

ROBERT LAGA
Chairman

NICHOLAS FANNIN
Vice Chairman

ROSE TROMBETTA
Secretary

TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 - Ext. 190
www.ci.carmel.ny.us

BOARD MEMBERS

Edward Barnett
Vincent Turano
John Starace

ENVIRONMENTAL CONSERVATION BOARD AGENDA

DECEMBER 21, 2017 – 7:30 P.M.

| <u>APPLICANT</u> | <u>ADDRESS</u> | <u>TAX MAP #</u> | <u>COMMENTS</u> |
|---|-----------------------|-------------------------|---|
| <u>PLANNING BOARD REFERRAL:</u> | | | |
| 1. New York SMSA Limited Partnership d/b/a Verizon Wireless | 954 Route 6 | 65.9-1-24 | Amended Site Plan - Telecommunications Antenna |

MISCELLANEOUS:

2. Minutes – 10/05/17

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

NEW YORK OFFICE
445 PARK AVENUE, 9TH FLOOR
NEW YORK, NEW YORK 10022
(212) 749-1448
FAX (212) 932-2693

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

December 1, 2017

RECEIVED

DEC 01 2017

Town of Carmel

Honorable Chairman Robert Laga
and Members of the Environmental Conservation 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
Locate a Public Utility Wireless Communications Facility on the Roof of the
Building Located at 954 Route 6, Mahopac, New York


Dear Honorable Chairman Laga
and Members of the Environmental Conservation Board:

We are the attorneys for New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") in connection with Verizon Wireless' request to locate a public utility wireless communications facility ("Facility") on the roof of the building ("Building") located at the captioned 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. The Facility will enable Verizon Wireless to enhance its wireless services to the area. Whereas no ground disturbance is proposed and the Facility is not located within 100 feet of any wetland, watercourse, or waterbody, a recommendation to the Planning Board that the Facility should be approved forthwith is respectfully requested.

Thank you for your consideration. We look forward to discussing this matter at the Environmental Conservation Board's next meeting. If you have any questions, please do not hesitate to contact me at (914) 333-0700.

Respectfully submitted,
Snyder & Snyder, LLP

By: 
Jordan M. Fry

cc: Planning Board
Verizon Wireless

Z:\SSDATA\WPDATA\SS4\WP\NEWBANM\BREYER\SMALL CELL SITES\MAHOPAC 8\ZONING\ECB NOTICE.LC.8.4.17.DOCX

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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 Form¹; 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

¹ 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.



TOWN OF CARMEL SITE PLAN APPLICATION



Per Town of Carmel Code – Section 156 - Zoning

| SITE IDENTIFICATION INFORMATION | | |
|--|--|---|
| Application Name: New York SMSA Limited Partnership d/b/a Verizon Wireless public utility wireless communications facility | | Application # |
| Date Submitted: | | |
| Site Address: No. 954 Street: Route 6 Hamlet: Mahopac | | |
| Property Location: (Identify landmarks, distance from intersections, etc.) On Rte 6N, adjacent to East Lake Blvd. | | |
| Town of Carmel Tax Map Designation: Section 65.9 Block 1 Lot(s) 24 | | Zoning Designation of Site: C (Commercial) |
| Property Deed Recorded in County Clerk's Office Date Liber Page | | Liens, Mortgages or other Encumbrances Yes No |
| Existing Easements Relating to the Site No Yes Describe and attach copies: | | Are Easements Proposed? No Yes Describe and attach copies: |
| Have Property Owners within a 500' Radius of the Site Been Identified? 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 | | |
| Property Owner: 888 Route 6, LLC | | Phone #: Fax#: |
| Email: | | |
| Owners Address: No. 888 Street: Route 6 Town: Mahopac State: NY Zip: 10541 | | |
| Applicant (if different than owner) New York SMSA Limited Partnership d/b/a Verizon Wireless c/o Snyder & Snyder | | Phone #: (914) 333-0700 Fax#: (914) 333-0743 |
| Email: jfry@snyderlaw.net | | |
| Applicant Address (if different than owner): No. 94 Street: White Plains Road Town: Tarrytown State: NY Zip: 10591 | | |
| Individual/ Firm Responsible for Preparing Site Plan: French & Parrello Associates | | Phone #: (732) 312-9800 Fax#: |
| Email: | | |
| Address: No. Street: Town: State: Zip: | | |
| Other Representatives: Snyder & Snyder LLP | | Phone #: (914) 333-0700 Fax#: (914) 333-0743 |
| Email: lsnyder@snyderlaw.net | | |
| Owner Address: No. 94 Street: White Plains Road Town: Tarrytown State: NY Zip: 10591 | | |
| PROJECT DESCRIPTION | | |
| Describe the project, proposed use and operation thereof: 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

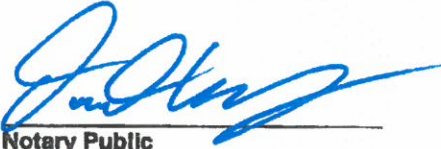
| PROJECT INFORMATION | | | |
|---|--|---|--|
| Lot size: Acres: +/- .27 Square Feet: +/- 11,761 | | Square footage of all existing structures (by floor): N/A | |
| # of existing parking spaces: 14 | | # of proposed parking spaces: See footnote below | |
| # of existing dwelling units: 0 | | # of proposed dwelling units: 0 | |
| Is the site served by the following public utility infrastructure: | | | |
| <ul style="list-style-type: none"> ▪ Is project in sewer district or will private septic system(s) be installed? <u>N/A</u> ▪ If yes to Sanitary Sewer answer the following: <ul style="list-style-type: none"> ▶ Does approval exist to connect to sewer main? Yes: <input type="checkbox"/> No: <input type="checkbox"/> ▶ Is this an in-district connection? _____ Out-of district connection? _____ ▶ What is the total sewer capacity at time of application? _____ ▶ What is your anticipated average and maximum daily flow _____ | | | |
| For Town of Carmel Town Engineer | | | |
| ▶ What is the sewer capacity _____ N/A, the proposed facility is unmanned | | | |
| and therefore does not require water, sewer, or additional parking | | | |
| <ul style="list-style-type: none"> ▪ Water Supply Yes: <input type="checkbox"/> No: <input type="checkbox"/> | | | |
| If Yes: ▶ Does approval exist to connect to water main? Yes: <input type="checkbox"/> No: <input type="checkbox"/> | | | |
| ▶ What is the total water capacity at time of application? _____ | | | |
| ▶ What is your anticipated average and maximum daily demand _____ | | | |
| <ul style="list-style-type: none"> ▪ 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 | | | |
| <ul style="list-style-type: none"> ▪ Electric Service Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> | | | |
| <ul style="list-style-type: none"> ▪ Gas Service Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> | | | |
| <ul style="list-style-type: none"> • Telephone/Cable Lines Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> | | | |
| For Town of Carmel Town Engineer | | | |
| Water Flows _____ | | | |
| Sewer Flows _____ | | | |
| Town Engineer; Date _____ | | | |
| What is the predominant soil type(s) on the site? | | What is the approximate depth to water table? | |
| N/A the facility will be located on | | the roof of the existing building | |
| Site slope categories: | | 15-25% <input type="checkbox"/> % 25-35% <input type="checkbox"/> % >35% <input type="checkbox"/> % | |
| Estimated quantity of excavation: | | Cut (C.Y.) <input type="checkbox"/> Fill (C.Y.) <input type="checkbox"/> | |
| 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: | | | |
| <ul style="list-style-type: none"> • The boundary of an adjoining city, town or village | | Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> • The boundary of a state or county park, recreation area or road right-of-way | | Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> | |
| <ul style="list-style-type: none"> • A county drainage channel line. | | Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> | |
| <ul style="list-style-type: none"> • 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 therefore will not generate any waste necessitating disposal Public: <input type="checkbox"/> Private: <input type="checkbox"/> | | | |
| 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. 38</i></u> , as attorney Applicants Signature |
| Sworn before me this <u>21st</u> day of <u>August</u> 20 <u>17</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"/> | <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"/> | <input type="checkbox"/> |
| 11 | Sidewalks, paths and other means of pedestrian circulation | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12 | On-site parking and loading spaces and travel aisles with dimensions | <input checked="" type="checkbox"/> | <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.

