

Gallatin Planning Board
667 Route 7, Gallatin NY
Meeting Minutes

ACCEPTED

September 24, 2012

Attending: Chairman Terry Porter, Bruce Humphries, Brian Arico, Ira Levy, Phil Peeples, Chris Ciolfi, Representatives from Ancram Fire and EMS, Doug Ingram, Robert Reyes, Betty Walsh, Steve Sorman, Attending Public.

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

Wesley Chase, representing both Lordeman/Smith of Sigler Rd., seeking a lot line adjustment. Mr. Lordeman tax parcel #218.00-1-17.111, proposes to convey 2 acres from his 28.8 acre parcel, to Mr. Smith tax parcel 218.00-1-9.12. Mr. Chase presented maps showing the line adjustment, authorization letters from Mr. Lordeman and Mr. Smith to act on their behalf, application, copies of the deeds. All paper work appeared in order. Terry made a motion to grant sketch plan approval. Bruce 2nd. All were in favor.

A S A Network, seeking a waiver of Site plan review, for its transmitter to be installed to the Gallatin Town Hall for Broadband service. The Town Hall will serve as the base station for other antennas placed around the Town of Gallatin, for a two month Pilot program hoping to provide Broadband service, to fill in the gaps where no service exists at the moment. Private homes will have a smaller antenna, somewhat like old T.V, antenna. All FCC regulations apply, and utilizing analog TV bands made available after high definition TV came about, A S A hopes to gain knowledge of this technology and workings of Broadband and will offer it free to some residents, for a limited time. For the moment, they will be using multiple DSL lines and as they gain knowledge, will change over to higher speed DSL. Speed and Range is their priority. They are a private company and not working on a grant. Ira commented that an agreement should be required; allowing the Board to remove antennas, in case this program does not work. Terry made a motion to waive requirements for site plan review and special permit but with conditions that ASA provide a letter indicating the type of signal that will be transmitted, that there is no risk to public health and that if the device is not working out, A S A will remove all antennas within 30 days of it ceasing to function.

Phil 2nd. All were in favor. Terry will advise Drew Weaver of decision.

Bob Ihlenberg representing the Varlamos two lot subdivision at 366 Hill Top Rd., tax parcel 204.00-01-05.121. Applicant was advised at the August 2012 GPB meeting; there is only 160 feet of road frontage and not the required 200 feet for the second parcel. Applicant does not want to interfere with the leach field of his septic system, so would request a variance on the road frontage.

Applicant could reach required frontage with an easement over the parcel to access the existing residence and a road maintenance agreement approved by Town attorney Replansky. Applicant will

appeal to the ZBA. Terry made a motion to deny sketch plan approval because of insufficient road frontage. Ira 2nd. All were in favor. Applicant was referred to the ZBA.

Chairman Porter continued the Public Hearing for the proposed wireless Communications Cell Tower at Wilmer Hill Rd., and Route 82. Terry distributed comments from Paul McCreary of Morris Engineers after their review of Mariner Tower LLC application packet of July 11, 2012 (attached). Their primary concerns were drainage and meeting NYS Storm water Regulations.

Chris Ciolfi of Mariner Tower distributed a packet in response to all the comments posed by Morris associates. (attached)

Town Zoning Law section 5.12 requires documentation from a professional engineer with expertise in telecommunications and Radio frequency, showing why a tower and/or facility is needed.

A letter from Ronald E. Graiff, P. E. certified inadequate coverage in the area depicted and relief the proposed site will offer (attached)

Several comments raised by Morris associates C-2.0, C-3.0, C-3.1 and C-6.0, regarding site disturbance were addressed by Mariner Tower, with removal of temporary construction access road from plans and revisions noted.

Mr. Ciolfi advised Mariner will utilize the asphalt driveway and will repair it if necessary. They will put a track bed in to keep mud off the town road, culverts will be moved and dams checked. He produced maps showing all these changes as requested by Morris associates.

Terry voiced his concern about property lines and survey of farthest neighbor. Chris advised a survey was done on the ground with the closest neighbor. No recorded survey of entire piece.

Terry asked for comments. Ira commented that Mr. Reyes had asked for a new balloon test after all the leaves fall and a lower height. If you plant some trees it may block the view.

Terry commented that Engineer David Groth is doing a study on different heights but hadn't got back to GPB yet. Chris Ciolfi is awaiting Mr. Groth's report but every foot lost will reduce service to a number of users.

Steve Sorman commented if tower is moved a little bit it may be less visible.

Chris Ciolfi showed the map of the Tower and if it was moved a little bit, but it could be more visible to another neighbor.

Mr. Reyes commented that the documents that Mariner Tower submitted indicated the tree canopy is 70 feet high. Why can't they lower the tower to 70 feet? Trees are expensive. \$700 to \$1000. Do another balloon test when leaves are off to see how far the view is? Why do they need 12 antennas, because they will make more money? Do a propagation study? After the leaves fall, you can tell more if trees will block his view. Plant a tree every 20 feet.

Terry commented we need to wait for the Engineers report. He understands what Mr. Reyes is saying and he is being heard.

Question. How can a wire on the balloon show how much of a tower will be seen. A. virtual picture is filled in.

Question. Who makes the call on what height will be, after report from Engineer comes in.
Terry advised information from Engineers and studies make the determination of what is best.

Question. If tower is 140 feet, are they checking EMS frequency also? A. EMS goes on top.

Mr. Reyes wants 2 studies done at site. Current position and moved a little bit.

Question. Is this the best site after study? A. Yes.

Terry commented that moving the site a little also moves it closer to someone else.

Question. Are you clearing additional areas? A. Only clearing the area of Tower and turn-around. Fence is 75X75. The bank is 25 feet. They cut into the bank so you won't see it.

Question. What about generator noise. A. noise is not an issue.

Questions. How many wireless companies have approached the GPB? A. Only Mariner. One other many years ago.

Comment. The longer you delay on this cell tower approval, A T & T and others, will put their money elsewhere.

Chris Ciolfi is happy with GPB and wishes we could get this moving on. He has answered all the questions from Town Engineers and Public.

Terry made a motion to continue the Public Hearing until Next meeting on October 22, 2012 when we should have all reports in from Engineers and Town Attorney. Phil 2nd the motion. All were in favor.

Terry distributed information on training for proposed changes to the SEQRA forms and recent case law decisions affecting Planning Boards and ZBAs. Special Use permits and site plan review. This will cover the 4 hour requirement for the year. Since there is a fee required, if anyone wishes to attend, let Terry know so he can have it approved by the Town board.

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

With no other business to discuss, Terry made a motion to adjourn the meeting at 9:05pm. Ira 2nd. all were in agreement.

Respectfully submitted,

Anne Fecci