

December 3, 2013 – Workshop Meeting

The workshop meeting of the Gardiner Town Board met this evening at 6:30 PM. Supervisor Zatz presided with Councilmen Koenig, Mele, Reynolds and Wiegand were all present.

EXECUTIVE SESSION

The Town Board immediately entered in executive session at 6:30 PM on motion of Councilman Mele, seconded by Councilman Wiegand and carried, for purposes of interviews for various board seats.

LEAVE EXECUTIVE SESSION

At 7 PM on motion of Supervisor Zatz, seconded by Councilman Reynolds and carried, the Board left executive session.

REGULAR SESSION

Supervisor Zatz opened regular session with the Pledge of Allegiance. Mr. Zatz explained to the audience that a joint public hearing for Wireless Edge Towers, LLC would be held this evening. This public hearing is for a special permit with the Town Board and site plan approval from the Planning Board. He introduced Planning Board members - Acting Chairman for this project Paul Colucci, John Friedle, R. Monroe Dorris, Raymond Sokolov Joseph Hayes, alternate Mark Rauscher and Town Planner James Freiband. ZBA members - Chairman Michael Beck, Paul Schwartzberg, Joseph Katz, Ronald Cohn and alternate John Hinson. In addition he introduced attorney for the Town Larry Wolinsky who will advise all of the Town boards through this project. There were approximately 35± audience members in attendance.

Prior to the public hearing the Supervisor addressed the advertised bid opening scheduled for this evening.

BID OPENING – 2014 HIGHWAY MATERIALS

At 7:05 PM the Town Clerk read the legal notice requesting bids for road materials for 2014. Eight (8) bids were received: Callanan Industries, Inc., Scott Barclay Trucking, Grosso Materials, Inc., Eastern Materials & Cranesville Block Co., Ellenville Sand & Gravel, Cushing Stone Company, Tantillo Landscape Supplies and Mehlon Trucking. All bids will be turned over to Charles Haynes, Highway Superintendent for his review. Bids will be awarded at the December 10 meeting.

JOINT PUBLIC HEARING – WIRELESS EDGE TOWERS, LLC

TOWN BOARD SPECIAL PERMIT – PLANNING BOARD SITE PLAN APPROVAL

Attorney Mr. Wolinsky reviewed the project and the procedure for tonight's public hearing. The Town Clerk read the legal notice at 7:25 PM.

Councilman Mele made a motion to open the public hearing for the Town Board Special Permit, second by Councilman Wiegand and carried.

Acting Planning Board Chairman Paul Colucci made a motion to open the public hearing for the Site Plan application for Wireless Edge Towers. Seconded by Mark Rauscher and carried.

Chairman Michael Beck stated that the Zoning Board of Appeals opened their public hearing on November 21 and held it opened to be continued this evening.

Attorney Mr. Gaudioso introduced John Arthur and Joseph Walsh from Wireless Edge and Peter Coppolla from AT&T. He explained the scope of the project beginning with the description and location of the property continuing with the design of the monopole tower to reviewing all the supporting documentation submitted with the application and SEQR form. His presentation complete Supervisor Zatz opened the public hearing to the audience for comments.

Eugene Ruoff- had two (2) comments – The Town's wireless law allows for three (3) arrays on a cell tower. This application is requesting six (6). The law also has height limits for the towers. Mr. Ruoff

requests the Town Board and the Zoning Board of Appeals to adhere to the town law. He fears that this will set a precedent by allowing such a large height variance. Asked that this be enforced.

Jack Habersberger – asked if there was a consultant for the Town on the prior applications.

Henry Tortora – asked if this was going on town land. Will the Town get any monetary benefit.

Dave Decker – has very limited wireless service at his house. He feels it is very important to have coverage. Encouraged the Town to move forward.

Eugene Ruoff – commented that to date the technical consultant Ron Graiff has not reviewed the application.

Mary Beth Majestic – do you lose the signal at 120 feet. If not just keep at that height. Not a big fan of cell towers but knows the importance of having one.

Jack Habersberger – doesn't recall any consultant for height. Believes it is an arbitrary number.

Eugene Ruoff – not arbitrary. 120' is the approximate height of the tallest tree affording minimal visual impact.

David Strauss – 120 Foot limit should stand as our law allows.

Mark Rausher – stated that there was discussion at the Planning Board meeting for propane use rather than diesel for the generator. There is a concern about fuel spillage. Also discussed is the use of a dualtone tower.

John Friedle – other colors discussed was battleship gray.

Joe Hayes – the Planning Board is still waiting to hear from the Ulster County Planning Board.

At this point the Planning Board and the Town Board would like to keep the hearing open. Attorney Wolinsky stated that there is no legal requirement to keep it open.

Councilman Wiegand – discussed the applicant's response to the height and coverage issues.

Gaudioso responded

Councilman Mele is looking for data showing that there is a larger area of coverage with the tower at 150 feet. Mr. Mele is concerned with the applicant's non-cooperation to provide this data.

Mr. Gaudioso responded.

Councilman Koenig is also concern with Wireless Edge reserving the right to present the coverage map data.

Mr. Gaudioso responded that he thought that the map might not be the right form to present data

Larry Wolinsky

Mike Yukoweic – commented on the noise that the generator will create. It is unnecessary. Suggested a low noise, sound proof enclosure for the generator.

At this point the Planning Board voted, on motion of Paul Colucci, seconded by John Friedle and carried, to keep the public hearing open, with no further comment, until their next meeting scheduled for December 17 at 7:30 PM.

Next the Town Board voted, on motion of Councilman Mele, seconded by Councilman Wiegand and carried, to keep the public hearing open until the next meeting scheduled for December 10 at 7 PM.

Board members discussed at length with Mr. Gaudioso and representatives from Wireless Edge on how the coverage map data is presented.

ZBA PUBLIC HEARING CONTINUATION

Chairman Mike Beck made a motion to resume the public hearing with a second from Ron Cohn. He offered to the public a period of questions or comments.

Jack Habersberger

Gaudioso responded

Johanna Sokolov

Dave Decker

Ralph Erenzo public safety

Eugene Ruoff – questioned the number of arrays.

On motion of Joe Katz, seconded by Paul Schwartzberg, the ZBA public hearing was held opened to their next meeting scheduled for December 19 at 7:30 PM.

APPOINTMENT TO PLANNING BOARD

On motion of Councilman Mele, seconded by Councilman Koenig and carried, Keith Libolt was appointed as Planning Board alternate.

ADJOURNMENT

On motion of Councilman Koenig, seconded by Councilman Mele and carried, the meeting was adjourned at 8:40 PM.

Respectfully submitted,

Michelle L. Mosher
Town Clerk