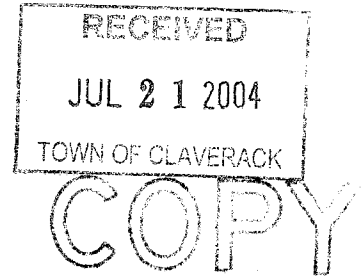


**Zoning Board of Appeals
Town of Claverack
91 Church Street
Mellenville, NY 12544**



Minutes of the **June 23, 2004** meeting of the Zoning Board of Appeals

Meeting called to order by acting chairman, Michael Brandon at 7:30 pm. Present were board members Steve Melnyk, Jock Winch, Norma Barnard, Paul Gundrum, Steve Harder, Frank Clegg and chair Michael Brandon. Secretary. Caren Mahar, Town Attorney, Rob Fitzsimmons, Town Engineer Gary Stuart also in attendance.

Chairman Michael Brandon asked everyone to stand for the Pledge of Allegiance. Mr. Brandon introduced himself and board members to audience. He then asked the board to review the May 2004 ZBA meeting minutes. Norma motioned to accept minutes without change. Frank seconds. Board approved unanimously to accept the May Minutes without change.

Henry Cassivant Jr (112.2-1-56) 710 Rte. 217, Mellenville

No show, had contacted the chairman in advance of meeting. Waiting for a survey.

Dobson Cellular (142.00-1-18.1) Applicant seeks special exception to co-locate a cell tower on existing cell tower at 635 Snyderstown Rd. Morris and Associates undertook review of proposed project. Questions arose from board about structural quality. Received clean bill of health from Morris group. SEQR form was already completed with question on one area, "screening. In original application, Cellular One was appointed/authorized to fill out forms. "Yes" was answered by applicant on "screening". Escrow was discussed as well as anchors and guidelines, FCC license, Integrity of structure, Insurance Certificate and Bond for removal. Mike opened floor to public comment.

Debbie Mayer of 401 Snyderstown asked if there was a limit to number of phone companies that could co-locate on any one tower.

Dobson: In a way, from license, there are only so many licensed. T-mobile is the only new one licensed for this area. Structurally, tower could hold it. It could be reinforced.

Rob: Co-location is actually preferred over separate towers for each cellular company.

Marie D'Amico, Snyderstown Rd: Asked about the size of the dishes or a maximum size allowed?

Dobson: Carriers use same configuration of 4ft +/- 8"-12" wide with 3-4 panels on the face, 3 sides. This tower would reach 120ft where the current tower is at 200 ft.

Steve M: Isn't higher better?

Dobson: Can be, but not really. Would have to do a lot more structurally to support it.

Steve M: Why not use an antennae?

Dobson: Different frequencies require different technical probes, technologies.

Steve M: ..TDMA carrier is not compatible in that way

Marie: IN future, would technology negate the need for towers?

Dobson: It has been 10+/- years since the first tower. Cellular Infrastructure has not changed much since then.

Ever a possibility?

Dobson: ...federal level to provide cell surfaces at terrain level. Satellites can not replace transmission. It needs a site line

Public Hearing Closed

Frank: As indicated, you need a tower every four miles to have a line of sight.

Dobson: Yes

Frank: What happens with a 911 call?

Dobson: At federal level, cell phone has to have a 911 connection to a local person

Jock: That hasn't quite come to fruition yet in this county...enhanced 911. Public Safety answering point can not decode or use, but cell companies have to.

SEQR: Rob went through verbally for board. Jock motioned to make a declaration of negative impact. Steve M. seconds. All agree.

Steve motions to approve cell tower co-location at Snyderstown Rd with three conditions. Frank seconds motion. Board decides unanimously to approve co-location of Cellular One/Dobson Cellular at existing tower located on Snyderstown Rd with the following conditions to be met:

1. Bond for removal in amount of \$9400. must be posted by applicant
2. Applicant must supply Insurance Certificate.
3. Check for \$207.14 payable to Town of Claverack for certified mailings must be mailed in or dropped off to town office.

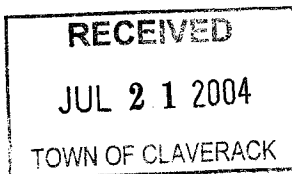
Robert Johanson (122.-1-7.200) Applicant applied for a use variance at 298 Rt217 Hudson to add a living unit loft of barn already existing on property. Many questions of applicant about septic and well left board to request applicant come back in July with the following:

1. documentation about septic
 2. On map, designate well and septic locations
 3. Documentation about well (flow numbers, capacity, etc.)
 4. Need a more detailed site plan
 5. Needs an updated letter from the department of health.

Rob reiterated requirements and criterion for variance, stressing the need for applicant to prove that he can not realize a profit, prove a case of hardship, not self-created and will not significantly alter neighborhood Open to Public Comment. None. Case and comment continued to next month.

Informal: Bill First approached board regarding dismay about his desire to use property off Rt 66 as storage. He claims Stanley said it is an approved use for storage, he is in a highway commercial zone designated for this type of business . He paid a \$100 fee which the town, he claims , lost. He feels he has been driven around in circles. Stanley tells him one thing, Dennis tells him another, Mike tells him he must notify neighbors, Caren tells him he can't notify neighbors without an application of some sort which Stanley says he doesn't need. Rob clarifies that Mr. First needs to apply for a site plan review. Caren will help him gather all paperwork to be on agenda in July. Neighbors will be certified by legal notice of Mr. First's intents for storage at 41 Ginsberg Lane. Mr. First will appear before the board at the July 28 meeting

Norma motioned to end meeting. Steve H. seconded. Unanimous vote. Meeting ended at 9:00 pm
Draft 7/11/04 CM



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