



TOWN OF DEERPARK

GARY I SPEARS, SUPERVISOR
DAVID M. DEAN, COUNCILMAN
ARTHUR T. TROVEI, COUNCILMAN
KENNETH SMITH, COUNCILMAN
ALAN SCHOCK, COUNCILMAN

TOWN OF DEERPARK

T-MOBILE NORTHEAST APPLICATION FOR INSTALLATION/COLLOCATION APPROVAL

RESOLUTION

SEQR Negative Declaration Notice of Determination of Non-Significance

WHEREAS, T-MOBILE NORTHEAST LLC (hereinafter the "applicant") is seeking to collocate on a telecommunications tower already constructed and existing on property located at 420 Route 209, Huguenot, New York 12746, owned by the Town of Deerpark and lying within the Hamlet Mixed Use (HMU) Zone as defined in the Town of Deerpark Zoning Law; and

WHEREAS, the Town of Deerpark had previously entered into an Agreement with JNS Towers LLC for the construction of a telecommunications tower on Town property; and

WHEREAS, the afore-described telecommunications tower has been constructed pursuant to the terms of the said Agreement; and

WHEREAS, the subject telecommunications tower including the rights and obligations of JNS Towers LLC has been purchased by Crown Castle LLC; and

WHEREAS, Crown Castle LLC has been approached by T-Mobile Northeast LLC seeking permission to collate on the said telecommunications tower; and

WHEREAS, Crown Communication LLC has filed a Short Form Environmental Assessment Form on behalf of T-Mobile Northeast LLC; and

WHEREAS, the Town of Deerpark Board (hereafter Board) has determined for the purposes of SEQRA that this action is classified as an "Unlisted" action; and

WHEREAS, the Board, aware of its obligations that significant environmental impacts may be associated with Unlisted actions, required preparation of a Short Environmental Assessment Form ("SEAF") pursuant to 6 NYCRR 617.6, in order to determine the significance of the potential environmental impacts, if any, associated with this proposed action; and

WHEREAS, the Board has reviewed the latest short-form EAF prepared, including supporting documents, and found the EAF to be complete and acceptable as to scope, content and description of the proposed action, for purposes of considering any potential environmental impacts of the action; and

WHEREAS, the Board chose to conduct an uncoordinated environmental review of this action; and

WHEREAS, the Board has analyzed the potential areas of environmental concern associated with the proposed action, in accordance with the procedures set forth at 6 NYCRR 617.6 and the criteria set forth at 6 NYCRR

617.7, pursuant to the requirements of the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law of the State of New York.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board, upon consideration of the proposed action, the Short EAF, various supporting documents attached thereto and submitted for the board's consideration in connection with the action, the criteria set forth in 6 NYCRR Part 617, and the reports and recommendations of its consultants, finds that the action will not have a significant effect on the environment for the following reasons:

- a) **Zoning** - Property is in the Hamlet Mixed Use (HMU) Zone. In the Hamlet Mixed Use (HMU) Zone, Telecommunications Facilities and uses accessory thereto are permitted uses in accordance with the Zoning Law.

The Board has taken into consideration public health, safety and welfare; comfort and convenience of the public in general and the comfort and convenience of the immediate neighborhood. The intended use and site plan drawings, comply with the bulk dimensional regulations applicable to the HMU zone.

The project will not cause an economic burden on community facilities or services, including but not limited to highways, sewage treatment facilities, and water supplies.

- b) **Site Access** - The tract or subject property is accessed from NYS Route 209. The Deerpark Highway Superintendent has not indicated this to be inadequate or unacceptable.
- c) **Water Supply**- Not Applicable.
- d) **Wastewater Disposal** – Not Applicable.
- e) **Surface Water and Groundwater** - the provisions for storm water management, erosion and erosion control measures designed by a licensed professional engineer from this state that comply with New York State Department of Environmental Conservation regulations is mandatory.
- f) **Fuel Oil Storage** - Compliance with the provisions of New York State Department of Environmental Conservation regulations is mandatory.
- g) **Site Lighting** - due to the location of the building site to Town Hall and other adjacent properties this impact is expected to be negligible.
- h) **Visual Impacts** – due to the location of the building site to Town Hall and other adjacent properties, as well as the fact that the telecommunications tower is pre-existing, this impact is expected to be negligible.
- i) **Noise** – No additional noise is expected EXCEPT during installation. The existing ambient noise levels should not be exceeded by the proposal.
- j) **Air Quality** - none of the proposed activities are expected to impair the air quality of the area.
- k) **Fire Protection** - Water for fire protection is to be supplied from existing on-site systems. The design and construction of the fire protection system, if any, in accordance with National Fire Protection Association standards is mandatory.
- l) **State Historic Preservation Act (SHPA) Determination** - The proposed

activity is not subject to review in accordance with SHPA.

m) **Traffic** - the amount of traffic generated will not have significant impact on local or general area roadways.

n) **Public Health** – Not Applicable.

2. For the reasons set forth above, the Board finds that the proposed action will not have a significant effect upon the environment, and that preparation of an environmental impact statement will not be required; and
3. The Town Clerk shall be directed to prepare a file copy of this Resolution as a Negative Declaration setting forth the reasons for this determination of non-significance in accordance with 6 NYCRR 617.12 adopted June 17, 2019.

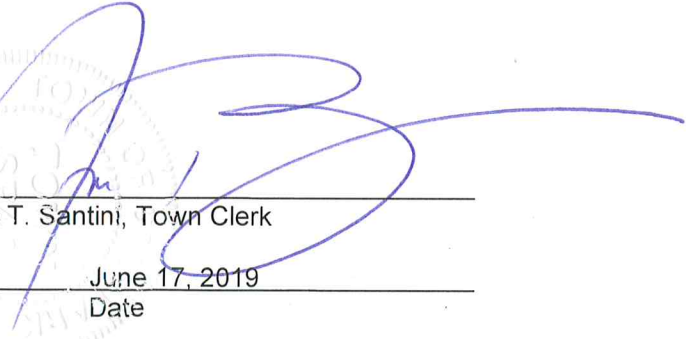
Motion by Kenneth Smith

Seconded by David Dean

Roll Call vote:

	Aye	Nay	Absent
Supervisor Gary I. Spears	<u> X </u>	<u> </u>	<u> </u>
Councilman David Dean	<u> X </u>	<u> </u>	<u> </u>
Councilman Arthur Trovei	<u> </u>	<u> </u>	<u> X </u>
Councilman Kenneth Smith	<u> X </u>	<u> </u>	<u> </u>
Councilman Alan Schock	<u> </u>	<u> </u>	<u> X </u>

I attest:



Florence T. Santini, Town Clerk

 June 17, 2019

Date