

**TOWN OF PATTERSON
ZONING BOARD OF APPEALS
August 25, 2009**

AGENDA & MINUTES

**Proposed Putnam Lake Telecommunications Facility
*Special Meeting***

PLANNING DEPARTMENT

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

**ZONING BOARD OF
APPEALS**

Howard Buzzutto, Chairman
Mary Bodor, Vice Chairwoman
Marianne Burdick
Lars Olenius
Gerald Herbst

PLANNING BOARD

Shawn Rogan, Chairman
David Pierro, Vice Chairman
Michael Montesano
Maria DiSalvo
Charles Cook

**Zoning Board of Appeals
August 25, 2009 Meeting Minutes
Held at the Patterson Recreation Center
65 Front Street
Patterson, NY 12563**

Present were: Chairman Howard Buzzutto, Board Member Mary Bodor, Board Member Marianne Burdick, Board Member Gerald Herbst, Board Member Lars Olenius, Carl Lodes, Attorney with Town Attorney's Office Curtiss & Leibell and Rich Williams, Town Planner.

Chairman Buzzutto called the meeting to order at 7:10 p.m.

There were approximately 120 members of the audience.

Sarah Wagar was the secretary for this meeting and transcribed the following minutes.

Roll Call:

Board Member Bodor	-	here
Board Member Burdick	-	here
Board Member Herbst	-	here
Board Member Olenius	-	here
Chairman Buzzutto	-	here

1) WIRELESS EDGE & OMNIPOINT CASE #22-07

Mr. Neil Alexander, attorney with Cuddy & Feder, and Mr. John Arthur, Wireless Edge, were present.

Chairman Buzzutto stated alright. You want to read the...

The Secretary read the following legal notice:

NOTICE IS HEREBY GIVEN BY THE TOWN OF PATTERSON BOARD OF APPEALS of a public hearing to be held on Tuesday, August 25, 2009 at 7:00 p.m. at the Patterson Recreation Center, 65 Front Street, Patterson, Putnam County, New York to consider the following application:

Wireless Edge Westchester Group LLC...

Audience stated can't hear you. Get close to the mic please.

The Secretary continued to read the following legal notice.

Omnipoint Communications, Inc. Case #22-07; Held over from the November 26, 2007, January 29, 2008, and February 26, 2008 meetings

Applicants are requesting a use variance and an area variance to construct a multiple carrier wireless telecommunications facility. The Patterson Town Code does not permit wireless telecommunications facilities in the RPL-10 Zoning District. The proposal includes a 130 foot monopole; the Patterson Town Code states the maximum height for a structure is 38'; variance requested is for 92'. The Applicants are also proposing a 6' fence for around the cell tower and to include the equipment buildings and other associated structures. §154-15 of the Patterson Town Code; Fences, stone walls and masonry walls, requires that fences shall not exceed 4'...

Audience member stated why don't you slow down a little. You're going too fast. We're trying to listen.

Audience member stated a little louder and a little slower.

The Secretary continued to read the following resolution:

in the front yard. Variance requested is for 2'. The Property is located at 600 Lake Shore Drive (RPL-10 Zoning District).

Chairman Buzzutto stated okay. Did you basically all hear what was said on the agenda reading.

Audience member stated we can't here you.

Chairman Buzzutto stated too much feedback. A lot of feedback [referring to the microphones picking up feedback]. Okay, Rich. Is it off now.

Rich Williams stated good evening everyone.

(Audience applause)

Rich Williams stated this works wonderful [referring to the microphone]. My name is Rich Williams. I have a brief announcement to make about the procedures for tonight. Everybody is here tonight to hear about the continuation on an application made to the Zoning Board of Appeals for a cell tower that was to be located down on the south end of the lake, near Lake Shore Drive and Fairfield Drive. We anticipate that based on suggestions made by the Zoning Board of Appeals that the applicant tonight is going to present an alternate location. Unfortunately we don't have an application pending before the Zoning Board of Appeals for that alternate location, nor do we, myself, the Zoning Board or the members of the audience, have any information on this alternate site. So, that being the case, we anticipate that we are going to have to table the meeting. We're going to have ask the applicant to make an application, at which time we are going to schedule another public hearing so that everybody will have an opportunity to speak on the second alternate location.

(Some audience applause).

Audience member stated who made the decision to (inaudible – too distant).

Rich Williams stated the Zoning Board of Appeals, in their evaluation of the primary site, asked the applicant to look to see if there were any better sites. When I mean better sites, sites that meet the coverage needs of the (inaudible), but have less of a visual impact on the community. That's what they've been doing.

