

**TOWN OF BETHLEHEM
BOARD OF APPEALS
February 2, 2005**

A regular meeting of the Board of Appeals, of the Town of Bethlehem, Albany County, New York was held on the above date at the Town Offices, 445 Delaware Avenue, Delmar, New York. Michael Hodom, Chairman, presiding.

PRESENT	Robert Wiggand Gilbert Brookins Leonard Micelli	
	Michael Moore	Attorney to the Board
	Mark Platel	Building Inspector
ABSENT:	Michael Hodom Marjory O'Brien	

Acting Chairman Wiggand called the meeting to order at 7:30 p.m.

- - -

This is a regular meeting of the Board of Appeals for the Town of Bethlehem. The first order of business this evening is a public hearing for a Special Exception under Article VI, Permitted Uses, Section 128-20, Public Utility and Chapter 113-4 A (1), Alternative Tower Sites requested by Cingular Wireless for property at 39 Hannay Lane, Glenmont, New York. The Applicant wishes to collocate 6-panel antennas and related call processing equipment to an existing tower at the premises 39 Hannay Lane, Glenmont, New York.

ACTING CHAIRMAN WIGGAND: Mr. Platel, would you give us the reason for the hearing, please?

MR. PLATEL: Yes, Mr. Chairman. The applicant is proposing to collocate on an existing telecommunications tower installing up to 6 new antennas. The applicant will also install a 228.4-square foot equipment shelter and separate diesel generator at the base of the tower. The existing telecommunications tower and supporting shelters are located in a Light Industrial District.

ACTING CHAIRMAN WIGGAND: Thank you, Mark. Ms. Guastella, would you please read the official call of the meeting?

For an official copy of the minutes, please visit the Town Hall, 445 Delaware Avenue, Delmar, NY or call 439-4955.

Notice of Public Hearing. Notice is hereby given that the Board of Appeals of the Town on Bethlehem, Albany County, New York will hold a public hearing on, Wednesday February 2, 2005 at 7:30 p.m., at the Town Offices 445 Delaware Avenue, Delmar, New York to take action on application of Cingular Wireless for Special exception under Article VI, Permitted Uses, Section 128-20 C (1), Public Utility, and 113-4 A(1), Alternative Tower Sites, of the Code of the Town of Bethlehem to install 6 panel antennas and related call processing equipment to an existing tower at premises 39 Hannay Lane, Glenmont, New York. Michael C. Hodom, Chairman, Board of Appeals. Attached to this Notice is notarized proof of its publication in the January 26, 2005 edition of the Spotlight, official paper of the Town of Bethlehem. All persons listed in the petition as owning property within 200 feet of the premises in question were notified by mail at least five days prior to this hearing.

ACTING CHAIRMAN WIGGAND: Thank you, Karen. The procedure that we use this evening; we'll hear the Applicants presentation; we'll entertain any questions or comments from the audience; we'll hear anyone wishing to speak in favor of the Applicant and anyone desiring to speak in opposition of the Applicant. All comments and questions should be directed to the Board. Anyone desiring to speak will be allowed to do so, we just ask that you come up, stand or sit close to the black microphone, it's for recording purposes only. You will be making the presentation?

MR. O'DONNEL: Yes.

ACTING CHAIRMAN WIGGAND: I think we can get started with it. Please give your name and tell us what you want to do and how you want to do it.

MR. O'DONNEL: Okay. Good evening ladies and gentleman and members of the public. I'm representing Cingular Wireless who is proposing to collocate their antennas and bay station equipment at the existing tower on Hannay Lane, which is near the Red Star trucking facility and adjacent to Stewarts. The site plans, which I have additional copies if anybody's interested and looking at is relatively self-explanatory I think. You I think are familiar with applications of this type, particularly collocations so I'd like to entertain questions if they are necessary. There was a slight discrepancy on one of our previous submittals and I'd like to address now if I could.

ATTORNEY MOORE: Could you just give us your name for the record please?

MR. O'DONNEL: Sure, it's Tim O'Donnel, property specialist for Cingular Wireless. Okay in our original submittals this tower facility itself is owned by a company called Sprint Sites USA, which is a real estate holding company for the tower assets formally constructed and owned by Sprint PCS. They discharged the tower ownership to this company and now they rent out additional space if available to other wireless service providers. One of the requirements of collocation on this tower is that you use this company – same on engineering to prepare your structural analysis prior to proceeding with any permitting. In this instance there was a slight mistake because they pulled from

their archives the structural data from a different similar location as far as they were concerned, which was the New Baltimore tower. Folks here caught it, we took a look at it; ran a new structural, which we've provided to you and revised the tower structural analysis and the site plan to reflect the actual tower height and design.

