

**Town Of Westerlo  
Planning Board  
Westerlo, NY  
Planning Board Meeting**

**Minutes**

**May 23, 2016**

**Location: Westerlo Town Hall, Westerlo, NY**

**Board Members: Chairperson Dorothy Verch, Gerry Boone, Rich Kurylo, Edwin Stevens and Doyle Shaver Jr.**

**Town Attorney: Aline D. Galgay, Esq.(not present)**

**Zoning Administrator: Edwin Lawson**

**Board Members Present: Chairperson Dorothy Verch, Gerry Boone, Rich Kurylo, Edwin Stevens and Doyle Shaver Jr, Planning Board Clerk Jennifer Bungay absent.**

The meeting was called to order at 7:01pm. The chairperson led with the Pledge. The chairperson introduced all planning board members individually with a brief background for each member.

The chairperson proceeded to ask the audience to sign up if they would like to comment on either of the public hearings, the Cell Tower application or Bonneau subdivision.

A member of the public stated her notice said public hearing would begin at 7:30, so the board's decision was to delay opening the public hearing until 7:30pm.

At 7:30pm the meeting resumed. The chairperson explained the necessary adjustments needed to the subdivision map for the Bonneau subdivision, including placement of the wetlands and topography.

Public hearing for Bonneau subdivision was opened at 7:41pm, several residents of the town spoke, listing items they felt should be addressed. The code enforcement officer addressed some of the questions regarding DEC and site work performed on the property. DEC was contacted and aware of site work.

Motion was made to adjourn the public hearing until next month's meeting so that the town attorney can review the list of issues a resident has with the subdivision and what items fall within the jurisdiction of the Planning board and this subdivision application. Rich made motion to adjourn meeting to be continued on June 27<sup>th</sup>, 6pm, Gerry 2<sup>nd</sup>, all members in favor.

Mark Bonneau also explained he verbally contacted neighboring abutters from the town of New Scotland and they were in attendance. Fred and Ann Fiato, Maria Parpia, Elaine Loder, Russel Loder.

Next item on the agenda was the Tarpon Towers cell tower application. The chairperson submitted for the record, the letter of complaint from Lorraine Pecylak. Albany County Planning offered a list of recommendations which included items such as driveway specs, driveway info, other municipalities of Greenville, Rensselaerville, Durham to be notified. The chairperson reached out to the town supervisors of the 3 towns thru email.

Part 2 of the Seqra was completed. It is considered an unlisted action. A list of issues were addressed:

- 1) The visual impacts of the tower were addressed regarding the Restifo Preserve on Maple Ave Ext, and explained the 22 visual site locations were approved previously by the Planning Board.
- 2) Health effects were also addressed and that a condition will be added to the permit, pending approval that an RF engineer will perform 3 RF tests/year and supply that to the Town of Westerlo.
- 3) Assessment values were addressed and a letter was read from the Town assessor explaining that there has been no negative assessments based on previous experience with the other existing cell towers located in the town of Westerlo.

The Public hearing for the Tarpon Towers Cell Tower application was opened at 8:32pm.

Several members of the public spoke, including a close neighbor that is concerned by the close location to their property. Another resident spoke about the concern of the visual impact from the preserve on Maple Ave Ext. A resident asked about the size of the equipment when it needs to be upgraded in the future. Josh from the Murray Group confirmed equipment usually does not get larger. Also a question about who is responsible for removal, if the tower becomes obsolete. It was explained that this is included in the lease and that Tarpon Towers is responsible for the disassembly. Another resident supports the RF emissions testing and the report being supplied to the town. Another resident spoke of the need for better cell coverage for emergency situations. And that she's had a scenario where this was an issue. Another resident spoke in favor of the tower and that she feels nervous only relying on a landline for communication. Another member spoke about his worry of future consequences, and that he understands both sides of the argument.

Rich made a motion to close the public hearing, Gerry 2<sup>nd</sup>, all members in favor.

Proceeded to complete Part 3 of the Seqra. Because there were no areas where a large impact was identified, no further explanation was required in Part 3.

The chairperson proceeded to ask each board member for their opinion on the approval/disapproval of the application. Ned is in favor of an approval, Doyle is in favor of an approval, Gerry is in favor of an approval, Rich is in favor of an approval, and Dotty is in favor of an approval.

Rich made a motion that Part 3 of the Seqra constitutes a negative declaration, Doyle 2<sup>nd</sup>, all members in favor.

Rich made a motion to approve the Tarpon Towers Cell tower application, Doyle 2<sup>nd</sup>, all members in favor.

The chairperson explained there is a list of conditions for this special use permit, reading several of them before the board decided that the list can be submitted for the record with the meeting minutes.

Rich made a motion to adjourn the meeting, Doyle 2<sup>nd</sup>, all members in favor.

Respectfully submitted,  
Doyle Shaver