

**Pittstown ZBA Agenda**

**September 24, 2024**

**Zoning Board of Appeals Meeting**

**Call to Order Call meeting to order – 7:00 PM**

FREDERICK HOWARD, Chairman

RANDY HALL

COLTON HILL

DOUG JENSEN

DAVID SCHMIDT

COLLEEN THOMAS, Secretary

Approval of the July 23, 2024 Zoning Board of Appeals Meeting Minutes (Copy attached)

Any additions or corrections?

Motion to approve (as amended)

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

Approval of September 24, 2024 Meeting Agenda

Any items to be added to the agenda?

Motion to approve (as amended)

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

**New Business**

- 1) Application by Cellco Partnership d/b/a Verizon Wireless, for a Wireless Telecommunications Permit and a Special Use Permit for construction of a 150' tall wireless telecommunications facility. The proposed facility is located on the property of Giesela Madigan, 90 Tomhannock Road, TPID #43.-2-40.2, and the facility site will be accessed from the west side of Rifenburgh Road. The site is currently used as agricultural land and the access easement passes through a wooded area. Verizon Wireless is a Public Utility and provider of personal wireless services under the federal telecommunications act of 1996. Under the provisions of Local Law 3 of 1999, the Pittstown Zoning Board of Appeals is authorized to review and approve, approve with conditions, or disapprove, applications for personal wireless telecommunications service facilities, and if

## Pittstown ZBA Agenda

September 24, 2024

appropriate issue the required Wireless Telecommunications Permit. Such usage is also subject to the applicable requirements found in Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019, and as such a Special Use Permit is also required.

2) Presentation of the proposal by Cellco Partnership's representative.

3) Questions from the Board:

LL 3, Section 4 (a) - Why is a minor telecommunications services facility not practical?

LL 3, Section 4 (f) - Other Pittstown telecommunications facilities.

LL 3, Section 11 - Can needs be met via existing telecommunication facilities.

LL 3 Section 13 - Intermunicipal Notification due at time of filing of application.

LL 3 Section 23 (c) – Payment of fee for Wireless Telecommunications permit.

4) Questions from the Public.

5) LL 3 Section 12 – Evaluation by Independent Consultants. The board will need to discuss this report at a regular meeting prior to scheduling the public hearing.

6) Review EAF prepared by applicant – Copy included with agenda package

7) Proposed as an Unlisted Action (not a Type I requiring full environmental review, nor a Type II which is specifically exempted)

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

8) Tasks to be completed by the meeting filing deadline when the project documentation will be complete enough to advertise for public hearing.

a) Prepare notice of Public Hearing – ZBA.

b) Section 14 (b) notification - Young/Sommer

c) Publish legal advertisement - ZBA

**Pittstown ZBA Agenda**

**September 24, 2024**

**OLD BUSINESS**

1). None.

**Communication Received by Board**

- 1). In person at ZBA meeting - Steve Roden, Storm Hill Road, Re. 1780 Tamarack Road Motocross.
- 2). Cellco - extensive
- 2). Two setback questions. One for a workshop replacement building on location of a derelict existing workshop building and a second relating to converting an attached garage to an auto repair shop.
- 3). 10 North Pole pre-existing non-conforming lot of record.
- 4). NY 67 chickens and ducks on .84 acre residence in H/C zone adjacent to the Hamlet of Johnsonville.

**Open Applications**

- 1). Application by Redemption Christian Academy for a Special Use Permit to be allowed to modify the operation of their non-public school located at 92 Parker School Road, Tax Parcel ID 54.-6-21. This 15.27 Acre property is in the Residential/Agricultural Zone. E-mail informing ZBA that design activities are ongoing. Recent communication has been received and the project remains open.
- 2). Application by Dunco. Inc. doing business as Duncan Country Store, 2579 NY 67, Johnsonville, NY 12094, Tax Parcel ID# 14.-2-17.12. Project still active awaiting input from Saxton Signs.

**Next Meeting**

The next regular meeting will be held Tuesday, October 22, 2024, at 7:00 PM at the Town Hall.

Any Other Business?

**Motion to Adjourn**

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_