

TOWN OF MILAN PLANNING BOARD MEETING MINUTES –FINAL
WEDNESDAY, JANUARY 8, 2014

MEMBERS PRESENT:

Joan Wyant, Chairman
Nathaniel Charny
Kim Godfrey
James Jeffreys
John Mautone
Radford West

MEMBERS ABSENT:

Jeffrey Anagnos

ALSO PRESENT:

Jack Campisi, Town Board

Chairman Wyant opened the meeting at 7:00 p.m.

Public Hearings:

1. **Barrett Two Lot Subdivision** – Pat and Rebecca Barrett have an application before the Planning Board for a two lot subdivision of property located on Barrett Lane off of Fitzsimmons Road, tax grid number 6573-00-023892. Chairman Wyant read the legal notice that was posted in the paper and sent to neighboring landowners and said that Mr. Barrett was unable to come up from North Carolina for this meeting so has requested an adjournment of the public hearing until the February meeting.

Mr. Jeffreys motioned that the Planning Board adjourn the public hearing for the Barrett two lot subdivision until the February 5th Planning Board meeting at the request of the applicant. Ms. Godfrey seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

2. **Irish Hills Lot Line Adjustment** – Paul Doherty, property owner, was present for the public hearing for the lot line adjustment of property owned by Irish Hills LLC, tax grid number 6474-00-583275 located at the rear of Spring Lake Road and property owned by Red Wing Properties, Inc., tax grid number 6474-00-302341 located on Spring Lake Road. Both properties are located in the A3A zoning district. Chairman Wyant read the legal notice which was posted in the paper and sent to neighboring landowners. Mr. Doherty said the reason or the lot line adjustment is to provide access to 583275. This action also involves some property in Clermont, Columbia County. Mr. Ihlenburg, L.S., is in front of the Clermont Planning Board tonight for the public hearing there. Mr. Ihlenburg added the locator sketch and Clermont endorsement which was asked for at the last Milan meeting. Both properties will be using the same driveway.

Hearing no public comment, Mr. Jeffreys motioned to close the public hearing for this lot line adjustment. Mr. West seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

This application will be on the February agenda.

- Munsch Two Lot Subdivision:** Mark Graminski, P.E./L.S. was present as the authorized representative for Lauren Munsch, property owner. Mr. Graminski said they are still trying to work through a resolution with the Dutchess County Department of Public Works for access off of Round Lake Road. He said the DPW has asked for another site visit, date yet to be determined, and he requested another continuation of the public hearing.

Chairman Wyant motioned that the Planning Board adjourn the continuation of the public hearing for the Munsch two lot subdivision of property located on Round Lake Road, tax grid number 6370-00-954632 as requested by the applicant's authorized representative, Mark Graminski, P.E./L.S. to the February 5th meeting. Mr. West seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

- Orange County-Poughkeepsie Limited Partnership d/b/a Verizon Wireless Special Use Permit/Site Plan Approval:** Scott Olson, Attorney for the applicant, Liz Axelson, Morris Associates, Town Planner, and Joseph Paggi, Paggi, Martin and DelBene, Town Engineer, were present for the continuation of the public hearing for this application to install and operate an unmanned communications facility located on Academy Hill Road, tax grid number 6572-00-862990. Chairman Wyant read the rules of conduct and read into the record an email from Joseph Grotto dated December 28, 2013. Joseph Paggi, Town Engineer, went over his review letter dated January 6, 2014. No. 1, there are certain notes on the Tectonic plan that are inconsistent with the Povall plan and they need to be consistent. The notes are specified in the letter. Mr. Paggi said there are sections of the road that are steep, between 15% and 20%, which is in excess of what a regular driveway would be and he recommends sending this to the Fire Rescue Department to make sure they will be able to access the site. Blasting should be identified now if it will need to be done, and blasting work needs to adhere to all local, state or federal codes. No. 2, the note on C-1 identifying the existing access drive as paved needs to be changed to gravel. No. 3, the bounds of the stormwater management areas are larger than the grading. The stormwater areas on the plan should encompass the whole area. Additional

