

**ITEM # 1:**

The meeting was called to order by Planning Board Chairman Zittel at 7:00 p.m.

**ITEM #2: Roll Call**

**Present:**

Kenneth Zittel, Chairman  
George Donhauser  
Joseph Edbauer  
James Jozwiak  
Julie Zybert  
Gregory Waterman

**Also Present:**

Darlene Schweikert  
Christopher P. Miller  
Andrew Bazinet

**Excused:**

Bruce Luno

**ITEM #3: Citizen Participation**

a) **Crown Castle- Smith/Genesee Road Cell Tower.** Christopher Miller (who does the construction in the field) and Andrew Bazinet (who has been with the project from the beginning) were here on behalf of Crown Castle. Town Engineer Alianello had just faxed a copy of his November 2, 2010, correspondence and all members and Crown Castle representatives were reviewing Alianello's letter as to how to proceed on this matter. Crown Castle will be responsible for Alianello's billing for this review. There are some items that still need to be submitted by Crown Castle before this can be recommended by the Planning Board. Mr. Bazinet would like the Planning Board to review their application and make recommendations to the Town Board. Chairman Zittel noted that we can but until the Town Engineer is satisfied, we will not proceed. Mr. Bazinet noted that the plans that we now have are the same plans that were submitted in March 2010 and at that time it was determined that a review was not required and that no building permit was necessary. Discussion about how the Building Inspector can inspect the foundation that is already in the ground now; how will he know they are 23 feet down. Mr. Bazinet noted that Crown Castle has their engineer to review this. It was not inspected by CEO Atkinson. Mr. Bazinet noted that the tower is designed to handle multiple carriers/loadings. It is designed for six or more carriers, depending on the load of each individual carrier. Mr. Bazinet noted that the existing ones will be put on the new tower. G. Donhauser noted that we will have to go through this again when Crown Castle wants to put another one this tower. Mr. Miller noted that in the prints submitted, it shows a ghost of Verizon on the compound. Mr. Bazinet showed the members some display boards of the project including Verizon's future area that is incorporated into this plan so we would see where Verizon would be going in the future. Discussions about dimensions of the leased area. Fall zones differ from town to town. Mr. Bazinet has kept CEO Atkinson up to speed before Crown Castle even budgeted this project.

G. Donhauser noted that Crown Castle say they are taking the tower down because it is shot; two years ago it just passed inspection where it only needed 27 cotter pins. To take it down and put up a new one, just file a Special Use Permit, pay the money; do the work. Discussed the letter issued by CEO Atkinson dated April 27, 2010 and how Crown Castle proceeded on that basis. This project is not the same exact tower. The Planning Board had never seen these plans before.

G. Donhauser noted that the old tower is not in compliance at this point because it is out of inspection. He has a problem with giving them a new tower when the old tower is not in compliance. Mr. Bazinet noted that that is new information to him. Our Code requires the tower to be inspected every two years, in September it was two years. Mr. Bazinet noted that he did not know that; it might have been inspected just not submitted to the Town.

Discussion about the bond. Mr. Miller has the original \$50,000 bond here tonight as well as the correct filing fee of \$1,500. The bond had been emailed to Darlene prior to this evening's meeting but it could not be opened on computer because of a security issue. G. Donhauser noted that our Code says the minimum amount of a bond required is \$50,000. He is sure that the tower could not be taken down and disposed of for \$50,000.

The members reviewed with Crown Castle the faxed correspondence received from Town Engineer Alianello to identify what is still needed to be resolved:

- 1) Page 1 is background information.
- 2) Page 2:
  - a) Appears all set.
  - b) Appears all set.
  - c) The members are not concerned with the landscaping. All set. There should be a final grade plan. The members do not feel that trees or shrubs are necessary. It is in the middle of a field. There is no vegetation out there now. They submitted photos of the area and will email the images to Alianello for his review. What is there now is sufficient with the new tower.
  - d) Fall zone. Alianello notes that it would be necessary for Crown Castle to obtain additional lease area to comply with the requirements in our Code. Crown Castle has not yet contacted Raymond & Joyce Smith about this matter because they just found out about it the end of last week. Mr. Bazinet feels that this could be addressed with the Town Board or the Zoning Board. G. Donhauser noted that he had talked with the Smiths and it appears that that will not be a problem.

- e) Appears all set. Make sure the fence is up with stone inside. G. Waterman noted that they will have to compact and put down weed barrier and six inches of ¾" crushed stone.
  - f) Appears all set.
- 3) Page 2:  
Section 137-10 – Safety analysis of the electromagnetic environment to be provided. Mr. Miller noted that Crown Castle is doing an RF study and can submit that once it is completed. This is software program to analyze towers.
- 4) Page 2:  
A Visual Environmental Assessment Form. Since the photo simulations (which is usually part of the VESF), is this still required? The Board feels that if Alianello is happy with this, then that will be satisfactory to the Planning Board.

