

PLANNING BOARD MEETING

February 10, 2021

Attending remotely via teleconferencing: Chair Samuel Kramer, Vice-Chair Kathleen Cunningham, Members Ian Calder-Piedmonte, Louis Cortese, Ed Krug, Sharon McCobb and Randall T. Parsons, Counsel Thomas Crouch, Planning Director JoAnne Pahwul, Planners Eric Schantz, and Marco Wu, Secretary Jodi Walker and several other interested persons.

The meeting was called to order at 6:30 PM.

Please note, this meeting was broadcast to the public over LTV and a call-in number was provided.

WORK SESSION:

1. JAM ASSOCIATES AND NW PROPERTIES LOT LINE MODIFICATION SCTM #300-123-3-3-9, 10.1

Planner Wu gives an overview and presents plans. Should the board approve the Lot Line Modification, the approved site plan for 68 Muir Boulevard would have to be modified. The applicant agrees to submit a drawing depicting the intended modification to the site plan for 68 Muir Boulevard.

2. T-MOBILE NORTHEASE, LLC (258 SPRINGS-FIREPLACE ROAD) SITE PLAN/PWSF MODIFICATION SCTM #300-145-3-16.1

Planner Schantz gives an overview and presents plans. No additional visualizations are required. The board agrees to waive the public hearing. The application is complete and ready for approval. The Planning Board will send comments to the Town Board recommending that the 150' tall tower at the site be removed once the applicable leases expires and that all carriers on the site be consolidated onto the newer 199' tower.

3. 44 THREE MILE HARBOR ROAD SITE PLAN SCTM #300-161-4-9

Planner Wu gives an overview and presents plans. The applicant should provide additional detailed plans addressing lighting, landscaping, elevations, drainage, and sanitary information. The applicant will submit comments from the Suffolk County Department of Health Services if provided regarding the grandfathering of sanitary flow. The applicant should make an application to the Zoning Board of Appeals regarding the necessary variances.

4. NEW CINGULAR WIRELESS PC, LLC AT TOWN HALL SITE PLAN.PWSF MODIFICATION VI SCTM #300-188-1-4

Planner Schantz gives an overview and presents plans. The applicant should submit information demonstrating that the generator complies with the noise standards of Chapter 185 of the Town Code. The application cannot move forward until this information is submitted. The attendance of the applicant the next time that matter is before the Planning Board shall facilitate our review of the remaining questions regarding this application.

REGULAR MEETING:

By motions made, seconded, the following resolutions were approved by the Board:

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

In the Matter of the Application

of

**SCHEDULE
PUBLIC HEARING**

**DANIEL GASBY
SITE PLAN/SPECIAL PERMIT
SCTM # 300-156-5-13.3**

ADOPTED: 2 / 10 / 2021

1. Daniel Gasby, owner, has made application for site plan/special permit approval pursuant to Article V and VI of Chapter 255 of the East Hampton Town Code, to allow the property to remain over-cleared as per the regulations of the Water Recharge Overlay District (WROD). Based on a prior special permit granted for clearing, the maximum allowable clearing on the property is 50,500 square feet, whereas 68,184 square feet of clearing currently exists. The property contains 470,156 square feet (10.7933 acres) and is located on the west side of Two Holes of Water Road, East Hampton and is situated in an A-5 Residence/Water Recharge Overlay District (WROD) zoning district as shown on the official Zoning Map of the Town of East Hampton. Premises are identified on the Suffolk County Tax Map as parcel SCTM #300-156-5-13.3.

2. Subject application is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA), Part 617 of the New York Code of Rules and Regulations, and Chapter 128 (Environmental Quality Review) of the Town Code.

3. A site plan prepared by Saskas Surveying Company, P.C., dated revised December 15, 2020 is available for inspection at the Planning Board offices, 300 Pantigo Place, Suite 103, East Hampton, New York.