ACTING CHAIRMAN WIGGAND: Now you're saying that changed, the tower height?

MR. O'DONNEL: The tower height, overall structure height has always been what it is but the structure itself is 145-feet. On our previous submittal I think it might have said 154-feet, which reflects the actual tower height above the New Baltimore rest stop.

ACTING CHAIRMAN WIGGAND: Yes we've got 2-readings on that, you're right. I think it's 145-feet as the tower height.

MR. O'DONNEL: That's right.

ACTING CHAIRMAN WIGGAND: Okay, the 150 is....

MR. O'DONNEL: Is not....

ACTING CHAIRMAN WIGGAND: One of these documents that somebody handed in said 150-feet.

MR. O'DONNEL: A lot of it was driven by the confusion that we had internally, which is no fault of the Board or anyone else of the fact that the structural had been done on the New Baltimore site, but you have the corrected structural and the revised site plan before you.

ACTING CHAIRMAN WIGGAND: Any Board members have any questions while we're reviewing this? Where on the location of this – I had a question on the location. That pole that you have there is in sections, you know as it rises it gets smaller towards the top.

MR. O'DONNEL: Yes.

ACTING CHAIRMAN WIGGAND: I presume that this is going to sit close to that top section or the first one down?

MR. O'DONNEL: That's right.

ACTING CHAIRMAN WIGGAND: Because that's where it looks like it would probably be going.

MR. O'DONNEL: Yes.

ACTING CHAIRMAN WIGGAND: I didn't see it on of any of these drawings here and

I went over them pretty carefully and I didn't see anything like that, but it wasn't particularly referring to that pole, there might be a different way you do that.

MR. O'DONNEL: Yeah, the site plan itself they use basically standard CAD detail for towers. That's specific kind of what I refer to as a py-rod step tower. It's something that they don't have a standard CAD detail for, but the structurals run on that py-rod tower. Those step monopoles were a tower that Sprint used back in 97' and 98' and the structural was run based on that kind of step tower.

ACTING CHAIRMAN WIGGAND: In other words this is like a tubular tower that this thing is supported by.

MR. O'DONNEL: Yes.

ACTING CHAIRMAN WIGGAND: And there's more like sections on to it and I presume this unit is going to be – equipment is going to be down towards the top of that first section?

MR. O'DONNEL: It will be mounted below – there's an additional set of mounting ports or openings that are pre-installed in the tower and it will be - - the coaxial cable for the antennas will come out of there just before the last step of the - - the second to last portion of the mono-pole. It was designed originally to collocate at that mounting height, which I think is about 10-feet below the existing antennas.

ACTING CHAIRMAN WIGGAND: Am I correct in saying that the new equipment that's going to be installed here is going to be similar to what's on top there now?

MR. O'DONNEL: Yes.

ACTING CHAIRMAN WIGGAND: There's not any changes made in the design of it or anything?

MR. O'DONNEL: No, in fact the panel antenna will be very similar in design to the existing ones.

ACTING CHAIRMAN WIGGAND: So it's pretty cut and dry here or however you want to say it. It's pretty much like the other ones you've got on there so it will match up to it.

MR. O'DONNEL: Yes.

ACTING CHAIRMAN WIGGAND: Is there any other equipment now that you want to talk about? On the base of it I guess you're going to have some heavy equipment down there for the electrical parts of it.

MR. O'DONNEL: There's 2-different kinds of wireless system approaches, one of them is what they call an outdoor application similar to what Sprint PCS or Sprint Spectrum

has where you have weather proof cabinets and then there's another application which other wireless companies are required to use because of the way the equipment's designed where you have to put it inside a prefabricated shelter. So we're proposing a basically a prefabricated concrete systems shelter and then our radio equipment will go inside. So if you look at the equipment shelter details, most of the equipment layouts that you see there are the internal racking for the cables.

ACTING CHAIRMAN WIGGAND: So there's going to be new fencing around this new...

MR. O'DONNEL: That's right, the fence will be extended. The existing fence will be open and then there will be an additional enclosure for the shelter.

ACTING CHAIRMAN WIGGAND: Okay.

MR. BROOKINS: Will your shelter and your equipment within the shelter generate any noise?

