

**FINAL MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD  
MEETING HELD ON WEDNESDAY, JANUARY 13, 2016 AT TOWN HALL  
COMMENCING AT 7:00PM**

The meeting was called to order at 7:00pm

Pledge of Allegiance

**PRESENT:** Max Fruchter  
Valerie Ingersoll  
Zachary Middleton  
Donald Sanders, Jr  
Joseph McMurray  
Francis Wells

**ABSENT:** Mark Belden

**OTHERS PRESENT:** William Johnson, Dan Lewis, Rick Andras, Michael Moore, Jon Terry, Town Attorney Mary-Ellen Stockwell and Town Engineer Jim Houston

**MOTION** by Joseph McMurray, Seconded by Donald Sanders to have Max Fruchter chair the meeting **ALL AYES**

Acting Chairman Max Fruchter informed the public that this was a continuation of the public hearing which was left open at the last meeting for the Verizon cell tower application.

**PUBLIC COMMENT:**

**Dan Lewis:** Presented the Board with several articles including The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods by Sandy Bond, Commentary: cell towers may affect property values by Thomas Musil, article from Realtor mag, NY Times article, article by Audrey Levine – Appraiser: cell tower will affect property values, also – 20 studies pulled up on the internet, international and national prices on residential neighborhoods, 10 articles put out by NYS on cell towers. Studies showing cell tower health impacts.

**Max Fruchter:** Studies on health impacts cannot be looked at.

**Dan Lewis:** The point I am trying to make is we can't make decisions based on health but real estate values, perception of buyers. As a landowner I must reveal to any prospective buyer that a cell tower is within 1,500 feet of my property. The Town & Village of Fort Edward own several properties for example, Roger's Island and Patterson Road, why wouldn't they utilize their own property to get taxes into the town and village.

**Michael Moore:** Verizon has submitted a map showing distances and a report on property values from Appraiser Pomeroy. The Town of Fort Edward Planning Board Engineer Jim Houston has spoken with Verizon's design engineers and all issues can be dealt with. Verizon will correct or modify all errors on all forms. Verizon submitted new photo simulations of a projected 134' silo. Verizon has issues with the stealth technology silo will be more visually

prominent for its surroundings. It appears the biggest stealth silo in the U.S. is 148' tall. There will be an increased cost to Verizon to build the silo structure, the benefit that would come from the silo would be worse. As a means of visual mitigation of monopole refer to C-201 photo. Verizon can bring in the arms on the monopole to minimize visual impacts; referred to photos 7B, 7C, 11B, 11C, 18B, 18C showing monopole vs. silo projection.

#### **BOARD COMMENTS:**

**Max Fruchter:** Did Verizon look at placing the cell tower on Patterson Road or Roger's Island?

**Rick Andras:** Patterson Road is too close to the County Rte. 46 cell tower to reach the desired area.

**Zachary Middleton:** Roger's Island is in a flood plain area.

**Mary-Ellen Stockwell:** Roger's Island is also a historical site and cell towers cannot be placed there.

**Dan Lewis:** Verizon says the cell tower is not going to affect property values, do they have a contingency plan is it does?

**Max Fruchter:** Verizon is not requires to give guarantees.

**Zachary Middleton:** It is a zoned use for the area which means it is a permitted use. We are updating our zoning so Mr. Lewis can help with the process.

**Max Fruchter:** We have received an appraisal from Pomeroy which states that cell towers do not have a major impact on property values.

**Mary-Ellen Stockwell:** This Board is the Planning Board. This is an allowed use and they are looking at a Use Variance. Mr. Lewis should go to the Town Board if he has issues with the use laws. From a legal standpoint they can only look at the codes for Use Variance.

I suggest we keep the public hearing open and do SEQRA review. We have 3 qualified engineers here to answer questions and there needs to be a discussion regarding monopole vs. silo.

