

**HAROLD GARY**  
*Chairman*

**CRAIG PAEPRER**  
*Vice Chairman*

**BOARD MEMBERS**  
**ANTHONY GIANNICO**  
**DAVE FURFARO**  
**CARL STONE**  
**KIM KUGLER**  
**RAYMOND COTE**

**TOWN OF CARMEL**  
**PLANNING BOARD**



60 McAlpin Avenue  
Mahopac, New York 10541  
Tel. (845) 628-1500 – Ext.190  
[www.ci.carmel.ny.us](http://www.ci.carmel.ny.us)

**MICHAEL CARNAZZA**  
*Director of Code  
Enforcement*

**RICHARD FRANZETTI, P.E.**  
*Town Engineer*

**PATRICK CLEARY,**  
AICP, CEP, PP, LEED AP  
*Town Planner*

**VINCENT FRANZE**  
*Architectural Consultant*

**PLANNING BOARD AGENDA**  
**SEPTEMBER 13, 2017 – 7:00 P.M.**

**MEETING ROOM #2**

**TAX MAP #   PUB. HEARING   MAP DATE   COMMENTS**

**RESOLUTION**

1.   Sansevera, John – 47 Gleneida Ridge Road	55.5-1-4	07/07/17	Regrading Application
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**SITE PLAN**

2.   Hilltop Manor Realty – 164 East Lake Blvd	76.22-1-5	07/15/17	Site Plan
3.   NY Fuel Distributors (Coco Farms) 1923 Route 6	55.11-1-40	06/20/17	Amended Site Plan
4.   New York SMSA Limited Partnership – d/b/a Verizon Wireless – 954 Route 6	65.9-1-24	07/31/17	Amended Site Plan

**SUBDIVISION**

5.   Infantino, Thomas & Lori – 453 North Lake Blvd	64.12-1-56	09/01/17	Sketch Plan
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**MISC.**

6.   McDonald's USA, LLC -1931 Route 6, Carmel	55.11-1-41		Bond Return
7.   Minutes – 07/26/17 & 08/16/17			

**TOWN BOARD REFERRAL**

8.   Proposed Ordinance Regarding Wireless Telecommunications			
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August 30, 2017

Harold Gary and Members of the Planning Board  
Town of Carmel Town Hall  
60 McAlpin Ave  
Mahopac, NY 10541

Re: Hilltop Manor Realty  
164 East Lake Blvd  
Mahopac, NY 10541  
TM #76.22-1-5

Dear Harold and Members of the Board,

On August 17, 2017 the Environmental Conservation Board approved the open Boathouse. Therefore, I would appreciate being placed on the Planning Board Agenda of Wednesday September 13, 2017 so we can proceed to our final approval.

Thanking you in advance for your interest and cooperation in this matter.

Very truly yours

A handwritten signature in cursive script that reads "Joel Greenberg".

Joel Greenberg  
JLG:tmz

Two Muscoot Road North  
Mahopac, New York 10541  
P: (845) 628-6613 F: (845) 628-2807  
Email: [joel.greenberg@arch-visions.com](mailto:joel.greenberg@arch-visions.com)  
[www.arch-visions.com](http://www.arch-visions.com)



# NOTES

1. See special notes sheet 01.
2. See special notes sheet 02.
3. Lateral movement of the foundation.
4. See special notes sheet 03.
5. See special notes sheet 04.
6. The foundation will be made of concrete and some steel reinforcement.
7. The foundation will be 24" wide and the base will be 18" high.
8. The foundation will be 15" thick.
9. The foundation will be secured by a series of concrete columns.

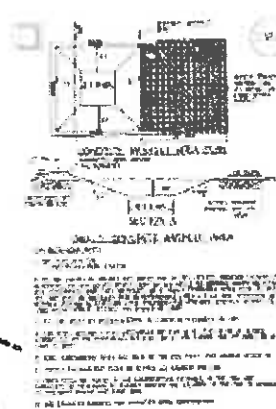
## SEQUENCE OF CONSTRUCTION

1. Excavate and install foundation.
2. Lay out and install foundation.
3. Lay out and install foundation.
4. Lay out and install foundation.
5. Lay out and install foundation.
6. Lay out and install foundation.
7. Lay out and install foundation.
8. Lay out and install foundation.
9. Lay out and install foundation.

LAKE MAHOPAC  
HIGH WATER MARK  
1911.4

IF OVER 1000 GALLONS OF WATER ARE FOUND IN THE AREA OF THE FOUNDATION, THE FOUNDATION SHALL BE REINFORCED WITH STEEL.

1. Excavate and install foundation.
2. Lay out and install foundation.
3. Lay out and install foundation.
4. Lay out and install foundation.
5. Lay out and install foundation.
6. Lay out and install foundation.
7. Lay out and install foundation.
8. Lay out and install foundation.
9. Lay out and install foundation.



- Site Data Notes
1. Owner - Mahop Manor Realty Corp.  
PO Box 630  
Mahopac, NY 10541  
914-428-0000
  2. Project Location - 164 East Lake Blvd.  
70 N. 100 - TMS 78 22-01-5
  3. Proposed Use - A house with no more than 1000 sq. ft.
  4. Water - existing well
  5. Sewer - connected to existing sewer line
  6. Snow Load - 100 PSF
  7. Wind Load - 110 MPH
  8. Wind Exposure - C
  9. Seismic Design -  
a. Design Category - D  
b. Site Class - I  
c. Group - I

Existing Conditions	Proposed	Existing	Proposed
Lot Area	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Lot Coverage	10%	10%	10%
Lot Width	100 ft.	100 ft.	100 ft.
Lot Depth	100 ft.	100 ft.	100 ft.
Front Yard	10 ft.	10 ft.	10 ft.
Side Yard	10 ft.	10 ft.	10 ft.
Back Yard	10 ft.	10 ft.	10 ft.
Minimum Required Front Yard	10 ft.	10 ft.	10 ft.
Minimum Required Side Yard	10 ft.	10 ft.	10 ft.
Minimum Required Back Yard	10 ft.	10 ft.	10 ft.
Minimum Required Total Area	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Minimum Required Total Area	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Minimum Required Total Area	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.

(P) SEE EXISTING 1000 GALLON TANK

EXIST - 1000 GALLON TANK



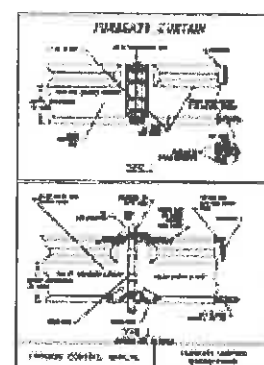
**ARCHITECTURAL VISIONS**  
 2 HURLOCK ROAD NORTH  
 MAHOPAC, NY 10541  
 P 914-428-0000  
 F 914-428-0001

**NOTES**  
 1. SEE SPECIAL NOTES SHEET 01  
 2. SEE SPECIAL NOTES SHEET 02  
 3. SEE SPECIAL NOTES SHEET 03  
 4. SEE SPECIAL NOTES SHEET 04  
 5. SEE SPECIAL NOTES SHEET 05  
 6. SEE SPECIAL NOTES SHEET 06  
 7. SEE SPECIAL NOTES SHEET 07  
 8. SEE SPECIAL NOTES SHEET 08  
 9. SEE SPECIAL NOTES SHEET 09  
 10. SEE SPECIAL NOTES SHEET 10

**SCALE**  
 1" = 10'

**PROJECT NO.**  
 1000

SITE PLAN - 10.19.00  
SHEET NO. 1 OF 1  
DATE: 10.19.00



A-101

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**

94 WHITE PLAINS ROAD  
TARRYTOWN, NEW YORK 10591

(914) 333-0700

FAX (914) 333-0743

WRITER'S E-MAIL ADDRESS

[jfry@snyderlaw.net](mailto:jfry@snyderlaw.net)

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445 PARK AVENUE, 9TH FLOOR  
NEW YORK, NEW YORK 10022  
(212) 749-1448  
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LESLIE J. SNYDER  
ROBERT D. GAUDIOSO

DAVID L. SNYDER  
(1956-2012)

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 824-9772  
FAX (973) 824-9774

REPLY TO:

WESTCHESTER OFFICE

August 21, 2017

Honorable Chairman Harold Gary  
and Members of the Planning Board  
Town of Carmel Town Hall  
60 McAlpin Avenue  
Mahopac, New York 10541

Re: Application by New York SMSA Limited Partnership d/b/a Verizon Wireless  
to Install a Public Utility Wireless Communications Facility on the Roof of the  
Building Located at 954 Route 6, Mahopac, New York

Honorable Chairman Gary  
and Members of the Planning Board:

We are the attorneys for New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") in connection with its request for site plan approval to locate a public utility wireless communications facility ("Facility") on the roof of the building ("Building") at the above captioned property ("Property"). The proposed Facility consists of antennas strategically concealed within a stealth enclosure on the roof of the Building to shield same from view and to blend in with the architectural design of the Building, together with related equipment on the Building rooftop. The Property is located in the C (Commercial) Zoning District where the Facility is permitted in accordance with Sections 156-37 and 156-61 of the Town of Carmel Zoning Code.

Verizon Wireless is a provider of wireless communications services, and is licensed by the Federal Communications Commission to provide same throughout the New York metropolitan area, including the Town of Carmel. The Facility will enable Verizon Wireless to enhance its wireless services to the area surrounding the Property.

In support of the foregoing, Verizon Wireless is pleased to enclose the following materials:

1. Three (3) checks made payable to the Town of Carmel, in the amount of \$3,000.00 (site plan application fee), \$150.00 (town architect review fee), and \$35.00 (sign fee);

2. Eleven (11) copies of the Site Plan Application Form;
3. Two (2) copies of the Disclosure Statement;
4. Eleven (11) copies of the Memorandum in Support of the Application;
5. Eleven (11) copies of the short Environmental Assessment Form<sup>1</sup>; and
6. Five (5) copies of the Site Plan.

We thank you for your consideration, and look forward to discussing this matter at the Planning Board's September 13, 2017 meeting. If you have any questions or require any additional documentation, please do not hesitate to contact me or Leslie Snyder at 914-333-0700.

Snyder & Snyder, LLP

By:   
Jordan M. Fry

JF:lc

Enclosures

cc: Verizon Wireless  
French & Parrello  
Environmental Conservation Board  
Mahopac Fire Department  
Putnam County Health Department

z:\ssdata\wpdata\ss4\wp\newbanm\breyer\small cell sites\mahopac 8\zoning\pb letter.lc.7.26.17.fin.rtf

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<sup>1</sup>Please note that it is respectfully submitted that the application is a Type II action under the New York State Environmental Quality Review Act ("SEQRA") since it involves construction of a non-residential structure involving less than 4000 square feet under 6 NYCRR 617.5 (c) (7). Under SEQRA, a Type II action is deemed not to have a significant impact on the environment or are otherwise precluded from environmental review.



Verizon Wireless  
TOWN OF CARMEL  
**SITE PLAN APPLICATION  
INSTRUCTIONS**



The Town of Carmel Planning Board meetings are held twice a month, on the second and fourth Wednesday's, at 7:00 PM at Carmel Town Hall, 60 McAlpin Avenue, Carmel

The submission deadline is 10 days prior to the Planning Board meeting. New site plan applications that have been deemed complete will be placed on the agenda in the order they are received.

**No application will be placed on the agenda that is incomplete**

**Pre-Submission:**

Prior to the formal submission of the site plan, a pre-submission conference may be requested by the applicant to be conducted with representatives from the Town, which may include the Town Planner, Town Engineer, Director of Code Enforcement and/or the Planning Board Attorney. This conference will serve to educate the applicant on the process he/she must follow, clarify the information required to submit a complete site plan application, and to highlight any specific areas of concern. You may arrange a pre-submission conference through the Planning Board Secretary at (845) 628-1500 extension 190.

**Submission Requirements:**

At least 10 days prior to the Planning Board meeting, the site plan application shall be submitted to the Planning Board Secretary as follows:

All site plans shall be signed, sealed and folded with the title box legible. The application package shall include:

- ☒ 11 copies of the Site Plan Application Form, signed and notarized.
- ☒ 11 copies of the SEQR Environmental Assessment Form (use of short form or long form shall be determined at pre-submission conference).
- ☒ 5 full size sets of the Site Plan (including floor plans and elevations)
- ☒ 1 CD (in pdf. format) containing an electronic version of the Site Plan
- ☒ 2 copies of the Disclosure Statement
- ☒ 11 copies of the Site Plan Completeness Certification Form
- ☒ All supplemental studies, reports, plans and renderings.
- ☒ 2 copies of the current deed.
- ☒ 2 copies of all easements, covenants and restrictions.
- ☒ The appropriate fee, determined from the attached fee schedule. Make checks payable to the *Town of Carmel*.

*Rose Grimaldi* 8/24/17  
Planning Board Secretary; Date

*[Signature]* 8/24/17  
Town Engineer; Date



# TOWN OF CARMEL SITE PLAN APPLICATION



Per Town of Carmel Code – Section 156 - Zoning

SITE IDENTIFICATION INFORMATION		
<b>Application Name:</b> New York SMSA Limited Partnership d/b/a Verizon Wireless public utility wireless communications facility		<b>Application #</b> 17-0011
<b>Site Address:</b> No. 954      Street: Route 6      Hamlet: Mahopac		<b>Date Submitted:</b> 8/22/17
<b>Property Location:</b> (Identify landmarks, distance from intersections, etc.) On Rte 6N, adjacent to East Lake Blvd.		
<b>Town of Carmel Tax Map Designation:</b> Section 65.9    Block 1    Lot(s) 24		<b>Zoning Designation of Site:</b> C (Commercial)
<b>Property Deed Recorded In County Clerk's Office</b> Date      Liber      Page		<b>Liens, Mortgages or other Encumbrances</b> Yes      No
<b>Existing Easements Relating to the Site</b> No    Yes    Describe and attach copies:		<b>Are Easements Proposed?</b> No    Yes    Describe and attach copies:
<b>Have Property Owners within a 500' Radius of the Site Been Identified?</b> See list on site plan submitted herewith. <u>Yes</u> No      Attached List to this Application Form      Mailings will be done upon scheduling public hearing.		
APPLICANT/OWNER INFORMATION		
<b>Property Owner:</b> 888 Route 6, LLC		<b>Phone #:</b> <b>Fax#:</b>
<b>Owners Address:</b> No. 888    Street: Route 6      Town: Mahopac      State: NY Zip: 10541		
<b>Applicant (If different than owner):</b> New York SMSA Limited Partnership d/b/a Verizon Wireless c/o Snyder & Snyder		<b>Phone #:</b> (914) 333-0700 <b>Fax#:</b> (914) 333-0743
<b>Applicant Address (If different than owner):</b> No. 94    Street: White Plains Road      Town: Tarrytown      State: NY Zip: 10591		
<b>Individual/ Firm Responsible for Preparing Site Plan:</b> French & Parrello Associates		<b>Phone #:</b> (732) 312-9800 <b>Fax#:</b>
<b>Address:</b> No.    Street:      Town:      State:    Zip:		
<b>Other Representatives:</b> Snyder & Snyder LLP		<b>Phone #:</b> (914) 333-0700 <b>Fax#:</b> (914) 333-0743
<b>Owner's Address:</b> No. 94    Street: White Plains Road      Town: Tarrytown      State: NY Zip: 10591		
PROJECT DESCRIPTION		
<b>Describe the project, proposed use and operation thereof:</b> Installation of public utility wireless communications facility consisting of antennas concealed within a stealth enclosure designed to blend in with the architectural design of the Building together with related equipment on the Building rooftop.		



## TOWN OF CARMEL SITE PLAN APPLICATION

PROJECT INFORMATION			
Lot size: Acres: +/- .27      Square Feet: +/- 11,761		Square footage of all existing structures (by floor): N/A	
# of existing parking spaces: 14		# of proposed parking spaces: See footnote below	
# of existing dwelling units: 0		# of proposed dwelling units: 0	
Is the site served by the following public utility infrastructure:			
<ul style="list-style-type: none"> <li>▪ Is project in sewer district or will private septic system(s) be installed? <u>N/A</u></li> <li>▪ If yes to Sanitary Sewer answer the following: <ul style="list-style-type: none"> <li>▶ Does approval exist to connect to sewer main? Yes: <input type="checkbox"/> No: <input type="checkbox"/></li> <li>▶ Is this an in-district connection? _____ Out-of district connection? _____</li> <li>▶ What is the total sewer capacity at time of application? _____</li> <li>▶ What is your anticipated average and maximum daily flow _____</li> </ul> </li> </ul>			
<p><i>For Town of Carmel Town Engineer</i></p> <p>▶ What is the sewer capacity _____ N/A, the proposed facility is unmanned and therefore does not require water, sewer, or additional parking</p>			
<ul style="list-style-type: none"> <li>▪ Water Supply      Yes: <input type="checkbox"/> No: <input type="checkbox"/></li> <li>If Yes:      ▶ Does approval exist to connect to water main? Yes: <input type="checkbox"/> No: <input type="checkbox"/></li> <li>                 ▶ What is the total water capacity at time of application? _____</li> <li>                 ▶ What is your anticipated average and maximum daily demand _____</li> <li>▪ Storm Sewer      Yes: <input type="checkbox"/> No: <input type="checkbox"/> N/A no increase in impermeable surface area is proposed as the facility will be located on the roof of the existing building</li> <li>▪ Electric Service      Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/></li> <li>▪ Gas Service      Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/></li> <li>• Telephone/Cable Lines      Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/></li> </ul>			
<p><i>For Town of Carmel Town Engineer</i></p> <p>Water Flows <u>N/A</u>      Sewer Flows <u>N/A</u>      8/24/17</p>			
Town Engineer; Date			
What is the predominant soil type(s) on the site? <u>N/A the facility will be located on</u>		What is the approximate depth to water table? <u>the roof of the existing building</u>	
Site slope categories:		15-25% <u>0</u> %      25-35% <u>0</u> %      >35% <u>0</u> %	
Estimated quantity of excavation:		Cut (C.Y.) <u>0</u> Fill (C.Y.) <u>0</u>	
Is Blasting Proposed      Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> Unknown: <input type="checkbox"/>		Is the site located in a designated Critical Environmental Area?      Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	
Does a curb cut exist on the site?      Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>		Are new curb cuts proposed?      Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	
What is the sight distance?      Left _____      Right _____		Is the site located within 500' of:	
• The boundary of an adjoining city, town or village		Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	
• The boundary of a state or county park, recreation area or road right-of-way		Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	
• A county drainage channel line.		Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	
• The boundary of state or county owned land on which a building is located		Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	

The required two (2) parking spaces are available to the Applicant in the parking lot (Lot 26) adjacent to the Property owned by an affiliate of the Property owner.