MR. O'DONNEL: The base-station equipment does not generate - - there is a re-circulator fan that you may be able to hear in the enclosure, but the bay-station itself does not generate any noise that I think that would be audible outside of the equipment area. The generator itself, which is proposed, would make some noise in its time of operation if there's a power outage.

MR. BROOKINS: That's just your backup?

MR. O'DONNEL: Yup.

MR. BROOKINS: Okay. Lighting, in or around?

MR. O'DONNEL: There's a detail - there should be on these plans a detail for a man light essentially for when the technician comes in after dark he can open the door and turn on the man light up to the left of the doorway, but there's no 24-lighting.

MR. BROOKINS: No exterior lighting?

MR. O'DONNEL: No.

ACTING CHAIRMAN WIGGAND: Do you have safety signs on the unit or around the fencing?

MR. O'DONNEL: We will.

ACTING CHAIRMAN WIGGAND: Because you're going to be adding quite a bit of fencing around that.

MR. O'DONNEL: Yes. Our current proposal is to install, according to whatever requirements of the Town of Bethlehem - - the FCC licensing sign and notification of radio equipment in operation, similar to the signs that Sprint and the other carriers have.

ACTING CHAIRMAN WIGGAND: Just talk just a moment again on that generator that power generator. That generator is strictly for back up power?

MR. O'DONNEL: That's right.

ACTING CHAIRMAN WIGGAND: In case you have problems with what?

MR. O'DONNEL: Well in the unlikely – well not always unlikely, but in an instance of a power electrical failure all the wireless systems currently in use today operate off of regular Niagara Mohawk power and the system is designed with a 8-hour battery backup like the Sprint systems that you've heard about before. Once the 8-hour sealed gel-celled batteries discharge then the generator kicks in, so you've got about an 8-hour window there for maintenance and repair prior to activation of a generator.

ACTING CHAIRMAN WIGGAND: Is there also somebody notified when that does kick in?

MR. O'DONNEL: Yeah, the way and it's similar with Sprint, each one of them on like on the sign, which you'll come in and you'll see the FCC licensing number and then on network operations command center phone number. The system is alarmed so that as soon as there's a power interruption – the system is power un-interruptible because of the way the batteries kick in, but there's an automatic alarm call to the operations center. There's two of those operation centers; there's one in Syracuse and there's one here in Albany and they have 24-hour technicians who monitor the switch, kind of like a telephone system and then they immediately dispatch. They're all remotely monitored.

ACTING CHAIRMAN WIGGAND: Do you have people or someone close by in the City of Albany lets say or somewhere in the area that is on call for this type of thing?

MR. O'DONNEL: Yeah, the on call technicians – there's 2-kinds, there's home vehicle technicians who are at home. There's one who lives in Bethlehem actually and there's another one who lives in Guilderland and then there's also 24-hour network operations technicians who are at the switch, which is in downtown Albany. So your response time is relatively short.

ACTING CHAIRMAN WIGGAND: Yeah because it's not to far away.

MR. O'DONNEL: No.

ACTING CHAIRMAN WIGGAND: And there's locked gates around this of course at all times?

MR. O'DONNEL: Yes.

MR. BROOKINS: Semann engineering – they do the structural analysis through their computer software?

MR. O'DONNEL: Yes.

MR. BROOKINS: Does anyone actually make a physical examination of the condition of this mono-antenna – the pole?

MR. O'DONNEL: Yes, in general there's – frankly the reality of how these monopoles operate is once you install them and once you verify the torquing on the bolts you're basically left with an enormous inanimate lump of galvanized steel and so inspection of the equipment itself is generally focused on the mounting equipment which is most likely to fail. When we did our initial A & E site visit with C & S engineering who did the actual civil plan, we did an inspection when we did our own survey work. And they indicated to us that there were no visible structural problems with it. Semann did not come and do a physical inspection of this tower when they did the structural analysis.

MR. BROOKINS: When did you do your physical inspection?

MR. O'DONNEL: I think we did our initial site walk in September of last year and we haven't had the engineers back since we went and a telco site walk with Verizon, which was just before Thanksgiving in November.

ACTING CHAIRMAN WIGGAND: What do you suggest if there's ever something that requires a fire department to react to a scene of something like that? The reason why I ask this question is because I was chief for 35-years in Selkirk fire district. I'm retired from it now but at night if I hear that siren go off – if my wall in my bedroom was cool or hot I'd let someone else take care of it.

