

**TOWN OF PATTERSON
ZONING BOARD OF APPEALS
November 19, 2012**

AGENDA & MINUTES

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1) Watchtower Bible & Tract Society Case #34-12	1 – 17	Public hearing closed; Amendment to Special Use Permit and Area variances for building and fence heights granted
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3) Other Business		
1) 2013 Meeting Schedule	43 – 45	Meeting Schedule Approved
2) Minutes	45	October 17, 2012 minutes approved

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

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

PLANNING BOARD

Shawn Rogan, Chairman
Thomas E. McNulty, Vice Chairman
Michael Montesano
Ron Taylor
Edward J. Brady, Jr.

**Zoning Board of Appeals
November 19, 2012 Meeting Minutes**

Held at the Patterson Town Hall
1142 Route 311
Patterson, NY 12563

Present were: Chairman Lars Olenius, Board Member Howard Buzzutto, Board Member Mary Bodor, Board Member Marianne Burdick, Board Member Gerald Herbst and Nancy Tagliafierro, Attorney with Town Attorney's Office.

Chairman Olenius called the meeting to order at 7:08 p.m.

There were approximately 10 members of the audience.

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

Chairman Olenius led the salute to the flag.

Roll Call:

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

1) WATCHTOWER BIBLE AND TRACT SOCIETY CASE #34-12

Mr. Richard Eldred and Mr. Joel Heier were both present.

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 Monday, November 19, 2012 at 7:00 p.m. at the Patterson

Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider the following application:

**Watchtower Bible & Tract Society Case #34-12 – Held over from
October 17, 2012**

Applicant is requesting to an area variance pursuant to §154-15 A. of the Patterson Town Code; Fences, stone walls and masonry walls, in order to install a 6' fence along their frontage. The Code states that a fence shall not exceed 4' from ground level along the frontage; Proposed is 6'; Variance requested is for 2'. Applicant is requesting area variances pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, in order to allow for construction of buildings exceeding the 38' Height Limitation; Maintenance building; Proposed is 76'; Variance requested 38', Office building; Proposed is 90'; Variance requested 52', G Residence building; Proposed is 76'; Variance requested 38', North Addition to AV Building; Proposed is 47'; Variance requested 9', West Addition to AV Building; Proposed is 39'; Variance requested 1'. Applicant is also requesting to amend their special use permit pursuant to §154-99 of the Patterson Town Code; Schools and colleges. The property is located at 100 Watchtower Drive (R-4 Zoning District)

Chairman Olenius stated gentlemen, you want to come on up. How are you this evening.

Mr. Richard Eldred stated doing good. Thank you.

Chairman Olenius stated could you just state your name for the record one more time.

Mr. Eldred stated Richard Eldred.

Chairman Olenius stated Mr. Eldred, how are you. Survive the storm okay.

Mr. Eldred stated and I'm also accompanied by Joel Heier.

Chairman Olenius stated Joel, how are you.

Mr. Joel Heir stated good.

Chairman Olenius stated I had a question for you and now I completely forgot what it was. Did you have any changes or anything...

Mr. Eldred stated no.

Chairman Olenius stated to your initial application.

Mr. Eldred stated no.

Chairman Olenius stated we were waiting... We finally completed a findings statement from an environmental impact. We got a letter back from the Fire Department dated today. I don't know if you've received a copy of it yet.

The Secretary stated no.

Chairman Olenius stated no.

Mr. Eldred stated no.

Chairman Olenius stated do we have a copy, Secretary.

[The Secretary handed Mr. Eldred a copy of the letter].

Chairman Olenius stated it's more about, I think, more about the type of sprinklers you were planning on installing in the buildings that, you know, National Fire Code type things and hook ups for them and different things so they can feel like they can adequately protect the structures, I think, was more than anything.

Mr. Eldred stated I think a lot of that would come in play in the site plan approval process as part of the plans themselves. These things are all... We have in mind putting them in, but detailing them out.

Chairman Olenius stated right.

Mr. Eldred stated yes.

Chairman Olenius stated you have a water supply up there too, if I'm not...

Mr. Eldred stated we do.

Chairman Olenius stated you do, right. With hydrants and everything, so...

Mr. Eldred stated yes.

Chairman Olenius stated a lot of this is... He actually states that, the Fire Chief, in the letter that due to Hurricane Sandy they've been... they're a little delayed, too. I think that's why it was a last minute...

Mr. Eldred stated sure.

Chairman Olenius stated thing. But I don't think that much of that applies to what you're going for tonight. Oh, the parking spaces. That was the other thing. That was properly noticed this time.

The Secretary stated correct.

Chairman Olenius stated correct. That was what happened the last time, too. We didn't notice it properly. That was a clerical error, I believe. The environmental impact statement. The notice was wrong. Those were the only two things that were lacking for us, so. I think the prime reasons for...

Board Member Bodor stated oh. Sounds good. From the Fire Department, perhaps.

Chairman Olenius stated yes. That's...

Board Member Bodor stated that was another piece.

Chairman Olenius stated that's what it was. We were waiting on the Fire Department.

Board Member Bodor stated okay.

Chairman Olenius stated okay. That was the rest of it.

Board Member Buzzutto stated do you have adequate water supply up there to fight a fire.

Mr. Eldred stated we have the tank, we have the water main. What we'd be doing is extending the water main to the fire hydrants so we would be adding around the buildings. And that would be a part of the...

Board Member Buzzutto stated so there's sufficient water then.

Mr. Eldred stated pardon.

Board Member Buzzutto stated there would be sufficient water to...

Mr. Eldred stated yes.

Board Member Buzzutto stated the site.

Mr. Eldred stated sufficient, yes.

Board Member Buzzutto stated okay.

Chairman Olenius stated don't you have like a reservoir up there or something like...

Mr. Eldred stated (inaudible).

Chairman Olenius stated I thought so. I thought I'd saw it on your site plan or something when I opened it up; a good body of water up on top.

Board Member Buzzutto stated yes, okay. I remember. You have backup power also.

Mr. Eldred stated we do have backup power.

Board Member Buzzutto stated powerhouse, or...

Mr. Eldred stated yes. We have a power house. We have adequate generators so we can actually...

Board Member Buzzutto stated that could pump water also.

Mr. Eldred stated yes.

Board Member Buzzutto stated (inaudible) yes.

Chairman Olenius stated does anybody from the audience have any input on this Watchtower case. Hearing none. I'm just looking for (inaudible).

Board Member Buzzutto stated what are you looking for.

Chairman Olenius stated I thought there was another note about something. I want to make sure I'm not missing anything.

Board Member Buzzutto stated from Nick [Lamberti].

Chairman Olenius stated I thought there was something from Rich...

Board Member Buzzutto stated oh, Rich.

Chairman Olenius stated that raised a question in my mind. I think we established, too, that these new buildings were really not much taller than anything you have existing out there.

Mr. Eldred stated that is correct. It was shown on the picture that we had brought along as to how it was going to look.

Chairman Olenius stated it blends right in with everything else that's there.

Mr. Eldred stated right. And even on the lower side it may be a little higher, but as you go around the building it gets...It's not as high to get to the upper stories.

Chairman Olenius stated yes. I remember that a lot of the height variances had to do with just the grade...the terrain, because they were polled from the lowest point. But it will still be suitable to get fire apparatus around them...

Mr. Eldred stated oh, yes.

Chairman Olenius stated even with the grade, so...And most of your additional parking, too, I believe, was underneath the buildings.

Mr. Eldred stated that is correct. That's mitigation basically to consolidate the parking so it's not spread all over the property.

Chairman Olenius stated well, we like that, too, because it lessens your impervious...

Mr. Eldred stated that is correct.

Chairman Olenius stated coverage there.

Board Member Bodor stated you want to close the public hearing.

Chairman Olenius stated I don't...yes. Does anybody else have any...I've got pretty much everything I needed from last time.

Board Member Bodor stated yes.

Board Member Buzzutto stated no, I got it.

Chairman Olenius stated I'll make a motion to close the public hearing.

Board Member Bodor stated I'll second.

Chairman Olenius stated all in favor. Motion carried by a vote of 5 to 0.

Chairman Olenius stated okay. This is going to take a minute [referring to the resolutions]. Is every one of these different, Sarah.

The Secretary stated yes. And you're getting the fence one as well. I just printed that off.

Chairman Olenius stated I'll start with the fence one then.

Board Member Buzzutto stated which one you got first.

Board Member Bodor stated the fence one.

Chairman Olenius stated start with the fence one.

Board Member Bodor stated it's the fence.

Board Member Buzzutto stated okay. We've got one with the fence.

Chairman Olenius stated it's the last one she just handed out.

Board Member Buzzutto stated okay. Got it.

Chairman Olenius stated okay.

Chairman Olenius read the following resolution:

**IN THE MATTER OF THE APPLICATION OF
Watchtower Bible and Tract Society, Case #34-12
*For an Area Variance for a 6' Fence***

WHEREAS, *Watchtower Bible and Tract Society* is the owner of real property located at 100 Watchtower Drive (R-4 Zoning District and C-1 Zoning District), also identified as **Tax Map Parcel # 14.-1-53 and 14.-1-54, and;**

WHEREAS, *Watchtower Bible And Tract Society* has made application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-15 A. of the Patterson Town

Code; Fences, stone walls and masonry walls, in order to allow for a 6' fence along the frontage of the Watchtower Educational Center; and

WHEREAS, §154-15 A. of the Patterson Town Code states that a fence shall not exceed 4' in height from ground level to the highest point of any portion of the fence located along the frontage; Applicant is proposing a fence 6' from grade; **Variance requested is for 2'**, and

WHEREAS, a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on **October 17, 2012 and November 19, 2012** to consider the application; and

WHEREAS, The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

1. the proposed application **will not** produce an undesirable change in the character of the neighborhood **because the submitted fence design fits in well with other existing fences along the Route 22 corridor.**
2. the benefit sought by the applicant **cannot** be achieved by any other feasible means **because it is in affect going to be a security fence.**
3. the variance requested **is not** substantial **due to the commercial nature of the Route 22 corridor; most of the properties along there have taller fences already.**
4. the proposed variance **will not** have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district **because there really is no increase in impervious coverage with the fence design as submitted.**
5. the alleged difficulty necessitating the variance **was self-created**, however, **is not sufficient** so as to cause a denial of the requested variance.

