



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

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ZBA Meeting Minutes March 2, 2015

Present: Jeanne Goldberg, Joe Mayone, Brian Sawchuk, Samantha Dederick, Henry Rua, Donn Avallone.

Also Present: James Bruno; TB Liaison, Jessica Vigers; representative for Verizon Wireless; Dan Shuster; Town Planner.

Absent: Alvah Weeks, Jr.; Building Inspector

~ Meeting started at 7:00pm by Jeanne and Pledge of Allegiance said at 7:01pm.

New Appeal(s):

Verizon Wireless
175 Calkins Rd.
Rochester, NY 14623

SBL#: 28.3-8-9.100

File #: 15-0001

- Appeal started at 7:02pm by Jeanne.
- Present was Ms. Jessica Vigers of the firm Young/Sommers LLC Attorneys At Law who is representing Verizon Wireless.
- Property in question is located at 679 Schoolhouse Rd. in the Ruby/Mt. Marion area of the Town of Saugerties.
- Property is owned by Amalicia Addrizzo who resides at 402 Four Seasons Ln. Montvale, NJ 07645.
- Applicant (Verizon Wireless) wishes to place a Public Utility Tower and Shelter on this property.
- Property is zoned MDR (moderate density residential)
- Applicant is requesting a Use Variance to place Tower and Shelter on the property listed above. This violates Article IV Use Regulations; Section 4.1 Schedule of District Use Regulations Type 5 Telecommunication facilities are not permitted.
- The property (679 Schoolhouse Rd.) currently has a house and garage on it.
- Ms. Vigers explained to the Board why Verizon would like the pole at this location stating that there is a service gap in this location and having the pole in this location will cover Southern Saugerties and Northern Ulster. The service would be LTE (4G). Verizon uses signal towers and of all the properties they searched this property was a prime location for their tower.

VERIZON CONT'D:

- The RAF Engineers searched for tall structures and existing towers for antennas to be placed to suit their need, but none were found. A new tower is the only way to go, it would be a mono-pole with a shelter to house all the equipment and be a safe place for the workers to service the pole and in the future it will have the ability to have more antennas attached to it.
- The RAF Engineers found 4 parcels to do this pole on but this parcel in question was the only feasible site for this to go on. This property in question can comply with all the current zoning setbacks where - as the other properties would have difficulty in following setbacks. (see packets)
- The pole on this parcel would be 150' high and have a 4' tall lightening pole on top making it a total of 154' high. At this height they can co-locate with other carriers.
- This height will keep it within tree lines of the area and blend and keep it a useful pole.
- Ms. Vigars stated that they are looking for a Use Variance as a public utility and it follows different codes for a "normal" Use Variance does.
- Henry asked then why in front of the Board if "exempt". Ms. Vigars stated that they are not "exempt" from the rules of a Use Variance but "exempt" from certain standards of a Use Variance.
- Donn asked that this pole is for Verizon customer's needs only or can all carriers benefit from this pole? Verizon only at this time.
- Joe asked if they discussed co-locating with other carrier towers. No existing towers in site to help this location.
- Sam asked if the owner of the land is on board with this, yes they are. Sam asked if it will be a long term lease, yes it will be. Sam asked at next meeting they have the agreement in writing between Verizon and the Addrizzo's.
- Jeanne asked if the goats will still be on the property. Yes they will be but nowhere near the location of the pole.
- Due to this appeal needing a Special Use Permit and a Site Plan review the Board along with Mr. Shuster discussed having a coordinated review for the SEQRA with the Planning Board and to determine who would take Lead Agency.
- Jeanne asked Mr. Shuster should the County be informed or no because it is a Town Rd. Mr. Shuster said no need to inform County.
- Jeanne asked Ms. Vigars if they contacted Boice's Farm to use their silo? She said not that she was aware of but she'd ask. She also stated she could answer for the RAF's.
- Board discussed visual impact and how it would affect area and people. Mr. Shuster stated a "balloon test" will have to be done for the public.
- Jeanne to Board we'll need to vote on two items, coordinated review and lead agency.
- Mr. Shuster stated that since the Planning Board has more experience with the type of SEQRA Review needed that Planning Board should take Lead Agency status.
- Joe agrees that this is the right decision for Planning Board to be lead and Henry agreed too.

VERIZON CONT'D:

- Motion made by Samantha Dederick to initiate coordinated review with the Planning Board 2nd by Joe Mayone, voice vote, 5-0 all in favor.
- Motion made by Joe Mayone to let Planning Board be Lead Agency 2nd by Henry, voice vote, 5-0 all in favor.
- No Public Hearing scheduled until SEQRA is done. Once that is established it will come back to the Zoning Board.
- Jeanne mentioned to Ms. Vigars that the engineers should look into making sure that the stone house owned by the Lindquist's is not on the Historical Survey because if it is then the pole in questions needs to be at least 1,500' away from the Historical Site per Zoning Law.
- Board discussed the need for the cell coverage, possibly asking Ruby and Mt. Marion Fire Companies how cell service is in that area, possibility of Town hiring their own RAF Engineer to do a study, getting concerns together and emailing them, and discussed how the cell tower at Centerville was a tower company and not a carrier and how that was height variance not a use variance.
- All representatives for Verizon were satisfied with this and will be in-touch with the Planning Board.
- Appeal ended at 8:15pm.

DISCUSSION(S):

1. Motion to approve the minutes from December 2014 meeting as written was by Brian and 2nd by Henry. Voice vote, 5-0, all in-favor. Minutes approved.
2. All members got their Planning Board minutes.
3. Public hearing cannot be scheduled until after Planning Board is finished.
4. SEQRA not determined until after Planning Board is finished.
5. No questions, comments, cares or concerns at this time.

~ Motion made by Henry to adjourn the meeting, 2nd by Joe. Voice vote taken, 5-0, all in-favor.

~ Meeting ended at 9pm.

Respectfully submitted,
Kathleen Blundell