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MAR 05 2025

*Central Pine Barrens  
Joint Planning & Policy Commission*

Julie Hargrave, Policy and Planning Manager  
Central Pine Barrens Commission  
624 Old Riverhead Road  
Westhampton Beach, NY 11978

RE: Public Utility Wireless Telecommunications Facility  
Homeland Towers, LLC and Verizon Wireless  
2055 Flanders Road, Flanders, Town of Southampton

Dear Ms. Hargrave:

We are the attorneys for Homeland Towers, LLC (“Homeland Towers”), and New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon Wireless”) (together “Applicants”) in connection with its proposal to place a Public Utility Wireless Telecommunications Facility<sup>1</sup>, consisting of a 150-foot stealth concealment pole and associated equipment (“Facility”), at the above referenced Property. The Facility will support the antennas of Verizon Wireless, while providing collocation space for similar providers or emergency communications equipment, with related equipment installed within a fenced equipment compound at the base thereof. We are writing to request a hardship waiver for a compelling public need for the proposed Facility.

We are writing to respectfully request a hardship waiver for a compelling public need for the proposed Facility. Enclosed please find seven (7) copies of the completed notarized Owner’s Affidavit, as well as the following documents that have also been filed with the Town of Southampton Planning Board:

1. Site Plan and Special Permit Application Forms with Site Plan Checklist;
2. Property Owner Endorsement;
3. Applicant and Property Owner GML § 809 Disclosures;

<sup>1</sup> The Facility is regulated as a personal wireless services facility under federal law. Please see the Petition in support of the application regarding various federal legal requirements that apply in this matter.

4. Petition in Support of Application;
5. Full Environmental Assessment Form;
6. Planning Report by VHB describing how the Facility satisfies the requirements of the Pine Barrens Act (see Section 6), dated February 2025, with the following Appendices:
  - A. Visual Resource Assessment by Saratoga Associates, dated October 23, 2024.
  - B. Central Pine Barrens Determination of Jurisdiction Letter, dated June 15, 2022.
  - C. Concurrence from New York State Office of Parks, Recreation and Historic Preservation, dated February 17, 2022.
  - D. RF Report by V-COMM, dated July 31, 2024.
  - E. Alternative Sites Affidavit by Homeland Towers, dated October 18, 2024.
  - F. Site and Surrounding Area Photographs.
  - G. Antenna Site FCC RF Compliance and Assessment Report by Pinnacle Telecom Group, dated September 10, 2024.
  - H. Fall Zone and Structural Certification Letter by WFC Architects, dated September 30, 2024.
  - I. FAA Determination of No Hazard to Air Navigation, dated May 19, 2022 and Extension dated November 14, 2023.
  - J. Resume of William Sklar.

7. Site Plan.

We assume the Town of Southampton Planning Board will act as lead agency for SEQRA but we await its declaration of intent.

We thank you for your consideration and look forward to discussing this matter at the March 19, 2025 Central Pine Barrens Commission meeting. If you have any questions or require additional documentation, please do not hesitate to contact me.

Respectfully submitted,



Robert D. Gaudioso

Enclosures

RDG/rjg

cc: Homeland Towers, LLC  
Town of Southampton Planning Board

PLANNING BOARD  
TOWN OF SOUTHAMPTON and  
CENTRAL PINE BARRENS COMMISSION

-----X

In the matter of the Application of  
HOMELAND TOWERS, LLC and VERIZON WIRELESS  
2055 Flanders Road,  
Flanders, Town of Southampton  
S.C.T.M: 900-102-1-19

-----X

PETITION IN SUPPORT OF APPLICATION  
BY HOMELAND TOWERS AND VERIZON WIRELESS  
TO LOCATE A WIRELESS TELECOMMUNICATIONS FACILITY  
AT THE ABOVE REFERENCED PROPERTY

**I. Introduction**

Pursuant to Section 330-302 of the Southampton Zoning Code (“Zoning Code”), wireless telecommunications facilities are permitted on the Property pursuant to the grant of a special use permit from the Planning Board of the Town of Southampton (“Town”). A Hardship Waiver for a compelling public need is also required from the Central Pine Barrens Commission.

