

2 STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

In the Matter of

4

5

6 NEW CINGULAR WIRELESS PC, LLC
(AT&T)

7 Project No. 14-7005
10 Ann Kaley Lane
8 Section 108.2; Block 4; Lot 43.410

10 PUBLIC HEARING
SITE PLAN

11

15

18 ALSO PRESENT: RONALD BLASS, ESQ.
19 PATRICK HINES
KATHY WILKLOW
MICHAEL MUSSO

21 APPLICANT'S REPRESENTATIVE: KIMBERLY NASON

22

22 MICHÈLE I. CONERO

23

24 10 Westview Drive
Wallkill, New York 12589
(845) 895-3018

25

2 CHAIRMAN LOGUE: Let's rise for the
3 Pledge.

4 (Pledge of Allegiance.)

5 MR. TRUNCALI: Agenda, Town of
6 Marlborough Planning Board, June 1, 2015. Regular
7 meeting 7:30 p.m. Approval stenographic minutes
8 for 4/6, 4/20 and 5/4. New Cingular Wireless,
9 public hearing, site plan; N&A Development,
10 sketch, five-lot subdivision; Clara Werba Trust,
11 sketch, lot line revision. Next deadline:
12 Friday, June 5th. Next scheduled meeting:
13 Monday, June 15th.

14 CHAIRMAN LOGUE: Thank you, Joel.

15 I think we've all had time to read the
16 4/6 and 4/20 minutes. If everything is all right,
17 can I have a motion to approve them.

18 MR. TRAPANI: I'll make a motion to
19 approve those.

20 CHAIRMAN PORCO: Ben.

21 MR. TRUNCALI: I'll second.

22 CHAIRMAN PORCO: Joel. All in favor?

23 MR. TRAPANI: Aye.

24 MR. TRUNCALI: Aye.

25 MS. LANZETTA: Aye.

2 CHAIRMAN LOGUE: Aye.

3 We'll hold off on 5/4 since we just got
4 them.5 First up, New Cingular Wireless. This
6 is a public hearing, so at this point we'll open
7 the meeting up to the public.8 MR. HINES: I think they're going to do
9 a presentation first.

10 CHAIRMAN LOGUE: Okay.

11 MS. NASON: Where would you like me to
12 go?

13 CHAIRMAN LOGUE: Up here is fine.

14 MS. NASON: Hi, everyone. My name is
15 Kimberly Nason, I'm an attorney with Phillips,
16 Lytle representing AT&T. With me is my
17 colleague, Tom Puchner. Also we have Marianne
18 Terry. She's the site acquisition consultant for
19 this project.20 As you know, AT&T originally submitted
21 their application in February of 2014 for a
22 proposed 150 foot wireless telecommunications
23 facility to be located at 10 Ann Kaley Lane in
24 the Town to meet AT&T's coverage objective in the
25 Town. We appeared before this Board in March and

2 April of last year for both pre-application
3 meetings and a public hearing at which time the
4 Board noted some alternative sites that they
5 would like AT&T to take a look at. It was AT&T's
6 position at this time that we had found the
7 optimal site, but we understood the Town's
8 concerns and, as per your direction, we reached
9 out to the Town Board, got a list of several
10 Town-owned properties, and we reviewed school
11 district properties as well just to determine the
12 viability of all these alternative sites. For the
13 past year AT&T has undertaken an exhaustive
14 review of thirty properties, twenty-three Town-
15 suggested parcels -- Town-owned parcels, four
16 Central Hudson Gas & Electric structures, two
17 school district sites and one property in the HD
18 Zone.

19 AT&T has included a report that we
20 filed with you a couple weeks ago, May 21st I
21 believe, an RF analysis that details the RF
22 coverage provided by all of these sites and a
23 detailed narrative that explains why these sites
24 do or do not work.

25 At this time it remains AT&T's position

2 that Ann Kaley Lane is the strongest site,
3 provides the best coverage to the Town. You'll
4 note in the report that AT&T has also proposed
5 lowering the height of that site to 130 feet
6 rather than 150 feet. But you will see in the
7 report that it was determined that one of the
8 alternative sites is a viable candidate, and that
9 site is the high school site, Marlborough High
10 School. That being said, it's still not as strong
11 of a site and Ann Kaley Lane. You lose some
12 coverage to the Town with that site. You're going
13 to lose coverage to the middle school, to Western
14 Avenue and some of the hamlet areas.

15 So we've undertaken the review that was
16 requested by the Town. It took us a very long
17 time. This is what we've come up with. We still
18 fully believe that 10 Ann Kaley Lane is the
19 strongest site, provides the best coverage to the
20 Town. At this point we're back before you
21 looking hopefully tonight for some direction as
22 to how you would like us to proceed with the
23 application.

24 CHAIRMAN LOGUE: Does the Board have
25 any comments?

2 MS. LANZETTA: I have a number of
3 questions.

4 MR. HINES: Mike, I don't know if you
5 know. Mike Musso, the Town's actual
6 communications consultant, is also in the room
7 tonight working for you.

8 MS. LANZETTA: That was one of my first
9 questions. I didn't get a chance to -- did we
10 receive any comments from Mike on the report that
11 we received from the applicants?

12 MR. HINES: We have not, but I think
13 Mike is here tonight to address some of the
14 issues. I don't know if the Board wants to hear
15 from Mike at this point.

16 CHAIRMAN LOGUE: Would you like to come
17 up.

18 MR. MUSSO: Good evening, everybody.
19 Members of the Board, Members of the Public, Mike
20 Musso from HDR working on behalf of the Town of
21 Marlborough.

22 It's been awhile since I've been in
23 front of this Board, I think probably six or
24 seven years, in dealing with other wireless
25 issues.

2 We are in receipt of the 521
3 supplemental analysis. It's quite involved and
4 quite detailed. We haven't had a chance to fully
5 digest and review that at this time. We do need a
6 little more time to go through that.

7 What we normally do, and I think that's
8 really the key issue for this site or for this
9 project, is look at the matrix of these twenty
10 plus sites, do the checkmarks with our own
11 independent analysis, is it viable or not viable,
12 and also look at some of the other qualities of
13 these sites, including setbacks, buffers,
14 potential anesthetic impacts and things like
15 that. We're going through that but we just
16 haven't had time --

17 CHAIRMAN LOGUE: You need more time.

18 MR. MUSSO: We received it toward the
19 end of last week and tonight's meeting. I did
20 want to appear and introduce myself.

21 Going back to the 2014 application, we
22 did issue a memorandum in May of last year, May
23 5th of last year. Very brief, we did provide some
24 comments on what we thought needs to be provided.
25 Much of that hinged upon the alternate site

2 analysis. That's really something that we have to
3 go through.

4 I guess my purpose here also is to hear
5 from you, I understand it's a public hearing
6 tonight, and also from the public, of what some
7 of the merits might be or issues or concerns, and
8 that would help us with our alternate analysis.

9 MS. LANZETTA: Well I'm also curious,
10 I'd like to get the elevations of all the
11 proposed sites because I didn't see that in the
12 report.

13 MS. NASON: We can provide that. It
14 should be in there.

15 MS. LANZETTA: Also, is this something
16 that the Board feels should be sent up to the
17 County also for their review? They might
18 possibly pick up on something that we're not
19 picking up on.

20 MR. HINES: I think once we determine
21 -- once the Board determines where the site is.
22 The applicant is right now looking for some
23 direction whether it's the Ann Kaley Lane or the
24 alternative of the high school site. Once that's
25 determined, then we'll have better information

2 which to submit to the other agencies.

3 MS. NASON: The elevations are included
4 on pages 3 and 4 of the RF report that's attached
5 as exhibit B. There's a table that details each
6 site and one of the columns is elevation.

