Town of Corning – 25 South Elm Street

Planning Board Meeting and Public Hearing Minutes

October 27, 2026

5:30 p.m.

Members Present:
Wayne Bennett, Chairman
James Allen
Dale Bly
Michael Harshberger

Others Present:
Alison Salisbury, STCRPDB
Chelsea Robertson, STCRPDB
Linda Shock, Town Board
Laura Smith, Nixon Peabody
Jeff Szkolnik
Tim McLean
Joanne Woodruff
Gordman Southard
Steve Dillan
Robert Dilllan
Jim Morin
Shari Morin
Taylor Bloor
Mike Hammer
David Pitbladdo

Members Absent:
Sara Hale

Open Meeting
Wayne Bennett asked for a motion to open the meeting at5:31p.m.; a motion was made by Dale Blyand seconded by James Allen; all said yes and the motion carried.

We welcomed a new member to the Planning Board, Michale Harshberger.

Roll Call:
All members were present except Sara Hale.

Subdivision with public hearing at 10633 Pinewood Avenue, Corning, NY.

Property owner Tim McLean was present.

Alison Salsbury gave information concerning this subdivision. The Property Owner is seeking to divide his large parcel into two parcels measuring 6.4 acres and 98.6 acres,

respectively, with the 6.4 acre parcel being vacant, and the remaining parcel containing a house and a shed. She noted all parts of the parcel to the North of Pinewood Avenue are zoned as Rural Residential 1 (R-1). The portion of the parcel to the south of Pinewood Avenue is zoned as R-3. She also noted that there were no zoning inconsistencies with the 6.4 acre parcel. However, a portion of the parcel directly to the south of the subdivision and north of Pinewood Avenue on the remaining 98.6 acre parcel will essentially become a non-buildable lot as it will not meet the minimum density requirements for an R-3 parcel.In the future, should the owner seek to subdivide all or a portion of this part of the parcel or build on it in the future, he would need to consider a process to get this rezoned for an R-3 (consistent with the rest of Pinewood Avenue) by seeking a variance.

Alison Sailsbury indicated that the SEQR was reviewed, but that STCdid notreceive the full Part 1 prior to the meeting. STC did run the EAF mapper report on the parcel, and everything seemed to be in order.

Based on the information presented, Wayne Bennett asked for a motion to deem the application complete. The motion was made by Dale Bly and seconded by James Allen. Wayne Bennet then asked for a motion for the Planning Board to claim lead agency and classify this as an unlisted action. The motion was made by Dale Bly and seconded by Michael Harshberger. All said yes and the motion passed.

Wayne Bennett led the Board through the 13 question SEQR Part II Impact Assessment Form. Board members answered all questions with a “no.”

Wayne Bennett asked for a motion to issue a declaration of negative environmental significance; a motion was made byDale Blyand seconded by Michael Harshberger.All said yes and the motion passed.

Wayne Bennett asked for a motion to open the public hearing. The motion was made by Dale Bly and seconded by James Allen. All said yes and the motion passed.

Chair Bennett closed the public hearing.

Wayne Bennett asked for a motion to approve subdivision; a motion was made by Dale Blyand seconded by Michael Harshberger.All said yes and the motion passed.

Wayne Bennett asked for a motion to have the Planning Board Chair sign the plats; a motion was made byDale Bly and seconded by MichaelHarshberger. All said yes and the motion passed. Chair Bennett then signed all plats.

Chelsea Robertson advised the Owner that he needs to file with the county within 62 days.

Preliminary site plan review for Conditional Use Permit and Site Plan approval of a cell telecommunications tower located at 2724 Riter Road, Corning, NY.

Representative for the applicants (Bell Atlantic Mobile Systems LLC dba Verizon and The Towers, LLC dba Vertical Bridge “Vertical Bridge”),Laura Smith, from Nixon Peabody, was present.