Audience member stated (inaudible – too distant).

Rich Williams stated we asked them to evaluate alternate sites, as we do with every application. Again, we're going to ask the applicant to make a presentation about the alternate sites. And we don't have an application, so we still are going to have to have another public hearing so that everybody has an opportunity to evaluate that alternate site and comment on that alternate site.

Audience member stated (inaudible – too distant).

Rich Williams stated it is not a dead deal.

Audience member stated (inaudible – too distant).

Rich Williams stated it is not a dead deal because there is still an application pending before the Zoning Board of Appeals.

Audience member stated okay.

Rich Williams stated that application has not been decided, nor has it been withdrawn. One last question, then we're going to move on.

Audience member stated please. If and when you put up one, how is it going to affect us moneywise.

Rich Williams stated I can't say because I don't know the location that it's going to be. Ultimately approved, if one does get approved.

Audience member stated well, they keep saying that it's going to go up like it did with the telephone company. They promised us no raises, no changes, and then all of the sudden this is long distance, that's long distance.

Rich Williams stated I understand. Until we have an application approved, we can't tell you any further information then what you have had. So with that, I'm going to turn it over to the applicant.

Mr. Neil Alexander stated make sure that I can get the same clarity as Rich got. For the record and Chairman, members of the Board, members of the public, my name is Neil Alexander. I'm a partner at a law firm of Cuddy & Feder. For those of you over there, I'm sorry about my back [referring to the audience]. I can't quite (inaudible) in the back, so I'll do the best I can. We are here tonight on behalf of Wireless Edge. I thought it would be really helpful to quickly sort of just give a little history to help contextualize where we are. It is correct that we are going to tell you tonight about an alternate location

we'd like to pursue on Quail Ridge Homeowner's Association property. We'll get to that in a minute. I think it's really important just to give a quick context here about the fact that wireless carriers for a tower developers and carriers themselves, have been trying for almost a decade now to bring safe, adequate and reliable wireless service to the Putnam Lake community. As many of you will recall, an 80' monopole was proposed for the Roman Catholic Church at Sacred Heart in 2001 which would have served the same area, and that met with quite a bit of opposition. About five or six years later, Wireless Edge came in with the (inaudible) application. But before they did any context of the Sacred Heart Church, many alternative locations were asked to be studied by your Board. And at that time, there was Brimstone Road, there was Little Pond, there was what's now the Merrit Preserve, the New Life Church. A tower in New Fairfield, Connecticut even was discussed at that time. Your Board wasn't satisfied then with the way (inaudible) with Sprint, and they denied the application. Wireless Edge has come forward now and they identified 600 Lake Shore Road. We've seen what the public outcry has been relative to that location. But again, what happened is there was an outcry. Essentially, you're talking about the same area still needs service. The Telecommunications Act was adopted in 1996. We're going on 14 years later. Still no safe, adequate and reliable wireless carrier service as per the federal mandate for the Putnam Lake community area. Wireless Edge initially in the course of its November submission in '07 to February of '08, studied eight alternative locations, including a report showing that in contrast to the 130' height at 600 Lake Shore Drive, any alternative that could potentially work, would have to be at least 170' as opposed to the 130', and almost all of them would have to be over 200' which would mean that it would have to be lit in accordance to the Federal Aviation Administration for clearance for towers exceeding 200'. Notwithstanding, what we felt, was conclusive evidence as to how great this location is at 600 Lake Shore Road, the Board asked us to go out and study some more sites. You all did a good job at coming forth and suggesting alternative pieces of property [referring to the audience/public]. I think one of you may have even given the suggestion to help put together the Quail Ridge Homeowner's Association feel comfortable with having a dialogue with Wireless Edge. That's the site we've been able to identify. John Arthur, who is a principal with Wireless Edge, in a minute or so will explain the parameters for that tower looking to be over 145', and involves different tradeoffs. We think you're going to like the tradeoffs and that our carriers are willing to live with those tradeoffs. So what I'm going to do is have John come up, go over that. Ultimately here the goal is...the obligation of almost everyone is to find a way to provide safe, adequate, reliable wireless service to the Putnam Lake community. We need to find a tower; it's been eight years. And that's where we have to go. The Board has had many alternatives in front of it, and we think of now what you have is the best alternative available. And John will tell you all about it at this point.

Chairman Buzzutto stated are you going to go right into Quail Ridge, or are you going to discuss...

Mr. John Arthur stated Quail Ridge.

Chairman Buzzutto stated the south...

Mr. Arthur stated Quail Ridge.

Chairman Buzzutto stated oh. You're not going to discuss the south end of the lake first.