7 MR. HINES: A year ago when they were
8 last here the Board did ask them to look at all
9 the alternative sites. Based on your ordinance,
10 municipal sites would be higher in the order in
11 your ordinance. They've done that and have a
12 report on the sites. They've come back with the
13 original site and then a possible alternative
14 site being at the high school property. I believe
15 they've gone as far as securing a lease from the
16 school district for that site. I think they're
17 looking for direction from the Board which way to
18 continue.

19 MR. BLASS: The Board might want to
20 take a look at exhibit C to the May 21st
21 supplemental submission. It's an analysis
22 prepared by Marianne Terry. At the end of that
23 analysis, at paragraphs 18 and 19, particularly
24 paragraph 19 which is the last paragraph, there's
25 a summary statement of the applicant's position

2 relative to two facility sites, one the Ann Kaley
3 site, it's the Ann Kaley Drive site, if that's
4 the right name of the road, and the Marlborough
5 High School alternative location. The last couple
6 sentences of the last paragraph read that the
7 proposed high school location does not provide
8 coverage to the middle school, Western Avenue or
9 the hamlet. As such, the proposed site, the Ann
10 Kaley Drive site, is the best available location
11 to provide adequate coverage to a significant gap
12 in coverage in AT&T's network coverage in the
13 Town. However, I also believe that elsewhere in
14 the report, unless I've misread it or mis-
15 remember it, there is a conclusion drawn by AT&T
16 based on an analysis that the high school site
17 could be deemed a viable location but not the
18 best location for the reasons stated in paragraph
19 of exhibit C to the supplemental submission.
20 So the applicant has basically done the homework
21 and studied numerous sites and found one
22 alternative viable site, which admittedly,
23 according to the applicant, is not as strong a
24 site as Ann Kaley Drive but is workable.

25 It is true that AT&T has gone so far as

2 to negotiate to completion, and I believe to
3 signature, a contract under which it has rights
4 to use the Marlborough High School site. That so-
5 called lease agreement is actually posted on the
6 Marlborough Central School District website under
7 Board of Education business. So that's a -- there
8 is a ripened, real right of the applicant to use
9 the alternative site.

10 As Pat indicated, there is an intent
11 that is part and parcel of the Telecommunications
12 Regulations found in Chapter 152 of the Town Code
13 that a relative pecking order implies, if not
14 states, that public locations or -- municipal
15 locations or other public locations are arguably
16 preferred to private sites for the tower site.

17 So given all of those elements to the
18 mix, I believe the applicant is looking for some
19 feedback, if possible, as to whether or not the
20 Marlborough High School viable but not best site
21 is something the Board would like it to pursue in
22 place of the preferable and current application
23 site or not. I don't know if you feel that you
24 have enough information or whether you need more
25 information to develop that feedback, but that is

2 your main order of business.

3 MS. LANZETTA: Can you explain why the
4 proposed tower at the high school would be 110
5 feet?

6 MS. NASON: Dan Goulet, our RF
7 consultant, is here. That has to do with the
8 terrain. 110 is feasible there while you need 130
9 at Ann Kaley because of elevation, because of the
10 terrain around the area, how it would communicate
11 with the other towers.

12 Dan, would you like to speak to that at
13 all?

14 MR. GOULET: Can you repeat the
15 question?

16 MS. NASON: For example, why 110 works
17 at the high school where we need 130 at Ann
18 Kaley. My understanding is due to terrain,
19 elevation, those types of things, why the lower
20 height works for us at the school.

21 MR. GOULET: Dan Goulet representing
22 AT&T, just for the record. Yeah, we prefer the
23 proposed site. We're willing to concede to the
24 high school site. Because it's a slightly higher
25 elevation and because of the topography in that

2 area, we settled for 110 feet.

3 MS. LANZETTA: Would you get any more
4 coverage if you were at 130?

5 MR. GOULET: Absolutely. We'd get a
6 little better coverage on Route 14 and the hamlet
7 area.

8 MS. LANZETTA: I'm saying at the school
9 how much more coverage might you possibly get if
10 you were to site it at 150?

11 MS. NASON: In the RF report on page 8
12 it covers the high school and it also notes that
13 increasing the height at the high school to 150
14 feet, so that would be the original height of the
15 Ann Kaley site, will improve coverage to the
16 south and the west but only adds marginal
17 improvement to the aforementioned targeted areas
18 to the north due to terrain blockage. So even if
19 you're bumping that height up, it's still not
20 going to get that coverage just due to the
21 terrain.

22 MS. LANZETTA: If we were to consider
23 that site, we could possibly still have -- cover
24 more area than shown on the maps that you gave us
25 to look at for the coverage area?

2 MS. NASON: You could cover -- Dan was
3 just noting 14. I believe he said you would get
4 more coverage. That's true. But you still would
5 not have coverage to the middle school or hamlet
6 or Western Avenue which you do have from the
7 proposed site. So you could raise the height and
8 get more to 14 if that's what you wanted. We also
9 have a lease at 110, not at 130. That would be
10 another element that would have to come in to
11 play. We still wouldn't be able to get, according
12 to the RF report, coverage in those areas that is
13 provided by the Ann Kaley site even with an
14 increase in height.

15 MR. TRUNCALI: I think we are lacking
16 good signal to the west and south. A little bit
17 higher may be better.

18 MS. NASON: Higher at the school?

19 MR. TRUNCALI: Mm'hm'.

20 MR. TRAPANI: Is the higher the tower
21 the better coverage you get? Does that cover
22 everything that's down low, too? The last time,
23 a couple years ago when they came here and they
24 talked about it, they said they wanted to put one
25 over by the town hall and it would not reach the

2 ambulance corp, which is only half a mile down
3 the road. So my question was how many cell towers
4 do we need in Marlborough to cover all the area
5 that we have here with all the mountains and
6 everything ?

7 MR. HINES: That's one of the
8 considerations. Which ever site -- apparently
9 they have a lease on both sites. Are you going to
10 meet that coverage gap or is it going to cause
11 them to seek in the future an additional tower.

12 MR. TRAPANI: For the future I think we
13 should look at the whole Town of Marlborough and
14 see where possibly we would have to put these
15 towers in Marlborough eventually to cover the
16 whole area, not put one here now and after have
17 it overlap.

18 MR. HINES: That's the consideration of
19 the height. As they reduce the height the ability
20 to co-locate on the towers is also impacted, as
21 you start putting other carriers down on whatever
22 height design tower they come up with.

23 MR. MUSSO: I think you hit it. It's
24 really a balancing act if you're looking at sort
25 of a proactive plan. You're confronted by

2 different carriers that don't necessarily
3 coordinate with one another. But, you know, here
4 in Marlborough, with the ranges in topography,
5 let alone the aesthetic impacts and viewsheds,
6 there are limitations to height. The general
7 trend in wireless and getting here into more
8 rural areas is more facilities at a lower height,
9 lower tower, and that's not only to provide
10 coverage to phone but also capacity, data
11 traffic, individuals having cell phones as our
12 only devices now. Internet, work, e-mail. There
13 is just many things that have exploded with the
14 use of these. You're doing absolutely the right
15 analysis by looking.

16 But what if we raise the height, what
17 does that get us. Sometimes looking at the
18 coverage maps, which we would confirm by the way
19 for you guys, it could be counterintuitive. To
20 see over a certain ridge line or from the fire
21 department site to the ambulance corp slightly
22 south, that was a very interesting analysis for
23 me after driving by. I said how could it not
24 provide that. Looking at the terrain, looking at
25 the coverage map, sometimes it's a little bit

2 deceiving. You have challenges here with sort of
3 winding, topography, dips and valleys to deal
4 with.