1 of 3

**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 | 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"/> |

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:

P. J. Tardy
Signature - Applicant

8/3/17
Date



Professionals Seal

See attached letter of authorization
Signature - Owner

Date

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
7th 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 10-19-18



TOWN OF CARMEL
SITE PLAN COMPLETENESS
CERTIFICATION FORM

=====



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:

Signature - Planning Board Secretary

Date

Signature - Town Engineer

Date

TOWN OF CARMEL PLANNING BOARD

60 MCALPIN AVENUE, MAHOPAC, NY 10541 - 845-628-1500 - FAX 845-628-7085

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION & REQUEST

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and Penal Provisions thereof as well, the undersigned applicant states that no State officer, Officer, or Employee of the Town of Carmel, or of the County of Putnam, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

☒ (X) NONE to the best of my knowledge

☐ () NAMES: ADDRESSES: RELATIONSHIP OR INTEREST
(FINANCIAL OR OTHERWISE)

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following board or office or political subdivision of the Town of Carmel.

| | |
|---|---|
| <input type="checkbox"/> () CARMEL TOWN BOARD | <input type="checkbox"/> () ZONING ENFORCEMENT OFFICER |
| <input type="checkbox"/> () ZONING BOARD OF APPEALS | <input type="checkbox"/> () ARCHITECTURAL REVIEW BOARD |
| <input type="checkbox"/> () BUILDING INSPECTOR | <input type="checkbox"/> () ENVIRONMENTAL CONSERVATION BOARD |
| <input checked="" type="checkbox"/> (X) CARMEL PLANNING BOARD | <input type="checkbox"/> () OTHER |

DATED: July 28, 2017

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

By: 

CORPORATE APPLICANT

TOWN OF CARMEL PLANNING BOARD

60 MCALPIN AVENUE, MAHOPAC, NY 10541 - 845-628-1500 - FAX 845-628-7085

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION & REQUEST

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and Penal Provisions thereof as well, the undersigned applicant states that no State officer, Officer, or Employee of the Town of Carmel, or of the County of Putnam, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

- (X) NONE to the best of my knowledge
- () NAMES: ADDRESSES: RELATIONSHIP OR INTEREST
(FINANCIAL OR OTHERWISE)

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following board or office or political subdivision of the Town of Carmel.

- | | |
|-----------------------------|--------------------------------------|
| () CARMEL TOWN BOARD | () ZONING ENFORCEMENT OFFICER |
| () ZONING BOARD OF APPEALS | () ARCHITECTURAL REVIEW BOARD |
| () BUILDING INSPECTOR | () ENVIRONMENTAL CONSERVATION BOARD |
| (X) CARMEL PLANNING BOARD | () OTHER |

DATED: July 28, 2017

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

By: 

CORPORATE APPLICANT

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").¹ 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.² 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.

¹ A copy of the Rule is available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-99A1.pdf.

² 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,³ 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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³ 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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Appendix A. BACKGROUND ON THE FCC MPE LIMIT

Appendix B. SUMMARY OF EXPERT QUALIFICATIONS

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.

| | |
|-------------------------------|---------------------------------------|
| General Data | |
| 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) |
| 1900 MHz Antenna Data | |
| Antenna Models (Max. Gain) | Commscope HBXX-6513DS-A2M (14.6 dBi) |
| RF Channels per Sector | 2 @ 60 watts |
| 2100 MHz Antenna Data | |
| Antenna Models (Max. Gain) | Commscope HBXX-6513DS-A2M (14.9 dBi) |
| RF Channels per Sector | 2 @ 90 watts |

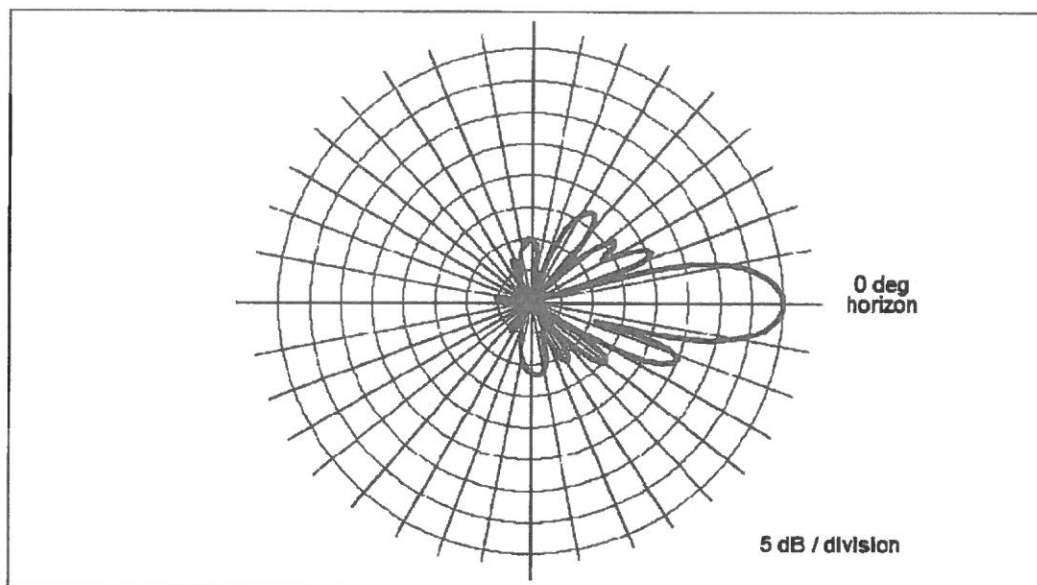
The area below the antennas at street level is of interest in terms of potential "uncontrolled" exposure of the general public, so the antenna's vertical-plane emission characteristic is used in the compliance analysis.

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 1/100th of the maximum that occurs in the main beam (at 0 degrees); at 30 dB, the energy is 1/1,000th 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:

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

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 |
| $10^{(\text{Gmax-Vdloss}/10)}$ | = | 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.

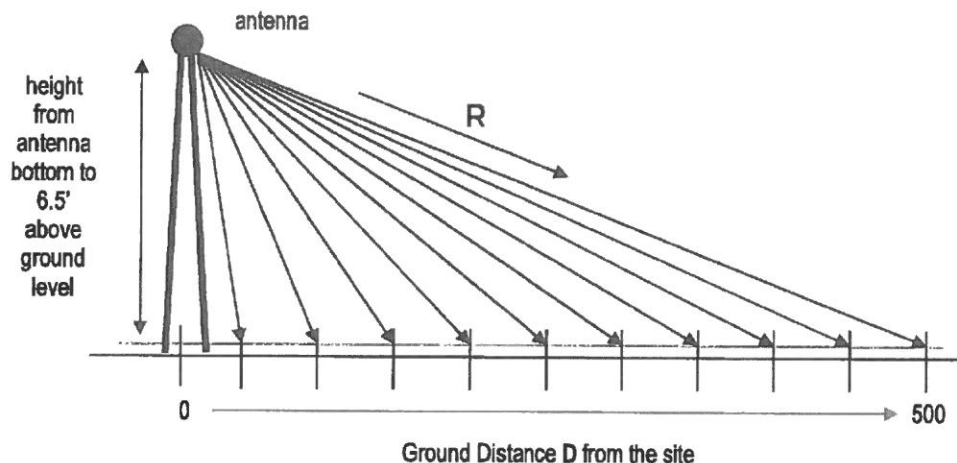


Figure 2. Street-level MPE% Calculation Geometry

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.

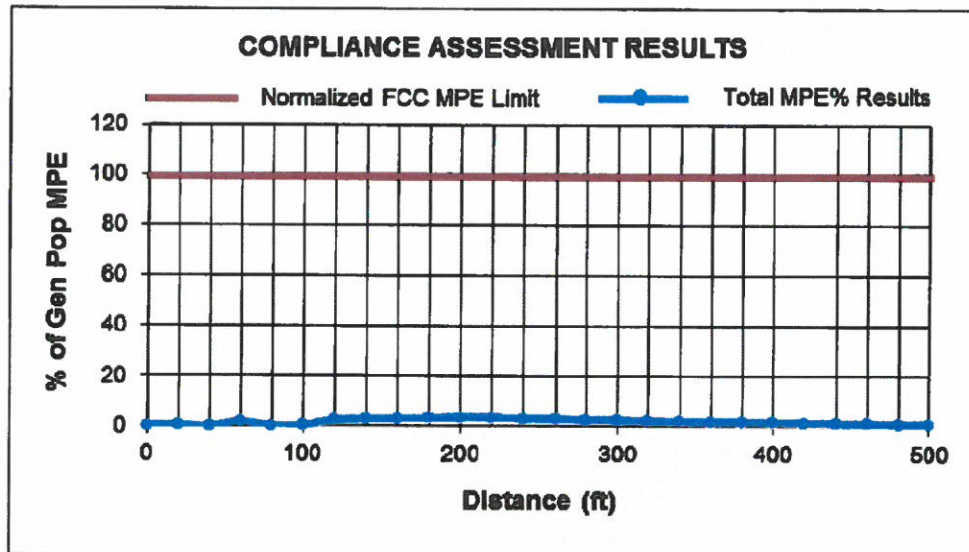
The net result of these assumptions is to significantly overstate the calculated RF exposure levels relative to the levels that will actually occur – and the purpose of this conservatism is to allow very "safe-side" conclusions about compliance.