Mr. Arthur stated just from the textural standpoint and then...

Chairman Buzzutto stated okay. Thank you.

Mr. Arthur stated my name is John Arthur. I'm a principal with Wireless Edge. We've provided the Board with a package of these charts and we'll present them in the same order. I'll try to keep these turned

towards the public [referring to the charts/diagrams]. The initial site that we presented, 600 Lake Shore Drive, that you can see here at the bottom of the lake, it's very close to the actual water and to the road. Elevation is really roughly about the elevation of the water. The site that we are now proposing is Quail Ridge site, what we call it. It's actually located on the north end of the lake. It's approximately 1.8 miles north of the original site, and it's on a bit of a hill. And so the elevation is somewhat higher. From coverage perspective, there is a bit of a compromise. Also, the second site, does not supply the (inaudible) coverage to the south. But our perspective was only to wireless carriers find them and provide (inaudible) then we're okay with the location. The second chart is an aerial photograph of the area. It's basically the same (inaudible) just connected. Just to give you an idea of the residential areas and the woods. As you can see from the first site has Lost Lake on one side and the lake on the other side. But there are two residential areas to the east and to the west. Quail Ridge site is located roughly central, and a very large patch. And the neighborhood that's associated with that property is really to the north here. It's Phillard Road to the west. But other than that, there really are no residences in the immediate vicinity of the site, so you wouldn't really see the site if were walking around there. We gave you a detailed aerial photograph of the site location. Access to the site is off the end of Garland Road. And right now there is what seems to be an old road that (inaudible) on through there and there's a stone wall all along that that meanders it's way over to the site. That's probably about 800' feet or so into the property. Now the site description: 620 feet above sea level. By comparison, the original site was 492 feet. It does have a natural buffer around it: 750 feet in all directions. So we weren't requiring anything from (inaudible) see it back there. We are proposing a monopole. It is similar to the monopole that we proposed originally, however, it's going to be a little bit more of a traditional monopole, where as it has stand-off arms, but it does not need a platform, type of a structure. It would need to be higher than the other structure. And we figured 145' is what we're recommending. And that would also, by the way, allow some additional type antennas that the Town can put there own gear up there. It would be, you know, availability for them at the site site. We would, in a similar fashion, the pole would be painted brown, with all the antennas and structures. So it would blend in with the context of the woods. And from a capacity standpoint, it would be capable of holding 6 wireless carriers in addition to public safety antennas. From a standpoint of residential structures or homes around this site [referring to an aerial photograph], we're showing here a 500' radius range with 100' radius. So, there're really... Within 500', there are no homes as a matter of fact, (inaudible) here on the map. We put a chart here to compare the original site with the new site. And, for an example, when you get into eight...700', there were from 31 homes within that radius compared to none for the new site. When you get to...

(Audience applause).

Mr. Arthur stated when you get to 800', there were 44 homes within that radius and there were only 4, and just barely, and... So it's good way to (inaudible) pretty much everything. As part of our review with the homeowner's association, there were lots of concerns about (inaudible) from their homes, and they wanted to know about visibility from their neighborhoods. And we went out, it was actually on May 15th, we had to do several balloon tests for them, but this one we had very good weather and we did it over the course of a weekend. So this went up on Friday. We raised the balloon to 145' and it was a 5' diameter balloon. And then we went around the area and we brought one of the folks from the neighborhood around with us to see where we could see that site from. And also to validate that it really wasn't visible from their areas. So, we took five areas that we were able to see the site and we have photos of those balloons as well. We're going to show you in a minute. And with that, we'd like to point out when we looked at some of these areas, we're looking at something that is very far away. It is literally a pinprick to the naked eye and some of these areas like #1 and #5 we'll let you know exactly where you're looking. We have a map and we have a giant pair of binoculars, you're still not going to see it. So, the visibility is quite a lot different than what we experienced with the initial site. And for an example... And another good reason is this is