Mr. Bazinet noted that when they install a new tower, they try to make it as seamless as possible. They get all the carrier equipment installed on the new tower and then the lines that come down come down one at a time. After Crown Castle get the new carriers integrated, then they go back and remove the old tower. Discussion about the foundation on the old tower. Typically the piers (anchor sets) are removed two feet below grade. Chairman Zittel would like it to be four feet below. The Planning Board feels that they need the dismantle/removal process spelled out also. Mr. Miller noted that they could do this. The concrete pad/pier is about 12-14 feet deep. That is inside the compound and would not be removed. That should be included in the bond amount. There will be two pads inside that compound fence area. Chairman Zittel would like it noted in the Minutes that it was agreed that the existing piers will be taken off four foot below grade and that the Town of Concord CEO will inspect this process; Crown Castle will have advise the contract to contact CEO Atkinson for this inspection. There are three guide posts holding up the old tower.

- 5) Page 2:  
The Short Environmental Assessment will need to be changed.
- a) Number 5 needs to be “new” and “not modification/alteration”
  - b) Number 9 needs to be “agricultural”
  - c) Number 10 needs to be “Yes”, a Special Use Permit is required by the Town.

Discussion as to whether the Long Form SEQR was needed. Chairman Zittel noted that Alianello is just requiring the Short Form.

Discussion about lighting on the tower. Mr. Bazinet noted that it will be a similar unit as to the one on the existing tower. Mr. Miller noted that it is the same, just a new unit. That tower has to have a red light on the top at night and white in the day time.

Chairman Zittel informed Mr. Bazinet and Mr. Miller to get this information in to us and to Mr. Alianello. Chairman Zittel noted that the Planning Board cannot recommend to the Town Board to proceed at this time until these items are submitted and until Alianello approves the documentation. Crown Castle will be on the agenda for the December 7<sup>th</sup> Planning Board meeting. Mr. Bazinet noted that Crown Castle does try to do things the right way and it is unfortunate that some of this got confusing. Mr. Miller noted that he had talked to CEO Atkinson and asked if they could grade around the area because of the ruts but they were informed that they could not do anything. There is a lot of material laying up there and it becomes a safety issue so they are trying to expedite things as quickly as possible. Chairman Zittel will contact Alianello and CEO Atkinson regarding their project. The Town Board will meet this Thursday, November 4<sup>th</sup> and then again on December 9<sup>th</sup>. It appears that at this month's Town Board meeting, the Town Board can schedule the Public Hearing to be held on December 9<sup>th</sup> prior to the Board meeting. Notices will need to be mailed to the neighboring parcel owners as well as publication in the Journal. The Planning Board would meet on the 7<sup>th</sup> and make recommendations to the Town Board, then have the Public Hearing on the 9<sup>th</sup> and if all is acceptable, the Town Board can act on the project during their regular meeting that same night. Mr. Bazinet thanked the Board for their time this evening. Chairman Zittel advised Mr. Bazinet and Mr. Miller that Crown Castle will be responsible for Alianello's bill for his review of the documentation.

**ITEM #4: Approval of Minutes**

a) October 5, 2010

Chairman Zittel asked for comments or questions regarding last month's minutes. J. Jozwiak made the motion, seconded by J. Zybert, to approve the minutes as presented. All in favor. Carried.

**ITEM #5: Code Book Revisions**

Discussion about manufactured homes and trailers. The members believe that when revisions are next made to our Code, that specific definitions be included in the Code. J. Edbauer will draft definitions for the Planning Board to review. Continued discussion about manufactured homes like B&B does and how foundations need to go below the frost line.

**ITEM #6: Business from the Floor**

- a) Chairman Zittel noted that he had received a call from a concerned citizen regarding the Wendel gravel pit. It appeared that there were not going to rip the floor. Chairman Zittel called the DEC and informed them and the matter was handled by the DEC.
- b) Chairman Zittel noted that he had sent a letter pursuant to last month's minutes to the DEC regarding the Gernatt pit. The DEC went out to the pit and reviewed the site and everything is in compliance.
- c) G. Donhauser discussed the DeWald pit. His recollection was that they agreed not to go below the road for the lowest point. Chairman Zittel thought it was the lowest part of the field which is lower than the road. Darlene to check the Minutes and bring to next month's meeting.
- d) G. Waterman noted that there should be something in our Code governing the gravel pits that sell less than 1000 ton a year, how do they leave their banks etc when all the mining is done. G. Waterman will draft some language on this matter for the Planning Board to review.
- e) J. Jozwiak suggests that the Planning Board revisit the issue of going from an advisory board to a full blown Planning Board as the Supervisor had discussed with them in the past. This would mean that the Planning Board would hold the Public Hearings and make decisions on the matters. Legal counsel and insurance coverage would need to be available for the Planning Board if this were to happen. Discussion between the members; some members are opposed to this idea. The Planning Board would have more control.
- f) Discussion about training. It is difficult for some of the members to get to training classes offered in the daytime because of their work schedules. G. Donhauser noted that he had seen a video in a magazine and possibly the Board could purchase the video and watch it for training credit. This would need to get Town Board approval for training credit. G. Donhauser will ask the Town Board at their next meeting.

**ITEM#7: Motion to Adjourn**

G. Waterman made the motion, seconded by J. Jozwiak, to adjourn the meeting at approximately 8:30 p.m. All in favor. Carried.

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Darlene G. Schweikert

