

TOWN OF MEREDITH PLANNING BOARD REGULAR MEETING

July 7, 2008

Town of Meredith Planning Board. Present: Sue Dapkins, Krystine Hilton-Hadley, Will Outsen, Landa Palmer, Jeanne Sands, Nancy Turick and Floyd Vogt.

Delaware County Planning Department. Present: Justin Shaw.

Townspeople: 8

1. The meeting was called to order at 6:53 p.m. by Krystine Hilton Hadley, chairperson.

2. Approval of the Minutes of the Meeting of June 2, 2008

Will Outsen made a motion to accept the amended minutes reflecting amended motions. Second: Nancy Turick. Approved 6-0. Abstained: Landa Palmer.

3. Old Business

3.1 Margaret M. Jordan, TM #62.-1-20, State Route 28 and Palmer Hill Road, Minor Subdivision

With the consensus of the Planning Board, Krystine Hilton Hadley made a negative declaration after reviewing the SEQR form. Jeanne Sands made a motion that the Planning Board accept the negative declaration on SEQR and approve the Margaret Jordan subdivision. Second, Sue Dapkins. Approved 7-0.

3.2 Melissa Wakin Mostert and Steve Mostert, Waterman Road, TM 126.-2-8.1, Minor Subdivision

Krystine Hilton Hadley reviewed SEQR and made a negative declaration. Dave Wakin requested that the Planning Board waive the requirement to survey the overall 49 acres plus the subdivided 2.86 acres. Floyd Vogt made the motion. Seconded: Nancy Turick. Approved 6-0. Abstained: Landa Palmer.

A motion to approve as a subdivision and to accept the negative declaration on SEQR was made by Floyd Vogt. Second: Jeanne Sands. Approved 6-0. Abstained: Landa Palmer.

3.3 KJBL Shortwave Tower Replacement

Krystine Hilton Hadley reported that Ken Fuller requested a waiver, and she replied that KJBL first needs to turn in an application.

3.4 SBA Tower II, LLC, Gesell Road

Kevin Brennan, who works with AT&T and was with Dobson, and Amy McShane, an attorney with the law firm Phillips Lytle who represents SBA, addressed the Planning Board about issues relating to the proposed tower, a lattice tower (see section G, photo A, for an example). A. McShane said SBA is resubmitting its application, this time for a 160-foot tower. She provided, reviewed and answered questions about a supplement that aimed to satisfy requests by the Planning Board at its April 7, 2008, meeting for information relating to the proposed tower. Carpenter Consulting, which took the balloon photos, is an independent third party not affiliated with AT&T or SBA. The balloons were replaced by virtual towers in the photos, which are very dark, although balloon day was bright. K. Brennan, after citing his local involvement -- with the cell tower near town hall and another in Delhi -- stated that two

years ago, when he worked for Dobson, he made a commitment to the county and the town to “build out” Delaware County, explaining that now AT&T is trying to provide coverage on State Route 28 and then will turn its attention to Route 10. AT&T wants to cover the main corridors first. He offered reasons that AT&T wants a minimum tower height of 160 feet at the Gesell Road location and would prefer a tower about 30 feet taller. Nowadays, with cell phones operating at higher frequencies, there are greater coverage problems, and more towers are needed. Also, a landscape characterized by dips and turns necessitates more towers than flat terrain. SBA gets leases with carriers like AT&T -- in this area, there’s a potential for four carriers at this time -- and every 10 feet beyond a certain height on the tower there is room for an additional carrier. At minimum SBA proposes a 160-foot tower that could be extended at the top if approved.

Some Planning Board members want to read over the supplement before further discussion.

K. Hilton Hadley said that it’s important that AT&T offer additional information for the Planning Board to consider extending the height. An engineering firm will be asked to provide an opinion on the proposal.

The Planning Board will be proceeding under the 2001 regulations.

4. New Business

4.1 Margaret M. Jordan, Tax Map #62.-1-20, State Route 28 and Palmer Hill Road, Boundary Line Adjustment

The request for a Boundary Line Adjustment involves a 24.78-acre piece of Tax Map #62.-1-20 that will be added to a neighboring parcel, TM #21.-1-12, belonging to Gerald Fabiano. Floyd Vogt made a motion to classify this as a Boundary Line Adjustment. Second: Landa Palmer. Approved 7-0.

A motion was made by Landa Palmer to approve the Boundary Line Adjustment, with the condition that the Planning Board be furnished with a copy of the deed showing incorporation of the 24.78 acres into the existing Fabiano property. Second: Sue Dapkins. Approved 7-0.

Fee paid: \$20.

4.2 Eugene F. Manguso, Jersey Road, Tax Map #63.-1-17 to Tax Map #63.-1-16.2, Boundary Line Adjustment

Eugene F. Manguso and Karen Gabriel would like to sell an existing house and approximately four acres, for which they have a buyer, and combine the rest of parcel TM #63.-1-17 with TM #63.-1-16.2 to make a 28-acre parcel. Thus a boundary line would be drawn to section off the four-acre parcel, and the boundary line would disappear between the remaining acreage of what is now TM #63.-1-17 and the adjoining parcel TM #63.-1-16.2. A survey is in progress and, to comply with a Planning Board request, will show the two lots with the new boundary line in place and without the old one. E. Manguso gave the Planning Board a completed application and paid a \$20 fee. He was asked to appear at the August 4, 2008, meeting with a Mylar and four copies and a deed description to indicate what the two lots will look like.

5. Planning Board Business

5.1 Town of Meredith Planning Board Bylaws

With the aim of creating a document that the Planning Board is comfortable with and then forwarding it to the Town Board for approval, members of the Planning Board are asked to comment on the revised document from the March 3, 2008, meeting, which K. Hilton Hadley will send out electronically. The contents of the document may be referred to as general rules of procedure rather than bylaws, but regardless of the name, the document must be approved by the Town Board.

5.2 Proxy Voting

The town attorney, Leonard Sienko Jr., has said that the Planning Board cannot make use of proxy voting. This necessitated addressing prior approved minutes and making adjustments to voting numbers.

5.3 Update on Gas Drilling

Nancy Turick attended several meetings about gas drilling, including one sponsored by the Farm Bureau in Unadilla on leases and one in Walton on the risks, and she summarized some of what she learned. She will put together and keep updating a document that summarizes what she has learned. There's lots of information on risks. Members discussed some health and environmental risks and whether the location of part of the town in the New York City watershed might preclude drilling here. Nancy Turick said that at a meeting in Greene at 6:30 on July 17 the DEC will be presenting.

The DEC and the Delaware River Basin Commission regulate our area.

The town could take action like 1) requiring prospectors to register, 2) asking to be involved in DEC Division of Mining reviews and 3) having its own ordinance to control location, buffers, etc. But gas drilling is exempt from a number of kinds of regulation, such as "right to know" and the federal Clean Water Act. According to K. Hilton Hadley, a by-product of gas drilling is that towns become wastelands. The state assembly recently passed a law that relaxes environmental conservation rules relating to gas drilling.

6. Adjournment

Motion to adjourn: Jeanne Sands. Second: Landa Palmer. Approved 7-0. Meeting adjourned at 9:38 p.m.

Respectfully submitted,

Elyse Segelken
Recording Secretary