really buried in the woods so, any areas that are close to the site, is not going to see it because there's trees everywhere. So, unless you get back pretty far, you just have to catch a view. And like I said if you took binoculars, you'd be able to see it. So in the first view, Photo 1, that's on Jordan Drive. And there was literally an area where you have to stand (inaudible) into the street. And you can see from...we circled it in red because you couldn't see it otherwise. But we did put it in (inaudible) millimeter telescopic views so that you know there is a balloon there. So that's the type of visibility that we've experienced. Now Photo 2 was from the west side of the lake. And that was about a third of the way down. It's kind of makes sense that you would see it there and wouldn't see it here because of the land mass. Also, the original site, you couldn't see it from the west side but you could see it from east side area (inaudible). It's just the opposite of Lake Shore [Drive] because you really don't see anything from the east side except the views are really the west side. Particularly any area south of the lake. So, Photo #2, we're about .8 miles from the site. And this is really the first area where the site appeared above the natural tree line. And we were standing on a little outcrop; kind of went out into the boat launch. And you can see, it's just a pen dot. This is shot with a millimeter lens, similar to that of a (inaudible) then we have a telescopic view to see what it really actually looks like [referring to the picture]. And the third photo is from South Lake Drive. And you can see where if you drive down here, you're not really going to see it. And then when kind of go back out on this landmass it would be more (inaudible) look across the lake, and that's exactly what happens. But again, by that time, you're a mile and half from the site and you're just going to see it (inaudible). But it was there. And of course it would be brown so, you know, it will blend in anyway. And [Photo] #4 was really you looking back from the boathouse. And in that view, you could really look for a low level of the tree line. So you can see it sitting there, you couldn't find it if you were just looking. And if it were brown, you wouldn't see it at all. And the fifth area is very similar to Photo 1. It was, again, just kind of a pinprick looking through the trees. But it was one isolated area where, you know, 10 feet either way, you're just not going to see it anymore. But this is one area that we did find it. And we looked very extensively on all of these roads throughout the area. And again, just a quick summary, we feel that the visibility of this site is much better than the other one. It's a little bit of a (inaudible) compromise for us but we're hoping that this site is more (inaudible) to the community and (inaudible) so many concerns about hearing equipment from the road and that should be off the table because we're (inaudible) back.

Mr. Alexander stated I did notice, I know you're Board has experienced previously with a flagless flagpole and you've expressed a preference for that, and we do know that. But we have to go with arms here because the height is so much more. Even if, and we will discuss this I'm sure, if we move down the line assuming that you prefer this site to be explored to us going forward with the 600 Lake Shore [Drive], but the issue is we need the arms because once you get to a certain height, the tower doesn't become tenable with internal mounts. It just doesn't work, they don't last. And there are other associated problems structurally as well as, very few, if any, manufacturers that make a tower that height that we need if we need to go taller. Even in proposing (inaudible) we need to go with the arms. So again, finding the balance, figuring that, as you saw from John's, you know, photo montage, you're talking about a third of a mile to a mile and three quarters. And these are very far, distant views. And for many of them, the ridgeline behind it obscures it. So he thought that would be better rather than (inaudible) above, or rising above rather, the ridgeline would potentially have this go to the higher height. So that was the choice that we made, in full awareness of the (inaudible) for MalDunn the flagless flagpole.

Board Member Olenius stated with respect to that statement that you just made...I'm sorry. I forgot you're name, but you stated that the balloon diameter was 5'. The tower would stand off arms. What does that...

Mr. Arthur stated at top, it's 2 feet.

Board Member Olenius stated it's 2 feet.

Mr. Arthur stated it's the end of the arms (inaudible – too distant) they stick out about 6' (inaudible).

Board Member Olenius stated okay.

Mr. Alexander stated so just to restate that for everybody, the girth of a pole itself is approximately 2 feet and then you've got about 6 feet on either side to triangulate...So essentially no more than 12', that separation distance is your girth.

Board Member Olenius stated okay. Thank you.

Mr. Alexander stated I don't know if other Board members have questions right now.

Board Member Bodor stated just to clarify, the flagpole versus the stand-off arm, do I understand that if you were to go with a flagpole in this case, it would have to be taller.

Mr. Alexander stated it would definitely have to be taller and there's also questions as to finding a manufacturer (inaudible) structural concerns with too high with all internal mounts. Because the design's different. I (inaudible) an engineer. I can't speak to

Board Member Bodor stated that's okay. You answered my question. Thank you.

Chairman Buzzutto stated it's going to accommodate 6 other carriers.

Mr. Alexander stated John.

Board Member Herbst stated you're not on Buzzy [referring to the microphone].

Board Member Olenius stated I think the Chairman's question was this new proposal would accommodate 6 carriers. And would that mean 6 sets of stand-off arms.

Mr. Alexander stated yes.

Board Member Olenius stated yes.

Mr. Alexander stated there will be 6, yes. And we would also make room for...

Mr. Arthur stated (inaudible – too distant).

Board Member Olenius stated separation, 8 to 10 foot separation.

Audience member stated can you present that so the average person knows what you're talking about.