**Joseph McMurray:** I am still leaning toward silo but questions dome vs. flat top.

**Zachary Middleton:** I am leaning toward monopole because it is 134' tall. A silo brings a lot more attention to it. The previous cell tower blends into the area better because it is on a hillside with a tree line.

**Donald Sanders:** In the vast majority of photos the silo stands out as in photo 7c there are other ag. silos in the photo. Maybe Verizon could alter the color to existing silos to make it stand out less.

**Mary-Ellen Stockwell:** What is the size in proportion to other silos?

**Rick Andras:** Double the width and standard silos are 70-80' tall.

**Jim Houston:** By bringing the arms in closer on the monopole, the diameter would decrease and be less visible.

**Valerie Ingersoll:** I am familiar with the silo tower on County Rte. 46. From where I live on County Rte. 42 I can see the monopole cell tower on the Crowley property in Kingsbury. It is not obtrusively visible. There are no tree lines to blend it. Due to the height of the proposed tower I am leaning toward the monopole.

**Max Fruchter:** No question, I want a silo tower.

**Donald Sanders:** I would like to ask Mr. Lewis what he thinks.

**Dan Lewis:** I would ask for a silo

**William Johnson:** Please keep in mind the silo has a ray dome enclosure which restricts co-location. The monopole has no restrictions, an artificial tree doesn't fool anyone but next generations want cell towers because of the faster internet and video gaming.

**Joseph McMurray:** Why should we be worried about co-location?

**William Johnson:** Because another carrier will want to put in another tower in the future if accessibility is not available.

**Michael Moore:** The Town Law requires consideration of co-location.

**William Johnson:** If you are going to extend service you can add onto a monopole, you can't extend a silo.

**Zachary Middleton:** Do other towns look at monopole towers for co-location?

**William Johnson:** If they want to extend the tower they have to come back for review.

**Zachary Middleton:** Would Verizon build the base strong enough for expansion?

**Mary-Ellen Stockwell:** The Board needs to look at restrictions and future co-location.

**William Johnson:** There would be ¼ mile area if 20' were to be added onto the monopole in the future.

**Max Fruchter:** I would like to stay consistent with all cell towers being silos.

**The following memo was submitted by Town Engineer Jim Houston regarding the project:**

**C.T. MALE ASSOCIATES**

**Engineering, Surveying, Architecture & Landscape Architecture, D.P.C.**

**50 Century Hill Drive, Latham, NY 12110**

**518.786.7400 FAX 518.786.7299 [ctmale@ctmale.com](mailto:ctmale@ctmale.com)**

**Architecture & Building Systems Engineering · Civil Engineering · Environmental Services  
· Survey & Land Information Services**

**January 12, 2016 VIA EMAIL ONLY**

**Acting Chairperson**

**Town of Fort Edward Planning Board**

**118 Broadway**

**Fort Edward, New York 12828**

***Re: Verizon Wireless Site: Fort Edward South***

***Special Use Permit Application, Site Plan Review Application Review Comments***

***C.T. Male Project No. 14.4052-053***

**Dear Acting Chairperson:**

**C.T. Male Associates Engineering, Surveying, Architecture & Landscape Architecture, D.P.C. (C. T. Male) has completed a review of the project materials that were submitted for review subsequent to the submission of the main application booklet. The main application booklet for the Verizon Wireless Site: Fort Edward South was submitted to the Town of Fort Edward in August 2015. The materials reviewed included the following documents:**

- 1.) Letter/permit from Washington County Department of Public Works dated October 13, 2015.**
- 2.) Updated Full Environmental Assessment Form (FEAF); “Part 1 – Project and Setting”, signature dated October 28, 2015.**
- 3.) Visual Analysis Report, 130’ Monopole Tower; cover letter dated January 6, 2016.**
- 4.) Appraisal Consulting Report – Market Study; dated May 2015.**
- 5.) Zoning Drawings; Prepared by C&S Engineer’s, Inc. last revised October 28, 2015.**
- 6.) Stormwater Pollution Prevention Plan (SWPPP); Prepared by C&S Engineer’s, Inc. dated October 2015.**

**These updated documents constitute sections/components in the original submission booklet – we did not review a complete new submission booklet. As a result, the following**

comments from our September 8, 2015 comment letter still need to be addressed by the applicant.