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 | 3.8004 |
| 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.

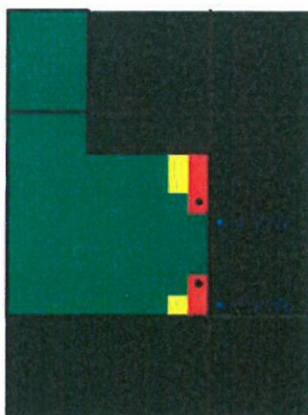
RF levels in the near field of an antenna depend on the power input to the antenna, the antenna's length and horizontal beamwidth, the mounting height of the antenna above nearby roof, and one's position and distance from the antenna. RF levels in front of a directional antenna are higher than they are 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.

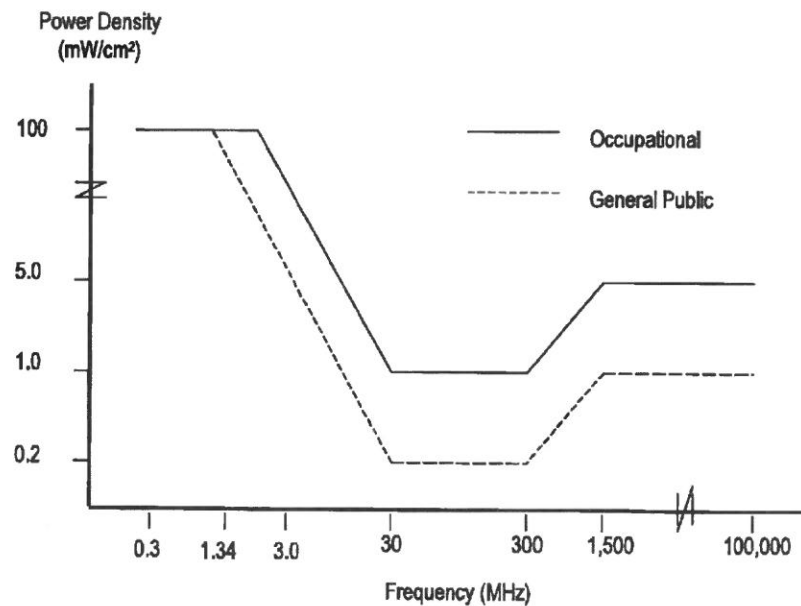
The specified continuous exposure MPE limits are based on known variation of human body susceptibility in different frequency ranges, and a Specific Absorption Rate (SAR) of 4 watts per kilogram, which is universally considered to accurately represent human capacity to dissipate incident RF energy (in 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/cm²). The table on the next page lists the FCC limits for both occupational and general population exposures, using the mW/cm² reference, for the different radio frequency ranges.

| Frequency Range (F) (MHz) | Occupational Exposure (mW/cm ²) | General Public Exposure (mW/cm ²) |
|------------------------------|--|--|
| 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

| | |
|---------------------------------|---|
| Synopsis: | <ul style="list-style-type: none"> • 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 • Have performed RF engineering and FCC compliance work for all the major wireless carriers – AT&T, Verizon Wireless, Sprint, T-Mobile, and MetroPCS, as well as Crown Castle • 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 |
| Education: | <ul style="list-style-type: none"> • Bachelor of Science in Electrical Engineering, DeVry Institute of Technology, Chicago, IL, 1987 |
| Current Responsibilities | <ul style="list-style-type: none"> • 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 • Provides math-based FCC compliance assessments and reports for PTG's wireless clients, including AT&T, Verizon Wireless, T-Mobile, Sprint, MetroPCS, and Crown Castle • Responsible for providing client consulting and in-house training on FCC and OSHA RF safety compliance |
| Prior Experience: | <ul style="list-style-type: none"> • Have served as senior RF engineer for four of the five national wireless carriers – AT&T, T-Mobile, Sprint, and MetroPCS – in the New York and New Jersey markets • Served as an RF engineer for Metricom, Triton PCS, Alltel Communications, and Western Wireless • Have worked as an RF engineer for several engineering services companies, including Sublime Wireless, Amirit Technologies, Celcite, and Wireless Facilities Incorporated |

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 15th 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 15th 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

New Jersey Veteran Owned Business

VISIBILITY ANALYSIS

For

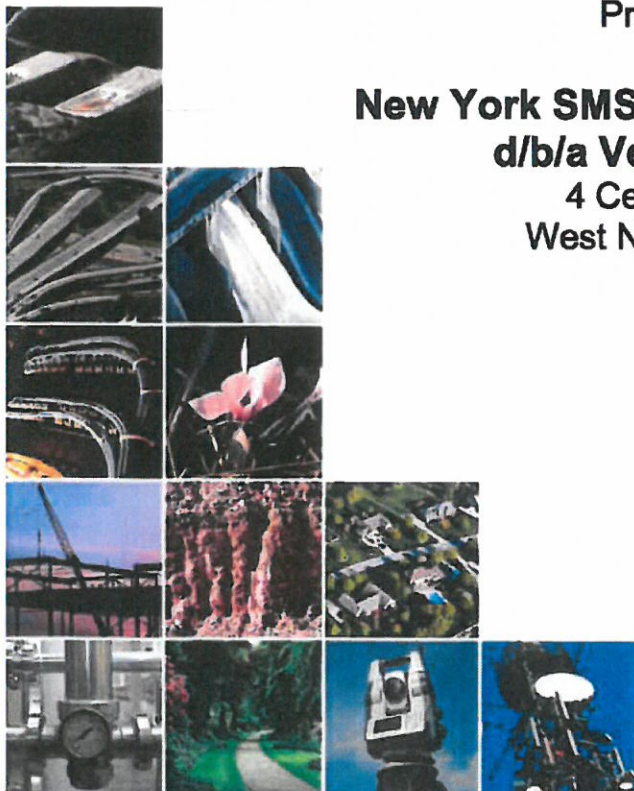
PROPOSED VERIZON WIRELESS TELECOMMUNICATIONS FACILITY
Site ID: MAHOPAC 8_SC

Located At

954 Route 6
Mahopac, New York 10541
Putnam County

Prepared For:

New York SMSA Limited Partnership
d/b/a Verizon Wireless
4 Centerock Road
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 the proposed modification to a 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 21st, 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 modified facility from an observer's perspective. The components of the proposed modified facility located on the roof of the existing building at the subject property are based on drawings prepared by FPA, dated July 31st, 2017.

Three (3) photo locations are provided to present a "before and after" illustration of the modified Verizon Wireless Telecommunications Facility from the immediate area along Route 6. The photo locations were taken from the approximate distance 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 antennas to proper perspective. 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.



Page 1



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

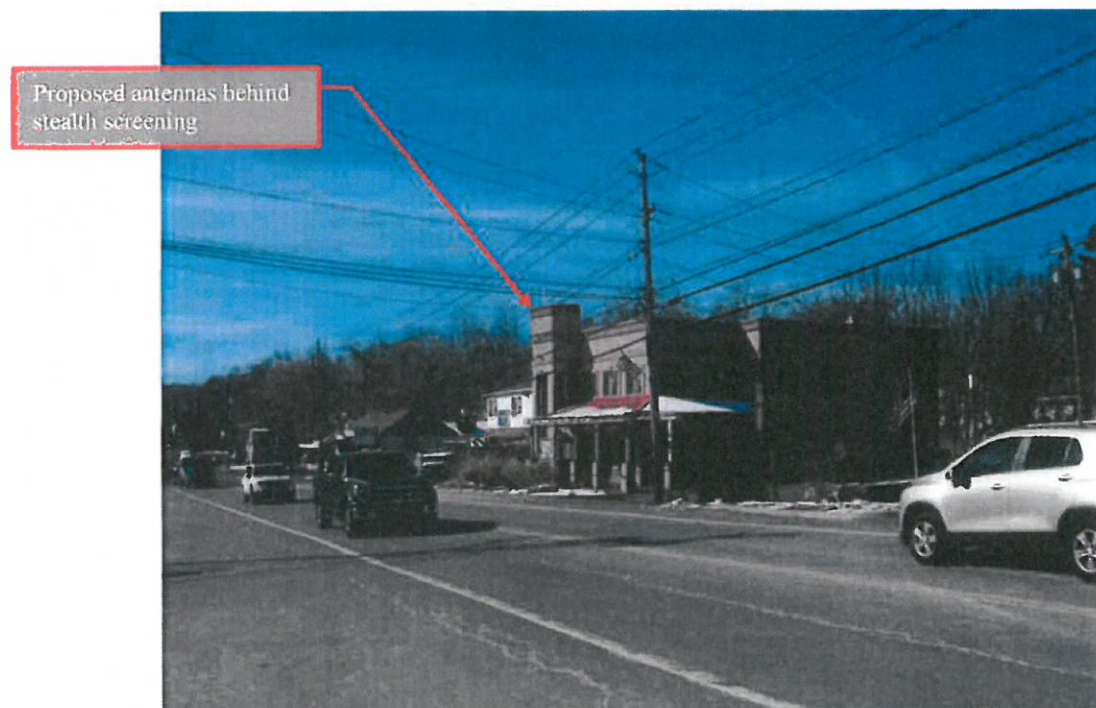


Photo 3B: Proposed View Looking Southwest on Route 6

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.

