

PLANNING BOARD OF THE TOWN OF EAST HAMPTON
EAST HAMPTON, NEW YORK

In the Matter of the Application

of

SITE PLAN/
SPECIAL PERMIT
APPROVAL

T-MOBILE NORTHEAST, LLC HOME SWEET HOME SITE PLAN/SPECIAL
PERMIT PERSONAL WIRELESS SERVICE FACILITY
SCTM#300-197-2-16 & #300-197-2-3.2

ADOPTED: ____ / ____ / ____

FINDINGS AND DETERMINATION OF THE BOARD

The findings of fact, conclusions, and determination set forth herein are made after consideration of the application, any presentations, memoranda or correspondence made or submitted to the Board by staff or interested parties, comments taken at any public hearing on the application, and inspection of the subject property.

A. PROJECT DESCRIPTION

1. TYPE OF APPROVAL SOUGHT:

(a) Site plan approval pursuant to Article VI of Chapter 255 (Zoning) of the East Hampton Town Code.

(b) Issuance of a special permit pursuant to Article V of Chapter 255 of the Town Code.

2. USE REQUIRING SPECIAL PERMIT: Personal Wireless Service Facility

3. DESCRIPTION OF PROPOSED WORK To create a Personal Wireless Service Facility (PWSF) in the form of sixteen (16) panel antennas, twenty-four remote radio heads and a microwave to be located within a new rooftop cupola. Also proposed is a 288 sq. ft. (12' X 24') fenced-in equipment area.

4. SIZE OF PROPERTY: 41,208 sq. ft.

5. OWNER OF PROPERTY: Home Sweet Home Moving and Storage, Co., Inc.

6. APPLICANT: Snyder & Snyder, LLP

7. PROPOSED PLANS: Plans prepared by Infinigy and From Zero to Infinigy, dated revised May 19, 2020 including: Site Plan (Z01), Vicinity Plan (Z01A), Enlarged Site Plan (Z02), Enlarged Site Plan (Z02A), Lighting Plan (Z02B), Details (Z03), Details (Z03A), Siting Elevations (Z04), Siting Elevations (Z04A), Siting Elevations (Z04B), Siting Elevations (Z04C), Site Lines (Z05), Site Lines (Z06), and Site Lines (Z06); and a set of plans prepared by Infinigy and From Zero to Infinigy dated June 22, 2018 including: General Notes (S-2), Site Plan (S-3), Roof Frame Plan (S-3), Copola Frame Details (S-5), Pyramid Roof Frame Details (S-6), Copola Details (S-7), Antenna Mounting Pipe Locations (S-8), Connection Details (S-9), and Details (S-1)

8. **DATE OF PUBLIC HEARING ON APPLICATION:** July 8, 2020

B. PROPERTY LOCATION AND DESCRIPTION

1. **SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-197-2-16 & #300-197-2-3.2
2. **STREET LOCATION:** 342 Montauk Highway
3. **CONTIGUOUS WATER BODIES:** N/A
4. **HAMLET OR GEOGRAPHIC AREA:** Wainscott
5. **SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The parcel is situated at the corner of Georgica Drive and Montauk Highway in Wainscott. It is zoned CI: Commercial Industrial. It is 100% cleared of native vegetation. It contains a ~30,000 sq. ft. moving and storage warehouse with associated lighting landscaping, and parking in addition to a New Cingular Wireless (AT&T) wireless facility.
6. **FILED MAP NAME:** N/A
7. **FILED MAP NUMBER:** N/A
8. **DATE OF MAP FILING:** N/A
9. **BLOCK NUMBER IN FILED MAP:** N/A
10. **LOT NUMBER IN FILED MAP:** N/A

C. ZONING CLASSIFICATION

1. **ZONING DISTRICT:** CI: Commercial Industrial
2. **ZONING OVERLAY DISTRICT:** N/A

D. SEQRA REVIEW

1. **SEQRA CLASSIFICATION:** Type II
2. **LEAD AGENCY:** Planning Board
3. **DETERMINATION OF SIGNIFICANCE:** N/A
4. **DATE OF DETERMINATION:** N/A

E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT

1. Pursuant to the inter-municipal agreement between the Town of East Hampton and the County of Suffolk, the subject application does not require referral to the Suffolk County Planning Commission (SCPC).
2. An RF engineer's report prepared by Pinnacle Telecom Group dated April 18, 2018 has been submitted. It appears that the proposed electronics are in compliance with all applicable Federal Communications Commission (FCC) regulations.
3. The applicants have submitted a structural analysis letter prepared Infinigy dated June 22, 2018 which verifies that the cupola and equipment will be structurally sound.
4. By letter dated July 24, 2020 the Office of Fire Prevention stated that no additional information is necessary for fire-fighting purposes.

F. COMPLIANCE WITH TOWN CODE OR OTHER REQUIREMENTS OF LAW

Based upon the foregoing, the Planning Board finds that the application as approved, subject to any conditions or modifications specified in § H below, meets the following requirements:

1. The application contains all necessary elements of a site plan as enumerated in § 255-6-50 of the Town Code.
2. The application meets the standards enumerated for review of site plans in § 255-6-60 of the Town Code.
3. The application meets the general standards required for the issuance of a special permit by § 255-5-40 of the Town Code, in that:

(A) Nature of use. The use proposed will be in harmony with and promote the general purposes of Chapter 255 of the Town Code as the same are set forth in § 255-1-11 thereof.