Mr. Alexander stated sure. What we're getting at here a couple of things. By comparison to the other site, one of the things that everyone is very concerned about with the other site was basically the lower part of the pole in addition to the other parts. You can sort of separate the pole into actually, in half. You have the lower part which is where you have the fenced compound and at 600 Lake Shore Drive, you would see the fenced compound and we were proposing to plant around it. At this location, you will not see the fenced compound because it's so far back. There's no aesthetic with that...issue with that. With the 600 Lake

Shore Drive, we had talked about in the beginning was essentially a flagless flagpole that we'd paint brown, in which case we the antennas would be internal. But in order to reach that, you have to use a different type of antenna. So to get the number of antennas and the technology to make capacity essentially, you need to have put the antennas stack them on top of each other. As opposed to having them go out horizontally and there're limits to how frequency works. So essentially what you have to do is have extra height in order to get all the antennas...I'm going to use my hands here a little bit. So if something's going this way, and you want to get it this way, that pretty much says it all, right. Going out this way, so it's sideways. So here's your pole, and you want it to go sideways, right. Your antennas, you want to put these antennas inside this, you have to go like this. And as a result, you have extra height if need it in order to put the antennas inside. Giving the design standpoint of the latest one, we were...because of it's location we were able to go lower and we knew, because of the number of houses around it, it would be aesthetically preferable to go inside. When you go to the other site we're proposing, we believe that going outside makes more sense rather than going up because you saw a bunch of those views, particularly 4 and 5, all at when you look at 400 millimeter telescope with a telescopic shot, you saw that here was the ridge, and our pole was behind it. So painted brown and not cresting the ridge, you wouldn't see it, which is better than having it taller cresting the ridge, with the antennas inside. That was our aesthetic balance that we believe was the right balance. At least to have dialogue on it, initially...We think ultimately it's the one that should prevail. But, you know we're not going to (inaudible) until we need to make an official submission of materials and going forward.

Chairman Buzzutto stated approximately the coverage in the lake, how much will that increase the use of cell phones over there.

Mr. Alexander stated well, you don't have service.

Chairman Buzzutto stated no, I mean after you put the service in. Is it going to get greater...

Mr. Alexander stated we're going to have safe, adequate and reliable service and then carriers and people will have the option of whether they want to go completely wireless if they like. They'll have redundancy during various...certain types of power outs, they would have redundancy where they only have an old, you know, ring phone in your house, if you lose power and if you have a cordless phone you don't have telephone service.

Chairman Buzzutto stated what I mean is, in some areas of Put[nam] Lake, a cell phone is useless.

Audience member stated yes.

Mr. Alexander stated right now.

Chairman Buzzutto stated yes, right now.

Mr. Alexander stated you'll have service. And that's all part of the package that we're going to provide you with is that...

Chairman Buzzutto stated that would be...

Mr. Alexander stated what we're saying is this. You previously received coverage plots for our 600 Lake Shore [Drive] location. They are comparable, and slightly less of, but the carriers say they can get by with

meeting their FCC mandate, for safe, adequate and reliable service at the Quail Ridge site. So, if you remember what you saw, or look at the file again, it will be extremely comparable.

Chairman Buzzutto stated will you require...

Audience member stated that's now.

Chairman Buzzutto stated will you require any repeater towers down at the end of the lake. Does that...

Mr. Alexander stated right now, we're talking about what we believe, and I'm not going to start getting into the RF testimony aspect, I'll wait for the radio frequency engineers...

Chairman Buzzutto stated okay.

Mr. Alexander stated providing their affidavits for the application. We believe it's comparable. The carriers told us that they're finding it comparable and that they're willing to move forward with this site. Like I said, if (inaudible) they've been waiting 8 years to provide safe, adequate and reliable service. They've got the FCC that they need to answer to as their regulator. And really what we were hoping to get tonight is your Board to say to us, we prefer to not see you move forward with 600 Lake Shore Road. And we prefer you to move forward with...

(Audience applause).

Mr. Alexander stated but I'm not used to...we're used to getting booed and not applauded.

(Audience laughter).

Mr. Alexander stated we'd like to move forward with Quail Ridge and we'd like to basically have some feedback from the Board if that's preferable than having to move forward with 600 Lake Shore Road. I mean, because there's a lot of dollars here. I mean, we are...We don't anticipate the disturbance for (inaudible) and the whole site to exceed an acre. We want to make damn well sure we stay under that because we don't want to do a full-blown S.W.P.P. We'd like to do erosion sedimentation control instead. But there's some serious engineering that has to go into that in order to take that issue through, we're kind of (inaudible) swaling and other, you know, low impact development (inaudible) methods we can come bring (inaudible) for our access road, and that's going to take some thought.

Chairman Buzzutto stated yes, well...