NOW, THEREFORE BE IT RESOLVED, that the Patterson Zoning Board of Appeals hereby **grants** the application of **Watchtower Bible and Tract Society** for an **area variance of 2' pursuant to** §154-15 A of the Patterson Town Code; Fences, stone walls and masonry walls, in order to extend the 6' fence along the frontage of Watchtower Educational Center.

Board Member Burdick stated second.

Board Member Bodor stated we were supposed to do this first.

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

Resolution carried by a vote of 5 to 0.

Chairman Olenius stated okay, before I get to the special use permit and the other things, I have to...

The Secretary stated the findings statement.

Chairman Olenius stated do the findings statement. Can I just make a motion that you accept it as written. Or do I have to...

Nancy Tagliafierro stated you can make a motion.

Chairman Olenius stated can make a motion to accept the Final Environmental Impact Statement as submitted to this Board, November 19th.

Board Member Bodor stated I'll second it.

Chairman Olenius stated all in favor. Motion carried by a vote of 5 to 0.

Board Member Herbst stated Sarah.

The Secretary stated thanks.

Chairman Olenius stated amendment to special use permit.

Chairman Olenius read the following resolution:

**IN THE MATTER OF THE APPLICATION OF
Watchtower Bible and Tract Society, Case #34-12
*For an Amendment to a Special Use Permit for Schools and Colleges***

WHEREAS, *Watchtower Bible and Tract Society* are the owners of real property located at 100 Watchtower Drive (R-4 Zoning District), also identified as ***Tax Map Parcel #14.-1-53***, and

WHEREAS, *Watchtower Bible and Tract Society* has made application to the Patterson Zoning Board of Appeals for Special Use Permit as set forth in ***§154-99 F.*** of the Patterson Town Code; Schools and Colleges, in order to amend their Special Use Permit to allow for an additional 571 parking spaces (398 garage parking spaces and 173 exterior parking spaces, and

WHEREAS, *§154-99 F.* states that the Board of Appeals, upon recommendation from the Planning Board, shall determine the minimum number of parking spaces:

WHEREAS, the proposed action constitutes an unlisted action under 6 NYCRR Part 617 and;

WHEREAS, the Zoning Board of Appeals has complied with the requirements of Article 8 of the Environmental Conservation Law ("SEQRA") and 6 NYCRR Part 617, and has duly filed all appropriate SEQRA determinations in accordance with 6 NYCRR Part 617.10;

WHEREAS, a public hearing was held at the Patterson Town Hall, 1142 Route 311, Patterson, New York on *October 17, 2012 and November 19, 2012* to consider the application, and

BE IT RESOLVED, the Patterson Zoning Board of Appeals wishes to *grant* the request for an Amendment to a Special Use Permit *for Schools and colleges in a R-4 Zoning District as set forth in §154-99 F.* of the Patterson Zoning Code; Schools and colleges, in order to allow for an additional 571 parking spaces, giving a new total of 1,937 parking spaces.

Board Member Burdick stated second.

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

Resolution carried by a vote of 5 to 0.

Chairman Olenius stated okay.

Chairman Olenius read the following resolution:

**IN THE MATTER OF THE APPLICATION OF
Watchtower Bible & Tract Society, Case #34-12
*For Area Variances for the Audio Visual Building***

WHEREAS, *Watchtower Bible & Tract Society are* the owners of real property located at 100 Watchtower Drive (R-4 Zoning District), also identified as **Tax Map Parcel #14.-1-53**, and;

WHEREAS, *Watchtower Bible & Tract Society* have made application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-7 of the Patterson Town Code; Schedule of regulations to allow for the construction of additions on the north and west of the Audio Visual Building;

WHEREAS, the Applicant is proposing 47' in height for the north side addition, Code allows for 38' in height; *Variance requested is for 9'*, and;

WHEREAS, the Applicant is proposing 39' in height for the west side addition; Code allows for 38' in height; *Variance requested is for 1'*, and;

WHEREAS, a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on *October 17, 2012 and November 19, 2012*, to consider the application; and

WHEREAS, The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

1. the proposed application *will not* produce an undesirable change in the character of the neighborhood *because the addition, as stated, is well within the existing cluster of buildings, well screened from surrounding areas.*
2. the benefit sought by the applicant *cannot* be achieved by any other feasible means *because there is no other room for expansion within the building.*
3. the variance requested *is not* substantial *in light of the fact that the topography is sloping and these calculations are based on...*

Chairman Olenius stated how do I state this. The longest piece...*the most exposed portion of the building.*

Board Member Bodor stated sounds good.

4. the proposed variance *will not* have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district *because said property is in excess of 700 acres totally and the...*

Board Member Bodor stated currently exists.

Chairman Olenius stated imperv...

Board Member Bodor stated currently exists...

Chairman Olenius stated currently exists and the...

Board Member Bodor stated of that height. Closer.

Chairman Olenius stated *currently exists other buildings in that same height range.* I'm sorry. I was losing my...I was going for impervious coverage and you were right. I should have been going the other way.

5. the alleged difficulty necessitating the variance *was self-created, but, is not sufficient* so as to cause a denial of the requested variance.

NOW, THEREFORE BE IT RESOLVED, that the Patterson Zoning Board of Appeals hereby *grants* the application of *Watchtower Bible & Tract Society* for *area variances* pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, *for area variances of 9' and 1' in height* in order to allow for the construction of a north and west addition, respectively, to the Audio Visual Building.

Board Member Bodor stated second.

Board Member Bodor	-	yes
Board Member Burdick	-	yes

Board Member Buzzutto	-	yes
Board Member Herbst	-	yes
Chairman Olenius	-	yes

Resolution carried by a vote of 5 to 0.

Chairman Olenius read the following resolution:

**IN THE MATTER OF THE APPLICATION OF
Watchtower Bible & Tract Society, Case #34-12
For an Area Variance for the G Residence Building**

WHEREAS, *Watchtower Bible & Tract Society are* the owners of real property located at 100 Watchtower Drive (R-4 Zoning District), also identified as **Tax Map Parcel #14.-1-53,** and;

WHEREAS, *Watchtower Bible & Tract Society* have made application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-7 of the Patterson Town Code; Schedule of regulations for the construction of the G Residence Building and;

WHEREAS, the Applicant is proposing 76' in height, Code allows for 38' in height; ***Variance requested is for 38',*** and;

WHEREAS, a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on ***October 17, 2012 and November 19, 2012,*** to consider the application; and

WHEREAS, The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

1. the proposed application ***will not*** produce an undesirable change in the character of the neighborhood ***because the said structure is within a cluster of similarly sized buildings.***
2. the benefit sought by the applicant ***cannot*** be achieved by any other feasible means ***because they've already taken mitigation measures by putting parking underneath the building, therefore causing a slight increase in height.***
3. the variance requested ***is*** substantial ***however not so much so as to cause a denial.***
4. the proposed variance ***will not*** have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district ***because as previously stated, there is quite a considerable cluster of large buildings already in place and it's well screened from any surrounding area and their view shed.***

5. the alleged difficulty necessitating the variance *was self-created, but, is not sufficient* so as to cause a denial of the requested variance.

NOW, THEREFORE BE IT RESOLVED, that the Patterson Zoning Board of Appeals hereby *grants* the application of *Watchtower Bible & Tract Society* for an *area variance* pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, *for an area variance of 38' in height*, in order to allow for the construction a new G Residence Building.

Board Member Bodor stated second.

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

Resolution carried by a vote of 5 to 0.

Board Member Buzzutto stated the 76', it's not the height of the building, it's the slope of the land.

Chairman Olenius stated oh, I didn't include that in that one, did I.

Board Member Buzzutto stated yes, okay.

Chairman Olenius stated (inaudible).

Board Member Buzzutto stated just slap it in there.

Chairman Olenius stated the measurements on the maintenance building are identical to that of the G Residence building.

Board Member Buzzutto stated it is as high as other buildings.

Mr. Eldred stated they are in...

Chairman Olenius stated they...On the drawings. Okay. I just...It looked too perfect for me.

Mr. Eldred stated I know.

Chairman Olenius stated everything else has been off by a foot or something.

Board Member Buzzutto stated yes.

Chairman Olenius stated okay.

Chairman Olenius read the following resolution:

**IN THE MATTER OF THE APPLICATION OF
Watchtower Bible & Tract Society, Case #34-12
*For an Area Variance for the Maintenance Building***

WHEREAS, *Watchtower Bible & Tract Society are* the owners of real property located at 100 Watchtower Drive (R-4 Zoning District), also identified as **Tax Map Parcel #14.-1-53**, and;

WHEREAS, *Watchtower Bible & Tract Society* have made application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-7 of the Patterson Town Code; Schedule of regulations for the construction of a Maintenance Building and;

WHEREAS, the Applicant is proposing 76' in height, Code allows for 38' in height; ***Variance requested is for 38'***, and;

WHEREAS, a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on ***October 17, 2012 and November 19, 2012***, to consider the application; and

WHEREAS, The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

1. the proposed application ***will not*** produce an undesirable change in the character of the neighborhood ***because there are already considerable number of buildings of similar size and height.***
2. the benefit sought by the applicant ***cannot*** be achieved by any other feasible means ***because of the topography the land is causing the dramatic height variance request.***
3. the variance requested ***is*** substantial ***however, not so much so as to cause denial.***
4. the proposed variance ***will not*** have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district ***because said property is in excess of 700 acres and this will not affect the impervious coverage even to the limits.***
5. the alleged difficulty necessitating the variance ***was self-created, however, is not sufficient*** so as to cause a denial of the requested variance.