## TOWN OF CARMEL SITE PLAN APPLICATION

Is the site listed on the State or Federal Register of Historic Place (or substantially contiguous) Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Is the site located in a designated floodplain? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Will the project require coverage under the Current NYSDEC Stormwater Regulations <div style="text-align: right;">Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></div>			
Will the project require coverage under the Current NYDEP Stormwater Regulations <div style="text-align: right;">Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></div>			
Does the site disturb more than 5,000 sq ft		Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	
Does the site disturb more than 1 acre		Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	
Does the site contain freshwater wetlands? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Jurisdiction: NYCDEC: <input type="checkbox"/> Town of Carmel: <input type="checkbox"/>			
<i>If present, the wetlands must be delineated in the field by a Wetland Professional, and survey located on the Site Plan.</i>			
Are encroachments in regulated wetlands or wetland buffers proposed? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Does this application require a referral to the Environmental Conservation Board?		Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	
Does the site contain waterbodies, streams or watercourses? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Are any encroachments, crossings or alterations proposed? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Is the site located adjacent to New York City watershed lands? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Is the project funded, partially or in total, by grants or loans from a public source? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Will municipal or private solid waste disposal be utilized? N/A, the proposed facility is unmanned and Public: <input type="checkbox"/> Private: <input type="checkbox"/> therefore will not generate any waste necessitating disposal			
Has this application been referred to the Fire Department? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>			
What is the estimated time of construction for the project? <div style="text-align: right;">4 Weeks</div>			
ZONING COMPLIANCE INFORMATION			
Zoning Provision	Required	Existing	Proposed
Lot Area			
Lot Coverage			
Lot Width			
Lot Depth			
Front Yard			
Side Yard	SEE S-1 OF SITE PLAN SUBMITTED HEREWITH		
Rear Yard			
Minimum Required Floor Area			
Floor Area Ratio			
Height			
Off-Street Parking			
Off-Street Loading			

## TOWN OF CARMEL SITE PLAN APPLICATION

Will variances be required? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> <i>See footnote below</i>	If yes, identify variances:
PROPOSED BUILDING MATERIALS	
Foundation	N/A
Structural System	Steel
Roof	N/A
Exterior Walls	RF Transparent Screening to match building
APPLICANTS ACKNOWLEDGEMENT	
I hereby depose and certify that all the above statements and information, and all statements and information contained in the supporting documents and drawings attached hereto are true and correct.	
New York SMSA Limited Partnership d/b/a Verizon Wireless Applicants Name	New York SMSA Limited Partnership d/b/a Verizon Wireless By: <u><i>John M. 28</i></u> Applicants Signature
Sworn before me this <u>21<sup>st</sup></u> day of <u>August</u> 20 <u>17</u>	
<u><i>[Signature]</i></u> Notary Public	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">           David James Kenny            NOTARY PUBLIC, STATE OF NEW YORK            Registration No. 02KE6343903            Qualified in Westchester County            Commission Expires June 20, 2020         </div>

The required two (2) parking spaces are available to the Applicant in the parking lot (Lot 26) adjacent to the Property owned by an affiliate of the Property owner.



# TOWN OF CARMEL SITE PLAN COMPLETENESS CERTIFICATION FORM



All Site Plans submitted to the Planning Board for review shall include the following information and details, as set forth in Section 156-61 B of the Town of Carmel Zoning Ordinance.

This form shall be included with the site plan submission

Requirement Data		To Be Completed by the Applicant	Waived by the Town
1	Name and title of person preparing the site plan	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
2	Name of the applicant and owner (if different from applicant)	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
3	Original drawing date, revision dates, scale and north arrow	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
4	Tax map, block and lot number(s), zoning district	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
5	All existing property lines, name of owner of each property within a 500' radius of the site	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
6	Contour lines at two-foot intervals, grades of all roads, driveways, sanitary and storm sewers	<input checked="" type="checkbox"/> * ✓	<input type="checkbox"/>
7	The location of all water bodies, streams, watercourses, wetland areas, wooded areas, rights-of-way, streets, roads, highways, railroads, buildings, structures	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
8	The location of all existing and proposed easements	<input checked="" type="checkbox"/> N/A ✓	<input type="checkbox"/>
9	The location of all existing and proposed structures, their use, setback dimensions, floor plans, front, side and rear elevations, buildable area.	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
10	On site circulation systems, access, egress ways and service roads, emergency service access and traffic mitigation measures	<input checked="" type="checkbox"/> N/A ✓	<input type="checkbox"/>
11	Sidewalks, paths and other means of pedestrian circulation	<input checked="" type="checkbox"/> N/A ✓	<input type="checkbox"/>
12	On-site parking and loading spaces and travel aisles with dimensions	<input checked="" type="checkbox"/> N/A ✓	<input type="checkbox"/>
13	The location, height and type of exterior lighting fixtures	<input checked="" type="checkbox"/> **	<input type="checkbox"/>
14	Proposed signage	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
15	For non-residential uses, an estimate of the number of employees who will be using the site, description of the operation, types of products sold, types of machinery and equipment used	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>

\*Waiver requested. See Memorandum in Support of Application submitted herewith.

\*\*See Memorandum in Support submitted herewith



# TOWN OF CARMEL SITE PLAN COMPLETENESS CERTIFICATION FORM




	Requirement Data	To Be Completed by the Applicant	Waived by the Town
16	The location of clubhouses, swimming pools, open spaces, parks or other recreational areas, and identification of who is responsible for maintenance	<input checked="" type="checkbox"/> N/A ✓	<input type="checkbox"/>
17	The location and design of buffer areas, screening or other landscaping, including grading and water management. A comprehensive landscaping plan in accordance with the Tree Conservation Law	<input checked="" type="checkbox"/> **	<input type="checkbox"/>
18	The location of public and private utilities, maintenance responsibilities, trash and garbage areas	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
19	A list, certified by the Town Assessor, of all property owners within 500 feet of the site boundary	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>
20	Any other information required by the Planning Board which is reasonably necessary to ascertain compliance with this chapter	<input checked="" type="checkbox"/> ✓	<input type="checkbox"/>

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**Applicants Certification (to be completed by the licensed professional preparing the site plan:**

I Peter J. Tardy hereby certify that the site plan to which I have attached my seal and signature, meets all of the requirements of §156-61B of the Town of Carmel Zoning Ordinance:

  
 Signature - Applicant      Date 8/3/17

See attached letter of authorization  
 Signature - Owner      Date \_\_\_\_\_



Professionals Seal



**TOWN OF CARMEL  
SITE PLAN COMPLETENESS  
CERTIFICATION FORM**

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**Town Certification (to be completed by the Town)**

I \_\_\_\_\_ hereby confirm that the site plan meets all of the requirements of §156-61B of the Town of Carmel Zoning Ordinance:

Rose Yronlutta

Signature - Planning Board Secretary

8/24/17  
Date

Richard J. Smith

Signature Town Engineer

8/24/17  
Date

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

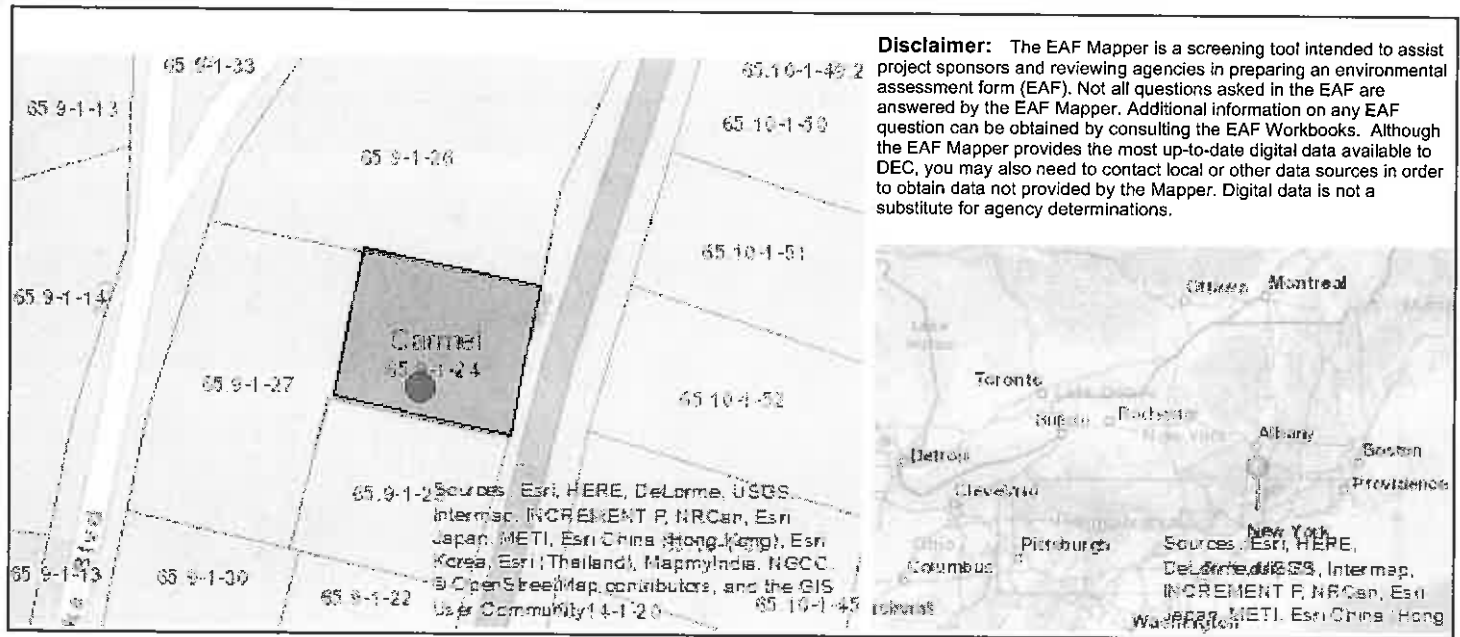
<b>Part 1 - Project and Sponsor Information</b>							
New York SMSA Limited Partnership d/b/a Verizon Wireless							
Name of Action or Project: Verizon Wireless Public Utility Wireless Communications Facility							
Project Location (describe, and attach a location map): 954 Route 6, Mahopac, NY (Town of Carmel, Putnam County)							
Brief Description of Proposed Action: The proposed action is the location of a public utility wireless communications facility ("Facility") on the roof of the existing building ("Existing Building") located at the above referenced property, consisting of antennas behind a screen wall, together with related equipment on the roof.							
Name of Applicant or Sponsor: New York SMSA Limited Partnership d/b/a Verizon Wireless c/o Snyder & Snyder, LLP		Telephone: 914-333-0700 E-Mail: jfry@snyderlaw.net					
Address: 94 White Plains Road							
City/PO: Tarrytown		State: NY	Zip Code: 10591				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Planning Board - Site Plan Approval Building Department - Building Permit			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? <span style="float: right;">0.01 acres</span> b. Total acreage to be physically disturbed? <span style="float: right;">0 acres</span> c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">0.27 acres</span>							
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							



5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ The Facility will be unmanned; therefore public, private, or potable water services are not required.	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ The Facility will be unmanned; therefore public, private, or potable water services are not required.	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?      *N/A, the Facility is proposed on the roof of the Existing Building	<input type="checkbox"/>	<input checked="" type="checkbox"/> *	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? *N/A, the Facility is proposed on the roof of the Existing Building	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/> *	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?      *N/A, the Facility is proposed on the roof of the Existing Building	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/> *	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>New York SMSA Limited Partnership d/b/a Verizon Wireless</u> Date: <u>8/21/2017</u> Signature: <u><i>John M. 88</i></u> _____, as attorney		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

## LETTER OF AUTHORIZATION

Municipality: Town of Carmel

### APPLICATION FOR APPROVALS

888 ROUTE SIX, LLC, the owner of the property located at 954 Route 6, Mahopac, New York (the "Property"), does hereby appoint New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless"), and its authorized representatives, as the owner's agent for the purpose of consummating any applications necessary to insure Verizon Wireless' ability to use the Property for the purpose of installing a communications facility on the Property, consisting of antennas and related equipment.

Assessor's Parcel Number: Section 65.9, Block 1, Lot 24

Signature of Property Owner:  
888 ROUTE SIX, LLC

By:

  
Authorized Signatory

Name: Michael Barile

Title: Managing Member

Authorized Agent:

New York SMSA Limited Partnership d/b/a Verizon Wireless

Sworn to and subscribed to before me on this  
7<sup>th</sup> day of June, 2017.

  
Signature of Notary

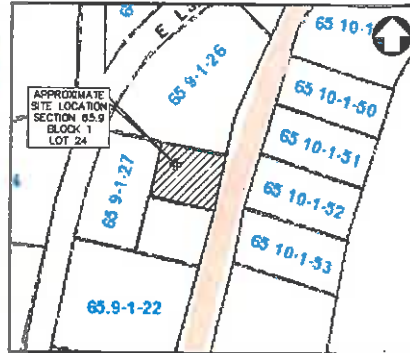
EMILY ANNE BARILE, ESQ.  
Notary Public, State of New York  
No. 02BA6331825  
Qualified In Putnam County  
Commission Expires 10-19-19

# NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS WIRELESS COMMUNICATION FACILITY



CARMEI TOWNSHIP ZONING MAP

SCALE: 1" = 400'



TAX MAP

SCALE: 1" = 100'



KEY MAP

SCALE: 1" = 500'

## PROJECT DATA

VERIZON WIRELESS SITE ID: MAHOPAC 8\_RSC  
SITE ADDRESS: 954 ROUTE 6  
MAHOPAC, NY 10541  
SECTION: 65.9  
BLOCK: 1  
LOT: 24  
ZONE: (C) COMMERCIAL  
NUMBER OF FLOORS: 2  
APPLICANT: NEW YORK SMSA LIMITED PARTNERSHIP d/b/a  
VERIZON WIRELESS  
4 CENTEROCK ROAD  
WEST NYACK, NY 10994  
OWNER: 888 ROUTE SIX LLC  
888 ROUTE 6  
MAHOPAC, NY 10541

## SITE DATA

PROJECT CODE: 30171824851  
LOCATION CODE: 488380  
LATITUDE: N 41° 23' 28.33"  
LONGITUDE: W 73° 42' 28.33"

## DRAWING SCHEDULE

DWG#	DRAWING TITLE
T-1	TITLE SHEET
S-1	SITE PLAN AND NOTES
S-2	ROOF PLAN AND EQUIPMENT PLAN
S-3	ANTENNA PLAN
S-4	ELEVATION PLAN
R-1	500' ABUTTERS LIST

## ZONING DRAWINGS MAHOPAC 8\_RSC 954 ROUTE 6, MAHOPAC, NEW YORK 10541 SECTION 65.9, BLOCK 1, LOT 24 PROPOSED SMALL CELL PUBLIC UTILITY TELECOMMUNICATION FACILITY TOWN OF CARMEI PUTNAM COUNTY NEW YORK

## SCHEDULE OF REVISIONS

NO.	REVISION	DATE
1	ISSUED AS PER SET	07/21/17
2	ISSUED AS PER COMMENTS	07/21/17
3	ISSUED AS PER COMMENTS	07/21/17
4	ISSUED AS PER COMMENTS	07/21/17
5	ISSUED AS PER COMMENTS	07/21/17
6	ISSUED AS PER COMMENTS	07/21/17
7	ISSUED AS PER COMMENTS	07/21/17
8	ISSUED AS PER COMMENTS	07/21/17
9	ISSUED AS PER COMMENTS	07/21/17
10	ISSUED AS PER COMMENTS	07/21/17

## NOTES

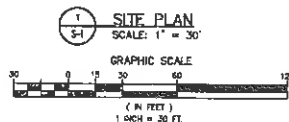
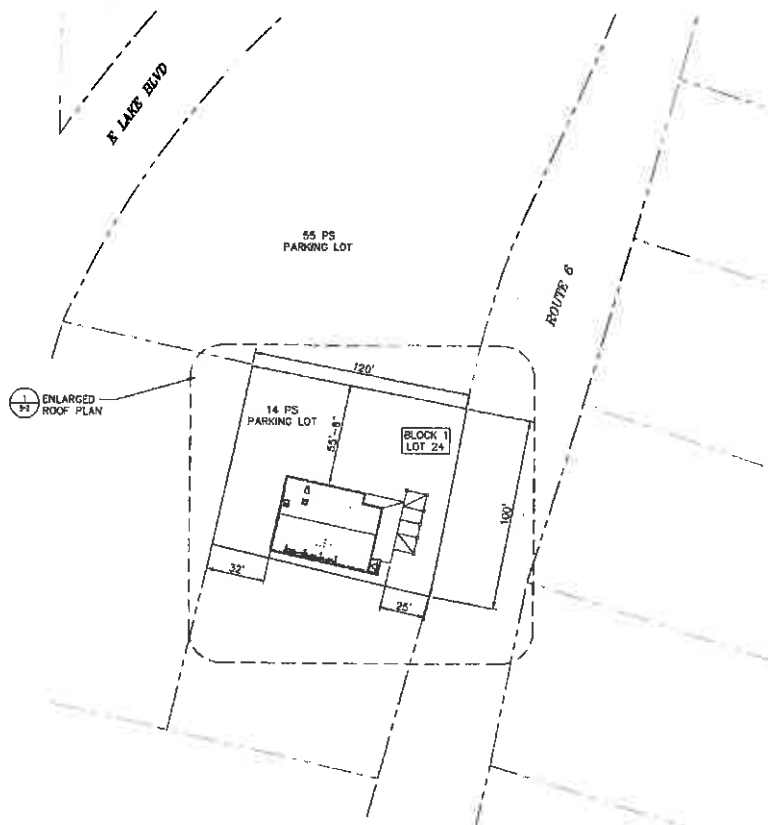
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NEW YORK SMSA LIMITED  
PARTNERSHIP d/b/a  
VERIZON WIRELESS  
4 CENTEROCK ROAD  
WEST NYACK, NY 10994



TITLE SHEET	
PROJECT: MAHOPAC 8_RSC 954 ROUTE 6 MAHOPAC, NEW YORK 10541 PUTNAM COUNTY	DRAWING ISSUE STATUS CURRENTLY - B
PROPERTY OWNER: 888 ROUTE SIX, LLC	PROJECT NO. 30171824851 PROJECT DATE: 07/21/17 DOCUMENT NO.
DESIGNED BY: T.S.S.	CHECKED BY: P.J.T.
SCALE: AS SHOWN	SHEET NO. 1 OF 8

PLAN NORTH



#### GENERAL NOTES:

- SUBJECT PROPERTY IS KNOWN AS BLOCK 1, LOT 24 IN THE TOWN OF MAHOPAC AS SHOWN ON THE PUTNAM COUNTY TAX MAP SITUATED AT 954 ROUTE 6, MAHOPAC, NEW YORK 10541.
- THE PROPERTY IS LOCATED WITHIN THE "COMMERCIAL" (C) ZONING DISTRICT.
- MAP INFORMATION SHOWN HAS BEEN TAKEN FROM FIELD MEASUREMENTS BY FRENCH & PARRELLO ASSOCIATES, AERIAL IMAGERY, AND DIGITAL TAX MAPS FOUND ON THE PUTNAM COUNTY ONLINE DATABASE.
- THE APPLICANT PROPOSES TO INSTALL A TELECOMMUNICATIONS FACILITY CONSISTING OF TWO (2) ANTENNAS, SIX (6) SMALL CELL UNITS, TWO (2) GPS UNITS, UTILITIES, AND ASSOCIATED EQUIPMENT ON THE EXISTING ROOFTOP. NEW STEALTH SCREENING TO BE BUILT WITH NEW RF FRIENDLY MATERIAL AND FRAMING TO CONCEAL ANTENNAS.
- THE PROPOSED FACILITY IS NOT INTENDED FOR PERMANENT EMPLOYEE OCCUPANCY AND THEREFORE POTABLE WATER, SANITARY SEWERS ARE NOT REQUIRED.
- THIS FACILITY SHALL BE VISITED ON THE AVERAGE OF ONCE A MONTH FOR MAINTENANCE AND SHALL BE OTHERWISE MONITORED FROM A REMOTE FACILITY. THE PROPOSED INSTALLATION IS PROPOSED WITHIN THE EXISTING BUILDING SUCH THAT LANDSCAPING NOR LIGHTING ARE PROPOSED.
- CONNECTION TO ELECTRICAL AND TELEPHONE UTILITIES TO BE DETERMINED BY THE APPROPRIATE UTILITY COMPANY.
- THIS SET OF PLANS HAS BEEN PREPARED FOR THE PURPOSES OF MUNICIPAL AND AGENCY REVIEW AND APPROVAL. THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED AND EACH OF THE DRAWINGS HAS BEEN REVISED TO INDICATE "ISSUED FOR CONSTRUCTION."
- FCC NOTICE AND GUIDELINE SIGNAGE TO BE POSTED AT EACH ANTENNA SECTOR IN ACCORDANCE WITH FCC REGULATIONS.
- THE EXISTING PARKING LOT WILL BE UTILIZED FOR MONTHLY MAINTENANCE VISITS.
- THE PROPOSED INSTALLATION IS ON THE ROOF OF THE EXISTING BUILDING; AS SUCH, NO LANDSCAPING OR LIGHTING IS PROPOSED.
- NO COMMERCIAL SIGNS ARE PROPOSED AS PART OF THIS APPLICATION.
- THERE WILL BE A NEGLIGIBLE INCREASE IN AMBIENT NOISE LEVELS OUTSIDE THE BUILDING AS A RESULT OF THE PROPOSED INSTALLATION.