topo should be provided at 2% contours to provide better detail. As shown, it appears the grading ran out of topo. They may want to look at a couple of alternatives to lessen the grade; however, the more you lessen the grade, the wider you have to cut so a balance needs to be achieved between steepness and amount of disturbance. The goal is to get it as close to 15% as possible realizing this balance. No. 4, this note is unclear and needs to be drafted in plain English so the Town is aware of who will maintain the stormwater facilities in the future. No. 5, taking into consideration that access to these facilities is not a daily or even monthly occurrence, people still need to get there. Given the grade of approximately 17.5%, this section needs to go out to the Fire Rescue Department to ensure their vehicles can get up and down a grade that steep. No. 6, refers back to maintaining portions of the access drive greater than 10%. Mr. Paggi suggests that possibly some type of surface treatment on the steep section may be required to reduce maintenance. No. 7, Mr. Paggi recommends a diversion swale be constructed draining to the existing gravel pit area and that a permanent sedimentation basin with a wide level spreader discharge be constructed to spread the runoff that will be generated from the construction of the drive over a larger area to minimize any impacts to the east and along the county road. It would move the run off more to the south to the flat area to hold it and let it disperse over a wider area. No. 8 deals with the first steep section of 20% and whether it can be lessened while increasing the slope of the next grade of 4.5%. Again, it is achieving that balance with the Planning Board deciding whether the benefits of lessening the grade are greater than the negatives of additional clearing, grading, etc. Additional studies of that area will give the Planning Board alternatives to consider. No. 9 states the location of the erosion control measures, specifically the silt fencing, needs to be more clearly shown. No. 10 states the note dealing with slope protection needs to be reworded to be clearer to the contractors. No. 11, in the bio retention areas, there is no discharge from the bottom of the pond other than the overflow area and infiltration into the ground. There is no outlet except on the edge of a steep drop off. Mr. Paggi said if that amount of water is discharged into the ground, the stability of that slope needs to be looked at with additional topo. No. 12 is self-explanatory. No.13, a specific schedule for stabilization of the slopes needs to be submitted. They need to stabilize that day as soon as they are done to make sure no erosion takes place downhill. No. 14 is self-explanatory. No. 16, the Dutchess County Department of Public Works needs to be notified as to what is going to take place and let them respond back to the board that a permit is either not necessary or is necessary since construction vehicles will be going in and out. No. 17, areas of grading necessary to construct the site as proposed are outside the lines and the easement line – this needs to be explained by the applicant. Next, Liz Axelson, Morris Associates, Town Planner, said she will touch on the points in her memo that would lead the Board to consider SEQRA at an upcoming meeting. She said there are three general issues. At some point, we need to know that Mr. Paggi's concerns have been answered and that the areas of disturbance, grading, drainage, and erosion control are in good order which is important due to the length of the access road, and there are two issues from the previous review. Ms. Axelson said the Board needs to formally agree on a tower design. She recalled that the Board seemed to, in

general, be in favor of the monopine design based on the need to camouflage related to the zoning requirements for this use. Also, on a previously submitted set of plans, the applicant had shown areas not to be disturbed or cleared. She said she had made commentary suggesting they encircle the facility a little more. Now, on the current plans, the areas proposed for no disturbance have been deleted entirely. There are no areas on the plan delineated for no disturbance or clearing. This is a zoning requirement and her concern is that there is a substantial amount of land left after this structure is built. There is a possibility of future subdivision. Those areas to remain undisturbed are important due to any future use of the site. Mr. Jeffreys said as far as the tower design, a monopole takes up a smaller footprint and might be visually more appealing. Chairman Wyant said she personally prefers a monopine; even if it sticks up a little higher than the surrounding trees, it will be more visually appealing. After some additional Board discussion, the Board members were in agreement that the monopine would be the best design to mitigate any visual impact. Mr. Olson said we didn't put a design on the plans because we were never asked to do that. He has spoken to his client, however, and they are happy to go with the monopine if that is what the board and neighbors want. To maximize mitigation, we will commit to building a monopine similar to the simulations. Ms. Axelson said as far as the other issue of the no disturbance area, she said areas need to be identified that will be the buffer and will retain existing vegetation. The code requires a landscaped buffer around these facilities. This facility is in the middle of a wooded site but there needs to be shown a proposed area not to be cleared. That would be acceptable to meet that requirement. The cleared areas needed to be adjusted once we saw grading plans. Now, we have grading plans and areas of disturbance. Ideally, the buffer should be a 50 foot non clearing buffer around the outside of the cleared area so that you are retaining vegetation and providing a buffer from the disturbance within. On the recently submitted plans, those limitations on clearing were deleted completely. Sight lines were provided that it wouldn't matter as to whether vegetation is there or not but the site around this road and tower could be developed. Those areas proposed for no disturbance and no clearing need to be on the plan and adjusted. Mr. Jeffreys suggested one way to address this is that if there was ever additional development, additional screening would be required. Mr. West said he thinks the 50 foot minimum should be done now. Mr. Jeffreys suggested identifying 10 different native species of trees up and down the easements and around the compound itself. There are a lot of trees, more than what is shown here at 6" and above. That would mitigate the run off and then if there is any additional development, the applicant would have to go back and make whatever improvements are necessary. Ms. Axelson said her comment would be that the applicant is here now, in front of the Board, and once the site plan is approved, they meet the conditions and get the plan signed, they are done. She said her professional opinion is that the only opportunity to get limitations set is now. They don't need landscaping, they just need to retain some vegetation. What was proposed was good; it just needs to be wider in some spots. They need to reinstate what was shown on the plan and wrap around the graded areas so we know what will be disturbed. Due to the existing vegetation, they do not need to add any plantings, just retain what is