NOW, THEREFORE BE IT RESOLVED, that the Patterson Zoning Board of Appeals hereby ***grants*** the application of ***Watchtower Bible & Tract Society*** for an ***area variance*** pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, ***for an area variance of 38' in height***, in order to construct a new Maintenance Building.

Board Member Burdick stated second.

Board Member Bodor - yes

Board Member Burdick	-	yes
Board Member Buzzutto	-	yes
Board Member Herbst	-	yes
Chairman Olenius	-	yes

Resolution carried by a vote of 5 to 0.

Board Member Buzzutto stated is there any way we can get the actual heights of the buildings. The actual structural heights of these buildings. I know they're asking for 76' but how high are the buildings.

Chairman Olenius stated it was all submitted.

Mr. Eldred stated they vary from less than that to slightly more than that. But the average is, in this case 76'.

Board Member Bodor stated 76 [feet].

Mr. Eldred stated and it varies at, like it says...

Board Member Buzzutto stated no, I'm saying from ground level to the height of the buildings.

Board Member Bodor stated 76.

Board Member Buzzutto stated not the slope. How high are the buildings. You follow what I'm trying to say.

Mr. Eldred stated yes, I follow. The reason I was hesitating is because you want to look at the plan. On the...

Board Member Buzzutto stated yes.

Mr. Eldred stated one side it's 76' and another side is 50' and then 40' so...

Board Member Buzzutto stated yes.

Mr. Eldred stated it does vary.

Board Member Buzzutto stated okay.

Chairman Olenius stated okay. In the...Last one. Hurray.

Chairman Olenius read the following resolution:

**IN THE MATTER OF THE APPLICATION OF
Watchtower Bible & Tract Society, Case #34-12
*For an Area Variance for the Office Building***

WHEREAS, Watchtower Bible & Tract Society are the owners of real property located at 100 Watchtower Drive (R-4 Zoning District), also identified as **Tax Map Parcel #14.-1-53,** and;

WHEREAS, Watchtower Bible & Tract Society have made application to the Patterson Zoning Board of Appeals for an area variance pursuant to §154-7 of the Patterson Town Code; Schedule of regulations for the construction of an Office Building and;

WHEREAS, the Applicant is proposing 90' in height, Code allows for 38' in height; *Variance requested is for 52'*, and;

WHEREAS, a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on *October 17, 2012 and November 19, 2012,* to consider the application; and

WHEREAS, The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

1. the proposed application **will not** produce an undesirable change in the character of the neighborhood **because is located within a cluster of already similarly sized buildings and the Applicant submitted photo simulations showing not an impact on the surrounding view shed because it's well concealed towards the back of the compound...**

Chairman Olenius stated or...I don't want to call it a compound. Community. I don't know how else to...

Mr. Eldred stated facility.

Chairman Olenius stated facility.

Mr. Eldred stated facility.

Board Member Bodor stated facility.

Chairman Olenius continued to read the following resolution

2. the benefit sought by the applicant **cannot** be achieved by any other feasible means **because of the topography of the land around there. It's limited areas for building construction within the facility.**
3. the variance requested **is** substantial **however not so much so as to cause a denial of the requested variance.**
4. the proposed variance **will not** have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district **because mitigation measures were taken to put parking underneath the building to minimize the impervious coverage.**

Chairman Olenius stated sorry. I'm kind of grasping at straws tonight.

Chairman Olenius continued to read the following resolution:

5. the alleged difficulty necessitating the variance *was self-created, however, is not sufficient* so as to cause a denial of the requested variance.

NOW, THEREFORE BE IT RESOLVED, that the Patterson Zoning Board of Appeals hereby *grants* the application of *Watchtower Bible & Tract Society* for an *area variance* pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, *for an area variance of 52' in height*, in order to allow for the construction a new Office Building.

Board Member Bodor stated second.

Board Member Buzzutto stated that...Three, was that is or is not. Is not requested...Three.

Chairman Olenius stated I said is...Is substantial, however not so much so as to cause...

Board Member Buzzutto stated okay.

Chairman Olenius stated a denial.

Board Member Buzzutto stated got it.

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

Resolution carried by a vote of 5 to 0.

Chairman Olenius stated gentlemen, I thank you for your very...

Board Member Buzzutto stated good luck and...

Chairman Olenius stated efficient packet that you sustained. I couldn't carry all the rolls and binders and boxes here tonight.

Mr. Eldred stated mmm.

Chairman Olenius stated but, I will keep it for future reference.

Mr. Eldred stated we thank you for your individual and collective time that you spent arriving at these decisions.

Chairman Olenius stated thank you for being so thorough with your submission. We don't get that often.

Board Member Buzzutto stated nice operation.

Mr. Eldred stated thank you now.

Board Member Burdick stated take care.

Mr. Joel Heier stated thank you.

Chairman Olenius stated best of luck.

2) VERIZON WIRELESS CASE #07-12

Ms. Leslie Snyder, attorney with Snyder & Snyder, LLP, Greg Lahey, Tectonic, and Tony Wells, C Squared, were both present.

Chairman Olenius stated go ahead Sarah.

The Secretary read the following legal notice:

**Verizon Wireless Case #07-12 – Use Variance and Area Variances – Held
over from April 10, 2012**

Chairman Olenius stated good evening.

Ms. Leslie Snyder stated hi. Good evening.

Chairman Olenius stated state your name for record.

Ms. Snyder stated sure. Leslie Snyder. I'm here tonight on behalf of New York SMSA Limited Partnership d/b/a Verizon Wireless.

Nancy Tagliafierro stated Chairman, could I just interrupt just for one moment. I just want to make a disclosure to the Board that it came to my attention earlier this afternoon that one of the other attorneys at Hogan and Rossi represented the Patterson Fire Department in this lease with Verizon several years ago. So I just wanted you all to be aware of that.

Chairman Olenius stated thank you, Counselor.

Board Member Buzzutto stated Putnam Lake Fire Department.

Nancy Tagliafierro stated did I say Patterson. Sorry.

Board Member Buzzutto stated no, that was for the...

Nancy Tagliafierro stated it's Putnam Lake Fire Department.

Board Member Buzzutto stated yes, Putnam Lake.

Nancy Tagliafierro stated yes.

Ms. Snyder stated as you may recall, we were last before you in April. So I thought I would just bring you up-to-date as to where the application has been and what's before you this evening. Verizon Wireless is proposing a public utility wireless communications facility at the Putnam Lake Fire Department property at 72 Fairfield Drive. The facility will consist of 140' flagpole and related equipment at the base which will be screened and incorporated into a memorial wall which will be on the Putnam Lake Fire Department's property. As you probably know, under your zoning ordinance, public utility facilities are not permitted in any zone, even though we're in a zone...a non-residential zone; the GB, General Business, District. So Verizon Wireless, as a result of your code, will require a use variance to permit the facility at the property as well as some area variances with the height of the pole. The height of the wall, being that the wall is 8' and only 6' is permitted and also for impervious surfaces. We have 67.5 [percent] where only 65% is permitted for impervious surfaces. So we'll need those three variances as well as the use variance. We began this application back in February, actually, of 2012 where we met with the Board. And at that time, a site visit was scheduled and a visual assessment was performed, which we did perform in March. Then on April 10th, we came to the Board and, as you probably recall, we went through many of the items about the facility and we were forwarded to the Town's RF consultant, Ron Graiff. Your radio frequency consultant requested a drive test which is a specific test wherein you put antennas up at the Quail Ridge site, which is an existing communications tower that Verizon is planning on going on, to be insured that this site would still be needed if Verizon Wireless' antennas are placed at that tower. Mr. Graiff required numerous mapping requirements which we did submit to this Board and to him. And he submitted a report, and I'm just going to quote for sort of the relevant parts of it which says neither the Quail Ridge site or the proposed site alone meet all the coverage requirements and that there's no doubt that the three solution, which is what he is recommending which is Quail Ridge, our proposed site at the Putnam Lake Fire Department and Mal Dunn, would be the ultimate in coverage; we'd be able to cover the area. Verizon Wireless is intending and actually is in the process of constructing the Quail Ridge site as we speak. That is a site that they need for coverage. What the Putnam Lake Fire Department site will cover, most particularly, is the intersection of the three routes; Route 65, Route 67 and Route 66. And I'm just going to submit the Board and I believe there was some mention of it, but actually 4 million...4.3 million people in...according to a report done by the Putnam County Highway Department, actually travel that intersection on an annual basis. And that was back in 2002. But I'm assuming that there's probably even more today. So I'm just going to submit this documentation to the Board. Do you mind if I...

Nancy Tagliafierro stated nope.

Ms. Snyder stated okay. The other thing that your RF consultant also wanted to be assured, that when we put the flagpole, it would be able to accommodate other carriers. And he did also note that he reviewed the plan and that it will be able to accommodate at least two other carriers in addition to Verizon Wireless. One of the things that I just wanted is he required...He actually...Our site plan had shown that the tower will taper to the top and we had shown it tapering to 2'3". He recommended to be insured that the other two collocators could utilize a flagpole to make it wider to ensure everyone's cables could fit inside because as you know, it will be totally concealed. So, he recommended 3'; that it tapers to 3' at the top. So I have an

updated site plan that reflects that for the Board. And I also have a letter from the visual consultant and expert that did our visual analysis that indicates that that extra 9" at the top from the perspective...the simulations would not modify those and be, again, confirms his conclusion that it won't have a significant adverse impact to the surrounding area.

