

Right to Know/FOIL

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445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Anthony B. Gioffre III
agioffre@cuddyfeder.com

February 21, 2018

Via Hand

Mr. Chris Kehoe, AICP, Dep. Director DOTS
DOTS: Planning Division
1 Heady St
Cortlandt Manor, NY 10567

RECEIVED
FEB 21 2018

DEPT. OF TECHNICAL SERVICES
PLANNING DIVISION

Re: New Cingular Wireless PCS, LLC (AT&T) – Site N-526
Recertification of Special Permit
Existing Wireless Telecommunication Facility
Premises: 451 Yorktown Road, Croton on Hudson (Cortlandt), New York
Tax ID: Section 56.19, Block 1, Lots 4 and 5

Dear Mr. Kehoe:

This letter and enclosures are respectfully being submitted on behalf of New Cingular Wireless PCS, LLC ("AT&T"), in connection with its application requesting relief from the Special Permit recertification requirements, or in the alternative an application to recertify the previously issued Special Permit in accordance with Section 277-18 of the Town Code. On August 20, 2008, the Zoning Board of Appeals granted AT&T's original Special Permit application and then granted amendments thereto on May 20, 2009. The Building Department issued Building Permit #20090301 on June 29, 2009 thereby permitting AT&T to install the wireless telecommunication tower facility on the property located at 451 Yorktown Road in the Town of Cortlandt (the "Premises"). Subsequent thereto, the Zoning Board of Appeals granted recertification of the Special Permit along with the requested modifications to the facility on August 21, 2013 and the Building Department issued permit #20130575 on September 4, 2013, permitting AT&T to make the minor modifications to its existing facility. Copies of AT&T's Zoning Board of Appeals Resolutions and Building Permits are annexed hereto as Exhibit B. Notwithstanding the foregoing, it should be noted that New York SMSA d/b/a Verizon Wireless recently obtained Amended Site Development Plan Approval and a Special Permit from the Planning Board to collocate on the existing tower. However, since that facility has not yet been built, the enclosed documentation only represents the current AT&T as-built conditions.

AT&T respectfully submits that its existing facility conforms with the requirements of Section 277-6 of the Town Code. AT&T has submitted herewith a letter certifying to the best of its knowledge and belief that the facility is in compliance with the existing Special Permit as well as all applicable codes, laws, rules and regulations. See AT&T Certification Letter annexed as Exhibit C. In addition, AT&T's existing facility provides the requisite signal coverage needed to meet AT&T's current coverage requirements in this area of the Town and is necessary to continue providing AT&T's wireless signal coverage to this area of the Town. Indeed, the



February 21, 2018

Page 2

existing facility allows AT&T to provide reliable service to its customers living in and traveling through this area of the Town of Cortlandt, thereby complying with its FCC license requirements as well as other FCC rules and regulations governing wireless facilities. As such and given the provisions of Federal Law, AT&T respectfully requests relief from the Special Permit renewal requirements in accordance with Section 277-8(C) and 277-18 (A)(6), as necessary, or in the alternative that it be renewed indefinitely or at minimum for a five (5) year term.

It should be noted that this Special Permit recertification request before this Board constitutes an action exempt from the State Environmental Quality Review Act ("SEQRA") because this is a Type II Action. See 6 NYCRR Section 617.5(c)(26)(SEQRA Regulations). As such, no environmental assessment form or SEQRA action is required.

In support of AT &T's request, please find attached hereto, twelve (12) copies of the following exhibits:

- Exhibit A: Town of Cortlandt Planning Board Application together with the cover and signature pages of the lease agreement demonstrating authority to file this application;
- Exhibit B: Copies of AT&T's prior approvals and permits including the August 20, 2008, May 20, 2009 and August 21, 2013 Zoning Board of Appeals Resolutions and Building Permits #20090301 and #20130575;
- Exhibit C: AT&T Compliance Certification Letter, dated February 20, 2018;
- Exhibit D: RF Exposure Analysis dated January 9, 2013; and
- Exhibit E: Structural Analysis Report prepared by GPD Group, dated February 7, 2013.

