



TOWN OF EAST HAMPTON

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EMERGENCY COMMUNICATIONS SYSTEM UPGRADE AND WIRELESS CELLULAR COMMUNICATIONS IMPROVEMENTS – EAST HAMPTON TOWN

TIMELINE

October and November, 2014: Springs Fire District and Elite Towers LP apply for 2 building permits from East Hampton Town to construct a new communications facility, consisting of a new 150-foot communications pole with antennas and a ground-based equipment area, at the 179 Fort Pond Boulevard firehouse, which is in a residential zone

- Building permits issued November, 2014, and January, 2015

April, 2015: Springs Fire District and Elite Towers erect 150-foot tower for wireless carriers' communications equipment at Fort Pond Boulevard fire department property without site plan approval from the East Hampton Town Planning Board, or variances needed, due to the height of the pole, from the East Hampton Town Zoning Board of Appeals, without notice to neighbors or public discussion, and without having conducted environmental review to consider potential environmental impacts (SEQRA)

- Tower does not meet minimum fall zone requirements for cellular sites, placing nearby houses in the fall zone
- Tower is structurally inadequate and too short to permanently house EH Town fire and police emergency communications equipment

May, 2015 : Neighboring property owners challenge the Town's issuance of the building permits for the tower by applying to the EH Town Zoning Board of Appeals

- EH Town Zoning Board of Appeals finds that the Fire District did not follow proper review process
- Building permit revoked by ZBA per a Dec. 8, 2015 determination

January, 2016: Springs Fire District and Elite Towers sue EH Town over Zoning Board of Appeals decision to revoke the permits

2017: Town begins \$12 million upgrade to townwide emergency communications system used by EH Town Police, EH and Sag Harbor Village Police, EH, Amagansett, Montauk, Springs, and Sag Harbor Fire Departments, other town and village departments. Upgrade will switch existing communications sites

from analog to digital service (800 to 700 megahertz) to insure reliable communication among emergency responders.

- Project includes upgrades at towers or monopoles in Montauk, East Hampton, Wainscott, Amagansett, Noyac.
- Additional sites subsequently added to project: “GATR” site in Montauk, East Hampton (former Northwest Rd. brush dump), Springs

Early 2018: Shortly after taking office, Supervisor Peter Van Scoyoc meets with Springs Fire District officials to discuss emergency and wireless communications needs in Springs and throughout the town, and the pressing need to solve the communications system gap in Springs.

- Fire district is urged to submit application to the town Planning Board for site plan approval for the existing pole even while legal case continues, so that the process of potentially issuing permits, and therefore legalizing the existing tower, can get under way concurrent with the litigation; is told can do so without compromising district’s legal position that such approval is not required. This was suggested to save time so that, should the court order the site plan review, it could be completed as expediently as possible in order to meet critical public safety needs.
- **Fire district does not submit application to legalize already constructed tower**
(Submits application for a different tower on the Fire Department site approximately 18 months later)

February, 2018: Supervisor Van Scoyoc and town board explore alternatives, including the possibility for town to erect a pole at Blue Bay Girl Scout Camp in Springs to house emergency communications system equipment along with antennas for wireless carriers; that option is included in the emergency communications upgrade project environmental review (SEQRA) determination adopted by the town board on October 18, 2018

- Discussions, planning continues with Girl Scouts and American Tower, which owns existing wireless communications pole at Blue Bay Girl Scout camp
- **Girl Scouts decline to issue permission for a new, taller tower of the height needed for EH Town emergency equipment,** citing need to use the area of land that would have to be cordoned off for tower fall zone safety zone
- **Town goes on to evaluate other sites, including Springs School, the Accabonac Solar Farm, Springs Park, Springs Fire Dept., and all town-owned properties in Springs**
- Viable site must meet technical and location requirements to support adequate wireless coverage in Springs; be large enough so that a tower could meet the single fall zone (height of tower), for emergency communications equipment, and double fall zone for cell carriers; cannot be land that has been formally set aside for preservation, where development is not legally allowed, such as lands purchased with CPF funds (i.e. Springs Park) or Nature Preserve properties

July 11, 2019: Fire district submits site plan application to EH Town Planning Board for new, 185-foot monopole for emergency communications equipment at different location on Fire Department property

May 12, 2020: State Supreme Court Judge Farnetti upholds EH Town Zoning Board of Appeals decision deeming that the original Fire District tower is illegally constructed; the Court rules that the process followed by Springs Fire District in erecting the tower was inadequate, and that the tower requires site plan approval and ZBA approval for its height, and dismisses Springs Fire District lawsuit against the town

- Tower remains on Fire Department property without emergency or cell carrier equipment

July 8, 2020: Fire District and Elite Towers submit additional information to Planning Board as part of site plan review of new tower; do not submit further information for one year

July 23, 2020: Planning Board issues positive declaration under NYS environmental review law (SEQRA) for Fire Dept.'s site plan application for new, taller tower, finding that the tower represents a potential adverse environmental impact; requires detailed environmental review

- Application is only for emergency equipment, and not cellular company equipment, so only a single-height fall zone would be required; however applicants then state at a Planning Board hearing that they may still locate cellular equipment on the tower, which would require a double fall zone
- New pole would require approximately 30 variances from town code if Springs Fire District and Elite Towers allow use by personal wireless companies, due to the proximity of the tower to residential properties within the double fall zone
- Tower would be visible from Accabonac Harbor NYS Scenic Area of Statewide Significance, as well as Springs Historic District

July 13, 2021: Fire District and Elite Towers submit draft outline for required environmental assessment of new tower application

November, 2020: EH Town Appoints Wireless Communications (Citizens') Committee; EH Town engages wireless master planning consulting firm, Cityscape, to work with Town Board, town staff, and committee to assess state of personal wireless (cellular) communications within town; examine coverage areas, potential sites suitable for new towers/infrastructure; review Town Code for wireless code updates

June 15, 2021: CityScape Presentation at Town Board work session of draft Wireless Telecommunications Infrastructure Master Plan
http://ehamptonny.gov/DocumentCenter/View/8823/Final_JOEH_June_Work_Session

- Wireless services poll to be distributed to community in English and Spanish to provide information on community needs, opinions to assist in planning for townwide communications infrastructure, Town Code revisions, etc.

Spring 2021: Town identifies 6.9-acre property bordered by Crandall, Lincoln, and Norfolk Streets, as well as Fort Pond Boulevard, as potential site for a town emergency communications equipment site, including a pole that would also have room for cellular phone companies' antennas and complies with double fall zone setbacks

July 13, 2021: Emergency Communications Update presented at Town Board work session
<https://ehamptonny.gov/DocumentCenter/View/9134/Emergency-Communications-Update>, which

outlines proposal to use an approximately ¼-acre portion of a 6.9-acre town-owned lot bounded by Crandall Street, Lincoln Avenue, Norfolk St., and Fort Pond Boulevard for temporary, and then permanent, emergency communications and cellular service equipment

- Town board begins discussion of establishing a temporary, approximately 100-foot temporary monopole, or COW, to provide town emergency communications, and cellular service from two providers while a 185-foot permanent tower is designed and constructed. Permanent tower will provide top 25 feet for town emergency equipment, and room for four cellular providers below
- Pole and Equipment would be placed within a projected 100'X100' area, with an access road; rest of acreage would remain undisturbed
- July 20, 2021 Town Board Work Session: Public discussion of proposal continues, with extensive public comment period and Planning Dept. presentation of updated Environmental Assessment Form for the emergency communications upgrade project, to include the Springs location