

Town of Copake Zoning Board of Appeals

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Meeting Minutes of January 23, 2020

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Draft

The meeting of the Zoning Board of Appeals of the Town of Copake was held on, January 23, 2020 at the Copake Town Hall, 230 Mountain View Road, Copake, NY.

1) Roll call:

The meeting was called to order at 7:00 PM by Jon Strom ZBA Chairman. Present were; Jon Strom, Jeffrey Judd, Dionisio Fontana and newly appointed member Neal Klein.

Thomas Goldsworthy was excused.

Also attending was Town Attorney Ken Dow and Town Board Liaison Stosh Gansowski

Veronique Fabio recorded the minutes.

2) Reading and approval of the minutes:

Chairman Jon Strom asked for a motion on minutes from December 2019. It was decided to postpone approval until next meeting.

3) Correspondence:

The following correspondence was acknowledged.

1-9-2020 from David Kenny in ref. to 2020-01

1-18-2020 Reminder that Tom Goldsworthy will not attend the January meeting

4) New Applications:

1) 2020-2 Kennedy John & Robin, Lot 5, Island Drive.

Tax Map 165.6-1-48 Construction of a dock on Copake Lake

Engineer Andrew Didio represents the owners of the property, Robin & John Kennedy.

~ He explained that the Kennedys want to install a seasonal dock and a manual boat lift on Copake Lake. The proposed dock will be L shaped; 48' straight towards the water and a 50' section parallel to the shore. The dock will be on galvanized steel posts; the planks will be made of wood or a wood substitute. The entire dock will be removed out of the water during the winter and repositioned on the lake in spring.

~ Jon Strom asked for a different type of proof of ownership for the next meeting, a picture of the proposed boat lift and a better location map. He asked if grading was needed.

~ Andrew Didio said that the grading was already done.

~ Jeffrey Judd asked the reason why part of the dock design is L shaped.

~ A. Didio responded that the owners were trying to create a cove to keep their children between the shore and the dock when they go swimming.

~ Jon Strom asked for a motion to accept the application for public hearing for February 27, Jeffrey Judd made the motion, Dionisio Fontana seconded, all members agreed.

2) 2020-3 Nancy Keness & Judith Meiselman, 1220 County Route 27A.

Tax Map 186.1-64 Modification of a non-conforming structure for the purpose of remodeling part of the existing house.

General contractor, Kenneth Leggett represents the owners.

Kenneth Leggett indicated that a remodeling of the front mud room, and the rear screened porch is planned. The roof line will be extended. The lot is under 3-acre and neither of the proposed additions will be closer to the property line than the existing footprint is now.

~ Dionisio Fontana asked for construction drawings for the next meeting.

~ Jon Strom asked for a motion to accept the application for public hearing for February 27, Jeffrey Judd made the motion, Neal Klein seconded, all members agreed.

3) 2020-01 Eco-Site / T-Mobile, 892 Overlook Rd aka 912 Overlook Rd Tax Map 166.-2-4 Special Use Permit to install a 145 Foot + a 5foot lightning rod as well as a 50'x50' equipment compound at the base.

The owner of the property is Jane Birnbaum.

Attorney David Kenny of Snyder & Snyder represents Eco-Site on behalf of T-Mobile the applicant.

~ David Kenny presents the project: Installation of a 145' wireless phone tower topped with a 5' lightning rod. A 50'x 50' enclosed equipment compound will be set up at the base of the tower. As per Copake code this type of project would require a Special Use permit.

As stated in the letter dated January 9, 2020, it was requested by the Copake Planning Board that in addition to the Special Use permit 3 variances should be applied for.

From Copake General Legislation on Telecommunication facilities and Towers, chapter 230;

230-7 (F) - The maximum code height is 125'; T-Mobile needs 145' for coverage of the wireless gap in the area.

230-7,O,4,a - The sets back for the location of the tower required by the code cannot be met; there are no schools, churches, or other public buildings within 1500' of the proposed location for the tower.

230-7,O,4,a,2 - Copake code requires 750' maximum to any boundary line upon which the tower or facilities are located. A structural certification was submitted with the application certifying that in the event of a collapse, the facility would fall completely within the property lines. The tower will be at least 166' away from the nearest property line and over 875' from Overlook Rd.

~ Neal Klein asked how many feet above sea level the tower will be.

~ David Kenny answered that it will be 994' above sea level, he indicated that a balloon test was performed on January 7, 2020, and documentation on the results was provided with the application.

~ Jon Strom noted that the tower will be located very close to route 7A. The balloon test was done before the ZBA was engaged with the project and there might be a request for another test that would allow the public and board members to observe.

~ David Kenny explained that the test had to be done 35 days maximum after filing the application with the Planning Board that is the reason for that particular date chosen.

~ It was noted that the tower will have the capacity to support other companies if needed.

~ Dionisio Fontana asked if the tower will be outfitted with pine looking branches.

~ David Kenny responded that these devices reduce the capacity of reception, the visual impact is increased, and the “alien looking trees” are not generally welcomed by the public.

~ There is space available at the base for future extra co-location.

Following questions from Jeffrey Judd, David Kenny indicated that approximately 11 other potential sites were studied. Also no guy-wires will be necessary for the steel monopole.

The height of the tower is below the Federal Aviation Agency requirement for lighting.

The 50'x50' compound area will have a gravel base and a concrete slab for the tower.

~ Jon Strom asked for better information on ownership proof as well as the tree clearing involved for building the driveway to the location.

~ Neal Klein asked about the life expectancy of this type of structure and what is provided with regard to de-commissioning.

~ David Kenny responded that some towers built in the 90's are still standing.

~ Jon Strom asked for a motion to accept the application for public hearing for February 27, Jeffrey Judd made the motion, Neal Klein seconded, all members agreed.

7: Internal Business:

- ~ Jon Strom mentioned training for the new year.
- ~ Stosh Gansowski noted that the New York state mandated sexual harassment classes will soon take place.

The meeting was adjourned at 8.08 on a motion by, Jeffrey Judd, seconded by Dionisio Fontana and approved by all members.

Respectfully submitted.
Veronique Fabio.