4. A public hearing is hereby scheduled Wednesday, March 3, 2021 at 7:00 P.M. or as soon thereafter as this matter may be heard, to consider the said application. The public hearing will be held electronically by video and teleconferencing, and will be televised on Local TV (LTV) Channel 22, and available for livestream on the LTV website (LTVEH.org). The public shall not be permitted to appear in person but may comment by telephone by calling (351) 888-6331. A transcript of the hearing will also be posted to the Town's website after the hearing and the hearing shall remain open until April 2, 2021 for the purpose of receiving written comments, or within one (1) week of posting of the transcript on the Town's website, whichever is later. Written comments may be submitted by e-mail directed to PlanningBoard@eamptonny.gov and by mail to 300 Pantigo Place, Suite 103, East Hampton, NY 11937 and received on or before close of business April 2, 2021.

5. The applicant is hereby notified of the requirement that adjacent property owners as listed on the local assessment rolls, including those immediately across any public or private streets, be notified and that the subject property be posted, as required by § 255-9-23 of the Town Code.

DATED: February 10, 2021

cc: Madeline Narvilas, Esq.
Whalen Filer
P.O. Box 2759
Amagansett, NY 11930

Planning Department

Building Department
Architectural Review Board

Result: Adopted
Mover: Ian Calder-Piedmonte
Seconder: Kathleen Cunningham
Ayes: Samuel Kramer, Kathleen Cunningham, Sharon McCobb, Randall T. Parsons, Ian Calder-Piedmonte, Louis Cortese, Ed Krug

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

In the Matter of the Application

**SITE PLAN/
SPECIAL PERMIT
APPROVAL**

of
**ANIMAL RESCUE FUND OF THE HAMPTONS, INC
PHASE II SITE PLAN
STCM#300-192-3-4**

ADOPTED: 2 / 10 / 2021

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: Semi-Public Facility

3. DESCRIPTION OF PROPOSED WORK: Expansion of the existing ARF adoption center. Replacement and renovation of an existing kennel building from 6,217 square feet to 7,049 square feet, construction of a one-story training building of 8,404 square feet, renovations to an office of 1,374 square feet and lobby area of 4,124 square feet, a proposed outdoor exercise yard of 2,900 square foot, a proposed stair tower, a small adoption area of 471 square feet attached to the lobby area, an additional 451 square feet of conference space attached to the westerly side of the office building, replacement of an existing sanitary system with a nitrogen reducing septic for human and animal waste, twenty-four (24) new parking spaces including two (2) ADA spaces with a total of 54 parking spaces including the existing spaces.

4. SIZE OF PROPERTY: 981,846 sq. ft. (22.54 acres)

5. OWNER OF PROPERTY: Animal Rescue Fund of the Hamptons, Inc

6. APPLICANT: Karen Hoeg, Esq, c/o Twomey, Latham, Shea, Kelley, Dubin & Quartararo LLP

7. PROPOSED SITE PLAN: Survey prepared by George Walbridge Surveyors, P.C., dated revised September 23, 2020; Set of plans prepared by D.B. Bennett, P.E., P.C. dated revised September 22, 2020 including: Civil Site Plan (C-1), Cals and Notes (C2), Partial Site Plan (C3), Construction Details (C4), Exterior Lighting (C5), Training Facility Sanitary Details (C6), Kennel Building Sanitary Details (C7), Water Supply Improvements (C8) and Landscape Plan (C9)

8. DATE OF PUBLIC HEARING ON APPLICATION: December 9, 2020

B. PROPERTY LOCATION AND DESCRIPTION

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-192-3-4
- 2. STREET LOCATION:** 124 Daniels Hole Road
- 3. CONTIGUOUS WATER BODIES:** N/A
- 4. HAMLET OR GEOGRAPHIC AREA:** Wainscott
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** Semi-public use improved with various structures such as kennels, storage, infirmary, education center, offices, lobby, outdoor dog runs, trails, parking and driveways. Parcel is located with Water Recharge Overlay District, within designated Pine Barrens, and South Fork Groundwater Protection Area. Majority of the parcel contains trees and native vegetation.
- 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:** A5: Residence
- 2. ZONING OVERLAY DISTRICT:** Water Recharge Overlay District (WROD)

D. SEQRA REVIEW

- 1. SEQRA CLASSIFICATION:** Unlisted
- 2. LEAD AGENCY:** Planning Board
- 3. DETERMINATION OF SIGNIFICANCE:** Negative Declaration
- 4. DATE OF DETERMINATION:** October 21, 2020

E. COUNTY COMMISSION REVIEW/ADDITIONAL FINDINGS OF FACT

1. By letter dated December 1, 2020, the Suffolk County Planning Commission has informed the Board that it considers the subject application to be a matter for local determination.
2. By letter dated October 30, 2020, the Fire Department has informed the Board that no additional fire protection devices are needed for this project.