Board Member Buzzutto stated you're 3' on the top, what is the bottom circumference.

Ms. Snyder stated I think the bottom is...

Board Member Buzzutto stated is 5'.

Ms. Snyder stated is about 45 feet...40 [inches] around the circumference of the bottom of the pole. It's going to look...I actually brought a photo of...There's a flagpole that's going to be very similar to this one at the Village of Rye Brook in Westchester County. And this gives you an idea that also accommodates three carriers.

Board Member Buzzutto stated okay.

Ms. Snyder stated to give you an idea of what the base will look like. Our base will be screened by that memorial wall so you won't really see the base...

Mr. Greg Lahey stated it's really 49 [inches] at the bottom.

Ms. Snyder stated but...this is Greg Lahey Tectonic...

Mr. Lahey stated hi. How are you.

Ms. Snyder stated and he's saying it's...

Mr. Lahey stated it's 49" at the bottom, actually.

Chairman Olenius stated at the base, 49 inches.

Mr. Lahey stated yes. At the base. Yes.

Board Member Bodor stated circumference.

Board Member Buzzutto stated circumference.

Mr. Lahey stated well, it's actually...

Board Member Buzzutto stated diameter.

Mr. Lahey stated diameter. Right.

Nancy Tagliafierro stated thank you.

Ms. Snyder stated thank you.

Board Member Buzzutto stated okay.

Ms. Snyder stated so, at this time, you know, we have our engineer with us. We have actually our experts if you have any questions. We're hoping, at this point, to answer any questions you have and hopefully get a negative declaration under SEQRA and have the variances granted so that we can move on to the...back to the Planning Board for our approvals.

Chairman Olenius stated I'm just scanning over everything you just submitted...

Ms. Snyder stated yes.

Chairman Olenius stated quickly. I'm sorry.

Ms. Snyder stated no problem.

Chairman Olenius stated you said...You made a statement earlier that Verizon is in the process of collocating at the Quail Ridge site.

Ms. Snyder stated yes.

Chairman Olenius stated is there a timeline on when that installation will be done, that you're aware of.

Ms. Snyder stated yes. Actually, it will be done in the next month by the end of the year. We already have a building permit and we actually are out there putting it on.

Chairman Olenius stated and then it would be operational...

Ms. Snyder stated yes.

Chairman Olenius stated at that point in time.

Ms. Snyder stated it will be operational.

Board Member Buzzutto stated will this pole overlap with Noletti's on [Route] 22 here.

Ms. Snyder stated yes. So...

Board Member Buzzutto stated it will overlap with that.

Ms. Snyder stated when we say overlap what happens is our sites connect.

Board Member Buzzutto stated well, that's what I mean.

Ms. Snyder stated right. So, yes. So we'll have Noletti. We're going to have the Quail Ridge site and then this site will be...

Board Member Buzzutto stated okay.

Ms. Snyder stated down. I can show you on the maps if you like as to...

Board Member Bodor stated what about Mal Dunn.

Ms. Snyder stated how it connects.

Board Member Buzzutto stated well...Okay. If you wish. Yes.

Board Member Bodor stated what are your plans for the Mal Dunn site.

Ms. Snyder stated Verizon is planning on going either on Mal Dunn or the Brewster Business Park. Those are the two sites that are approximate to each other. So that arrangement we have not solidified yet. But that site is really nowhere near the Putnam Lake Fire Department site. So, it's not going to cover the same area.

Board Member Bodor stated it wouldn't give you any coverage toward that.

Ms. Snyder stated no. I can have our radio frequency engineer, if you like, show you. But we actually did mapping, which was what your radio frequency consultant requested, to show what would happen if we went on Quail Ridge...

Board Member Buzzutto stated I'd like to see that.

Ms. Snyder stated sure. So...

Board Member Buzzutto stated I think...

Ms. Snyder stated Tony Wells is our radio frequency consultant; he's with C Squared. He actually performed...His company performed the drive test that you're radio frequency consultant requested. And the significance of that is that it's not just mapping, he actually had us put the antennas at the locations and then drive around to verify where we would have coverage and where we wouldn't.

Chairman Olenius stated how'd you put the antennas at the...like temporarily. Like is it a crane.

Ms. Snyder stated they use a crane.

Chairman Olenius stated okay.

Ms. Snyder stated yes.

Chairman Olenius stated and I noticed that was done...

Ms. Snyder stated I can hold it.

Chairman Olenius stated in the summer...

Ms. Snyder stated yes.

Chairman Olenius stated when the foliage was full, too.

Ms. Snyder stated exactly. Which was one of his requirements as well. That's why it took some time since we've been here.

Chairman Olenius stated well, it's a lot of information to digest. I know I've been pouring over it quite a bit.

Mr. Wells stated so which map in particular did you want to see.

Ms. Snyder stated well, I think what they want to see is the map...well, the map showing what the Mal Dunn site...

Board Member Buzzutto stated yes.

Ms. Snyder stated will cover as well as the Quail Ridge...

Board Member Buzzutto stated right.

Ms. Snyder stated so, maybe you just want to start, you know...

Chairman Olenius stated do you have like the...

Ms. Snyder stated yes.

Chairman Olenius stated an existing coverage and then he can kind of...

Ms. Snyder stated yes.

Chairman Olenius stated move up.

Board Member Buzzutto stated yes. Well, that's what I mean.

Ms. Snyder stated so this is just...We call it Haviland Hollow. This is Noletti's Bakery. I still call it Noletti's Bakery.

[Laughter]

Ms. Snyder stated Mrs. Noletti, I was very fond of her. So that site has been...Verizon's been on that site for quite some time. This is our proposed site. This, the Quail Ridge site that we're building as we speak and these were the two sites at the bottom that either Mal Dunn or Brewster Business Park, that Verizon...They pretty much have comparable coverage down in this area. They don't get over to this area.

Board Member Buzzutto stated well, those are not new towers down there.

Ms. Snyder stated no.

Board Member Buzzutto stated those are...

Ms. Snyder stated what you're...right. What you're consultant was essentially asking was...

Board Member Buzzutto stated yes.

Ms. Snyder stated do you need...I mean, this is really the ultimate question: Does Verizon need...Is there need for another site in the Town, or are these sufficient enough. And really what Verizon's looking at is this gap, the gap where the three roads intersect, is very heavily traveled. I mean, you're very familiar, I'm sure, with it. It's something that's critical for the network because people are losing calls; we have a lot of dropped calls. And then he'll show you as we go down, your entrance...the entrée along Orleans Drive, Route 65, also significant. We don't have any reliable service there.

Board Member Bodor stated where is that intersection on the map there that you're referring to.

Mr. Wells stated gap...

Ms. Snyder stated well...Yes.

Mr. Wells stated is right down here, close to the...

Board Member Bodor stated no, the...Here. Route 65, 66 and 67. Where do they meet together. I'm not familiar with those numbers.

Ms. Snyder stated okay. Yes. You know, because we're dealing with the Route names and street names.

Board Member Bodor stated yes. What are the street names.

Ms. Snyder stated so...

Mr. Wells stated sorry. [referring to dropping the board with the coverage map].

Ms. Snyder stated that's okay. So you've got Haviland Drive, Fairfield Drive. So as you come in, you've got Haviland Drive. This is where our gap is now, we're showing. Haviland Drive...

Board Member Bodor stated is that by the VFW.

Board Member Buzzutto stated is that the monument there.

Ms. Snyder stated right. That's right where it is. Where the three roads come...

Board Member Bodor stated where the monument...

Ms. Snyder stated in. Intersect.

Chairman Olenius stated between the VFW and the monument.

Board Member Buzzutto stated oh, yeah.

Chairman Olenius stated that whole section there, I think.

Board Member Bodor stated oh, okay. Alright.

Ms. Snyder stated oh, sure.

Mr. Wells stated you're doing good.

[Laughter]

Mr. Wells stated I'll just flip the maps. So, this map is with the...showing the existing coverage only from...This is on [referring to the mic]. Okay. From Haviland Hollow. And I'm sorry I can't turn this so everyone can see it, but...[referring to the boards with the coverage maps] but if you want to get over in that part of the room.

Board Member Buzzutto stated okay.

Ms. Snyder stated which is the...

Chairman Olenius stated so that's the only spot you have right now is, Noletti's I'm going to call it...

Ms. Snyder stated correct. In this approximate area of your Town.

Chairman Olenius stated that's all you have currently.

Ms. Snyder stated right.

Mr. Wells stated yes. Right now. And this shows the proposed site along with Haviland Hollow, without the other two locations that we talked about earlier. So, if we did not build the other two, that's what the map would look like here.

Chairman Olenius stated okay.

Mr. Wells stated and this shows coverage without the proposed site. Which if you remember, that's within this vicinity here. And with Haviland Hollow, the Patterson site and Mal Dunn, which we discussed earlier would be either Mal Dunn or the Brewster Industrial Park.

Board Member Bodor stated the coverage from Mal Dunn and the Brewster Executive Park would be virtually the same.

Mr. Wells stated they're very similar.

Board Member Bodor stated they're...

Mr. Wells stated I have a map...

Board Member Bodor stated very close together.

Mr. Wells stated the next map does show that. This next map is with all...with the four sites on our...existing on their site, Patterson and Mal Dunn and Putnam Lake.

Ms. Snyder stated and this site is essential what our objective is. Our objective is to have all these major thoroughfares so Haviland Drive, Fairfield Drive, Orleans Road; all these major ones covered. That's Verizon's objective. So that it will be reliable coverage. You won't be coming into the Town have dropped calls and then gaining coverage.