Mr. Alexander stated so, you know, we don't want to go spend those dollars for, you know, again, something we've already really engineered because we know we'd be exempt at the southern side of the lake.

Chairman Buzzutto stated well, the south side of the lake compared to Quail Ridge, the residents there, how close...what's the difference in the closeness.

Mr. Alexander stated yes. We...

Chairman Buzzutto stated beneficial to have...

Mr. Alexander stated based on aerial photography, we were able to determine that within 800 feet of the Quail Ridge site there are only 4 homes...

Chairman Buzzutto stated right.

Mr. Alexander stated whereas at 600 Lake Shore [Drive] there are 44 [homes]. But also, those numbers mask a little bit the real realty which is there are zero within 700 feet of Quail Ridge, whereas I think the number was 31 [homes] at 600 Lake Shore. And that's what I think the real (inaudible) is the most obvious, is at 700 feet. It's really distinct. You have nobody. You could bring it back to 5,280 feet, is a mile. 800 feet is a pretty good distance. You're talking about a sixth of a mile.

Chairman Buzzutto stated what was the closest residence out of Quail Ridge.

Mr. Alexander stated about 780, 750 [feet]...somewhere in that range.

Chairman Buzzutto stated that's great.

Mr. Alexander stated so it's really...you're getting far away at that point.

Chairman Buzzutto stated one other question. How does that interfere with Fairfield County in Connecticut. Will it have any back feed from the...

Mr. Alexander stated we'll work through...the carriers will work through whatever issues they need to as far as the (inaudible) of their positioning and their licensing in Connecticut. We'll work through that issue. We're confident that they can either make sure they don't exceed the (inaudible) requirements from the interstate compact standpoint, or get the necessary waivers to...

Chairman Buzzutto stated yes. Well, I mean, any of their towers interfere with Quail Ridge.

Mr. Alexander stated no. We don't anticipate that.

Chairman Buzzutto stated you don't anticipate it.

Board Member Bodor stated there was mention made of public safety antennas.

Mr. Alexander stated yes.

Board Member Bodor stated what are...What's the purpose of those.

Mr. Alexander stated I think, and I don't want to speak too much for John, and jump in and correct me, I think what we were offering is that the Town had emergency response antennas it needs to put up, we would be amenable to having them place those...Usually they're whips....whip antennas. And that could be for either...I know you don't have Town police, but, you know, Dutchess County Sheriff...

Board Member Bodor stated fire...

Mr. Alexander stated for fire. For fire district. I don't know how you're fire is served in that area, but I'm assuming it's volunteer fire department.

Board Member Bodor stated it is.

Mr. Alexander stated so if they want to put up antennas, I don't think it would be, you know, within a reasonable amount, I don't think it would be a problem.

Chairman Buzzutto stated so in other words, that would be beneficial to the fire department also.

Mr. Alexander stated it definitely would be beneficial to them. You know...

Chairman Buzzutto stated well, I mean the sheriffs and the...

Mr. Alexander stated right. I don't know if (inaudible) your vendor or not.

Board Member Bodor stated yes.

Mr. Alexander stated so, I know (inaudible) on many occasions so, depending on what...if they know what their needs are, we could...someone (inaudible) I know they had mandates; the Town had mandates to upgrade, so...

Chairman Buzzutto stated how do you split up the power supplies for 6 different carriers. Individual or...

Mr. Alexander stated we work with the power companies when you get a D-marker, basically. We create a D-mark point and then we have a back (inaudible). Almost like a multifamily housing.

Chairman Buzzutto stated yes. But don't they each have to have a backup generator or something.

Mr. Alexander stated we haven't quite gotten there yet on the design phase. I know on the last go around, because of the proximately of so many people we were willing to consider not having backup generator; Batteries are getting better everyday. But we have, and I don't want to jump into John with his issues quite yet, and I'm not sure if he knows completely yet from the carriers. I think that they're waiting to here from this Board that they'd rather have us pursue that, and we can start taking down those last little issues.

Chairman Buzzutto stated have anything.

Board Member Bodor stated I want to thank your company for taking some of the suggestions that this Board's made and I do believe that this is not the only alternate site that you did take a look at. So we suggested an alternate site, and you've done some investigation, and I thank you for that.

Mr. Alexander stated thank you. I think we were almost ready to hit double a as far as going all the way through the alphabet here, so...

Board Member Bodor stated and I will say, based upon what I've seen tonight, this would be, to me, a more preferable location.

(Audience applause).

Board Member Bodor stated at this time. But of course, more investigation and more information needs to be presented.