MR. O'DONNEL: I talked to - - this is not related to Albany County specifically but I did talk at length with the Schenectady County 911 coordinator, I think his name is Phil Diamond and what they do in Schenectady County is that they do two things. They not only – they have a data base of the 911 address's for the tower sites, now this is a registered 911 address, the Hannay Lane address so it's in the 911 system. They also have the coordination of every tower location in their 911 data base so that they can, you know if there's a delta between the actual equipment enclosure location and the tower which is not uncommon although that doesn't apply here, the 911 dispatcher can see look you've got a tower here and then, you know 150-feet away here is where the base-station equipment at the actual 911 address.

ACTION CHAIRMAN WIGGAND: So if some heavy emergency would happen, it could be handled by 911?

MR. O'DONNEL: Yeah, we don't - - we have remote fire intrusion electrical failure

equipment and then a fire extinguisher discharge alarms. Those aren't - - as I understand it they're not co-alarmed to the fire departments partly because there's so many different electrical alarms in the system that they're constantly monitoring them and they would probably be constantly getting 911 pops for some of the electrical equipment.

ACTING CHAIRMAN WIGGAND: Well we had some pretty serious training on what to do when I was chief because we had more and more towers being located in the Town of Bethlehem and we're concerned about some of these things on how far we should go because you know some of this stuff could be if you set a fire by other means than it's own equipment, some of it accidents and lightening and other things that happen. We've had training on it and it kind of concerns us a lot in fire service.

MR. O'DONNEL: Well a list of I think of any of the what could be considered hazardous materials which might be in the bay-station equipment would be useful. In this instance they're really the only what you could remotely consider to be hazardous material in there for the firefighters would be the sealed gel-cell batteries which are similar to very large marine batteries that's basically a rack of batteries and it's pretty much it. There isn't a lot in terms of - - from a hazardous materials perspective there's really not a lot there.

ACTING CHAIRMAN WIGGAND: I think with all the other installations of this type in our Town, in most cases that's the answer we got, you know there isn't an awful lot of hazardous materials that's involved and so far we've been pretty fortunate in Selkirk fire district that we haven't had any real problems of any kind, but I always like to ask that question anyway in case there's something new that might come up, you know that you could tell us about it.

MR. O'DONNEL: As aside I have not heard of any - - recently there was although I probably shouldn't even bring it up now but there was a monopole fire recently in Catskill, but that was related to an unlicensed maintenance crew doing some type of non-spec welding and they started a fire, but there was no, you know it wasn't a mutual aid fire it was basically monitored from a defensive perspective and they just put some water in the bottom.

ACTING CHAIRMAN WIGGAND: You'd be surprised how things can happen.

MR. O'DONNEL: Right.

ACTING CHAIRMAN WIGGAND: You'd be surprised what I've seen over 34-35 years as the chief of Selkirk fire department. Things we had with the Hudson River and all the refineries we've got in our Town, and now we're getting more and more of this type of operation and that particular tower is in the Selkirk fire district and our men all want to know what's going on with it and what happens if this happens and what happens if that happens, you know?

MR. O'DONNEL: Well we could certainly have, you know you can have the firemen

come in and open up the bay-stations, take a look inside and see how the battery layout works, you know what coating of fire extinguish you might want to use inside the building, A, B, or C.

ACTING CHAIRMAN WIGGAND: That was one of the next things that I was going to ask you if when the thing is up and operating your new equipment in there maybe it would be a good thing we did that. I know you're operating there now but I mean as far as new installations.

MR. O'DONNEL: We can do that; Sprint wouldn't mind doing it either. They'd love to open up the bay-stations and...

ACTING CHAIRMAN WIGGAND: Is there anybody on the site there, because this installation here is not to far from my home. Is there anybody on the site when this thing gets started when the weather clears I suppose you are going to be getting soon going on getting this all installed, is there anybody on the site that someone like me could talk to about or is there just workman on the site?

MR. O'DONNEL: Well we have a construction manager who I can put him in touch with you.

ACTING CHAIRMAN WIGGAND: That would be great.

MR. O'DONNEL: Fred McCarney who's been doing this for a long time and I'm sure they'd probably love to show you more than you'd want to see, if possible.

ACTING CHAIRMAN WIGGAND: We make good listeners when it comes to our health and welfare on the fire services, but the main thing is we want to know is if there's anything in there that we should be able to get into that gate in case we have a problem. Now with that location that you have there, yes there is a pole existing and yes there is a tower there and there's all the equipment there now. You're just adding more equipment to that tower.

