

Right to Know/FOIL

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WHEREAS, a packet dated August 17, 2017 and a 2 page set of drawings entitled “SBA Site NY47410-A” prepared by Terrence R. Luhay, P.E. dated January 27, 2014 was submitted by Lucia Chiocchio, Esq. seeking Planning Board re-certification of the Special Permit issued for the existing wireless telecommunications facility located at 51 Scenic Drive as per Chapter 277 (Telecommunications Towers) of the Town of Cortlandt Code, and

WHEREAS, the subject tower is located at 51 Scenic Drive and designated on the Town of Cortlandt Tax Maps as Section 67.07, Block 2, Lot 3, and

WHEREAS, a Special Use Permit was originally approved by the Town of Cortlandt Town Board on April 20, 2004 by Resolution 131-04, and

WHEREAS, as required by Section 277-18 of the Town Code (Telecommunications Towers) the Zoning Board of Appeals granted approval for the re-certification of the tower by Resolution 40-09 adopted on December 16, 2009 and by Resolution 2014-04 adopted on February 19, 2014, and

WHEREAS, pursuant to Section 277-18 of the Town Code the applicant has submitted a structural analysis report, prepared by TES, Kyle Wayant, P.E. dated July 26, 2017 confirming that the existing tower has not been modified beyond routine maintenance since the special permit approval was granted and recertified and that the facility remains in compliance with the original approval and all applicable laws, and

WHEREAS, the request for recertification was reviewed by Department of Technical Services staff as required by Chapter 277 of the Town Code, and

WHEREAS, the subject request is considered a Type II action under the State Environmental Quality Review Act (SEQRA).

NOW THEREFORE BE IT RESOLVED, that the request of Lucia Chiocchio, Esq. for re-certification of the Special Permit issued for the existing wireless telecommunications facility located at 51 Scenic Drive is hereby **approved** subject to the conditions listed below:

CONDITIONS AND MODIFICATIONS:

- 1) **Updates to the liability insurance shall be provided to the Town prior to the issuance of the recertification.**
- 2) **Exhibit “D” Letter from SBA Communications Corporation shall be resubmitted with a date and statement in accordance with Town Code Chapter 277-18(4) and 277-18(5).**

3) The applicant shall make application to the Planning Board at or prior to the December 2022 Planning Board meeting to request the next 5 year re-certification.

TO BE CONSIDERED FOR ADOPTION: OCTOBER 2, 2018