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 Semi-Public 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 "Semi-Public 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 54 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: Semi-Public Facility

3. DESCRIPTION OF APPROVED WORK: Expansion of the existing ARF adoption center. Replacement and renovation of an existing kennel building from 6,217 square feet to 7,049 square feet, construction of a one-story training building of 8,404 square feet, renovations

to an office of 1,374 square feet and lobby area of 4,124 square feet, a proposed outdoor exercise yard of 2,900 square foot, a proposed stair tower, a small adoption area of 471 square feet attached to the lobby area, an additional 451 square feet of conference space attached to the westerly side of the office building, replacement of an existing sanitary system with a nitrogen reducing septic for human and animal waste, twenty-four (24) new parking spaces including two (2) ADA spaces with a total of 54 parking spaces including the existing spaces.

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 SITE PLAN: Survey prepared by George Walbridge Surveyors, P.C., dated revised September 23, 2020

2. APPROVED BUILDING OR CONSTRUCTION PLANS: Set of plans prepared by D.B. Bennett, P.E., P.C. dated revised September 22, 2020 including: Civil Site Plan (C-1), Cals and Notes (C2), Partial Site Plan (C3), Construction Details (C4), Exterior Lighting (C5), Training Facility Sanitary Details (C6), Kennel Building Sanitary Details (C7), Water Supply Improvements (C8) and Landscape Plan (C9)

3. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

3.1 No building permits may issue, nor may clearing, grading, or construction activities be commenced, until and unless the conditions enumerated in sub¶ 3.2, and 3.3 below have been met, as evidenced by the report of the Planning Board Chair.

3.2 The applicant shall obtain the approval of the Suffolk County Department of Health Services. A copy of the approved plan containing an original stamp of approval from that agency, not a photocopy, shall be submitted.

3.3 The applicant shall obtain the final written approval of the Architectural Review Board.

3.4 The applicant shall perform the parking, access, drainage, and landscaping improvements shown on the approved site plan and approved building or construction plans described above prior to the issuance of a certificate of occupancy.

3.5 All landscaping shall be maintained by the applicant in accordance with the approved site planting plan for so long as the improvements approved as part of this site plan are in use. This requirement shall be a continuing condition of this approval, and the applicant and any successors in interest shall replace and replant the landscaping on the site as may be necessary to satisfy this condition.

3.6 The parking, access, and drainage improvements required by this site plan approval (including any devices for delineating parking spaces or directing traffic flow) shall be maintained by the applicant for so long as the improvements approved as part of this site plan are in use. This requirement shall be a continuing condition of this approval, and the applicant and any successors in interest shall repair, replace, and maintain these improvements as may be necessary to satisfy this condition.

3.7 The applicant shall install all utilities servicing the proposed lots, including electric, telephone, and, if available, cable television wiring below grade. Any electric transformers placed, installed, erected, or constructed on this property or on the adjacent highway rights-of-way shall be located below natural grade.

3.8 No Certificate of Occupancy shall be issued for this site or for the improvements thereon until and unless all of the foregoing conditions have been met.

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

4.0 The applicant shall apply for and obtain a Certificate of Occupancy no later than four (4) years from the date of this resolution.

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: February 10, 2021

cc: Karen A. Hoeg, Esq.
Twomey, Lathan, Shea
P.O. Box 9398
West Second Street
Riverhead, NY 11901

Planning Department
Building Inspector
Architectural Review Board

Result: Adopted
Mover: Randall T. Parsons
Seconder: Kathleen Cunningham
Ayes: Samuel Kramer, Kathleen Cunningham, Sharon McCobb, Randall T. Parsons, Ian Calder-Piedmonte, Louis Cortese, Ed Krug

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

In the Matter of the Application

of

**SITE PLAN
APPROVAL**

**SHARED GENERATOR PROGRAM
SITE PLAN
SCTM #300-150-3-16.5**

ADOPTED: 2 / 10 / 2021

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.

