

MINUTES OF THE REGULAR MEETING OF THE HYDE PARK ZONING BOARD OF APPEALS, VIRTUAL MEETING HELD FROM THE HOMES OF THOSE IN ATTENDANCE, HYDE PARK, NEW YORK 12538, ON APRIL 22, 2020 AT 7:00 PM

Welcome to the April 22<sup>nd</sup> meeting of the Hyde Park Zoning Board of Appeals. Will each member of the Board confirm that he is alone or that no one is present that may influence his vote. As called please reply yes or no as we may not hear an audio response.

ROLL CALL:

Herbert Sweet	Yes
Brendan Lawler	Yes
Richard Perkins	Yes
David McNary	Yes
James Agrawal	Yes

I have confirmed with the Zoning Board's Counsel that tonight's meeting has been convened in accordance with the Governor's March 13, 2020 Executive Order 202.1, which suspends certain provisions of the Open Meetings Law to allow a Municipal Board to convene a meeting via video conferencing. In accordance with the Executive Order, the public has been provided with the ability to view tonight's meeting and a transcript will be provided at a later date. I have done a roll call of the Board Members and there is a quorum present for this meeting. I have also confirmed with the Zoning Secretary that this meeting has been duly noticed. We have fulfilled our legal notice requirements by posting notice on the Town's bulletin boards, and news organizations, etc, and posting notice on the Town's agenda center of its website.

We will now commence with the pledge of allegiance. Because of audio synchronization, the only person that you may hear is me.

PLEDGE OF ALLEGIANCE

The application before us is for a property line area variance from 68.2 feet to 50 feet as required by chapter 101-8B. The cell tower is what is called a micro cell which is designed to support a small area. It is a 62 foot high utility pole, also called a telephone pole and will be located in a wooded area towards the rear of the Anderson School parcel adjacent to another wooded parcel also owned by the Anderson School. The applicant has advised that the need for the variance is dictated by the topography of the area.

The public can see the detail of this by examining the plans which are on line at the town website. That is [hydeparkny.us](http://hydeparkny.us). Go to departments, then to Planning Board and then to

projects. The plans are towards the bottom of the list of projects. Be sure to choose the Verizon Cell Tower at Anderson.

The verbal presentation to the Planning Board is in the Planning Board's Feb 19<sup>th</sup> minutes which can be found on the town's website, [hydeparkny.us](http://hydeparkny.us). under agenda and minutes.

The public is invited to comment on the application keeping in mind that the sole issue before the Zoning Board is the setback from the property line. You may send comments to the ZBA Secretary at 4383 Albany Post Rd, Hyde Park, NY or email them to [zbasec@hydeparkny.us](mailto:zbasec@hydeparkny.us). Considering that almost everyone is working from home during the pandemic, email is preferred but not required.

The ZBA public hearing was initially opened on Feb 26<sup>th</sup> and then continued to March 25<sup>th</sup>. The March 25<sup>th</sup> meeting was canceled due to the pandemic. What is before us now is the establishing of a new date for a continued public hearing which will be at our next regularly scheduled meeting – May 27<sup>th</sup>.

Are there any questions or comments from anyone?

Hearing none, may I have a motion to set the continued public hearing date for the Verizon application to May 27<sup>th</sup>.

MOTION: David McNary

SECOND: James Agrawal

Will the Zoning secretary poll the Board.

Brendan Lawler Yes

Richard Perkins Yes

David McNary Yes

James Agrawal Yes

Herbert Sweet Yes

CARRIED

Should the Zoning Board grant the variance, the next step in this process will be at the Planning Board's subsequent meeting where a special use permit and site plan approval will be taken up.

Does anyone have anything else to discuss?

May I have a motion to adjourn;

MOTION: James Agrawal  
SECOND: David McNary

VOICE VOTE - ALL IN FAVOR

(5) AYE (0) NAY (0) ABSENT - MOTION CARRIED

The meeting is adjourned 7:06PM