

Board Members Present:

Steve Mullins, Chair
Melanie Fuerst
David Iasevoli
Phil Smith

Others Present: Zoning Administrator, Craig Leggett, Attorney Brain Rheichenbach

Meeting Called to Order: 7:00 PM Mr. Iasevoli moves to accept minutes, Ms. Fuerst seconds.

Pledge

Review of Minutes: **** made a motion to accept the October 20th, 2024, minutes as written. Second by ****. **ALL AYES.**

PUBLIC HEARING: (continued from October 16, 2024)

File #: SD 2024-04
Tax Map #: 88.14-1-11
Matthew & Krista Wood
11 Town Landfill RD
Brant Lake, NY 12815

Application submitted requesting a Minor Subdivision of lands being conveyed to the Woods, to be divided into three lots.

Mr. Mullins asks for Attorney Rheichenbach to give an update on file # SD2021-04, as the public is still open and we are waiting to hear the progression of the easement.

Attorney Rheichenbach explains that a drawing was proposed from Larry Turcotte on the boundary of the proposed easement. He discussed this with Mr. Leggett, and they are not sure why it does not cover the pavement on the Transfer station road, but it does not need to be a part of the new easement. The attorney received a call from Mr. Turcotte and he can easily take care of this and there are no further issues. Ms. Fuerst makes a motion to continue the meeting next month, and Mr. Iasevoli seconds it.

Mr. Mullins notes that there is no one to speak at the public hearing and we will carry this over until December 18, 2024.

Tabled by request of applicant.

File #: BLA 2024-4
Tax Map#: 36.15-1-30
John G. Watson
194 East Shore Drive, Adirondack, NY 12808

Applicant seeks to convey 10 acres from Lot #1 and merge with Lot #2 (.63-acre lot).

NEW BUSINESS:

File #: 2024-97 SD

Tax Map #: 19.4-2-15

Samuel, Christina Maltbie and Eileen Nessler

572 East Shore Drive

Adirondack, N.Y. 12808

Applicants seek a boundary line adjustment to split a 0.48-acre parcel in half, conveying and merging with their existing properties.

Mr. Mullins explains that this property was purchased by the Eileen Nessler and Samuel and Christina Maltbie, and they want to split the two parcels. This requires a boundary line adjustment.

Patrick Magee, land surveyor, is speaking for Ms. Nessler and Mr. and Mrs. Maltbie. He explains that Ms. Nessler is the northern owner and Mr. and Mrs. Maltbie are the southern owners, and they jointly bought the lot to protect the property. They desire to split the property in half and merge the halves with their existing properties.

Mr. Mullins asks the size of the adjacent properties. Mr. Leggett confirms that Nessler's property is .4 acres, and the Maltbie's is .7-7 acres.

Mr. Magee explains they bought the property as it is a building lot. and they want to preserve the land. Mr. Mullins asks if there are any other buildings on the property. Mr. Magee explains there is a prefabricated shed.

Mr. Mullins asks if they plan to build on the property. Mr. Magee explains that they are not building on the property, but plan to merge the title with their existing lots.

Mr. Mullins asks if this will be under a single title and Mr. Magee confirms that it will be.

Mr. Mullins comments that there is no issue with any access to either property. Mr. Magee replies that there is not, he also adds that there is no driveway and no access to the property.

Mr. Magee explains that the map is labeled as a subdivision, he did not realize it was a boundary line adjustment. Attorney Rheichenbach states that there is a gap in the code, but he discussed this with Mr. Leggett and if it is approved as a boundary line adjustment, there should be no issue.

Mr. Iasevoli makes a motion to move forward with a boundary line adjustment, Ms. Fuerst seconds it. All Ayes.

Mr. Leggett states that they will need deed descriptions for both lots.

Ms. Fuerst notes that there needs to be two separate Post Office Addresses for each lot. The application needs the tax map #s to include 19.4-2-14, 19.4-2-15 and 19.4-2-16.

A motion is made by Ms. Fuerst and seconded by Mr. Iasevoli to deem the application complete. All ayes.

Motion made by Ms. Fuerst to approve application #2024-97 SD as a boundary line adjustment and Mr. Iasevoli seconds it. All ayes.

Ms. Fuerst asks Mr. Mullins if the applicants need to provide the Town of Horicon with a new map showing the two merged lots.

Mr. Mullins replies yes, they do once the paperwork is complete.

File #: 2024-01 SPR

Tax Map #: 70.-2-13-11

Wanna A. Fossati Trust, Landowner

Cellco Partnership d/b/a Verizon

Applicant seeks Site Plan Review for a Public Utility Use to co-locate and operate a wireless telecommunications facility on to an existing wireless telecommunications facility.

Mr. Mullins reviews with attorney Stephen Fantuzzo who is speaking for the Wanna A. Fossati Trust and Cellco Partnership, that the proposal is a minimal addition to an existing cell tower.

Attorney Fantuzzo explains he is from Nixon Peabody, the attorney for Verizon and this is for a site plan approval at the location of 3428 East Schroon River Road. They have also applied to the APA for a general permit. The plan is an addition to the existing tower, which consist of nine antennas at a tower height of 53 feet, which is lower than the antennas that already exist on the tower, which are at 64 feet. Also, the antennas are beneath the tree line and would have no visual impact. At the base, within the existing Verizon compound, they would add a battery cabinet and a diesel generator, which will be on concrete slabs. Again, this will all be on the existing structure. Verizon will access through the existing access road. There will be no changes to the site. It is a minor adjustment but will improve the cell service in the area.

Attorney Fantuzzo asks if there are any specific questions about the project.

Mr. Mullins has no questions as it is a minimal adjustment, and he sees nothing in the Verizon packet that would be an issue.

Mr. Smith confirms that it will not be taller or extend the current cell tower.

Attorney Fantuzzo reiterates that there is no visual impact. The trees are at 67.5 feet, so the tower is in withing the buffered range.

Mr. Mullins asks about the diesel generator and if it is a backup.

Attorney Fantuzzo explains that he believes it is and that the generator is 50-kilowatt

tower on the plan.

Ms. Fuerst asks if this needs to be approved by the ZBA. Mr. Mullins confirms that it does not, as the existing tower use has already been approved.

Mr. Iasevoli confirms that there is currently a generator there now, and they are adding another.

Mr. Mullins asks where the application with the APA stands. Attorney Fantuzzo replies that it was submitted on November 8th and that once they hear from the APA they will move forward with the permit process. Attorney Reichenbach asks if the standards applicable to the APA are the same as the Town of Horicon's Board.

Attorney Fantuzzo replies that, the APA's eligible facility request standards will be similar as they are within the same umbrella, but different as the Planning Board requires a site plan review, while the APA is a permit process.

Mr. Smith makes a motion to approve the application and Ms. Fuerst seconds it. All ayes.

Meeting adjourned at 7:37 PM

NEXT MEETING: DECEMBER 18, 2024

ZBA and Planning Boards

- 1) Speak only if given the floor. State your name and town of residence.**
- 2) Address all comments to the board and face the board not the applicant.**
- 3) One person speaks at a time. This includes the board no side discussions.**
- 4) For meetings where many people wish to speak a 2-minute limit on comments may be imposed. There will be no donation of comment time to other speakers.**
- 5) Meeting will end no later than 10:00 PM.**