Please also find enclosed twelve (12) copies of As-Built drawings prepared by Bechtel Associates Professional Corporation, dated January 13, 2014, consisting of Sheets T01, A-01 through A-06 and E01 through E05 as well as a check made payable to the Town of Cortlandt in the amount of five hundred dollars (\$500.00), representing the special permit recertification fee.

We respectfully submit that the foregoing information and attached documents demonstrate compliance with Section 277-18 of the Code, and thus, the recertification of AT&T's Special Permit is clearly warranted. Furthermore, considering the provisions of Federal Law and given the minor nature of this request for recertification, AT&T respectfully requests relief from the Special Permit renewal requirements in accordance with Section 277-18(A)(6) or in the alternative that it be renewed indefinitely or at minimum for a five (5) year term. In the interim, should you or Town Staff have any questions or comments in connection with this matter, please do not hesitate to contact the undersigned.

TOWN OF CORTLANDT
PLANNING BOARD APPLICATION

CHECK APPROVAL (S) REQUESTED

For Official Use Only:

- Lot Line Adjustment
- Preliminary Subdivision
- Conventional
- Cluster-open space
- Final Subdivision
- Site Development Plan
- Site Development Plan Amendment
- Special Permit **Recertification**
- Wetlands Permit
- Steep Slopes Permit

PB No. _____
Date Received _____
Fee Paid _____

1. Name of Proposed Development New Cingular Wireless PCS, LLC (AT&T)
Recertification of Special Permit for Telecommunication
Tower Facility
2. Name of Applicant New Cingular Wireless PCS, LLC (AT&T) Phone N/A
Address One AT&T Way, Bedminster, New Jersey 07921
Street No. & Name Town State Zip
3. Owner of Record New Cingular Wireless PCS, LLC (AT&T) Phone N/A
Address One AT&T Way, Bedminster, New Jersey 07921
Street No. & Name Town State Zip
4. Engineer/Architect N/A Phone _____
Address _____
Street No. & Name Town State Zip
5. Land Surveyor N/A Phone _____
Address _____
Street No. & Name Town State Zip
6. Attorney Cuddy & Feder, LLP Phone _____
Address 445 Hamilton Ave, 14th Fl, White Plains, NY 10601
Street No. & Name Town State Zip
7. Site Location: On the north side of Yorktown Road
(direction) (street)
0 feet west of Mount Airy Road
(direction) (street)
8. Tax lot designation: Section: 56.19 Block 1 Lot(s) 4 & 5
9. Total Area: 6± ac. No. of Lots 2 Sq. Ft. of Building N/A
Zoning Dist. HC Proposed Use WTF No. Of Parking Spaces N/A
10. If this application is for a cluster-open space subdivision give date and N/A
Resolution number of Town Board authorization. Date: _____ Res. # _____

PLEASE CHECK APPROPRIATE SPACE: I consent to the extension of the 62-day Public Hearing and review period. See instructions item # 4. YES NO

CONFIRMATION ALL TAXES PAID: _____ Date: _____

Receiver of Taxes

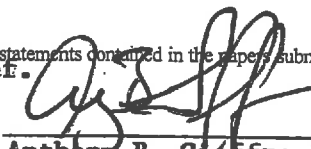
STATE OF NEW YORK;)
COUNTY OF WESTCHESTER:) SS
TOWN OF CORTLANDT)


Anthony B. Gioffre, III
I, _____ hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true. **to the best of my knowledge and belief.**

Mailing Address
Cuddy & Feder, LLP
445 Hamilton Ave, 14th Fl
White Plains, NY
10601

SWORN to before me this
20th day of **Feb.** 200**8**

NOTARY PUBLIC


Anthony B. Gioffre III
Attorney for Applicant


JEANENE D. CHAMBLISS
Notary Public, State of New York
No. 01CH6322342
Qualified in Dutchess County
Commission Expires March 30, 2013

