

# TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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## MEMORANDUM

### EAST GREENBUSH ZONING BOARD OF APPEALS MEETING MINUTES MARCH 28, 2023

#### **Members**

Jeff Pangburn, Chairman  
Bob Seward III  
Matt Ostiguy

#### **Also Present:**

William Hessney, Attorney  
Alison Lovely, Secretary  
Kateri Rhatigan, Stenographer

#### **CALL TO ORDER / DETERMINATION OF QUORUM**

Chairman Pangburn called the meeting to order and determined a quorum of three (3) members were present. Tom Hickey & Scot Strevell was absent.

#### **PUBLIC HEARINGS:**

#### **Reconvene ZBA Appeal #2023-01–Verizon– 25 Hampton Inn Drive/I-90/Route 4-Special Use Permit-Wireless Telecommunications Pole for equipment**

Chairman Pangburn stated that he is reopening the public hearing & asked the applicant to discuss any new information he has. Dave Brennan from Young Sommer stated that he was here tonight as well as Rick Andras, RF Engineer from Verizon and Nico Facey a site acquisition specialist. Dave Brennan just to recap, this proposal is for a 37' small wireless facility on a new pole at the off ramp, coming off of I-90 east bound. Dave Brennan stated that since the last meeting, they were asked to look at alternative locations in the area of the southbound side of the off ramp. Dave Brennan did show some google earth photos showing the potential options and stated they can talk about them and see if any of the options work and then go from there. Dave Brennan showed a drone a couple of photos showing the top of the proposed pole in relation to the existing tree. The top of the closest tree to the pole would be approximately 50'. Dave Brennan basically said they're going from 37' to about 52'.

Chairman Pangburn asked Dave Brennan to go over the numbers again, Jeff said now you're talking 52' tops? Dave Brennan stated that since the tree is 50', so they need to get a little bit above that and confirmed 52 feet. Dave Brennan stated that they looked at the other location that the Board mentioned which is in the inside of the I-90 eastbound exit ramp and that proved to be the least desirable location to them. Dave Brennan stated that they could continue forward with tucking the pole in close to the fence in the location that was desired from members of the Board at the site visit, or they could move it back to the originally proposed location but make it more stream lined and blend it into the area better with what's referred to as a stealth design. Dave Brennan stated that it's a little bit thicker, darker, with a bit of a shield on top so the antenna looks integrated, and it would be done in all one color.

Chairman Pangburn showed a pic of a similar wireless telecommunications pole he saw in Kissimmee Florida last week.

Dave Brennan stated that he's looking for some feedback if what is just proposed is the more desirable alternative and they can come back in with their version of what that will look like.

•Matt Ostiguy asked if both of these options are viable from the applicant's perspective in terms of how they operate and work and to the applications point of getting the benefit they are trying to achieve, is there one that's better for them. Rich Andras stated that his preference is the spot they looked at when they visited the site behind the tree but to go higher.

•Matt Ostiguy asked how high a typical telephone pole is. Chairman Pangburn stated that the pole is a 45' pole but it's set 7' in the ground. Dave Brennan stated it would stand taller than that, it would be at least 10' taller than what's there. Dave Brennan stated that when Rick Andras stated it's a better choice, they would put like a 4' antenna as opposed to a 2' on top of the pole so that they will get better coverage above the trees. It will shoot down to the hotel more and to the west.

Chairman Pangburn stated that better coverage area equals less antennas overall. Rick Andras stated that the issue if it was put on the front side of the trees, they won't get much coverage to the south. Rick Andras stated that from an overall perspective that if they can get better coverage to the south then that's a benefit as well, which they would obviously get if they come behind the tree.

Chairman Pangburn asked if there was any limitation to the stealth, architectural to a height of 50' or 52', is that feasible. Dave Brennan stated that he doesn't know the answer to that but doesn't think it's practical for them as it would lead to a large concrete foundation. Nico Facey stated that they haven't done any that high. Rick Andras stated that in reality it's just a standard wood pole, the antenna is on a 6" bracket and if they got a brown antenna and the pole is brown, so it would blend in.

Chairman Pangburn asked if there was any feed back on the power source, that you may need for a transformer or another utility pole potentially and if they followed up with National Grid. Dave Brennan stated that he has not and based on the discussing it won't require another pole or they would've shown that but will confirm with National Grid. Nico Facey stated that fiber and power will be coming right off that pole, so there shouldn't be a need for another one.

Chairman Pangburn stated that 52' max using a 4' antenna might be feasible.

•Matt Ostiguy asked how far off the road is the 2<sup>nd</sup> location. Dave Brennan stated approximately 38'.

•Bob Seward stated that he prefers the 50' tower behind the tree, let's have the one that's most effective.

Chairman Pangburn asked Dave Brennan to have a sketch with the new location just to show, the Board, since two members were not able to make the meeting tonight and to cap the pole at 52', confirm again the power supply.

Rick Andras stated to make it clear, the top of the antenna would be at 52', the pole would actually be more like 47.5'.

Dave Brennan stated that he was all set. Chairman Pangburn asked the only audience member, Dave Terpening if he had anything.

•Dave Terpening stated it would've been nice to have the updated materials attached to the agenda. Chairman Pangburn stated that the applicant is presenting it for the first time, there was nothing given prior to the meeting.

•Dave Terpening asked what was the intent of the Zoning Law that made this project come before the Board. Chairman Pangburn stated it's the Town's wireless telecommunications law.

•Dave Terpening wants Verizon Fios and asked isn't this technology the same thing. Rick Andras stated that Verizon has a 5G for the internet, it's completely wireless.

Chairman Pangburn asked the applicant if they're reached out to DOT to see if they could put this on the top of the signal pole. Rick Andras stated that there has been zero success in other areas.

Dave Brennan requested to be back in front of the Board at their April 25, 2023 meeting.

**Chairman Pangburn made a motion to table the public hearing until the April 25, 2023 meeting.**

**Seconded by Scott Strevell. Motion carried by a 3-0 vote.**

**SEQR DETERMINATIONS & RECOMMENDATIONS:**

NONE

**WORKSHOP:**

NONE

**NEXT MEETING:** The next meeting is on April 11, 2023  
ZBA Appeal #2023-03 Calamaras-45 Point View Drive- Area Variance – Deck extension

**APPROVAL OF MINUTES:**

Motion by Bob Seward to approve the February 28, 2023 meeting minutes. Seconded by Matt Ostiguy. Motion carried by a 3-0 vote.

Chairman Pangburn stated that the draft Zoning Law was provided to all of the members and asked if they could review and submit any changes.

**MOTION TO ADJOURN**

There being no further business before the Board, the meeting was adjourned upon a motion by Matt Ostiguy. Seconded by Bob Seward. Motion Carried by a 3-0 vote.

Respectfully Submitted

*Alison Lovely*

Alison Lovely, ZBA Secretary