MR. O'DONNEL: That's right.

ACTING CHAIRMAN WIGGAND: And with that you're bringing more boxed equipment underneath there that's got to operate that.

MR. O'DONNEL: That's right.

ACTING CHAIRMAN WIGGAND: So I know you're going to have more fencing around it and you are in kind of an area there where things could get with other trucks and stuff – I don't know how much land on what land you're sitting on there or that's somebody's else's land. We were over there today looking at this whole thing and luckily it was frozen ground otherwise you wouldn't even got back there I think that's probably one way it's good and some ways it's not. It's muddy back there. Have you've seen your

own site there?

MR. O'DONNEL: I haven't been there while the snow was flying not since the...

ACTING CHAIRMAN WIGGAND: You should take a drive back there sometime if the ground was softened up it would be pretty tough to get back there with fire equipment or anything else. Is there anything else that you want to add to your presentation?

MR. O'DONNEL: I don't think so other than we're certainly ready to address anything that you may have.

MR. MICELLI: On the tower, will there be a light on the tower? Is there a requirement for that?

MR. O'DONNEL: No.

MR. MICELLI: Like flashing lights on it?

MR. O'DONNEL: No. There's not currently a light and it's not proposed.

ACTING CHAIRMAN WIGGAND: On that height I don't believe it is required, is it?

MR. O'DONNEL: It isn't. It can be required in some locations even in very low heights, but in this instance it's not. The nearest operational slopes that are impacted are not really an operational slope they're the helipad used by I guess it's the Governors helicopter and pad next to the thruway authority.

MR. MICELLI: Okay.

MR. BROOKINS: It looks as though this proposed tower is going to fill around the exit 23 and just to the north of the thruway. What's the reason for your proposal, do you have a high incidence of drop calls, is there some other motivation by the company?

MR. O'DONNEL: It's - - the network design is driven by not only dropped calls, but refused calls or a failure to make call and I think a lot of the wireless providers if you ever travel between say the exit 23 and the WROW a.m. towers, you'll notice from that area there, there's a marked drop in coverage. Cingular has as a definite coverage weakness throughout that whole area even with the overlay of AT & T equipment, which was taken into account, there's not - - the drop call level is very high, I notice it myself.

MR. BROOKINS: So it presumably is going to assist that?

MR. O'DONNEL: That's right.

MR. BROOKINS: And you say that's typical through the valley going south?

MR. O'DONNELL: That's right. In general wireless coverage weakness from exit 23 all the way down to the CSX crossing in Selkirk and then of course going out, you know Delaware Avenue through Elsmere is another coverage weakness, which I'm hoping will be addressed by the Hannay Lane site as well.

ACTING CHAIRMAN WIGGAND: Is there anything else you have to add to your presentation.

MR. O'DONNELL: No.

ACTING CHAIRMAN WIGGAND: Is there anyone wishing to speak in favor of this Applicant? Is there anyone wishing to speak in opposition? Does any Board member have anything else? Hearing no further questions of comments, we'll declare the hearing closed and we'll notify you in a timely manner. Thank you very much.

MR. O'DONNELL: Thank you.

Hearing closed 7:55 p.m.

- - -

The next order of business this evening is a public hearing for a Variance under Article XII, Percent of Lot Occupancy, Section 128-50, Single Family Dwellings and Article XVII, Side Yards, Section 128-73, Required Widths requested by Bob Hughes for property at 2 Knights Way, Albany, New York. The Applicant wishes to construct a sunroom addition, which will exceed the allowable percentage of lot occupancy and an existing foundation, which currently encroaches into the side yard setback requirement at premises 2 Knights Way, Albany, New York.

ACTING CHAIRMAN WIGGAND: Mr. Platel, please give us the reason for the hearing.

MR. PLATEL: Yes, Mr. Chairman. The Applicant is proposing to construct a 16-foot by 22-foot, 352-square foot sunroom addition to the existing 1,595.89-square foot main structure. The total building area will be 1,947.89-square feet, which is 213.01-square feet over the 1,734.88-square feet allowed for the main structure by 11,565.87-square foot lot. The lot occupancy will be 16.84-percent, which is 1.84 over the 15-percent allowed. The side yard setback at the existing foundation where the sunroom will be placed is 4.76-feet, this is 3.24-feet shy of the 8-foot side yard setback required.