Chairman Buzzutto stated yes. We'll get that from the audience at the next meeting, when they can speak at. Unfortunately tonight we can't do that. Jerry, you got anything.

Board Member Herbst stated I haven't seen the other site, so...

Audience member stated (inaudible – too distant).

Chairman Buzzutto stated not really. We haven't got an application on it yet, for all you guys...

Audience member stated what it is I'm, you know, I'm all for this. But also, I'm one of the senior citizens here. And the way that my money is, I'm strapped. I get this much. Is this going to run us more in the long run. You know, nobody wants to say...like, when we had the telephone company come into Putnam Lake, they put that little shack there and they said nothing would change. Our phone system would stay the same. Prices would stay the same. Then we can't call New Fairfield where my doctors are. It's a long distance call. I mean, it's getting...we don't know...

Chairman Buzzutto stated well, with a cell phone you...

Audience member stated what's going on. And if you don't ask questions...

Chairman Buzzutto stated well, the questions will come up at the next meeting basically.

Board Member Bodor stated unfortunately we can't entertain questions or input tonight because is not a public query for this information that we're receiving.

Chairman Buzzutto stated we're just getting...

Board Member Bodor stated we do not have an application yet on this proposal. And by law, we are not able to open it up. If you have a question tonight that you would like us to address or the company to address, put it in writing and get it to us. If they in fact do submit an application on this site, then we will have a public hearing. It will be held here and you will be able to...

Chairman Buzzutto stated yes.

Board Member Bodor stated ask and make comments.

Audience member stated but no matter where they put it up, they're still going to do the same thing. Either they're going to raise everything or they're not.

Board Member Bodor stated I don't...I'm not...It's not clear to me, you know, we're talking about cell companies. And if you have a cell phone, that's between you and the company that you have the cell phone with, whether or not the rates are going to raise. This is not going to be a across the board increase for everybody in the community because not everyone is going to be impacted, only those that have a carrier and happens to be on whatever tower it is that they're on.

Chairman Buzzutto stated you do have the choice of six different...

Audience member stated I see what you're saying.

Chairman Buzzutto stated six different...

Audience member stated it's just, you know, in the past, everybody has promised you roses and we wind up with weeds. You know, it's the only way to explain it, but a lot of us have just certain amounts of money that we can spend and why should we always deny us this to get that.

Board Member Bodor stated I understand...

Chairman Buzzutto stated well...

Audience member stated you don't know.

Board Member Bodor stated your dilemma. I, too, am the same, you know, so I can go along with you. But I'm not sure about this across...I'm not sure exactly, you know, about the increase and where you're feeling impacted by that. That's down the road.

Chairman Buzzutto stated yes.

Board Member Bodor stated and that's between you and the cell company that you choose to have. And you don't have to have a cell phone.

Chairman Buzzutto stated I don't think we can address anymore questions because it's...Sorry.

Audience member stated I don't mean to interrupt.

Chairman Buzzutto stated well, you basically are.

Audience member stated you know, I came up tonight to find out if...

Chairman Buzzutto stated well, you can do all of that at the next meeting.

Audience member stated it will be beneficial to us.

Chairman Buzzutto stated you'll have an open meeting. You will have all the input you want, and that will go for anybody in the audience to have all the input they want. But tonight, they were just good enough to give us a display of what they want to do up there. Give you some idea of what's going to happen up there. You've seen everything over there, which I thought was a very good presentation of what they have.

Audience member stated oh, yes. I...

Chairman Buzzutto stated yes.

Audience member stated but I mean...

Chairman Buzzutto stated and it is a more favorable spot down at the...

Audience member stated we all came up here for different reasons.

Chairman Buzzutto stated yes.

Audience member stated and I came up to find out if it's...

Chairman Buzzutto stated well, I'm sure you could have either AT&T, Verizon, Sprint. There's six different telephone...cell phone companies that you can use. (Inaudible) you can choose the one you want, you get different rates.

Audience member stated alright. Thank you.

Chairman Buzzutto stated you can get your rates...Just one quick question. That's it.

Audience member stated can we make a comment based on the variance that is already (inaudible).

Chairman Buzzutto stated we don't have an application right yet.

Audience member stated not from the new site but from the original one on Lake Shore [Drive].

Chairman Buzzutto stated well, I don't remember that...

Mr. Alexander stated it's your last comment, you might as well. It's up to you.

Chairman Buzzutto stated I don't want.

Board Member Olenius stated she wants to know if you're going to make a decision on the 600 Lake Shore.

Chairman Buzzutto stated oh, not tonight. No. It's going to be in place for...Until after one site is more favorable than the other, then we'll make a decision on this...on the Lake Shore.

