



THE MURRAY LAW FIRM PL.L

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December 27, 2018

Mr. Thomas Schwartz
Chairperson, Planning Board
Town of Canandaigua
5440 Route 5 & 20
Canandaigua, NY 14424

Re: Rochester Gas & Electric Application for Special Use Permit at 5850 Monks Road, Canandaigua, NY (Tax Map No. 153.-1-35).

Dear Mr. Schwartz:

We represent Rochester Gas & Electric (“RG&E”) with regard to their pending application for a Special Use Permit to install a 100-foot tall public utility communications mast (the “Mast”) at an existing RG&E electric substation located at 5850 Monks Road, Canandaigua, NY (the “Site”).

Pursuant to Section 220-60(A)(4) of the Town Zoning Ordinance governing Personal Wireless Communications Facilities, “the minimum setback for each communication tower from any property line shall be the height of the tower to be erected plus 20 feet.” The Mast to be constructed at the Site will be 100’ in height which under the Town Zoning Ordinance requires setbacks of 120’ in all directions.

Given the orientation of the proposed Mast within the Site, the current setbacks for the Mast are as follows:

Front Yard Setback	190’
Rear Yard Setback	41’
Side Yard Setback	100’

From the above, the setbacks for the Rear and Side yards do not comply with the requirements of Section 220-60(A)(4) of the Town Zoning Ordinance. As such, RG&E requests that the Town Planning Board, under Section 220-34(C) of the Town Zoning Ordinance, waive the setback requirements for the Rear and Side Yard on this Project.



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The justification for RG&E's request is that the construction of the Mast at the Site will permit RG&E to upgrade its system monitoring and controls at the Site and to facilitate basic and emergency communications for RG&E in the area. More specifically, the Mast is needed by RG&E in order to support antennas required to upgrade its electricity delivery system to the technological standards prescribed by the Smart Grid Initiative. In this regard, the Mast will allow RG&E to remote monitoring and control of the substation at the Site, functions that are currently nonexistent, which will increase the reliability, efficiency and security of local distribution system.

Please let us know if you have any questions regarding the above. Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script, reading "Scott D. Marchant", written in dark ink on a light-colored background.

Scott D. Marchant, Esq.