

TOWN OF CORINTH
ZONING BOARD

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WILLIAM CLARKE
CHAIRMAN

Sigrid Koch
Tracey Chandler
Glenn Tearno

Jackie White, Esq.
Zoning Board Attorney
Lynn Summers -*Secretary*

August 5, 2020
Meeting Minutes Minutes

MEETING CALLED TO ORDER by the Chair at 7:06 PM.

Roll Call: Confirmed on Call

William Clarke, Chairman-Yes	Jackie White, Attorney-Yes
Tracey Chandler- Yes	Lynn Summers, Secretary-Yes
Sigrid Koch- yes	
Glenn Tearno – Excused Absent	

Motion to Approve the Previous Minutes from March 5, 2019 tabled to the next meeting scheduled for 9/3/20

Public Hearing

AT&T Cell Tower- Use Variance Application

TM# 73.52-1-19.122 & 73.52-1-34.15

First St/Sycamore St.

R-1 Zone

Presentation by Matt Kerwin (Attorney for AT&T)

Kimberly Revack (Centerline Consultant)

- The tower will improve the cell coverage for the Town and Village.
- It will enhance the First Net Service which is a dedicated line for Emergency Services first responders.
- Accessed from First St on the Howenstein property.
- 150 ft pole
- Improve 4G service
- Easement is located on the Howenstein property
- Propagation Maps show a significant loss of coverage if co-located to the Butler Drive Tower. It would not be feasible. Lose a significant amount of critical coverage.

Board Member questions:

Tracey Chandler asked where the easement is? –

Applicant replied the easement is located on the Howenstein property, not a separate easement.

Sigrid Koch- Asked about Exhibit 4 – Variance Standard – Compliance with

Legal Standards for a Public Utility- New York State has long been held that a zoning board may not exclude a utility from a community where the utility has shown a need for its facilities. This special treatment of public utilities stems from the essential services they provide and because a public utility facility must be in a particular area in order to provide service.

Attorney stated that this is an alternate wireless not a standard Public Utility, it qualifies as a Public Utility

Public Hearing opened at 7:22PM-

Public Questions

Susan Shamulka:

Lives across from the tower and is concerned that there is no Camouflage?

Is there a health risk involved from radiation?

Is it a 4g or 5g? Attorney for AT&T replied that it is capable of 5g when 5g is introduced in this area

How far out will the tower cover?

Will it affect the value of our property?

3 towers have been proposed and that will take away from the Community- we are not in favor of it

Graham Champagne:

I reside with my wife at 327 First Street (tax map # 73-52-1-19.121). The proposed project (tax map # 73.52-1-19.122 & 73.52-1-34.15) would adjoin my property on both the East and South.

My questions are as follows:

1. To avoid the possibility of misunderstanding or misrepresentation of the questions and answers in the future of this meeting, will an audio and/or video record of the hearing be kept?
2. Why locate a cell tower in a residential area?
3. There are higher elevations within a mile or two of this site. Why was this location chosen?
4. How will construction of this cell tower affect the value of my property and the properties of the neighborhood?
5. What are the health concerns including possible radiation exposure short and long term?
6. What is the financial benefit to the Town? i.e. taxes or any other revenue.
7. What would the cell tower look like?
8. How high would the tower be?
9. When would construction start and how long would it take?
10. Where will construction equipment access the site?
11. Where would electric supply lines be located? (Would they cross my property?)
12. The Town is interested in development and growth of the tax base. There are several building lots adjacent to the proposed site. How would the cell tower affect the value, development and sale of the other building lots?

Attorney Matt Kerwin representing AT&T replied to the questions:

AT&T will comply with all the FCC parameters

Plans are not showing any trees being removed

Kimberly Revack Consultant from Centerline representing AT&T said that the tower is a small footprint minimizing removal of large trees

Cell Towers are not a permitted use anywhere in the Town or Village

Existing towers cannot support AT&T

This site is the preferred candidate:

It is surrounded by mature trees

Property values? – No indication that the tower would diminish property value

Health concerns -they are regulated by the FCC – safe for the surrounding community

No financial benefit to the town

Construction will start when AT&T receives the Building Permit,

Construction takes an average of 2 months

Twice a month will do maintenance

Electric supply lines- easement on access Road

Susan S asked if they can put artificial camouflage up? Matt K replied that in this case it is not practical it takes away from the surrounding area. The tower is too tall, and branching doesn't accomplish anything.

Planning Board issued a Negative Declaration on the SEQRA

Graham Champagne said that the Tower will be visible on the north side of his property there are no large trees there. He appreciates the concern with the property value but doesn't believe that it won't affect it.

Kimberly Revack – in closing said that AT&T put a lot of thought and care to attention to the area and feels that this is appropriate location. Please feel free to out to me with any questions. Thank you

No further questions from the public.

Public Hearing closed at 7:58PM

Jackie White – Attorney clarified for the record that the board will not be deliberating with counsel outside of the public meeting.

William Clarke chairman of the Zoning Board said the board will be deciding at next months meeting.

Counsel recommended that a Board member or members draft a resolution or resolutions to bring back to the next meeting for a jumping off point for discussion.

William asked if anyone wanted to volunteer, there wasn't a volunteer so

William will draft the resolution for the next meeting on September 3 at 7:00PM

Boulder Point Cell Tower – Use Variance Application TM#: 74.-1-83

10 Butler Dr

R-1 Zone

Boulder Pt cancelled their Public Hearing for tonight.

Zoning Board Clerk read the email from Benjamin Botelho Attorney representing Boulder Pt.

“I just spoke with my client. We are reconsidering some aspects of the project and respectfully request to cancel the public hearing for this Wednesday. I will let you know if/when we are able to move forward with the project. If you have any questions, please do not hesitate to call.”
Thank you,
Ben

Verizon Cell Tower – Initial review

TM# 59-2-57.1

Representing Verizon: Nate Vanderwall- Nixon & Peabody, Sara Colman- Aerosmith

Nate- Presentation

- FCC- licensed provider
- Verizon- significant coverage gap
- Exhibit E- shows coverage objectives
 - 11 Freight House Rd
- 100 ft Tower – 4 ft lightning rod
- Dense patch of tall trees surrounding the tower
- Fenced compound
- Not a permitted use anywhere in the Town
- APA – review in process

Seeking Use Variance, Site Plan Review

Exhibit C- recorded deeds to the project parcel

Zoning Board- no questions

Public Hearing – next month 9/3/20 at 7:00PM

Jackie White – type 2 action – Full SEQRA not necessary

Meeting Adjourned: Motion to adjourn at 8:45 PM made by Tracey Chandler,

Seconded by Sigrid Koch

William Clarke- yes

Tracey Chandler – yes

Sigrid Koch – yes

Motion passed

All in Favor – Aye

Submitted by Lynn Summers