**Special Use Application Form (comment response pending)**

1.) Page 4, Lot, Yard and Height Regulations (Bulk Requirements) – the required lot size (10,000 sq ft) conflicts with the minimum lot size (20,000 sq ft) shown on plan C-100 of the Site Plans.

**C.T. MALE ASSOCIATES, D.P.C.**

*January 12, 2016*

*Acting Chairperson – Verizon Wireless Site; Ft Edward South*

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Site Plan Review Application**

- 2.) Page 6 – regarding approvals or permits. The box for “NYSDEC SPDES Permit – Stormwater” should be filled in. Based on our review of the updated project related documents, we offer the following comments for consideration by the Planning Board. Letter/Permit from Washington County DPW
- 3.) The Washington County DPW reviewed the proposed driveway access location and issued a permit for the installation of the driveway at that location. The entrance drive location is acceptable as proposed. Updated FEAF
- 4.) Page 2 of 13, B.e. – County agencies should be checked yes. The Washington County DPW issues a Driveway Access permit. This permit has already been applied for and obtained.
- 5.) Page 2 of 13, B.g. – State agencies should be checked yes. The applicant needs to apply for permit coverage under a DEC General Permit for stormwater runoff from construction related activity.
- 6.) Page 6 of 13, D.2.e.iii. – Stormwater will be directed to off-site surface waters. The southern portion of the access road drains to the roadside swales along CR 46 and then to Black House Creek. The northern culverts under the access road drain to an unnamed tributary of the Champlain Canal. Consequently, stormwater runoff will flow to adjacent properties and this question should be checked yes instead of no.
- 7.) Page 8 of 13, D.2.p. – Is there any fuel storage associated with the equipment shelter in the compound? The plan identifies “Generator Exhaust” presumably from an emergency

generator? The type of fuel and size of the fuel storage container should be indicated on the Equipment Shelter Details plan (C-502).

8.) Page 11 of 13, E.2.h.iv. – A stream number 941-319 is provided – it is unclear if this is Black House Creek or if it is the unnamed tributary to the Champlain Canal.

9.) Page 13 of 13, E.3.f. – The applicant should further explain what archeological site exists adjacent to the project site that prompted the need to check this question “yes”.

### Visual Analysis Report

10.) Updated photo simulations were provided which show the existing conditions, the tower, the silo w/cap and the silo wo/cap. We have no technical comments to offer – this is an issue for the planning board members to decide.

**No Technical comments, silo looks large for 12' branches compared to an agricultural silo.**

**C.T. MALE ASSOCIATES, D.P.C.**

*January 12, 2016*

*Acting Chairperson – Verizon Wireless Site; Ft Edward South*

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Appraisal Consulting Report - Market Study**

11.) The report was prepared for a proposed cell tower in the Town of Pompey, Onondaga County dated May 2015. We have no technical comments to offer on this study report.  
**Zoning Drawings**

12.) **Plan C-100, Overall Site Plan**

a) Refer to Comment 1 above.

b) The note pointing to the proposed driveway access should be updated to acknowledge that a permit has been issued for this access location.

13.) **Plan C-101, Grading Plan, B1**

a) Consideration should be given to providing rip-rap at the outlet of the culvert approximately 350 feet SW of the compound.

b) A reference should be noted to see Plan C-102, “Compound Plan” for details of compound area.

c) It appears that the proposed drainage swale around the south corner of the compound area passes through the electric utility equipment.

d) Provisions should be made to handle overflows from the swale during frozen ground conditions and/or when the flow in the swale exceeds the infiltration rate.

e) Some of the proposed contours are missing on the north side of the compound area.