The existing patio structure was constructed without a permit. A typical patio that would be placed at ground level and constructed of patio block or other similar concrete product and would not require a permit. This type of patio however would require a permit and is subject to the same setback requirements, as a wood deck would

have to meet. The existing structure is located in an “A” Residence Zone and is occupied as a single-family dwelling.

ACTING CHAIRMAN WIGGAND: Thank you, Mark. Ms. Guastella, please read the official call of the hearing.

Notice of Public Hearing. Notice is hereby given that the Board of Appeals of the Town of Bethlehem, Albany county, will hold a public hearing on Wednesday February 2, 2005 at 7:45 p.m. at the Town Offices, 445 Delaware Avenue, Delmar, New York to take action on application of Bob Hughes for Variance under Article XII, Percent of Lot Occupancy, Section 128-50, Single Family Dwellings and Article XVII, Side Yards, Section 128-73, Required Widths of the Code of the Town of Bethlehem for construction of a sunroom addition, which will exceed the allowable percentage of lot occupancy and an existing foundation which currently encroaches into the side yard setback requirement at premises 2 Knights Way, Albany, New York. Michael C. Hodom, Chairman, Board of Appeals. Attached to this Notice is notarized proof of its publication in the January 26, 2005 edition of the Spotlight, official paper of the Town of Bethlehem. All persons listed in the petition as owning property within 200 feet of the premises in question were notified by mail at least five days prior to this hearing.

ACTING CHAIRMAN WIGGAND: Thank you, Karen. The procedure we will use this evening; we’ll hear the Applicants presentation; we’ll entertain any question or comments from the audience and we’ll hear anyone wishing to speak in favor of the applicant and anyone desiring to speak in opposition. All comments and questions should be directed to Board. Anyone wishing to speak will be allowed to do so, we just request that you come up and stand or sit close to the microphone; it’s for recording purposes only. Who is going to be making the presentation?

MR. WING: My name is Jim Wing; I’m the factory rep. for Patio Enclosures the manufacturer of the sunroom. We, just for the history I’m sure you might remember we were here last summer with the 32-foot sunroom on the existing foundation that was put in. We were denied for that with the Boards recommendation we scaled our sunroom project to 22-foot. We went ahead and did the engineering so that we could design the sunroom for the existing foundation and we’re looking for the Board’s recommendation on the existing concrete foundation. We tried to address, again the setback issue with the sunroom although the Area Variance we still need – I’m looking for the right word, some help with that. That’s basically the nutshell, the project is the same but it’s a smaller scaled down version, and if you have any questions please feel free.

ACTING CHAIRMAN WIGGAND: I could probably start with something here. First off, you do show a 22 by – what’s the depth of it?

MR. WING: 16.

ACTING CHAIRMAN WIGGAND: 16. Probably the reason why you located it on that portion, that front portion of the garage side is probably because you have that existing

door, entrance way so you can take advantage of that door that presently leads into your house.

MR. WING: The sliding, yes.

ACTING CHAIRMAN WIGGAND: Okay. There's about 10-foot left over there on that deck on the other side.

MR. WING: Right.

ACTING CHAIRMAN WIGGAND: Is there some use that you're going to be trying to put that - - or are you going to use it for a sitting area or...

MR. HUGHES: It'll stay as a sitting area and not be used for anything.

ACTING CHAIRMAN WIGGAND: It won't be used for anything?

MR. HUGHES: No.

ACTING CHAIRMAN WIGGAND: Okay. That's going to remain....

MR. HUGHES: It'll remain as is.

ACTING CHAIRMAN WIGGAND: I just wanted to know what kind of use you're going to use. You know you can't build anything on it.

MR. HUGHES: I understand that.

ACTING CHAIRMAN WIGGAND: You understand?

MR. HUGHES: Yes.

ACTING CHAIRMAN WIGGAND: I want to get that on the record. This enclosure here, what is the size of it again, it's 22 by - the depth is 14-feet, no 16-feet. What is that going to be used for, like a summer room? Is it going to be a 3-season room, what is it going to be?

MR. HUGHES: It's going to be basically a 3-season room. I'll have a TV out there in the spring and summer and part of the fall and patio chairs and a couch.

ACTING CHAIRMAN WIGGAND: So it's not going to be heated?

MR. HUGHES: No.

ACTING CHAIRMAN WIGGAND: And what type of floors are you putting in this?

MR. HUGHES: I'm going to have a concrete slab floor there right now.

ACTING CHAIRMAN WIGGAND: So you're just going to put carpets or something over that?

MR. HUGHES: Yes.