there. She said those are her primary points with the intention of getting done what is needed for SEQRA. Mr. Olson addressed the letter submitted by Joseph Grotto. He said he disagrees entirely with the statement in the letter. He said we have clearly answered the question regarding why we can't place our equipment on the Near Road tower in Gallatin. We are pursuing co-locating on the Gallatin tower but it will not solve the problem. If we co-locate on either Town tower, that will not solve our problem. It does not come close; there is still a four mile gap on the Taconic. He is making statements that are utterly false and contrary to the record. Mr. Olson said we made a submittal dated 12/21/13 which included new RF information of actual drive test data. We did not think it was necessary and the code does not require it and federal case law does not require it but we provided it and it does exactly what our model shows. The actual data shows a massive gap 4-5 miles long on the Taconic. No one can refute there is a gap there, a need there. The actual data shows that. Mr. Olson said we have the utmost confidence in the models we use and this data shows our model used is dead on accurate and reliable. Mr. Graiff has also testified our model is accurate. This is the actual data that some people have requested. Verizon has committed to building a monopine tower if that is what the Board wants to mitigate to the extent possible any visual impact. You will be able to see it from certain locations, but with a monopine structure, it will be pretty much unnoticeable. It will stick up here and there but will look like a tree. Mr. Olson said we don't have any right to that property beyond our lease area. If there is going to be a future subdivision down the road, you have jurisdiction and legal authority at that point as to what kind of a buffer exists on the land owner's property. We won't cut down anything outside our lease area. That won't be a guaranteed buffer for you but the land owner can do that. Ms. Axelson said the plan shows going outside the lease area to grade. Mr. Olson said we will have to deal with that with the property owner. It is a legal issue between two parties; we will have to work this out with the owner based on the new plans. Mr. Jeffreys said you need to put back into the plans the grading areas that you may impact beyond the footprint of the lease area. Mr. Paggi said the current plans show grading outside the easement area. Mr. Olson said we did not know that until we prepared the SWPPP. Mr. Paggi said the amount outside the lease area varies. The access road itself is 30 feet and the grading and clearing is shown outside the 30 foot easement. If the board makes a decision to take that entry road and lessen the grade from 17 to 15, that amount of clearing and grading has to get wider. The grading on the pad and roadway shown is definitely outside easement area. Paul Doherty, property owner, was present and said he has no problem with the construction going outside the easement area. He said we have no intention of doing anything with the 86 acres the cell tower is on. Any subdivision will be at the southerly side. Mr. Andras and Mr. Tucci, RF Design Engineers, were both present to answer any questions. Mr. Andras presented the drive test data. He said to do the test, someone actually drives up and down the road with a mobile device. This data shows they accurately predicted a large gap throughout the coverage area. The black areas received no signal. Mr. Oliosi, a resident, asked how that squares with Jack Grummet's comments at the last meeting about how he traveled up the Parkway from Jackson Corners to Academy Hill Road using an

