

Town of Bristol  
Zoning Board of Appeals  
Minutes  
December 9, 2014

**Members Present:** Marty Snyder, Donna Beretta, Jen Sanford, Mary Costa, Steve Smiley, and Secretary Sandra Riker

**Others Present:** Pete Wojtas, Mike Bieniek (Representative for LLC, Law and Aviat Network)

**Aviat Network: Special Use Permit** for co-locating 2 microwave dishes on the tower at 4668 Ganyard Hill Road owned by American Tower Corp:

Part 2-Impact Statement under SEQRA was reviewed and determined, based on the information and analysis of the questions asked as well as the supporting documents presented by Aviat Network and American Tower Corp. that the proposed action will not result in any significant adverse environmental impacts. It was agreed by all ZBA members that a Negative Declaration shall be declared and no further action was necessary. The Ontario County Planning Board has sent back their findings regarding the tower and determined to have no problem with the application. The Planning Board has reviewed and approved the Site Plan portion of this application.

Special Use Permit: The Board at the October meeting reviewed all of the requirements for a Special Use Permit and found that the application is in order and waited for the Site Plan review to be completed by the Planning Board of the Town of Bristol. The Planning Board at the December 1<sup>st</sup> meeting approved the Site Plan presented and asked that a recommendation be included that if Aviat ceases the activity on the tower for a period of one year or the contract with American Tower Corp. be terminated they shall remove their equipment from the tower at their expense.

***Whereas, All criteria under Article Eighteen-Special Use Permit Section 1 A-B 1-3(1) have been reviewed and met to the satisfaction of the Zoning Board of Appeals noting that 3(a-b), and***

***Whereas, Under Article Eighteen-Special Use Permit Section 1 B 3(j) the Site Plan has been reviewed and approved by the Planning Board of the Town of Bristol with the recommendation to include a statement advising Aviat Network they will be responsible for the removal of their equipment if it is unused for a period of one year or they discontinue their contract with American Tower Corp, and***

***Whereas, The Ontario County Planning Board has sent back a recommendation in favor of approving this application, and***

**Whereas**, the Zoning Board of Appeals declared as Lead Agency have reviewed the Short Form Environmental Assessment Form and declared it a Negative Declaration,

**Therefore**, a motion was made by Jennifer Sanford to approve the Special Use Permit for Aviat Network to co-locate two microwave dishes on the tower and add an equipment cabinet at the base of said tower owned by American Tower Corp. at 4668 Ganyard Hill Road under tax map # 137.00-1-7.000. This motion was seconded by Steve Smiley. The Board polled as follows: Snyder aye, Sanford aye, Beretta aye, Costa aye, and Smiley aye.

**Minutes:**

The minutes from the November 11<sup>th</sup> meeting of the Zoning Board of Appeals were approved with a motion by Donna Beretta and a second by Mary Costa. The Board polled as follows: Costa aye, Beretta aye, Snyder aye, Sanford aye, and Smiley abstained.

**Chairperson for 2015:**

A motion was made by Donna Beretta and a second by Mary Costa to recommend to the Town Board that Jennifer Sanford be appointed as the Chairperson for 2015 of the Zoning Board of Appeals in the Town of Bristol. All Board members agreed.

**Vacancy:**

Mary Costa advised the Board she will be resigning from the ZBA as of December 31<sup>st</sup>, 2014 so there is a vacancy on the Board that will need to be filled. The Secretary said she would advise the Town Board of this and ask to place an ad in the Daily Messenger and on the webpage for a new person to fill this seat. The Board thanked her for her service and expressed their disappointment that she will not be continuing on the Board.

A motion was made by Mary Costa to adjourn the meeting with a second by Jennifer Sanford.

Respectfully submitted,

*Sandra Riker*

Town of Bristol  
Zoning Board of Appeals  
Secretary

The minutes of December 9, 2014 were accepted with a motion by Steve Smiley and a second by Marty Snyder at the March 10, 2015 meeting. Jen Sanford aye, Marty Snyder aye, Steve Smiley aye, and John Krebbeks abstained.

