

Town of Monroe Planning Board Regular Meeting MINUTES

— 01/17/2023

Town of Monroe Planning Board Regular Meeting (Tuesday, January 17, 2023)

Generated by Norinne McSweeney

Draft

Members present

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn

Alternate Members:

Roberts Garstak

Lou Riviere

Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. Public Hearings

Action, Discussion: 2.1 **Homeland Towers & Verizon Wireless** (0205-2022) SBL # 3-1-19.2
24-26 Strauss Lane Monroe, NY

David Kenny Snyder & Snyder

Vincent Xavier Regional Manager Homeland Towers

Martin from C Squared RF Engineer via Zoom

before ZBA for use variance

before planning board for site plan

first public hearing

before PB for SEQRA review site plan review and ridgeline overlay zone

independent review by City Scapes RF Engineers

had a site visit on January 7th from both boards

questions on routing drive and pull off possible saving some of the mature trees take out

smaller trees
slight shift in the location of the facility shifting 50 feet to the north
do they have lease right
not changing height of the tower in lower ground
plus additional issues with moving the project
still fine tuning the plan with the PB
review of map of property with location of the tower on screen
using existing access lane for Strauss lane
trying to reduce as much tree removal as possible
current location meets all setbacks
normally located in the utility overlay districts causes the use variance required but bulk requirements have been met
proposed tower 100 ft tall has potential for co-location ability
monopole design, also presenting a monopine design
make it brown in color
radio frequency justification report
new site town of Chester Walton Park site recently approved not built
review of photos showing where the tower will be visible from

planning board asked for info regarding adding more height and then lower in height
higher more coverage lower less coverage from topography blocking the signals

Martin Lavin from C Squared spoke on capacity on the frequency

Ben Evans City Scapes need is shown at the range of 2100 megahertz
Verizon showing lack of capacity
need coverage

Mr. Kenny
visual resource
maps on screen being discussed
Mr. Xavier the charts are color coded for visibility

radius is normally 2 miles further extent
reviewed all the pictures that were submitted some with some without comments
bare earth view shed map

Chairwoman Franson is there normally a whip antenna on top for emergency services?
occasionally but not all the time depending on the municipality.
Chairwoman Franson I would like to cover 2 more items on then get on to public comments.
Important to talk about the FCC and the regulations and the extent to which we may or may

not be preempted in terms of our review of telecommunication facilities. The other is just general the industry is going to 5G and the implications for a number of sites.

Mr. Kenny:

FCC oversees

1996 telecommunications act towns can't prohibit service the local governments can't prohibit Verizon from filling its gap in service

requirement once Verizon shows it has a gap the federal law

radio frequency emissions and what are the causes and health effects

the FCC has preempted the local towns and planning boards from basing its decision on the potential effects or radio frequency exposure

Verizon or any company provides documentation that shows that even under the worst case scenarios full guild out with all operators operating at max power the tower would still be compliant with the FCC's threshold level

where it deems safe the radio frequency emissions

under 10% at this facility

Anthony Lepore City Scapes RF Engineer it is not only the FCC but also Congress 47 USC 332 is where the provision says a local government cannot prevent the deployment based upon perceived health effects of RF emissions, going back to the design if you choose to do the monopine we have worked with Homeland Towers a number of different communities to design a monopine facility that is as aesthetically pleasing as feasible

Martin for Verizon - is no specific services mainly brings greatly data throughput the version everyone is concerned with is what Verizon calls a high band 24 - 39 gigahertz and it is not slated for this site currently

there will be some 5G but the low band 700 PCS or AWS and enhancement to 4G.

Demanding growing over 40% per year.

Mr. Kenny wireless facilities are being more deployed ultimately with this particular need for capacity you're seeing more and more uses on the networks, the CTIA has done a study over 75% of 911 phone calls made on wireless devices and over 50% of homes are only wireless households a study from 2018 services

Member Napoli the monopine pole will blend in

Member Manson Strauss connects with Cromwell Hill will be visibly from there

Member Shea does the taper tree cause issues with the signal

Member Penn got excited when you mentioned leveraged lidar technology to develop some of

this visual assessment report then I was disappointed when I didn't see what lidar has the capability to provide and each of those geographical locations we want reference points from could be assigned a vis or a visual impact score and that removes a little bit of subjectivity in these reports and allows review boards like us to objectively say that's the best score based on location and allows us a little bit more of a collaborative effort in assigning a location and to the public say this is the lowest visual impact score possible based on the technology we have versus the pictures we have today.

