

Gallatin Planning Board
667 Route 7, Gallatin NY
Meeting Minutes

ACCEPTED

August 27, 2012

Attending: Chairman Terry Porter, Bruce Humphries, Phil Peeples, Ira Levy, Brian Arico
Supervisor Tom Garrick, Town Clerk Lisa DeLeeuw, Assessor Rene DeLeeuw, Chris Ciolfi, Representatives
from Ancram Fire and EMS, Attending Public.

Chairman Porter called the August 2012 meeting to order at 7pm. Bob Ihlenburg representing the Varlamos two lot subdivision on 366 Hill Top Rd. At the July 2012 GPB meeting, Mr. Ihlenburg was advised there was not enough road frontage as proposed. Mr. Ihlenburg presented maps of the 10.173 acre #204.00-01-05.121 tax parcel. The applicant proposes making two parcels with the vacant lot having 160 ft. of road frontage. This would be done to allow enough space for a new driveway to the existing residence without interfering with the leach field of its septic system. Alternatively, the required 200 ft. road frontage could be achieved, but it would require a shared driveway access with an easement on the new parcel to access the existing dwelling. The GPB explained that Planning Board could deny approval of the proposed plan with 160 ft. of road frontage and refer the applicant to the ZBA for an area variance, but that hardship would have to be proven for the ZBA to grant approval. Or, the plan could be changed to provide 200 feet of road frontage for the new parcel with an easement over the parcel to access the existing residence and that a road maintenance agreement approved by Town Attorney Replansky, would be required. Mr. Ihlenburg indicated that he would change the plan to reflect the arrangement of 200 feet of road frontage with the easement and road maintenance agreement. Terry made a motion to grant sketch plan approval. Phil 2nd. All were in agreement.

Supervisor Garrick introduced representatives of A S A Networks, a Broad Band Company, proposing to establish a Pilot program in Gallatin, offering internet service where there is none at the present time. This is a new technology that utilizes the former analog TV Band, which was available after High Definition TV became available. They passed around a sign-up sheet for any residents that may be interested. This pilot program would be free for the present time, as A S A gains knowledge of the technology and the workings of the Broad Band. Signals require line of sight but antennae can be placed on taller buildings, such as silo's or barns. 470 MHTZ is used, the range is 10 to 15 miles, multiple antennas can be put up and they hope to fill in the gaps, where there is no service at this time. All FCC regulations apply. Their web address is: A S A networks.com.

Chris Ciolfi distributed a packet (Attached) pertaining to amendments to the Ten Neighbors Road wireless communications facility. The packet contained a letter from the Gallatin Town Historian commenting that the Cell Tower would be an eyesore and distraction for people traveling on the scenic Taconic State Parkway, a technical review report from David Groth of R. E. S. Radio Engineering Services, and an e-mail from J. Warren from the New York State Historic Preservation Officer (NYSHPO). Based on those comments, FCC's Nationwide Programmatic Agreement, various additional analysis and balloon

tests, Mariner Tower is requesting an amendment to comply with the requirements of NYSHPO. Even though the height of the tower will be lowered from 150 ft. to 120 ft. the amendment would only be to change the tower type from a galvanized self-supported lattice style to a painted white monopole style tower. Terry made a motion to amend the resolution to indicate that the tower style will be a monopole design, painted white. Ira 2nd.

Roll Call Vote:

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| Brian Arico | aye |
| Bruce Humphries | aye |
| Ira Levy | aye |
| Phil Peeples | aye |
| Terry Porter | aye |

Chairman Porter opened the Public Hearing for the proposed wireless Communications Cell Tower at Wilmer Hill Rd. and Route 82. Chris Ciolfi of Mariner Tower made a presentation for the proposed 150' Lattice style Tower, which allows for expansion, with maps, visual Resource Assessments, pictures of the Balloon float and data shown at the July 2012 GPB meeting. Chris commented that the existing gravel drive will extend to the site. The base is 80 X 80. This proposed tower, with the Ten Neighbors Rd. other towers, will offer more coverage to the Gallatin and Ancram area.

Chairman Porter read a August 22, 2012 letter, (Attached) from Columbia County, New York Planning Board, recommending APPROVAL. Terry also read a letter from the Ancram Town Supervisor, Arthur J. Bassin, (Attached) supporting the proposed cell tower. Supervisor Bassin commented that the proposed tower would offer better cell service and improve the safety and security for residents and travelers in all towns in the area. He recommended Gallatin approve a lattice tower rather than a monopole and is best suited for multiple carriers including the County's emergency management communications systems and support the Ancram Fire Company receipt of emergency messages, regarding the areas of Gallatin and Ancram.

Terry commented that the Escrow account was established on August 1, 2012, the application went to Town Engineer Morris Associates and Town Attorney Replansky, which no response had been received yet. Checks #7290 for \$7000 Escrow and #7291 for \$35 application was received.