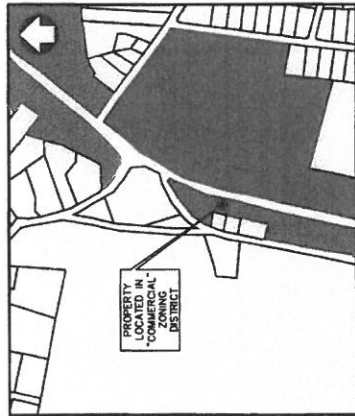
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| | | | | | | | |
|--|-------------------------------------|---|---|----|-----|-------------------------------------|-------------------------------------|
| Part 1 - Project and Sponsor Information | | | | | | | |
| 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%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><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%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><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? | | 0.01 acres | | | | | |
| b. Total acreage to be physically disturbed? | | 0 acres | | | | | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 0.27 acres | | | | | |
| 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 | | | | | | | |

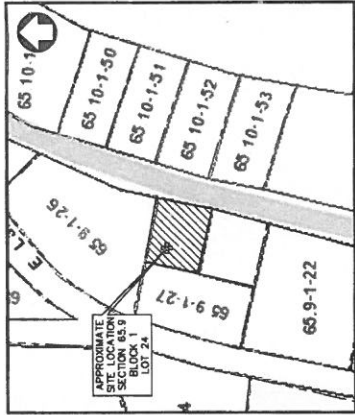
| | | | |
|--|---|--|---------------------------------|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan? | <input 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 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 | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> | |

| | | |
|--|-------------------------------------|--------------------------|
| 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"/> |
| I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE 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 | | |

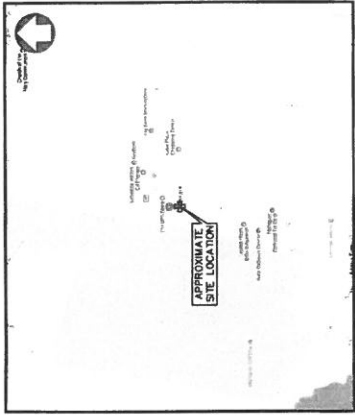
NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS WIRELESS COMMUNICATION FACILITY



CARMEI TOWNSHIP ZONING MAP
SCALE: 1" = 400'



TAX MAP
SCALE: 1" = 100'



KEY MAP
SCALE: 1" = 600'

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 CARMEL PUTNAM COUNTY NEW YORK

| 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 |

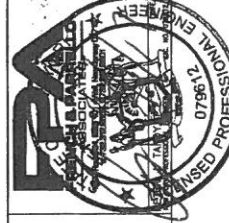
PROJECT DATA

VERIZON WIRELESS SITE ID:
SITE ADDRESS:
SECTION:
BLOCK:
LOT:
ZONE:
NUMBER OF FLOORS:
APPLICANT:
OWNER:

SITE DATA

PROJECT CODE:
LOCATION CODE:
LATITUDE:
LONGITUDE:

| <p>NOTES:</p> <p>1. THIS DOCUMENT HAS BEEN PREPARED FOR A 24"x36" FORMAT. DO NOT SCALE THIS DOCUMENT IF PLOTTED ON ANY OTHER FORMAT.</p> <p>2. IF THIS DOCUMENT DOES NOT CONTAIN THE STAMP OF THE PROFESSIONAL ENGINEER, IT IS NOT A VALID DOCUMENT AND NO LIABILITY IS ASSUMED FOR THE INFORMATION SHOWN HEREON.</p> | | <p>DATE: 07/27/17</p> <p>SCALE: 1" = 600'</p> <p>PROJECT NO: 10541</p> <p>PROJECT NAME: MAHOPAC 8_RSC</p> <p>PROJECT ADDRESS: 954 ROUTE 6, MAHOPAC, NEW YORK 10541</p> <p>PROJECT OWNER: PUTNAM COUNTY</p> <p>PROJECT NO: 10541</p> <p>PROJECT NAME: MAHOPAC 8_RSC</p> <p>PROJECT ADDRESS: 954 ROUTE 6, MAHOPAC, NEW YORK 10541</p> <p>PROJECT OWNER: PUTNAM COUNTY</p> <p>PROJECT NO: 10541</p> <p>PROJECT NAME: MAHOPAC 8_RSC</p> <p>PROJECT ADDRESS: 954 ROUTE 6, MAHOPAC, NEW YORK 10541</p> <p>PROJECT OWNER: PUTNAM COUNTY</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|----------|--|------|-------------|---|----------|--------------------|---|----------|--------------------|---|----------|--------------------|---|----------|--------------------|---|----------|--------------------|---|----------|--------------------|---|----------|--------------------|---|----------|--------------------|---|----------|--------------------|----|----------|--------------------|--|
| <p>SCHEDULE OF REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>2</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>3</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>4</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>5</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>6</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>7</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>8</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>9</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> <tr> <td>10</td> <td>07/27/17</td> <td>ISSUED FOR PERMITS</td> </tr> </tbody> </table> | | NO. | DATE | DESCRIPTION | 1 | 07/27/17 | ISSUED FOR PERMITS | 2 | 07/27/17 | ISSUED FOR PERMITS | 3 | 07/27/17 | ISSUED FOR PERMITS | 4 | 07/27/17 | ISSUED FOR PERMITS | 5 | 07/27/17 | ISSUED FOR PERMITS | 6 | 07/27/17 | ISSUED FOR PERMITS | 7 | 07/27/17 | ISSUED FOR PERMITS | 8 | 07/27/17 | ISSUED FOR PERMITS | 9 | 07/27/17 | ISSUED FOR PERMITS | 10 | 07/27/17 | ISSUED FOR PERMITS | <p>DATE: 07/27/17</p> <p>SCALE: 1" = 600'</p> <p>PROJECT NO: 10541</p> <p>PROJECT NAME: MAHOPAC 8_RSC</p> <p>PROJECT ADDRESS: 954 ROUTE 6, MAHOPAC, NEW YORK 10541</p> <p>PROJECT OWNER: PUTNAM COUNTY</p> <p>PROJECT NO: 10541</p> <p>PROJECT NAME: MAHOPAC 8_RSC</p> <p>PROJECT ADDRESS: 954 ROUTE 6, MAHOPAC, NEW YORK 10541</p> <p>PROJECT OWNER: PUTNAM COUNTY</p> <p>PROJECT NO: 10541</p> <p>PROJECT NAME: MAHOPAC 8_RSC</p> <p>PROJECT ADDRESS: 954 ROUTE 6, MAHOPAC, NEW YORK 10541</p> <p>PROJECT OWNER: PUTNAM COUNTY</p> |
| NO. | DATE | DESCRIPTION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | 07/27/17 | ISSUED FOR PERMITS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



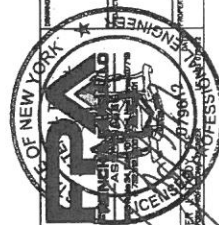
GENERAL NOTES:

- 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 FROST & PARRELLO ASSOCIATES, AERIAL INAGENCY, AND DIGITAL TPA 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 HYPERBOLIC 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 | | | |
| ITEM | REQUIRED | EXISTING | PROPOSED |
| MIN. LOT AREA | 40,000 SF | 41,781 SF* | NO CHANGE |
| MIN. LOT WIDTH | 200 FT | 1100 FT* | NO CHANGE |
| MIN. LOT DEPTH | 200 FT | 420 FT* | NO CHANGE |
| PRINCIPAL BUILDING SETBACK | | | |
| MIN. FRONT YARD | 40 FT | 420 FT* | NO CHANGE |
| MIN. SIDE YARD | 25 FT | 400 FT | NO CHANGE |
| MIN. REAR YARD | 30 FT | 420 FT | NO CHANGE |
| MAX. BUILDING HEIGHT (BUILDINGS) | 35 FT (80 FT FOR OFFICE BUILDINGS) | 50 FT | NO CHANGE |
| MIN. FLOOR AREA | 5,000 SF | 44,881 SF* | NO CHANGE |
| MAX. BUILDING COVERAGE | 50% (40% FOR OFFICE BUILDINGS) | 52.1% | 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 (MIN. 8,000 SF - 24 PS) | 14 PS (400 PS IN ADJACENT LOT) | NO CHANGE |

TABLE OF BULK REQUIREMENTS FOR COMMERCIAL ZONING ACCORDING TO §16B AND §16C ATTACHMENTS OF THE TOWN OF CANTON ZONING CODE.