AT&T phone and had full service the entire time. Mr. Jeffreys said AT&T uses a different system. Mr. Oliosi said he did the same thing today with the same results. Mr. Andras said AT&T uses totally different technologies. Mr. Andras went on to explain that the purple dots were where calls were dropped and the blue stars received a signal but could not communicate back. Mr. LoBrutto asked how they did this test – was a transmitter put on the Mariner tower and the Woody Row Road tower. Mr. LoBrutto asked again why Verizon doesn't co-locate on the Mariner tower. Do your test on the Mariner tower. Mr. Olson said as has been mentioned at least a half dozen times, we are installing antennas and equipment on the Mariner tower. We would not install duplicative sites. If we could cover the area with the Mariner tower, we would but according to our engineers and all signs involved, it does not work. It does not mean we don't have to solve our problem if AT&T works. Case law is completely opposite that. We have a right and obligation to provide service to our customers. If this Board denied that, that would be prohibiting our service and a violation of federal law. Mr. LoBrutto said we have a law in this town that says if these cell tower companies want to come, they have to prove they cannot transmit from existing towers and the reason is because we don't want these towers for every provider. This town would be full of towers. It works for AT&T, why can't it work for Verizon. Co-locate on Mariner and see if it works and covers the Parkway. Originally, this application was all about the Parkway. AT&T covers the Parkway. Verizon should be able to also if they co-locate on Mariner. The town should mandate that. We could eliminate the road and tower by using existing towers. They have to prove through a wave test that they cannot do it. Mr. Jeffreys said a wave test is not a requirement we have. Mr. LoBrutto said you can make that test a requirement. You can have an independent party make that test. Mr. LoBrutto asked Mr. Andras if he said before that the AT&T technology is different than Verizon's? Mr. Andras said to answer Mr. LoBrutto's question, even if Verizon located on existing facilities, which they are, because of the technology, they would not be able to achieve the coverage that they are seeking to provide. He said the model is dead on with drive test which provides that all propagation and analysis which was submitted is correct. Mr. Andras said data provided in the initial package shows the Mariner tower with a gap at the town line and due east of the site. Mr. Olson said the local law here does not require us to show need. The federal government strongly supports these facilities. They want everyone to have cell service. That is why they enacted the shock clock regulations. Local zoning was left to local boards. Towns have a right to have zoning but must apply what is in the zoning code – they can't make up requirements. The need has been proven. Mr. Charny said that is coming from you. Mr. Olson said we proved it and there is no proof on the contrary to anyone credible. Mr. Andras said we wish we could co-locate. Even with co-locating on the Mariner, Woody Row and/or JNS tower there are significant gaps along the Taconic. They have started the process to co-locate on the Mariner tower and eventually, Woody Row Road, then the gap is solved with the exception of one small rough spot about a tenth of a mile. That is based on this tower being 150 feet, the proposed height. If we drop to a height of 130, it covers most of the area but opens up a half mile gap to the southeast. This information was submitted in