5 The idea, in my opinion, there is kind
6 of a trend in things. No matter what happens
7 with AT&T for this, it's probably likely that
8 they'll be back within a few years. As Pat
9 mentioned too, if a facility is constructed now,
10 the idea of co-location might be just a minimal
11 height for AT&T but the interest as per your code
12 would be co-location on that structure. Also
13 looking at that, what might Verizon need and are
14 we cutting or capping it too low such that a
15 co-locator lower down, the same issue is going to
16 come up again. It is a bit of a balancing act.
17 Those are things we normally recommend with new
18 structures, considering design, considering the
19 possibility or increases in the future of height
20 if that would happen. We try to look at it
21 wholistically as well.

22 MS. LANZETTA: One of the places that
23 you looked at was the middle school and one of
24 the reasons they discounted it was because it
25 would not cover the high school or the

2 southwestern part of the Town, which is not to
3 say that if we were to locate a tower at the high
4 school, then an additional tower could be put on
5 the middle school to cover those areas that are
6 not being reached right now.

7 MR. MUSSO: Right.

8 MS. LANZETTA: So I think one of the
9 things that I am concerned about is that when
10 this law was put into effect I know that the Town
11 was concerned that if people were going to be
12 impacted, possibly in a negative way, from the
13 location of a cell tower in their community, that
14 there should be some public benefit as well, and
15 that's why it was written in here to be looking
16 at Town properties first, --

17 MR. MUSSO: Right.

18 MS. LANZETTA: -- so that any income
19 that might come from the location of the tower
20 would go to the taxpayers.

21 My concern is that if we disregard the
22 public opportunities, that we might be setting a
23 precedent for other private property owners to be
24 able to benefit at the expense of the taxpayers.
25 And that if we do look at publicly-owned

2 properties, that this might -- the publicly-owned
3 property, the high school, might not cover the
4 entire area but it still allows us additional
5 public properties we can use as additional sites
6 in the future that will cover the entire area. So
7 that's -- you know, that's just one of my
8 concerns, that as we go through this process,
9 that we really think about what was the intent of
10 the law.

11 CHAIRMAN LOGUE: Good point.

12 Joel, do you have any comments?

13 MR. TRUNCALI: I agree. I would like to
14 see it on municipal property instead of private.

15 CHAIRMAN LOGUE: Ben?

16 MR. TRAPANI: The public has to get
17 something out of it. We pay the taxes so I think
18 we should put it on the public piece of property
19 and the Town gets money back. That would be the
20 best thing to do I would think.

21 CHAIRMAN LOGUE: I agree with the
22 Board, heading in the direction of the school
23 property. We also need time for the consultant
24 to review it.

25 Do you have any comments, Ron?

2 MR. BLASS: No.

3 CHAIRMAN LOGUE: Chief?

4 MR. HINES: No.

5 CHAIRMAN LOGUE: At this point we'll
6 open it up to the public for any comments.

7 Sir, your name?

8 MR. MANNESE: Vince Mannese. Just a
9 quick question. I'd like to know what the initial
10 goals were of AT&T by putting this tower up.
11 Because if it's too help the Town of Marlborough,
12 from the high school westward is where there is a
13 lot more dead area than from Ann Kaley Drive
14 eastward. There is unlimited access from where
15 I'm assuming the tower is going to be directly
16 across the river, which is not going to help the
17 rest of the Town of Marlborough at all. So having
18 it in an area where there is nothing but hills
19 behind it except an eastward access makes zero
20 sense to me. Even my property is higher than that
21 but I wasn't asked. Not that I want it but I
22 wasn't asked. So having a higher tower on a
23 higher area makes more sense to not only go east
24 but also south and west.

25 How that property was chosen, and I

2 would love to see the reasons the other
3 twenty-nine sites -- twenty-eight maybe if you
4 discount now the high school. But Ann Kaley Drive
5 was chosen first. How many sites were looked at
6 afterwards? Why was the high school chosen or
7 looked at much later? How were the other
8 twenty-eight sites discounted?

9 MS. NASON: So as far as the
10 discounting of the sites, that's all detailed in
11 the report, and Dan can speak to that as well.

12 Let me get back to your initial
13 question. So AT&T bases it's need for additional
14 sites on customer complaints, where it's getting
15 these issues with dropped calls, that type of
16 thing. That's where it starts. AT&T, our RF
17 consultants can go out and conduct drive test
18 data and see where you're having gaps in
19 coverage.

20 You also have to keep in mind that the
21 cell tower that we're proposing has to interact
22 with all of AT&T's other cell towers. So while
23 one location may seem like a prime location, it
24 may not work because it can't handoff signal in
25 between other towers.

4 MR. GOULET: Sure. I think I have many
5 plots, and I don't plan to bore you with many
6 plots, but I think it would be a lot easier to
7 answer some of these questions if I could just
8 show you a few.

9 CHAIRMAN LOGUE: Sure.

10 MR. GOULET: I apologize for being
11 late. It's a long ride from New Hampshire.

12 As was stated, a lot of this -- the
13 original coverage objective, AT&T's objective for
14 this area, was to fill in the gaps in the hamlet,
15 in the area of the middle school, Western Ave,
16 Route 14, Lattintown Road. Unfortunately you
17 know better than I do, I've driven through it a
18 little bit, but the terrain around here and the
19 topography is such that -- I've got up here --
20 I'll try to do this. I don't know how many of
21 you can see this. You have this in your report I
22 believe. What we've done is you've got the
23 reservoirs way out here to the west, to the north
24 you've got the town hall and the ambulance.
25 You've got another water tank here. I don't know

2 if you can see this colored area here. That's a
3 ridge. Everything here along Route 9W, the land
4 drops off to the water because people, back in
5 the day, built along rivers. Unfortunately the
6 high school, the middle school, all this
7 residential area to the south is all in a higher
8 elevation.

15 AT&T's objective -- you only have --
16 AT&T has a site way up here. That's the existing
17 site that's trying to cover Marlborough and
18 Milton. As you can see, it's so far away and
19 you've got ridges between. What happens is this
20 is just terrain, this does not show the trees on
21 top of the terrain. So now you add 75 foot trees
22 on top of that topography and you've got the
23 roads that were cut in in the lower areas and
24 through the ridges so you get the shadowing
25 effect. Your mobile is in the car on the seat

2 somewhere or in your pocket. So in order to get
3 from the transmitting antennas and the receiving
4 antennas down to where your mobile device or your
5 laptop is, or if you're in your houses, a lot of
6 people work from their homes nowadays, AT&T's
7 objective is to provide in-building coverage.
8 We're not just talking about vehicular traffic
9 anymore. People want to use this instead of a
10 landline phone. There's very few people that are
11 still using a landline phone.

12 So these are all the alternates. The
13 ones -- there's more further up. You've got the
14 town hall here and the ambulance. They're not
15 going to get over these ridges here to get down
16 here to where all the population is and where the
17 hamlet is.

18 So what we did was -- this is just
19 AT&T's existing network. You can see that most of
20 the sites serving the area are not in
21 Marlborough, they're outside of Marlborough, in
22 Poughkeepsie and Quake Hill, et cetera, in
23 Newburgh.

24 The two colors here represent in-
25 building coverage is green, the orange is in-

2 vehicle coverage. So this is the composite
3 coverage with the proposed site. I'm going to
4 hold this up next to it. This is your existing
5 coverage. So you see these white areas, that's
6 where AT&T would not have any kind of reliable
7 service. I'm not saying there's absolutely no
8 service. Could you potentially walk outside in
9 your yard or next to the street and make a call?
10 Yeah, maybe. If there was an emergency in your
11 house could you make a call? Not necessarily. So
12 the reason I'm showing -- this is the existing
13 coverage. You can see these gaps on Route 14.
14 Down here to the south there's very little --
15 very poor in-building coverage. The high school
16 is down in this area. You've got the hamlet over
17 here, the middle school here. You've got a few
18 minor gaps along Route 9 in the commercial area.
19 The Ann Kaley Lane site did a good job at
20 covering most of what was the target area. It
21 covers Western Ave, it covers the hamlet, it
22 covers Route 14, it covers the high school area
23 and the middle school area also.
24 We did look at -- if I throw up -- give
25 me two more seconds, three seconds. In your

2 package you have the exhibit showing the high
3 school and you also have an exhibit showing the
4 middle school, and the water tanks and then the
5 miscellaneous utility poles. We also did the town
6 hall and the ambulance locations.

