

Gallatin Planning Board
667 Route 7, Gallatin NY
Meeting Minutes

ACCEPTED

January 23, 2012

Attending: Chairman Terry Porter, Bruce Humphries, Phil Peeples, John Reilly, Tom Garrick

Absent: Ira Levy

Chairman Porter called the January 2012 GPB meeting to order at 7pm.

Terry continued the Public Hearing for the Special Permit and Site Plan Review for a wireless communications facility proposed to be located on Larry Brody's property at 119 Ten Neighbors Road, tax parcel #211.1-15.

Chris Ciolfi of Mariner Tower advised the Board that the balloon test was done on January 6th, 2012. Mr. Ciolfi distributed a Visual Resource Assessment report submitted by Airosmith Development Inc, of Greenfield NY, documenting various locations consisting of a 2 mile radius, within and around the towns of Gallatin and Milan that may contain a view of the 150' tall wireless telecommunications structure. Prior to the balloon float, Mr. Ciolfi went to the proposed site, GPS location N: 42-01-55.10 W: 73-44-18.50 and 760' above mean sea level (AMSL) and a software-generated View shed Map was created to identify the area where the tower would be expected to be visual. The balloon float began approximately at 7:22am until approximately 9:50 am. The red weather balloon was flown at a height of 150' above the ground. Just before 10am the winds picked up and caused the balloon to pop on an adjacent tree ending the study. At the same time as the balloon float, spotters were driving on most roads within the project area photographing and noting areas on the map where the balloon could be seen. Visual Resource Assessment (attached) explains the project summary, setting, methodology, balloon float, visibility of the view shed area, photo simulations, protected properties within the 2-mile view shed area, assessment of protected properties and the conclusion of visual impact on the surrounding area, along with view shed analysis maps.

Mr. Ciolfi indicated the balloon float was successful. He asked if GPB had any questions that could be addressed. Bruce commented the flexible lattice tower was to his liking. Terry commented that while the lattice design is less visible when there are few users on the tower, as there are more users, the exposed cables running up the tower start to make it more and more apparent in the landscape. If a monopole design is used there is a limit to the number of cables that can be run within the tower. When the maximum is reached, Terry had seen a monopole design with exposed cables and did not like what he saw. Phil asked if there is a limit to the number of users. Chris Ciolfi replied that as technology changes, more cable may be needed and so after a few years the tower may fill up. The tower is designed at factory based on how many broad-bands, wireless radio etc, and the design is based on that information.

Terry asked for Public Comment. Councilman Reilly asked, "What portion of town does it cover". Mr. Ciolfi advised that Rte. 11 is pretty much blocked out but he would get percentages to the Board. Mr. Ciolfi showed maps indicating parts of Gallatin and Milan, the proposed cell tower would cover.

Councilman Reilly would like to know where people from town would need to go, in order to pick up the signal. Chris Ciolfi advised distance is line of site, so it varies. Councilman Reilly asked if any revenue comes to the Town or only to the property owner. Chris replied there would be an increase in assessment from any new buildings. Terry relayed that Chris Ciolfi had sent copies of the application to Ron Griaff and Dave Groth as potential candidates, to provide radio frequency engineering consultant reports to the Board. Terry had received an outline of services and expected costs from Ron Griaff but has not heard from Dave Groth. The escrow agreement has been sent back to Attorney Warren Replansky by Supervisor Garrick for review, and as soon as Warren gives his okay Supervisor Garrick will sign the document and return it to Mariner. Once the Document is signed, Terry will authorize Morris and Associates to begin their review of the application and to complete the long form of EAF. When Terry receives proposals from both R F Engineers, he will contact the Board to get opinions and sign up the selected radio frequency engineer. Phil asked if no problems occur with the engineers, could there be a vote at next GPB meeting. Terry hoped yes.

Terry made a motion to adjourn the Public Hearing until all reports are in. Bruce 2nd. All were in favor.

Erika Belsey and Philip Mahla appeared before the Board, representing Karl Krauss Industries LLC and Malcolm Gladwell of Doodletown Road and Rte. 82. Mr. Gladwell proposes to build a home within the new ridgeline protection overlay district. Ms. Belsey presented maps and pictures of the approximately 300 acre property. There is an existing house at the 875' elevation, hidden from the road on the middle of the property, which the owner intends to update and keep as a guest house. Within walking distance and approximately ½ mile further into the property, the owner proposes to build a 24' X 48' passive stone home. The stone will be old reused local material from his property. The house will have a standing seam metal roof and the entire building might eventually be covered in ivy. The proposed new home site will be located in a clearing on the property, and the proposed first floor elevation will be 958' with a roof line approximately 993' and is likely not going to be seen from anyone else's property, as owner intends to preserve the native vegetation. This proposed site is not the highest ridge on the property and is lower than other high peaks on property. The owner is also in the process of speaking with the Columbia Land Conservancy regarding preserving the land from development. They showed many maps and pictures of the property and roads, existing home and out buildings along with sketches of the proposed new building. Terry advised the Board should visit the site in order to make their recommendations. Supervisor Garrick commented that the intent of the law is not to prohibit building on a ridgeline, but to protect it from clear cutting and erosion and agreed a site visit was necessary. Councilman Reilly suggested the owner establish and mark out Public observation points, obtain a letter from the owner requesting a site visit, and an Insurance certificate to be given to the GPB. Ms. Belsey will touch base with the owner and Dan Russell, and confirm with Terry. Monday, January 30th, 2012 was discussed or Saturday February 4th as an alternate for the site visit.

Terry read a letter from the ZBA requesting relief from section 3.1 of the Zoning Law, for Norman Coe of Jackson Corners Rd. Mr. Coe has 8 ½ acres located in the hamlet zone of Elizaville in Gallatin. He is asking for relief of the not permitted use, Animal Husbandry as per section 3.1 of the zoning law. After discussion, the GPB determined relief should be granted since the property has enough acreage to accommodate Animal Husbandry as it is defined in the Zoning law, it lies in an county Agricultural

district and Animal Husbandry be allowed only as the property is presently constituted as an 8.42 acre parcel. Restrictions should be placed, that if the property is sub-divided in the future, that the variance would no longer be in effect. Terry will send GPB recommendation to the ZBA.

The meeting minutes from December 2011 were read and accepted as amended.

With no further business, Phil made a motion to adjourn at 9:10pm. Bruce 2nd. All were in favor.

Respectfully submitted,

Anne Fecci