

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

In the Matter of the Application

**SITE PLAN/
SPECIAL PERMIT
APPROVAL**

of

**VERIZON WIRELESS AT MONTAUK COMMUNITY CHURCH
SITE PLAN/SPECIAL PERMIT
PERSONAL WIRELESS SERVICE FACILITY
SCTM#300-49-2-13**

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 construct a new Personal Wireless Service Facility (PWSF) consisting of: six (6) antennas, nine (9) remote radio heads, three (3) GPS units and associated cabling and equipment to be situated atop an existing church bell tower and concealed by a ~6' tall screening enclosure.

4. SIZE OF PROPERTY: 70,736 sq. ft.

5. OWNER OF PROPERTY: Montauk Community Church

6. APPLICANT: New York SMSA Limited Partnership d/b/a Verizon Wireless

7. PROPOSED PLANS: A survey prepared by George Walbridge Surveyors, P.C., dated revised April 22, 2019; a set of plans prepared by Structural Consulting Services, P.C., dated revised March 19, 2019 including: Site Plan, Project Information, Map and Notes (Z01), Roof Plan, Part Roof Plan at Upper Bell Tower, Antenna Dimensions (Z-2), Building Elevations (Z-3), Building Elevations (Z-4), Site Line Representations (Z-5), and Vicinity Plan (Z-6); a set of plans prepared by Stealth Go Unnoticed dated November 7, 2018 including: Title Sheet (T1), Notes and Specifications (N1), Notes and Specifications (N2), Assembly – Elevations (S1), Assembly – Elevations (S2), Assembly – Elevations (S3), and Steel Details (S4); a set of plans prepared by Structural Consulting Services, P.C., dated revised December 6, 2017 including:

1000' Radius Map (RM-1), and Adjoiners List (RM-2); and Visual Assessment and Photo-Simulations prepared by APT Engineering dated December 2018

8. DATE OF PUBLIC HEARING ON APPLICATION: February 26, 2020

B. PROPERTY LOCATION AND DESCRIPTION

- 1. SUFFOLK COUNTY TAX MAP DESIGNATION:** #300-49-2-13
- 2. STREET LOCATION:** 850 Montauk Highway
- 3. CONTIGUOUS WATER BODIES:** N/A
- 4. HAMLET OR GEOGRAPHIC AREA:** Montauk
- 5. SITE DESCRIPTION & EXISTING IMPROVEMENTS:** The parcel is zoned A: Residence and is situated on Montauk Highway and South Etna Place in Downtown Montauk. It contains a ~7,350 sq. ft. church with single-family residence and associated lighting, landscaping, parking and accessory structures. It is 100% cleared of naturally occurring vegetation. The church building dates back to 1929 making it historic by definition. However, it is not a designated Historic Landmark or Place.
- 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:** N/A

D. SEQRA REVIEW

- 1. SEQRA CLASSIFICATION:** Unlisted
- 2. LEAD AGENCY:** Planning Board
- 3. DETERMINATION OF SIGNIFICANCE:** Negative declaration
- 4. DATE OF DETERMINATION:** November 21, 2019

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 Antenna Site FCC Compliance and Assessment Report prepared by Pinnacle Telecom Group dated December 13, 2019 has been submitted. It appears that the proposed modification to the facility will meet all applicable Federal Communications Commission (FCC) guidelines.
3. The applicants have submitted a structural analysis letter prepared by Structural Consulting Services dated January 9, 2020 which verifies that the structure will be able to

support the proposed equipment.

4. By letter dated June 5, 2019 the Office of Fire Prevention stated that no additional information is necessary for fire-fighting purposes.

5. This application has been referred to the Town Engineer who offered no comments with regard to the proposed 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 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 construct a new Personal Wireless Service Facility (PWSF) consisting of: six (6) antennas, nine (9) remote radio heads, three (3) GPS units and associated cabling and equipment to be situated atop an existing church bell tower and concealed by a ~6' tall screening enclosure.

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: A survey prepared by George Walbridge Surveyors, P.C., dated revised April 22, 2019; a set of plans prepared by Structural Consulting Services, P.C., dated revised March 19, 2019 including: Site Plan, Project Information, Map and Notes (Z01), Roof Plan, Part Roof Plan at Upper Bell Tower, Antenna Dimensions (Z-2), Building Elevations (Z-3), Building Elevations (Z-4), Site Line Representations (Z-5), and Vicinity Plan (Z-6); a set of plans prepared by Stealth Go Unnoticed dated November 7, 2019 including: Title Sheet (T1), Notes and Specifications (N1), Notes and Specifications (N2), Assembly – Elevations (S1), Assembly – Elevations (S2), Assembly – Elevations (S3), and Steel Details (S4); a set of plans prepared by Structural Consulting Services, P.C., dated revised December 6, 2017 including: 1000’ Radius Map (RM-1), and Adjoiners List (RM-2); and Visual Assessment and Photo-Simulations prepared by APT Engineering dated December 2018

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: April 13, 2020

cc: Simone M. Freeman, Esq.
Amato Law Group, PLLC
666 Old Country Road, Suite 901
Garden City, NY 11530

Planning Department
Building Inspector