**14.) Plan C-101, Grading Plan, B1 and A1**

a) The proposed lease area lines should be shown on these plans to determine if any of the work will occur outside of the lease area. If so, some sort of temporary construction easement or agreement may be needed to complete the work outside of the lease area.

b) The plans (both B1 and A1) should also show the location and the invert elevation where the under-drain pipe would daylight.

**15.) Plan C-101, Grading Plan, A1**

a) The roadside swales along the access road should be graded to drain to the roadside swales along CR 46 versus on top of the pipes. Label CR 46.

**16.) Plan C-103, Erosion and Sediment Control Plan**

a) The plan number (C-103) and information on this sheet should be consistent with the E&SC Plan in the SWPPP (C-102).

**C.T. MALE ASSOCIATES, D.P.C.**

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b) Several items are noted but not shown, i.e. silt fence, sediment traps, stabilized construction entrance...

**17.) Plan C-201, Tower Elevation – the proposed ground surface elevation, or the top of foundation elevation, at the base of the tower should be shown on this plan.**

**Tower 134' above what? Where does it start? Applicant stated that the top of the tower is 134' above existing grade not pad.**

**SWPPP**

18.) Page 5, second paragraph – Cut-off swales are discussed the location of which should be shown on the project plans.

19.) Page 9

a) 2. third bullet - Type II dewatering devices are shown as Figure 5A.21 on page 5A.45 versus Figure 5A.45 as stated in the SWPPP. It should be noted that this type of dewatering device is optional.

b) 4. second bullet – It is stated that the length, width and size of stone is noted as being shown on the plans. This information appears to be lacking from the plans.

**This should be noted**

20.) Appendix A2, NOI

a) Page 4 of 14, question 9 – The nearest surface water bodies to which the construction site runoff will discharge is Black House Creek and an unnamed tributary to the Champlain Canal versus the Hudson River. These are both Off Site Streams/Creeks. The responses should be edited accordingly.

**Dead Creek**

**NOI – Notice of Intent ; creates disturbance of more than 1 acre**

b) Page 7 of 14, question 26 – Temporary Swale should be checked.

c) Page 13 of 14, question 42 – The Town of Fort Edward is a regulated, traditional land use control MS4. This question should be checked yes.

d) Page 13 of 14, question 43 - It will be necessary for the applicant to have the “MS4 SWPPP Acceptance” form signed by a Town official.

21.) Plan C-102, Erosion and Sediment Control Plan

a) See comment 16.a. above.

b) Details B1 and A1, Grading Plan – Consideration should be given to providing the dimensions of the temporary sediment traps, i.e. approximate length, width, depth. This will make it easier for the contractor to construct and the inspector to confirm that it was constructed in conformance with the SWPPP.

**Not mandated but engineer can't mandate but would give better control on traps.**

c) Detail A1, Grading Plan – The inverts of the culvert extensions should be shown. It is not clear which way the roadside drainage swale is draining or is intended



to drain.

## **22.) Plan C-504, Erosion and Sediment Control Details**

a) The latest revision date on this plan is 10-2-15 which is different than the latest revision date of 10-28-15 on this plan in the Zoning Plans.

**C.T. MALE ASSOCIATES, D.P.C.**

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*Acting Chairperson – Verizon Wireless Site; Ft Edward South*

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b) Detail A1 – Note 5 indicates a Type “A” filter fabric but nowhere do the documents define what a Type “A” filter fabric is.

c) Detail B2 – The “Filter Stone” should be identified as to meeting a NYSDOT size designation.

d) Detail A3 – Several dimensions and stone sizes, for example w, w/2, and La, are not identified and should be added to this detail.

e) Detail A4 – Note 3 identifies stone material meeting the requirements of A7 aggregate. This designation is not common in NYS and a specific NYSDOT “Stone Filling” size designation should be noted.

f) Detail A4 – The dimension of “A” should be calculated and shown on this detail for each of the temporary sediment traps.

