

**Zoning Board of Appeals**  
**Meeting Minutes of Monday, June 8, 2026**  
**Approved**

Present: Chairman John Steinmetz, Members Kim Fay, Elaine Begy, Harry Reiter, Joe Ruta, Alternate Members Laura Pettine and Paul Cliff, Village Liaison Christine Brower, Deputy Clerk Amy Harter, Recording Secretary Fawn Cretelle-Galan

Guests: Independent Radio-frequency Engineering Consultant Bill Johnson, Dave and Ann Wright

This meeting was held in the Board Room and on Zoom.

1. Chairman Steinmetz called the meeting to order at 6:30 p.m. with the Pledge of Allegiance to the flag and a moment of silence.
2. Chairman Steinmetz declares, for the minutes, that a quorum is present so the meeting may proceed as planned.

**Minutes**

The board reviewed the meeting minutes of May 11, 2026. Member Begy made a motion to approve the minutes with corrections made, seconded by Member Fay, carried 5-0. Alternate Members Pettine and Cliff did not vote.

**Review**

Tower- Wireless Telecommunications Services Facility RF Site Review Proposed Modification and Upgrade – 144 South Avenue Bell Atlantic Mobile Systems LLC d/b/a Verizon

RF Engineering Consultant Bill Johnson spoke with Verizon's attorney and recommended that the Zoning Board deny the application due to mistakes and Verizon failing to meet federal law requirements. There was some confusion regarding the "alternate" sites with Verizon's engineers; alternate sites had been proposed by the Zoning Board and the engineers believed these sites were "in addition to" the Pleasure Lanes site. Mr. Johnson suggested that Verizon withdraw their application, returning with a revised and complete application. Verizon's attorney agreed to table the application, though there is some ambiguity due to the 60-day extension being granted and expiring at the end of month. Mr. Johnson was hoping to speak with Verizon's attorney at tonight's meeting.

Verizon's plan is to wait for completion of the Hilton DT site (located about 120' west of the village jurisdictional boundary on the south side of Old Hojack Road, across from Apple

Country Storage) to see how much traffic that site grabs from saturated sites. Collecting that information over weeks and months will give capacity information, plots, and current data for analysis.

Verizon's engineers claim that they have not had any problems regarding physical safety around their towers such as falling ice, though they admit their sites are usually fenced and contain warning signs. They may have some ideas regarding modifications to the design of the tower. Mr. Johnson has not heard anything since the application was tabled. The "Hilton DT" site is not yet constructed.

Chairman Steinmetz asked Mr. Johnson to review the 3 legal thresholds.

Mr. Johnson stated that according to the 2nd Court of Appeals, the public utility must demonstrate need, show that their proposal will mitigate the deficiency, and be minimally intrusive to the community. He notes if only one approach was considered how could it be deemed the most minimally intrusive? What else was considered?

Chairman Steinmetz recaps that on the surface, small cells are intrusive but could accomplish the same thing with technology.

Mr. Johnson states Verizon must show other approaches would not work and describes a case of a nuclear facility in which the court deemed a 20% cost to minimize intrusiveness, beyond the cost of the facility, to be substantial- of which would be passed on to the public. Attention must be paid to the reasonableness of cost.

Chairman Steinmetz questions the completeness of the application.

Mr. Johnson states the FCC established a regulation that a decision must be made within a reasonable fixed period of time, also known as the shot clock. The board must put in writing what is missing from the application and deliver it to Verizon to stop the shot clock (missing plots, etc.). If nothing is done, the application is deemed accepted and complete. He notes Verizon cooperates well and has very few incomplete applications.

Member Fay asked if the decision making shot clock is stopped while the application is tabled.

Mr. Johnson notes that one judge might see the table as a stop to the clock while another may ask why no extension was sought.

It was questioned if the board should request another 60-day extension to be safe. Member Pettine clarifies that the engineers agreed to table the application.

Mr. Johnson states that Verizon does not want the board to vote 'no' on the application. Verizon's lawyer knew it was agreeable with all involved to table the application.

Member Ruta commented on Verizon being better served waiting for the other site.

Mr. Johnson agreed that when the Hilton DT tower goes up and metrics are collected, Verizon will be ready to talk again.

Member Fay questioned whether waiting what could amount to a year for the Hilton DT tower to be online would stop the process.

Mr. Johnson notes this is why the application has been tabled.

There is some discussion regarding contact with the Village attorney.

Member Pettine asks if the village attorney sent a request for extension to Verizon's attorney and if the board could reject the application and ask for resubmittal when we have more data.

Mr. Johnson notes that Verizon wants to collaborate.

Member Begy asks how long the application can be tabled?

Mr. Johnson answers that Verizon wants to table the application to figure out what their next move is.

Chairman Steinmetz talks about some codes having expiration dates on applications.

Member Reither questions whether a 60-day extension is enough since the new tower will not be up for a year.

Mr. Johnson recommends that the board request a 60-day extension after the application has been re-tabled to collect information to vote, etc.

Chairman Steinmetz asked if six months of operational data is enough to make a decision.

Mr. Johnson reflects that things are constantly changing, events like a carnival can cause changes in capacity. Typically, a one-year period will be able to capture dramatic spikes.

Discussion ensues on the timing, when the application shot clock starts, extensions and the tabled application.

Mr. Johnson clarifies that if the application is deemed complete, the clock starts that day. Applications should be declared incomplete if more information is needed. He notes that applications cannot be tabled forever.

Chairman Steinmetz clarified there are different time frames for applications and permits. He will reach out to the attorney, as the board feels another extension is in order unless Verizon is withdrawing their application. Since the “clock” doesn’t stop just because they are not present at the meeting, the extension is preferred.

Discussion ensues regarding the specific way utilities are required to have their own equipment, antenna, etc. by congress to encourage competition.

Trustee Christine Brower raised concern about safety for homes on the south side of the proposed site, which are on a hill, and would be closer in line with the beam of the antenna.

Mr. Johnson confirmed that the FCC has threshold rules that apply, and we can have Verizon run an assessment. Verizon has not proven their need for this site yet.

Parkland Place - 261 East Avenue

The Applicant has not paid their engineering fees that are due to the Village of Hilton, therefore, the application has been paused until payment is received. The deadline is approaching as approximately 42 days have passed. There was some discussion regarding applying performance bonds to applicants and defining reviewable applications versus complete applications in our code.

Christine Brower, Village Board liaison, gave her update.

The July Zoning Board of Appeals meeting was moved to Tuesday, July 14th, with meetings to fall on the second Mondays starting again in August.

Member Fay made a motion to adjourn, seconded by Member Ruta. Motion carried 5-0.

Next Meeting: Tuesday, July 14, 2026

Agenda Deadline: Tuesday, June 23, 2026

Respectfully submitted,

Fawn Cretelle-Galan  
Recording Secretary