**II. Statement of Facts**

The Property is identified by SCTM No. 900-102-1-19 on the Town Tax Map and is located in the Highway Business (“HB”) Zoning District.

The proposed Facility will be used to provide federally licensed wireless communication services to the Town. The Facility will include a 150-foot stealth concealment pole to support the antennas of Verizon Wireless, while providing collocation space for similar providers or emergency communications equipment, with related equipment installed within a fenced equipment compound at the base thereof. The Applicants have also proposed a stealth design for the Facility, a concealment pole designed to resemble a flagpole. A detailed site plan (“Site Plan”) prepared by WFC Architects is submitted herewith.

**III. Public Utility Status**

Under the laws of the State of New York, Verizon Wireless is qualified as a public utility. *See Cellular One v. Rosenberg*, 82 N.Y.2d 364 (1993), *Cellular One v. Meyer*, 607 N.Y.S. 2d 81 (2d Dep’t 1994) and *Sprint Spectrum, L.P. v. Town of West Seneca*, (Index No. 1996/9106 Feb. 25, 1997, Sup. Ct. Erie County). In *Rosenberg, supra*, the Court of Appeals, New York’s highest court, held that federally licensed wireless carriers (such as Verizon Wireless) provide an essential public service and is a public utility in the State of New York.

332(c)(7)(B)(i);

Decisions and actions on zoning and construction applications must be made “within a reasonable period of time.” 47 USCA § 332(c)(7)(B)(ii);

Any “decision shall be in writing and supported by substantial evidence contained in a written record.” 47 USCA § 332(c)(7)(B)(iii); and

No action or decision shall be made “on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.” 47 USCA § 332(c)(7)(B)(iv).

Please note that the FCC and federal courts have concluded that the correct test for determining an effective prohibition is the “materially inhibits standard.” The FCC in its 2018 Third Report and Order clarified that the significant gap plus least intrusive means standard (a/k/a the *Willoth* standard) is no longer applicable and that a carrier needs only to demonstrate that a municipality is materially inhibiting the provision of wireless services. *See In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Inv., Declaratory Ruling and Third Report and Order*, 33 FCC Rcd 9088 (2018), (hereinafter referred to as the “*Third Report and Order*”); *See also, City of Portland v. United States*, 969 F.3d 1020, (9th Cir. 2020), *cert denied sub nom. City of Portland, Oregon v. Fed. Communications Commn.*, 141 S. Ct. 2855 (2021) (upholding the *Third Report and Order*’s “materially inhibit” standard.) The FCC clarified that “an effective prohibition occurs where a state or local legal requirement materially inhibits a provider’s ability to engage in any of a variety of activities related to its provision of a covered service. This test is met not only when filling a coverage gap but also when densifying a wireless network, introducing new services or otherwise improving service capabilities.” *Third Report and Order*, at 9104-9105. Furthermore, “a state or local legal requirement could materially inhibit service in numerous ways—not only by rendering a service provider unable to provide an existing service in a new geographic area or by restricting the entry of a new provider in providing service in a particular area, but also by materially inhibiting the introduction of new services or the improvement of existing services. Thus, an effective prohibition includes materially inhibiting additional services or improving existing services.” *Third Report and Order*, at 9105; *See also, New Cingular Wireless PCS, LLC v. Town of Colonie*, 20-CV-1388 (NAM/ATB), 2022 WL 1009436, (N.D.N.Y. Mar. 31, 2022) (“[t]he FCC has stated that the ‘materially inhibit’ standard is the appropriate standard for determining whether a State or local law operates as a prohibition or effective prohibition within the meaning of Sections 253 and 332.”); *See also, Cellco P’ship v. White Deer Twp. Zoning Hearing Bd.*, 74 F.4th 96, 106 (3<sup>rd</sup> Cir. 2023) (“[i]n light of our decision to adopt the ‘materially inhibit’ standard, not only does ‘insufficiency in coverage’ ordinarily entitle a provider to a variance but so does insufficiency in network capacity, 5G services, or new technology. In the TCA, Congress recognized that ‘[t]he telecommunications interests of constitutions are . . . statewide, national and international.’” 33 FCC Rcd. at 9110. Local zoning boards, like White Deer Zoning Board, are prohibited from preventing providers from meeting those broader interests.”)