* EXISTING NONCONFORMITY



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

NOTES:
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| SCHEDULE OF REVISIONS | | DATE | BY | REVISION |
|-----------------------|----------|----------|----|-------------------------|
| 1 | REVISION | 07/27/17 | 1 | ISSUED FOR CONSTRUCTION |
| 2 | REVISION | 07/27/17 | 2 | ISSUED FOR CONSTRUCTION |
| 3 | REVISION | 07/27/17 | 3 | ISSUED FOR CONSTRUCTION |
| 4 | REVISION | 07/27/17 | 4 | ISSUED FOR CONSTRUCTION |
| 5 | REVISION | 07/27/17 | 5 | ISSUED FOR CONSTRUCTION |
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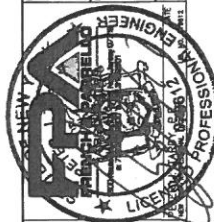
1 SITE PLAN
 SCALE: 1" = 30'

GRAPHIC SCALE

(IN FEET)

1 inch = 30 feet

PLAN NORTH

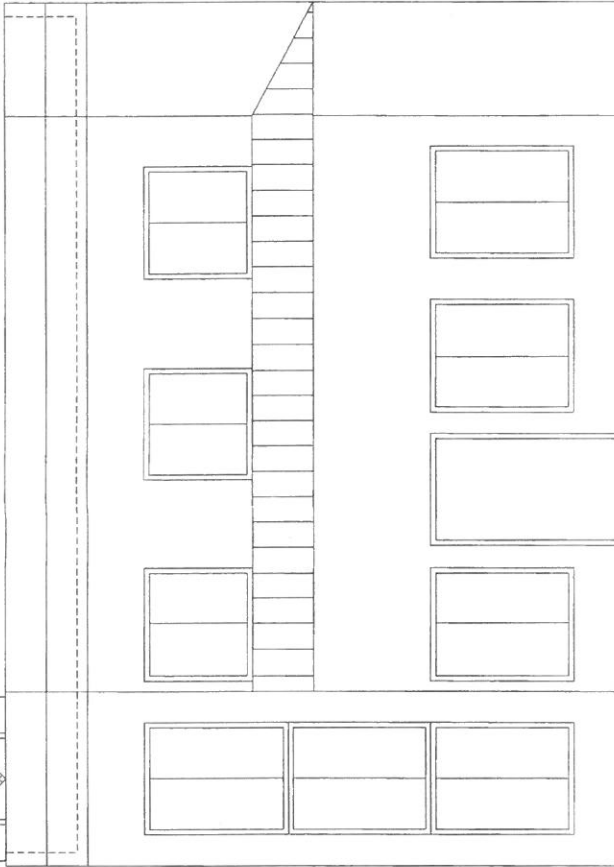


PROPOSED VERIZON WIRELESS
ANTENNA POSTED DOWN TO
ROOF WITH KICKBACK

PROPOSED VERIZON WIRELESS
RF TRANSPARENT SCREEN WALL
(TYP)

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

- TOP OF PANEL ANTENNAS
ELEV. +234'-0" AGL
- TOP OF PANEL ANTENNAS
ELEV. +233'-0" AGL
- TOP OF PARAPET
ELEV. +230'-0" AGL
- TOP OF ROOF
ELEV. +226'-6" AGL



GRADE
ELEV. +20' AGL

1 ELEVATION
SCALE: 3/8" = 1'-0"
GRAPHIC SCALE
(IN FEET)
3/8" INCH = 1 FOOT

| SCHEDULE OF REVISIONS | | NOTES: | |
|-----------------------|--|--|--|
| 1 | | 1. THIS DOCUMENT HAS BEEN PREPARED FOR A 24"x36" FORMAT. DO NOT SCALE THIS DOCUMENT IF PLOTTED ON ANY OTHER FORMAT. | |
| 2 | | 2. IF THIS DOCUMENT DOES NOT CONTAIN THE STAMP OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT A VALID DOCUMENT AND NO LIABILITY IS ASSUMED FOR THE INFORMATION SHOWN HEREON. | |
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NEW YORK SMSA LIMITED
PARTNERSHIP d/b/a
VERIZON WIRELESS
4 CENTEROCK ROAD
WEST NYACK, NY 10994


MAHOPAC & JSC
854 ROUTE 5
MAHOPAC, NEW YORK 10541
PUTNAM COUNTY
PROJECT OWNER: 888 ROUTE 516, LLC

DRAWING TITLE: ELEVATION PLAN
DRAWING NO.: S4
DATE: 07/21/17
SCALE: 3/8" = 1'-0"
PROJECT NO.: 1001133
SHEET NO.: 1 OF 1
SHEET DATE: 07/21/17

DRAWING ISSUE STATUS CURRENTLY - B
A - ISSUED FOR PRELIMINARY APPROVAL ONLY
B - ISSUED FOR PRELIMINARY APPROVAL
C - ISSUED FOR PRELIMINARY APPROVAL
D - ISSUED FOR PRELIMINARY APPROVAL
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| SCHEDULE OF REVISIONS | | | | | | | | | | NOTES: |
|-----------------------|---------------------------------|-------|-------|---|----------|--|--|--|--|--|
| 7 | | | | | | | | | | <p>1. THIS DOCUMENT HAS BEEN PREPARED FOR A 24", 36" SCALE. THIS DOCUMENT IF PLOTTED ON ANY OTHER FORMAT.</p> <p>2. IF THIS DOCUMENT DOES NOT CONTAIN THE STAMP OF THE PROFESSIONAL ENGINEER AND/OR VALID DOCUMENT AND NO LIABILITY IS ASSUMED FOR THE INFORMATION SHOWN HEREON.</p> |
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| 3 | REVISED AS PER SET | L-4 | P-1.1 | 9 | 07/29/17 | | | | | |
| 2 | REVISED BLUE TABLE | L-4 | P-1.1 | 9 | 07/28/17 | | | | | |
| 1 | REVISED AS PER COMMENTS | C-A-K | P-1.1 | 9 | 07/27/17 | | | | | |
| 1 | REVISED AS PER PROJECT COMMENTS | T-B-A | P-1.1 | 9 | 07/27/17 | | | | | |
| 1 | ISSUED FOR RECORD | T-B-A | P-1.1 | 9 | 04/29/17 | | | | | |

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|--|--|--|--|--|--|--|--|--|--|--------------------------------------|---|
| NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS 4 CENTEROCK ROAD WEST NYACK, NY 10994 | | | | | | | | | | DRAWING TITLE: 500' ABUTTERS LIST | DRAWING NO. R-1 |
|  | | | | | | | | | | DATE: 06/29/17 | PROJECT: MANHATTAN, B.S.C. 854 ROUTE 6 MANHAPP, NEW YORK 10541 PUNAM COUNTY |
| | | | | | | | | | | FIRST ISSUE: 06/29/17 | DRAWING BY: T.B.A. |
| | | | | | | | | | | CHECKED BY: P.A.C. | SCALE: AS SHOWN |
| | | | | | | | | | | PROJECT NO.: 8848 | SHEET NO.: 1 OF 1 |
| | | | | | | | | | | PROJECT NAME: 8848 | SHEET DATE: 07/27/17 |

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| DRAWING ISSUE STATUS CURRENTLY - B | 1 - ISSUED FOR MATERIALS, REPAIRS/AMENDMENTS 2 - ISSUED FOR CONSTRUCTION 3 - ISSUED FOR CONSTRUCTION 4 - ISSUED FOR CONSTRUCTION 5 - ISSUED FOR CONSTRUCTION 6 - ISSUED FOR CONSTRUCTION 7 - ISSUED FOR CONSTRUCTION 8 - ISSUED FOR CONSTRUCTION 9 - ISSUED FOR CONSTRUCTION 10 - ISSUED FOR CONSTRUCTION |
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EXPERIENCE YOU CAN BUILD ON