ZONING DATA TABLE			
"COMMERCIAL" (C) ZONING DISTRICT			
TYPE	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	40,000 SF	±11,781 SF*	NO CHANGE
MIN. LOT WIDTH	200 FT	±180 FT*	NO CHANGE
MIN. LOT DEPTH	200 FT	±120 FT*	NO CHANGE
PRINCIPAL BUILDING SETBACK			
MIN. FRONT YARD	40 FT	±25 FT*	NO CHANGE
MIN. SIDE YARD	25 FT	±25 FT*	NO CHANGE
MIN. REAR YARD	30 FT	±32 FT*	NO CHANGE
MAX. BUILDING HEIGHT	35 FT (80 FT FOR OFFICE BUILDINGS)	±30 FT	NO CHANGE
MIN. FLOOR AREA	5,000 SF	±4,881 SF*	NO CHANGE
MAX. BUILDING COVERAGE	30% (40% FOR OFFICE BUILDINGS)	±21.1%	NO CHANGE
MIN. OFF-STREET PARKING			
PUBLIC UTILITY INSTALLATION	2 PS	0 PS	2 PS AVAILABLE IN ADJACENT LOT
PRINCIPAL BUILDING	1 PS PER 200 SF OF GROSS FLOOR AREA (4,881 SF/200 SF = 24.4 PS)	14 PS (±68 PS IN ADJACENT LOT)	NO CHANGE

TABLE OF BULK REQUIREMENT FOR COMMERCIAL ZONING ACCORDING TO §169 AND §168 ATTACHMENTS 1 OF THE TOWN OF GARFIELD NY ZONING CODE.

\* EXISTING NONCONFORMITY

#### SCHEDULE OF REVISIONS

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	07/21/17	LA
2	REVISED BASE TABLE	07/26/17	LA
3	ISSUED AS PER COMMENTS	07/27/17	CAK
4	REVISED AS PER ATTORNEY COMMENTS	07/27/17	TMS
5	ISSUED FOR REVIEW	08/22/17	TMS
6	DESCRIPTION OF CHANGES		

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**NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**  
4 CENTEROCK ROAD  
WEST NYACK, NY 10994



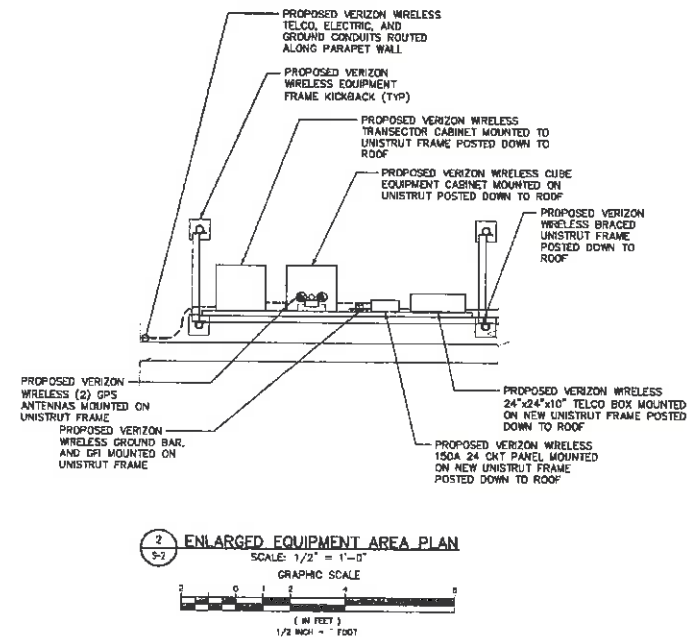
#### SITE PLAN AND NOTES

MAHOPAC 8\_RSC  
954 ROUTE 6  
MAHOPAC, NEW YORK 10541  
PUTNAM COUNTY

#### DRAWING ISSUE STATUS CURRENTLY - B

4 - ISSUED FOR PRELIMINARY INFORMATION ONLY  
B - ISSUED FOR MUNICIPAL REVIEW/REVISIONS  
C - ISSUED FOR CONSTRUCTION PERMITS/USE  
D - ISSUED FOR CONSTRUCTION  
E - (BY OTHER)

DATE: 08/13/17  
DRAWING NO.: S-1  
OWNED BY: T.M.E.  
CHECKED BY: P.J.T.  
BUILT AS SHOWN  
PROJECT NO.: 888-173  
PRINT DATE: 07/21/17  
DOCUMENT NO.:



SCHEDULE OF REVISIONS						
#	DESCRIPTION OF CHANGES	DESIGNED BY	APPROVED BY	DATE	REASON	DATE
7						
6						
5						
4	REMOVED AS PER W	L.J.	P.A.L.	W		01/21/11
3	REMOVED SLAB THICK	L.J.	P.A.L.	B		07/26/11
2	REMOVED AS PER COMMENTS	K.A.K.	P.A.L.	B		07/21/11
1	REMOVED AS PER ATTORNEY COMMENTS	T.A.R.	P.A.L.	E		07/12/11
0	ISSUED FOR REVIEW	T.W.B.	P.A.L.	B		04/12/11

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**NEW YORK SMSA LIMITED  
PARTNERSHIP d/b/a  
VERIZON WIRELESS**  
4 CENTEROCK ROAD  
WEST NYACK, NY 10994



ENCLOSURE FILE

ROOF PLAN AND EQUIPMENT  
PLAN

PROJECT

MAHOPAC BLRSC  
934 ROUTE 8  
MAHOPAC, NEW YORK 10541  
PUTNAM COUNTY

PROPERTY OWNER:

888 ROUTE 57X, LLC

DRAWING ISSUE STATUS CURRENTLY - E

A - ISSUED FOR PRELIMINARY OBSERVATION ONLY  
B - ISSUED FOR MUNICIPAL REVISIONS/APPROVALS  
C - ISSUED FOR CONSTRUCTION PERMITS/WORK  
D - ISSUED FOR CONSTRUCTION  
E - (DESIGN) \_\_\_\_\_

PRINTED ON: 06/19/11

CPM/94 Rev. 7/85

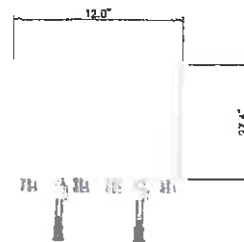
CHECKED BY: P.J.E.

INCHES BY SQUARE

PROJECT NO.	1017,177
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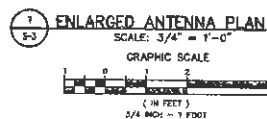
DOCUMENT NO.

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**MECHANICAL SPECIFICATIONS**  
OVERALL HEIGHT: 27.4 IN. (695 mm)  
WIDTH: 12.0 IN. (305 mm)  
DEPTH: 8.8 IN. (224 mm)  
SURFACE AREA: 2.3 SQ. FT.  
HEIGHT W/1 BRACKET: 17.4 LBS.

2 DETAIL  
5-3 NOT TO SCALE



3  
3-3

**ENLARGED ANTENNA EQUIPMENT PLAN**

SCALE: 1/2" = 1'-0"

GRAPHIC SCALE

(IN FEET)  
1/2 INCH = 1 FOOT

SCHEDULE OF REVISIONS				
#	REVISION	DATE	BY	DATE
1	REVISED AS PER RF	L.G.	P.J.T.	07/31/11
2	REVISED BASE TABLE	L.G.	P.J.T.	07/28/11
3	REVISED ALL PER COMMENTS	E.A.C.	P.J.T.	07/25/11
4	REMOVED ALL PER ATTORNEY COMMENTS	T.M.G.	P.J.T.	07/18/11
5	ISSUED FOR REVIEW	T.M.G.	P.J.T.	06/23/11
6	NOBIFICATION OF CHANGES	OWNER	ARCH.	SCALE

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**NEW YORK SMSA LIMITED  
PARTNERSHIP d/b/a  
VERIZON WIRELESS**  
4 CENTEROCK ROAD  
WEST NYACK, NY 10994



ENTER TITLE

### ANTENNA PLAN

Product

MAHOPAC B\_RSC  
954 ROUTE 8  
MAHOPAC, NEW YORK 10541  
PUTNAM COUNTY

PROPERTY OWNER:	
-----------------	--

258 ROUTE SIX LLC

DRAWING ISSUE STATUS CURRENTLY - B

- A - ISSUED FOR PRELIMINARY INFORMATION ONLY  
B - ISSUED FOR MUNICIPAL REVIEW/APPROVAL  
C - ISSUED FOR CONSTRUCTION PERMITS/NOTES  
D - ISSUED FOR CONSTRUCTION  
E - (VARIETY)

Page 10 of 17

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CHICKENED STEAK P.S.T

HEALC 12 34079

PROJECT NO. 8953.173

DOCUMENT NO.

TOP OF PANEL ANTENNAS  
ELEV. = ±34'-0" AGL

6.5 OF PANEL ANTENNAS  
ELEV. = ±33'-0" AGL

TOP OF PARAPET  
ELEV. = ±30'-0" AGL

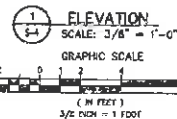
TOP OF ROOF  
ELEV. = ±26'-0" AGL

±33'-0" AGL

PROPOSED VERIZON WIRELESS  
BETA SECTOR (1) PANEL  
ANTENNA POSTED DOWN TO  
ROOF WITH KICKBACK

PROPOSED VERIZON WIRELESS  
RF TRANSPARENT SCREEN WALL  
(TYP)

PROPOSED VERIZON WIRELESS  
GAMMA SECTOR (1) PANEL  
ANTENNA POSTED DOWN TO  
ROOF WITH KICKBACK



#### SCHEDULE OF REVISIONS

NO.	DATE	BY	REVISION
1	07/21/17	LL	P.A.T.
2	07/21/17	E.A.C.	P.A.T.
3	07/21/17	T.M.B.	P.A.T.
4	07/21/17	T.M.B.	P.A.T.
5	07/21/17	T.M.B.	P.A.T.
6	07/21/17	T.M.B.	P.A.T.
7	07/21/17	T.M.B.	P.A.T.
8	07/21/17	T.M.B.	P.A.T.
9	07/21/17	T.M.B.	P.A.T.
10	07/21/17	T.M.B.	P.A.T.
11	07/21/17	T.M.B.	P.A.T.
12	07/21/17	T.M.B.	P.A.T.
13	07/21/17	T.M.B.	P.A.T.
14	07/21/17	T.M.B.	P.A.T.
15	07/21/17	T.M.B.	P.A.T.
16	07/21/17	T.M.B.	P.A.T.
17	07/21/17	T.M.B.	P.A.T.
18	07/21/17	T.M.B.	P.A.T.
19	07/21/17	T.M.B.	P.A.T.
20	07/21/17	T.M.B.	P.A.T.
21	07/21/17	T.M.B.	P.A.T.
22	07/21/17	T.M.B.	P.A.T.
23	07/21/17	T.M.B.	P.A.T.
24	07/21/17	T.M.B.	P.A.T.
25	07/21/17	T.M.B.	P.A.T.
26	07/21/17	T.M.B.	P.A.T.
27	07/21/17	T.M.B.	P.A.T.
28	07/21/17	T.M.B.	P.A.T.
29	07/21/17	T.M.B.	P.A.T.
30	07/21/17	T.M.B.	P.A.T.
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**NEW YORK SMSA LIMITED  
PARTNERSHIP d/b/a  
VERIZON WIRELESS**  
4 CENTEROCK ROAD  
WEST NYACK, NY 10994



#### DRAWING NO.

#### ELEVATION PLAN

#### PROJECT:

MAHOPAC\_BJ\_RSC  
954 ROUTE 6  
MAHOPAC, NEW YORK 10541  
PUTNAM COUNTY

#### PROPERTY OWNER:

BBS ROUTE SIX, LLC

#### DRAWING ISSUE STATUS CURRENTLY -

A - ISSUED FOR PRELIMINARY APPROVAL ONLY  
B - ISSUED FOR MUNICIPAL REVIEW/APPROVALS  
C - ISSUED FOR CONSTRUCTION PERMITS/BOE  
D - ISSUED FOR CONSTRUCTION  
E - (PENDING)

#### ISSUED BY:

T.M.B.

#### CHECKED BY:

P.A.T.

#### BOULES NO. 000000

PROJECT NO. 1024-173

#### ISSUED DATE:

07/21/17

#### ISSUED NO.

S-4

#### PROJECT NO.

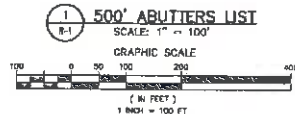
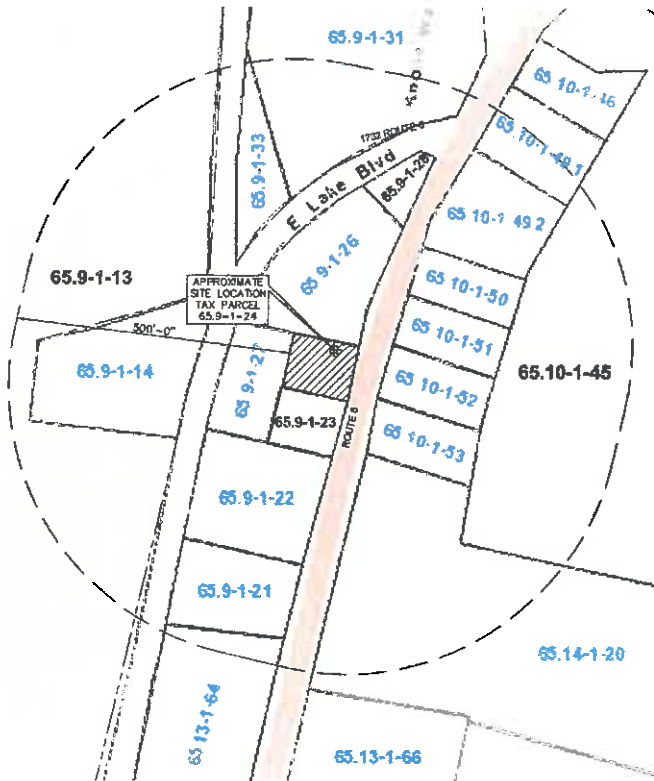
1024-173

#### ISSUED NO.

S-4



PLAN NORTH



### 500' ABUTTER'S LIST

PROPERTY TAX PARCEL	OWNER	OWNER ADDRESS
65.9-1-21	MAHOPAC MOBILE PARK LLC	PO BOX 443 MAHOPAC FALLS, NY 10542
65.9-1-14	JOHN SWEENEY JR	380 EAST LAKE BLVD MAHOPAC FALLS, NY 10541
65.9-1-27	GREGORY PELLIGRINO	381 EAST LAKE BLVD MAHOPAC FALLS, NY 10541
65.9-1-33	CARLOS RENENPAGUARY	133 WASHINGTON RD CARMEL, NY 10120
65.13-1-64	ANGELO DE RAFFELE	11 LA SALLE DR NEW ROCHELLE, NY 10801
65.10-1-48.2	BATISTA FAMILY LTD PARTNERSHIP	28 EAGLE RD DANBURY, CT 06810
65.9-1-21	JACK TROCCOLI	55 RESOVR CT CARMEL, NY 10521
65.14-1-20	COUNTY OF PUTNAM	40 GLENEIDA AVE CARMEL, NY 10521
65.9-1-22	944 ROUTE 6 LLC	944 ROUTE 6 MAHOPAC, NY 10541
65.9-1-23	WILLIAM LEFURGY III	850 ROUTE 6 MAHOPAC, NY 10541
65.10-48.1	ROARING BROOK LLC	25 MAIN ST FLOOR 4 HARTFORD, CT 06010
65.10-1-50	ISLAND DREAM ASSOCIATES LLC	110 CHERRY HILL RD CARMEL, NY 10521
65.9-1-24	888 ROUTE SIX LLC	888 ROUTE 6 MAHOPAC, NY 10541
65.10-1-52	ANTHONY MORANDO	PO BOX 962 MAHOPAC, NY 10541
65.9-1-28	NICOLE STERN	888 RT 6 MAHOPAC, NY 10541
65.10-1-51	ANTHONY MORANDO	PO BOX 962 MAHOPAC, NY 10541
65.9-1-13	MAHOPAC GOLF CLUB	570 NORTH LAKE BLVD MAHOPAC, NY 10541
65.9-1-23	WILLIAM G LEFURGY	850 ROUTE 4 MAHOPAC, NY 10541
65.9-1-28	968 EAST LAKE BOULEVARD LLC	968 EAST LAKE BLVD MAHOPAC, NY 10541
65.10-1-45	MAHOPAC DRIVE IN THEATRE	983-1005 ROUTE 6 MAHOPAC, NY 10541

ABUTTER'S LIST HAS BEEN POPULATED BASED ON A 500' RADIUS OF OF THE SUBJECT PROPERTY 65.9-1-24.