GENERAL INSTRUCTIONS

P L E A S E R E A D

1. Attach hereto a copy of the duly filed deed indicating the current ownership of the subject property. EVENT OF CORPORATION OWNERSHIP: A list of all directors, officers and major stockholders of each corporation must be attached. If applicant is a contract vendee, then attach a copy of the duly executed contract of sale.
 2. If the applicant is a tenant submit a copy of the lease agreement and have the owner of the property sign and have notarized the statement below.
 3. The applicant shall submit a list of the names and addresses of all adjoining property owners and of those property owners directly across all road frontages adjoining the proposed development. The list shall also contain the Town of Cortlandt current Tap Map Section, Block and Lot designation for each parcel.
 4. NYS Town Law obligates the Planning Board to conduct a Public Hearing with respect to a preliminary or final subdivision plat, conforming to local requirements, within 62 days following receipt of same by the Planning Board Clerk. Likewise, NYS Town Law requires the Planning Board to approve, disapprove or approve with modifications, a proposed site plan within 62 days after same has been filed with the Planning Board or, if a Public Hearing was held on the plan within 62 days after such hearing. Due to the complexity of many proposals and the numerous technical and procedural requirements of all the applicable laws and regulations, many applications may be found to be incomplete or deficient and, therefore, not ready for Public Hearing nor Planning Board approval. Thus a determination based upon all pertinent facts and circumstances cannot always be rendered by the Planning Board within the 62 days. To do so might result in a disapproval when, with further information or changes, and SEQR compliance, approval or approval with modifications might otherwise occur. In such cases, Planning Board staff will notify the applicant of missing or incomplete items as soon as possible.
- In light of the above, you are asked to indicate, by checking the appropriate box on the front page of this application, whether you consent to the extension of the 62 day public hearing period or review period, for so long as may reasonably be necessary to generate a submission which is complete and in conformity with all pertinent requirements. You may revoke your consent at any time by communicating that fact in writing to the Clerk of the Planning Board whereupon your plat, or site plan or special permit proposal will be scheduled for the next regularly scheduled meeting of the Planning Board.
5. For procedures, design standards, specifications for drawings and other information see the following chapters in the Town of Cortlandt Code; for subdivisions Chapter 265, for site development plans, zoning and special permits Chapter 307, for wetland permits Chapter 179 and for steep slope permits Chapter 259.
 6. Please be advised that the site development plan, subdivision or special permit process often involves engineering, legal and other professional skills. While Planning Board staff will provide guidance and assistance within reasonable limits, the responsibility for the proper presentation of your proposed development plan, is upon you and your professional advisors, and not upon the Planning Board itself or staff.
 7. The applicant shall also submit the following: a completed environmental assessment form as required by SEQR for the proposed project; 2 copies of a recent survey, 14 sets of FOLDED plans, an electronic copy of all plans on a CD in .jpg, .tif or .gif format, a colored map of the project showing wetlands and steep slopes pursuant to the attached guideline, a check to the Town of Cortlandt for the application fee as indicated below.
 8. The applicant shall be responsible for posting and removing a sign on their property concerning their application as required by the Planning Board and provided by the Planning Division.

FEE SCHEDULE

LOT LINE ADJUSTMENT	-----	\$300
SUBDIVISION	-----	Preliminary (major) \$750 + \$750 for each building lot
	-----	Preliminary (minor) \$500 + \$500 for each building lot
	-----	Final approval - \$1000
SITE PLAN	-----	\$150 for each 1000 sq. ft. of proposed floor areas + \$5 for each proposed parking space. Minimum \$500
SITE PLAN AMENDMENT	-----	Same as above, minimum fee \$250.
SPECIAL PERMIT	-----	\$500

STATE OF NEW YORK;)
COUNTY OF WESTCHESTER:)SS
TOWN OF CORTLANDT)

**** See cover and signature pages of Lease Agreement annexed hereto.**

I _____, understand that as the owner of the subject property I authorize the tenant to make this application and I also understand that I as well as the tenant will be bound with the Planning Board's Resolution of approval including all conditions of such approval.

Mailing Address _____ SWORN to before me this _____ day of _____, 200__

NOTARY PUBLIC _____

PROJECT DESCRIPTION

ADDITION TO EXISTING TELECOM FACILITY COMPRISING OF EQUIPMENT, ANTENNAS AND ASSOCIATED CABLES

PROJECT INFORMATION

451 WYCKTOWN ROAD
 HUNTERS BROOK, NY 10533
 PROJECT OWNER
 AMER TOWERS
 350 W. 34TH ST. 15TH FLOOR
 NEW YORK, NY 10018

APPLICANT ADDRESS
 NEW CHARLES HUNTERS BROOK, LLC (OWNER)
 350 W. 34TH ST. 15TH FLOOR
 NEW YORK, NY 10018

JURISDICTION
 PROJECT FOR THE
 ZONING DISTRICT
 TOWN OF CORTLANDT
 MAP-24.19, BLOCK 1, LOTS 1A, 1B, 1C
 R 47 FC ZONING (M60 B3)
 DISTRICT
 R 47 FC ZONING (M60 B3)
 ELECTION
 DISTRICT
 COUNTY
 TELECOMMUNICATIONS FACILITY