Laura Smith gave background on the application.She explained that Verizon is a public utility and an FCC licensee responsible for providing wireless services in the town of Corning area. Verizon and Vertical Bridge are together applying for 145-foot wireless telecommunications monopole tower to be erected with a four-foot lightning rod on top.The site is located at 2724 Riter Road (called the Historic Corning Cell by the Applicant) on property owned by James A and Sean M. Southard. The site is an80 by 125 foot leased parcel. The entire parcel that the leased area is located on is 11.8 acres. It is zoned R-1 and telecommunications facilities are permitted in this Zone upon the issuance of a conditional use permit and site plan approval from the Town of Corning Planning Board. She noted that there is a significant gap in coverage and capacity on what is called the Historic Corning Cell. The area, which is currently served by two overburdened sites, would benefit from this additional tower, as the current two tower sites are reaching exhaustion. She showed the areas where there are gaps in coverage on the map provided.Laura Smith also brought to the attention of the Planning Board the site selection analysis, in which they looked for the most feasible, least intrusive site in the search area. She explained how the present site was chosen. She then stated that the project will not have adverse environmental or community impacts. She also noted for the PlanningBoard that local boards are expressly preempted from denying or conditioning an approval of wireless facilities based on health or environmental effects of RF emissions where facilities comply with the standards set forth by the FCC. In this application, proof of compliance with that FCC requirement is an exhibit, and that information has been provided in the application to demonstrate that theyare in compliance with the FCC regulations for wireless facilities.

Laura Smith noted that the existing woods at the Historic Corning site will help screen the base of the tower and the fence compound from the resident area; simulated photo renderings of proposed tower at different locations in the Town and the City of Corning were provided. In addition, Laura Smith noted telecommunication towers do not pollute, do not increase traffic, do not create demand on governmental services, they areunmanned, and will enhance general community and emergency communications by providing additional coverage and capacity for the cellular site.

Alison Salisbury then mentionedseveralquestions that the Planning Board on the application where additional information was requested from the Applicant:

- The applicant has now notified the Village of Riverside in addition to the other surrounding municipalities already notified.
- Additional details on the site plan information were requested and received.
- Additional view-shed renderings requested and received.
- There were questions related to the driveway construction, mitigation of erosion and runoff impacts, and visual impact of the tower on the proposed site. Additional details of this were provided.
- There were questions on the proposed width of the access driveway clearance, utilities easement, and extent of clear cutting; what plans are in place to provide

additional natural landscape to assure visibility of the site from the road and neighboring parcels. Applicant provided responses to the additional information requested.

- It was verified that there would be no lighting on top of the tower.
- There were questions concerning the conduit equipment, which included a 25-watt floodlight on a timer. The Applicant confirmed that the floodlight is only used when it can detect a response to an emergency. The timer automatically turns off the light in the event technicians cannot do so. No information was received about how long the timer is set for.
- There were questions concerning the generator on the site. Applicant provided information, indicating that a routine test cycle will occur once every two weeks for approximately 15 minutes (usually scheduled for Tuesday mornings at 9:00 a.m.). Applicant also provided additional information on the decibel level with the generator running.
- A final question on co-location opportunities was previously answered by applicant.

Wayne Bennett made a comment concerning the issue of a rather large cut through the area, 70 feet wide and up to 300 feet long. He noted that it would have to be graded. Laura Smith directed his attention to the grading and erosion details in site plan drawings. She also noted that there is not currently information on the amount of material being brought to the site for grading. Wayne Bennett indicated that there is a 10-ton weight limit on Riter Road. Wayne Bennett requested more information on the amount of materials proposed to be brought to the site.

Dale Bly questioned who would be responsible for restoration of the road if it were damaged. Chelsea Robertson answered that there is historically a road use agreement drawn up between the Town Board and Applicant.Laura Smith also answered a question about drainage from the site.

Wayne Bennett asked where there are any plans to replant any vegetation at the edge of the road and up to the site, noting that once the topsoil is scraped down, nothing will grow back as it is mostly clay.Jeff Szkolnik, Site Acquisition Manager for the Applicant, indicated that geosynthetic fabric will be placed down on both sides, and Laura Smith drew the Board's attention to additional details in the paperwork provided.

Wayne Bennett asked for a motion to open the public hearing. The motion was made by Dale Bly and seconded by James Allen. All said yes and the motion passed.

Comments from residents followed:

- Concerns about the road being damaged because of the construction.
- There was a concern about the RF exposure as some residents may be closer than 500 meters, as well as the nearby Carder Elementary School being notified as children are more sensitive to RF frequencies.
- There was a question about the fall zone of the tower, access to the fire department, and real estate evaluations in the area.The resident had seen documentation that you could lose as much as 30% of the value of your home based on location to a tower.