7 I'm going to put up the high school
8 site next to the coverage of the Ann Kaley Lane
9 site.

10 CHAIRMAN LOGUE: Say that again. What's
11 this site?

12 MR. GOULET: This is the high school.
13 This is the high school at 110 feet. So what you
14 can see, the high school does a very good job in
15 itself. It leaves some gaps on -- it covers a
16 little bit of Western Ave, the elevated part of
17 it, but it can't quite get over the hill to cover
18 this gap we have here on County Route 14 and
19 Western Ave. You notice we don't get a lot of
20 enhanced in-building coverage in the hamlet,
21 which means the shops and stores aren't going to
22 have reliable -- as reliable in-building coverage
23 as they would have with the Ann Kaley site. That
24 is the difference at 110 feet. We did run it a
25 little higher. The problem is because of the

2 terrain -- this is the high school. What happens
3 is you've got hills right here. These hills with
4 the trees on the hills are right between the high
5 school site and the hamlet. Even by raising it 20
6 feet you're not going to get the hamlet. That's
7 the difference between the two.

8 CHAIRMAN LOGUE: But you would reduce
9 some of that orange and white if you raised it up
10 20 feet in the hamlet?

11 MR. GOULET: No. You still -- I did it.
12 I tried it. You still have white on County Route
13 14, and in the hamlet there's no additional
14 coverage. What happened was we improved coverage
15 to the south, which makes sense based on the
16 topography.

17 Do I continue with other alternates or
18 you're not -- I don't want to bore you, so just
19 tell me what you want.

20 CHAIRMAN LOGUE: We would be
21 interested, do you have the middle school site?

22 MR. GOULET: I do have the middle
23 school site.

24 MR. MUSSO: If I could ask a question.
25 Dan, is there a coverage map for the high school

2 site greater than 110 feet?

3 MS. NASON: It's not included.

4 MR. GOULET: Did we include it in the
5 package?

6 MS. NASON: I don't believe we did one.

7 MR. TRUNCALI: Can you tell us where
8 the location is at the high school site? What
9 part of the high school site?10 MS. NASON: Marianne can speak to that.
11 I believe it's behind the baseball diamond.12 MS. TERRY: Where the ball fields are
13 there's that parking lot. It would be up into the
14 woods.15 MR. TRUNCALI: Why wouldn't they put it
16 on the highest part of the high school site?17 MS. TERRY: That's where the high
18 school said they would want to put it on the
19 parcel, just for usage -- future usage of their
20 own property.21 MR. GOULET: Are you looking for the
22 high school at 150? I have the high school at
23 130.24 CHAIRMAN LOGUE: It's all high school
25 property up there. That's considerably higher.

2 MS. NASON: One note as far as the
3 middle school goes. Apart from an RF
4 perspective, we also have constructability issues
5 with the middle school. The parcel is smaller.
6 There's not really -- Marianne can speak to this.
7 There's not really a suitable location on the
8 middle school property to put the facility.

9 MR. HINES: When they're saying the
10 high school parcel, it's a separate six-acre
11 parcel owned by the school district.

12 CHAIRMAN LOGUE: The upper half?

13 MR. HINES: It's on the compound of the
14 high school. You wouldn't know that it's -- it's
15 an undeveloped six-acre parcel up there owned by
16 the school district.

17 UNIDENTIFIED SPEAKER: Talking about
18 south of the baseball field on Cross Road.

19 MS. NASON: Right.

20 CHAIRMAN LOGUE: It's still a public
21 hearing.

22 MR. BRAND: Chris Brand. I have a
23 question. We've heard that you compared the Ann
24 Kaley site to the high school site, and it's been
25 eluded to a couple times. Would the high school

2 site in conjunction with another municipal site
3 provide equal or better coverage than the Ann
4 Kaley site? Have you run any types of
5 projections on the two being as good as the one
6 Ann Kaley site? I understand we don't want cell
7 phone towers everywhere in the Town. Has that
8 type of projection been made?

9 MS. NASON: You're talking about a two-
10 site solution. At this point that has not been
11 evaluated because our thought has been to reduce
12 the number of towers. At this point we've only
13 been looking at single site solutions.

14 MR. BRAND: In theory the high school
15 site, in addition to possibly the middle school
16 site, could provide equal to or better coverage
17 than the Ann Kaley site in itself?

18 MS. NASON: Dan, do you have --

19 MR. GOULET: It would likely not be the
20 high school site and municipal site. Let me just
21 explain why.

22 MR. MUSSO: Or the middle school.

23 MR. GOULET: This is the middle school
24 that you asked to see. Do you want to look at
25 that? This is the coverage from the middle

2 school here.

3 So what happens is if you use the high
4 school and the middle school, what's going to
5 happen is two of the sectors of the middle school
6 and the high school are basically going to be
7 redundant. AT&T is not going to do that. It's
8 just going to cause massive problems. You want to
9 have single dominant service in a given area. You
10 don't want to have a bunch of signals getting
11 into the same area at the same level. What's
12 going to happen is data throughputs are going to
13 be at very slow speeds, you're going to get a lot
14 of latency. It's just not a good design. AT&T, as
15 was mentioned, they have to pick the site that is
16 going to integrate the best within the existing
17 network. By putting a site here and then you're
18 going to put -- that's what, maybe a mile.

19 MR. BRAND: I was just using that as an
20 example. The high school site and any other
21 municipal site I guess.

22 MR. GOULET: Okay. Any other municipal
23 site. Most of the municipal sites are down by the
24 wastewater treatment plant. All these down by the
25 water, they're over the ridge. The middle school

2 already covers it. Why would we put another site
3 there? You wouldn't do it. It's already covered

4 MS. NASON: I think what Dan is saying
5 is there's not necessarily an optimal two-site
6 solution as far as two municipal sites for this
7 specific area.

8 MR. MANNESE: I'm going to ask a
9 question that everybody in this room is thinking,
10 okay.

11 MS. NASON: Sure.

12 MR. MANNESE: In looking at those two
13 maps, the increase in coverage by putting a tower
14 on Ann Kaley Drive does not look that
15 significant. So the bottom line question is does
16 Dutchess County benefit more than Marlborough
17 benefits on that tower?

18 MR. GOULET: I can qualify if you give
19 me a minute. You can't just look at the coverage
20 map and say well that doesn't look like much,
21 it's a really small area. If you look at the data
22 of what the difference in population counts,
23 et cetera are -- we have it in the report
24 actually. The proposed facility provides 400
25 percent more in-vehicle coverage and 43 percent

2 more in-building coverage than the high school
3 site. We have the numbers to prove that.

4 CHAIRMAN LOGUE: Sir, in the back.

5 MR. POLLOTTA: Frank Pollotta, Milton.

6 Question. When you talk about your percentages
7 and your coverage, that's talking about buildings
8 or population capacity?

9 MR. GOULET: We use the census tracks
10 and the mapping software. What it does is the
11 mapping database tells you where the pops --
12 population counts are.

13 MR. POLLOTTA: Five days a week for X
14 number of school days your population is 700 at
15 the high school. That's not figured into that.

16 MR. GOULET: No. The high school is
17 considered business pops. That's public, it's not
18 private. This is looking at those kids live in
19 Marlborough, in the surrounding areas, right?