(B) Lot area. The lot area is sufficient, appropriate, and adequate for the use, as well as reasonably anticipated operation and expansion thereof.

(C) Adjacent properties. The proposed use will not prevent the orderly and reasonable use of adjacent properties.

(D) Compatibility. The site of the proposed use is a suitable one for the location of a Personal Wireless Service Facility in the Town, and the proposed use will be compatible with its surroundings and with the character of the neighborhood and of the community in general, particularly with regard to visibility, scale, and overall appearance.

(E) Effect on specific existing uses. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area, or other place of public assembly.

(F) Use definition. The proposed use conforms to the Town Code's definition of "Personal Wireless Service Facility" as that definition is used in § 255-1-20 of the Town Code.

(G) Circulation. Access facilities are adequate for the traffic estimated to be generated by the proposed use on public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion; and vehicular entrances and exits are clearly visible from the street and are not within seventy-five (75) feet of the intersection of street lines at a street intersection.

(H) Parking. The off-street parking spaces proposed for this application satisfy the requirements of the applicable provisions of Chapter 255 of the Town Code, and are in any case more than adequate for the actual anticipated number of occupants of the proposed use. Furthermore, the layout of the spaces and related facilities will be convenient and conducive to safe operation.

(I) Buffering and screening. Adequate buffer yards and screening have been provided to protect adjacent properties and land uses from possible detrimental impacts of the proposed use.

(J) Runoff and waste. Adequate provision has been made for the collection and disposal of stormwater runoff, sewage, refuse, and other liquid, solid, or gaseous waste which the proposed use will generate.

(K) Environmental protection. The natural characteristics of the site are such that the proposed use may be introduced there without undue disturbance or disruption of important natural features, systems, or processes and without significant negative impact to groundwater and surface waters on or off the site.

(L) Compliance with other laws. The proposed use can and will comply with all provisions of the Town Code which are applicable to it, and can meet every other applicable federal, state, county, and local law, ordinance, rule, or regulation.

(M) Conformity with other standards. The proposed use can and will meet all of the specific standards and incorporate all of the specific safeguards required of the particular use by § 255-5-50 of the Town Code.

G. DISPOSITION OF APPLICATION

The application is approved as described herein, subject to any conditions or modifications specified in § H below.

1. TYPE OF APPROVAL GRANTED:

- (a) Site plan approval pursuant to Article VI of Chapter 255 of the Town Code.
- (b) Issuance of a special permit pursuant to Article V of Chapter 255 of the Town Code.

2. NATURE OF APPROVED USE: Personal Wireless Service Facility

3. DESCRIPTION OF APPROVED WORK To create a Personal Wireless Service Facility (PWSF) in the form of sixteen (16) panel antennas, twenty-four remote radio heads and a microwave to be located within a new rooftop cupola. Also proposed is a 288 sq. ft. (12' X 24') fenced-in equipment area.

H. CONDITIONS OF APPROVAL

The approval hereby granted is contingent upon full compliance with the conditions set forth in this section. The property may not be used except in accordance with this conditional approval, and all improvements shall be made, built, or installed in accordance with the plans described below.

1. APPROVED BUILDING OR CONSTRUCTION PLANS: Plans prepared by Infinigy and From Zero to Infinigy, dated revised May 19, 2020 including: Site Plan (Z01), Vicinity Plan (Z01A), Enlarged Site Plan (Z02), Enlarged Site Plan (Z02A), Lighting Plan (Z02B), Details (Z03), Details (Z03A), Siting Elevations (Z04), Siting Elevations (Z04A), Siting Elevations (Z04B), Siting Elevations (Z04C), Site Lines (Z05), Site Lines (Z06), and Site Lines (Z06); and

a set of plans prepared by Infinigy and From Zero to Infinigy dated June 22, 2018 including: General Notes (S-2), Site Plan (S-3), Roof Frame Plan (S-3), Copola Frame Details (S-5), Pyramid Roof Frame Details (S-6), Copola Details (S-7), Antenna Mounting Pipe Locations (S-8), Connection Details (S-9), and Details (S-1)

2. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

2.1 Prior to the issuance of a certificate of occupancy, the applicants shall submit a certified report from a licensed professional demonstrating that the work has been performed in accordance with the approved plans and appropriate building codes.

2.2 Prior to the issuance of a building permit, the applicants shall obtain approval of the Architectural Review Board.

2.3 The applicant shall apply for and obtain a building permit no later than three (3) years from the date of this resolution.

2.4 The applicant shall apply for and obtain a Certificate of Occupancy no later than one (1) year from the issuance of the building permit.

I. VALIDITY OF APPROVAL

If any condition of this resolution is not met, or is not met within the prescribed time period, all approvals, permits, or authorizations granted hereby shall be deemed void and of no effect.

DATED: September 2, 2020

cc: Robert Gaudioso
Snyder and Snyder, LLP
94 White Plains Road
Tarrytown, NY 10591

Planning Department
Building Inspector