

Planning Board

TOWN OF BRUNSWICK
336 Town Office Road
Troy, New York 12180

Zoning Board of Appeals

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MINUTES OF THE REGULAR PLANNING BOARD MEETING AND JOINT SPECIAL ZONING BOARD OF APPEALS MEETING HELD JANUARY 16, 2020

PRESENT were DAVID TARBOX, LINDA STANCLIFFE, J. EMIL KREIGER, and DONALD HENDERSON.

ABSENT were KEVIN MAINELLO, ANDREW PETERSEN, and RUSSELL OSTER, CHAIRMAN.

ALSO PRESENT were CHARLES GOLDEN, Brunswick Building Department, and WAYNE BONESTEEL, P.E., Review Engineer to the Planning Board.

The Brunswick Zoning Board of Appeals, pursuant to notice of special meeting, is joining the Planning Board meeting for purposes of conducting a joint public hearing on the application for the construction, operation, and maintenance of a personal wireless/public utility monopole tower filed by Blue Sky Towers III, LLC, Celco Partnership d/b/a Verizon Wireless, and AT&T. Present were ANN CLEMENTE, CHAIRPERSON, PATRICIA CURRAN, E. JOHN SCHMIDT, WILLIAM SHOVER, and MARTIN STEINBACH.

Linda Stancliffe acted as Chairperson for the Planning Board. Acting Chair Stancliffe reviewed the agenda for the Planning Board meeting, noting that the public hearing on the Blue Sky Towers III, LLC application will be a joint public hearing with the Brunswick Zoning Board of Appeals.

Both the Planning Board and the Zoning Board of Appeals opened their respective meetings. Both the Planning Board and Zoning Board of Appeals thereupon opened a joint public

hearing on the application submitted by Blue Sky Towers III, LLC, Cellco Partnership d/b/a Verizon Wireless, and AT&T for property located off Creek Road, Town of Brunswick (Tax Map Nos. 113.00-5-7.1 and 113.00-5-10.11). The pending applications for this project include the special use permit and site plan pending before the Planning Board, and use variance pending before the Zoning Board of Appeals. The joint public hearing is being opened by the Planning Board and Zoning Board of Appeals regarding their respective pending permit applications. Acting Chair Stancliffe directed that the notice of public hearing be read into the record. The notice of joint public hearing was read, with the joint public hearing notice having been published in the Troy Record, placed on the Town signboard, posted on the Town website, and mailed to owners of all properties located within 750 feet of the project site. Attorney Tingley noted that the joint public hearing notice was sent to the surrounding property owners by the applicant, and that the applicant submitted an affidavit of mailing to the Town. David Brennan, Esq., from the law firm of Young Sommer LLC appeared on behalf of the applicant. Also present on behalf of the applicant were Rick Andrews and Sarah Coleman from Verizon Wireless. Mr. Brennan presented the application to the Boards and the public. Mr. Brennan first noted that the applicant understands that the purpose of the public hearing is to receive public comments, which will be responded to by the applicant, and that the applicant is not expecting any formal action on the application at this meeting. Mr. Brennan noted that, upon receipt of the public comments, the applicant will submit a written response. Mr. Brennan reviewed the documentation provided by the applicant identifying the project need, and displayed to the Boards and the public a map of the area showing the gaps in coverage of 4G and LTE service. Mr. Brennan also reviewed a map showing how the coverage gaps would be filled by the proposed tower. Mr. Brennan reviewed the nearby cell phone towers and antenna locations, including in Sycaway, Cropseyville, Wynantskill, and the Troy water tank. Mr. Brennan explained that as demand for data coverage increases, the network becomes

