

**Minutes
Cayuga County GML 239-l, m & n Review Committee
June 19, 2014**

The Cayuga County GML 239-l, m & n Review Committee was established in 2005 by Cayuga County Legislature Resolution 413-05 as the agency to conduct mandatory reviews in Cayuga County under sections 239-l, 239-m, and 239-n of the General Municipal Law of New York State. The Committee meets monthly to review local actions for potential intermunicipal or countywide impacts.

The meeting was called to order at 9:05 AM in the Conference Room on the 5th floor of the County Office Building at 160 Genesee Street in Auburn, New York.

The following committee members were present:

Director of Planning and Development:	Steve Lynch
Director of Environmental Health:	Eileen O'Connor
Superintendent of Highways:	Steve Koon (designee)
Environmental Engineer:	Bruce Natale
Director of Soil and Water Conservation:	John Fraser (designee)

A quorum was thereby established.

Others present: Nick Colas (May 15 designee for Steve Lynch); Gabriel Holbrow (staff); Rima Shamieh (staff); Kari Terwilliger (staff).

MINUTES:

Minutes from May 15, 2014:

MOTION BY EILEEN O'CONNOR: Approve minutes with the following correction:

- Replace "milk plan" with "milk plant" on the second-to-last line of page 3.

SECOND BY BRUCE NATALE: Nick Colas, Bruce Natale, and Eileen O'Connor vote AYE. Steve Lynch abstained. John Fraser and Steve Koon not present for the vote.

Motion Approved and Carried.

Nick Colas left the meeting. John Fraser and Steve Koon entered the meeting.

The following municipal matters were submitted to the Committee for consideration pursuant to New York State General Municipal Law §§239-l, m, & n:

1. Village of Weedsport – Zoning Amendment – Telecommunication Facilities

The Committee carefully considered the materials provided by the Village related to proposed zoning amendment establishing regulations for the siting of telecommunication facilities in the Village.

The Committee discussed a small number of wording choices in the proposed law text that could be improved.

- §215-47.F. requires an application to have an Agricultural Data Statement “...if located within five hundred (500) feet of *an agricultural taxing district.*” This wording should be corrected and clarified to match state law (NYS Village Law §7-773.2.; and NYS Agriculture and Markets Law §305-a.2.), such as correcting to “...if located within five hundred (500) feet of *a farm operation in a state-certified agricultural district.*”
- §215-49.A. prohibits the use of guyed towers, but §215-50.L. requires appropriate vegetative buffering around fences, accessory structures, and “...the anchor points of guyed towers...” Consider removing one or the other provision to ensure that the law is consistent with itself.
- §215-54.B. states that proposed towers “...must *be* the minimum separation requirements...” This wording would be clearer if changed to “...must *meet* the minimum separation requirements...”
- §215-57.A.1. mentions comparison to “...the discrete operating telecommunications facilities of any person currently installed on the tower.” This can easily be misread as a reference to a person installed on the tower, instead of the person’s facilities installed on the tower. Consider removing the words “of any person” or alternatively adding a comma after the word “person” to clarify the meaning.

Committee members requested that staff include these wording issues in the transmittal letter to the Village.

The Committee members noted that §215-49.F. in effect requires tower owners to allow co-location by other providers, including competitors. Committee members recognized the public benefit to the village by reducing visual and construction impacts, and speculated that this requirement may cause some tower developers to choose locations outside the village in order to avoid this requirement.

The Committee observed that regulation of telecommunications facilities in general could have significant intermunicipal impacts, but that the provisions of the proposed law ensure adequate review of potential impacts from specific project while also allowing tower development that could be in the countywide public interest.

MOTION BY STEVE LYNCH:

The action appears to have no intermunicipal concerns and to be of local concern only.

SECOND BY EILEEN O’CONNOR: All vote AYE.

Motion Approved and Carried.

**Motion to adjourn by Eileen O’Connor. Seconded by Steve Koon. All approving.
Adjourned at 9:13 AM.**

Minutes submitted by Gabriel Holbrow (staff).

Minutes approved by the Committee on August 21, 2014.