

Town of Northumberland Planning Board

Minutes

Accepted by the Planning Board  
Monday, April 13, 2015 7:00 pm  
Page 1 of 3

**Present:** James Heber, Lisa Black, Melanie Eggleston Brit Basinger, Holly Rippon-Butler, Chad Reinemann and Wayne Durr, Chairperson

**Absent:** Susan Martindale and Jeff King - Vice Chairperson.

**Town Employees Present:** Tia Kilburn, Clerk, Richard Colozza, Code Enforcement Officer, Patricia Bryant, Councilperson, Willard Peck, Supervisor.

Wayne Durr, Chairperson, opened the monthly meeting at 7:04 PM.  
All in attendance stood and recited the Pledge of Allegiance

**PUBLIC HEARING**

Application #: 0002-15 - Minor Subdivision

Applicant: Finch Paper, LLC.

Ms. Keri Vanderwarker, introduced herself to the public in attendance as law clerk of McNamee, Lochner, Titus & Williams, P.C., attorneys for Finch Paper, LLC. She then stated Finch Paper's General Manager is also in attendance tonight. She explained this application is a request for a 2 lot subdivision for Finch Paper to exercise their option to purchase the parcel they have been using by right of an easement for an access road to their sludge dump dating back approximately 20 years. She stated there will be no change in use and no changes are contemplated for the future. She stated this subdivision is simply to allow Finch Paper to exercise their right to become legal owners. Mr. Durr asked if there were any questions or comments from the public, Mr. Walsh asked if this was potential site to expand the sludge dump, Ms. Vanderwarker responded no, this parcel is in the agricultural zone and it is only the access road to the dump. He then asked why wasn't this taken care of 20 years ago, Ms. Vanderwarker stated it was an agreement created at that time between the land owners and Finch Paper LLC and Finch Paper now wants to exercise their right. Mr. Walsh asked if they have paid rent for 20 years, Ms. Vanderwarker said no not rent, they paid for the option. Mr. Durr explained any changes to the use of the parcel will have to come back before this Board for approval, Mr. Heber added except for the current access road and agricultural use. Mr. White addressed the Board and stated when they designed the landfill there was a specific truck route to be used, then Irving Tissue began dumping and the trucks began using whatever route they wanted, it is causing the road to break up and there is a constant stream of trucks traveling in and out of the area. He added the original agreement included that the trucks could not use the Town's road and there was a limit to how many trucks per hour or day. Mr. White then added the County built it for their use and it is not right they abandoned it and Finch gets to use it without paying. He then inquired how much the County and Town received for the use of the landfill, was it 75% for the County and 25% for the Town? Mr. Heber stated he did not think it was that much, Mr. Peck, Town Supervisor, asked if he could interject, he said they do have an arrangement that after a certain threshold, he believed it was above \$40.00 it would split between the County and Finch, and then the Town gets a percentage of the County's. He stated he could discuss the details after the meeting with Mr. White if he wanted. Mr. Durr asked if there were any other questions, none were noted.

Mr. Heber made a motion to close the public hearing at 7:13 pm.

Mr. Basinger 2nd the motion,

All in attendance unanimously agreed.

Mr. Durr stated they would open the regular monthly meeting and asked if there were any questions from the Board for Ms. Vanderwarker, none were noted.

Town of Northumberland Planning Board

Minutes

Accepted by the Planning Board  
Monday, April 13, 2015 7:00 pm  
Page 2 of 3

Mr. Heber made a motion to declare a negative declaration for the SEQRA, State Environmental Quality Review Long Form for application #0002-15 for Finch Paper, LLC. no significant impact,

Mr. Basinger 2nd the motion,

All in attendance unanimously agreed.

Mr. Basinger made a motion to approve application #0002-15, Finch Paper, LLC. as submitted,

Ms. Black 2nd the motion,

All in a attendance unanimously agreed.

ACTION

Application # 0002-15, Finch Paper, LLC. approved, negative declaration declared for SEQRA.