congested and the effective distance of service from the towers decreases as a result. Mr. Brennan further explained how cell phones work in conjunction with the towers, particularly as users travel from one area of service by a tower to another area of service by another tower. As the user travels, Mr. Brennan explained that the towers will hand off the call from one to the next. Mr. Brennan stated that where the user travels through a gap in service, the result is a dropped call. Mr. Brennan further stated that approximately 55% of home phones in the country have been eliminated due to the prevalence of mobile phones. Mr. Brennan stated that most people use their mobile phones as their primary phones and also use them primarily for internet and data service. He further stated that the mobile network is used significantly for emergency services including the State Police, some ambulance companies, and that 80% of 911 calls come from the cell network. Mr. Brennan then reviewed an aerial image of the project site and identified the overall acreage, the location of the curb cut on Creek Road, and the three different alternative locations for the towers. Mr. Brennan stated that the proposal seeks approval for a 150-foot monopole which would be located within a 100-foot by 100-foot fenced in compound, with the center of the Verizon antenna being located at 146 feet, the center of the AT&T antenna being located below the Verizon antenna, and an additional area reserved for a potential third carrier to be below the AT&T antenna. Mr. Brennan reviewed the plan of the compound identifying the location of the tower, the location of the cabling, the location of the generator, and other equipment on the site. Mr. Brennan stated that the compound would have screening around it. Mr. Brennan displayed during his presentation the lease exhibit which shows the three tower location alternatives. Mr. Brennan stated that the three tower locations were selected under a previous zoning law, and that the Town amended its zoning in 2017 which necessitates the current use variance application. Mr. Brennan stated that there are approximately 60 sheets of photo assessment documents that are included in the record. Mr. Brennan then reviewed the particulars of the three alternatives. Mr. Brennan explained that the

topography of the site is generally uphill from Creek Road towards the rear of the property. The preferred alternative is the middle location, which would require a 150-foot monopole. The tower location nearer to the rear of the site would require an 80-foot monopole. The location nearer to Creek Road would require a 240-foot monopole. Mr. Brennan explained that the FAA requires a light for a tower that exceeds 200 feet. Mr. Brennan then reviewed the zones of visibility for the 150-foot tower and the 240-foot alternative. Member Stancliffe asked Mr. Brennan to identify for the public what color balloons related to which alternative. Mr. Brennan stated that the 80-foot tower was represented by the orange balloon, the 150-foot tower was represented by the green balloon, and the 240-foot tower was represented by the red balloon. Acting Chair Stancliffe then opened the floor for receipt of public comment before both Boards. Christopher O'Brien, 10 Sandcherry Hill Lane, stated that his property is located directly across from the 150-foot tower proposal at about 750 feet away. He stated that his home is approximately 580 feet above sea level according to Google Earth, and that it is his understanding that the antenna height must be at a particular altitude above sea level to obtain the desired coverage. He stated that it was his understanding that the proposed antenna height would be approximately 580 feet above sea level. Mr. O'Brien stated that from his property he will be able to see the entire tower if the 150-foot preferred alternative is selected. Mr. O'Brien further stated that 26 properties adjoin the 84-acre site, and collectively pay \$234,000 in taxes annually, whereas the Zoukys pay approximately \$1,280 annually in taxes. Mr. O'Brien stated that there are several locations located closer to the Zoukys house that would achieve the 580-foot above sea level height required for the antennas. Mr. O'Brien stated that the Wynantskill tower is an example where the tower is constructed within a family compound. Mr. O'Brien stated that the average yearly lease of a cell tower is \$45,000 per year. Mr. O'Brien stated that he preferred that the tower be located in the Zouky's backyard rather than near the backyards of the neighbors. Mr. O'Brien further stated that the location of the

access road is problematic and that he has knowledge of several accidents having occurred at the proposed curb cut location. Mark Collins, representing his father, John Collins, 44 Colehammer Avenue, read a statement that he had prepared and that he submitted for the record. Mr. Collins' submission including the additional documents are included in the public record. Mr. Collins stated that he opposes the construction of the 150-foot monopole. He stated that in the environmental assessment form, the school district is wrongly identified as Brunswick, when they are both located in the Averill Park School District. Mr. Collins asked what the date of the shot clock expiration is. Mr. Collins reviewed the Rosenberg standard and stated that the applicant was required to show that the tower was required to render safe and adequate service and that there were compelling reasons, economic or otherwise, for needing the variance. Mr. Collins stated that he knows of no dropped calls along Route 2, and that although there is a dead spot on Route 2 in the area of White Church Road, the submitted coverage map does not demonstrate that the new tower would remedy this particular dead spot. Mr. Collins stated that the applicant had misrepresented the coverage gaps and the tower's ability to remedy those coverage gaps. Mr. Collins further stated that the applicant submitted coverage information based on proprietary software and algorithms to define the area of coverage, but that the applicant has not actually submitted actual data concerning whether cell coverage exists or does not exist in the identified areas. Mr. Collins stated that on the coverage maps, the Eagle Mills area is shown as having a gap in coverage, but Mr. Collins stated that he has never lost service in that area. Mr. Collins further stated that he works for the Rensselaer County Sheriff's Department, and that they use air cards in their patrol cars and he has never had a problem with coverage. Mr. Collins provided a map showing that the proposed new tower will actually duplicate existing coverage. Mr. Collins further stated that the applicant's claim that no existing viable towers or tall structures were available for collocation was wrong because the application shows that collocation on National Grid power line