July. Mr. LoBrutto asked at what height did they use for Woody Row and Mr. Andras thought it was 180. The tower is 195. Steve Steve Matthews was present on behalf of Verizon to answer any questions about the SWPPP. He said they have advanced the design to include grading and erosion control. There is full grading along the access road with three drainage areas. He said they will accommodate all of the comments in Mr. Paggi's letter. He said regarding comment 2, he thought the road was paved for about 400 feet. Mr. Doherty said it is a decent layer of gravel but it is not paved. Mr. Paggi said there is a paved apron but back from that, it is gravel. Mr. Matthews said for comment 3, they will provide the additional topo. Regarding the slopes in excess of 15%, they have access roads elsewhere that exceed 15% and he said he knows the maintenance trucks can make it up that grade. He said he will defer his formal response until we hear from the emergency response people. Regarding comment 7, Mr. Matthews asked if this is absolutely necessary. He said we feel our plan works. Mr. Paggi said it does work but he has concerns that, from the last bio retention basin to the toe of the slope, if the water stays on that toe, it will go down to Academy Hill Road. Mr. Matthews said the existing road is gravel and once it is cleared, the water has to go somewhere. Currently it shoots off both sides. We are cutting and widening the swath of clearing and maintaining the existing drainage pattern. Mr. Paggi said we can agree to disagree but feels that the point of discharge needs to be taken care of here, not at Academy Hill Road especially because the road is steep and is crowning. He said it doesn't have to be elaborate. Mr. Matthews agreed to that and said that takes care of his major questions. Mr. LoBrutto asked if the access road was going to be paved – he said based on his work on the Planning Board, anything over 10% had to be paved and another land owner had to pave his road. Mr. Jeffreys said that would typically apply to subdivisions and high traffic roads. This is an access road for a cell tower, no different than a logging road, which has to be stable for the cranes but there will be no heavy traffic use. Someone may come maybe once every six months for maintenance and possibly every two or three years to update the antennas. Matecki Road is paved but not going up to tower. However, if that one steep portion is going to create a problem, it will need to be stabilized but a impervious surface will increase the velocity of the water. Mr. LoBrutto said they need to be treated like everyone else in town. Mr. Jeffreys said if they develop the property, it will be on the southern part which is way on the other side of the property. This property is 123 acres. The cell tower will be on an 86 acre parcel separated by a stream. Mr. LoBrutto said the property owner says he is committing 86 acres to this tower but will he come back in a year or two and subdivide the property? Mr. Jeffreys told Mr. Olson to make sure all submitted paperwork reflects a 150 foot tower. Mr. Olson asked about the bonding requirement. He said we have been waiting for direction from the Planning Board before submitting to the Town Board. Ms. Axelson said we need to understand what is required to move forward on SEQRA. David Gordon, an attorney representing homeowners on Academy Hill Road, said he was surprised to hear so much new information has been submitted, and was also surprised the applicant went through the effort of doing the drive test when it was not requested. Mr. Gordon said what was requested was a drive test to verify specific claims with

respect to co-location on the Mariner tower or JNS or Woody Row Road. The gap is not in dispute. We know there is a gap. What is going to happen when they put antennas on Near Road. They did a drive test and resubmitted previous submittals which raises some questions. Mr. Gordon wondered why they bothered and commented that it is a diversion. He said we were looking for a drive test on co-locations. Instead, they resubmitted existing data. The same question still remains, assuming this tower is necessary, why not consider the option to go to 130 feet? Based on what was presented today, at 130 feet, the remaining gap is about a half mile which is what you would drive through on the Taconic in about 30 seconds. What does that mean? That gap which is white in color means that at a little less than neg 85 dbm, you do not lose all calls. What does that mean in reality? How many calls are lost in that 30 second gap? We still don't know. We still don't know the viability of a 130 foot tower. Regardless of specific provisions with respect to the zoning code and cell towers, this board has authority under SEQRA and special use permits to take a very careful look at the height required. Under SEQRA, you can look at viable alternatives as well as under the special use permit requirements. Mr. Charny asked Mr. Gordon if he had seen Mr. Graiff's report and Mr. Gordon said he has seen it and has submitted detailed concerns about it and about Mr. Graiff's involvement.

Chairman Wyant called for a five minute recess.

The Board discussed what is necessary to move forward. The application needs to be sent to the Milan Fire-Rescue Department. The grading issues need to be addressed. Ms. Axelson said the notation issues on the site plan need to be resolved. Mr. Olson said he would like to request a variance against putting those notes on the plan. The Town does not want to be named insurer as that would mean the Town would be liable to pay Verizon's policy if they don't pay. He said he would rather not put those notations on the map. Ms. Axelson said they should draft something up that she and the Board can look at before anything gets put on the stamped plans. Another suggestion was made that a separate plan be added to the map set for these notations with a reference on the other pages. Mr. Olson said they will put something together for the next submittal. Mr. Jeffreys said if planning and zoning requirements change in the future, you want that information as part of the map set that has been approved. That way, there will be no question years from now what procedures to follow. Mr. Olson said a lot of these requirements are legal requirements and are subject to change. Mr. Oliosi said he has attended several meetings and understands this is a complex problem. He said he knows from neighbors, Mr. Grumet, Mr. Grotto, and other people, that we can purchase a Verizon kit for about \$50 for our homes so that we can get cell service. This kit works where cell service did not work before. We are talking about a problem of a couple of miles on the Taconic, a problem directed more towards commuters, a four mile gap which takes about a minute to go through on the Taconic. Mr. Oliosi said to me, this is like going to the dentist with a toothache and then he wants to take out the whole tooth. Mr. Oliosi asked the Board to put themselves into his shoes. You need to address the needs of the community. He