VISIBILITY ANALYSIS OPTION 1

For

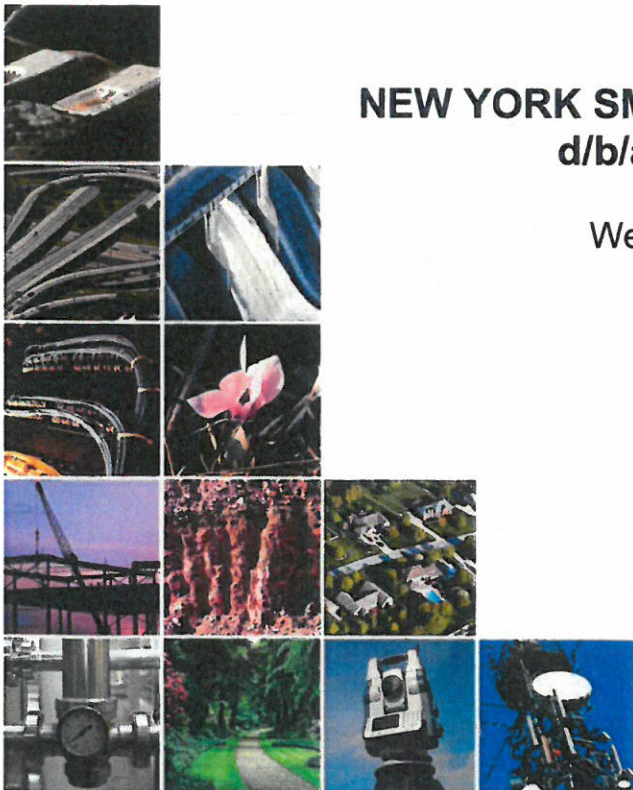
Proposed Verizon Wireless Antenna Installation
Site Name: MAHOPAC 8_RSC

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



September 28, 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 21st, 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 31st, 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