transmission towers would address gaps in coverage. Mr. Collins stated that in 2005, the Town approved collocating an antenna on an existing National Grid transmission tower. Mr. Collins further stated that there is a direct link between cell towers and property devaluation and stated that the National Association of Realtors has recognized that prices of properties are reduced by about 20% after a cell phone tower and base station are built in the neighborhood. This reduction in property values will result in a decrease in the property tax revenues. Mr. Collins further stated that the proposed project will cause visual pollution and will negatively affect the character of the community. Mr. Collins further stated that the proposal will result in environmental impacts by inviting trespassers to use the access road for purposes of accessing the backside of multiple neighboring properties. Mr. Collins further stated that the environmental assessment form was improperly completed by failing to recognize the Golden Eagle, which is classified as endangered and which feeds and lives in the immediate area. Mr. Collins further stated that the project would have noise impacts due to the generator or generators at the base of the tower. Mr. Collins stated that public utilities must provide coverage to customers, but that the law does not require that coverage must be perfect, only safe and adequate. Todd McDonald, 11 Eagle Ridge Drive, asked whether the engineering on the project is complete. Mr. McDonald further stated that there were tax issues that would be caused by the project. Mr. McDonald stated that he is uncertain on how his property will be impacted, but that he simply does not want the cell tower located there. Mr. McDonald also showed the Board where he resides. Douglas Tucker, 12 Sandcherry Hill Lane, stated that he has concern that there is not an actual need for the tower, and he questioned whether or not the evidence submitted was valid. Mr. Tucker stated that Verizon already has good coverage in that area. Mr. Tucker stated that he took a picture of a nearby tower and questioned whether the proposed antennas can be collocated. Mr. Tucker stated that the towers are located too close to the residential area, and he has concerns about the health impacts that may result to his grandsons

that live in that neighborhood. Lisa McDonald, 11 Eagle Ridge Drive, stated that her residence is close to the orange balloon and green balloon. Ms. McDonald stated that she did not receive notice in the mail about this hearing, as it apparently was mailed while she was out of town. She stated that the applicant states that there is a dense wooded perimeter, but that statement is not true. She states that the photos were taken at the height of the summer, and now with the leaves off, the view of the tower would be much more prominent. Ms. McDonald stated that she has an in-ground pool that will be impacted by the tower. Ms. McDonald stated a concern regarding the noise from the generator and also concern about the impact from the flood light that was proposed for the fenced area. Ms. McDonald asked whether or not the applicant could consider a motion sensor for the flood light, rather than allowing the flood light to be powered on at all times. Ms. McDonald asked what the maximum number of panels would be. Ms. McDonald had a question about the RF exposure, and stated that the second floor of her home would be in direct line with the antenna. Ms. McDonald asked whether any wind studies had been completed and stated that she has personally observed that the wind is significant in that area. Ms. McDonald raised concerns about the impact of the tower on property values and stated that there is a principal aquifer located in the area. Ms. McDonald stated that she also has runoff concerns. Alex Duggan, 70 Colehammer Avenue, stated that his property backs up directly across from location alternative number 3. Mr. Duggan stated that the fall zone for the tower should be entirely located on the Zouky property, and that the number 3 alternative does not meet that requirement. John Grimm, 8 Golden Eagle Court, stated that there is currently a proposal for two carriers to place their antennas on the tower with space being reserved for a third carrier. Mr. Grimm asked whether the 80-foot tower alternative would accommodate space for a third carrier. Barbara Russo, 52 Colehammer Avenue, submitted written comments for the record. Those written comments and Ms. Russo's additional document submissions are included in the public record. Ms. Russo stated that the zoning and