Audience member stated but you won't hear a public comment...

Chairman Buzzutto stated no.

Audience member stated based on the application...

Chairman Buzzutto stated no.

Audience member stated you currently have now in front of you.

Chairman Buzzutto stated no, because if the one on Quail Ridge don't go through, they're going to fall back on the...

Board Member Bodor stated if you have a comment regarding the existing application, could you please submit it to us in writing.

Chairman Buzzutto stated yes.

Board Member Bodor stated we have volumes of public comment that had already been submitted, and we would prefer at this time that you just drop it off at the Zoning Office in writing...

Chairman Buzzutto stated yes.

Board Member Bodor stated and they will get attention.

Chairman Buzzutto stated and you can come at the next meeting and you'll input there. There will be more figures available to you. Alright, that's all the questions we'll take.

Board Member Bodor stated the 600 Lake Shore site remains open.

Chairman Buzzutto stated yes. It will remain open until after a decision is made on Quail Ridge. So you still have input on that one there. So, I don't want to take anymore questions on that.

Mr. Alexander stated (inaudible) I know one of the Board members was kind enough to make it clear. I just want to make sure that the Board is in agreement with those comments regarding moving forward with Quail Ridge as a whole. I just want to make sure that no one has reservations with regard to us moving forward with Quail Ridge, as opposed to 600 [Lake Shore Drive]. Not that you're saying that you like Quail Ridge, but rather that...

Chairman Buzzutto stated right.

Mr. Alexander stated you...compared to 600, you want us to...

Chairman Buzzutto stated well, we can't do anything on Quail Ridge until we get all the facts, figures, on your new application.

Mr. Alexander stated yes. The problem is I need, for contractual and other reasons, before we're going to stop moving forward with 600, I really need to make sure that...I can't remember the Board member who sits to your left, the last name [referring to Board Member Bodor]. I apologize. She made it clear where she stood. I just want to make sure that none of the other Board members are in disagreement with that statement before my client goes and he spends substantial resources to make an application. That's really all I'm looking to make sure.

Chairman Buzzutto stated well, as far as I'm concerned, the residential compared to residential, there's no question really in my mind that Quail Ridge would be more favorable.

Mr. Alexander stated that's all I was...

Chairman Buzzutto stated until we hear or see what you have on the application.

Mr. Alexander stated understood.

Chairman Buzzutto stated I'm speaking for myself.

Board Member Burdick stated based on the information presented this evening and in light of more information coming forward, but based on what was presented this evening, I feel that the Quail Ridge site is preferable to the previous site.

Mr. Alexander stated thank you.

(Audience applause).

Board Member Olenius stated I concur with Ms. Burdick.

Mr. Alexander stated I appreciate your...

Board Member Olenius stated you want to make a comment.

Board Member Herbst stated I agree with the rest of the Board that this is a good site.

(Audience applause).

Mr. Alexander stated I think we'll quit while we're ahead and what I would like to ask is when is the September submission deadline for the October meeting.

Board Member Olenius stated for the October meeting.

Mr. Alexander stated yes. We'd like for the October meeting.

Board Member Olenius stated October 6th.

Board Member Herbst stated didn't we change that.

Mr. Alexander stated that's the submission deadline so the meeting's going to be the 27th.

Board Member Olenius stated correct.

Board Member Herbst stated 27th.

Board Member Olenius stated yes. But the submission deadline.

Board Member Herbst stated oh. When are we going to do a site walk.

Mr. Alexander stated okay. Thank you very much.

Chairman Buzzutto stated okay.

Board Member Herbst stated hey Buzz, when are we going to do a site walk.

Board Member Olenius stated Mr. Alexander that submission date is for the regular meeting. Chances are you'll be a special meeting again. But look at that submission deadline, you know, anyway, because you'll be close to the regular meeting. I'm just not...

Mr. Alexander stated it will be cooler then, right.

Board Member Olenius stated yes.

(Laughter).

Board Member Herbst stated hopefully.

Chairman Buzzutto stated thank you very much.

Board Member Bodor stated at this point, thank you everyone for appearing here tonight...

Chairman Buzzutto stated thank you very much for your...

Board Member Bodor stated and we'll see you again.

Chairman Buzzutto stated your corporation. And I applaud the (inaudible).

Board Member Bodor stated and I'd like to make a motion to adjourn this meeting.

Board Member Burdick stated second.

Chairman Buzzutto stated again, thank you very much.

Board Member Bodor stated all in favor. Motion carried by a vote of 5 to 0.

Meeting was adjourned at 7:53 p.m.