Mr. Wells stated particularly here, with four million...With a count of about 4 million cars a year going through here. That has a significant...

Board Member Buzzutto stated that sounds...

Mr. Wells stated impact on the network. It's not the only area that (inaudible) coverage, but...

Board Member Buzzutto stated 4 million cars.

Mr. Wells stated that's a significant part.

Ms. Snyder stated you know, it's funny. I thought it sounded like a lot, but it's actually your...

Board Member Buzzutto stated I don't believe that.

Ms. Snyder stated it's...The County did a study. It's actually from...And their study's from 2002. So I believe there's more cars now. What I'm told, and...

Board Member Buzzutto stated you said a year.

Ms. Snyder stated a year. 4.3 million people a year, and what they're saying is that a lot of people from all different areas traverse that intersection because they're either coming from this direction or coming from that direction, and that's like one of the heavily...most heavily traveled intersection. So it wasn't our report, but it was...The County did study it.

Board Member Buzzutto stated it don't sound...

Ms. Snyder stated yes.

Board Member Buzzutto stated yes. One question I have for you. In the past (inaudible) towers and things of that nature, I always had the understanding that from the first amplifier beams out how far before the signal reaches. How far out.

Mr. Wells stated how far out...

Board Member Buzzutto stated it don't go down to the ground, right.

Mr. Wells stated there is some signal that...below the case of the tower, yes.

Board Member Buzzutto stated not much though.

Mr. Wells stated no. Most of the energy is pointed out...

Board Member Buzzutto stated yes.

Mr. Wells stated over the horizon (inaudible - too many talking).

Board Member Buzzutto stated so basically, the business right next to the tower is going to be a dead area.

Mr. Wells stated no, no. It won't. I think maybe what you heard...

Board Member Buzzutto stated from what I was told.

Mr. Wells stated in the past...

Board Member Buzzutto stated in the past, at least out 50' or 100' out where it slopes down.

Mr. Wells stated that...

Board Member Buzzutto stated the signal.

Mr. Wells stated typically that's...How it works is you have an antenna pattern, so you deliver a signal to the antenna and then the antenna focuses that signal in particular directions. It puts its primary focus out in the distance. But that doesn't mean there's nothing left down here. It's kind of like a flashlight...

Board Member Buzzutto stated yes, well...

Mr. Wells stated beam, right. Even below a flashlight...

Board Member Buzzutto stated what you're doing is throwing them a little bone probably...

Mr. Wells stated no. It's actually more than a bone because there's enough signal below the site that you'll provide service to those businesses within the immediate vicinity...

Board Member Buzzutto stated not..

Mr. Wells stated of the...Plenty sufficient for good data speeds, good voice calls. It's not a degradation of signal. And it will definitely improve. I mean, again, most of the energy is focused over the Verizon for a reason because that's where most of your path loss is, is trying to cover the distance. You end up with a lot of loss of that signal. But right below this tower, you don't have a lot of loss of the signal so you don't need to focus a lot of the signal right there at the base of the structure. But there is plenty of signal there to cover those areas and businesses. The challenge sometimes, if you put it on a roof, right, if you're trying to cover a building and you're right on that particular roof, that's a challenge sometimes. You're going down through a lot of floors. But in this application, that's not a concern.

Board Member Buzzutto stated well, the actual Fire Department won't get too much at all then.

Mr. Wells stated no. I can...The Fire Department will be well covered.

Board Member Buzzutto stated okay.

Board Member Bodor stated how far down the road are your plans to collocate either on Mal Dunn or the Business Park.

Ms. Snyder stated that is an objective...another...I mean, essentially once...Once we get these sites in as well as that, then we'll have the Town covered. That's how we see it. Right now, our focus...We're putting up the one at Quail Ridge and we are...Verizon's objective is to hopefully get this one approved so they can build this because they see that as a major...then they'll have two connecting sites and they'll be covering that major corridor. And then the next plan would be to do Mal Dunn or the Brewster Business Park.

Board Member Bodor stated okay, so...

Ms. Snyder stated that's how they...That's how the pattern that they're working on.

Board Member Bodor stated my thought is in existence is Quail Ridge. In existence in Mal Dunn and or the Brewster Business Park. Why are you not collocating on those first to see if perhaps you really don't need, in reality, need the Putnam Lake Fire House site. That exact issue was what your radio frequency consultant was concerned about; that we would be able...We would activate those two sites and we...

Board Member Bodor stated yes.

Ms. Snyder stated wouldn't need this site. And so that's why he actually required us to do a drive test to see if we would need this site. And that...And he established that we would need the site. You know, a lot of the ways of how Verizon does their network has to do with patterns and drop calls and, you know, you know, also taking into account the totality but, we have established the need for the site. The order they put it in really is not...it's not within my prevue.

Board Member Bodor stated alright. I'm not an engineer. But to me a drive site is a test. It's not the real thing.

Ms. Snyder stated it actually is...

Board Member Bodor stated it's not actual, is it.

Ms. Snyder stated yes. Because you're actually putting antennas as if you're on the site and then driving like someone's going to drive today. So, it is.

Board Member Buzzutto stated is that the actual site or the frequency strength.

Ms. Snyder stated no, you're at the site. You actually put a crane up with your antennas...

Board Member Buzzutto stated yes, the actual site. Yes.

Ms. Snyder stated to the...With your...

Board Member Buzzutto stated so you see. Yes.

Ms. Snyder stated antennas to the frequency. It's exactly like the site's going to be. That's why he made us do the drive test. Often, we are, you know...

Board Member Buzzutto stated well, don't they have a drive test with the meters in the car that pick up the signal.

Mr. Wells stated yes. That's exactly what we did.

Board Member Buzzutto stated yes.

Ms. Snyder stated right.

Mr. Wells stated yes.

Board Member Buzzutto stated well, what Mary...

Ms. Snyder stated but the purpose of the test is...

Board Member Buzzutto stated is referring to us..

Ms. Snyder stated we're actually have the antennas at the location at the site. So...

Board Member Buzzutto stated right.

Ms. Snyder stated we're driving around, just like you would with the site.

Board Member Buzzutto stated but then (inaudible) I forget what they call it, but...

Mr. Wells stated we...

Board Member Buzzutto stated was it seventeen or nine something, frequency.

Mr. Wells stated oh, nineteen...You're thinking of nineteen hundred megahertz frequencies.

Board Member Buzzutto stated nineteen hundred. Yes.

Mr. Wells stated yes. You...Generally you do it at a couple of different frequencies.

Board Member Buzzutto stated well, the signal that Mary's referring to, is that sufficient or you...

Ms. Snyder stated well, your...That was the point of your radio frequency engineer who reviewed it and he came to the same conclusion that there is still going to be a gap and that's the need for the site. Believe me, Verizon would not be building the site if they didn't...

Board Member Buzzutto stated yes.

Ms. Snyder stated if there wasn't a need and they could just go on existing sites. It's not that they're looking to add, you know, particularly in this time where, you know, economic times are tough. And, you know, this area and the amount of people that utilize that heavily trafficked intersection is a real problem for the network. There's a lot of people that are saying that I need, you know, my calls are dropping. It's, you know, I cannot sustain...There's, god forbid, emergency there.

Board Member Buzzutto stated yes.

Ms. Snyder stated and so that...And it's also Orleans Road which drives into...which is your Route 65, which also drives into the route. You know, there's a lot of complaints.

Board Member Buzzutto stated right.

Ms. Snyder stated and so that's why this area has been targeted as to something that we need to improve.

Board Member Buzzutto stated has Verizon checked any other nearby locale in that area. Maybe put the tower someplace else. Have you...

Ms. Snyder stated well, we're focused on, obviously, a commercial district.

Board Member Buzzutto stated right. Yes.

Ms. Snyder stated so that's how we ended up at this...at the Putnam Lake Fire Department because that's in the General Business District. There's a small market nearby; that's a very constrained site.

Board Member Buzzutto stated right.

Ms. Snyder stated and was not, you know, was not...It has a slope in the back as well, so that wasn't advantageous.

Board Member Buzzutto stated but there are other areas that have been...

Ms. Snyder stated there's no other commercially zoned properties that...

Board Member Buzzutto stated well, I mean, no other area. I'm not just talking about commercial.

Ms. Snyder stated well, non-residential.

Board Member Buzzutto stated non-residential.

Ms. Snyder stated that's...we're not residential, you know, in a residential district that could provide this coverage. Especially because we're keeping it in a commercial zone, you know, away from residences rather than putting it in a residential area.

Board Member Bodor stated however, however, your planned structure is in the backyard of a residence which is right behind where you planned to put it.

Ms. Snyder stated there...

Board Member Bodor stated it's going to be right in his back door practically.

Ms. Snyder stated you have...

Board Member Bodor stated has Verizon given any thought to the visual impact of this in this very small center of a community.

Ms. Snyder stated yes. We actually...we did visual as you probably recall in April. I have extra copies if you want to look at those again. We also...

Board Member Bodor stated I'm not talking about the, you know, can you see it from here to there to the other place. Right there, in the center, right by the monument, this...

Ms. Snyder stated well, you have to remember, it's just...

Board Member Bodor stated this antenna going up in this person's backyard, literally, the house behind it.

Ms. Snyder stated well, you have to remember, I mean, with all due respect, they live adjacent I...to a general business district, in a commercial district, next to a firehouse. They're by a firehouse. I mean, they didn't buy a house that was, you know, not next to a commercial zone. I mean, you know, it's kind of like the people who, you know, buy a house next to an airport and then say I don't like the airport. Well, you, you know, you located yourself there. It's, you know...You know, especially when you're trying to use commercial property as opposed to property that's not commercial. So, yes, we are some...We are approximate that home but you have to remember: that home looks out at the firehouse now. And we're only building a flagpole. They're...

