

PUBLIC HEARING
TOWN OF AUGUSTA
October 8, 2024

A Public Hearing to discuss a special use variance application submitted by Tarpon Towers to construct a 180-foot wireless telecommunications facility located on Tanner-Egan Road, Oriskany Falls, NY 13425

Attendees: Zoning Board Chair-Paul Sykes, Ernest Staelens, Keith Williams, Anne Brown, Mr. Jared Lusk representing Tarpon Towers & Mr. Morrison representing Verizon and the following residents that signed in:

Theresa Schmalenbergers, Josh Lewis, Robert & Sherry Ellis, Bill & Brenda Evans, Corey Bingel, Pete & Rebecca Wilcox, Jim Dowd, Wayne Burkey, Daniel & Jessica Brogan, Stephen Gorman

The hearing was called to order at 6:07pm. The pledge was recited. Everyone was encouraged to look at the maps provided to the Town, mute cell phones and Paul Sykes read the public hearing notice and went over some "housekeeping" rules.

Mr. Lusk gave a brief summary on the proposed project describing distance to other properties-closest structures are 701 ft & 702 ft, coverage now compared to coverage with just the Knoxboro tower and coverage with both proposed towers. He explained that the bottom of the tower would be hidden from view. It would have a 50x50 fence around it and 2 cabinets for equipment as well as a generator for power outages that would run for 20-30 minutes on Tuesday mornings.

Ms. Schmalenbergers wanted to know who the property owner was, Kevin Sykes. How much of the tower would be showing above the trees. Most trees are 75-100 feet tall, and the tower is 180 feet. Mr. Lusk stated that the tower would be hidden from view, however to the East & North there is no buffer zone.

Josh Lewis is a health advocate and said that it has been in studies that the towers should be 400 meters from residential properties. States that there has been a proven reduction in property values where towers have been erected. Mr. Lusk says that the data shows that there has been no difference in resale values. He said he would send over the information.

Mr. Lewis would like the Town to impose a moratorium to prevent further building of towers until further regulations/direction/bylaws can be set with further setbacks than what the Town is allowing now. This will also help protect property values. Said he wants a copy of the application submitted. Stated that Jeff Hall from the DEC states there is a hot zone area. Who sets the 500-foot standard that they are going by? Mr. Lusk said that 500 feet is in the town Zoning Ordinance and that is the average for most towns in New York State.

Brenda Evans asked if there was any noise from the tower. Mr. Lusk stated that usually Tuesdays around 10 AM the generator runs for 20-30 minutes to make sure everything works in case the power goes out. No noisier than a lawnmower.

Bill Evans stated that he agreed with Josh.

Rob Ellis said you can see the tower from Skyline, can he log it?

Rebecca Wilcox said that it is 570 feet to her driveway, how did they come up with 700? It was explained that it is from the structure not the property line. She said that her "living area" includes her outside area, the kids play out there and she was worried about the RF energy they would be exposed to. Mr. Lusk stated that at the base of the tower the RF is only 1% of the maximum level allowed by FCC standards and the further away you go the less it is. She asked about moving the tower some as to the North, where there is no buffer, it is in direct view of her residence. Asked about notification to residents. It was explained that the notice was in the Waterville Times, post office in Oriskany

Falls, Vernon Center, Stockbridge, notice was on the Town website, notice board out front, on the door to the building, the Village board, hung at Coop Gas and the Village market. All the adjoining residents were notified by certified mail.

Wayne Burkey said that maybe the town should have mailed all the town residents instead of sending out trash notices twice a year. It was advised that more people complained about not being notified of the trash days than people about public notices.

Pete Wilcox is worried about property values also. Wants to know if something can be imposed stating that Mr. Sykes can't log or clearcut the area around the tower. Mr. Lusk again stated that there is no correlation between decreasing values and the towers.

Jim Dowd stated that he is glad they are putting it in as he is on the fire department and as far as emergency services is concerned it is need. He gave an example of house fire with no house phone and no cell service. When you are on route 26 there is no service.

Daniel Brogan stated he worked on towers for 10 years. He had to wear RF radiation meter and it went off all the time. He asked if it was a self-supporter tower, was advised yes, it is. He said that the RF that is emitted can get in the crops, then that gets fed to the cows, etc..

Mrs. Burkey wanted to know if there was a contract limit, for 5G, 6G, 7G etc. She had heard that they could raise the tower another 20 feet without community consent. In 2012 there was a law passed giving the ability to raise the tower up to 20 feet.

Stephen Gorman said he was okay with the tower with losing service and community growth it is needed. As far as property values are concerned, he said that his personal experience is had his house up for sale before the tower notification and once the public was notified he had 2 offers withdrawn on his house. People want to move to the country, see a country view not a cell tower.

Pete Wilcox wanted to know if it would bring better internet. Could possibly happen, and a wireless router could be used being closer to the tower.

Skip Staelens asked if there were any more towers in the works for our town. We have one in village, a proposed one on Harney Rd and now this one. Mr. Lusk stated that the more populated the area the closer the cell towers need to be, some places have a tower every 1.5-2 miles apart. He also advised that even with the proposed towers the town is not completely covered.

Josh Lewis again mentioned that we need a bylaw in place so that new setbacks could be in place and would need to be followed. He said he can help with that. He is concerned with the health risks to the children and suggested the board go to the "Children's Health Fund" and read up on it. He was advised that it is believed that the Town Board would have to do the moratorium and that they should attend the town board meeting. He asked if the board was going to discuss making changes and have another public hearing for more public input.

Paul advised everyone that the board would accept written comments until October 15th. People are welcome to come to the next meeting of the Zoning Board on November 12th.

Hearing adjourned at 7:55 PM

Respectfully submitted,

Anne Brown 

Zoning Secretary for Town of Augusta