#### SCHEDULE OF REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED AS PER SET	01/23/11
2	REVISED AS PER COMMENTS	01/23/11
3	REVISED AS PER COMMENTS	01/23/11
4	REVISED AS PER COMMENTS	01/23/11
5	REVISED AS PER COMMENTS	01/23/11
6	REVISED AS PER COMMENTS	01/23/11
7	REVISED AS PER COMMENTS	01/23/11
8	REVISED AS PER COMMENTS	01/23/11
9	REVISED AS PER COMMENTS	01/23/11
10	REVISED AS PER COMMENTS	01/23/11

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**NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**  
4 CENTEROCK ROAD  
WEST NYACK, NY 10994



<b>500' ABUTTER'S LIST</b> PROJECT: MAHOPAC 8_RSC 954 ROUTE 6 MAHOPAC, NEW YORK 10541 PUTNAM COUNTY PROPERTY OWNER: 888 ROUTE SIX, LLC	DRAWING ISSUE STATUS CURRENTLY - <b>B</b> A - ISSUE FOR PRELIMINARY INFORMATION ONLY B - ISSUE FOR MAHOPAC REVIEW/APPROVAL C - ISSUE FOR CONSTRUCTION PERMITS/ISS D - ISSUE FOR CONSTRUCTION E - ISSUED FROM: 06/11/11 DRAWN BY: T.S. CHECKED BY: P.L. SCALE: AS SHOWN SHEET NO. 4 OF 8 SHEET DATE: 01/23/11 DRAWING NO. <b>R-1</b>
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PLANNING BOARD  
TOWN OF CARMEL

-----X

In the matter of the Application of

**NEW YORK SMSA LIMITED PARTNERSHIP  
d/b/a VERIZON WIRELESS**

Premises: 954 Route 6  
Mahopac, New York  
Section 65.9, Block 1, Lot 24

-----X

**MEMORANDUM IN SUPPORT OF APPLICATION  
BY NEW YORK SMSA LIMITED PARTNERSHIP d/b/a  
VERIZON WIRELESS TO INSTALL A PUBLIC UTILITY  
WIRELESS COMMUNICATIONS FACILITY**

**I. Introduction**

New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") respectfully submits this memorandum in support of its application to install a public utility wireless communication facility ("Facility") on the roof of the building ("Building") located at 954 Route 6, Mahopac, New York ("Property"). The proposed Facility consists of antennas strategically concealed within a stealth enclosure on the roof of the Building to shield same from view, together with related equipment on the Building rooftop. A detailed site plan ("Site Plan"), prepared by French & Parrello Associates ("F&P") depicting Verizon Wireless' Facility is submitted herewith.

Verizon Wireless seeks site plan approval for the Facility pursuant to Section 156-61 of the Town of Carmel Zoning Ordinance ("Zoning Code").

The Property is known as Section 65.9, Block 1, Lot 24 on the Town of Carmel ("Town") Tax Map and is located in the C (Commercial) Zoning District. The proposed Facility will enhance wireless communication services to the area surrounding the Property.

## II. Public Utility Status

Verizon Wireless is licensed by the Federal Communications Commission ("FCC"), and is a wireless communication public utility in the State of New York, providing an essential public service. See Cellular One v. Rosenberg, 82 NY2d 364 (1993) (hereinafter referred to as "Rosenberg"); Cellular One v. Meyer, 607 NYS 2d 81 (2nd Dept. 1994); Sprint Spectrum L.P. v. Town of West Seneca, 659 NYS2d 687 (Sup. Ct. Erie County, 1997); Sprint Spectrum L.P. v. Zoning Board of Appeals of the Town of Guilderland, 662 NYS2d 717 (Sup. Ct. Albany County, 1997). In Rosenberg, the Court of Appeals, New York's highest court, held that federally licensed wireless carriers are public utilities in the State of New York, and provide an essential public service. The court found that public utilities, such as Verizon Wireless, are entitled to a relaxed standard in zoning decisions, since the proposed use is necessary for it to render safe and adequate service.

Verizon Wireless' status as a public utility is underscored by the fact that its services are an important part of the national telecommunications infrastructure and will be offered to all persons that require advanced digital wireless communications services, including local businesses, public safety entities, and the general public.

The instant application is filed in furtherance of the goals and objectives established by Congress under the federal Telecommunications Act of 1996. The federal Telecommunications Act of 1996 is "an unusually important legislative enactment," establishing national public policy in favor of encouraging "rapid deployment of new telecommunications technologies (emphasis supplied)." Reno v. ACLU, 521 U.S. 844, 857, 117 S.Ct. 2329, 2337-38 (1997). The federal Telecommunications Act of 1996 builds upon the regulatory framework for commercial mobile [radio] services which Congress established in 1993. Indeed, since 1993, it has been the policy of the United States to "foster the growth and development of *mobile services* that, by their nature, operate without regard to state lines as an integral part of the national telecommunications infrastructure." H.R. Rep. No. 103-111, 103d Cong., 1st Sess. 260 (1993) (emphasis added). As such, Verizon Wireless is licensed to provide wireless communications service to subscribers throughout New York, including the Town.

In 1999, Congress expanded further upon this policy by enacting the Wireless Communications and Public Safety Act of 1999, Pub.L. 106-81, 113 Stat. 1286 (the "911 Act"). The "911 Act," empowered the FCC to develop regulations to make wireless 911 services available to all Americans. The express purpose of the Act, as articulated by Congress, was "*to encourage and facilitate the prompt deployment throughout the United States of seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation's public safety and other communications needs.*" (emphasis added).

Please note that, on November 18, 2009, the FCC issued a Declaratory Ruling regarding timely review of applications for siting of wireless facilities, WT Docket NO. 08-165 (the "Shot Clock Order").<sup>1</sup> The Shot Clock Order finds that a "reasonable period of time" for a local government to act on this type of application, a collocation application, is presumptively 90 days.<sup>2</sup> According to the Shot Clock Order, if the Town fails to act within such reasonable period of time, the applicant may commence an action in court for "failure to act" under Section 332(c)(7)(B)(v) of the Federal Communications Act. Zoning Code Sections 156-61(E)(1) and (F) are consistent with the Shot Clock Order, requiring a public hearing to be held within 45 days of submission of a complete application, and a decision within 45 days of the date of the public hearing.

### **III. The Proposed Public Utility Wireless Communications Facility Meets the Standards for Site Plan Approval**

In reviewing Verizon Wireless' request for site plan approval in accordance with Zoning Code Sections 156-37, 156-61, and Section 274-a of New York State Town Law, the following factors are offered for consideration in accordance with:

A. Operation of the Facility: The Facility will be constructed, operated and maintained so as not to endanger the public or surrounding property. The nature of the operations in connection with the proposal will not be objectionable to nearby properties since the Facility will not produce any smoke, gas, heat, fumes or vibrations. Moreover, the Facility will be unmanned and will not require water supply or waste disposal. No commercial or retail signage is proposed.

With respect to health and safety, the Facility will be in compliance with all applicable FCC standards with respect to radio-frequency level. See Antenna Site FCC RF Compliance Report, prepared by Pinnacle Telecom Group, attached hereto as Exhibit "1" ("FCC Compliance Report"). The FCC Compliance Report establishes that the antenna operations will "satisfy the FCC's RF compliance requirements and associated guidelines."

Moreover, by granting site plan approval for the Facility, this Honorable Board will enable Verizon Wireless to enhance its wireless communication services to the surrounding area. Indeed, the Facility will have no adverse impact to the surrounding area since the Facility utilizes an existing building, thus not requiring the construction of a new structure or tower to support Verizon Wireless' Facility.

B. Conformity to Applicable Laws: The Facility will comply with all applicable codes, laws and ordinances.

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<sup>1</sup> A copy of the Rule is available at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-09-99A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-99A1.pdf).

<sup>2</sup> Rule, ¶71.

C. Parking and Access. The proposal will have no impact on pedestrian or vehicular traffic since the Facility is unmanned, requiring infrequent maintenance visits of approximately once per month. Verizon Wireless has obtained a Letter of Authorization from the adjacent property owner authorizing the use of two parking spaces as required by Section 156-37(D). See Parking Authorization, attached hereto as Exhibit "2", granting Verizon Wireless the use of two parking spaces on the adjacent property located at 960-962 Route 6, Mahopac, New York. The Facility will be located on the roof of the existing Building, so that it will have no impact on the flow of traffic surrounding the Property. Therefore, there will be no traffic hazards or nuisances created by the Facility.

D. Design/Screening: The Facility has been strategically designed to conceal it from view and blend in with the architectural design of the Building. The antennas are proposed to be concealed within a stealth enclosure on the roof of the Building so as to not be visible in accordance with the requirements of Section 156-61(B)(17). Because the Facility is located on the roof of the existing Building, it is respectfully submitted that Section 156-37(C)'s requirement to provide additional landscaping is not applicable, and a waiver is requested therefrom. See Visibility Analysis, prepared by F&P, attached hereto as Exhibit "3", concluding that "the Facility will not have an adverse visual impact on the surrounding area."

F. Signage: No commercial or retail signs are proposed in connection with the Facility.

G. Lighting: No lighting is proposed in connection with the Facility.

H. Environmental Concerns: The Facility will not produce any smoke, gas, odor, heat, dust, noise above ambient levels, fumes, or vibrations. In addition, the Facility will be unmanned, and will not generate solid waste, waste water or sewage, nor require water supply or waste disposal. The Facility will not have an impact on watercourses nor will it cause soil erosion, due to the proposed gravel surface. Therefore, the Facility will not have an adverse environmental impact.

Where the board is considering an application by a public utility such as in the instant application, there is a relaxed standard for zoning approvals, including site plan applications. Indeed, in Rosenberg, supra, the Court found that "where the intrusion or burden on the community is minimal, the showing required by the utility shall be correspondingly reduced." Id. at 372.

Based upon the foregoing, it is respectfully submitted that Verizon Wireless has met the requirements for site plan approval for the Facility pursuant to Section 156-61 of the Zoning Code.

### Conclusion

By granting Verizon Wireless' request for site plan approval of the Facility, the Planning Board will permit Verizon Wireless to enhance its wireless services to the area. Any potential impact on the community created by Verizon Wireless' Facility will be minimal and of no significant adverse effect.

**WHEREFORE**, for all of the foregoing reasons, Verizon Wireless respectfully prays that this Honorable Board issue a negative declaration under the State Environmental Quality Review Act,<sup>3</sup> and grant site plan approval for the Facility.

Dated: August 21, 2017  
Tarrytown, New York

Respectfully submitted,  
Jordan M. Fry, Esq.  
SNYDER & SNYDER, LLP  
94 White Plains Road  
Tarrytown, NY 10591

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<sup>3</sup> It is Verizon Wireless' position that the Facility is a Type II proposal pursuant to 6 NYCRR Part 617.5(c) (7) since it involves construction of a non-residential structure involving less than 4000 square feet. Under SEQRA, a Type II action is deemed not to have a significant impact on the environment and otherwise precluded from environmental review, and hence no SEQRA determination is required in this instance.

**EXHIBIT 1**  
**FCC COMPLIANCE REPORT**



**PINNACLE TELECOM GROUP**

*Professional and Technical Services*

**ANTENNA SITE FCC COMPLIANCE  
ASSESSMENT AND REPORT**

**NEW YORK SMSA LIMITED PARTNERSHIP  
d/b/a VERIZON WIRELESS**

**"MAHOPAC 8" SITE  
954 ROUTE 6  
MAHOPAC, NY**

**AUGUST 4, 2017**

**14 RIDGEDALE AVENUE • SUITE 260 • CEDAR KNOLLS, NJ 07927 • 973-451-1630**



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## **INTRODUCTION AND SUMMARY**

At the request of New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless"), Pinnacle Telecom Group (PTG) has performed an independent expert assessment of radiofrequency (RF) levels and related FCC compliance for a proposed wireless base station antenna operation on the roof of a building at 954 Route 6 in Mahopac, NY. Verizon Wireless refers to the site as "Mahopac 8 RSC" and the proposed operation involves directional panel antennas and transmission in the 1900 MHz and 2100 MHz frequency bands licensed to Verizon Wireless by the FCC.

The FCC requires wireless system operators to perform an assessment of potential human exposure to RF fields emanating from all the transmitting antennas at a site whenever antenna operations are added or modified, and to ensure compliance with the Maximum Permissible Exposure (MPE) limit in the FCC regulations. In this case, there are no other existing antenna operations at the site to include in the compliance assessment. Note that FCC regulations require any future antenna collocators to assess and assure continuing compliance based on the cumulative effects of all then-proposed and then-existing antennas at the site.

This report describes mathematical analyses of RF levels associated with the antennas. The analyses both at street level and on the roof employ standard FCC mathematical models for calculating the effects of the antennas in a very conservative manner, in order to overstate the RF levels and to ensure "safe-side" conclusions regarding compliance with the FCC limit for safe continuous exposure of the general public.

The results of a compliance assessment can be explained in layman's terms by describing the calculated RF levels as simple percentages of the FCC MPE limit. If the reference for that limit is 100 percent, then calculated RF levels higher than 100 percent indicate the MPE limit is exceeded, while calculated RF levels consistently lower than 100 percent serve as a clear and sufficient demonstration of compliance with the MPE limit.

The results of the FCC RF compliance assessment in this case are as follows:

- ❑ At street level around the site and at any distance from the site, the conservatively calculated maximum RF level from the proposed antenna operations is 3.8004 percent of the FCC general population MPE limit – well below the 100-percent reference for compliance. In other words, even with the significant degree of conservatism incorporated in the analysis, the worst-case calculated RF level is still more than 26 times below the FCC limit established as safe for continuous human exposure to the RF emissions from antennas.
- ❑ A conservative analysis indicates that the RF levels potentially exceed the FCC MPE limit at the Verizon Wireless antenna sectors. Therefore, and consistent with the Verizon Wireless policy and FCC guidelines on rooftop compliance, Verizon Wireless will install standard RF alert signage at the Verizon Wireless antenna sectors, as well as at the rooftop access point.
- ❑ The results of the calculations, along with the proposed mitigation, combine to satisfy the FCC requirements and associated guidelines on RF compliance. Moreover, because of the significant conservatism incorporated in the analysis, RF levels actually caused by the antennas will be lower than these calculations indicate.

The remainder of this report provides the following:

- ❑ relevant technical data on the proposed Verizon Wireless antenna operation;
- ❑ a description of the applicable FCC mathematical models for assessing MPE compliance, and application of the relevant technical data to those models; and
- ❑ the results of the analysis, and the compliance conclusion for the site.

In addition, Appendix A provides background on the FCC MPE limit and a list of key FCC references on RF compliance.

## ANTENNA AND TRANSMISSION DATA

The table that follows provides the key compliance-related data for the proposed Verizon Wireless antenna operation.

<b>General Data</b>	
Frequency Bands	1900 MHz and 2100 MHz
Service Coverage Type	Sectorized
Antenna Type	Directional Panel
Antenna Centerline Height AGL	33 ft.
Antenna Line Loss	Conservatively ignored (assumed 0 dB)
<b>1900 MHz Antenna Data</b>	
Antenna Models (Max. Gain)	Commscope HBXX-6513DS-A2M (14.6 dBi)
RF Channels per Sector	2 @ 60 watts
<b>2100 MHz Antenna Data</b>	
Antenna Models (Max. Gain)	Commscope HBXX-6513DS-A2M (14.9 dBi)
RF Channels per Sector	2 @ 90 watts

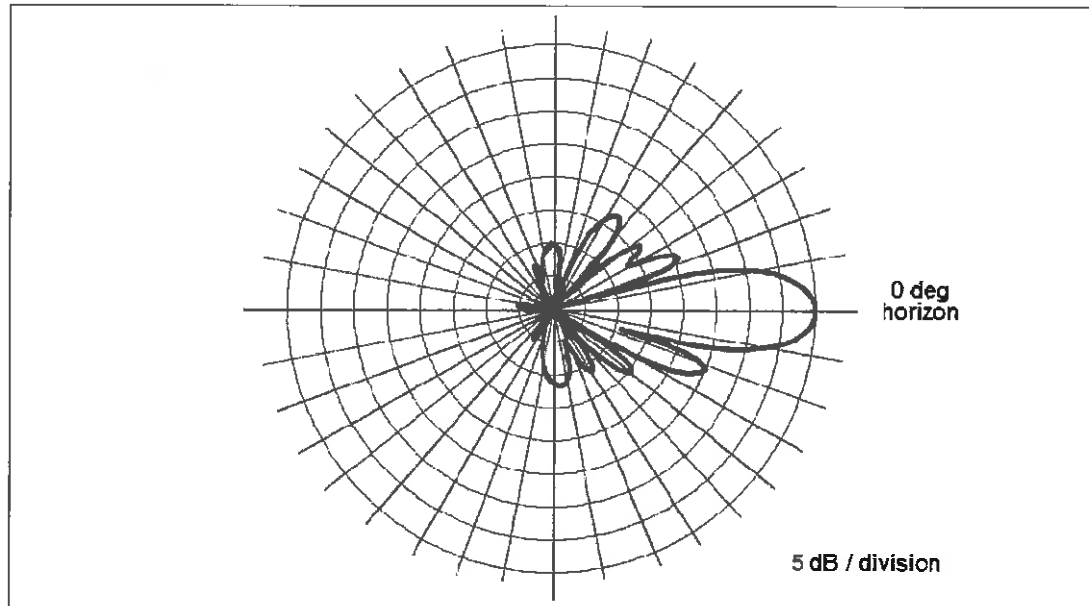
The area below the antennas at street level is of interest in terms of potential "uncontrolled" exposure of the general public, so the antenna's vertical-plane emission characteristic is used in the compliance analysis.

By way of illustration, Figure 1 that follows shows the vertical-plane pattern for the proposed Verizon Wireless antenna model in the 1900 frequency band. In this type of antenna pattern diagram, the antenna is effectively pointed at the three o'clock position (the horizon) and the relative strength of the pattern at different angles is described using decibel units. The use of a decibel scale to describe the relative pattern at different angles actually serves to visually understate the actual focusing effects of the antenna.

Where the antenna pattern reads 20 dB the relative RF energy emitted at the corresponding downward angle is 1/100<sup>th</sup> of the maximum that occurs in the main beam (at 0 degrees); at 30 dB, the energy is 1/1,000<sup>th</sup> of the maximum.

Note that the automatic pattern-scaling feature of our internal software may skew side-by-side visual comparisons of different antenna models, or even different parties' depictions of the same antenna model.

**Fig. 1. Commscope HBX-6513DS-VTM – 1900 MHz Vertical-plane Pattern**



## Compliance Analysis

FCC Office of Engineering and Technology Bulletin 65 ("OET Bulletin 65") provides guidelines for mathematical models to calculate the RF levels at various points around transmitting antennas.

Different models apply in different areas around antennas, with one model applying to street level around a site, and another applying to the rooftop near the antennas. We will address each area of interest in turn in the subsections that follow.

### ***Street Level Analysis***

At street-level around an antenna site (in what is called the “far field” of the antennas), the RF levels are directly proportional to the total antenna input power and the relative antenna gain in the downward direction of interest – and the levels are otherwise inversely proportional to the square of the straight-line distance to the antenna. Conservative calculations also assume the potential RF exposure is enhanced by reflection of the RF energy from the ground. Our calculations will assume a 100% “perfect” reflection, the worst-case approach.