20 MR. POLLOTTA: Not in all that --

21 MR. GOULET: They don't live at the
22 high school. Just like when we did the financial
23 district in Boston. There are practically no pops
24 because nobody lives in the financial district
25 but thousands of people go to work there. Just

2 like I don't know what the population is in your
3 high school, but between the teachers, the
4 faculty and the students, I imagine there's a lot
5 of users there.

6 CHAIRMAN LOGUE: The fact of the matter
7 is the worst coverage in Town is the high school.

8 MR. TRUNCALI: So now when you talk
9 about the topography blocking the signal going to
10 the middle school area, that is actually the hill
11 on the high school that would be blocking it
12 because you're putting the tower on the lower
13 side of the high school property. Is there a
14 reason that the school did not want it up on the
15 highest part of the property or --

16 MS. NASON: Marianne?

17 MS. TERRY: We were really steered
18 toward that back parcel where it's the wooded
19 area. The school district is talking about
20 getting as far back into the woods as possible so
21 if there's any future development of the school,
22 the cell tower and any equipment shelters aren't
23 going to encumber future use.

24 MR. TRUNCALI: But don't you agree that
25 the hill he's talking about blocking the signal

2 is part of the high school property there and --
3 you know, I don't know if there's an area up
4 there that's far enough away that -- there's just
5 practice fields up there. I think it's located to
6 electric lines and everything else. That would be
7 a better location up on that hill for your
8 coverage.

9 CHAIRMAN LOGUE: Yes, ma'am.

10 MS. ANGSTROM: My name is Susan
11 Angstrom. I went to high school up in
12 Marlborough about forty years ago. My parents
13 have been paying hefty taxes in Marlborough for a
14 number of years and they run a very beautiful
15 piece of land on Western Avenue.

16 I'm kind of astonished that you
17 consider putting these towers near schools
18 considering the health hazards that have been --
19 I'm sure you know that there have been studies
20 looking at the health hazards, including possible
21 cases of cancer, ADD, attention deficit disorder
22 that is, problems with sleep and so on and so
23 forth. So to put -- to even consider putting that
24 near a school astonishes me. Yes, there are
25 studies. It's a very controversial subject, as

2 you probably have discovered, whether these
3 things do cause health hazards are not. But they
4 are ugly. Even just for kids to have to look out
5 a window during their stressful day and see ugly
6 is enough to, you know, deter learning to a
7 degree. I mean schools have landlines, and kids
8 are addicted to these phones, which are also
9 impeding the quality of their life and ability to
10 learn and absorb knowledge.

11 So it is also an issue of -- it's a
12 quality of life issue. Do people want to look at
13 ugly? Do the good people here representing AT&T
14 live near these towers and have to look at them?

15 The Federal Government has done a study
16 to determine that these towers around the country
17 are killing 6.8 million birds a year who fly into
18 these towers, and that is something very serious
19 that we should also consider.

20 CHAIRMAN LOGUE: Thank you.

21 Yes, sir.

22 MR. CRANE: Bruce Crane, I live on
23 Prospect Street near Ann Kaley.

24 A couple statements first. I think we
25 need to be careful of the precedent we'll be

2 setting should we agree with you a hundred
3 percent, should we move it on the municipal
4 property so we can benefit from it.

5 Going along with the studies she says.
6 Studies go in either direction. I live fairly
7 close to it residentially. The basis is that the
8 studies are unknown. Cell phones, believe it or
9 not, haven't been around that long. Both the CDC
10 and World Health Organization concluded there is
11 unknown factors.

12 I'm going to live there the rest of my
13 life hopefully, and my children are going to grow
14 up there, and I'm just not ready to go into the
15 unknown. I want to be public with that.

16 Again, I know we have a need for it. I
17 have AT&T. I have great service. I understand
18 that. We should gain from it.

19 CHAIRMAN LOGUE: Thank you.

20 MR. MUSSO: May I add some comments to
21 the last two?

22 CHAIRMAN LOGUE: Absolutely.

23 MR. MUSSO: Just reviewing this on
24 behalf of municipalities, I have a background in
25 engineering and public health as well. I think

2 your points are well taken.

3 One of the issues that I often have
4 with municipal carriers or the industry in
5 general is for better or for worse, the studies
6 that are out, and the last really full study is
7 from 1997, is that municipal decision making can
8 not be based on health or radiofrequency
9 emissions.

10 MS. ANGSTROM: That's absurd.

11 CHAIRMAN LOGUE: Please, ma'am. You had
12 your turn.

20 Another point is, it was mentioned
21 there is a proliferation of cell phone use and
22 kids, very young kids at times, having these
23 things on them all the time, in their backpack,
24 having the wifi at home and in school. There's
25 initiatives to have the latest and greatest in

2 all of our schools. These are similar if not the
3 exact radiofrequency emissions that we're exposed
4 to. I think from a public health standpoint,
5 certainly there are studies that are ongoing,
6 epidemiological studies. You would be hard
7 pressed to find someone who doesn't own a cell
8 phone. The studies are continuing. The FCC, and I
9 think more importantly the State Health
10 Department here in New York, the US EPA have not
11 retracted any of the safety factors. A tower
12 type site ironically could actually reduce some
13 of the exposure from individual's phones. The
14 closer it is the less a phone has to work and
15 search for a signal. Remember, phones are also
16 transmitters, they're not just receivers. These
17 are some perspectives I put out to you.

18 MS. NASON: I would also like to add
19 which ever site we choose to go forward on when
20 we are back here before you, we can bring someone
21 to speak on health and safety issues as well if
22 that would be helpful.

23 CHAIRMAN LOGUE: Yes, sir.

24 MR. SCHATTING: My name is Mark
25 Schatting, I'm from the Marlborough Fire

2 District. I have some facts. 90 percent of all
3 cell phone initiated 911 calls coming from the
4 Marlborough and Milton area go across the river
5 to Dutchess County 911. They take your
6 information, figure out what the problem is,
7 figure out -- assess what's needed, then they
8 transfer the call to the Ulster County 911 with
9 the same information that was relayed. In that
10 time when someone is having a heart attack, your
11 house is burning or whatever, time is not
12 something you have a lot of. Ulster County 911
13 figured out if a cell tower was put anywhere in
14 Marlborough, you can debate where you want to put
15 it, it will save precious time when someone is
16 calling 911 from their phone to get our citizens
17 to help. I'm sure the studies will show that.

18 CHAIRMAN LOGUE: Thank you.

19 Any other questions? Yes, sir.

20 MR. OSBORN: Steve Osborn. I own the
21 property at 10 Ann Kaley Lane that's in
22 discussion here tonight. I'm also the Town
23 Supervisor.

24 I'd like to just say when Marianne
25 Terry or Aerosmith first came to Town twenty

2 months ago, they came to the code enforcement
3 officer and they said here is a circle on the map
4 and we want to put a tower within this circle on
5 the map, okay. I was called by the code
6 enforcement officer to show the person around to
7 the municipal properties within the map. I did.
8 We went to every single municipal property and
9 school property and private within the circle on
10 the map. The high school was not in that circle.
11 Okay. There was a determination made then that
12 none of those sites were very suitable. Part of
13 the problem was the idea if you go to the middle
14 school, they weren't sure about the coverage, I
15 think it's sort of confirmed here tonight, but
16 they were also worried that at the public hearing
17 there's going to be a lot of health concerns and
18 why would you put the tower on school -- it's
19 going to be a big factor. They said we're going
20 to start looking at some private properties since
21 none of the municipal properties are really
22 working. That is exactly how this all started. I
23 don't know if that's ever been said. At the
24 public hearing that was sixteen months ago I
25 didn't say that because the public hearing was

2 going so wrong that I don't think at that point
3 it would have been constructive to say very much
4 at all. That's how all this started.