RF DATA SHEET

DATE ISSUED: 07/27/2012
 REVISION: V03

DRAWING INDEX

TITLE SHEET	REV
NYCANNY5526-101 CONCEPT PLAN, ANTENNA PLAN & GENERAL NOTES	1
NYCANNY5526-401 EQUIPMENT PLAN & GENERAL NOTES	1
NYCANNY5526-402 MONITOR ELEVATION & DETAILS	1
NYCANNY5526-403 BENCH MARK (BENCH) MOUNTING, POE	1
NYCANNY5526-404 GPS UNIT BOX & WIRE MANAGEMENT BOX DETAILS	1
NYCANNY5526-405 GPS UNIT BOX & WIRE MANAGEMENT BOX DETAILS	1
NYCANNY5526-406 GPS UNIT MOUNTING & PARCELL CABINET DETAILS	1
NYCANNY5526-407 SYSTEM DETAILS	1
NYCANNY5526-408 RER WINDING DIAGRAM	1
NYCANNY5526-409 ELECTRICAL TEST NOTES, APPENDIX & SYMBOLS	1
NYCANNY5526-410 ELECTRICAL TEST NOTES & DETAILS	1
NYCANNY5526-411 LITE CROSS SECTION REQUIREMENT FEATURE (CSRF)	1
NYCANNY5526-412 JUMPER CONTINUATION	1

DOCUMENT REVIEW STATUS

DATE	BY	REVISION
1-10-13	Richard	1-10-13



BECHTEL ASSOCIATES
 PROFESSIONAL CORPORATION
 A UNIT OF BECHTEL CORPORATION
 3275 WESTVIEW DRIVE
 FREDERICK, MD 21730-3284 USA

SITE NAME: HUNTERS BROOK
SITE NUMBER: NYCANNY5526
 451 WYCKTOWN ROAD
 HUNTERS BROOK, NY 10533

REDLINED by
 Phone Construction Services, LLC
 5 Pederson Rd., Westfield, NJ 07090
 Richard

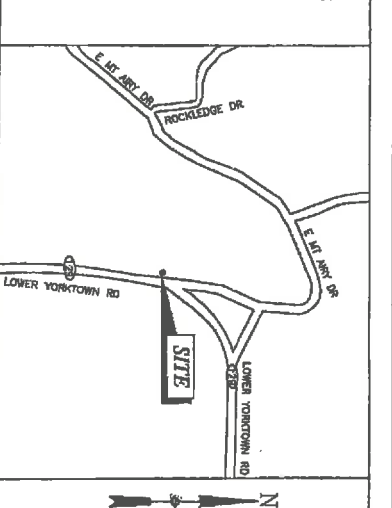


SITE NUMBER: NYCANNY5526
SITE NAME: HUNTERS BROOK
 Richard

ASBESTOS REPORT
 PROJECT: TELECOM FACILITY
 DATE: 1/11/17
 BY: Adam Walsh
 1/11/17

VICINITY MAP

THE PROJECT SITE IS LOCATED AT THE CORNER OF E. 47th St. and Lower Yorktown Rd. The site is bounded by E. 47th St. to the north, Lower Yorktown Rd. to the south, and Rockledge Dr. to the east. The site is situated in the Town of Cortlandt, New York. The map shows the site location relative to the surrounding roads and landmarks.