Board Member Buzzutto stated yes, but...

Ms. Snyder stated not going to see the antennas. They're just going to see...

Board Member Buzzutto stated that's a big flagpole.

Ms. Snyder stated it's just going to be...Well, it's only 36" at that top that it's tapering. No one's going to see the bottom, the base. It's going to be covered by a wall and they're not going to be looking down. So they're just...it's just going to be like a cylinder, looking out at a cylinder. That's why I gave you the visual from the Rye Brook Village Hall, just to give you, you know...that's what it's going to look like.

Board Member Buzzutto stated I believe that wall that's in back of that is what, 4' high. His property is level from there.

Ms. Snyder stated actually, his property is slightly up. I've been to the site. So he is kind of be looking down from where he is from his backyard. So...And then, it will just be a pole that will be there. It's not like he's going to see a massive...It's not like we're building a, you know, a ten story building that's going to be, you know, a lot of square footage.

Board Member Buzzutto stated well...

Ms. Snyder stated we're just building, you know, a single...

Board Member Buzzutto stated you used the phrase if you buy a house near the airport you complain later. Well, when he bought that house there was no flagpole there.

Ms. Snyder stated no, but he bought a house next to a firehouse, which he knew...

Board Member Buzzutto stated well, a firehouse.

Ms. Snyder stated right.

Board Member Buzzutto stated but he didn't buy a house next to a tower.

Ms. Snyder stated well, if you bought a house next to a general business district, you could look to see what all the uses are in that zone. And you can see what, you know, you know you're going to be...But, you know, in theory, someone can knock that and building a commercial building there. You know, a tall commercial building. So, I mean, we are in a non-residential area. There's not, as you know the Town, there's not a lot of properties in non-residential area in that locale where we're trying to cover. I did bring also, we had an appraisal done to show that it would not affect the property values. These are based on other sites that have been performed over a ten year period. Some of them are actually in residential, whether it affected the property values or didn't. These all...Based on all these studies and it's over Westchester, Rockland and Putnam, you know, have established that they have not had any effect on property values.

Board Member Buzzutto stated and that pole is going to fly a flag on it.

Ms. Snyder stated it's proposed at this point to have a flag. If the Board determines...

Board Member Buzzutto stated it would have to be a massive flag.

Ms. Snyder stated that they don't want a flag...If you determine that you don't want a flag and you just want us to have the site without a flag, then, you know, then we will have to abide by that.

Board Member Buzzutto stated well, my opinion's without. But that's, you know...

Ms. Snyder stated right. That will be up to the Board. We're proposing it with a flag.

Board Member Buzzutto stated it would have to be a massive flag.

Board Member Bodor stated yes. The problem with that is most places that do fly flags on those, quote, flagpoles, they put a little tiny flag up there and it's so totally out of proportion it doesn't

look well.

Ms. Snyder stated yes. We, you know, that will be up to the Board. If you tell us you don't want a flag and you just want the stealth flagpole appearance, you know, we will abide by that.

Nancy Tagliafierro stated yes. I just want to say something just because and, correct me if I'm wrong, but I read our consultant's letter a little bit differently than you do, Leslie. It seems to me he's saying that the three site solution that Verizon is proposing will provide signal strength, he says, in excess of anything that's really required in the area and that it's still really not clear...It's very possible that a two site solution of Quail Ridge and Mal Dunn could provide the relief that Verizon is seeking. So I'm not reading this the same way where he's saying...agreeing that we...you, you know, three sites is the only answer.

Ms. Snyder stated well, what he actually does is he say...He does say that the ultimate in coverage is for the three sites.

Nancy Tagliafierro stated right.

Ms. Snyder stated he's still acknowledging that there's a gap. I mean, for the Town to ignore, in my opinion, a gap where 4 million people travel a year, that's a significant gap. That's a significantly place...He's acknowledging that this site covers that gap and those areas.

Nancy Tagliafierro stated I don't know. It seem to me he's saying, and I'll quote it...

Ms. Snyder stated I think what he's saying is, is that good enough.

Nancy Tagliafierro stated "beyond anything that we need" the three site solution. And then he says that the two site solution "might be enough" to cover...

Ms. Snyder stated well, the question...

Nancy Tagliafierro stated your needs.

Ms. Snyder stated I guess the question is what, you know...He's asking what is enough. I mean, I didn't...I got his memo and I have not followed up with him and you, you know, obviously we can have a dialogue with him or...

Nancy Tagliafierro stated right.

Ms. Snyder stated or have him...But what I think what he's saying is, and you know, it is a limited...this site will cover that limited...that intersection and then that other...the portion of Orleans Road. You're thoroughfare into your Town. He's saying, you know, in his mind is that...and up to the Board, is that a major issue whether you have coverage there or not. Our position is 4.3 million people travel there and they won't have coverage. To me, that's a major intersection and that's...People want reliable coverage. I mean, the whole point of the Telecom Act 1996 was we are moving towards a nation of having a wireless infrastructure. If you don't allow us to build the wire...the infrastructure, we're not going to, you know, when we have these emergencies and things happen, people won't have coverage. And then they'll, you know, everybody will be saying, oh, it's such a tragedy because they couldn't get help and here we are

trying to build the infrastructure. And you have to know, I mean, Verizon Wireless is not building something for the sake of building of it. I mean, with all due respect, I mean, we're not proposing a site that we don't need.

Nancy Tagliafierro stated yes. I took a great class on the TCA of 1996 at Pace Law School taught by somebody you probably know very well.

[Laughter]

Board Member Buzzutto stated well, from Quail Ridge, wouldn't a smaller repeater tower be sufficient to overlap the signals between Mal Dunn and Noletti. A smaller repeater tower.

Ms. Snyder stated well, we're on...We're going to use Quail Ridge. So we're using...

Board Member Buzzutto stated right. Yes.

Ms. Snyder stated that. We're collocating; putting our antennas on that monopole.

Board Member Buzzutto stated right.

Ms. Snyder stated and I think, you know, the only other way that we can...

Board Member Buzzutto stated well, that's coming down the Lake. But then you got to go across, so you got that area there. A small repeater tower...Yes, no.

Mr. Wells stated no. The problem...If...Just to make sure we're on the same page, a repeater generally borrows signal from another site; amplifies...

Board Member Buzzutto stated right.

Mr. Wells stated it. And...

Board Member Buzzutto stated that's why I mentioned Quail Ridge.

Mr. Wells stated repeats it in a region. The problem with repeater site is that it...you have to...you need a donor signal to borrow the signal from another site, right. And then you need a transmit antenna to transmit that borrowed signal after you amplify it. The problem with that scenario is that even if you have enough amplification and power in that repeater, you have...you need a lot of distance between that donor antenna and the transmit antenna, otherwise you end up with a feedback loop much like a microphone and a speaker. So, even if you had a repeater that could cover that, you need so much separation between your donor antenna and your coverage antenna that it would actually increase the height of the structure, not decrease it.

Board Member Buzzutto stated of the repeater tower.

Mr. Wells stated yes. Because it's a limited...

Board Member Buzzutto stated I would think smaller.

Mr. Wells stated technology. Yes, it would require...Because you have to still cover the area at the same level. But now, you're complicating it because you need that donor and transmit antenna scenario and if there's not enough separation like I said, it starts to oscillate and you get that microphone speaker feedback type of loop. So you actually need...you would actually increase the height of the tower to accommodate that.

Board Member Buzzutto stated what do you think. A tower this height would give sufficient coverage to all of Put[nam] Lake, going back not going up there. But going back towards Fairfield [Drive].

Ms. Snyder stated right.

Board Member Buzzutto stated it would cover everybody over there.

Ms. Snyder stated yes.

Board Member Buzzutto stated because I know they have bad service over there.

Chairman Olenius stated I'm being very quiet here for the sole reason that I live in Putnam Lake. I do not have Verizon Wireless because my cell phone is provided by my employer. However, my wife and three children do. And I've heard you say numerous times about people complaining about dropped calls. All through Hurricane Sandy, I had to rely on their phones because my office phone didn't have any service at all. It just completely died for an entire week. Whereas, their phones were fine the entire time and that was with traveling and different things, so. I'm just a little concerned...I think there's a lot of available options out there that are existing and I'm very reluctant to approve, this is my personal opinion, I'm not speaking for the Board, you know, another tower until we've exhausted every opportunity we have with existing structures. That's what I'm wrestling with right now because, I mean, the coverage right now was sufficient. Has been sufficient. They've had their phones for the last ten years. And I wouldn't switch because you guys have the best coverage in the area, you know. Ever other person I talk to with different coverage is...in my area, has trouble. That's why most of Putnam Lake uses Verizon.

Ms. Snyder stated well, I think there may be portions where we do cover but I can tell you, because I actually tried to use my phone myself when I was here through one of the tests just to see myself, you know, because you've got a lot of terrain. And where the three, you know, roads intersect, you cannot make a call. I don't know, you know...

Chairman Olenius stated and it very well...I don't know that...

Ms. Snyder stated until it dips down. But there are places ...

Chairman Olenius stated right.

Ms. Snyder stated where you're at higher elevation and you'll get a signal. The whole...

Chairman Olenius stated and I certainly hope my children aren't talking on the phone as they're driving either, you know what I mean. I'm just...

Ms. Snyder stated right.

Chairman Olenius stated I'm just making a general statement.

Ms. Snyder stated either do I.

Chairman Olenius stated that I never had a...

Ms. Snyder stated you know, I... You know, I'm with you. I don't think, you know, unless you've got hands free, you shouldn't be talking on the phone.

Chairman Olenius stated right.