ACTING CHAIRMAN WIGGAND: And the ceiling is what?

MR. WING: The material is 6-inch foam insulated panels, they're approximately R-30. It's an I-beam structure so every 3-foot the panels slide in to a structural aluminum I-beam and the finishes are aluminum skins that are laminated to both sides of the foam for paint baked on enamel paint finish so you have a maintenance free finish, textured finish.

ACTING CHAIRMAN WIGGAND: So the interior walls and ceilings will be pretty well covered with a finished product?

MR. WING: Right, the ceiling inside would be a – it's a textured aluminum skin so it'll be white and pre-finished.

ACTING CHAIRMAN WIGGAND: And that includes the walls?

MR. WING: The walls are - - well they're predominately – it's a glass and screened room so it's a custom cut sliding windows, sliding doors. It's a vinyl frame system with steel - - what we do with a vinyl room is you frame it with steel all the way around the skeleton and it's vinyl coated so there's layers of vinyl around the steel. So again it's maintenance free...

ACTING CHAIRMAN WIGGAND: So it's mostly glass all the way around.

MR. WING: Yeah, really it's a glass and screened room.

ACTING CHAIRMAN WIGGAND: Now is that tempered glass?

MR. WING: Yes, we have – Patio Enclosures has their own tempering oven. We're from Macedonia, Ohio and we have our own company owned stores; 45 of them and we temper and cut to the 8th –inch increment so we cut the glass from Pittsburgh plate glass, it comes in sheets. We cut it to the size of that room and we go right to the tempering oven so even windows, which are not by law supposed to be tempered, we have 100-percent tempered product.

ACTING CHAIRMAN WIGGAND: Is there going to be any plumbing in that unit at all?

MR. HUGHES: No, nothing at all.

ACTING CHAIRMAN WIGGAND: And the electrical will just from outlets probably or a ceiling fan or something.

MR. HUGHES: Just from the outlets, yeah and a ceiling fan probably.

ACTING CHAIRMAN WIGGAND: I didn't kind of pick it apart here as far as what door do you have out of that? Is part of this glasswork doors? It shows it on this one plan but then again...

MR. WING: C- wall – the garage side has 2-sliding doors, basically they're one step down from the sunroom to concrete.

ACTING CHAIRMAN WIGGAND: So you have a sliding glass door on each side of the building?

MR. WING: There's two of them there, yes. There's two of them basically back to back not that you have to use both for exit and entering but just the look of if you wanted to have full length glass on that side.

ACTING CHAIRMAN WIGGAND: I'm a little confused now, are you going to have one on each side of the building?

MR. WING: No, on A-wall the other elevation on the other side we're going to have a knee wall actually a micro-lam structure there to - - part of the engineering to hold the roof up on that wall so we can't do any full length glass.

ACTING CHAIRMAN WIGGAND: So you have one door actually going out of that structure?

MR. WING: There's essentially he can pick – he's got two doors to choose from. On A-wall there's two sliding doors and that will be his choice on what he wants to use for an exit.

ACTING CHAIRMAN WIGGAND: So he can locate those doors?

MR. WING: Yeah, you can you know sometimes our rooms will 6 or 7-sliding doors all the way around. It's more for view and ventilation as long as you're not breaking any code issues with height.

ACTING CHAIRMAN WIGGAND: Well as long as it's satisfactory with him.

MR. WING: That's right.

ACTING CHAIRMAN WIGGAND: As long as there's a way out of there, that's the main thing.

MR. WING: Yes there is.

ACTING CHAIRMAN WIGGAND: Any Board member's have any questions?

MR. MICELLI: You covered a lot of it Bob. Will there be outside lights on it?

MR. HUGHES: Not right now, no.

MR. MICELLI: Okay. And from the plans it looks like there's gutters.

MR. WING: Yes, gutter's on both A and C-wall, yes.

MR. MICELLI: Okay.

MR. BROOKINS: I'll address this one to Mark. The foundation is satisfactory; meets code because I know that was an issue before?

MR. PLATEL: What we're going to have to do is we're going to have to have him dig up in spot or another so we can see how far down it goes, just to verify that you're 4-foot down.

MR. WING: Sure.

MR. PLATEL: We'll probably have one on each corner.

MR. HUGHES: I did supply pictures with all of that.

MR. PLATEL: Well I think actually what you did - - what we'll do is just the one spot.