PROJECT CONTACTS

CONSTRUCTION ENGINEER	CLIENT	OWNER
AMER TOWERS	AMER TOWERS	AMER TOWERS
AND ASSOCIATES	AND ASSOCIATES	AND ASSOCIATES
AND ASSOCIATES	AND ASSOCIATES	AND ASSOCIATES

APPLICABLE BUILDING CODES AND STANDARDS

Subcontractor's work shall comply with all applicable national, state, and local codes, as adopted by the local authority having jurisdiction (LAHJ) for the location. The contractor shall comply with the latest edition of the following codes and standards unless otherwise specified:

- INTERNATIONAL BUILDING CODE (IBC) - 2012
- INTERNATIONAL FIRE CODE (IFC) - 2012
- INTERNATIONAL ELECTRICAL CODE (NEC) - 2011
- INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC) - 2012
- INTERNATIONAL PLUMBING AND MECHANICAL CODE (IPC) - 2012
- INTERNATIONAL SOIL AND FOUNDATION CODE (ISFC) - 2012
- INTERNATIONAL WOOD PRESERVATION CODE (IWPC) - 2012
- INTERNATIONAL ZONING AND ORDINANCE CODE (IZOC) - 2012
- INTERNATIONAL GREEN BUILDING CODE (IGBC) - 2012
- INTERNATIONAL SUSTAINABLE DESIGN RATING SYSTEM (LEED) - 2012
- INTERNATIONAL SUSTAINABLE DESIGN RATING SYSTEM (LEED) - 2012
- INTERNATIONAL SUSTAINABLE DESIGN RATING SYSTEM (LEED) - 2012

DETAIL

SCALE: N.T.S.

STRUCTURAL STATEMENT

EXISTING EQUIPMENT AND ITS FOUNDATION SHALL REMAIN IN PLACE AND BE REINFORCED TO THE DESIGN AND LOADS SHOWN ON THE DRAWING.

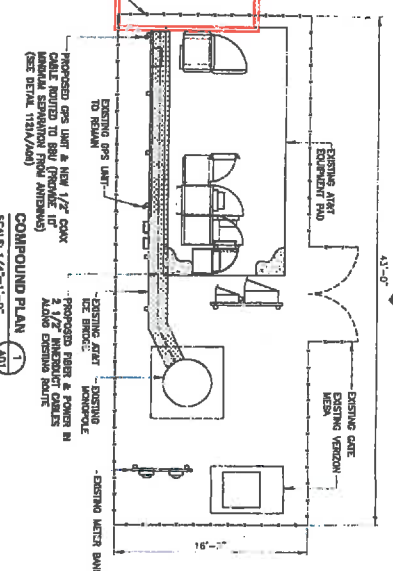


at&t
 TITLE SHEET
 13-110000000-001
 07/27/2012

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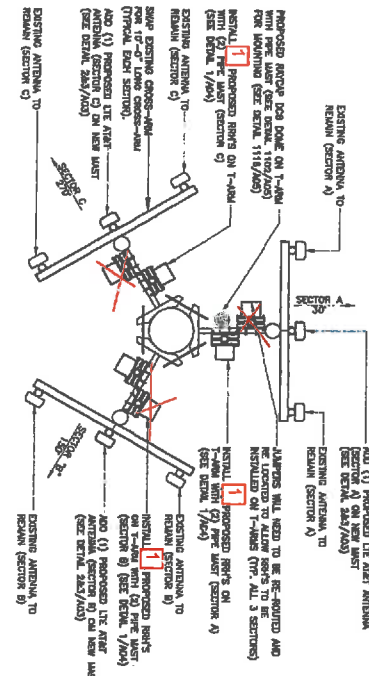


REDLINED BY
John Smith
Prime Construction Services, LLC
5 Pederman Rd - Uterville, NJ 07244



COMPOUND PLAN
SCALE 1/4"=1'-0"

COMPOUND PLAN
SCALE 1/4"=1'-0"



ANTENNA PLAN
SCALE 3/4"=1'-0"

ANTENNA PLAN
SCALE 3/4"=1'-0"

BECHTEL ASSOCIATES
A UNIT OF BECHTEL CORPORATION
FREDERICKS, NY 87735-5508 USA

PROFESSIONAL CORPORATION
A UNIT OF BECHTEL CORPORATION
FREDERICKS, NY 87735-5508 USA



REVISIONS

NO.	DATE	DESCRIPTION	BY	CHKD.
1	11/17/17	ISSUED FOR CONSTRUCTION	[Signature]	[Signature]
2	11/29/17	REVISED PER COMMENTS	[Signature]	[Signature]
3	12/15/17	REVISED PER COMMENTS	[Signature]	[Signature]
4	01/05/18	REVISED PER COMMENTS	[Signature]	[Signature]
5	01/11/18	REVISED PER COMMENTS	[Signature]	[Signature]
6	01/11/18	REVISED PER COMMENTS	[Signature]	[Signature]
7	01/11/18	REVISED PER COMMENTS	[Signature]	[Signature]

DETAIL
SCALE N.S.