Mr. Kenny that is something that we can look into, but it is not something that we have done before.

Chairwoman Franson go to height is 100 feet additional height that could be added and you don't have to come back to the planning board

Mr. Xavier

inaudible

Mr. Kenny federal government has come out with an eligible facilities request program. It is a federal law that states if a carrier wants to co-locate on an existing facility they would be able to do so as of right as long as they didn't create any substantial change to the existing facility. The substantial change is set by objective criteria which is can't be 20 feet taller, antennas that are flush mounted to the pole can't go out 20 feet further from the face of the monopole, they also can't be certain increases in ground equipment, can't be certain expansion of the equipment compound.

It can't violate or defeat an existing stealth design

10% of the height of the tower or 20 feet whichever is greater

Ben Evans report from July Walton Park facility is town of Chester

Dennis Fordham - MCC biggest concern trees on access road 100 trees 12 in or larger needs some refinement as to what is being removed

Kathleen King 303 Arlen Road Cromwell Hill Condos - have normally only 1 bar, cell phones service is horrible, dropped calls, static on lines, failed calls, real concern people who live alone and have emergency try to call out and they can't, we need this additional tower

Bruce Furbeck 8 Orchard St directly behind my house in my back yard

directly behind my house going up the grade

didn't see balloon test or when it was done

saw a picture with Park Place my house is at the top of Park Place and Orchard St

Strauss estate approx 40 acres

signing contract with Verizon must be a financial gain for them
the road want to build 1300 away from Strauss property making it approx. 1500 feet from Quaker Hill Rd
look out kitchen window or from my back porch it will be in my backyard
not an engineer look at topography map the range of the 40 acres of the Strauss estate ranges from 850 to 935 feet in topography
overlay heights approx. 870 feet possible shifted on that property
understand need for the tower
live in a residential area never thought I would have to worry about a cell tower being placed in my back yard
ridgeline overlay protection area in place to protect homeowners like me
if we are going to change the law or bend the law for someone to make profits I don't think that is fair
is there going to be a building there with it
electric services will be needed
back up generator load need fuel will effect my home I will hear the noise from that
water well under that property line
cell service is a great thing
keeping land line
cell tower behind my house resale value of my house 15 years ago that could happen to me

Tracey Schuh 94 Pickerel Road
question procedurally open for public comments, learn of public hearing after the fact
balloon test
visual impact from neighbors and how to responded if not aware
time for public comment

Maureen Richardson 279 Harriman Heights Road Monroe
in order to benefit need cell phone services
peace of mind in your home
issue with photos through the trees possible see different angle
lack of photos from Furbeck property
in debate of monopines and monopole would want to know what it looked like up close
is there something to mitigate property value loss taken away when a tower was put there
how close is the closet home to the tower

Marianellen Ligo 16 Reynolds Road
effects on the living organisms in the area
any laws stops the tower from getting any taller after tower is built
proof necessity for new tower how is need shown

850 mht already covering area how is this coverage suffice
are there exiting 2100 megahertz in the area for people to measure radio frequency radiation
2100 megahertz provide more services increase radiation coming out of that area
just because tower behind your house doesn't mean you will get that service
landlines secure of communications versus cell towers in earthquake
FCC last time reviewed test 1996 test have been 2007-2022 test subjects exposed to 50 way
below what is allowed has had affects
review of tests

Lena Silk 13 & 19 Old Quaker Hill Road
directly across the street from the Strauss estate into our street 1st & 2nd house
I am a realtor will impact the value of my property
residential area what type of construction going on that would impact my property
what is the on goings of traffic

Dave Kenny aware of poor service
requested look for additional properties - line of site
will double check view for Furbeck and Silk
no cell service impacts home in this current situation
Walton Park is included
prox. to closest residence 744 feet of way southwest of tower
show more photos up close
testing has been done since 1996
develop a construction plan to minimize 2-3 days top over period of 3-4 months
noise from tower only test during the day
get info on the noise of generator and any fuel on site
exploring slight change in location further away from Mr. Furbeck property