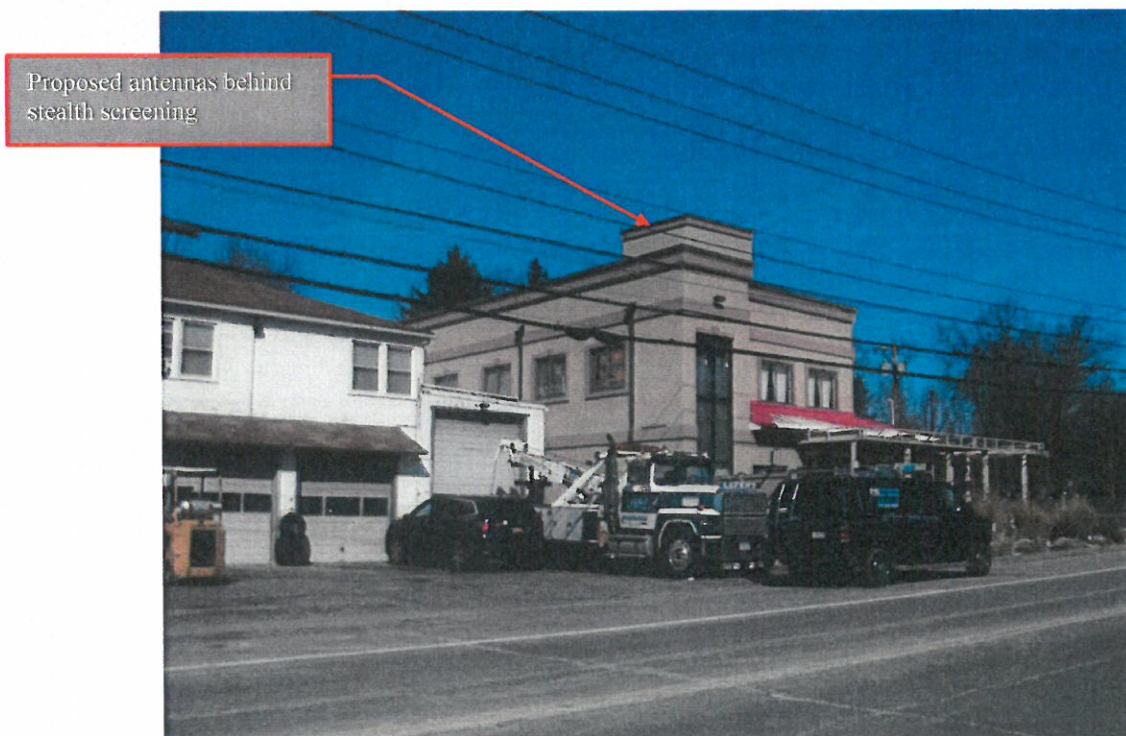


Photo 1B: Proposed View Looking Northwest on Route 6



Photo 2A: Existing View Looking West on Route 6

Proposed antennas behind
stealth screening

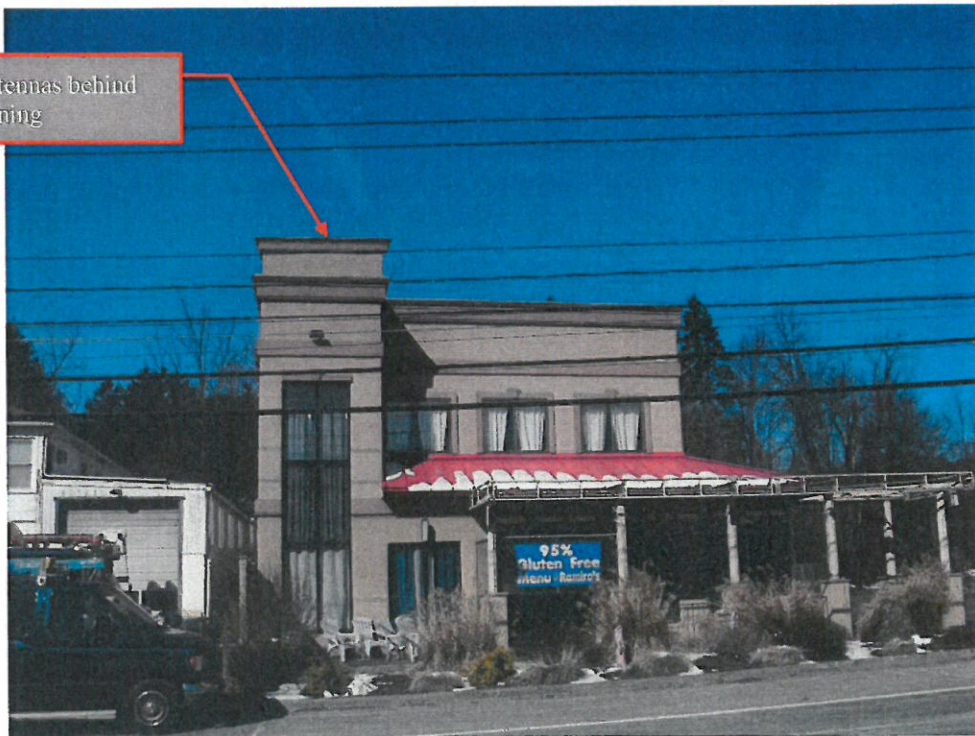


Photo 2B: Proposed View Looking West on Route 6



Photo 3A: Existing View Looking Southwest on Route 6

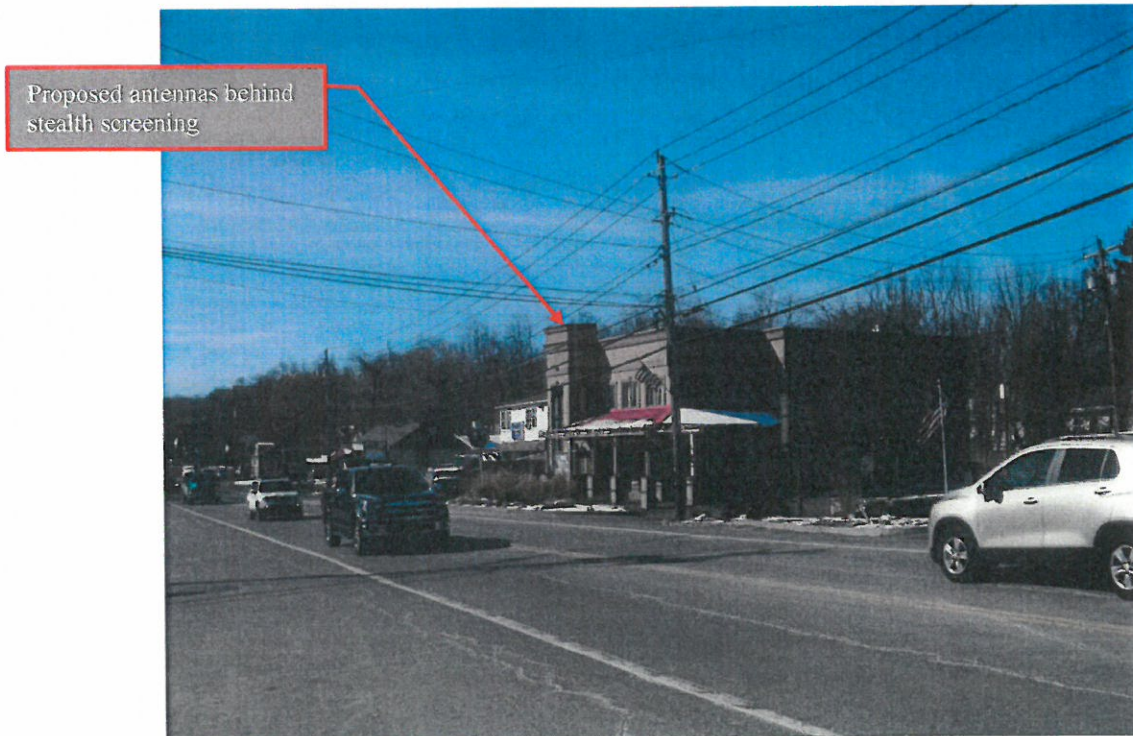


Photo 3B: Proposed View Looking Southwest on Route 6

ZBA

Bldg

Town of Carmel
ZONING BOARD OF APPEALS

McALPIN AVENUE - MAHOPAC, NEW YORK 10541

(845) 628 - 1500

DECISION AND ORDER

| | |
|--------------------------------|--|
| NAME OF PETITIONER: | FRED IONTA D/B/A PLAZA BAKERY |
| ADDRESS OF PETITIONER: | 954 ROUTE 6, MAHOPAC, NY 10541 |
| LOCATION OF PROPERTY: | 954 ROUTE 6, MAHOPAC, NY 10541 |
| TAX MAP NUMBER: | 65.09-1-24 |
| NATURE OF PETITION: | VARIANCE OF SECTION 63.9 |
| PRESENT AT THE MEETING: | JOSEPH GIRVEN, MARK FRASER, JOHN MAXWELL, JAMES FERRICK, JOSEPH DIVESTEA, LORRAINE MARIANI. |

THE ABOVE REFERRED TO PETITION, HAVING BEEN DULY ADVERTISED FOR A PUBLIC HEARING IN THE PUTNAM COURIER TRADER, THE OFFICIAL PAPER OF THE TOWN OF CARMEL, IN THE ISSUE PUBLISHED ON JULY 11, 2002 AND THE PRESS, THE OTHER OFFICIAL PAPER OF THE TOWN OF CARMEL IN THE ISSUE PUBLISHED ON JULY 10, 2002, THE MATTER HAVING DULY COME ON TO BE HEARD BEFORE A DULY CONVENED MEETING OF THE BOARD AT THE TOWN HALL, MAHOPAC, NEW YORK ON JULY 22, 2002 AND ALL THE FACTS AND EVIDENCE PRODUCED BY THE PETITIONER, BY THE ADMINISTRATIVE OFFICIAL CONCERNED, AND BY INTERESTED PARTIES HAVING BEEN DULY HEARD, RECEIVED AND CONSIDERED, AND DUE DELIBERATION HAVING BEEN HAD, THE FOLLOWING DECISION IS HEREBY MADE:

FINDING OF FACT

APPLICATION CONCERNS A SMALL RETAIL BUILDING BUILT IN 1957 AND CONTAINING 3320 SQ. FT. SITUATED ON .27 ACRES WITH 100 FEET FRONTAGE ON ROUTE 6. A SHED IS ALSO LOCATED ON THE SITE. APPLICANT PLANS TO OCCUPY THE ENTIRE FIRST FLOOR WITH HIS BAKERY BUSINESS AND WISHES TO CONSTRUCT A SECOND FLOOR TO BE USED FOR STORAGE FOR HIS BUSINESS.

PURCHASE OF ADDITIONAL LAND IN ORDER TO CONFORM IS NOT AN OPTION.

MEMBERS OF THE BOARD HAVE HAD THE OPPORTUNITY TO INSPECT THE APPLICANT'S PROPERTY AND CONSIDER THE IMPACT ON THE NEIGHBORHOOD IF THE VARIANCE WAS GRANTED.

CONCLUSION

MEMBERS OF THE BOARD ARE FAMILIAR WITH THE SUBJECT PREMISES AND THE CONDITIONS IN THE IMMEDIATE NEIGHBORHOOD. THE BOARD HAS TAKEN INTO CONSIDERATION THE BENEFIT TO THE APPLICANT IF THE VARIANCE IS GRANTED AS WEIGHED AGAINST THE DETRIMENT TO THE HEALTH, SAFETY AND WELFARE OF THE NEIGHBORHOOD AND COMMUNITY.

THE BOARD ALSO CONSIDERED THOSE CRITERIA FOR AN AREA VARIANCE AS SET FORTH AT TOWN LAW SECTION 267-b(3)(b) AND DETERMINED THAT:

1) AN UNDESIRABLE CHANGE WILL NOT BE PRODUCED IN THE CHARACTER OF THE NEIGHBORHOOD AND A SIGNIFICANT DETRIMENT WILL NOT RESULT TO NEARBY PROPERTIES;

2) THE BENEFIT SOUGHT BY THE APPLICANT CANNOT BE ACHIEVED BY OTHER METHODS;

3) THE VARIANCE SOUGHT IS NOT SUBSTANTIAL;

4) THE VARIANCE, IF GRANTED, WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL AND ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD; AND

5) THE DIFFICULTY, CREATED BY THE APPLICANT, DOES NOT PRECLUDE THE GRANTING OF THE VARIANCE.

DECISION

REQUEST FOR A VARIATION OF SECTION 63.9 FOR THE FOLLOWING VARIANCES WHICH ARE HEREBY GRANTED WITH THE CONDITIONS THE SECOND FLOOR WILL BE USED FOR STORAGE ONLY AND IF ANY OTHER USE IS CONTEMPLATED, APPLICANT MUST RETURN TO BOTH THE PLANNING BOARD AND THE ZONING BOARD. A SECOND CONDITION TO THE GRANTING OF THESE VARIANCES IS THE EXISTING SHED MUST BE REMOVED.

ONE FOOT PARKING SPACE WIDTH FROM THE CODE REQUIREMENT OF 10 FEET

34.1 FOOT FRONT YARD VARIANCE FROM THE 40 FOOT CODE REQUIREMENT

21.61 FOOT SIDE YARD VARIANCE FROM THE 25 FOOT CODE REQUIREMENT

AND A VARIANCE FOR TWO PARKING SPACES AS CODE REQUIRES A TOTAL OF 16 PARKING SPACES WHEREAS ONLY 14 WILL BE PROVIDED

DATED, MAHOPAC, N.Y.
ON AUGUST 28, 2002

FILED IN THE OFFICE OF THE TOWN CLERK
MAHOPAC, N.Y. ON *Aug. 28*, 2002

SUBMITTED TO PUTNAM COUNTY DIVISION
OF PLANNING *July 16, 2002*

APPROVED BY PUTNAM COUNTY DIVISION
OF PLANNING *July 29, 2002*


JOSEPH GIRVEN, CHAIRMAN


MARGARET MOORE, CLERK

ZBA

Town of Carmel
ZONING BOARD OF APPEALS

McALPIN AVENUE - MAHOPAC, NEW YORK 10541

(845) 628-1500

DECISION AND ORDER

JUN 28 2007

NAME OF PETITIONER: FRED IONTA
ADDRESS: 954 ROUTE 6, MAHOPAC, NY 10541
PROPERTY ADDRESS: SAME
TAX MAP NUMBER: 65.09-1-24
NATURE OF PETITION: VARIATION OF SECTION 156.15
PRESENT AT THE MEETING: CHAIRMAN, MARK FRASER, JAMES FERRICK,
JOHN LUPINACCI, ROSE FABIANO, LORRAINE
MARIANI, JOHN MAXWELL, RICHARD
FAVICCHIA

THE ABOVE REFERRED TO PETITION, HAVING BEEN DULY ADVERTISED FOR A PUBLIC HEARING IN THE PUTNAM COURIER TRADER, THE OFFICIAL PAPER OF THE TOWN OF CARMEL, IN THE ISSUE PUBLISHED ON APRIL 19, 2007 AND THE PRESS, THE OTHER OFFICIAL PAPER OF THE TOWN OF CARMEL IN THE ISSUE PUBLISHED ON APRIL 18, 2007, THE MATTER HAVING DULY COME ON TO BE HEARD BEFORE A DULY CONVENED MEETING OF THE BOARD AT THE TOWN HALL, MAHOPAC, NEW YORK ON APRIL 26, 2007 AND ALL THE FACTS AND EVIDENCE PRODUCED BY THE PETITIONER, BY THE ADMINISTRATIVE OFFICIAL CONCERNED, AND BY INTERESTED PARTIES HAVING BEEN DULY HEARD, RECEIVED AND CONSIDERED, AND DUE DELIBERATION HAVING BEEN HAD, THE FOLLOWING DECISION IS HEREBY MADE:

FINDING OF FACT

APPLICATION CONCERNS A TWO STORY COMMERCIAL BUILDING CONTAINING 4961 SQ. FEET AND SITUATED ON 0.27 ACRES OF LAND.

