

Gallatin Planning Board  
667 Route 7, Gallatin NY 12567  
Meeting Minutes

ACCEPTED

June 24, 2013

Attending: Chairman Terry Porter, Bruce Humphries, Ira Levy, Phil Peeples, Supervisor Garrick, Councilman Patterson

Absent: Brian Arico

Chairman Porter called the June 2013, Gallatin Planning Board meeting to order at 7pm.

Mike Porter appeared on behalf of his grandfather, Cliff Blackburn and the 3 lot subdivision on King Road. Mr. Blackburn had previously gone to the Gallatin Town Board, to have his property declared an open development, as per Attorney Replansky's request. The Town Board is requesting a formal request from the GPB.

Chairman Porter presented a letter from Attorney Replansky (attached), a copy of McKinney's Town Law § 280-a #4 (attached), describing how to proceed with declaring open development on the Blackburn property.

Mike Porter showed revised maps of the property with King Road boldly shown as a Public road in Dutchess County and ingress and egress for all lots allowed. It was noted that King Road should have the capability to be brought up to standard for Town roads. A road maintenance agreement, approved by Attorney Replansky, will be shown on all deeds from King Road to County line in Milan.

Chairman Porter advised that each of the three (3) houses on one (1) parcel will become separate parcels under the proposed subdivision, road frontage according to the Town of Gallatin Zoning Law must be provided and be shown on the map, road must be capable of handling emergency vehicles, road maintenance agreement approved by Town Attorney, Warren Replansky, must be provided. He will send a referral letter with GPB advice to Town Clerk DeLeeuw.

Chairman Porter distributed letters from Attorney Replansky and Verizon wireless regarding the wireless facility on 119 Ten Neighbors Road (attached). Warren advised that the site plan needs to be amended as co-location transmitters are added by vendors and it was agreed that an escrow of \$2,500 be set up. All the parties were in agreement. Then the representative from Verizon, John McAuliffe, sent a new copy of the Middle Class Tax Relief and Job Creation Act of 2012, Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112-96) Section 6409 – Wireless Facilities Deployment (47 U.S.C. §1455) and a letter requesting the Town of Gallatin adhere to the Act. It appears from this act that the collocation approval is not within the power of local municipalities. After review with Warren Replansky, he requested that the Board have Drew Weaver contact him to resolve.

Terry showed an updated map of the Pond Lily Event Barn, showing no parking on the roads and the dry hydrant location.

DRAFT minutes from the May 2013 GPB were read. Terry made a motion to accept. Bruce 2<sup>nd</sup>. All were in agreement.

With no other business to conduct, Terry made a motion to adjourn at 7:45pm. Phil 2<sup>nd</sup>. All were in favor.

Respectfully submitted,  
Anne Fecci