Chairwoman Franson looking into other locations on the site

Maureen Richardson 279 Harriman Heights Rd
mandated that they are allowed to build where they feel most beneficial
why public hearings - Chairwoman Franson requirement of the code

Ms. Torre
the applicant doesn't get to come in a build exactly where they want and how they want
there are ways to mitigate these visual impacts
that are things within the boards jurisdictions that they are allowed to
vet that the requirements have been met

there are alternatives

the need for the facility has been submitted and reviewed by the ZBA and the Planning Board
the actual use is the Zoning Board

Member Manson the federal government has effectively deemed wireless a utility and applications are treated as such. Our function as a planning board is administrative, we look at the rules and see if it goes with the rules and the laws and how could we perfect it along those guidelines. With utilities our hands are little more tied there have been things already determined for us it doesn't take the review function out at all it just changes.

Chairwoman Franson at the last site walk it was discussed to show the existing logging road on the map to see extent of how much deviating from it. Shoot the tree heights.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to open the public hearing for Homeland Towers & Verizon Wireless site to be located at Strauss Lane Monroe, NY.

Motion by Chairperson - Bonnie Franson, second by Nicholas Napoli.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Nicholas Napoli, Dylan Penn

Not Present at Vote: Pat Shea

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby continues the public hearing for Homeland Towers and Verizon Wireless until February 21, 2023.

Motion by Chairperson - Bonnie Franson, second by Jeff Manson.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to extend the Shot clock until April 18, 2023.

Motion by Pat Shea, second by Nicholas Napoli.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn

Action, Discussion: 2.2 **Mountainview Shul** (0195-2021) SBL # 43-5-2 Mountainview Ave

John Queenan Lanc & Tully
Isaac Walter applicant

amended site plan Shul mikvah
located at 277 Mountain View Drive
SBL # 43-5-2
SR10 Zone
just over 1.55 acres
currently existing residence by Rabbi
current one story shul approximately 2900 square feet is 7-8 years old
construction of a new 3 story shul Mikvah 5952 square feet
Rabbi home and current shul to remain
existing shul to remains and be used for storage
proposed shul will be for a capacity of 105 seats size of current congregation
basement mikvah
1st floor study and lecture rooms
2nd floor sanctuary
and a mezzanine area for viewing overall site
keep current driveway and create a loop road for the shul
there will be sidewalks and construction of 35 parking spaces around the building plus and
additional 2 spaces for the Rabbis residence
applicant is requesting 4 waivers which the board has the authority to do under special permit
use for the shul in this zone

waivers requested:

relief from FAR which is a maximum of .25 the project with all of the existing buildings is
asking for .39 FAR
development coverage in this zone is 50% the plan proposes 54%
screening required is 25 feet from all the neighboring properties looking for board to waive
that based on site constraints that exist as well as existing residential neighborhoods
surrounding it
shul shall be located on a major collector road Mountain View Drive is not a major collector
road

these were all listed on the narrative also listed on the bulk table
extending sidewalks to Mountain View Road along with the existing driveways map shows 2
connections there will be one to the Village of Kiryas Joel through the rear
property will receive water from Kiryas Joel
property will have central sewer
onsite wells and sewer will be abandoned

Ms. Torre because the board has architectural review authority they will need the details as far as colors, materials and that type of items

Chairwoman Franson lightening 2700 kelvin down lighting with shields
would like to see elevation of the back of the building
need to increase the landscape

Ms. Torre under SEQRA waiting for the letter from the Village
review the architecturals
landscaping
lighting
tree law
clearly state existing shul will be for storage

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to open the public hearing

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to close the public hearing

Motion by Chairperson - Bonnie Franson, second by Nicholas Napoli.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn

3. Approval

Action, Discussion: 3.1 Two Family Law feedback requested by Town Board

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to authorize our attorney to send a letter on behalf of the planning board regarding two family housing to the town board.

Motion by Chairperson - Bonnie Franson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn

4. Minutes

Action, Discussion: 4.1 October 13, 2022

held over

Action, Discussion: 4.2 October 18, 2022

held over

Action, Discussion: 4.3 November 15, 2022

already approved

5. Adjournment

Action, Discussion: 5.1 Adjourn Meeting

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adjourn the meeting.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn