

PRESENT: George Brehm Chairman, Aaron Cioppa, William Vollmer, Dr. Thomas Bloom and Amie Rennolds.

EXCUSED: Corinne Pitt and Eric Paulson.

ALSO PRESENT: Ronald J. Gainer P.E. and Michael Liquori Esq., Town Attorney.

CONTENTS: Tri Valley Broadcasting Tower & Putnam County Sheriff's Office (Special Use Permit); Dr and Mrs. Dannenberg/Diane VanSciver (Lot Line Realignment).

There were five (5) people in the audience.

Chairman Brehm led the salute to the flag and then opened the meeting at 7:00p.m.

TRI-VALLEY BROADCASTING TOWER

New Application and Special Use Permit

Putnam County Sherriff's Office (PCSO)
232 NYS Route 292
Holmes, NY 12531
Grid Number: 134089-6955-00-118540

Mr. Ron Graiff P.E. Land/Tower owner was present.

Mr. Aaron Cioppa recused himself from the application due to a conflict of interest.

Chairman Brehm said the property is located at 232 NYS Route 292.

Mr. Graiff began by saying this development proposal involves an application by the Putnam County Sheriff's Department to place new emergency communications facilities on the existing Tri Valley Broadcasting Corporation Tower (TVB). In summary the Sheriff's Department is proposing to install new Public Safety antennas on the existing "TVB" tower to enhance their emergency communications. This site is important because it provides the coverage and links to their other tower sites. It was unknown to Putnam County Sheriff's Department that approvals were needed by the Town of Pawling Planning Board. They were under the impression that as a County they were exempt and, while that may be true in Putnam County, this is not so in Dutchess County. A structural analysis was performed, that demonstrates that the applicant has utilized the appropriate design standards and loadings in the structural analysis. This application falls under an "Eligible Facilities Exemption". In order to be granted an exemption three criteria must be met, which goes as follows;

- The height (measured in feet above ground level) of the existing tower approved, including any modifications prior to February 22, 2012;
- The modifications in Transmission Equipment proposed may not result in increasing the height above ground level of the existing Tower by more than: (i) 10% of the height of the existing Tower, as originally approved, including any modifications approved prior to February 22, 2012;
- The modifications in Transmission Equipment (measured at the height above ground level the Transmission Equipment will be attached to the tower) will not result in any Transmission Equipment protruding horizontally from the edge of tower by more than twenty (20) feet or by more than the existing width of the tower at the height, whichever of these dimensions is greater.

The PCSO antennas will be placed at 160 feet, (currently the tower is 285 feet) the antenna are close knotted to the legs, going out approximately 3 feet. The equipment is being placed within the shelter currently utilized by MTA and the police department. Two public service facilities would be located within the same shelter.

Mr. Gainer summarized his memorandum dated August 27, 2019. The memorandum does not address the FCC rulings and regulations applicable to the "Eligible Facilities" exemption as this was unknown during the review of the application. The latest relevant sections of the Federal Telecommunication Act now classifies co-located antennas as an "Eligible Facility", and specifies that local Boards have the authority to review and approve the application; however, it has no authority to deny the application.

Mr. Gainer explained a new structural analysis review was performed for the new antennas. Based on this evaluation, it appears the applicant utilized the appropriate design standards and loadings in the structural analysis. It should be noted that, in performing a comprehensive structural analysis of modifications to the existing towers, governing Federal regulations (ANSI/TIA 2220G standards) permit maximum load capacity ratios of tower structural elements of up to 105%, with any structural component found below this ratio not requiring any strengthening in order to handle the new facilities. Nevertheless, the Tower owner (Tri-Valley Broadcasting) mandates that an even lower (more conservative) standard be used for facilities mounted on their tower, of 90% of this maximum value. Under both of these structural criteria, it has been established that no reinforcements of the tower are necessary for the modifications planned.

Mr. Liquori prepared a resolution that considered many aspects of the review, which included the "Eligible Facility" criteria, the Environmental Assessment Form (EAF), Section §215-43 Telecommunication Towers of the Code of the Town of Pawling, for the granting of the Special Use Permit by Tri Valley Broadcasting and Putnam County Sheriff's Department to co-locate a dedicated emergency service antenna on the existing Tower. The relevant factors were reviewed as set forth based upon recent case law on such facilities, specifically on the matter of County of Monroe 72N.Y. 2d 338 (1998), to determine whether the County is exempt from the Zoning Code of the Town of Pawling, which includes a number of factors. The Board can waive the Public Hearing if they so choose.

Motion by Chairman George Brehm to waive the "Public Hearing" for the Tri valley Broadcasting for Special Use Permit application for Putnam County Sheriff's Department colocation.

Second by Mr. Vollmer. Chairman Brehm asked for discussion.

Ms. Rennolds asked if additional lights would be installed on the tower.