went to the website and printed out the letter from the Supervisor which states that residents are fortunate to enjoy a somewhat rural lifestyle and we are committed to maintaining it, that individuality, privacy and diversity are highly valued here and we prefer to avoid suburban development concepts and way of life. We welcome to our community those who enjoy a bucolic lifestyle and share a willingness to sustain it. Mr. Oliosi said that letter is saying not to bring in city life and let's try to leave it this way as long as we can. We should live by that. Mr. Doherty said with regard to the height of tower, his experience in LaGrange is that if the tower is not made high enough to accommodate co-locators, then other carriers will be proposing new towers. If you don't want 15 towers in town, you need the height to accommodate co-locators.

Mr. Jeffreys motioned to adjourn the public hearing until the February 5, 2014 Planning Board meeting. Mr. West seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Administrative Items:

- Approval of Minutes: Ms. Godfrey motioned that the Planning Board accept the minutes of December 4, 2013 as presented. Mr. West seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Abstain	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 5-0-1

Applications:

1. **Trudell Two Lot Subdivision/Lot Line Adjustment:** Brian Trudell was present for his proposed subdivision/lot line adjustment of property located on Brooklyn Heights Road, tax grid numbers 6371-00-880388 and 6371-00-870388. The SEQRA circulation has been completed and the ODA paperwork has been submitted and reviewed by the Town Attorney.

Mr. Jeffreys motioned that the Planning Board send the ODA to the Town Board for their approval at their January 20th Town Board meeting. Mr. West seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Chairman Wyant motioned that the Planning Board set the date for the public hearing for the Trudell two lot subdivision/lot line adjustment to be held at the February 5th Planning Board meeting. Ms. Godfrey seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

- 2. South Road Farm LLC** – Mark Graminski, P.E./L.S. was present for this two lot subdivision of property located at 148 South Road, tax grid number 6570-00-911934. Mr. Graminski said they will be relocating the driveway a little over to the west to accommodate the grading required which will involve the removal of a couple of the locust trees. Mr. Graminski said he has submitted a sight line plan to the Dutchess County Department of Public Works but has not had a field meeting with them yet. As part of the SEQRA circulation, DPW comments that a Highway Work Permit will be required to convert the existing single residential access to serve two parcels and a potential issue of concern is the limited line of sight on County Route 53 where the access is located. Mr. Graminski said in conversation with the DPW, he is confident he will be able to obtain a work permit; he will make sure he has something from the DPW for the public hearing. Mr. Graminski said the intent of the applicant is to keep the land open; this is the only planned subdivision of the property to allow another family member to live there. He has done soil testing for the proposed dwelling and found a suitable area near the barns that were used for the Raptor Center. He has prepared the driveway profiles, widths, and sediment control. The application will require an ODA since it is a common driveway.

Mr. Jeffreys motioned that the Planning Board set the date for the public hearing for the South Road Farm LLC two lot subdivision to be held at the February 5th Planning Board meeting. Mr. Mautone seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Discussion Items:

- Karen Buechele, Clerk, advised the Board that the special use permit issued to AT&T for an antenna technology upgrade to the cell tower structure located within the lands of William Clarke on Salisbury Turnpike is up for renewal in February of 2014 and asked the Board what they will require for the renewal as the zoning code does not detail the requirements for a special use permit renewal. After some discussion, the Board agreed that the Chairman should send a letter to the appropriate party advising them of the need for a renewal, the fee (\$100) and include a renewal form and the original application. The letter will state the need

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for AT&T to submit the renewal application, the fee, and a description of any changes/upgrades made to this tower by AT&T since February 4, 2009. The Board will consider the renewal at the February 5th meeting.

Mr. Jeffreys motioned that the Planning Board adjourn the meeting at 9:40 p.m. Mr. West seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Absent	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

The next workshop is scheduled for Thursday, January 30th and the next regular meeting is scheduled for Wednesday, February 5th. The meetings are held at the Town Hall and start at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board