2. USE REQUIRING SPECIAL PERMIT: N/A

3. DESCRIPTION OF PROPOSED WORK: To locate a 192 sq. ft. (16' X 12') generator and associated cabling and equipment within an existing equipment area for the personal wireless service facility (PWSF) located at the Amagansett Fire House property.

4. SIZE OF PROPERTY: 204,296 sq. ft.

5. OWNER OF PROPERTY: Amagansett Fire District

6. **APPLICANT:** Darryl Gresham c/o American Tower
7. **PROPOSED SITE PLAN:** A set of plans prepared by American Tower A.T. Engineering Service, PLLC, dated revised August 26, 2019 including: Title Sheet (G-001), General Notes (G-002), Compound Details & General Notes (V-101), Existing Conditions & Legal Descriptions (V-102), Site Plan (C-101), Concrete Pad Details (C501), Electrical One-Line and Wiring Details (E-601), and Supplemental (R-601)
8. **DATE OF PUBLIC HEARING ON APPLICATION:** December 9, 2020 and held open until January 8, 2021.

B. PROPERTY LOCATION AND DESCRIPTION

1. **SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-150-3-16.5
2. **STREET LOCATION:** 439 Main Street, Amagansett
3. **CONTIGUOUS WATER BODIES:** N/A
4. **HAMLET OR GEOGRAPHIC AREA:** Amagansett
5. **SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The parcel is zoned A: Residence and is situated on Main Street in Amagansett. It is owned by the Amagansett Fire District. The existing cell tower was issued a building permit in 2004. The tower also contains equipment for the Town and the Amagansett Fire Department. It is 100% cleared of naturally-occurring vegetation.
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:** A: Residence
2. **ZONING OVERLAY DISTRICT:** Affordable Housing Overlay District

D. SEQRA REVIEW

1. **SEQRA CLASSIFICATION:** Type II
2. **LEAD AGENCY:** N/A
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. By memo dated December 3, 2020 the Office of Fire Prevention stated that no further information was required.

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.

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.

2. NATURE OF APPROVED USE: Personal Wireless Service Facility (PWSF) (no change in use)

3. DESCRIPTION OF APPROVED WORK: To locate a 192 sq. ft. (16’ X 12’) generator and associated cabling and equipment within an existing equipment area for the personal wireless service facility (PWSF) located at the Amagansett Fire House property.

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 SITE PLAN: A set of plans prepared by American Tower A.T. Engineering Service, PLLC, dated revised August 26, 2019 including: Title Sheet (G-001), General Notes (G-002), Compound Details & General Notes (V-101), Existing Conditions & Legal Descriptions (V-102), Site Plan (C-101), Concrete Pad Details (C501), Electrical One-Line and Wiring Details (E-601), and Supplemental (R-601)

2. ADDITIONAL CONDITIONS AND TIME LIMITATIONS:

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

2.2 The applicant shall apply for and obtain a Certificate of Occupancy no later than four (4) years from the date of this resolution.

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: February 10, 2021

cc: Christopher Fischer, Esq.
Cuddy & Federer, LLP
445 Hamilton Ave, 4th Floor
White Plains, NY 10601

Planning Department
Building Inspector
Architectural Review Board

Result: Adopted
Mover: Sharon McCobb
Seconder: Kathleen Cunningham
Ayes: Samuel Kramer, Sharon McCobb, Ian Calder-Piedmonte, Louis Cortese
Abstentions: Kathleen Cunningham, Ed Krug
Nays: Randall T. Parsons

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

In the Matter of the Application

of

**RESOLUTION
AMENDING
APPROVAL**

**NEW CINGULAR WIRELESS (AKA AT&T) @ AMAGANSETT FIRE DEPARTMENT
SITE PLAN/SPECIAL PERMIT/PERSONAL WIRELESS SERVICE FACILITY
MODIFICATION II
SCTM #300-150-3-16.5**

ADOPTED: 2 / 10 / 2021

The Planning Board has reviewed a prior determination of the Board and desires to modify certain provisions of the approval as set forth below. Except as modified herein, the determination is reaffirmed in all respects.