comprehensive plan are intended to preserve the aesthetic and beautiful character of the neighborhood. For this reason, Ms. Russo stated that the Zoning Law in this area prohibits cell towers. Ms. Russo stated that the photo assessment demonstrates that there will be a negative aesthetic impact from the towers. Ms. Russo acknowledged that the Rosenberg tests allowed for a lower standard for a use variance for public utilities, but stated that the Rosenberg test does not permit an applicant to construct a tower just anywhere. Ms. Russo submitted photographs of option 3 that were taken during a balloon test. Ms. Russo further stated that option 3 violates the fall zone requirement in that it does not exist entirely on the Zouky property. Ms. Russo stated that both option 3 and option 1 provide no detailed plans concerning setbacks, no specifications, and no lighting details. Ms. Russo stated that the record should be kept open to allow the public to comment on additional details once they are submitted by the applicant with respect to option 1 and option 3. Ms. Russo further stated that the lack of a different location does not necessarily require approval of the project. Ms. Russo stated that the project would have economic impact, and submitted articles from Business Wire, Realtor Magazine, and the New York Times as well as from the National Institute of Science Law Public Policy Survey. Ms. Russo stated that Figure 2 in the application shows that option 3 falls outside of the “search ring”. Ms. Russo stated that the applicant did not include the stormwater pollution prevention plan or the historic review results. Ms. Russo stated that the applicant’s statement that the stormwater pollution prevention plan and the historic review can await the final decision on which site is selected puts the cart before the horse. Ms. Russo stated that the record should be kept open until the stormwater pollution prevention plan and historic review are completed or else the application should outright be denied. Ms. Russo stated that she is a Verizon customer and has never encountered a gap in coverage in the area. Ms. Russo reviewed the noise impacts that she stated would be created by the up to three generators proposed for the base of the tower. Ms. Russo stated that a noise assessment study

should be required. Ms. Russo stated that the addition of a generator will change the footprint, and also asked whether option 3, the tallest tower, would require a larger footprint. Ms. Russo requested that the Board deny the application, or at a minimum, hold the record open for public comment after the applicant submits more detailed information. Ms. Russo further stated that a positive declaration under SEQRA should be adopted. Eric London, 52 Colehammer Avenue, stated that he does not care about improved cell phone coverage, and that he has never had an issue with cell phone coverage in the area. Mr. London stated that he was an AT&T customer. Mr. London asked how the third option, the 240-foot tower, is included within the search ring, and if it is not included within the search ring, what is the purpose of the search ring. Mr. London stated that there are power lines located along Eagle Ridge, and the applicant should collocate the antennas on the existing power line towers. He stated that the power lines are located within the search ring. He further stated that the project would negatively impact the rural character of the neighborhood. Louis Hutter, 228 White Church Road, submitted a written comment that he read into the record. Mr. Hutter's written statement is included in the public record. He stated that the application mostly satisfied the requirements in his view and that while he does not like cell towers, he understands that they are required to satisfy the high demand for cell service. Mr. Hutter stated that on page 4 and 73 of the application documents downloaded from the Town website, the page references improvements to the southeastern area of the Town whereas other references in the application refer to improving cell service to the southwest area of the Town. He asked whether the reference to the southeastern areas is a typographical error. Mr. Hutter further stated that on page 7, paragraph F1, it is stated that the annual required tower inspection is an unreasonable burden on Verizon and proposes a substitute. The annual inspection reference is not provided, and Mr. Hutter states that the reference and why it is not applicable in this case should be stated before proposing a substitute. Mr. Hutter further stated that there are multiple references to the size,

setbacks, vegetative cover, etc. of the Zouky site that are used to justify this site for the tower. He asked whether the restrictions would be required as deed restrictions. Mr. Hutter further stated that with respect to pages 81 and 82, the coverage improvement is not much, and that most of the area is already adequately served. He stated that there are significant areas of the Town, particularly in the center of Town including Town Hall and in the east along NYS Route 351, that are still unserved. Mr. Hutter states that the applicant should include plans for those areas. Mr. Hutter further stated that in the event that this tower is part of a larger plan for a new cell tower grid in the area, that should be stated in the application and there should be a combined variance process for the grid instead of expensive and confusing single tower variances. Mr. Hutter stated further that the diesel generator fuel storage tank is not sufficiently described and he suggested that the fire department should be contacted regarding the diesel fuel storage and fire safety. Tom Triscari, 64 Colehammer Avenue, thanked the neighbors for their preparation and comments, thanked the Board for its effort, and stated that he appreciates the applicant's proposal. He stated that the Board should consider weighing the value of the technology against the costs to the neighborhood. He said that the speakers from the neighborhood all presented very good analyses and he questioned whether or not there was a validated need and whether the proposed solution was going to meet that need. He further suggested that the Board not rely exclusively on the provider as the best source for information in that regard. Bob Ward, 3 Sandcherry Hill Lane, stated that his property is adjacent to an easement that for the past 15 years he has seen cars, trucks, ATVs, and dirt bikes use without permission. He stated that the access road for the project may provide access to neighboring properties for trespassers. Louis Lane, 5 Sandcherry Hill Lane, stated that he had concerns for children in the area. David Paterniani, 13 Eagle Ridge Drive, stated that he built his house four years ago, and that he has children aged 1, 6, and 8. He stated that he and his wife built this home as their "forever home" and if the tower is built all three of his

children's bedrooms will be in direct line from the tower. He asked the Board to consider that in making its decision. Acting Chair Stancliffe then asked whether any other members of the public had comments. Barbara Russo, who previously spoke, asked to be heard an additional time. She stated that the clearing for the access road may include removal of trees along the property line, and if so, such clearing would affect the visual impact. Member Henderson then noted that Ms. McDonald had indicated that she had not received the notice as she was out of town when apparently it had been mailed. Mr. Henderson asked Attorney Tingley whether that fact should be considered, in addition to the question of whether other properties that should have been notified may not have received notice, in conjunction with whether or not the public hearing should be kept open. Attorney Tingley stated that the applicant submitted an Affidavit of Mailing and that there was no demonstration that the procedures required under the Zoning Law for notification were not followed. The applicant confirmed that the Zoning Law required service of the notice by certified mail and that the notices were served in that manner. The applicant indicated that with respect to Ms. McDonald's notice, the post office indicated that the slip that a certified mail item had been received by the post office had been left for the property owner but that the item was not picked up from the post office. The applicant further stated that Ms. McDonald was present at the public hearing and had made comments and therefore the fact that the notice was not received by her was moot. The applicant further stated that Ms. McDonald had received notice of the balloon test and that she was aware that the application was under review. Mr. Golden stated that the delivery was attempted on December 30. The applicant offered to consent to the Board holding open the public hearing for a period of 7 days for receipt of written submissions. Planning Board member Henderson made a motion to continue the public hearing for the purpose of receiving written submissions for the next 7 days, which motion was seconded by Member Tarbox, and was unanimously approved. Zoning Board of Appeals Chairperson Clemente had a question

concerning procedure with respect to whether or not the application was complete in light of the public comments. Attorney Tingley explained that for this type of application, there is a procedure for determining the application completeness that is set by federal law and the process was following in this particular case. Discussion then ensued how areas of incompleteness that had been identified by the public would be addressed in the course of the review process. In particular, questions arose concerning whether the public would have an opportunity to review and comment on further submissions by the applicant. Attorney Tingley explained that the application was deemed sufficiently complete for purposes of holding a public hearing, and that the typical process is that all public comments are received during the public hearing following which the comments are provided to the applicant and the applicant provides a written response. Attorney Tingley stated that typically there is not an opportunity available for the public to comment on the response made by the applicant to the comments received during the public hearing and that at some point, the Boards must close the public hearing so that the record is complete. Attorney Tingley explained that otherwise, there would be the possibility of a perpetual comment period followed by a response by the applicant followed by a comment period followed by a response by the applicant, and so on. The Zoning Board of Appeals then discussed whether or not it wished to hold open the public hearing. Member Steinbach indicated that the applicant's attorney had been very affirmative and never complained about time constraints or pushed the Boards to make decisions. He stated that he would like to have more time for the public to comment. Attorney Tingley explained that the Board in considering how to proceed in this regard should consider that this application is under a shot clock and although the exact remaining time on the shot clock was not currently known by Attorney Tingley, the fact that the shot clock is running should be considered by the Board in deciding how much time to keep the public hearing open. Zoning Board of Appeals Chairperson Clemente then made a motion to keep the public hearing for the

Zoning Board of Appeals open for purposes of receiving written comment for an additional 14 days. The motion was seconded by Member Steinbach, and was unanimously approved. Member Henderson then made a motion to amend the prior action of the Planning Board so that the public hearing for the Planning Board was kept open for purposes of receipt of public written comment for the next 14 days. Member Tarbox seconded that motion, and the motion was unanimously approved. The deadline for submission of written comment by the public under these actions is January 30, 2020. A member of the public then asked how the application could be considered complete without the stormwater pollution prevention plan and the State Historic Preservation Office review. Attorney Tingley explained that the application was sufficiently complete for purposes of conducting the public hearing, and that it is not an unusual procedure for a reviewing Board to require that the stormwater pollution prevention plan and the State Historic Preservation Office review be fully addressed prior to action on the application. Member Steinbach then made a motion to close the special meeting of the Zoning Board of Appeals. The motion was seconded by Chairperson Clemente, and was unanimously approved.

The Planning Board continued its regular business meeting.

