



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

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June 3, 2019
Meeting Minutes

Present: Jeanne Goldberg, Samantha Dederick, Joe Mayone, Patti Kelly, Henry Rua, & Tim Scott

Also Present: Paul Andreassen: Town Board Liaison, Kim Smith: Zoning Board Secretary, and Hyde Clark: Attorney for Young & Sommer, representing Verizon

Discussion:

- Jeanne called the meeting to order at 7:05pm
- Pledge started by Joe Mayone

New Business:

Tarpon Towers II, LLC & Verizon
RE: Mount Marion Fire Department
766 Kings Highway
Mt. Marion, NY 12456
File #: 19-0006
SBL #: 28.4-11-13.100

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- This property is zoned Residential Hamlet.
- The applicants wish to install a new commercial tower/wireless facility on the property of the fire house.
- The applicant is applying for a Use Variance as the initial request was denied by the Town Building Inspector, as a 120' mono pole commercial telecommunication facility is not a permitted use in a Residential Hamlet according to Town Zoning Law (File #19-0006).
- They have also filed for an Area Variance, as the proposed location of the pole does not meet the required 186' setback required. The requested Area Variance is for 12' for the front yard, 40' for the side yard and 165' for the rear yard (File #19-0007).

- Hyde Clark spoke to the Board on behalf of Verizon.
- Mr. Clark explained that there is already an existing Tower located at the Mount Marion Fire Department, but that it is structurally unsound so it cannot be used.
- He stated that by allowing Tarpon Towers to build this new 120' tower the actual pole will be able to house Verizon and potentially two other carriers.
- Mr. Clark explained further that the two existing cell towers in Saugerties are overloaded and not providing sufficient service to the area, so there is a definite need for more towers in the area.
- He advised that he will also need from the ZBA a referral to the County as this proposed location is within 500' of a County Road.
- Patti Kelly then asked to clarify that the ZBA did not in fact recommend the Mount Marion Fire House as location for a potential tower the last time that Verizon appeared before the ZBA. She advised that the informational packet prepared by Verizon and given to the Zoning Board was misleading and implied such. It was explained by the members of the ZBA that in the past they simply asked why the Mt. Marion Fire House was not even being considered.
- Patti went on to point out the difference between capacity and coverage, as she felt the two words were being used improperly in the language of the packet received.
- Patti asked Mr. Clark if Verizon already had a lease agreement with the fire house. Mr. Clark advised that he is unsure if an agreement is fully executed.
- Patti went on to ask if the firemen will be able to put their services on the tower as well as part of the agreement. He advised that he will get an answer to that question.
- Patti asked if any effort was made to lease space within the industrial area that is in very close proximity of the firehouse. Mr. Clark will look into that question as well.
- Patti suggested that it would be helpful for the board to visualize the service and proposed coverage area if they supplied color coded maps of the specific separate coverage for each of the existing towers; Centerville, Goat Hill, Town Hall & Ruby so that the board can get a better sense of where the gaps are.
- Henry asked if Verizon was purposely trying to only expand coverage North, South & West. He stated that last time Verizon appeared before this board they advised that one of their main goals was to expand service on the Thruway, yet the thruway is East, so the board will need Verizon to clarify their target goal for this expansion. Mr. Clark will find out before the next meeting.
- Henry then asked if Verizon looked into any of the other suggested locations by the ZBA for a potential tower.
- Sam advised that before the ZBA will consider granting a Use & Area Variance that Verizon look into the Industrial land within the supposed target zone that actually backs up to the Thruway.
- Patti further explained that the board understands that the Mt. Marion Firehouse wants the lease money but that we need to first explore all other options.
- Henry also suggested that Mr. Clark look into if some of the firehouse property isn't actually county owned before we proceed any further.

- Mr. Clarke asked what the submission deadline was for the July 1st meeting. The ZBA Secretary explained that it is Wednesday June 22nd at 4pm. He understood.
- Jeanne explained that because the ZBA requires so many questions to be answered and more information to be provided that there will be no SEQR determination or Public Hearing date set tonight. She asked for Mr. Clarke to gather the necessary information and appear before the board again. He understood.

Discussion:

- A motion was made by Patti at 7:55 pm to accept the April 1, 2019 ZBA Meeting Minutes, 2nd by Joe. A vote was taken to approve the meeting minutes as written, 5-0 in favor, April 1, 2019 minutes approved.
- A motion was made by Jeanne at 7:56 pm to accept the April 16, 2019 ZBA Special Meeting Minutes, 2nd by Patti. A vote was taken to approve special meeting minutes as written, 5-0 in favor, April 16, 2019 Special Meeting minutes approved.
- Jeanne explained that we are still waiting on the transcripts from the stenographer from the April 18, 2019 meeting; therefore she recommends that we hold off on voting on those minutes for now. The Board agreed.
- The board recognized that everyone received the last Planning Board meeting minutes
- Patti made a motion to adjourn the meeting, seconded by Henry, vote taken 5-0 in favor
- Meeting ended at 8:02 pm

Respectfully Submitted,
Kim Smith
ZBA Secretary
Approved August 12, 2019