

Minutes of the regular meeting of the Planning Board of the Village of Rouses Point, New York, held on Monday, February 24, 2014 at Halstead Hall, commencing at 7:00 p.m.

**CALL MEETING TO ORDER:** Mr. Cooper called the meeting to order at 7:00 p.m. and began with the Pledge of Allegiance.

**ROLL CALL VOTE:** John Cooper, Shirley Hall, Tom Batha, Donald Gladd, Charles Roush

**ALSO PRESENT:** Clifford Sterling, Code Enforcement Officer;  
Attorney David Brennan

**RECORDING SECRETARY:** Carol A. Hanfield, Planning Board Secretary

**APPROVAL OF THE MINUTES:** Mrs. Hall made a motion to approve the minutes of the January 27, 2014 meeting; Seconded by Mr. Batha; AYE CARRIED

**NEW BUSINESS:**

**NEW YORK RSA 2 CELLULAR PARTNERSHIP dba VERIZON WIRELESS:**

Attorney Dave Brennan, Young/ Sommer LLC, from Albany was present representing Verizon Wireless. Chairperson Cooper asked Mr. Brennan to explain to the Board the project. Mr. Brennan gave an overview of their proposal to erect a 160' self-supporting or lattice type tower on property owned by the Village at 124 Academy Street. He explained that this site has some history and gave an overview of what took place in 2007/2008, which he was not involved. Verizon dealt with the Village about putting antennas on the water tank. Then the Village started dealing with a company called JNS, an independent tower company, who proposed to build a tower and bring people on and split the revenue with the Village which apparently fell through.

Verizon recently came back to the Village Board and received approval and entered into a Lease Agreement with the Village to rent space to build this tower. In 2013 Verizon had their engineering company prepare zoning drawings which he had enlarged showing where the building will be placed on a 50' x 50' parcel on the northwest portion of the property. He explained that the building will be 12' w x 30'l and is a prefabricated building. Within that shelter is an emergency generator; air conditioning units to be used in the summer to keep the electronics cool; the radio racks and other electronic equipment necessary to run the communication system.

He reviewed the next drawing showing the driveway stating that a new culvert will be put in at the edge of Academy Street. There is a shelter showing an ice bridge which is fence poles elevated about six' tall and a cable that comes out and is suspended underneath with lattice on top of it. On the northwest portion of the property there is the electric cabinet where they will tie in for power and the telephone will come in off the street to the facility.

He showed the Board a profile of the tower and explained that it is lattice, 160' to the top with a four (4) foot lightning rod on top used for any lightning strike to direct into the grounding system. There will be twelve (12) antennas on three sides installed facing separate directions which are approximately about 4 – 5 " wide and 6 - 8" tall, depending on the models used and gray in color. Discussion followed.

Attorney Brennan explained the locations of the other antennas in the surrounding areas. There is one located off the exit at the Northway in the Town of Champlain and another 8 miles away in Chazy. Shirley Hall asked if we will bounce off the tower in Chazy. Mr. Brennan reviewed the coverage areas of the towers and explained how the towers will work. It was explained that when the cell service is turned on they expect the coverage to connect to the existing sites. With the overlap of the signals the system will tell where you are and the computer will automatically tell it to switch to the other site. It will connect with no interruption. He continued to explain that the tower will be transmitting less than 1% of what the FCC allows. Discussion followed.

Attorney Brennan stated that he noted in the application that a request for a tower in this location went to the Zoning Board back in 2008 and the Zoning Board issued a Use Variance for the property saying that this use was permissible. The Code Enforcement Officer at the time indicated that under the zoning law towers, church belfries, etc. are exempt from the height limitations so an area variance or height variance was not necessary. After investigating this with Attorney Favreau and the Secretary the zoning portion has been completed previously and what was not completed was the Site Plan Review. He asked that a Public Hearing be scheduled for the next meeting. He will be back in March to answer any questions from the Public.

Attorney Brennan then highlighted on another item that was in the application which is a RF Safety Report from a professional engineer and he concludes that if all of our antennas are on and transmitting at maximum power to the maximum number of users were less than 1% of what the FCC allows for RF transmissions off the tower. We have four (4) different frequencies licensed to use by the FCC which he explained. He then addressed the height of the tower being 20' taller than the water tank and the tank at the Pfizer Plant. Tom Batha told him that the tank is the old Village tank and will be coming down. He explained that they wanted to be above the surrounding tanks.

Tom Batha asked why they didn't attach the antennas to the water tower. Chairperson Cooper said that the company that manufactured the tank did not recommend the towers being placed on it.

Charles Roush asked if in the event the tower had a catastrophic event occur and it was to fall is it far enough away from the tower. Clifford Sterling said that the 160' he didn't think it would ever hit the road. The Board reviewed the footage on the plan. Clifford said he read that the foundation is going down at least 6' – 8'. Discussion followed.

Tom Batha asked what the color was going to be and was told that it was galvanized steel. It is shiny but then it oxidizes. Tom then asked about painting it orange and white and was told by Attorney Brennan that this one is not required to have a light on it and the orange and white paint is when the FAA looks

at them and determines there is a possible hazard. This was ran through their screening tool and it was determined that it was not required to be painted. The general cutoff if not near an airport is under 200 feet in height and if you are then you are not required to paint them.

Clifford Sterling questioned that amount of air traffic by helicopters from Homeland Security and thought that this should be addressed. Attorney Brennan said that he will address this and get an answer. Discussion followed.

Shirley Hall asked if there were any support strings around the tower. Attorney Brennan said that it was free standing and there are no guy wires.

Charles Roush asked how long from the day it is approved until completion and being in service. Attorney Brennan said that it should be around 2 months from start to finish. They hope to build it this summer.

Clifford Sterling asked if there would be roaming charges if we were to bounce off the Canadian tower. Attorney Brennan thought that they should not be connecting and should be working from this tower. He has heard that Verizon is sensitive about pushing signals into Canada opposed to them pushing signals to us. There are certain limitations on how to transmit. Discussion followed.

Tom Batha made a motion to deem the application complete and authorize the Planning Board Secretary to publish a Legal Notice for a Public Hearing to be held on March 24, 2014; Seconded by Charles Roush; AYE CARRIED

Chairperson Cooper thanked Mr. Brennan for the great job he did on the application and presentation. The Board was in agreement that it was very well done. Discussion followed.

**PECK PROPERTY:**

The Board had reviewed the preliminary plans submitted for the subdivision of the Peck Property. Clifford Sterling explained that this lot is going to be sub-divided into four (4) parcels. The property is being subdivided into one (1) larger parcel and three (3) lots 92' x 185'. A discussion was held by the Board regarding the installation of the electric; water and sewer required for this project. Clifford spoke to the surveyor today and requested that they submit the plans to the Board as soon as they complete the survey. Discussion followed.

Shirley Hall made a motion to deem this application complete and authorize the Planning Board Secretary to publish a Legal Notice for a Public Hearing to be held on March 24, 2014; Seconded by Tom Batha; AYE CARRIED

**NEXT SCHEDULED MEETING:**

The next scheduled meeting is March 24, 2014

**ADJOURNMENT:**

Chuck Roush made a motion to adjourn at 7:50 p.m.; Seconded by Shirley Hall; AYE CARRIED

Respectfully Submitted,

A handwritten signature in cursive script that reads "Carol A. Hanfield".

Carol A. Hanfield

Planning Board Secretary