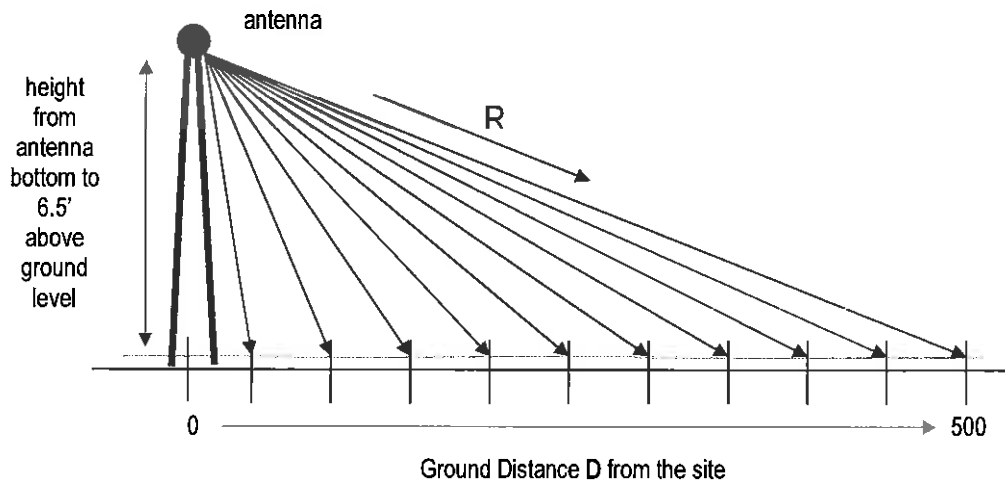
The formula for street-level RF compliance calculations for any given wireless antenna operation is as follows:

$$\text{MPE\%} = (100 * \text{TxPower} * 10^{(\text{Gmax-Vdisc}/10)} * 4) / (\text{MPE} * 4\pi * R^2)$$

where

MPE%	=	RF level, expressed as a percentage of the MPE limit applicable to continuous exposure of the general public
100	=	factor to convert the raw result to a percentage
TxPower	=	maximum net power into antenna sector, in milliwatts, a function of the number of channels per sector, the transmitter power per channel, and line loss
$10^{(\text{Gmax-Vdisc}/10)}$	=	numeric equivalent of the relative antenna gain in the downward direction of interest; data on the antenna vertical-plane pattern is taken from manufacturer specifications
4	=	factor to account for a 100-percent-efficient ground reflection, and the squared relationship between RF field strength and power density ( $2^2 = 4$ )
MPE	=	FCC general population MPE limit
R	=	straight-line distance from the RF source to the point of interest, centimeters

The MPE% calculations are performed out to a distance of 500 feet from the facility to points 6.5 feet (approximately two meters, the FCC-recommended standing height) off the ground, as illustrated in Figure 2 on the next page.



**Figure 2. Street-level MPE% Calculation Geometry**

It is popularly understood that the farther away one is from an antenna, the lower the RF level – which is generally but not universally correct. The results of MPE% calculations fairly close to the site will reflect the variations in the vertical-plane antenna pattern as well as the variation in straight-line distance to the antennas. Therefore, RF levels may actually increase slightly with increasing distance within the range of zero to 500 feet from the site. As the distance approaches 500 feet and beyond, though, the antenna pattern factor becomes less significant, the RF levels become primarily distance-controlled, and as a result the RF levels generally decrease with increasing distance, and are well understood to be in compliance.

Street-level FCC compliance for a multiple-band antenna operation is assessed in the following manner. At each distance point along the ground, an MPE% calculation is made for the RF effect in each frequency band, and the sum of the individual MPE% contributions at each point is compared to 100 percent, which serves as the normalized reference for the FCC MPE limit. We refer to the sum of the individual MPE% contributions as “total MPE%”, and any calculated MPE% total MPE% result exceeding 100 percent is, by definition, higher than the FCC limit and represents non-compliance and a need to mitigate the RF levels.

If, on the other hand, all results are below 100 percent, that set of results serves as a demonstration of compliance with the MPE limit.

The following conservative methodology and assumptions are incorporated into the MPE% calculations on a general basis:

1. The antenna is assumed to be operating continuously at maximum power, and we are conservatively ignoring the power-attenuation effects associated with the antenna cabling.
2. The power-attenuation effects of shadowing or other obstructions to the line-of-sight path from the antenna to the point of interest are ignored.
3. The calculations intentionally minimize the distance factor (R) by assuming a 6'6" human and performing the calculations from the bottom (rather than the centerline) of each operator's lowest-mounted antenna, as applicable.
4. The potential RF exposure at street level is assumed to be 100-percent enhanced (increased) via a "perfect" field reflection from the intervening ground.

The net result of these assumptions is to significantly overstate the calculated RF exposure levels relative to the levels that will actually occur – and the purpose of this conservatism is to allow very "safe-side" conclusions about compliance.

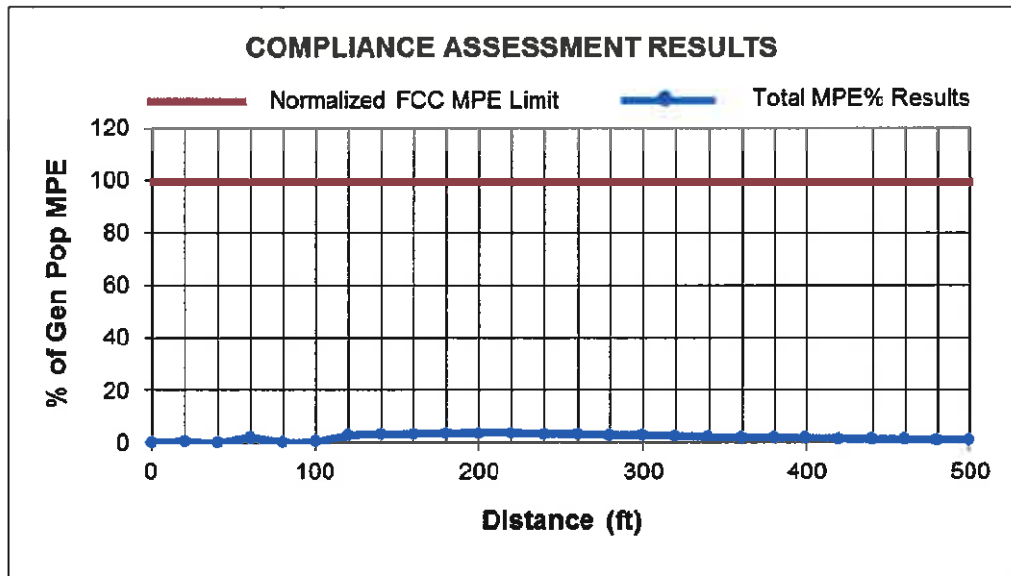
The table that follows provides the results of the street-level MPE% calculations for each frequency band, along with the total MPE% results, with the overall worst-case result highlighted in bold in the last column.



Ground Dist (ft)	Verizon 190 MHz MPE%	Verizon 2100 MHz MPE%	Total MPE%
0	0.2228	0.0644	0.2872
20	0.0471	0.4537	0.5008
40	0.0063	0.0299	0.0363
60	0.8322	0.9318	1.7639
80	0.0925	0.1102	0.2027
100	0.1866	0.2460	0.4325
120	1.0902	1.5157	2.6059
140	1.2347	1.7525	2.9873
160	1.3578	1.9361	3.2939
180	1.4513	2.0886	3.5400
200	1.5166	2.2078	3.7243
220	1.5391	2.2613	<b>3.8004</b>
240	1.2960	1.9041	3.2001
260	1.2995	1.9404	3.2399
280	1.1220	1.6752	2.7972
300	1.1156	1.6773	2.7929
320	0.9814	1.4754	2.4568
340	0.8699	1.3079	2.1778
360	0.7764	1.1673	1.9437
380	0.7592	1.1626	1.9218
400	0.6855	1.0497	1.7352
420	0.6220	0.9525	1.5745
440	0.5669	0.8681	1.4350
460	0.5188	0.7945	1.3133
480	0.4766	0.7299	1.2065
500	0.4643	0.7276	1.1919

As indicated, even with the significant degree of conservatism built into the calculations, the maximum calculated RF level is 3.8004 percent of the FCC general population MPE limit.

A graph of the overall calculation results, provided on the next page, probably provides a clearer visual illustration of the relative compliance of the calculated RF levels. The line representing the overall calculation shows an obviously clear, consistent margin to the FCC MPE limit.



### ***Rooftop Analysis***

The rooftop compliance analysis for the rooftop is performed using the Richard Tell Associates *RoofView* program, which is based on the near-field models in FCC Bulletin OET65 and which is considered an industry standard, and is accepted by the FCC for rooftop compliance analyses.

RF levels in the near field of an antenna depend on the power input to the antenna, the antenna's length and horizontal beamwidth, the mounting height of the antenna above nearby roof, and one's position and distance from the antenna. RF levels in front of a directional antenna are higher than they are to the sides or rear, and in any given horizontal direction are inversely proportional to the straight-line distance to the antenna.

The *RoofView* program's primary output is a color-coded depiction of the calculated RF levels in the vicinity of antennas. The color-coding scheme uses green for areas found to be subject to RF levels satisfying the FCC general

population MPE limit, red for areas where the FCC occupational limit is exceeded, and yellow for RF levels between those extremes.

Note that in a grayscale printout, green appears as medium gray, yellow is a lighter gray, and red is a dark gray.

The *RoofView* graphic output for the areas surrounding the Verizon Wireless antenna sectors is reproduced below.



***Roofview – VzW Beta/Gamma sectors***

As indicated by the color coding on the rooftop, the calculated RF levels potentially exceed the FCC MPE limit at the Verizon Wireless antenna sectors. Therefore, and consistent with the Verizon Wireless policy and FCC guidelines on rooftop compliance, Verizon Wireless will install standard RF alert signage at the Verizon Wireless antenna sectors as well as at the rooftop access point.

## **Compliance Conclusion**

According to the FCC, the MPE limit has been constructed in such a manner that continuous human exposure to RF fields up to and including 100 percent of the MPE limit is acceptable and safe.

The street-level analysis in this case shows a maximum RF level of 3.8004 percent of the applicable FCC general population MPE limit.

The rooftop analysis shows that the calculated RF levels potentially exceed the FCC MPE limit at each of the Verizon Wireless antenna sectors. Therefore, and consistent with the Verizon Wireless policy and FCC guidelines on rooftop compliance, Verizon Wireless will standard RF alert signage at the Verizon Wireless antenna sectors, as well as at the rooftop access point.


The results of the calculations, along with the described RF mitigation, combine to satisfy the FCC's RF compliance requirements and associated guidelines.

Moreover, because of the conservative calculation methodology and operational assumptions we applied in the analysis, RF levels actually caused by the antennas will be even less significant than the calculation results here indicate.

## CERTIFICATION

The undersigned certifies as follows:

1. I have read and fully understand the FCC regulations concerning RF safety and the control of human exposure to RF fields (47 CFR 1.1301 *et seq*).
2. To the best of my knowledge, the statements and information disclosed in this report are true, complete and accurate.
3. The analysis of site RF compliance provided herein is consistent with the applicable FCC regulations, additional guidelines issued by the FCC, and industry practice.
4. The results of the analysis demonstrate compliance with the FCC regulations and limit concerning the control of potential human exposure to the RF emissions from antennas.



Daniel Penesso  
Director- RF Engineering  
Pinnacle Telecom Group, LLC

8/4/17

Date

## **Appendix A. Background on the FCC MPE Limit**

### ***FCC Rules and Regulations***

As directed by the Telecommunications Act of 1996, the FCC has established limits for maximum continuous human exposure to RF fields.

The FCC maximum permissible exposure (MPE) limits represent the consensus of federal agencies and independent experts responsible for RF safety matters. Those agencies include the National Council on Radiation Protection and Measurements (NCRP), the Occupational Safety and Health Administration (OSHA), the National Institute for Occupational Safety and Health (NIOSH), the American National Standards Institute (ANSI), the Environmental Protection Agency (EPA), and the Food and Drug Administration (FDA). In formulating its guidelines, the FCC also considered input from the public and technical community – notably the Institute of Electrical and Electronics Engineers (IEEE).

The FCC's RF exposure guidelines are incorporated in Section 1.301 *et seq* of its Rules and Regulations (47 CFR 1.1301-1.1310). Those guidelines specify MPE limits for both occupational and general population exposure.

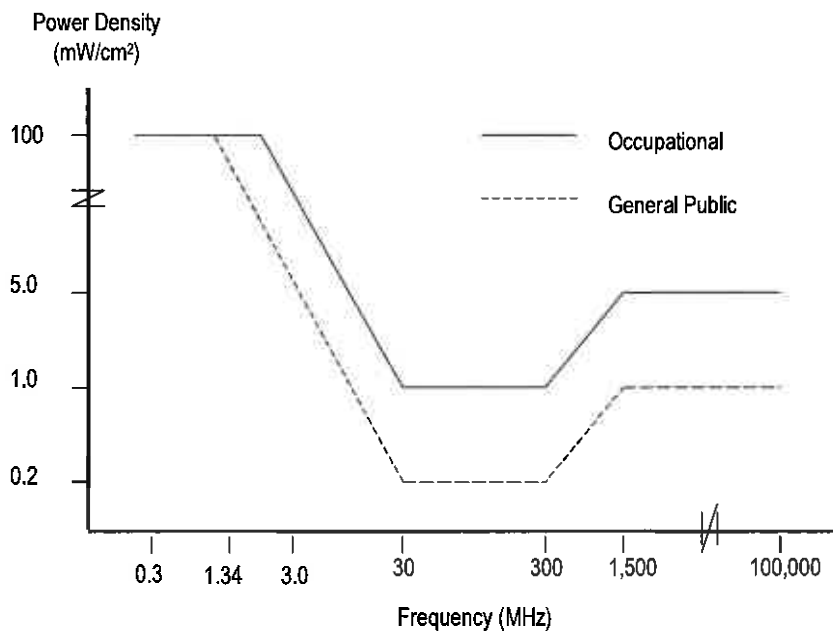
The specified continuous exposure MPE limits are based on known variation of human body susceptibility in different frequency ranges, and a Specific Absorption Rate (SAR) of 4 watts per kilogram, which is universally considered to accurately represent human capacity to dissipate incident RF energy (in the form of heat). The occupational MPE guidelines incorporate a safety factor of 10 or greater with respect to RF levels known to represent a health hazard, and an additional safety factor of five is applied to the MPE limits for general population exposure. Thus, the general population MPE limit has a built-in safety factor of more than 50. The limits were constructed to appropriately protect humans of both sexes and all ages and sizes and under all conditions – and continuous exposure at levels equal to or below the applicable MPE limits is considered to result in no adverse health effects or even health risk.

The reason for two tiers of MPE limits is based on an understanding and assumption that members of the general public are unlikely to have had appropriate RF safety training and may not be aware of the exposures they receive; occupational exposure in controlled environments, on the other hand, is assumed to involve individuals who have had such training, are aware of the exposures, and know how to maintain a safe personal work environment.

The FCC's RF exposure limits are expressed in two equivalent forms, using alternative units of field strength (expressed in volts per meter, or V/m), and power density (expressed in milliwatts per square centimeter, or mW/cm<sup>2</sup>). The table on the next page lists the FCC limits for both occupational and general population exposures, using the mW/cm<sup>2</sup> reference, for the different radio frequency ranges.

Frequency Range (F) (MHz)	Occupational Exposure (mW/cm <sup>2</sup> )	General Public Exposure (mW/cm <sup>2</sup> )
0.3 - 1.34	100	100
1.34 - 3.0	100	$180 / F^2$
3.0 - 30	$900 / F^2$	$180 / F^2$
30 - 300	1.0	0.2
300 - 1,500	$F / 300$	$F / 1500$
1,500 - 100,000	5.0	1.0

The diagram below provides a graphical illustration of both the FCC's occupational and general population MPE limits.



Because the FCC's MPE limits are frequency-shaped, the exact MPE limits applicable to the instant situation depend on the frequency range used by the systems of interest.

The most appropriate method of determining RF compliance is to calculate the RF power density attributable to a particular system and compare that to the MPE limit applicable to the operating frequency in question. The result is usually expressed as a percentage of the MPE limit.

For potential exposure from multiple systems, the respective percentages of the MPE limits are added, and the total percentage compared to 100 (percent of the limit). If the result is less than 100, the total exposure is in compliance; if it is more than 100, exposure mitigation measures are necessary to achieve compliance.

Note that the FCC “categorically excludes” certain types of antenna facilities from the routine requirement to specifically (i.e., mathematically) demonstrate compliance with the MPE limit. Among those types of facilities are cellular antennas mounted on any type of tower, when the bottoms of the antennas are more than 10 meters (c. 32.8 feet) above ground. The basis for the categorical exclusion, according to the FCC, is the understanding that because of the low power and the directionality of the antennas, such facilities – individually and collectively – are well understood to have no significant effect on the human environment. As a result, the FCC automatically deems such facilities to be in compliance.

#### ***FCC References on Compliance***

47 CFR, FCC Rules and Regulations, Part 1 (Practice and Procedure), Section 1.1310 (Radiofrequency radiation exposure limits).

FCC Second Memorandum Opinion and Order and Notice of Proposed Rulemaking (FCC 97-303), *In the Matter of Procedures for Reviewing Requests for Relief From State and Local Regulations Pursuant to Section 332(c)(7)(B)(v) of the Communications Act of 1934 (WT Docket 97-192), Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation (ET Docket 93-62), and Petition for Rulemaking of the Cellular Telecommunications Industry Association Concerning Amendment of the Commission's Rules to Preempt State and Local Regulation of Commercial Mobile Radio Service Transmitting Facilities*, released August 25, 1997.

FCC First Memorandum Opinion and Order, ET Docket 93-62, *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, released December 24, 1996.

FCC Report and Order, ET Docket 93-62, *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, released August 1, 1996.

FCC Office of Engineering and Technology (OET) Bulletin 65, “Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields”, Edition 97-01, August 1997.



## Appendix B. SUMMARY of EXPERT QUALIFICATIONS

**Daniel Penesso, Director – RF Engineering, Pinnacle Telecom Group, LLC**

<b>Synopsis:</b>	<ul style="list-style-type: none"> <li>• 19 years of experience in all aspects of wireless RF engineering, including network design and implementation, interference analysis, FCC and FAA regulatory matters, and antenna site compliance with FCC RF exposure regulations</li> <li>• Have performed RF engineering and FCC compliance work for all the major wireless carriers – AT&amp;T, Verizon Wireless, Sprint, T-Mobile, and MetroPCS, as well as Crown Castle</li> <li>• Have served as an expert witness on RF engineering and/or FCC RF compliance more than 100 times before municipal boards in New Jersey and New York</li> </ul>
<b>Education:</b>	<ul style="list-style-type: none"> <li>• Bachelor of Science in Electrical Engineering, DeVry Institute of Technology, Chicago, IL, 1987</li> </ul>
<b>Current Responsibilities</b>	<ul style="list-style-type: none"> <li>• Manages PTG staff work involving FCC RF compliance for wireless antenna sites, including the provision of math- and measurements-based site compliance reports, related expert testimony in municipal hearings, and compliance-related support in client meetings with prospective site landlords and in town meetings</li> <li>• Provides math-based FCC compliance assessments and reports for PTG's wireless clients, including AT&amp;T, Verizon Wireless, T-Mobile, Sprint, MetroPCS, and Crown Castle</li> <li>• Responsible for providing client consulting and in-house training on FCC and OSHA RF safety compliance</li> </ul>
<b>Prior Experience:</b>	<ul style="list-style-type: none"> <li>• Have served as senior RF engineer for four of the five national wireless carriers – AT&amp;T, T-Mobile, Sprint, and MetroPCS – in the New York and New Jersey markets</li> <li>• Served as an RF engineer for Metricom, Triton PCS, Alltel Communications, and Western Wireless</li> <li>• Have worked as an RF engineer for several engineering services companies, including Sublime Wireless, Amirit Technologies, Celcite, and Wireless Facilities Incorporated</li> </ul>

**EXHIBIT 2**  
**PARKING AUTHORIZATION**

## PARKING AUTHORIZATION

Municipality: Town of Carmel

### APPLICATION FOR APPROVALS

Nicole Stern and Michael Barile (hereinafter collectively referred to as the "Lot 26 Owner") are the owners of the property located at 960-962 Route 6, Mahopac, New York known as Section 65.9, Block 1, Lot 26 ("Lot 26") and affiliated with 888 Route Six, LLC, the owner of Lot 24 (as hereinafter defined). The Lot 26 Owner does hereby grant New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless"), and its authorized representatives, the use of two (2) parking spaces at Lot 26 for the installation, maintenance, repair or alteration of Verizon Wireless' public utility wireless communications facility located at the adjacent property located at 954 Route 6, Mahopac, New York known as Section 65.9, Block 1, Lot 24 ("Lot 24") as long as said facility is in operation on Lot 24.