## **23.) Figure 2, Proposed Drainage Plan**

a) The location and outlet elevations of the underdrains should be shown on this plan.

b) Detail B1, Grading Plan - The proposed culverts under the access road should be added to this plan.

c) Detail A1, Grading Plan – See comment 15 above.

## **24.) Appendix E, E3 Drainage Report**

a) Pages 2 and 3 of 100 identify the scenarios as Seneca County - this should be changed to Washington County. With that said, the rainfall amounts used in the calculations appear to be reasonable for the project site in Washington County.

**Please contact me directly at 518-786-7463 should you have any questions or comments about this letter.**

**Respectfully submitted,  
C.T. MALE ASSOCIATES  
Engineering, Surveying, Architecture & Landscape Architecture, D.P.C.  
T. James Houston, PE  
Senior Civil Engineer  
c: A. Mahoney, Town Clerk  
M. Stockwell, Planning Board Attorney**

**Jim Houston:** We want consistency in documents.

**Town Attorney Mary-Ellen Stockwell went through the Long SEQRA form with the Board:**

**MOTION** by Joseph McMurray, Seconded by Zachary Middleton to declare a negative declaration for SEQRA review due to no potentially large adverse environmental impacts due to the project **ALL AYES**

**MOTION** by Zachary Middleton, Seconded by Donald Sanders to close the public hearing **ALL AYES**

**Michael Moore:** Verizon will let the Board know the type of fuel and tank size of the backup generator.

**Joseph McMurray:** I am torn between the silo and the monopole after hearing from our expert Professor William Johnson and seeing some of the photos.

**Zachary Middleton:** I am leaning toward the monopole with upgraded base for future expansion, I live in that area and I have no service.

**Francis Wells:** I would agree with monopole due to expansion.

**Donald Sanders:** Understanding visual aspects, can you expand a silo?

**William Johnson:** Not like a tower, they would have to tear it down and rebuild. The ray dome weakens the top of the silo which doesn't allow for load bearing capacity. I have asked this question before and the answer has always been no.

**Michael Moore:** Do you want us to come back with this information?

**Donald Sanders:** Yes, that way no one is misled and all of the information is there, I am still leaning toward the silo.

**Jon Terry:** The pole is 130' with a 4' lightning rod.

**Valerie Ingersoll:** With all the information we have concerning future expansion and visual aspects I am looking at the monopole.

**Max Fruchter:** Can you tell me if all the silos are made of concrete or are some metal as the harvester silo?

**William Johnson:** Ray domes cannot be made of metal; it would affect how the antenna works.

**MOTION** by Zachary Middleton, Seconded by Joseph McMurray to approve the 134' monopole cell tower contingent on the following: They meet the Engineering specifications, they inform the Board of the fuel on the generator, the monopole is extendable for co-location, provide a structurally vertical expansion with decreased 8' booms on or before the meeting on January 27, 2016

ROLL CALL VOTE: Zachary Middleton – AYE  
Francis Wells – AYE  
Donald Sanders – NAY  
Joseph McMurray – AYE  
Max Fruchter – NAY  
Valerie Ingersoll – AYE

**Mary-Ellen Stockwell:** Put Verizon on the agenda for the 27<sup>th</sup> of January and get all the necessary information to the Planning Board Clerk.

**MOTION** by Zachary Middleton, Seconded by Joseph McMurray to approve the minutes of the meeting of December 9, 2015 **ALL AYES**

**ADJOURNMENT:**

**MOTION** by Zachary Middleton, Seconded by Donald Sanders to adjourn the meeting at 9:00pm **ALL AYES**

DATED: January 19, 2016

\_\_\_\_\_  
Valerie Ingersoll, Acting Clerk

THESE ARE FINAL MINUTES ADOPTED BY THE TOWN OF FORT EDWARD  
PLANNING BOARD ON January 27, 2016.

