

Draft Minutes – NOT Board approved at this time

February 15, 2017

The regular meeting of the Wheatfield Planning and Zoning Board was called to order at the Wheatfield Town Hall at 7:00 p.m. by Chairman Walt Garrow.

Present: Walt Garrow, Melissa Germann, Michael Polek and Donald Proefrock. Excused: Richard Muscatello. Also Present: Town engineer Wendel.

Moved by D. Proefrock, Seconded by M. Germann to approve the meeting minutes of February 1, 2017 as presented. Motion unanimously carried.

Summary of Agenda

Mobilitie - 3829 Forest Parkway, Wheatfield, NY. Sketch plan review. The applicant is requesting to install a 120 foot tall transport utility pole within the Town's right-of-way at the listed address. The applicant is looking to obtain a Town wide agreement for future additional poles so they don't have to go through the license agreement process for future poles, but just submit a permit for each new pole. Through project discussions the Planning Board advised the applicant that the pole would have to meet Town Communication Tower requirements, the Town's Site Plan checklist has to be used, legal liabilities would have to be reviewed by the Town attorney and the project will have to go to the Town Board.

Action

None

Custom Covers & Canvas – 2946 Niagara Falls Boulevard, Wheatfield, NY. – Sketch Plan Review. The project entails re-zoning a portion of the property and building a 4000 ft² building. Sketch plan changes since their last appearance before the board were discussed. The applicant submitted a short form EAF for SEQR, needed for re-zoning.

Action

A motion was made and unanimously carried, to recommend to the Town Board to re-zone the property as requested and to begin a coordinated SEQR review.

Other Board Business

The Planning Board had discussions about possible Site Plan changes to the Niagara International Sports & Entertainment project, 6929 Williams Rd (Summit Park Mall), which was previously conditionally approved by the Planning Board. After review of the proposed changes to the project, in the opinion of the Planning Board the changes are not significant, and do not warrant further Planning Board review.

Next meeting: March 1, 2017

Motion made by M. Polek, Seconded by M. Germann to adjourn the meeting at 8:25 p.m. Motion unanimously carried.

Respectfully Submitted
Michael Polek, Secretary

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. **Type of Review ("X" one):**
 XX Sketch Plat Review
 Site Plat Review
 Preliminary Subdivision Plat-Major
 Special Use Permit
- Public Hearing Special Permit
 Final Subdivision Plat
 Rezoning Request
 Commercial Vehicle Parking Permit

Site Plat Date – February 6, 2017

Review Date: February 15, 2017

2. **Development Specifics: Custom Covers & Canvas Building Addition**

- a. Property Identification & Location – 2946 Niagara Falls Blvd., Wheatfield, NY
- b. Owner(s) Name(s), Address & Phone No. – Richard Winstanley, 3145 Military Road, Niagara Falls, NY 14304. Phone: 716-298-5946.
- c. Developer (when different) Name, Address & Phone No. – Same as Owner.
- d. Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Apex Consulting, 102 East Avenue, Lockport, NY 14094. Phone: 439-0188.
- e. Development Details (Explain) – Construct a 40'x100' (4000 ft²) Building and re-zone the remaining portion of the parcel from R-1 to C-1.

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**

- a. The parcel is currently has split zoning: R-1 & C-1. The applicant will be submitting an application for re-zoning to C-1 concurrent with their Site Plan review.
- b. If the property is re-zoned, a variance will be needed for both the east and west sides of the property to meet setback requirements.
- c. FAB has to review and approve fire access. A fire hydrant would likely have to be installed on the property to place the building within the Town's 400' distance limit. An option would be for the applicant to apply for a fire code variance with New York State.
- d. Vehicle access along the east side of the building would be approximately 19'. The requirement is 20'. Applicant is open to installing safety features like bollards along the building. This will also be looked at by the FAB.
- e. Applicant submitted a short form EAF for SEQR, needed for re-zoning.
- f. When applicant proceeds to Site Plan, applicant to ensure that drainage doesn't flow onto adjacent properties.

4. **Planning & Zoning Board Action:**

Motion made M. Germann and Seconded by D. Proefrock to recommend to the Town Board, to re-zone the property as requested and to begin a coordinated SEQR review.
 Voting Results: Yeas: Garrow, Proefrock, Germann, Polek. Nays: None. Abstentions: Muscatello.
 Motion carried.

Authentication:

Planning & Zoning Board Representative	Feb. 15, 2017 Date	Owner/Representative Signature
Distribution: Town Clerk Town Assessor Enforcement Office	Building Department Town Attorney Applicant	Town Board Members File Folder

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. **Type of Review ("X" one):**
 XX Sketch Plat Review
 Site Plat Review
 Preliminary Subdivision Plat-Major
 Special Use Permit
- Public Hearing Special Permit
 Final Subdivision Plat
 Rezoning Request
 Commercial Vehicle Parking Permit

Site Plat Date – Not Provided

Review Date: February 15, 2017

2. **Development Specifics: Mobilitie Utility Pole**

- a. Property Identification & Location – 3829 Forest parkway, Wheatfield, NY.
- b. Owner(s) Name(s), Address & Phone No. – The Town of Wheatfield.
- c. Developer (when different) Name, Address & Phone No. – Mobilitie, LLC. 950 Little Pond Way, Atlanta, GA, 14580. 585-813-2273.
- d. Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Same as developer.
- e. Development Details (Explain) – Install a 120 foot tall transport utility pole within the Town's right-of-way.

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**

- A. System acts like a relay booster that supports all forms of data. Bandwidth capacity not coverage. Number of future poles would be based on future bandwidth needs.
- B. Mobilitie owns and maintains the poles and equipment, leased to a customer.
- C. Applicant wants to locate within the ROW for electrical power access and to have a Town wide agreement so they don't have to go through the license agreement process for each individual future poles. A permit would still be submitted.
- D. Applicant would consider utilizing Town structures or other Town property if the structure meets their needs.
- E. Maximum pole height would be 120'.
- F. Pole will have a 4' wide footer that goes 15-20' deep. Poles are ~30" in diameter.
- G. Applicant open to having a bond for decommissioning.
- H. Pole would have to meet Town Communication Tower requirements. The Town's Site Plan checklist has to be used. Legal liabilities would have to be reviewed by the Town attorney. Project will have to go to the Town Board.

4. **Planning & Zoning Board Action:**

Planning board will seek legal opinion from Town Attorney.

No further action taken.

Authentication:

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