This authorization shall extend to and bind the heirs, personal representatives, successors and assigns of the Lot 26 Owner and runs with Lot 26, and may be recorded.

Assessor's Parcel Number: Section 65.9, Block 1, Lot 26 ("Lot 26")

Signature of Property Owner:

  
NICOLE STERN

  
MICHAEL BARILE

STATE OF NEW YORK )  
: ss. :

COUNTY OF Putnam

On this 15<sup>th</sup> day of August, 2017, before me, the undersigned personally appeared MICHAEL BARILE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, that by his signature on the instrument, the individual, upon behalf of which the individual acted, executed the instrument.



Signature and Office of Individual  
Taking Acknowledgment

EMILY ANNE BARILE, ESQ.  
Notary Public, State of New York  
No. 02BA6331825  
Qualified in Putnam County  
Commission Expires 10-19-19

STATE OF NEW YORK )  
: ss. :

COUNTY OF Putnam

On this 15<sup>th</sup> day of August, 2017, before me, the undersigned personally appeared NICOLE STERN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, that by her signature on the instrument, the individual, upon behalf of which the individual acted, executed the instrument.



Signature and Office of Individual  
Taking Acknowledgment

EMILY ANNE BARILE, ESQ.  
Notary Public, State of New York  
No. 02BA6331825  
Qualified in Putnam County  
Commission Expires 10-19-19

# EXHIBIT 3 VISUAL ANALYSIS



EXPERIENCE YOU CAN BUILD ON

## VISIBILITY ANALYSIS

For

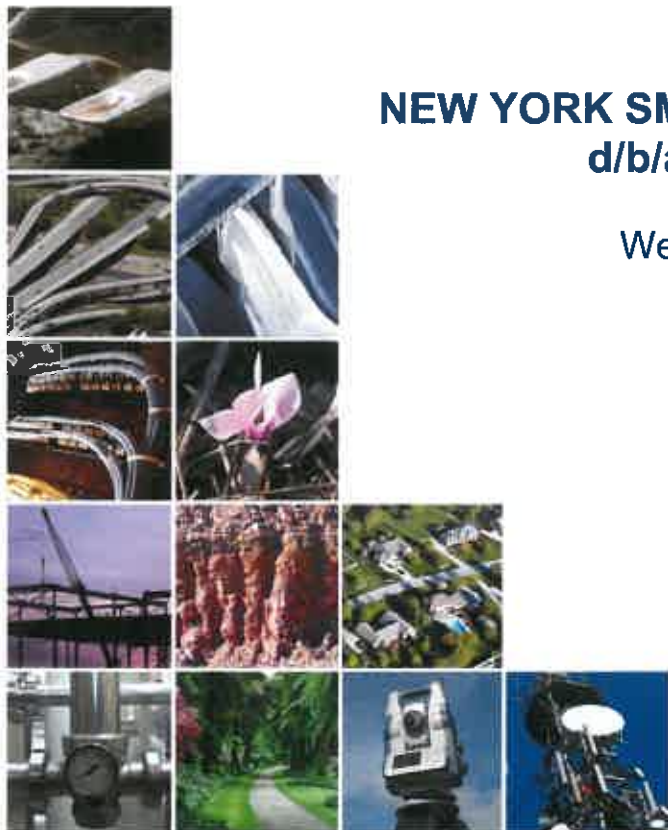
Proposed Verizon Wireless Antenna Installation  
Site Name: MAHOPAC 8\_RSC

Located At

954 Route 6  
Mahopac, NY 10541  
Block 1, Lot 24

Prepared For:

**NEW YORK SMSA LIMITED PARTNERSHIP**  
**d/b/a Verizon Wireless**  
4 Centerock Rd.  
West Nyack, NY 10994



July 31, 2017  
FPA No. 9287.173



Corporate Office  
1800 Route 34, Suite 101  
Wall, NJ 07719

Regional Offices  
Hackettstown, NJ  
New York, NY

French and Parrello Associates (FPA) has prepared a Visual Analysis of a proposed Verizon Wireless Telecommunications Facility located at 954 Route 6, Mahopac (Town of Carmel), New York 10541 within a real-time setting.

A site visit was conducted by FPA on March 21<sup>st</sup>, 2017 between 10:00AM and 11:00AM to obtain photos of the subject property in order to create renderings of the primary components of the proposed facility from an observer's perspective. The components of the proposed facility are located on the roof of the existing building at the subject property are based on drawings prepared by FPA, dated July 31<sup>st</sup>, 2017.

Three (3) photo locations are provided to present a "before and after" illustration of the proposed Verizon Wireless Telecommunications Facility from the immediate area along Route 6. The photo locations were taken from the approximate distances measured using Google Earth.

<u>Photo Location</u>	<u>Distance</u>
<i>Photo Location 1:</i> View from Route 6, looking Northwest	± 100 ft
<i>Photo Location 2:</i> View from Route 6, looking West	± 80 ft
<i>Photo Location 3:</i> View from Route 6, looking Southwest	± 140 ft

The photographs were taken using a Nikon CoolPix L30 Camera set on autofocus. Field measurements taken during the site visit include building heights, lengths, and widths which were used to help scale the rendered stealth screening to proper perspectives. Adobe Photoshop was used to create the renderings.

Based upon the final images within our Visibility Analysis attached, the proposed Verizon Wireless Telecommunications Facility will not have an adverse visual impact on the surrounding area.



### Photo Location Key Map





***Photo 1A: Existing View Looking Northwest on Route 6***



***Photo 1B: Proposed View Looking Northwest on Route 6***



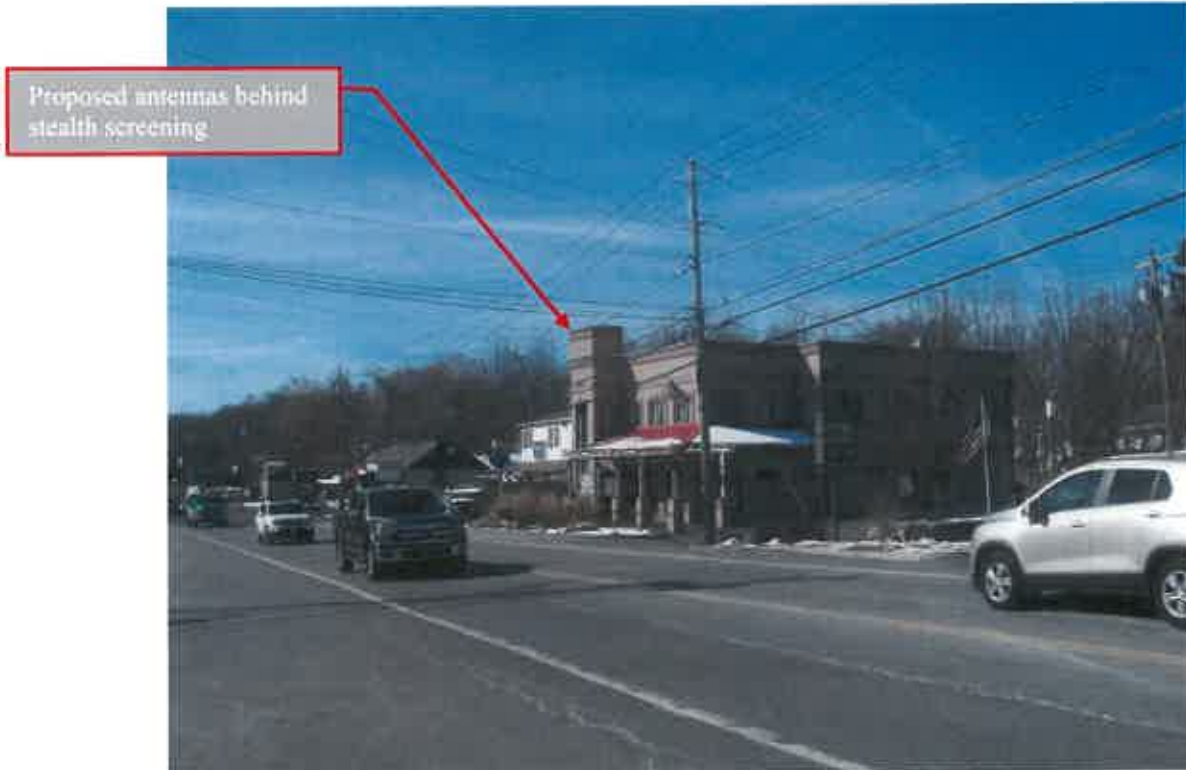
**Photo 2A: Existing View Looking West on Route 6**



**Photo 2B: Proposed View Looking West on Route 6**

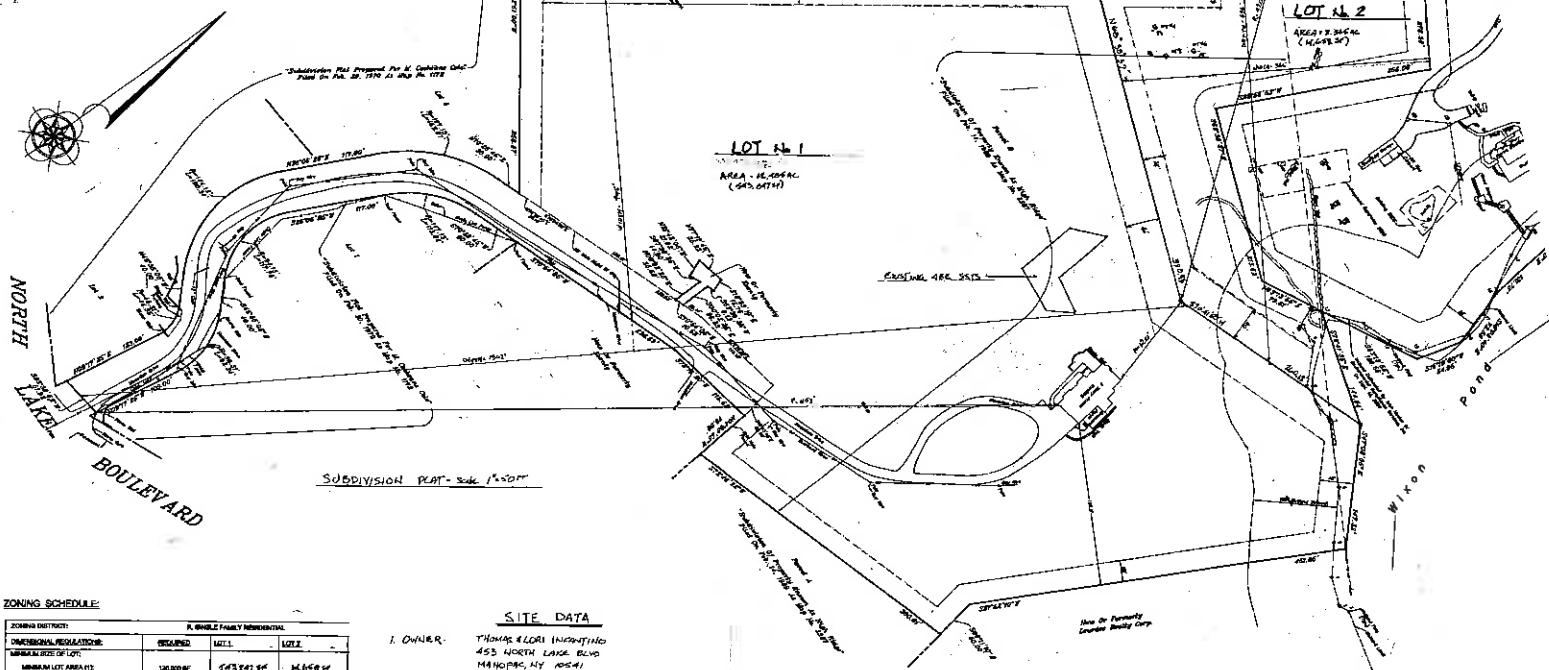


***Photo 3A: Existing View Looking Southwest on Route 6***



***Photo 3B: Proposed View Looking Southwest on Route 6***

## PUTNAM COUNTY HEALTH DEPARTMENT SEPTIC SCHEDULE

[illegible]

## SITE DATA

1. OWNER. THOMAS & LORI MONTANO  
450 NORTH LAKE BLVD  
HAWAII, NY 10541
2. ZONE. R1D RESIDENTIAL
3. LOCATION. 450 NORTH LAKE BLVD &  
SPLIT ROCK ROAD
4. TAX MAP NO. 64.12-1-56
5. EXISTING & PROPOSED USE. SINGLE FAMILY  
RESIDENTIAL
6. SITE AREA. 15.07 ACRES
7. WETLAND DELINEATION. TREES HARBOR OR  
BAYWATER DELINEATION COMPLIANCE SERVICE  
REV. 11-10-09

[illegible]

62-117171-1  
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 06-20-2001 BY 60322 UCBAW

NOTES:

1. SECTION 34.02, BLOCK 1, LOT 18 ALSO BEING PARCELS "A" AS SHOWN ON A MAP ENTITLED "DIXIE & FISCHER SUBDIVISION" FILED IN THE PUWAMOUNT COUNTY CLERK'S OFFICE AS MAP NO. 2990
2. SECTION 34.02, BLOCK 1, LOT 19 ALSO BEING LOTS "10" AS SHOWN ON A MAP ENTITLED "MAP NO. 1 OF LAKE MAHON SUBDIVISION" FILED IN THE PUWAMOUNT COUNTY CLERK'S OFFICE AS MAP NO. 441.
3. SECTION 34.02, BLOCK 1, LOT 16 ALSO BEING PARCELS "B" AS SHOWN ON A MAP ENTITLED "TRICH ROAD" FILED IN PUWAMOUNT COUNTY CLERK'S OFFICE AS MAP NO. 3231.
4. RECORDS GENERATED BY TROST HAZARD OF ENVIRONMENTAL COMPLIANCE SERVICE, INC. ON 8-15-2008

**LOCATION MAP**

ADJOINING OWNER  
8/5

[illegible]

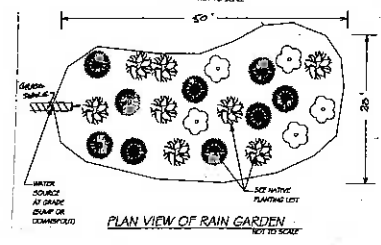
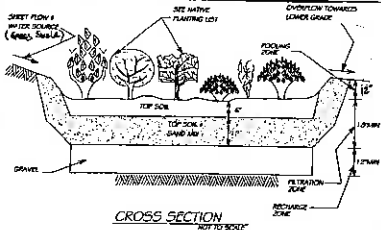
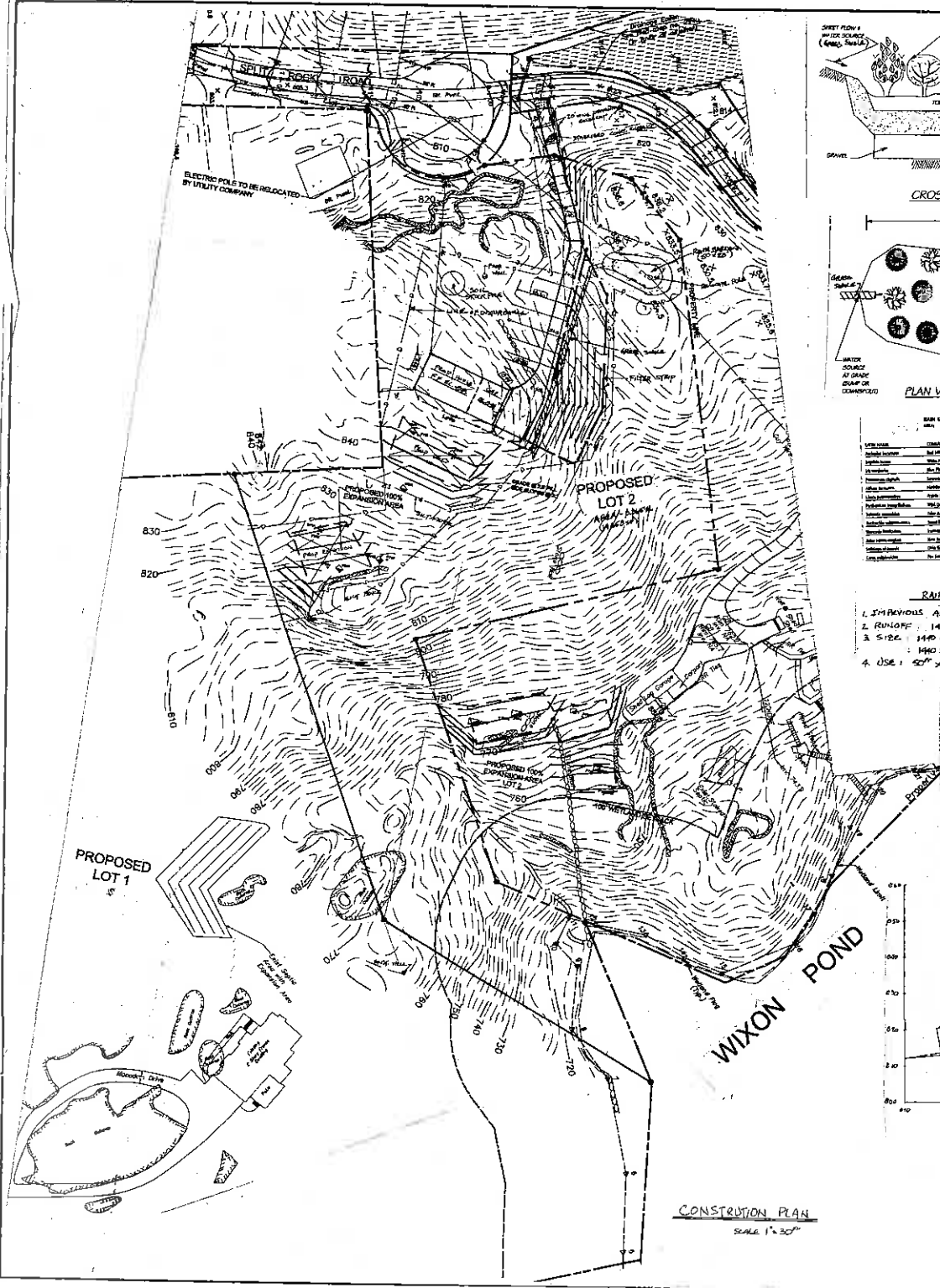
*SUBDIVISION PLAT*  
*prepared for*  
***LORI INFANTINO***  
*and*  
***THOMAS INFANTINO***  
*Situate in the*  
***TOWN OF CARMEL***  
***COUNTY OF PUTNAM, NY***  
*Scale: 1"=50'*