Application #: 0011-14 - Site Plan / Special Use Permit

Applicant: Cellco Partnership, D/B/A Verizon Wireless

Mr. Durr stated there is no Public Hearing scheduled for this application tonight however; the Board will allow the public to ask Mr. Lusk questions. Mr. Lusk, Esq. introduced himself as the representative for this application. He stated last month they presented simulations and this Board expressed a preference to the 2nd location further back in the trees. Unfortunately when they asked permission to perform a 2nd "balloon fly" they spoke with the husband and he agreed to the 2nd location however, when they informed the owners of the Boards preference she was absolute that the original location within the storage area was the only location to be used or the deal was off. Mr. Durr asked if she gave a reason, Ms. Coleman said she believed it was because they would lose camp sites at any other location in the park. Mr. Lusk stated they did consider the County's property known as "fire pond" however, the tower would have to be 195' or higher because of the trees for similar coverage as the RV Park location, it would not be the same and it would not be better coverage at that location. He also added it would take an act of Legislation to get approval to place it on County property. He explained they also looked at private property located behind the RV Park, the owners of that property felt the original location in the RV Park would be the best location but they will contact this Board to discuss it. Mr. Lusk then stated Mr. Peck, Town Supervisor and Richard Colozza, Code Enforcement Officer suggested a couple of alternate locations, one is the town's transfer station approximately 2 miles east of the RV Park which places it to far east. A second location identified would require additional height up to 200', which Mr. Anderson stated was above the Town's Local Law limit of 140', and this location was also to far east. Mr. Durr asked if this was putting the application back at square one, Mr. Lusk said yes and they really did not want to explore any alternate sites because they have already spent considerable time and money researching, planning and engineering the RV Parks locations. The property located behind the RV Park also has its own challenges because of the topographical the tower would also have to be 150' to 160' feet which also exceeds the Town's maximum height of 140'. Mr. Durr asked if there were any place else in town where a tower would be sufficient at 140' or below, Mr. Lusk stated they have not found one, they felt the original front location at the RV Park was the best location. Mr. Basinger reiterated the front location is the only viable location for a tower in the town. Mr. Reinemann stated at last month's meeting they had determined a tower at the front location would have to be higher than originally planned, Mr. Anderson agreed and said the day they performed the "balloon fly" it was very, very windy and the balloons were pushed to an angle so it was hard to determine the height needed to be above the trees. Mr. Basinger asked if they knew which direction they wanted to proceed, Mr. Lusk responded they would like to proceed with the original location as the least visible. Mr. Durr asked if there were any questions or comments from the public at this time. Ms. Rousseau stated she was a neighbor to the RV Park and asked if it was still being proposed at the RV Park, Mr. Lusk responded yes. Mr. Brooking also stated he was a neighbor of the RV Park and he was going to have to look at this tower every time he is leaving his driveway, Mr. Durr stated they were unsure, it has not been approved. Mr. Lusk interjected if it is located at the front location. Ms. Rousseau asked if they had researched the effect on property values, Mr. Lusk said it has been determined there is limited impact. She then asked if they have examined long term health effects, adding they have children that play in their back yards right next door. Mr. Lusk stated that

Town of Northumberland Planning Board

Minutes

Accepted by the Planning Board

Monday, April 13, 2015 7:00 pm

Page 3 of 3

towers are Federally Regulated to operate within safe radiofrequency (RF) guidelines and he added people have more RF exposure with a phone to their ear than this tower will give off. Ms. Rousseau then stated she felt the location behind the park was more remote and would be less visible. Mr. Lusk stated they can plant trees to shield the neighbors and block some of the tower. Discussion ensued on planting trees. Mr. Basinger asked how likely it was they could get approval from the RV Park owners to plant, Mr. Colozza interjected they were already suppose to have a screen block as part of the original park site plan. Mr. Basinger stated in order to proceed with this application they will have to modify the application using the front location, permission to plant and the correct height. Mr. Bardin stated he was a neighbor and asked why they couldn't use the County's "fire pond" location, Mr. Lusk stated because it is County land they would have to get permission and that would require an act of State Legislation. Mr. Bardin reiterated why couldn't they go that route, Mr. Lusk stated there are too many hoops to jump through. Mr. Brooking asked what was happening with the abandoned land lines that Verizon was suppose to be removing, Mr. Lusk stated he did not know because they represent Verizon Wireless. Mr. Peck stated the Town Board Meeting is scheduled for Thursday, they are looking for a lead from this Board, he is present tonight to bring information back to the Town Board. Mr. Durr asked if there were any additional questions or comments from the public, none were noted. He then stated there is no final plan at this time, a public hearing will be scheduled and the public will be notified when a location is determined and an amended application is received. Mr. Durr then asked if the Board had any questions or comments, none were noted. He added this Board cannot pick a site or influence property owners, he suggested the applicant come back to this Board with a proposal they want reviewed by this Board.

ACTION

None taken, applicant will submit an amended application.

MISCELLANEOUS

Mr. Heber made a motion to accept the March Planning Board minutes with corrections,

Mr. Basinger 2nd the motion,

All in attendance unanimously agreed.

Mr. Heber made a motion to adjourn the meeting at 7:40 PM,

Ms. Rippon-Butler 2nd the motion,

All in attendance unanimously agreed.

FUTURE MEETINGS:

Monthly meeting May 11th as needed.

Respectfully Submitted, Tia Kilburn, Planning Board Clerk