Chairman Porter opened the meeting for comments from the audience.

David Boice from the Ancram Fire Dept. advised he experiences common problems with communications in the area. He believes with repeaters and the proposed Tower on Wilmer Hill Rd., service would be increased. He is enthusiastic and would prefer lattice style rather than monopole. He also believes the Police and EMS would be helped. He presented a letter from the Fire Company recommending APPROVAL. They believe a lattice style tower will disappear into the trees in winter time. He showed pictures taken with leaf and without leaf of a cell tower, and it could not be seen.

Engineer David Groth commented that the open lattice is better for intended use and can be upgraded in the future, without replacement.

Bill Hunt presented a letter (attached) from Chairman Terry Boyle, Board of Fire Commissioners, Ancram Fire District, would like to go on record as supporting the proposed cell tower on Wilmer Hill Rd. Their Fire district has been hampered by communication problems in the area for years. Please support the proposition for a lattice type tower which will enhance communication ability in providing emergency service to Gallatin as well as Ancram.

Robert Reyes has been a Gallatin resident for 30 years. He purchased 14 acres and sub-divided with the intention of selling a parcel and building a retirement home. He tried to sell the parcel but the buyer walked away because the proposed tower could be seen from his property. Mariner should have waited for winter, when leaf is off to do balloon float. Reduce the height to 120' like Ten Neighbors Rd. The more renters Mariner has, the more money they make. Why should he suffer and he will not be able to sell. He does not want to build his home there. Why can't they put trees up RT. 82 to hide the tower? Terry commented there will be a visual impact when no leaf is on trees. He does not know if 120' would need to be investigated for diminished service to the area.

Mr. Reyes wants to know why the GPB doesn't say NO. Make the balloon test in winter. He wants his taxes reduced and the Ingram's taxes increased.

Terry commented Mariner agreed to plant trees.

Mr. Reyes commented he wants tall trees and tower ht. to be 120'.

Phil asked Mr. Reyes what would be acceptable to him. Mr. Reyes wants a stop on it and lower height, reduce the number of antennas and plant tall trees.

Steve Sorman spoke last meeting and did ask for balloon test when leaf is off. No other structure that tall in the area. He wants I moved 200' and made to everyone's satisfaction.

Pete Jaworski Lives on Elsohn Rd and Rt. 82 for 40 years did not see much of the balloon and believes the Fire Dept., EMS and other people need this tower.

Steve Sorman is in support of all safety but thinks all neighbors in view, should be given satisfaction. Consider a reasonable solution for all.

Jennifer Boice asked how the balloon is put up and how do you know if you can see it through the trees. Terry showed a picture of the balloon float and how they transposed a tower in the picture.

Chris Ciolfi commented that every foot of height decrease could diminish the signal. It is up to the GPB and the Consultant. Reduction of height does not reduce the money Mariner makes. The tower will still have users. If planting tree's to correct the situation, he will be happy to work within consideration. Engineering study to increase service is over. Monetary gains will not be impacted as they will balance carriers and public service. Height impact only decreases signal. will it affect service by moving the tower? Study was done for the best location.

Terry commented all these questions were asked when the applications were received. Everything being said tonight is being heard.

Doug Ingram, Emergency service and owner of property. Fire and EMS have asked him to do this for the Town. Mr. Reyes will need to look through 600' of trees to see the tower.

Mr. Reyes, if engineering study was done, is 120' just as good with the residents of Gallatin. The Engineer was paid by Mariner. Terry explained that the Town hired the engineer but that fee was paid by Mariner.

Bob Roth of Ancram has pictures he took today and when leaves was off of a 180' tower monopole. The tower is easier to see when leaf is on.

Phil asked Mr. Ciolfi how high tower could be according to zoning law. Chris said 199'.

Engineer Groth said with the Boards approval, he would do an independent study at different heights. Terry made a motion to do that. Phil 2nd. All were in favor.

Terry advised that the GPB is still waiting for all information to come in, and made a motion to adjourn the Public Hearing until the next GPB meeting on September 24th, 2012 at 7pm.

Terry distributed a package of materials from the ZBA for our recommendation regarding an application that Doug Passeri has to build a house on his property off Church Road. The Building permit was denied as the easement for access to his property does not allow. The GPB review letters from ZBA, Attorney Replansky, and application from Passeri. After review of letters, it was determined that the GPB could not make any determination as deed to property, survey or other map showing boundaries, deeded right of way or easement to a public road, building plans and building application, were not received. Terry will notify ZBA we need those documents in order to make a determination.

Meeting minutes were read. Terry made a motion to accept. Bruce 2nd. All were in favor.

With no other business to conduct, terry made a motion to adjourn at 9:30pm. Ira 2nd. All were in favor.

Respectfully submitted,

Anne Fecci