**ROY FREDRIKSEN, P.E.**  
Consulting Engineer  
Design Planning Construction



ROY FREDRIKSEN, PE Consulting Engineer Design Planning Construction P.O. Box 360 Edinburg, TX 78541 Phone (936) 428-0288	
Job No.	SUBDIVISION PLAT.
For	THOMAS & LORI INFANTINO
Location 453 NORTH LAGE BAY TOWN OF CANE	Date Rec'd. 11/19/2016 By: [Signature] 11/19/2016
Notes AS NOTED	SHEET 1 of 1





**RAIN GARDEN DESIGN**

1. 1" PREVIOUS AREA - 4500 SF (CONTRIBUTING TO RAIN GARDEN)

2. RUNOFF: 1440 CF

3. SIZING: 1440 CF / 10" DIA / 10" DIA

4. USE: 50" x 100"

**RUNOFF CALCULATION**

DESIGN STORM: 24H/25.8" FROM 1" RAINFALL

RUNOFF: METHOD: TR-55

SOILS: CUD (CLAYEY SAND - 10% CLAY) - 10% CLAY

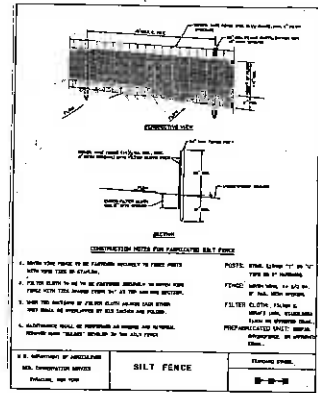
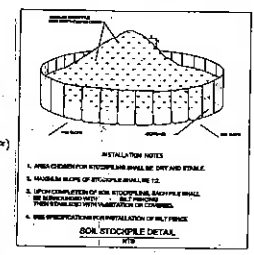
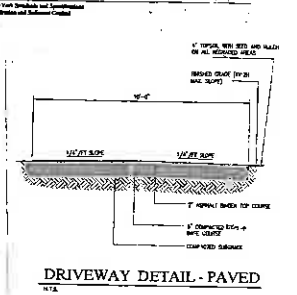
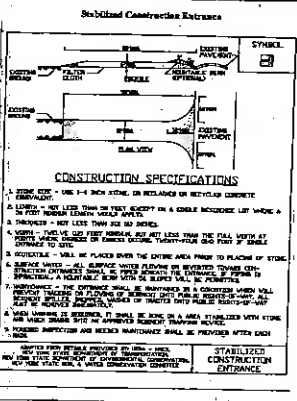
PRESENT COEF. - 0.10 RUNOFF: 1440 CF

FUTURE COEF. - 0.10 RUNOFF: 1440 CF

INCREASE IN RUNOFF: 5% INCREASE: 5.54"

PROPOSED IMPERVIOUS AREA: 4000 SF

RUNOFF: 6014 CF x 5.54" INCH = 1954"



**STORMWATER RETENTION POND**

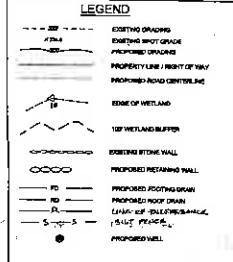
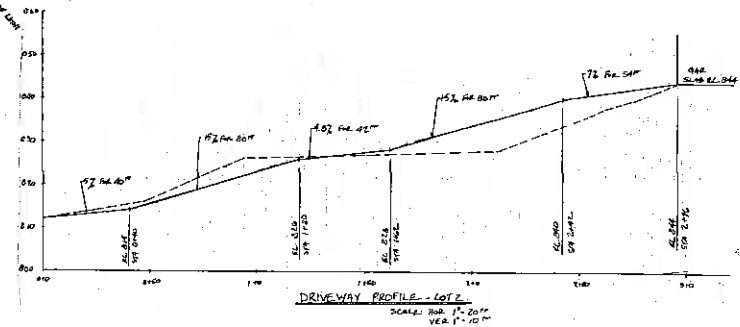
Use of concrete and masonry construction and practices are important in maintaining the stability of the pond and during daily maintenance activities. Construction techniques should be used with care and attention to detail. The following are some of the key construction details to be followed in the design and construction of the pond.

1. The pond shall be constructed of concrete or masonry.
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8. The pond shall be constructed of concrete or masonry.
9. The pond shall be constructed of concrete or masonry.
10. The pond shall be constructed of concrete or masonry.

**STORMWATER RETENTION POND**

Use of concrete and masonry construction and practices are important in maintaining the stability of the pond and during daily maintenance activities. Construction techniques should be used with care and attention to detail. The following are some of the key construction details to be followed in the design and construction of the pond.

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9. The pond shall be constructed of concrete or masonry.
10. The pond shall be constructed of concrete or masonry.



**ROY FREDRIKSEN, PE**  
Consulting Engineer  
Clearing Planning Construction

**STORMWATER RETENTION PREVENTION PLAN**

**THOMAS & LORI INFANTINO**

**SPLIT ROCK RD.**  
TOWN OF CARMEL

**AS NOTED**

**DATE: 12-1-10**

**PROJECT: 12-1-10**



**McDonald's USA, LLC**  
New York Metro Region  
111 Wood Avenue South, Suite 400  
Iselin, NJ 08830  
Phone: 732-623-8500, Fax: 732-623-8504

August 2, 2017

Town of Carmel  
60 McAlpin Avenue  
Mahopac, New York 10541  
Attention: Harold Gary

**RE: McDonald's Bond Release**  
**Bond# 404008034**  
**US Route 6, Carmel, New York**

Dear Mr. Gary,

Please accept this letter as a formal request for the release of Bond# 404008034 in the amount of \$320,000..

Should you have any questions or require additional information, please do not hesitate to contact me at 908-265-9197 or [gabriela.goncalves@us.mcd.com](mailto:gabriela.goncalves@us.mcd.com).

Sincerely,

Gabriela Goncalves

**KENNETH SCHMITT**  
*Town Supervisor*

**FRANK D. LOMBARDI**  
*Town Councilman*  
*Deputy Supervisor*

**JOHN D. LUPINACCI**  
*Town Councilman*  
**SUZANNE MC DONOUGH**  
*Town Councilwoman*  
**JONATHAN SCHNEIDER**  
*Town Councilman*

**TOWN OF CARMEL**  
**TOWN HALL**



**60 McAlpin Avenue**  
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**ANN SPOFFORD**  
*Town Clerk*

**KATHLEEN KRAUS**  
*Receiver of Taxes*

**MICHAEL SIMONE**  
*Superintendent of Highways*  
*Tel. (845) 628-7474*

## **MEMORANDUM**

**To:** **Harold Gary, Chairman**  
**Town of Carmel Planning Board**

**Date:** **August 17, 2017**

**From:** **Supervisor Kenneth Schmitt** 

**RE:** **Town Board Voting Meeting, November 19, 2014**

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The Town Board at their Work Session held on Wednesday, August 16, 2017, made a motion to forward to the Planning Board the attached Proposed Ordinance Regarding Wireless Telecommunications.

Please have the Planning Board review the attached draft and provide any comments or recommendations to the Town Board within 45 days of receipt of this memo.

Thank you in advance for your cooperation.

**Cc:** **Town Board**  
**Town Legal Counsel**  
**file**

**TOWN OF CARMEL**  
**WIRELESS TELECOMMUNICATIONS ORDINANCE**

**§ I. Legislative intent.**

1. The Telecommunications Act of 1996 preserved, with certain limitations, local government land use and zoning authority concerning the placement, construction, and modification of wireless telecommunications facilities. The purpose of this Wireless Telecommunications Ordinance is to provide the Town of Carmel with the authority to properly regulate necessary utility infrastructure for the provision of wireless telecommunications facilities within the Town,
2. The Town Board finds that the regulation of wireless telecommunications facilities is necessary to protect the predominantly suburban and rural residential character of the Town and the property values of the community; such regulation is needed to protect schools, parks, churches, playgrounds and historic structures; to preserve scenic areas; important commercial corridors; to minimize aesthetic impacts; to preserve the health and safety of residents; and to respect the need of wireless telecommunications service providers to relay signals without electronic interference from other service providers' operations, while not unreasonably limiting competition among them.
3. The Town Board declares that the protection of residential areas of the Town is of paramount importance and that any local regulations of wireless telecommunications facilities must furnish all possible protection for residential areas, and further declares that the provisions of this article are to be interpreted to favor protection of residential areas. The Planning Board shall, before issuing a special exception use permit for a wireless telecommunications facility in a residentially zoned area, satisfy itself that all other alternatives have been exhausted.
4. The Town Board finds that the aesthetic appearance of wireless telecommunication facilities is a paramount concern, particularly along the Town's important commercial corridors.
5. In general, shared use and collocation of antennas and antenna- mounting structures are preferred to the construction of new facilities.

**§ II. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**ADMINISTRATIVE APPROVAL** — Zoning approval that the Director of Code Enforcement or designee is authorized to grant after administrative review.



**ADMINISTRATIVE REVIEW** — Nondiscretionary evaluation of an application by the Director of Code Enforcement or designee. The process is not subject to a public hearing. The procedures for administrative review are established in § of this chapter.

**ANSI** — The American National Standards Institute.

**ANTENNA** — A system of electrical conductors for radiating or receiving radio waves.

**ANTENNA, WIRELESS TELECOMMUNICATIONS** — Any device, including the supporting structure and all related appurtenances, used for the transmission and reception of radio waves as part of wireless two-way communications.

#### **BASE STATION**

1. A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower. "Base station" includes, without limitation:
  1. Equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
  2. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.
  3. Any structure other than a tower that, at the time the relevant application is filed with the Town under this section, supports or houses equipment defined as a "wireless telecommunications facility" that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.
2. The term does not include any structure that, at the time the relevant application is filed with the Town under this article, does not support or house equipment defined as a "wireless telecommunications facility."

**COLLOCATION** — The mounting or installation of a subsequent wireless telecommunications antennas and related transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

**ELIGIBLE FACILITY REQUEST OR ELIGIBLE FACILITIES REQUEST** — Any request for a wireless communications facility that does not involve substantial change to the physical conditions of a tower, base station or building involving:

1. Collocation of new transmission equipment in a high priority area as defined in § IX; or
2. Removal of transmission equipment; or
3. Replacement of transmission equipment.

**ELIGIBLE SUPPORT STRUCTURE** — Any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with Building Department under this article.

**EXISTING FACILITY** — A constructed tower or base station is existing for purposes of this article if it has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, provided that a tower that has not been reviewed because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this article.

**FCC** — The Federal Communications Commission.

**FREQUENCY** — The number of sinusoidal cycles made by electromagnetic radiation in one second; usually expressed in units of hertz (Hz).

**NIER (NONIONIZING ELECTROMAGNETIC RADIATION)** — Electromagnetic radiation of such frequency that the energy of the radiation does not dissociate electrons from their constituent atoms when an atom absorbs the electromagnetic radiation.

**RF** — Radio frequency.

**SUBSTANTIAL CHANGE** — A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

1. The mounting of the proposed antenna on existing towers, other than towers in the public rights-of-way, would increase the existing height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than 10 feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this subsection if necessary to avoid interference with existing antennas;
2. The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter;
3. The mounting of the proposed antenna would involve adding an appurtenance to the body of existing towers, other than towers in the public rights-of-way, that would protrude from the edge of the towers more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet, except that the mounting of the proposed antenna may exceed the size limits set forth in this subsection if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable;
4. The mounting of the proposed antenna would involve excavation outside the current existing structure site, defined as the current boundaries of the leased or owned property surrounding the existing structure and any access or utility easements currently related to the site;
5. The modification defeats concealment and/or stealth elements of the support structure; or
6. The modification does not comply with prior conditions of the approval for the existing structure site; provided, however, that this limitation does not apply to any modification

that is noncompliant only in a manner that would not exceed the thresholds identified above.

**STEALTH TECHNOLOGY**- a cellular telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities include:

1. Architecturally screened roof-mounted antennas;
2. Building-mounted antennas painted to match the existing structure;
3. Antennas integrated into architectural elements; and
4. Antenna structures designed to look like light poles, trees, clock towers, bell steeples, or flag poles.

**TOWER** — Any structure built for the sole or primary purpose of supporting any FCC- licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services, including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

**TRANSMISSION EQUIPMENT** — Equipment that facilitates transmission for any FCC- licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supplies. The term includes equipment associated with wireless communications services, including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

**WIRELESS TELECOMMUNICATION FACILITIES** — Any facility for the receiving or transmitting of wireless signals for commercial purposes, such as cellular telephone services, personal communication services (PCS), specialized mobile radio (SMR), enhanced mobile radio (ESMR), paging, satellite digital audio radio service (SDARS), fleet communication systems and similar commercial facilities, whether operated in support of another business activity or available for the transmission of signals on a sale or rental basis. As used herein the term shall include any necessary support structure, connection cables and equipment buildings as well as towers or monopoles.

### **§ III. Special exception use permit; policies and goals.**

In order to assure that the placement, construction and modification of wireless telecommunications facilities conforms to the Town of Carmel's purpose and intent of this article, such facilities shall require the approval of a special permit. Consideration of a wireless telecommunications facility special permit shall address the following goals:

1. Establish an application procedure for person(s) seeking a special permit for a wireless telecommunications facility.
2. Establish a policy for examining an application for and issuing a special permit for a wireless telecommunications facility that is both fair and consistent.

3. Establish reasonable time frames for granting or not granting a special exception use permit for a wireless telecommunications facility.
4. Promote and encouraging, wherever possible, the sharing and/or collocation of a wireless telecommunications facility among service providers.
5. Promote and encouraging, wherever possible, the placement of a wireless telecommunications facility in such a manner as to cause minimal disruption to the land, property, buildings and other facilities adjacent to, surrounding and in generally the same area as the requested location of such facility.
6. Minimize any adverse aesthetic impacts to the community through the proper siting, location, screening, buffering or through the application of effective and innovative design measures and stealth technology.

#### **§ IV. Eligible Facilities Request; administrative approval.**

1. The Town has determined that the full special permit review procedure is unnecessary for certain wireless communications facilities that do not involve a substantial change to the physical characteristics of an existing tower, base station or building involving:
  4. Collocation of new transmission equipment in a high priority area as defined in § IX; or
  5. Removal of transmission equipment; or
  1. Replacement of transmission equipment.
2. Type of review. Upon receipt of an application for an Eligible Facilities Request, the Director of Code Enforcement or designee shall review such application to determine whether the application so qualifies as an Eligible Facility Request as defined in this chapter. If determined to be an Eligible Facility Request, such application shall undergo an administrative review, as defined herein. If it is determined that there will be a substantial change to an existing facility, this section shall not apply.
3. Application. An application form provided by the Building Department shall be provided which shall establish the information necessary for the Town to consider whether an application is an Eligible Facilities Request. Each application shall include the following:
  - (1) An application form provided by the Building Department.
  - (2) A radio frequency safety report demonstrating compliance with FCC safety standards.
  - (3) Certification that the installation will comply with visual standards set forth in § XIV.
  - (4) The payment of a fee for an eligible facilities request, as stated in the Town of Carmel Schedule of User Fees.

4. Timeframe for review. Within 60 days after an Eligible Facilities Request has been received, the Director of Code Enforcement or his designee shall approve the application unless it has been determined that the application creates a substantial change or otherwise does not meet the criteria of an Eligible Facilities Request. Once an Eligible Facilities Request application has been approved, the Director of Code Enforcement shall issue a building permit.
4. Tolling of time frame for review.
  - (1) The sixty-day review period begins to run when the application is filed, and may be tolled by mutual agreement by the Director of Code Enforcement and the applicant.
  - (2) The time frame for review may also be tolled when the Director of Code Enforcement or his designee determines that the application is incomplete. When an application has been determined to be incomplete, the following process shall be used to toll the time frame for review:
    - (a) The Director of Code Enforcement or designee shall provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application or such other reasons why the application has been determined to be incomplete.
    - (b) Within 10 days of a supplemental submission, the Director of Code Enforcement or designee will notify the applicant if his or her application has been deemed complete. If application is still found to be incomplete after a supplemental submission, the applicant must provide additional supplemental submissions until the application has been deemed complete.
    - (c) The time frame for review will not begin to run again until the application has been deemed complete.
5. Failure to act. In the event the Director of Code Enforcement or designee fails to approve or deny a request seeking approval under this section within the time frame for review, accounting for any tolling, the application shall be approved. However, such approval does not become effective until the applicant notifies the Director of Code Enforcement in writing after the review period has expired, accounting for any tolling, that the application has been approved.
6. Interaction with §n (c)(7). If it is determined that the applicant's request is not covered by § 6409(a)<sup>1</sup> as delineated under this section, the presumptively reasonable time frame under § (c)(7),<sup>2</sup> as prescribed by the FCC's Shot Clock order, will begin to run from the issuance of the decision that the application is not a covered request. To the extent such

information is necessary, the Town may request additional information from the applicant to evaluate the application under § 332(c)(7), pursuant to the limitations applicable to other § (c)(7) reviews.

1. **Editor's Note: See 47 U.S.C. § 1455(a).**
2. **Editor's Note: See 47 U.S.C. § 332(c)(7).**

#### **§ V. Procedure for special permit application; fee.**

1. All applicants for a special permit for a wireless telecommunications facility or any modification of such facility and renewal thereof shall comply with the requirements set forth in this section.
2. The applicant shall be required to provide sufficient funds to an escrow account to allow the Planning Board to retain such technical experts as may be necessary to review the proposal, provided that no funds shall be deposited until a scope of work is agreed upon among the applicant, the expert and the Planning Board. In any event, the initial deposit shall be a minimum of \$3,500. A larger deposit may be required if, in the judgment of the Planning Board, the complexity and scope of the proposal requires additional expert review. The applicant shall maintain the escrow account at the amount of the initial deposit and replenish same in a timely manner. Payment in full thereto shall be a condition precedent to any approval by the Planning Board. Any unused funds will be returned to the applicant upon completion of the review. The withdrawal of an application shall not relieve the applicant of the payment obligations of this section.
3. The Planning Board is hereby authorized to issue a special permit under the provisions of this article subject to all of the special requirements and conditions herein and any requirements which may be made a part hereof. Every special permit shall also conform to all special findings that are specified herein.
4. Application to the Planning Board for a special permit under this article shall be accompanied by a fee in accordance with the current Town fee schedule.
5. Prior to or concurrent with the filing of a formal application to the Planning Board to obtain a special permit under this article, the applicant shall submit information needed to meet the requirements of the New York State Environmental Quality Review Act (SEQR). The Planning Board may hold a joint public hearing under the provisions of SEQR and this article whenever practicable. In the event that a final SEQR determination has not been made, no application for a special permit under this article shall be granted. The time periods in which the Planning Board may take action may be extended with the consent of the applicant.
6. The owner of the subject property shall be joined as a co-applicant.
7. In addition to any other applicable notice requirements established elsewhere in the Town Code, the applicant shall cause notice of the public hearing by notifying all property owners by certified mail, return receipt requested, within 500 feet of the boundary line of the subject property.