5 The circle I think changed. I'm not
6 sure why it changed but I have a feeling the
7 original circle that the Town was shown was a
8 commercially viable circle. It was not round, it
9 was oblong, and the high school was not in it.
10 At that previous public hearing that we had here
11 there was a circle that was perfectly round with
12 a certain diameter that the high school property
13 was barely within. Again, I didn't say anything
14 at that hearing because I thought there's a lot
15 of stuff that's going to have to happen. But
16 that's -- that is what was done twenty -- between
17 sixteen and twenty months ago. Then AT&T came to
18 us, or Aerosmith came to us and said we might
19 look at your property, can we investigate it
20 further. They were investigating other pieces of
21 property. Our understanding was we were chosen
22 out of pure logic, that this is the best place to
23 improve coverage and we've exhausted the public
24 municipal coverage areas.

25 I have since then -- I'm for the

2 project at the school. I think the school is a
3 better place to have it than private property.
4 Back then the high school was not something that
5 could have been considered because the circle was
6 not with the high school. If the high school
7 works, then fine. I'm still believing having it
8 on public property is better than private
9 property. If you locate a tower at a school so
10 it's on public property and the school is then
11 covered but you're not covering the businesses in
12 Town and you're not covering what cell phone
13 usage is for, which is to give people better
14 phone usage, I would question the logic.

15 Again, given all that we tried, the
16 idea of locating it on two municipal properties
17 so you maintain the quality, absolutely fine. My
18 wife and I both, we're scientists. Logic
19 prevails, public better than private. In the
20 case if you're going to locate a tower at a
21 school, now the kids in the school have coverage
22 and the people in the businesses don't have
23 coverage and they are going to say how could that
24 happen. That's all I wanted to say.

25 CHAIRMAN LOGUE: Thank you.

2 Yes, ma'am.

3 MS. MANNESE: Erin Mannese. I agree
4 with going with the municipal areas. If you're
5 going to go look at any private areas, our
6 property is high. You can come and see our
7 property. We're up higher. I think your coverage
8 would be a lot better than down by Kaley. We're
9 up -- you can see the high school up in that area
10 and past the mountains. If you're going to look,
11 come and look at ours.

12 CHAIRMAN LOGUE: Thank you.

13 MS. LANZETTA: I'll just mention again
14 that we have a code that is very explicit about
15 the proper procedure to follow if you are
16 interested in siting one of these facilities in
17 our Town. I don't know what was done before but I
18 can say that this -- the work that you have done
19 since your original public hearing is much more
20 in line with what our code requires, and I
21 appreciate the fact that you did look at
22 alternative sites and that you are seriously --
23 that you're taking into account our serious need
24 to look at municipal property, public properties
25 for this use. Thank you.

2 CHAIRMAN LOGUE: We'll take one more
3 question on this.

4 MR. DOLLINGER: Mike Dollinger from the
5 Village of Marlborough. Location notwithstanding,
6 and understandably Marlborough presents a lot of
7 challenge as far as topography goes in coverage
8 area. Location notwithstanding, are there any
9 two locations that would provide the ideal
10 coverage for the entire vicinity?

11 MR. GOULET: At what height? 200 feet?
12 At 250 feet with lights and -- I mean there's FAA
13 issues and there's interference issues. You can't
14 -- given the topography, without doing an
15 analysis, I wouldn't -- are you saying using
16 municipal properties?

17 MR. DOLLINGER: Using any property. Are
18 there any two locations that would provide you
19 the optimum coverage?

20 MR. GOULET: I thought you said using
21 any two municipal properties.

22 MR. DOLLINGER: No. Any two
23 properties period.

24 MR. GOULET: Any private --

25 MR. DOLLINGER: Anything. Just to

2 expedite this entire process so we don't revisit
3 this a year from now or two years from now.

4 CHAIRMAN LOGUE: I think that's a
5 hypothetical question. They haven't studied that.
6 They studied what we asked them to study.

7 MR. GOULET: I don't know the
8 feasibility. I can't give you every property in
9 Marlborough because I don't do feas -- that would
10 be Marianne would do a feasibility study and look
11 at the zoning and wetland and everything that
12 goes with that, and setbacks. So I could -- we
13 could do an analysis if you gave me specific
14 ones.

15 If I could say just real quick, if you
16 look at this map, most of your municipal
17 properties are to the east and along Route 9. The
18 only ones that are not are the high school and
19 the water tanks. The problem with the water tank
20 and the reservoir, and there are other -- there
21 are other small, really tiny parcels owned by the
22 water department, and you've got the wastewater
23 treatment plant. But again, you've got all of
24 these are here. You've got the highway
25 development district, you've got the ambulance,

2 the town hall, the middle school, the high
3 school. These are just utility poles. So the only
4 thing on this side is the water district.

5 CHAIRMAN LOGUE: Okay. One more
6 question.

7 MR. MANNESE: Just a quick statement.
8 If we're worried about taking care of the
9 businesses in Town, the biggest business in this
10 area is the school district.

11 CHAIRMAN LOGUE: Thank you.

12 MS. ANGSTROM: They have landlines.

13 CHAIRMAN LOGUE: If there's no further
14 questions, I'd like a motion to close the public
15 hearing.

16 MR. HINES: Are you going to close it?

17 MR. BLASS: I think that you want to
18 perhaps park that decision until the end of
19 tonight as to whether to close the public hearing
20 or adjourn the public hearing.

21 I think you have a recommendation from
22 your Telecommunications Consultant that a workup
23 on the alternative site in the supplemental
24 submission of May 21st is recommended.

25 CHAIRMAN LOGUE: Okay.

2 MR. BLASS: If that is something that
3 interests you, I would think more about
4 adjourning the public hearing to a date certain
5 in the future than closing it. I think that --
6 there's going to come a fork in the road where a
7 decision is going to have to be made or an action
8 is going to have to be taken one way or the
9 other, and that is to stay with the existing Ann
10 Kaley Drive site or to -- or for the applicant,
11 with or without the permission, cooperation,
12 incentivization of the Town, to go down the other
13 path of the high school site, because those are
14 the probably two viable sites that currently are
15 supported by the applicant's technical
16 submissions. That may change after you've heard
17 from your own consultant, or it may not change. I
18 think that's really where things stand.

19 CHAIRMAN LOGUE: Okay. One thing I
20 would definitely want is obviously you guys to
21 review this. I'd like to find out the question
22 why the tower couldn't be put up on the higher
23 end of the school district. What was the school
24 district's reasoning not to go with the higher
25 elevation and if that could possibly be looked at

2 again.

3 MS. TERRY: I would definitely approach
4 the school district again.

5 If you look at the tax map, that's the
6 school property. So you've got fields, fields,
7 school, and then here's -- they're talking about
8 putting it here. This would be encumbering any
9 future use for the school. That's how --

10 MR. TRUNCALI: I think it would be a
11 better use at the top of the hill.

12 CHAIRMAN LOGUE: This is the highest
13 part in the purple. That's the highest end of the
14 property.

15 MS. TERRY: That's something that I can
16 go to.

17 CHAIRMAN LOGUE: If you can revisit
18 that, if they would consider going to that higher
19 elevation, how it would change.

20 MS. NASON: We also need to look at
21 that from our perspective.

22 MS. TERRY: We'll discuss with them now
23 we're going to have a longer access to run
24 utilities, and that's going to be something that
25 the school district --

2 CHAIRMAN LOGUE: There's a development
3 right behind it.

4 MR. TERRY: I can talk to Joe
5 DeLorenzo. I think he's going to be the
6 superintendent for the rest of the year.

7 MR. MILAZZO: He's got thirty days
8 left.

9 CHAIRMAN LOGUE: Can you comment on
10 that, Frank? You're a board member.

11 MR. MILAZZO: The biggest issue is
12 unless AT&T would come back with specifics of
13 what that site would do, I mean the Board would
14 obviously consider it and look at it. But you've
15 got the access issues and the roads, field
16 issues. The mindset behind it was that was a
17 separate piece of property that didn't impact
18 anything else. But if AT&T wants to come back
19 with a proposal because it solves other issues,
20 it would have to be specific. We spent -- an
21 awful lot of time was put into this by everybody,
22 and what they need and the amount of area they
23 needed would not work up there. We would wind up
24 losing the field.

