The following Town Officials were in attendance:

Supervisor: Douglas LaGrange
Councilperson: Adam Greenberg
Daniel Leinung
William Hennessy
Patricia Snyder
Absent

Town Attorney: Michael Naughton
Town Clerk: Diane Deschenes
Absent

1. Call to Order
Supervisor LaGrange called the hearing to order at 6:45 PM on proposed Local Law B of 2019, a local law amending Local Law 6 of the year 2004 of the town of New Scotland. This is regarding small scale cell technology. This is an amendment to our existing cell law. It was advertised, and the Clerk has given confirmation of that.

Councilperson Hennessy said that late last year the Federal Communication Commission passed a law allowing them to construct 5G cell towers in neighborhoods with little oversight from municipalities and little ability for planning and zoning compliance issues. What it did allow was zoning law amendments to address aesthetic issues and related issues. The Town has sought to do such. Other municipalities in the area have also done that and are proceeding. There are timeframes that we have to comply with. We are under the gun to do so. Our Planning and Zoning Attorney, Crystal Peck, has drafted the law that is before us for this public hearing.

Supervisor LaGrange said that this went to our Planning Board who had a couple of suggestions which were incorporated. Attorney Peck agreed adding that most of their suggestions involved grammatical or typographical formatting changes, and all of those revisions were made within this.

Supervisor LaGrange said that this didn’t get to Albany County Planning because of their schedule. Attorney Peck said it went to Albany County Planning to be put on their agenda for this month. Their meeting is not until March 21st. He would expect that they will probably issue a recommendation at that meeting; otherwise, it needs to sit there for 30 days to wait for the referral process. Supervisor LaGrange said that he believes it was there on March 11th.
Attorney Peck agreed. Supervisor LaGrange said that it makes it for our April meeting. Attorney Peck said that it does not make it for the April 10th meeting. It would be a day shy of the April 10th meeting. Supervisor LaGrange said that there are 31 days in March. Attorney Peck said that there are 31 days in March and it was referred on the 11th but you don’t count that day. You start with the 12th and go forward from there. Either way, she would expect that there is going to be a recommendation on March 21st. If there is not a recommendation on March 21st at that point in time we would have to consider scheduling a special meeting to adopt the law. Supervisor LaGrange said that when we get to that point on the agenda we will just skip it. Councilperson Snyder asked if we can do anything conditionally. Attorney Peck replied that you cannot. You cannot make a decision contingent or conditional upon the Albany County Planning Board. Councilperson Greenberg asked if we should leave the public hearing open. Attorney Peck said that she would leave the public hearing open and then close it at the next meeting, but it’s up to the Board. You can do it either way. It doesn’t matter one way or another; it just depends on how much comment you want to receive. Councilperson Hennessy said that he would close it. It’s been advertised. If we have issues from the Albany County Planning Board, that’s fine. He doesn’t want to jeopardize the shot clock.

Councilperson Snyder asked if we had received any written comments from anyone or any organization? Supervisor LaGrange replied that we had not.

Councilperson Snyder thanked Attorney Peck for her work on this. Voorheesville is also working on something similar to what the Town of New Scotland is doing. Attorney Peck said that several municipalities have all of a sudden put together drafts to be adopted by April.
Councilperson Hennessy said that Guilderland has one at the Albany County Planning Board now. Councilperson Greenberg added that Attorney Peck should be charging for everyone else’s, as well. Attorney Peck said that she shared ours with Saratoga Springs as well, and she knows that they are using it as a template. They’re planning to adopt it in April. Councilperson Greenberg said that he believes the article that was in the Enterprise a month ago triggered an awful lot of motion.

Supervisor LaGrange noted that there were no comments from the public.

2. Adjourn
Supervisor LaGrange made a motion to adjourn, seconded by Councilperson Snyder. The meeting adjourned at 6:55 PM.

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Diane R. Deschenes, Town Clerk