**8. The applicant is required to provide a physical mockup of the proposed project**

**§ VI. Information required for wireless telecommunications antennas.**

A. For all proposed wireless telecommunications antennas the following information shall be provided:

1. Name and address of the property owner and the applicant.
2. Address, lot and block and/or parcel number of the property.
3. Zoning district in which the property is situated.
4. Name and address of the person preparing the plan.
5. Size of the property and the location of all lot lines.
6. Approximate location of nearest residential structure.
7. Approximate location of nearest occupied structure.
8. Location of all structures on the property which is the subject of the application.
9. Location, size and height of all proposed and existing antennas and all appurtenant structures on the property.
10. Type, size and location of all proposed landscaping.
11. A report by a New York State licensed professional engineer documenting compliance with applicable structural standards and describing the general structural capacity of any proposed installation.
12. The number and type of antennas proposed.
13. A description of the proposed antennas and all related fixtures, structures, appurtenances and apparatus, including height above grade, materials, color and lighting.
14. A description of the antenna's function and purpose.
15. The make, model and manufacturer of the antenna.
16. The frequency, modulation and class of service.
17. Transmission and maximum effective radiated power.
18. Direction of maximum lobes and associated radiation and compliance with FCC regulations.
19. Consent to allow additional antennas (for purposes of collocating) on any new antenna towers, if feasible.
20. If a collocation, the cumulative impacts, visual and otherwise, of the proposed antenna.

B. The items in Subsection A(12) through (18) shall be included in a report prepared by a radio frequency engineer, health physicist or other qualified professional.

**§ VII. Facility service plan.**

All proposals to provide or operate wireless telecommunications facilities shall be accompanied by a facility service plan, which shall include all the information necessary to allow the Planning Board to understand the existing, proposed and long-range plans of the applicant. The facility service plan shall include at least the following information:

1. The location, height and operational characteristics of all existing facilities of the applicant in and immediately adjacent to the Town.

2. A two-to-five-year plan for the provision of additional facilities in and immediately adjacent to the Town, indicating whether each proposed facility is for initial coverage or capacity-building purposes and showing proposed general locations or areas in which additional facilities are expected to be needed. Subsequent applications will confirm or modify the facility service plan so that the Planning Board may be kept up-to-date on future activities.
3. A commitment to collocate or allow collocation wherever possible on all existing and proposed facilities.

#### **§ VIII. Requirements applicable to all wireless telecommunications antennas.**

For all proposed wireless telecommunications antennas the following requirements are applicable:

1. For proposed sites within 100 feet of other sources of RF energy, emanating from other wireless telecommunications facilities, the applicant shall provide an estimate of the maximum total exposure from all nearby stationary sources and a comparison with relevant standards. This assessment shall include individual and ambient levels of exposure. It shall not include such residentially based facilities such as cordless telephones.
2. All obsolete or unused wireless telecommunications antennas (including tower supports) shall be removed within 60 days of cessation of operations at the site. The Town may remove such facilities upon reasonable notice and an opportunity to be heard and treat the cost as a tax lien on the property. The Planning Board may also require at the time of approval, the posting of a bond sufficient to cover the costs of removing an abandoned wireless telecommunications facility.
3. All antennas shall be identified with signs not to exceed six square feet, listing the owner's or operator's name and emergency telephone number, and shall be posted in a conspicuous place.
4. New antennas may not be sited within 500 feet of any existing antenna. This restriction does not apply to the siting of new antennas at an existing site.
5. No source of NIER, including facilities operational before the effective date of this article, shall exceed the federal or state NIER emission standard.
6. New antennas and supporting towers shall be designed to accommodate additional antennas for purposes of collocating.

#### **§ IX. Location of wireless telecommunications facilities.**

1. Applicants for wireless telecommunications facilities shall locate, site and erect said wireless telecommunications facilities, including towers and other tall structures, in



accordance with the following priorities, one being the highest priority and six being the lowest priority:

- a. On existing tall structures or wireless telecommunications towers in nonresidential zoning districts.
  - b. Collocation on a site with existing wireless telecommunications towers or structures in nonresidential districts, not fronting on NYS Routes 6, 6N, 52 and 301.
  - c. Collocation on a site with existing wireless telecommunications towers or structures in any other nonresidential districts.
  - d. Installation of a new wireless telecommunications facility in any nonresidential district.
  - e. Installation of a new wireless telecommunications facility in any residential district.
  - f. On other property in the Town.
2. If the proposed site for a wireless telecommunications facility is not the highest priority listed above, then a detailed explanation must be provided as to why a site of higher priority was not selected. The applicant must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site and the hardship that would be incurred by the applicant if the permit were not granted for the proposed site.
3. An applicant may not bypass a site of higher priority by stating that the site presented is the only site selected or secured. An applicant shall address collocation as an option, and, if such option is not proposed, the applicant shall explain why collocation is impracticable. Agreements between providers limiting or prohibiting collocation shall not be considered a valid basis for a claim of impracticability. Notwithstanding the above, the Planning Board may approve any site located within an area in the above list of priorities, provided that the Planning Board finds that the proposed site is in the best interests of the health, safety and welfare of the Town of Carmel and its inhabitants.
4. The applicant shall submit a report demonstrating the applicant's review of the above priorities demonstrating the technical reasons for the site selection and, if the site selected is not the highest priority, a detailed explanation of why sites of higher priority were not selected.
5. Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, the Planning Board may disapprove an application for any of the following reasons:
  - (a) Conflict with safety and safety-related codes and regulations.

- (b) Conflict with traffic needs or traffic laws, or definitive plans for changes in traffic flow or traffic laws.
- (c) Conflict with the historic nature of a neighborhood.
- (d) The use of a wireless telecommunications facility which is contrary to an already stated purpose of a specific zoning or land use designation.
- (e) The placement and location of a wireless telecommunications facility which would create an unacceptable risk, or the probability of such, to residents, the public, employees and agents of the Village or employees of the service provider or other service providers.
- (f) Conflicts with the provisions of this article.

**§ X. Antenna locations where public exposure is likely.**

For roof-mounted, collocated or other situations in which public exposure is likely, the application shall include:

1. An assessment of potential public exposure to radio frequency (RF) energy from the proposed facility indicating the facility's compliance with applicable federal or state standards. The applicant shall identify the maximum exposure level, the locations at which this occurs and the estimated RF levels at specific locations of community interest, such as schools, residences or commercial buildings. Assumptions used in the calculations shall be stated, including building heights and topography.
2. A multiple-source exposure impact assessment shall be prepared if the wireless telecommunications facility is to be situated on the same site as existing facilities, such as a tower or roof.
3. Evidence that the maximum exposure to the general public will not exceed federal or state standards.
4. An identification of rooftop areas to which the public may have access. The exposure in these areas shall be in compliance with the standards established by any federal or state agencies.
5. An identification of how much of the roof, if any, should be designated a "controlled environment" due to RF field levels in accordance with the applicable federal or state standard.
6. Notification of the building management if any portion of the roof needs to be identified as a "controlled environment" due to RF levels in excess of the guidelines in the applicable federal or state standards.

## **§ XI. Roof-mounted antennas.**

Requirements applicable to roof-mounted antennas are as follows:

1. Antennas shall not be placed more than 15 feet higher than the height limitation for buildings and structures within the zoning district in which the antenna is proposed to be erected.
2. Antennas may be set back from the outer edge of the roof a distance equal to or greater than 10% of the rooftop length and width, or such antennas may be attached directly to the roof parapet wall, whichever, in the Planning Board's opinion, will have the minimal visual impact while achieving signal coverage requirements.
3. If the Planning Board requests, antennas shall be the same color of the exterior of the top floor or parapet of the building except to the extent required by law.

## **§ XII. New wireless telecommunications towers.**

1. The applicant shall demonstrate to the satisfaction of the Planning Board that there exists no tower on which the antenna may collocate or that collocation is not feasible for any of the following reasons:
  - (a) The applicant has been unable to come to a reasonable agreement to collocate on another tower. The names, addresses, phone and fax numbers of other service providers approached shall be provided, accompanied by a written statement as to the reason an agreement could not be reached.
  - (b) The antenna will not unreasonably interfere with the view of or from any park, designated scenic area, historic district, site or structure.
  - (c) The radio, television, telephone or reception of similar signals for nearby properties will not be disturbed or diminished.
  - (d) The applicant's network of antenna locations is not adequate to properly serve its customers, and the use of facilities of other entities is not suitable for physical reasons.
  - (e) Adequate and reliable service cannot be provided from existing sites in a financially and technologically feasible manner consistent with the service providers' system requirements.
  - (f) Existing sites cannot accommodate the proposed antenna due to structural or other engineering limitations (e.g., frequency incompatibilities).

- (g) For proposed monopole or tower facilities, there is a report by a New York State licensed professional engineer specializing in structural engineering certifying that the proposed design is structurally sound.
- b. Any application for the approval of a special permit for a wireless telecommunications facility shall include a report by a qualified radio frequency engineer, health physicist or other qualified professional, as determined by the Planning Board, which calculates the maximum amount of nonionizing electromagnetic radiation (NIER) which will be emitted from the proposed wireless telecommunications facility upon its installation and demonstrates that the facility will comply with the applicable federal or state standards.

### **§ XIII. NIER measurements and calculations.**

All applicants for wireless telecommunications facilities in any district shall submit calculations of the estimated NIER output of the antenna(s). For antennas mounted on an existing structure not requiring a special permit, the calculations shall be provided to the Director of Code Enforcement prior to the issuance of a permit. For antenna applications requiring a special permit, the calculations shall be provided to the Planning Board at the time of making the application for special permit. NIER levels shall be measured and calculated as follows:

1. Measuring equipment used shall be generally recognized by the Environmental Protection Agency (EPA), National Council on Radiation Protection and Measurement (NCRPM), American National Standards Institute (ANSI), or National Bureau of Standards (NBS) as suitable for measuring NIER at frequencies and power levels of the proposed and existing sources of NIER.
2. Measuring equipment shall be calibrated as recommended by the manufacturer in accordance with methods used by the NBS and ANSI, whichever has the most current standard.
3. The effect of contributing individual sources of NIER within the frequency range of a broadband measuring instrument may be specified by separate measurement of these sources using a narrow band measuring instrument.
4. NIER measurements shall be taken based on maximum equipment output. NIER measurements shall be taken or calculated when and where NIER levels are expected to be highest due to operating and environmental conditions.
5. NIER measurements shall be taken or calculated along the property lines at an elevation six feet above grade at such locations where NIER levels are expected to be highest and at the closest occupied structure.
6. NIER measurements shall be taken or calculated following spatial averaging procedures generally recognized and used by experts in the field of RF measurement or other procedures recognized by the FCC, EPA, NCRPM, ANSI or NBS.

7. NIER calculations shall be consistent with the FCC, Office of Science and Technology (OST) Bulletin 65 or other engineering practices recognized by the EPA, NCRPM, ANSI, MBS or similarly qualified organization.
8. Measurements and calculations shall be certified by a New York State licensed professional engineer, health physicist or a radio frequency engineer. The measurements and calculations shall be accompanied by an explanation of the protocol, methods and assumptions used.

#### **§ XIV. NIER monitoring and enforcement.**

1. The owner and/or operator of the antenna shall perform a NIER level reading as set forth above and shall submit the results of the test to the Town of Carmel Director of Code Enforcement Department within 90 days of initially operating the antenna system, and annually thereafter. The owner or operator shall provide a report from a qualified professional who shall certify, under penalties of perjury, that the installation does not expose the general public to NIER standards in excess of those of any federal or state agency regulating RIF-energy.
2. The Town may measure NIER levels as necessary to ensure that the federal or state standards are not exceeded. Any approval of a wireless telecommunications facility shall be conditioned upon an offer of perpetual consent to allow the Town access to the premises to conduct the required NIER monitoring, should the operator of the wireless communications facility fail to do so.
3. If the standards of any federal or state agency are exceeded at the location of a proposed transmitting antenna, the proposed facility shall not be permitted.

#### **§ XV. Bulk regulations and height.**

1. In all zoning districts, all wireless telecommunications facilities shall comply with yard requirements of the Zoning Ordinance for principal buildings. No wireless telecommunications facilities may be located between the principal structure and the street.
2. In residential districts, wireless telecommunications facilities shall not exceed 50 feet in height unless the requirements of Subsection 3 below are met. In nonresidential districts, wireless telecommunications facilities shall not exceed 100 feet in height unless the requirements of Subsection C below are met.
3. In the event that applicants propose a height greater than that listed above, the applicant must demonstrate to the satisfaction of the Planning Board that:
  - a. Alternative means of mounting the antenna have been considered and are not feasible for the applicant.

- b. The height is the minimum height necessary for adequate operation to meet the applicants' communications needs and the aesthetic intrusion has been minimized to the greatest extent practicable.
  - c. The height does not exceed 50% of the maximum height listed in Subsection 2. above.
  - d. The site or building on which the facility is proposed to be installed does not become nonconforming or increase in nonconformity by reason of the installation of wireless telecommunications facilities. This includes, but is not limited to, yard, buffer, height, floor area ratio for equipment buildings, parking, open space and other requirements. The height requirements of this chapter shall apply to buildings and equipment shelters.
- 4. Notwithstanding anything stated herein, the Planning Board shall be permitted to increase the height of any tower beyond any limitations set forth herein in order to accommodate additional users. In reviewing a request for greater height, the Planning Board shall balance the effect of a greater height against the provision of one or more additional towers, collocating or other alternatives.
  - 5. In residential districts, wireless telecommunications towers and monopoles shall be separated from residential buildings on adjacent or abutting properties for a distance by not less than two times the height of the tower or monopole. This provision shall apply to the proposed use for wireless telecommunications facilities of towers or monopoles existing at the time of adoption of this article.

#### **§ XVI. Visual impact.**

- 1. For all new wireless telecommunication facilities, the applicant shall provide to the Planning Commission a short Environmental Assessment Form (EAF), Part I and Visual EAF Addendum, Appendix A and B, including graphic information that accurately portrays the visual impact of the proposed facility from various vantage points selected by the Planning Board or the Planning Board's consultants, such as, but not limited to, residential areas, major commercial corridors, parks, historic buildings or scenic areas, including nighttime visual impacts. This graphic information may be provided in the form of photographs or computer-generated images with the tower superimposed, as may be required by the Planning Board or its consultants.
- 2. The applicant shall provide a temporary physical mockup of the proposed project. The mockup shall be mounted in the same location(s) at the project site as the proposed project and shall be the same dimensions, color and set at the same height and width as proposed project. The mockup shall be installed two (2) weeks prior to the initial appearance before the Planning Board, and shall remain in place until the Planning Board renders its decision on the application. The applicant shall obtain authorization for the installation of this temporary mockup from the Building Department, to ensure the mockup is installed safely, and does not represent a hazard to public safety. The mockup

shall be removed no later than two days after the close of the public hearing where the proposed project is considered.

3. For all buildings or equipment shelters to be located in a residential zoning district, the equipment shelter shall be treated in an architectural manner compatible with the residences in the vicinity.
4. Careful consideration of design details including color, texture, and materials shall be made to ensure the stealth design of the wireless telecommunication facility.
5. All building-mounted wireless telecommunication facilities shall be, at a minimum, designed as stealth facilities. Design techniques shall be employed to minimize visual impacts and provide appropriate camouflage.
6. All building-Mounted wireless telecommunication facility components, including all antenna panels, shall be painted or be designed to match the predominant color and/or design of the structure so as to be visually inconspicuous.
7. A minimum of three (3) live trees with a minimum height of 20-feet shall be planted in close proximity to a wireless telecommunications facility designed as a faux tree. The Planning Board may require additional live mature plantings to assist in mitigating visual impacts of wireless telecommunication facilities designed as faux trees.
8. Where a wireless telecommunications facility is proposed to be located on a building rooftop, the associated equipment shall be enclosed within an architecturally integrated penthouse or otherwise be completely screened to the satisfaction of the Planning Board. Required screening shall be decorative, of a design, color, and texture that is architecturally integrated with the building it is on.
9. Associated equipment shall be enclosed by a fence, landscaped screening decorative wall, or other screening and buffering measures found to be acceptable by the Planning Board.

#### **§ XVII. Color and lighting standards.**

Except as specifically required by the Federal Aviation Administration (FAA) or the FCC, antennas, including the supporting structure and all related appurtenances, shall:

1. Be colored to reduce the visual impact to the greatest degree possible.
2. Not be illuminated, except that buildings may use lighting required by the New York State Fire Prevention and Building Code or when required for security reasons. When lighting is used, it shall be compatible with the surrounding neighborhood to the greatest degree practicable.

#### **§ XVIII. Fencing and NIER warning signs.**

1. The area surrounding the facility shall:

- a. Be fenced or otherwise secured in a manner which prevents unauthorized access by the general public to areas where the standards of any federal or state agency are exceeded.
- b. Contain appropriate signage to warn of areas of the site where:
  1. NIER standards are exceeded.
  2. High risks for shocks or burns exist.
2. For wall-mounted antennas, the signage shall be placed no more than five feet off the ground.
3. No other signage, including advertising, shall be permitted at the facility, antenna or tower or supporting structure, unless required by law.

#### **§ XIX. NIER exposure standards.**

No antenna or combination of antennas shall expose the general public to NIER levels exceeding the standard of any federal or state agencies having jurisdiction. In addition, no antenna facility shall emit radiation such that the general public will be exposed to shock and burn in excess of the standards contained in ANSI C-95.1.

#### **§ XX. Registration of antenna operators.**

The Building Department shall keep a list of the names, addresses, type and maximum emissions of all antenna operators in the Town. This list shall be maintained from applications to the Planning Board and Building Department and from FCC or similar inventories of facilities in the Town. If the name or address of the owner or operator of the antenna facility is changed, the Building Department shall be notified of the change within 30 days.

#### **§ XXI. Expiration of special permit.**

1. The special permit shall be issued to the use that was the subject of the application and shall expire upon the termination of such use.
2. The Director of Code Enforcement shall require issuance of a revised or new special permit prior to the issuance of a building permit where the proposal requires a special permit use under this article.
3. After issuance of a building permit, the applicant shall provide a report to the Director of Code Enforcement prepared by a New York State licensed professional engineer certifying that any monopole or tower has been constructed in accordance with the plans approved by the Director of Code Enforcement.
4. All special permits issued for any wireless telecommunications facility shall be renewed every two years from the effective date of the approval of the facility. An application for renewal shall be made to the Planning Board. The Planning Board shall review any and



all changes in circumstances influencing the wireless telecommunications facility, or the actual facility itself, including its operation and use. If circumstances have materially changed, then the Planning Board shall reconsider the special permit approval. Failure to renew the special exception permit use, or the denial of the renewal by the Planning Board, shall result in the removal of the wireless telecommunications facility in accordance with this article.

**§ XXII. Existing installations.**

Any wireless telecommunications facility legally existing at the time that this article takes effect shall be permitted to continue, provided that the operator submits proof within six months of the enactment of this article that a valid building permit has been issued for the facility and that the facility complies with the standards adopted by the Federal Communications Commission and all requirements of this article, as certified by a professional engineer with qualifications acceptable to the Town of Carmel.

**§ 345-99. Severability.**

Should any section, paragraph, sentence, clause, word or provision of this article be declared void, invalid or unenforceable, for any reason, such decision shall not affect the remaining provisions of this article.