25 MS. TERRY: Also, this is wooded so we

2 were going to have less of a visual impact. We
3 would be able to tuck it into the woods. Here
4 you're going to see the equipment shelter, you're
5 going to see the tower. You're not going to have
6 natural barriers.

7 MR. MILAZZO: That's why going higher
8 at the other site may make up for that. If you
9 could go up to the 150 at the other site, that is
10 on our property, it's out of the way. You know,
11 that may get you over that ridge. I don't know.

12 MR. TRUNCALI: I would like them to
13 look at that, also raising the height if that
14 would help.

15 The Robin Drive location, is that a
16 private site? Location D is listed as Robin
17 Drive.

18 MS. NASON: The Central Hudson.

19 MR. GOULET: That's Central Hudson.

20 MS. NASON: It's one of their existing
21 structures.

22 MR. GOULET: They probably have a
23 right-of-way on somebody's property.

24 MR. TRUNCALI: That I believe is a
25 higher elevation also, which is very close to the

2 high school site.

3 MR. GOULET: It is a high elevation.

4 The pole is not high. We used the height of the
5 pole.

6 MR. TRUNCALI: You just would use the
7 existing pole? You wouldn't put up a new
8 structure?

9 MS. NASON: We would co-locate on an
10 existing structure.

11 MR. GOULET: Typically when they do
12 that they co-locate, they put a monopole up and
13 they add their antennas at the top of the
14 existing structure and they add maybe ten, twenty
15 feet onto it. That's all they can add onto it.
16 So you're not going to have -- I ran it at 75
17 feet.

18 MR. TRUNCALI: The coverage on that map
19 is almost identical to the high school coverage,
20 increase in coverage.

21 MS. NASON: For Central Hudson?

22 MR. GOULET: For D?

23 MR. TRUNCALI: Yes.

24 MR. GOULET: It didn't cover 14 or the
25 hamlet. That was the difference. So it did -- it

2 is similar to the high school but it still
3 doesn't reach the hamlet or fill in the gaps on
4 Route 14.

5 CHAIRMAN LOGUE: So at this point we
6 can adjourn this for a future study and --

7 MR. BLASS: I think you want to adjourn
8 to a date certain, such as the first meeting in
9 July.

10 CHAIRMAN LOGUE: Okay.

11 MR. HINES: July 6th.

12 MR. BLASS: And ask Mr. Musso, your
13 Consultant, to prepare the analysis that he
14 recommends.

15 CHAIRMAN LOGUE: Is that enough time
16 for you?

17 MR. MUSSO: Yeah. We can try to work
18 with that. What I would like to do is I would
19 like to visit the sites. I need to coordinate
20 access with the school. Also with the Kaley Lane
21 property -- Ann Kaley property and make
22 inquiries. I mean Central Hudson for example, I
23 assume there's been outreach to them about co-
24 locating but not for a new tower, for example.
25 These are the due diligence things I would like

2 to look at. I think I know what the answer is
3 going to be in dealing with utility companies and
4 their rights-of-way and what they allow and not
5 allow. I think that's what the Board is asking
6 for is to go through that. I'll certainly keep
7 Mr. Blass and Mr. Hines advised. We'll go for the
8 first meeting in July.

9 CHAIRMAN LOGUE: I do like the idea
10 higher up at the high school and having some
11 protection with the woods.

12 MR. MUSSO: Right.

13 CHAIRMAN LOGUE: So the 6th will work
14 for you, of July?

15 MR. MUSSO: Yeah. I don't have a
16 calendar in front of me. It sounds right, though.

17 CHAIRMAN LOGUE: At this point can I
18 have a motion to adjourn this public hearing
19 until the next meeting, --

20 MS. LANZETTA: I'll make that motion.

21 CHAIRMAN LOGUE: -- July 6th?

22 MR. TRUNCALI: I'll second.

23 CHAIRMAN LOGUE: Joel will second. All
24 in favor?

25 MR. TRAPANI: Aye.

2 MR. TRUNCALI: Aye.

3 MS. LANZETTA: Aye.

4 CHAIRMAN LOGUE: Aye.

5 Thank you very much.

6 MS. NASON: Thank you.

7

8 (Time noted: 8:36 p.m.)

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C E R T I F I C A T I O N

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7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

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21

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23 DATED: June 11, 2015

24

25

STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

In the Matter of

N&A DEVELOPMENT

Project No. 15-8003

Summit Drive

Section 108.4; Block 6; Lot 29.310

FIVE-LOT SUBDIVISION

Date: June 1, 2015

Time: 8:37 p.m.

Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

18 ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
19 KATHY WILKLOW

21 APPLICANT'S REPRESENTATIVE: ROBERT JAMES

23 MICHELLE L. CONERO
10 Westview Drive
24 Wallkill, New York 12589
(845) 895-3018

2 CHAIRMAN LOGUE: Next up is N&A
3 Development, sketch.

4 Gentlemen, how are you?

5 MR. JAMES: Good. So we have a
6 revision. It isn't dated.

7 CHAIRMAN LOGUE: Folks, can we move
8 this out into the hallway, please.

9 MR. JAMES: So the main revision that
10 we've done since the last meeting was to go to
11 sanitary sewer, central sewer. We've done soil
12 testing, percolation and deep hole testing, and
13 we found that the soils are kind of heavy and
14 require a fairly large footprint for septic
15 systems. Although we think we could get them on
16 there, we feel like it's a better option to go
17 with the municipal sewer since it's nearby and
18 can be incorporated into the project.

19 Essentially that's the major change. I
20 think we'll be coming forward to -- moving
21 forward with the sewer extensions.

22 MR. HINES: Is this parcel in the sewer
23 district?

24 MR. GALLELA: No, it's not.

25 MR. HINES: You have to go through the

2 Town Board as well. The sewer extension will
3 require DEC approval for that extension as well
4 as Town Board approval.

5 MR. GALLELA: It is in the water
6 district, though.

7 CHAIRMAN LOGUE: Would you like to
8 review your comments at this point?

9 MR. HINES: Our first comment is any
10 future submissions are going to have to bear the
11 stamp of a New York State design professional.
12 The map will have to meet the requirements of
13 that.

14 Lot 6 of the previous Summit Drive
15 subdivision is also a lot line change, so the
16 information regarding that will need to be
17 incorporated on there, the lot line revision
18 metes and bounds and such.

19 The water department's comments on the
20 length of the laterals. It's shown as a hundred
21 feet long. There may be need to upsize those and
22 run that through the water superintendent.

23 We'll need a design of the private
24 roadway in compliance with the Town of
25 Marlborough road specifications.

2 A private access and maintenance
3 agreement will need to be submitted to Ron's
4 office.

5 There's a stormwater closed pipe
6 drainage system collecting water from the private
7 roadway that's discharging on lot 3. The
8 ultimate discharge location for that will have to
9 be reviewed to make sure it's not impacting the
10 down gradient properties. There will be a need
11 for some sort of a level spreader to return that
12 back to sheet flow.

13 This map was apparently utilized for
14 another subdivision. There's things to be added
15 and other things. It needs to be cleaned up.

16 The limits of disturbance and grading
17 for the individual lots need to be shown. It's
18 residential, it's one to five acres. It just
19 needs a soil erosion and sediment control plan.

20 This exceeds five acres of disturbance.
21 There will be a need for a stormwater pollution
22 prevention plan to be prepared.

23 The grading that's shown on the
24 proposed lot 5 drops off. Access to Grant
25 Street, it doesn't continue. We'll have to see

2 how that grading works to get that driveway in
3 there. The maximum is fourteen percent grade.

