOURNMENT**

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With there being no further business, Bruce Kirby made a motion to **ADJOURN** at 7:30 p.m., seconded by David Knapp and carried unanimously.

Respectfully Submitted,

*Corey D Winters*

Corey D Winters  
Planner/Acting Secretary