MR. WING: We actually did get and we'll be happy to do that but we actually did have the local engineer, you know we went and checked it; verified it and he did stamp the foundation. I know it's after the fact, but we did have Mr. Angelini in East Greenbush, Bob Angelini stamp that foundation plan during the summer so we can provide - we should have a copy if you need that.

MR. BROOKINS: I almost hate to bring this up but you scrapped the plans on the heating system in the foundation?

MR. HUGHES: Yes.

MR. BROOKINS: Okay we won't go any further.

ACTING CHAIRMAN WIGGAND: It's funny you asked that I was just going to ask about that heating system.

MR. WING: Unless he wants to melt the snow outside possibly.

ACTING CHAIRMAN WIGGAND: Because you have wires in the floor.

MR. HUGHES: Yeah but they can't be used now.

ACTING CHAIRMAN WIGGAND: They can't be used so in other words you scrapped the whole idea.

MR. HUGHES: They work fine in the house. I recommend it to anybody putting it in their house.

ACTING CHAIRMAN WIGGAND: Does anybody have anything else?

MR. MICELLI: I don't have any more questions.

MR. BROOKINS: We did get one letter from your neighbor and I'm assuming that if any other – that was Maryanne anyhow, if anyone else had any concerns they would have had an opportunity.

MR. HUGHES: Well I had eight of them the last time for the last meeting and...

MR. BROOKINS: So they're still on board?

MR. HUGHES: Yes.

ACTING CHAIRMAN WIGGAND: The only question I had when I first reviewed the plan was - - I was just wondering why and I think it was because of the exit door that you have presently in your house why this room wasn't placed down a little further down towards the other end.

MR. WING: We wanted to satisfy the side yard setback also. One of the conditions or recommendations was to move the room back away from that wall last summer.

ACTING CHAIRMAN WIGGAND: You brought up a good point there. I do recall that was one of our conditions, it really leaves an area on the other side there - - well you'd probably be using it getting another room. Are you going to put a door on that side of the building?

MR. WING: No we tried to do that with engineering but because we're not sitting right on a frost wall, we just really had to scrap that, that's why we spent a lot of the fall trying to get that for Mr. Hughes because...

ACTING CHAIRMAN WIGGAND: That's why I'm asking these questions because you'd have to step down off this deck in order to get on this other portion here. It's kind of a funny way to do it.

MR. WING: The reason is that because the foundation doesn't have a frost wall at that point, we had to bring the room in and his options were to tear it up and put another frost wall in or design something just with windows and a way to support that roof on that side so that's the way we opted for. We couldn't do it any other way.

ACTING CHAIRMAN WIGGAND: Did he review this completely with you on what he's doing here as far as the design of that building.

MR. HUGHES: Yeah but we're going to redesign it yes.

ACTING CHAIRMAN WIGGAND: You're not going to change any structure?

MR. WING: No we're not changing just as far as...

ACTING CHAIRMAN WIGGAND: You're not going to change any sizes.

MR. WING: No we're not changing just as far as finishing.

ACTING CHAIRMAN WIGGAND: Don't change any sizes here other wise you'll be back in front of us again.

MR. HUGHES: No, the size or nothing is going to be changed.

MR. WING: Just putting some - - just finishing touch, dry wall and things like that.

ACTING CHAIRMAN WIGGAND: Yeah sometimes it's good to give a little more thought on how you're going to get in and out of the building and how you're going to use it. So you're not going to be doing much more just what you showed us here on the plan?

MR. WING: Yeah, no nothing structural at all it's just a little cosmetic touch on that knee wall on A-wall, you know maybe put some vinyl siding on that to match the house but I'll get any of that information to the Building Department but purely cosmetic, that's it. We're done structurally, that's it what we have.

ACTING CHAIRMAN WIGGAND: Okay is there any other questions from the Board.

MR. MICELLI: I don't have any more.

ACTING CHAIRMAN WIGGAND: Is there anyone here wishing to speak in favor? Anyone wishing to speak in opposition? Hearing no more we'll declare the hearing closed and let you know in a timely manner of our decision.

MR. WING: Thank you.

MR. HUGHES: Thank you.

Hearing closed 8:15 p.m.

- - -

On a motion made by Mr. Brookins, seconded by Mr. Micelli, and unanimously carried by the Board, the minutes of the January 19, 2005, meeting were approved.

The meeting was adjourned on a motion made by Mr. Micelli, seconded by Mr. Brookins and unanimously carried by the Board.

Meeting Adjourned: 8:15+0 p.m.

Respectfully submitted,

Secretary