Ms. Snyder stated but, you know, I think the objective is to have a wireless, you know, infrastructure. And if, you know, if we can't build the infrastructure then, you know, people aren't going to have the coverage and then, you know, it's sort of like the catch 22 when people are going to say how come I don't, you know, why am I not having... Why is this not reliable.

Board Member Bodor stated I'm concerned because there are options available and I think they need to build upon, those existing towers, and find out in reality. I know tests were done. But it's not real, to my way of thinking. I think we need to get you up and running down Mal Dunn and or the Brewster Business Park and Quail Ridge, and see where they come together and what's left to fill in a gap.

Ms. Snyder stated I mean, we... You know, with all due respect, we did that. I mean...

Board Member Bodor stated you didn't do it in reality because you having collocated on those sites yet.

Ms. Snyder stated well, we did it by drive test. So, we did. We are building, you know, we are acting in good faith. We are building the Patterson site as we speak [referring to Quail Ridge site]. So we recognize the importance of that site. You know, I can come back to you as to what our timing is for those two sites, but it's still not going to cover where we... where this site is going to cover. Because that site isn't going to lead you into that area. Even if we put our sites over here, we're not going to be getting into this intersection which is...

Board Member Bodor stated I don't know that until it actually happens.

Ms. Snyder stated okay, well I think maybe what we should do is have your consultant clarify that. We'll give him whatever additional information he wants to clarify that... I think, you know, the question is, is that a critical intersection or not. It seems that the County's own report establishes that it is. But we'll be happy to fine tune that with him and have him report back.

Board Member Buzzutto stated well, going back to the height of the tower, nothing less than 140' would be ample over there.

Ms. Snyder stated well, you know, we...

Board Member Buzzutto stated you couldn't come down.

Ms. Snyder stated we could come down probably a bit but the objective of your consultant was to ensure that at least it could cover three carriers. So if we come down because we're in a flagpole, we have to be...

Board Member Buzzutto stated right, yeah.

Ms. Snyder stated one below the other, then the bottom person won't be able to...

Board Member Buzzutto stated well, 140' would cover how many carriers.

Ms. Snyder stated it will cover ourselves and three other carriers.

Board Member Buzzutto stated so four altogether.

Ms. Snyder stated right.

Board Member Buzzutto stated so if you come down to whatever...

Ms. Snyder stated right.

Board Member Buzzutto stated you'd have to eliminate one of them or...

Ms. Snyder stated well, it will be difficult.

Board Member Buzzutto stated well...

Ms. Snyder stated right. We would...It would be difficult for them because then they would be in the, you know, they wouldn't be able to get above the trees. So we were building it so that we could assure, because that was one of your consultant's viewpoint, that it would be enable, you know, sufficient collocation. If you said we don't need to do that, I believe Verizon would be willing to go down to 120'. At least reduce ourselves down.

Board Member Buzzutto stated well, I'm not saying you don't need to do it. I would like to see that from our consultant that you don't need...

Ms. Snyder stated okay.

Board Member Buzzutto stated not from me. You know what I mean. I don't want to...

Ms. Snyder stated we can discuss that with him that his point...

Board Member Buzzutto stated yes.

Ms. Snyder stated was to make sure that we could accommodate the three carriers...

Board Member Buzzutto stated yes.

Ms. Snyder stated as well. But we could give you that option.

Chairman Olenius stated I would be reluctant to make any decision tonight just on...I would like to go through all of this paperwork that you submitted anyway. I started to breeze through it, but it's not something I want to take lightly, with the relation to property values and how they could be affected.

Board Member Buzzutto stated does anybody from the audience have anything. Anybody from the audience have...

Chairman Olenius stated does anybody like to make a comment.

Dede Lifgren stated good evening. First of all, I would like to...

Chairman Olenius stated just state your name for the record.

Dede Lifgren stated oh, sorry. Dede Lifgren from Putnam Lake.

Chairman Olenius stated thank you.

Board Member Buzzutto stated where in Putnam Lake.

Dede Lifgren stated where in Putnam Lake.

Board Member Buzzutto stated yes.

Dede Lifgren stated I'm actually the south end.

Board Member Buzzutto stated near the tower.

Dede Lifgren stated not too far away from this.

Board Member Buzzutto stated okay.

Dede Lifgren stated but I have a couple of questions in regard to the information, first of all. This is a public hearing that's continued from the last time and there was no notice that I could find. Correct me if I'm wrong, that this was going to be tonight. So as you can see, there's very few people that showed up. So, in the past, the cell tower notices were up on the boards...up on the website so people were aware of it. So I think we were, I know myself, was waiting for that. That's number one. And number two is that I understand, I also could be...correct me if I'm wrong, that this information just recently came in and we couldn't...there wasn't enough time to FOIL it, to see what the coverage we're talking about. I'm just trying...If I could turn the pages, would that be appropriate now to ask a question based on [referring to the board with the coverage maps].

Chairman Olenius stated you could request that...

Board Member Buzzutto stated yes.

Chairman Olenius stated the engineer there, could possibly...

Dede Lifgren stated I was wondering if we could see a map of the Mal Dunn site and the Quail Ridge site, the proposed, of the frequencies there. Both of them together.

Mr. Wells stated this is actually with all three in them. I think I have a large copy of...I have all three together...

Dede Lifgren stated so...

Mr. Wells stated without the proposed, not just the two...This is Mal Dunn here.

Dede Lifgren stated okay. So is that the coverage if it was...If the Mal Dunn site and the Quail Ridge site was used.

Mr. Wells stated yes. Well, plus...

Ms. Snyder stated yes.

Mr. Wells stated yes.

Ms. Snyder stated plus Haviland Hollow.

Mr. Wells stated right.

Dede Lifgren stated okay. How I'm reading the map, and again correct me if I'm wrong, but the intersection that is discussed is not, from what I can...

Mr. Wells stated here's the intersection discussed.

Dede Lifgren stated right. And...

Mr. Wells stated along with...

Dede Lifgren stated much of that area that is...Okay, let's go back to the beginning. My understanding is that coverage should be adequate and whether the area that you, you know, you choose to...that is shown there, really covers more of the swamp than it does the area where most of the homes are. So, I'm wondering if the word adequate should be used as opposed to if you add a third one, I'm sure you'll get more benefit. But whether the two existing ones, using them, would be adequate is my point. Also, as far as infrastructure goes, I think we all are used to technology today, but I thought the intention of the law was to get signal so people could use it without being invasive to the character of properties and coming to a feel that is not too invasive and you're getting the signal at the same time. So, I think...I don't see any, really, any other place in Putnam Lake that you could put it that would be more invasive it would change the character more than where it's going to go right there. And also, I think the other area that you suggested down in Rye, or where ever, there is a setback for that. And this, there is no setback. It is so close to homes, so close to the commercial area, so close to the monument, you know, even the Christmas carols that are around that tree will no longer happen because there's going to be a hundred...It is so big, so close, that it is almost overpowering I'd say. So, I think the setback issue is very important to the character of the Town as well. And also, I would...I was

just going to say, when the tower at the Lake, I thought, set precedent that it was stated at the time that it was going to be too intrusive to Putnam Lake because it was so close to the homes there. And I think the tower here is actually closer to home. So, I don't understand why it would be intrusive 1800' away, whatever, and why there wouldn't be a better location than this in your face thing. And also, it was stated that the pole could accommodate more antenna space, but there's no mention of the buildings that would have to accommodate those two extra antennas, and there's no building space on the bottom of that, so where would they go and how would they look. And also, I had a question: if this tower is going to be lit up, if there's a flag on it my understanding is that a flag is supposed to be lit up if it's up at night so that means that this is going to have a lot of light all 24/7 in the middle of Town. So that's a consideration as well. I have spoken to quite a few people on the road right behind there and they are very upset. They are higher so that they will constantly see the flagpole. And I don't even like to use the word flagpole because a flagpole seems to be an accessory to someone's yard, it's not a, you know, an overwhelming... This will actually put shadow across the yards. So, I think 3' at the top is pretty significant, especially if there's a 24' flag, I think, that would be proportionate to the size on there as well. That's it. Thank you.

Chairman Olenius stated thank you.

Board Member Buzzutto stated thank you.

Board Member Bodor stated thank you.

Dr. Rick Mac Rae stated good evening. Dr. Rick Mac Rae. I'm a resident of Patterson and my practice is also located right at the intersection at the monument. It's hard to know where to begin with this monster. I think we'll begin with what's happened most recently. In the last year we've had three storms; severe storms. And as I recall in reports regarding Hurricane Sandy, there were reports that cell towers that had been damaged and that had failed. My practice is located directly across from the location of this tower and it would definitely be in the drop zone if this tower were to go over as well as other buildings in that area. What kinds of assurances do we have that a structure like this is able to stand up against that kind of weather. And it certainly seems that this kind of weather is really kind of becoming a pattern. I am also concerned about the property values. I own that building. I have three tenants in that building, approximately a dozen people work there and as I recall in April, the hearing in April, there were some concerns raised about property values, but if I remember correctly, I think it had to do with residential. I'm talking about a commercial piece of property and again, I would like the kinds of assurances that are really solid that will bear out the fact that there is going to be no impact on the value of this property. Not only mine, but the other business owners in the area. You know, I think, you know, the visual impact: How can you ignore 140'. It's so out of scale with anything else that's in that area, you just can't ignore it. Whether there are leaves on the trees or not, you know, that thing is there. The family that lives just up behind it, you know, as the previous person said, it is in our face. You know, but it's not just in their face, it's in the face of everybody that in there. I certainly can't downplay the value of the Fire Department. You know, they provide an invaluable service. But really, you know, let's look at the scale of what we're talking about here. I've been located in that building for 20 years. I'm very familiar with that traffic study. I chaired a committee that requested that the County Highway Department, back when it was done in 2002. I was amazed at that number of cars that go through that intersection. Far more than I thought it would be. But, I use my cell phone from that building, which is right at that intersection all the time. I have Verizon and I don't have a problem with service. You know, I

understand that there may be some complaints about dropped calls. But, you know, I've been trained in sciences and you can say that there are dropped calls. But how many actual complaints have you received. Is it a sizeable number or are we talking about four, you know. What's the number here. What's the incidence. How severe is the history of dropped calls. And finally, when this body was considering the application, the previous application from Watchtower, approvals on each of the parts of that application were based on, and if I remember correctly, I think it was ever single part of that application, it was based on visual impact. And the fact that there is minimal visual impact was part of the reason that you gave your approval and voted to approve that application, okay. That standard has to be carried over to this application. And 140', you know, is no small visual impact. I really...I cannot find the justification. I was...I served in Vietnam as a communications officer. I know some of the technical concerns when you're looking at this kind of situation and siting antennas. But we always found solutions. I'm sure that an organization as big as Verizon can find solutions. So, thank you.