Mr. Graiff responded that no additional lights would be installed on the tower. Mr. Graiff explained that the Putnam County Sheriff's Department received a grant for the installation of this emergency communication system, and they must receive approval and issuance of building permits by September 30, 2019.

Role Call.

Aaron Cioppa, recused.

William Vollmer, aye.

Chairman Brehm, aye.

Eric Paulson, excused.

Dr. Bloom, aye.

Amie Rennolds, aye.

Corinne Pitt, excused.

Chairman Brehm read into the record Resolution #10 of 2019 for Tri Valley Broadcasting Special Use Permit application for colocation of Putnam County Sheriff's Department located at 232 NYS Route 292, Holmes, NY. Tax map #134089-11-6957-118540. (copy in file)

Second by Mr. William Vollmer. Chairman Brehm asked for discussion. There was none.

Role call:

Chairman Brehm aye
Dr. Bloom, aye.

William Vollmer, aye
Aaron Cioppa, Recused

Amie Rennolds, aye.
Eric Paulson, excused.

Corinne Pitt, excused.

DR. AND MRS. ANDREW DANNENBERG

Further Discussion/Lot Line Realignment

55-61 Kirby Hill Road

Pawling, NY 12564

Grid Number: 134089-7056-00-995887

Diane Van Sciver

57 Game Farm Road

Pawling, NY 12564

Grid Number 134089-7156-00-919894

Mr. Curt Johnson, R.A., from the firm of J Group Designs LLC Architecture, Planning Management was present representing the applicants.

Chairman Brehm said the property is located at 57 Game Farm Road and 55-61 Kirby Hill Road in a CD-5 Zoning District.

Mr. Johnson said the applicants are proposing a Lot Line Adjustment between two adjacent, residentially developed parcels on Quaker Hill. Currently, the Dannenberg parcel comprises 36.517± acres, and the Van Sciver parcel comprises 11.216± acres. The proposal is to transfer 4.000± acres of land from Van Sciver to Dannenberg. As requested by Mr. Gainer, the surveyor is currently adding the location of the wells and sanitary disposal systems to the survey map, to ensure that they are not affected by the property transfer and that proper setbacks are maintained.

Mr. Gainer reviewed his memorandum dated August 27, 2019 with the Board members. No new development is proposed; it's merely a lot line adjustment (LLA) between two adjacent, contiguous parcels. Pursuant to the text contained in within the definition of "lot line adjustments" in the Town's Subdivision Regulations (Chapter A230 of the Town code) this property conveyance requires "review" by the Planning Board. The Board's procedural review is for the applicant to file the LLA drawings for the Dutchess County Health Department's "non-jurisdictional" approval, and then the Town of Pawling Planning Board Chairman must sign the plat to permit it to be filed with the County Clerk's office. Since the matter does not require either a "Subdivision" or a "Site Plan" approval, no public hearing is necessary on the application. Similarly, for the same reason no referrals are necessary to other agencies. From a recent site inspection performed with Mr. Johnson, it does not appear that any technical or environmental concerns would result from the property to be transferred under this lot line adjustment. However, the Board should independently determine whether they wish to conduct their own site inspection, to determine whether any issues may be identified which would warrant further study. A short form EAF (Environmental Assessment form) has been filed by the applicant. Pursuant to the New State Environmental Quality Act (SEQRA) Title 6 NYCRR Part 617 Regulations now in effect (as of January 01st, 2019), such matters are deemed "Type II" actions which are not subject to any environmental review, as they have been determined not to have significant impact on the environment. As such, at the August 19, 2019 meeting the Planning Board formally classified the matter as such during their initial review of the application, and so this concluded your SEQRA responsibilities. There are minor technical and statutory issues to be resolved, as noted in his memorandum.

Ms. Rennolds read into the record Resolution #9 of 2019 for Dr. and Mrs. Dannenberg, Hebert & Diane Van Sciver, Lot Line Adjustment Final Approval located at 55-61 Kirby Hill Road and 57 Game Farm Road, Pawling, NY. Tax map #134089-7156-00-995887 & 134089-7156-00-919894. (copy in file)

Second by Mr. William Vollmer. Chairman Brehm asked for discussion.

Role call:

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| Chairman Brehm aye | William Vollmer, aye | Amie Rennolds, aye. | Corinne Pitt, excused. |
| Dr. Bloom, aye. | Aaron Cioppa, Recused | Eric Paulson, excused. | |

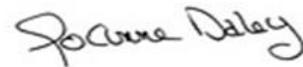
NEW BUSINESS

There was discussion on the parking situation near Daryl's House. It was noted that if citizens have a complaint they must speak with the Code Enforcement Officer. The Planning Board has no enforcement jurisdiction.

ADJOURNMENT

On a Motion by Mrs. Rennolds and seconded by Dr. Bloom to adjourn the meeting at 9:30p.m. All were in favor and the Motion carried

Respectfully submitted



JoAnne Daley
Recording Secretary

non - approved minutes