APPLICANT WAS REPRESENTED BY WILLIAM SHILLING, ESQ. WHO SAID HIS CLIENT SEEKS A PARKING VARIANCE IN ORDER TO BE ABLE TO UTILIZE THE SECOND FLOOR OF HIS BUILDING FOR OTHER THAN STORAGE. A PARKING VARIANCE WAS GRANTED ON THIS PROPERTY IN 2002 BUT AT THAT TIME THE BOARD MADE A CONDITION OF THE VARIANCE THAT THE SECOND FLOOR BE FOR STORAGE ONLY AND IF ANY OTHER USE WAS CONTEMPLATED IN THE FUTURE, THE APPLICANT WOULD HAVE TO RETURN TO THE PLANNING BOARD AND THIS BOARD.

MR. SHILLING SAID WHEN THE APPLICANT PURCHASED THE PROPERTY, THE BUILDING WAS ONE FLOOR AND IN DISREPAIR. HE COMMENCED A TOTAL RENOVATION AT A COST OF \$250,000.00 AND ADDED A SECOND FLOOR. THE PREVIOUS USE OF THE FIRST FLOOR WAS A BAKERY WHICH HAD CUSTOMERS THROUGHOUT THE DAY WHICH CHALLENGED THE LIMITED PARKING AREA TO THE EXTENT THAT CUSTOMERS WERE FORCED TO PARK ON ROUTE 6. THE FIRST FLOOR HAS NOW BEEN CONVERTED TO DOCTOR'S OFFICES AND THE APPLICANT PROPOSES TO RENT THE SECOND FLOOR TO DOCTORS ALSO AND THIS USE WILL NOT REQUIRE ANY STRUCTURAL CHANGES. MR. SHILLING SAID THIS NEW USE WILL HAVE FAR LESS IMPACT THAN THE PREVIOUS USE.

THE APPLICANT'S ARCHITECT, MR. GREENBERG, SAID WITH REGARD TO THE SEPTIC, THE BAKERY USED 9000 GALLONS PER DAY WHICH NOW CHANGES TO 352 GALLONS PER DAY. ALSO, THE SITE WILL BE ABLE TO CONNECT TO THE SEWER WHEN IT IS COMPLETED.

THERE WAS NO PUBLIC OPPOSITION TO GRANTING THE VARIANCE.

PURCHASE OF ADDITIONAL LAND IN ORDER TO CONFORM IS NOT AN OPTION.

CONCLUSION

MEMBERS OF THE BOARD ARE FAMILIAR WITH THE SUBJECT PREMISES AND THE CONDITIONS IN THE IMMEDIATE NEIGHBORHOOD. THE BOARD HAS TAKEN INTO CONSIDERATION THE BENEFIT TO THE APPLICANT IF THE VARIANCE IS GRANTED AS WEIGHED AGAINST THE DETRIMENT TO THE HEALTH, SAFETY AND WELFARE OF THE NEIGHBORHOOD AND COMMUNITY.

THE BOARD ALSO CONSIDERED THOSE CRITERIA FOR A VARIANCE AS SET FORTH AT TOWN LAW SECTION 267-b(3)(b) AND DETERMINED THAT:

1) AN UNDESIRABLE CHANGE WILL NOT BE PRODUCED IN THE CHARACTER OF THE NEIGHBORHOOD AND A SIGNIFICANT DETRIMENT WILL NOT RESULT TO NEARBY PROPERTIES IF THE VARIANCE IS GRANTED.

2) THE BENEFIT SOUGHT BY THE APPLICANT CANNOT BE ACHIEVED BY OTHER METHODS.

3) THE VARIANCE REQUEST MIGHT BE CONSIDERED SUBSTANTIAL BUT THERE WAS NO OPPOSITION VOICED TO GRANTING THE VARIANCE.

4) THE VARIANCE, IF GRANTED, WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL AND ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD.

5) THE DIFFICULTY, CREATED BY THE APPLICANT, DOES NOT PRECLUDE THE GRANTING OF THE VARIANCE.

THE ACTIVITY IS A TYPE II ACTION REQUIRING NO DETERMINATIONS AS SET FORTH AT 6 N.Y.C.R.R. 617.13 (s)(8) (S.E.Q.R.)

DECISION

REQUEST FOR A VARIANCE OF 7 PARKING SPACES FROM THE CODE REQUIREMENT OF 21 PARKING SPACES IS HEREBY GRANTED.

IF A BUILDING PERMIT IS NOT ISSUED WITHIN TWO YEARS OF THE DATE OF THIS DECISION AND ORDER, THE VARIANCE SHALL BECOME NULL AND VOID.

DATED MAHOPAC, NY
ON JUNE 20, 2007

FILED IN THE OFFICE OF THE TOWN CLERK
ON JUNE 28, 2007

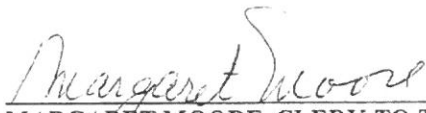
SUBMITTED TO PUTNAM COUNTY DIVISION
OF PLANNING ON JUNE 20, 2007

APPROVED BY PUTNAM COUNTY DIVISION

on June

me


MARK FRASER, CHAIRMAN


MARGARET MOORE, CLERK TO THE BOARD

PLANNING BOARD
TOWN OF CARMEL

-----X
In the matter of the Application of

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

Affidavit

Premises: 954 Route 6, Mahopac
Town of Carmel, New York
-----X

State of New York)
)ss.:
County of Rockland)

Aaron Myl, does depose and say:

1. I am a site acquisition consultant and I have been retained by New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") with respect to its site development plan application ("Application") in connection with a proposed public utility wireless communication services facility ("Facility") located at the property known as 954 Route 6, Town of Carmel, New York ("Site").
2. 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.
3. By locating on an existing non-residential structure, the Facility will reduce the number of free-standing facilities in the Town. As more fully detailed herein, the Site was carefully chosen after a comprehensive review of alternative sites.

Selection of the Site

4. Verizon Wireless has indicated it has a capacity issue in service in the vicinity of the Site.
5. Based on this issue, Verizon Wireless' radiofrequency engineering department identifies a general location which will support a site capable of addressing same.
6. Once the search area is identified, I, as site acquisition consultant, review all existing structures and the local zoning code in order to find particular locations which may remedy the issue in service. Owners of such locations are approached to determine potential interest in the pursuit of a lease for a communications facility. Verizon Wireless' RF department evaluates each potential site to confirm that the site will help address the capacity issue and Verizon Wireless' construction department reviews the site to determine whether the facility can be constructed at the

site.

7. Please note that I researched as to whether the proposed Facility could be located on existing towers, buildings or other structures with antennas already thereon, and there are no such existing towers, buildings or other structures that could address Verizon Wireless' need for service in the area immediately surrounding the Site.

8. The proposed Facility at the Site will address Verizon Wireless' capacity issue and fulfills the requirements of the Zoning Code. The proposed Site is ideally located because it will address the capacity issue and is located at the Site with existing commercial uses and the antennas are attached to an existing structure.

Conclusion

Based on the foregoing, Verizon Wireless has demonstrated that the proposed Facility cannot be located on a site with existing facilities. However, by locating the Facility on the existing non-residential structure, the Facility will reduce the number of free-standing facilities in the Town. In light of the foregoing, it is respectfully submitted that the requested approvals be granted forthwith.


Respectfully submitted,


Aaron Myl

Signed before me this
30 day of November, 2017


Notary Public

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KYLE A RUSSELL
ID # 2317834
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES ON AUG 4 2019