

**RESOLUTION
HARPERSFIELD PLANNING BOARD**

APPLICATION FOR TELECOMMUNICATIONS FACILITY SITING PERMIT AND SITE PLAN APPROVAL
BELL ATLANTIC MOBILE SYSTEMS, LLC D/B/A VERIZON WIRELESS
RESOLUTION ISSUING A NEGATIVE DECLARATION AND
APPROVING APPLICATION FOR TELECOMMUNICATIONS FACILITY PERMIT AND SITE PLAN

DATE: August 28, 2024

WHEREAS, Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless (“Applicant”) is proposing the construction and operation of a 150’ telecommunications tower (plus 4’ lightning rod) on Town-owned property located adjacent to 25399 State Highway 23 (SBL 28-2-31.1) (“Project”); and

WHEREAS, the Applicant has applied for a telecommunications facility permit and site plan approval (the “Application”) from the Planning Board of the Town of Harpersfield (“Planning Board”) which are actions subject to review under the New York State Environmental Quality Review Act and the Regulations promulgated thereunder, (collectively “SEQRA”); and

WHEREAS, the Applicant has prepared and submitted to the Planning Board a Full Environmental Assessment Form (“EAF”) as part of the application; and

WHEREAS, the Project involves the construction of a structure exceeding 100 feet above original ground level in a locality without any zoning regulation pertaining to height which is a Type I action pursuant to 6 NYCRR 617.6(a)(7); and

WHEREAS, the Planning Board’s review and approval of a telecommunications permit and site plan are the only discretionary approvals identified in Part I of the FEAF. Therefore, pursuant to 6 NYCRR 617.6(b) the Planning Board classified the action as a Type I action and declared itself Leage Agency under SEQRA; and

WHEREAS, a public hearing on the proposed local law was duly noticed and held on August 28, 2024; and

WHEREAS, the application was referred to the County Planning Department pursuant to GML 239-m and the County Planning Board recommended approval without modifications; and

WHEREAS, the Town Board has considered comments received on the application; and

WHEREAS, the Town Board has duly considered the contents of the FEAF and completed Parts 2 and 3 thereof; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry, took a hard look at them and determined the project will not result in any significant environmental impacts thereby complying with the mandates of the State Environmental Quality Review Act; and

WHEREAS, the Planning Board has duly considered the standards for approval under the Town of Harpersfield Site Plan Review Law and Communications Towers and Facilities Law, as amended, and the information in the record related thereto.

THEREFORE, IT IS HEREBY RESOLVED, by the Planning Board of the Town of Harpersfield, as follows:

1. The Planning Board thereby authorizes filing of the Negative Declaration (attached hereto and made a part hereof), according to SEQRA, 6 NYCRR Part 617.
2. The Planning Board hereby adopts as its findings the information in Exhibit D of the Application which sets forth proof of compliance with the Town of Harpersfield Communications Towers and Facilities Law.

3. The Planning Board hereby approves the Application, including the Applicants request for a setback waiver under the Town of Harpersfield Communications Towers and Facilities Law. The Planning Board hereby finds good cause has been shown for granting such a waiver.
4. The Planning Board Clerk, with the assistance of the Town Clerk, and/or Attorney for the Town is hereby authorized and directed to take such other and further actions as are necessary to effectuate the purposes of this Resolution.

WHEREUPON, this Resolution was declared adopted by the Planning Board of the Town of Harpersfield:

The motion was moved by Walt Keller

The motion was seconded by Doug Cole

The vote was as follows:

AYE: 5
NO: 0
ABSENT: