

**TOWN OF LIBERTY  
PLANNING BOARD MINUTES  
September 21, 2010**

**MEMBERS PRESENT**

Diane S. Deutsch, Chairman  
Ray Kelly  
Lynn Dowe  
Dean Farrand  
John Van Etten  
Peter Stettner, Alternate  
Denise Birmingham, Alternate

**ABSENT**

**ALSO PRESENT**

Walter F. Garigliano, Town Attorney  
Mark Van Etten, Building CEO  
See attached sign in sheet

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**CHAIRMAN DEUTSCH CALLED THE MEETING TO ORDER AT 7:15 PM.**

**PUBLIC HEARING:**

**New Cingular Wireless PCS, LLC (AT&T)**

Site Plan Review  
6986 State Route 17  
SBL: 7.0103  
Zone: SC # 2010-0021

42 notices sent, 23 green cards received. Chairman Deutsch asked if there was anyone from the public who wished to comment.

No one appeared.

**ON A MOTION MADE BY DEAN FARRAND AND SECONDED BY JOHN VAN ETEN, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.**

Anthony Morando of Cuddy, Feder appeared for this project. He passed out the updated page C-2 of the plans showing the landscaping detail that the Board requested at the last meeting.

Attorney Garigliano said "Given the nature of our ordinance or I should say local law which encourages co-location as opposed to the creation of multiple facilities, and based on our discussion last time, I prepared a proposed resolution for your consideration. We don't need to read it into the record, everyone can take few moments and go through it." He then passed out the proposed resolution granting approval for co-location on an existing telecommunications tower. The Board members read through the resolution.

Chairman Deutsch brought to the Board's attention that a letter was received from County Planning stating that they recommended that it's a positive inter-community impact and they recommend approval.

Attorney Garigliano said he had a chance to discuss this with the Planning Commissioner and since improving connectivity and wireless communications in the county was one of the highest priorities ... it's in line with the County's policy on getting into the next century.

Attorney Garigliano said he had one more item. "In the interest of clarity for the record, this location has already been granted a special use permit. This is an application to amend the site plan underlying the already granted permit to expand the footprint of the on ground facilities to include the AT&T structure." He didn't believe it was necessary and he didn't include in the resolution that we're granting another special permit because the site already has one. If Mark agrees with that then this resolution is fine, if Mark disagrees they would need to change it to say that they are granting a new special permit, but he didn't see the need. Mark said he didn't see the need as long as there's some clarity as to size and dimension. Attorney Garigliano said the resolution refers back to the plans that they submitted, the entire application. Mark said that would be fine.

Chairman Deutsch asked if there were any questions or comments regarding the resolution.

**ON A MOTION MADE BY LYNN DOWE AND SECONDED BY DEAN FARRAND, THE RESOLUTION GRANTING APPROVAL FOR CO-LOCATION ON AN EXISTING TELECOMMUNICATIONS TOWER WAS GRANTED. MOTION APPROVED. VOTE: 5 YES – 0 NO.**

**Diane Deutsch - Yes  
Lynn Dowe – Yes  
Ray Kelly – Yes  
Dean Farrand – Yes  
John Van Etten – Yes**

**PUBLIC HEARING:**

**Ronald Mole**  
Special Use Permit  
3248 State Route 55  
SBL: 34.-1-6  
Zone: SC #2010-0020

14 notices sent, 11 green cards received. Chairman Deutsch asked if there was anyone from the public who wished to comment.

No one appeared.

**ON A MOTION MADE BY DEAN FARRAND AND SECONDED BY JOHN VAN ETEN, THE PUBLIC HEARING WAS CLOSED. ALL IN FAVOR. APPROVED.**

Felix Gula appeared for this project. Chairman Deutsch said the letter from County Planning stated that they thought this was a matter for local determination.

After a short discussion it was determined that the file was complete and that all requests had been met by the applicant.

**ON A MOTION MADE BY JOHN VAN ETEN AND SECONDED BY LYNN DOWE, APPROVAL OF THE SPECIAL USE PERMIT FOR RONALD MOLE WAS GRANTED. ALL IN FAVOR. APPROVED.**

**ON A MOTION BY JOHN VAN ETEN AND SECONDED BY DEAN FARRAND, THE MEETING WAS ADJOURNED AT 7:35 PM.**

Respectfully submitted,  
Nancy Saucier, Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Liberty's Planning Board from a meeting held on September 21, 2010 are not to be construed as the final official minutes until so approved.   X   Approved as read