4 I think there's quite a bit of work to
5 do. We would be looking for a map submitted by
6 the applicant's consultant in the future.

7 CHAIRMAN LOGUE: Any questions or
8 comments from the Board?

9 MS. LANZETTA: I just have one
10 question. The private road off of Summit Drive,
11 you've got driveway, road, driveway. Do we have
12 anything in our regulations that says how much
13 impervious surface can be --

14 MR. HINES: We don't. We'll refer it to
15 the highway superintendent once it gets further
16 in the design. Often times they may have concerns
17 of plowing snow in the cul-de-sac. It's a
18 challenge for the highway department guys anyway.
19 The commonsense is to push the snow straight
20 through where the private road is located. We're
21 probably going to hear from the homeowners on
22 Summit Drive who bought houses on a cul-de-sac
23 who will be surprised there's a private road
24 extension. It's not prohibited by your ordinance
25 but it's probably going to need a public hearing

2 to be addressed.

3 This is a better alternative than the
4 twenty-two multi-family that was proposed off
5 there two months ago. It's certainly less impact
6 on the neighborhood to have five single-family
7 houses than the multi-family unit that was
8 previously proposed.

9 CHAIRMAN LOGUE: Okay. Are you
10 gentlemen all set?

11 MR. JAMES: We're all set.

12 CHAIRMAN LOGUE: Thank you.

13 MR. JAMES: Thank you.

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15 (Time noted: 8:43 p.m.)

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C E R T I F I C A T I O N

7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

23 DATED: June 12, 2015

STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

In the Matter of

CLARA WERBA TRUST

Project No. 15-8005
357 Old Indian Road
.4; Block 3; Lots 3.100 & 3.200

Section 102.4; Block 3; Lots 3.100 & 3.200

SKETCH
LOT LINE REVISION

Date: June 1, 2015

Time: 8:43 p.m.

Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: MICHAEL LOGUE, Chairman
BEN TRAPANI
JOEL TRUNCALI
CINDY LANZETTA

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
KATHY WILKLOW

MICHELLE L. CONERO

MICHELE E. CONFER

10 WESSEVIEW DRIVE
Wallkill, New York 12589
(845) 895-3018

2 CHAIRMAN LOGUE: Next up, Clara
3 Werba Trust, sketch.

4 MS. BROOKS: The proposal before you is
5 a lot line revision, which is the distribution of
6 the land of Clara Werba. She had set up a trust
7 prior -- while she was still alive stating her
8 desire of how she wanted her property split after
9 she passed.

10 The only issue that we have been
11 grappling with was whether or not to do it as a
12 subdivision or to do it as a lot line revision.

13 Michael, the son who is going to be
14 distributee of the final lot number 1, has
15 determined that he would like to have the 34.6
16 acres added to his existing house lot as he has
17 no plans to improve it at this point in time.
18 For tax purposes and so forth it just makes more
19 sense to add it to his existing parcel. William
20 will have the remaining land, which will be the
21 homestead parcel of 3.35 acres on the northerly
22 side of the road and the farmlands on the
23 southerly side of the road, totaling 46.55 acres.

24 I'm glad my first one back is a simple
25 one.

2 CHAIRMAN LOGUE: So the one brother is
3 taking the farmhouse and the --

4 MS. BROOKS: Yes.

5 CHAIRMAN LOGUE: -- other brother is
6 going to take where his log cabin is?

7 MS. BROOKS: And to the west. Yup.

8 MR. TRAPANI: Mike is keeping all the
9 property on the south side of the road?

10 MS. BROOKS: Mike is keeping the
11 easterly 35 acres on the south side of the road.
12 Bill is getting the barn, the shed, the pond,
13 where he has his helicopter parked. He's been
14 utilizing that property.

15 MR. HINES: It's pretty
16 straightforward. The first comment we were just
17 discussing is there's a stone line ditch across
18 from the parcel. We're suggest an easement be
19 provided for that --

20 MS. BROOKS: Yes.

21 MR. HINES: -- so that no one cuts that
22 off.

23 I didn't understand the easement
24 located in the center there, the 25 foot
25 right-of-way. It looks like it goes a couple

2 hundred feet and doesn't go anywhere.

3 MS. BROOKS: Yeah. Actually, the 25
4 foot easement, the whole purpose of that
5 easement, because Michael -- we don't show all of
6 the interior roadways, but Michael has plenty of
7 access on his property to get up to that point in
8 the roadway and he didn't want to have the burden
9 of helping to maintain it because he doesn't
10 really use it. So from Old Indian Road to the
11 commencement of the northerly bounds of that 25
12 foot right-of-way will only be used by William.
13 The whole purpose of having the right-of-way in
14 the location that we did is so that Michael
15 doesn't have to construct a new culvert and he
16 will be able to cross the roadway.

17 MR. HINES: Got you. Okay.

18 MS. BROOKS: So there is a logic. So
19 Michael does not have to put another stream
20 crossing in. He didn't want to have to maintain
21 this entire stretch where it primarily benefits
22 William when he can go anywhere from his property
23 and get to this point.

24 MR. HINES: It just says 25 foot but
25 it's really 15.

2 MS. BROOKS: Yeah. It's 25 in here. We
3 show that area as 25 and that's the area that's
4 15.

5 MR. HINES: We're just suggesting that
6 doesn't say 15.

7 MS. BROOKS: I hear you. Yup.

8 MR. HINES: It has enough information
9 to schedule it for a public hearing.

10 CHAIRMAN LOGUE: Okay.

11 MS. BROOKS: Did the Board catch that,
12 what the concern of Pat was?

13 CHAIRMAN LOGUE: Yes.

14 MS. BROOKS: I was pointing to him and
15 I didn't show you.

16 CHAIRMAN LOGUE: Any comments or
17 questions?

18 MS. BROOKS: What was your first issue?

19 MR. HINES: The drainage easement down
20 on the bottom.

21 MS. BROOKS: Thank you.

22 CHAIRMAN LOGUE: So we can entertain a
23 motion for a public hearing on July 6th.

24 MR. TRAPANI: I'll make that motion.

25 CHAIRMAN LOGUE: A second?

2 MR. TRUNCALI: I'll second it.

3 MS. LANZETTA: Could we make sure --
4 make a note that we have this before to have it
5 in front of people so they can get their public
6 hearing first.

7 MS. BROOKS: When do we celebrate the
8 Fourth of July holiday?

9 MS. WILKLOW: That's going to be
10 Friday.

11 MS. LANZETTA: Make sure Kathi puts it
12 on the public hearing before that one.

13 MS. BROOKS: Thank you.

14 CHAIRMAN LOGUE: All in favor on that
15 motion?

16 MR. TRAPANI: Aye.

17 MR. TRUNCALI: Aye.

18 MS. LANZETTA: Aye.

19 CHAIRMAN LOGUE: Aye. So carried.

20 MS. BROOKS: Thank you very much.

21 CHAIRMAN LOGUE: Motion to close the
22 meeting.

23 MS. LANZETTA: I'll make a motion to
24 close the meeting.

25 MR. TRUNCALI: Second.

2 CHAIRMAN LOGUE: All in favor?

3 MR. TRAPANI: Aye.

4 MR. TRUNCALI: Aye.

5 MS. LANZETTA: Aye.

6 CHAIRMAN LOGUE: Aye.

7

8 (Time noted: 8:49 p.m.)

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10 C E R T I F I C A T I O N

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12 I, Michelle Conero, a Shorthand
13 Reporter and Notary Public within and for
14 the State of New York, do hereby certify
15 that I recorded stenographically the
16 proceedings herein at the time and place
17 noted in the heading hereof, and that the
18 foregoing is an accurate and complete
19 transcript of same to the best of my
20 knowledge and belief.

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25 DATED: June 12, 2015