Chairman Olenius stated thank you, Doctor.

Board Member Bodor stated thank you.

Board Member Buzzutto stated thank you.

Ms. Snyder stated what's the address your building, Sir.

Dr. Mac Rae stated it's 83 Haviland Drive. It's the stone building right there.

Marguerite Shortt stated Marguerite Shortt. I live at 138 Haviland Drive in Putnam Lake. And I understand Verizon's need to triangulate. I actually come from a Verizon family. I understand that is what they try to do; that's their business. But this...These are our homes and to say that they bought the house right near the Fire House, I understand near a firehouse, it's maybe 32' high, it's a lot different than the impact of looking at that tower. I took pictures; I believe I gave them to you last time. Right, actually, from the front of their home, and the impact, it's actually...You had to see them. You had to see the pictures. That is what they will live with and the people across the street actually have said to me that when they walk out their doors, that's all they'll see is that 140' tower. It's...When they did the tests the, you know, their...they did their crane test, people actually stopped in mid-street. They couldn't believe how big this thing was. It really just impacts...so negatively impacts our Town. I just...If Verizon needs it for another area, and I believe Doansburg Road might have areas that need to be covered, then perhaps they need another tower out there. But until then, I do agree that they should go on the towers that exist. Until they go on those towers, then we see exactly what the coverage is, the actual coverage. The rest of it is just dots on a map. Thank you very much.

Chairman Olenius stated thank you.

Board Member Bodor stated thank you.

Marguerite Shortt stated thank you.

Chairman Olenius stated anyone else. Hearing none.

Ms. Snyder stated maybe I could just respond. Just regarding, I think, the first member of the public mentioned that she didn't see how we were able to locate other carriers. We did submit to the Board a conceptual plan showing how we would...the property could accommodate the other carriers. There is space on the ground there and we did do a layout which your consultant reviewed. I think so far as...of, you know, falling, I believe this gentleman said he was across the street. The tower is 140'. It's built in sections. It's not going to fall on anyone. Even if it did fall, it wouldn't hit any property.

Dr. Mac Rae stated can I have that in writing.

Ms. Snyder stated yes. We actually submitted a report, so we have that. That's part of the record and we're...submitted back in April from the manufacturer.

Board Member Buzzutto stated what do you mean, it's made to break off in certain sections.

Ms. Snyder stated yes. And the tower, there's no way that it's going to fall on the neighboring property. So, I mean, these towers collapse upon themselves. So, we're at sites that we're abutting, you know, right up against something that we won't...we don't have any impact. But we did submit that from the manufacturer. I think also as to the fact of, I think, someone wanted to know would there be any kind of shadow, or this or that. I mean, it's just a pole. It's not...we're not building, you know, an apartment building or anything like that. We're just building a single pole at that 140'. And, you know, we will look at to see what we can do about reducing the height and we can come back and discuss that with you. I did, you know, we did submit visuals, which in my opinion and an expert's opinion, didn't have a significant visual impact because it is limited as to how it's placed. It is incorporated into a memorial garden, so it's...And it's going to be a flagpole so that it goes in with the patriotic, you know, feel of the Fire Department. So, it will not hinder any other development in that area. I know that there was some issue about whether we're...what we're doing about going on Mal Dunn or whatever, and I will be happy to get back to the Board what our time period is with respect to that as well.

Chairman Olenius stated thank you.

Dede Lifgren stated I'm sorry. Dede Lifgren again. It's just...I just wanted to point out, too, that there is a County site down the street. Seems like most of the gap is further south in Putnam Lake. And there is a County site and I spoke to the County and to their knowledge no one has gotten to them about placing a tower there. That might be a possibility as well. Thanks.

Chairman Olenius stated are you guys good.

Board Member Buzzutto stated I assume table this.

Chairman Olenius stated yes. I want to...I'd like to table this for at least one more month. Do you think you're going to require more time. I don't know exactly what you were gathering.

Ms. Snyder stated no, I think there's just a few items...

Board Member Buzzutto stated yes.

Ms. Snyder stated that the Board asked. And shouldn't be any problem. We'll be able to get that

to you in the next two weeks or so.

Chairman Olenius stated okay.

Ms. Snyder stated so...

Chairman Olenius stated that's fine. I just want to have a little more time to digest this, what you submitted tonight.

Board Member Buzzutto stated I make a motion to table this for...

Chairman Olenius stated I'll second you're motion.

Ms. Snyder stated do you know the date of your...

Nancy Tagliafierro stated December 27th.

Ms. Snyder stated December twenty...oh.

[Laughter]

Nancy Tagliafierro stated is that okay. I mean, it's the week after Christmas.

Board Member Buzzutto stated are these meetings published in the paper, notified in the paper.

The Secretary stated yes.

Ms. Snyder stated are you wedded to that date.

Board Member Buzzutto stated these will be notified in the paper.

Nancy Tagliafierro stated that's the date that our next...We already changed it once...

Ms. Snyder stated oh, you already changed it to that.

Nancy Tagliafierro stated to that date. So...

Ms. Snyder stated okay.

Marguerite Shortt stated and it will be absolute the 27th, it will be.

Board Member Buzzutto stated yes.

Marguerite Shortt stated okay. Thank you.

Chairman Olenius stated it's a Thursday.

Board Member Buzzutto stated just for your information so you could...

Marguerite Shortt stated thank you. Yes. Thank you.

Ms. Snyder stated we appreciate that and we'll get you the necessary material.

Board Member Buzzutto stated okay, fine.

Ms. Snyder stated thank you very much.

Chairman Olenius stated thank you.

Ms. Snyder stated appreciate your time.

Board Member Buzzutto stated thank you for...

Chairman Olenius stated do we have any other cases on the 27th as of yet.

The Secretary stated no. Not that I know of.

Board Member Buzzutto stated I know that radius of coverage, right under the pole is dead. And he's trying to say it's not. Because we went through that with Quail Ridge and a couple of others. Right next to it there's no signal. So people right next to the tower is going to have no advantage to it, really.

3) OTHER BUSINESS

a) 2013 Meeting Schedule

Chairman Olenius stated did everybody get a chance to look at the meeting schedule for 2013. Any problems with at least January.

Board Member Burdick stated not right now.

Chairman Olenius stated the meeting schedule for next year.

Board Member Herbst stated for next year.

Chairman Olenius stated right.

Board Member Herbst stated not this year.

Chairman Olenius stated did you get a copy.

Board Member Herbst stated no, I haven't looked at it yet. I just got this.

Chairman Olenius stated I think we can probably...I can...I want to make a motion to accept it with...

Board Member Buzzutto stated yes.

Chairman Olenius stated you know, changes...

Nancy Tagliaferro stated reserve the right to change it.

Chairman Olenius stated yes. Reserve the right to change...

[Laughter]

Chairman Olenius stated dates, obviously with prior notice.

Board Member Bodor stated well, it says it's subject to change at the bottom anyway.

Chairman Olenius stated perfect. I'll make a motion to accept it as written.

Board Member Buzzutto stated I'll second that.

Chairman Olenius stated all in favor. Motion carried by a vote of 5 to 0.

Board Member Herbst stated this is...

Board Member Buzzutto stated yes.

Board Member Herbst stated this is the one that we're accepting.

Chairman Olenius stated yes.

Board Member Herbst stated okay.

Chairman Olenius stated tentatively. We can change it if dates are bad. We reserve the right to change the date.

Board Member Herbst stated I don't have a problem.

Chairman Olenius stated good.

Board Member Herbst stated February 20th is my birthday.

Chairman Olenius stated well...

Board Member Herbst stated so I'm just letting...I don't want anybody to get anything. But a nice cake, you know...

[Laughter]

Board Member Buzzutto stated you get a cake.

b) Minutes

Chairman Olenius stated I also did have a chance to read the minutes and I didn't notice anything. Well, I know you did read them, too. Did you see anything.

Board Member Bodor stated I didn't note anything. I didn't read them thoroughly, I...

Chairman Olenius stated no.

Board Member Bodor stated I went them quickly.

Board Member Burdick stated and I skimmed them and I didn't see anything either.

Chairman Olenius stated okay, I'll make a motion to accept the minutes from October 17th then.

Board Member Bodor stated I'll second.

Board Member Herbst stated second.

Chairman Olenius stated all in favor. Motion carried by a vote of 5 to 0.

Board Member Bodor stated anything else. Welcome back, Sarah.

The Secretary stated thank you.

Chairman Olenius stated yes, welcome back.

The Secretary stated thank you.

Chairman Olenius stated I make a motion to adjourn.

Board Member Bodor stated I'll second it.

Chairman Olenius stated all in favor. Motion carried by a vote of 5 to 0.

Meeting was adjourned at 8:37 p.m.