The Planning Board members reviewed the draft minutes of the January 2, 2020 meeting. A motion was made by Member Kreiger to approve the draft minutes of the January 2, 2020 meeting, which was seconded by Member Henderson, and was unanimously approved.

The first item of business on the agenda was the pending site plan and special use permit applications for the personal wireless/public utility monopole submitted by Blue Sky Towers III, LLC, Verizon Wireless, and AT&T. Attorney Tingley noted for the record that the public hearing had been held that evening jointly with the Zoning Board of Appeals and both Boards approved a motion to continue the public hearing for a period of 14 days for purposes of receipt of additional written comment from the public. The Planning Board decided to tentatively place the matter on

the agenda for the February 6 meeting, pending submission by the applicant of a response to public comments received.

The next item of business on the agenda was the site plan amendment application filed by Walmart for property located at 760 Hoosick Road to allow for dedicated customer parking for online sales and pickup. Kevin Pennock of Dewberry Engineering, was present on behalf of the applicant. Mr. Pennock explained that he had submitted elevations, lighting information and additional details relating to the canopy as requested by the Board. Mr. Pennock further stated that Walmart had removed the pallets that had been installed along the fence line which was raised at the last meeting. Mr. Golden indicated that the application had been referred to County Planning and that the comments had been received indicating that local consideration shall prevail. Mr. Golden further confirmed that as of the last time he was on the site, the outdoor storage pallets had been removed. The applicant and the Board then discussed the proposal which showed minor revisions to the traffic circulation pattern in the area of the dedicated parking. Ultimately, Mr. Bonesteel stated that there does not appear to be any need to change the traffic circulation in that area because there are no significant changes to the site. The existing conditions will be very similar to the proposed dedicated parking, in that the parking spaces that exist now will effectively remain there. Member Tarbox noted that there will be more space between the cars, and the applicant confirmed that the proposal would result in a net loss of approximately five parking spaces. Mr. Golden identified certain issues related to the location of the door on the building including the location of cart overflow into the lot and the propane tank storage. The applicant agreed to address those issues. Mr. Golden further stated that the wayfinding sign located at the southwest portion of the parking lot near the building would likely be hit by snowplows. Mr. Bonesteel suggested changing the straight arrow on the wayfinding sign to an angled arrow so that the sign could be relocated to a safer area located within the planted island in that area. Mr.

Bonesteel further stated that the pickup area is highly visible even if wayfinding signs are not provided. Mr. Golden stated that he is continuing to do calculation of the signage to determine compliance with Town requirements. Member Henderson agreed with Mr. Bonesteel that there does not appear to be a need to change the traffic pattern in the area of the dedicated spots. Mr. Henderson further stated that it is his understanding based on the recent submissions that the applicant will be providing lighting under the canopy. Member Tarbox then made a motion to adopt a negative declaration under SEQRA, which motion was seconded by Member Kreiger, and was unanimously approved. Member Tarbox then made a motion to approve the site plan amendment with the following conditions:

1. Removal of the proposed gore striping in the area near the dedicated online order pickup parking;
2. Moving the subject wayfinding sign located at the corner of the building to the planted island and modifying it so that it includes a right-angle left directional arrow;
3. The canopies in the designated online order picking area shall be lighted as proposed;
4. The propane storage area must be relocated away from the door to be used for access by Walmart employees for delivery of the online order pickup items to the designated parking area.

The motion was seconded by Member Henderson, and was unanimously approved.

There was no new business to discuss. Mr. Golden stated that the proposal on Bald Mountain Road for an accessory apartment will be going to the Zoning Board of Appeals shortly. Mr. Golden further stated that the Shudt minor subdivision application had been progressed by

Mr. Danskin, who provided topography information for the property. Mr. Golden further stated that Trifocal Brewing was on the agenda for the next Zoning Board of Appeals meeting.

The index for the January 16, 2020 meeting is as follows:

1. Blue Sky Towers III, LLC and Cellco Partnership d/b/a Verizon Wireless - Special use permit and site plan - February 6, 2020 (tentative) - (Joint public hearing with Zoning Board of Appeals held, and continued for limited purpose of receiving additional public written comment through January 30, 2020);
2. Walmart - Site plan amendment - Approved with conditions.

The proposed agenda for the meeting to be held February 6, 2020 currently is as follows:

1. Trifocal Brewing - Special use permit and site plan;
2. Shudt - Minor subdivision;
3. Blue Sky Towers III, LLC and Cellco Partnership d/b/a Verizon Wireless - Special use permit and site plan (tentative pending receipt of response to comments from applicant).