GENERAL NOTES

- 1. FOR THE PURPOSE OF CONSTRUCTION DRAWING, THE FOLLOWING DEFINITIONS SHALL APPLY:
 - CONTRACTOR - BECHTEL CORPORATION (CONSTRUCTION)
 - OWNER - NEW CANAAN HEIGHTS FOX, LLC (FOX)
 - DESIGNER - BECHTEL ASSOCIATES
- 2. PRIOR TO THE SUBMISSION OF BIDS, THE BIDDING SUBCONTRACTOR SHALL VERIFY THE CELL BE ACCUMULATED AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- 3. ALL MATERIALS FINISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES AND LOCAL, STATE AND FEDERAL AGENCIES.
- 4. ALL WORK DONE ON OR SHALL COMPLY WITH ALL APPLICABLE NATIONAL AND UTILITY CODES, REGULATIONS AND ORDINANCES. SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES AND LOCAL, STATE AND FEDERAL AGENCIES.
- 5. UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING UTILITIES EQUIPMENT, MATERIALS, LABOR AND ALL NECESSARY TO COMPLETION OF THE WORK.
- 6. THE SUBCONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.
- 7. IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS, THE SUBCONTRACTOR SHALL PROVIDE AN ALTERNATE INSTALLATION FOR APPROVAL BY THE CONTRACTOR.
- 8. SUBCONTRACTOR SHALL DESTROY ALL ORIGINAL RECORDS OF CONSTRUCTION PERMITS AND ALL COPIES. SUBCONTRACTOR SHALL DESTROY ALL ORIGINAL RECORDS OF CONSTRUCTION PERMITS AND ALL COPIES. SUBCONTRACTOR SHALL DESTROY ALL ORIGINAL RECORDS OF CONSTRUCTION PERMITS AND ALL COPIES.
- 9. THE SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES AND LOCAL, STATE AND FEDERAL AGENCIES.
- 10. SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES AND LOCAL, STATE AND FEDERAL AGENCIES.
- 11. SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES AND LOCAL, STATE AND FEDERAL AGENCIES.
- 12. ALL CONCRETE REPAIR WORK SHALL BE DONE IN ACCORDANCE WITH AMERICAN CONCRETE INSTITUTE (ACI) 301.
- 13. ALL NEW CONCRETE NEEDED FOR THE CONSTRUCTION SHALL HAVE 4000 PSI STRENGTH AT 28 DAYS UNLESS OTHERWISE SPECIFIED. ALL CONCRETE FORM SHALL BE DONE IN ACCORDANCE WITH 28 DAY STRENGTH. (ACI 308.4R-03)
- 14. ALL STRUCTURAL STEEL WORK SHALL BE DONE IN ACCORDANCE WITH AISC SPECIFICATIONS.
- 15. CONSTRUCTION SHALL COMPLY WITH SPECIFICATION 3476-000-549-402-0002.
- 16. SUBCONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO BEGINNING WORK. SUBCONTRACTOR SHALL NOTIFY THE CONTRACTOR OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
- 17. THE EXISTING CELL SITE IS IN FULL COMPLIANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. ANY CONSTRUCTION WORK ON EXISTING EQUIPMENT MUST BE CONDUCTED WITH CARE TO AVOID DAMAGE TO THE EQUIPMENT. ALL WORK SHALL BE COMPLETED FOR AN APPROXIMATE MAINTENANCE WINDOW USUALLY IN LOW TRAFFIC PERIODS AFTER HOURS.
- 18. BEFORE THE CELL SITE MAY BE ACTIVE, ALL SAFETY PRECAUTIONS MUST BE TAKEN WHICH WILL PROTECT ALL PERSONNEL FROM HAZARDOUS CONDITIONS. SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES AND LOCAL, STATE AND FEDERAL AGENCIES.