REQUEST TO MODIFY: Resolution adopted July 13, 2016 granting site plan/special permit/PWSF approval for a Personal Wireless Service Facility (PWSF). The current request is to modify an existing Personal Wireless Service Facility (PWSF) by removing nine (9) antennas and three (3) remote radio heads (RRH) along with associated equipment and cabling and replace them with nine (9) antennas and nine (9) RRHs along with associated cabling at New Cingular Wireless's existing equipment location on the existing 150' tower. Additionally, the application involves the removal of five (5) existing equipment cabinets and replacing them with three (3) new equipment cabinets.

PROPERTY LOCATION: 439 Main Street, Amagansett

PROPOSED AMENDMENT: Application has been made to modify an existing Personal Wireless Service Facility (PWSF) by removing nine (9) antennas and three (3) remote radio heads (RRH) along with associated equipment and cabling and replace them with nine (9) antennas and nine (9) RRHs along with associated cabling at New Cingular Wireless's existing equipment location on the existing 150' tower (142' AGL at center level). Additionally, the application involves the removal of five (5) existing equipment cabinets and replacing them with three (3) new equipment cabinets.

MODIFICATION AS APPROVED: To change the approved site plan and building plans to those listed in the "APPROVED PLANS AS MODIFIED" below.

REASONS SUPPORTING MODIFICATION: Based upon the submitted photographs/visual analysis as well as the submitted building elevations, the in-place change of wireless communication antennas will not substantially increase the visibility of these utilities as there are already multiple antennas within view of public and private properties and have been for many years. The proposed additional equipment will not substantially affect visibility due to the amount of equipment already in-place.

The applicants have submitted an RF Engineer's report (prepared for Sitesafe, LLC by Michael Fischer, P.E. dated December 2, 2020) which verifies that the proposed changes to the facility will be in compliance with Federal Communications Commission standards.

The applicants have submitted a structural analysis (prepared for American Tower Corporation by Michael Giordano, P.E. dated prepared July 13, 2020) which verifies that the existing tower can accommodate the proposed new antennas.

Tier II modifications qualify as minor site plans pursuant to section 255-6-45 of the Town Code, making them eligible to have the public hearing waived. The facility is in a highly visible area along the Town's main roadway. However, the Board has previously approved this facility and a public hearing was held at that time (June 22, 2016). No members of the public spoke at this hearing and no written comments were submitted. Accordingly, the Planning Board elected to

waive the public hearing requirement for this modification.

Pursuant to an inter-municipal agreement, the proposed project does not require referral to the Suffolk County Planning Commission.

APPROVED PLAN AS MODIFIED:

A set of plans prepared by John S. Stevens dated October 22, 2020 (Sheet G-001 Title Sheet); (Sheet G-002 General Notes); (Sheet C-001 Overall Site Plan) (Sheet C-101 Details Site Plan); (Sheet C-102 Detailed Equipment Plan); (Sheet C-201 Tower Elevation); (Sheet C-401 RF Schedule and Antenna installation); (Sheet C-501 Construction Details); (SheetC-502 Equipment Specifications); (SheetE-501 Grounding Details); (Sheet R-601 Supplemental); (Sheet R-602 Supplemental); (Sheet R-603 Supplemental)

CONDITIONS TO MODIFICATION:

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. The applicant shall apply for and obtain a building permit no later than three (3) years from the date of this resolution.
3. The applicant shall apply for and obtain a Certificate of Occupancy no later than four (4) years from the date of this resolution.

DATED: February 10, 2021

cc: Yvonne Rose
American Tower
200 North Warner Road
Suite 215
King of Prussia, PA 19406

Planning Department
Building Inspector

Result: Adopted
Mover: Kathleen Cunningham
Seconded: Randall T. Parsons
Ayes: Samuel Kramer, Kathleen Cunningham, Sharon McCobb, Randall T. Parsons, Ian Calder-Piedmonte, Louis Cortese, Ed Krug

Upon motion duly made and seconded the meeting was adjourned at 8:05 PM.