- There was concern about what happens when technology changes. Who would maintain the tower, take it down, dismantle it, etc.
- A resident had a question as to how all the big equipment will be moved on the small road that does not have lines on it and is dead-end.
- A resident mentioned that the road is already crumbling in front of his driveway; he is concerned about tons of fill and crushed stone being trucked up to the site, as well as drainage. He was also concerned about the driveway being in site of his house since the forest may be clear cut. He also does not want gates, signs, etc. within site of his property. He is also seriously concerned about the tower casting a shadow on his house. He asked if they could all look at the drawings, which Chelsea Robertson then distributed. The Planning Board also noted that the full application would be posted on the Town's website as it is considered publicly available information.
- A resident asked what action would be taken by the Planning Board tonight at this meeting; Wayne Bennett indicated that the Planning Board will claim lead agency, but no further action was being taken. The resident also asked if a Conditional Use Permit had been granted. Wayne Bennett answered that it has not, and it would not be granted tonight. Dale Bly noted that people can also send additional questions to the Planning Board following the meeting via email.
- The same resident also questioned why Verizon cannot put up smaller towers instead of the large one, which will be out of the line of site and will not cast a shadow on his property. He also wondered if the Town attorney would be able to speak on behalf of the residents. The response was no; they would have to go hire their own attorney if they wanted representation.
- A question was asked whether the Town was prepared to lower property value assessments because of this action. Laura Smith answered that several property valuations have been done that demonstrate that the inclusion or construction of a tower does not affect home rates and, in fact, having the ability to have access to wireless service increases the value of the property. The resident responded that they already have access to wireless service.
- A question was raised about building apartments in an R-11 area, and the tower is not residential. Chelsea Robertson gave an explanation as to how zoning works.
- The resident asked a question as to whether a wildlife study was done. Laura Smith indicated one has not been done at this time.

Wayne Bennet closed the public hearing. Based on the information presented, Wayne Bennett asked for a motionfrom the Planning Board to claim lead agency for the SEQR andclassify this as an unlisted action.The motion was made by Dale Bly and seconded by Michael Harshberger. All said yes and the motion passed.

Laura Smith then confirmed the follow-up information that needs to be provided:

- How much fill will be brought in (both payload and weight on top), noting that there is a road use agreement for both the Town and the City?
- Where will water be discharged when it approaches Riter Road?
- The reseeding plan for grass post-construction.

Wayne Bennett asked if they could take one more photo of 2754 Riter Road. Laura Smith said that she cannot promise the ability to do a third balloon flight; however, there may already be a photo available.

Dale Bly asked about plantings; Wayne Bennett said the best place to do some planting would be at the driveway cut.

Laura Smith asked when the next Planning Board meeting is scheduled so she can have her end of the project ready to go. It was noted that the Planning Board will hold a combined November/December meeting because of the holidays, so Tuesday, December 1 will be the next Planning Board meeting, and the pre-planning meeting will be Tuesday, November 10.

Minutes

The Board reviewed meeting minutes from September 1, 2026. Wayne Bennett asked for a motion to approve the minutes; a motion was made by Dale Bly and seconded by James Allen. All said yes and the motion passed.

Other Business:

Wayne Bennett mentioned to Secretary Barbara Sammis that a copy of the approved minutes should be sent to Mike Brenning, Supervisor of the Town Board. Barbara Sammis indicated that this is what has always been done and assured him that it would be taken care of on Wednesday, October 28.

Wayne Bennett mentioned to Chelsea Robertson about emails from the Higman solar project.She noted that it was her understanding that all solar applications are delayed for financing reasons.

The Fun Park/Driving range project is on hold.

Wayne Bennett noted an article in Our Town magazine wrote that battery storage facilities need to be treated like public utilities. He wondered if anyone else had heard anything.

Our Town magazine had information about a ruling regarding the battery storage facilities and that they must be treated like a public utility. Conversation was held concerning the Hickling station location.

Brad Laverty,Code EnforcementOfficer, is leaving employment with the Town of Corning, and his last day is the end of the month. Conversation was held concerning a replacement for this position.

Adjournment

Wayne Bennett asked for a motion to adjourn the meeting at 7:18p.m.; the motion was made byDale Blyand seconded byJames Allen. All were in favor the motion passed.

Respectfully submitted,
Barbara Sammis
Secretary PBZBA