Please further note that on November 18, 2009, the FCC issued a Declaratory Ruling regarding timely review of applications for siting of wireless facilities, WT Docket NO. 08-165 (the “Shot Clock Order”). The Shot Clock Order finds that a “reasonable period of time” for a local government to act on this type of application, an application for a new tower, is presumptively 150 days. The FCC again clarified the 150-day “Shot Clock” (2018 Third Report and Order) and in the implementing regulations contained in 47 C.F.R. § 1.6003. According to the Shot Clock Order and 47 C.F.R. § 1.6003(c)(1)(iv), if the Town or Central Pine Barrens Commission fails to act within 150 days of filing a complete application, the applicant may commence an action in federal court for “failure to act” under Section 332(c)(7)(B)(v) of the Federal Communications Act.

#### **IV. The Proposed Facility Meets the Applicable Legal Standards**

The instant application to the Planning Board is for a site plan approval and a special use permit pursuant to Article XXVII of the Zoning Code. A special use permit is permitted as of right when the applicant has demonstrated compliance with the applicable standards. See *Matter of North Shore Steak House v. Board of Appeals of Inc. Vil. of Thomaston*, 30 N.Y.2d 238 (1972).

Please see the Planning Report with Appendices, Environmental Assessment Form and Site Plan for a full and complete description of the Facility’s compliance with the Town Code and the New York State Environmental Conservation Law.

#### **Conclusion**

By granting the site plan approval and special use permit with waivers, and the hardship waiver, the Planning Board and Central Pine Barrens Commission, respectively, will permit Verizon Wireless to improve its network and provide local businesses, residents and public service entities with a safe and reliable wireless communications alternative. There will be no significant adverse effects from the project.

WHEREFORE, for all of the foregoing reasons, the Applicants respectfully pray that the Planning Board issue a Negative Declaration and grant the requested special use permit, including all waivers requested herein, and site plan approval and that the Central Pine Barrens Commission grant the Hardship Waiver.

Dated: March 5, 2025

Tarrytown, New York

Respectfully submitted,



Robert D. Gaudioso, Esq.  
SNYDER & SNYDER, LLP  
94 White Plains Road  
Tarrytown, NY 10591

Sworn to before me this 5<sup>th</sup>  
day of March, 2025



Notary Public

David James Kenny  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02KE6343903  
Qualified in Westchester County  
Commission Expires June 20, 2026

28

***Full Environmental Assessment Form***  
***Part 1 - Project and Setting***

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

<b>Name of Action or Project:</b> Proposed Wireless Telecommunications Facility - Homeland Towers NY065		
<b>Project Location (describe, and attach a general location map):</b> 2055 Flanders Road, hamlet of Flanders, Town of Southampton, Suffolk County, New York (SCTM: District 0900 - Section 170.00 - Block 01.00 - Lot 041.001) (see attached Site Location map)		
<b>Brief Description of Proposed Action (include purpose or need):</b> The Proposed Action involves special exception approval (among other approvals) to allow the construction of a wireless telecommunications facility, including a concealment pole and associated equipment, at an existing automotive junkyard located at 2055 Flanders Road in the hamlet of Flanders, Town of Southampton, Suffolk County, New York (the "Subject Property"). Specifically, the Proposed Action includes the installation of a 150±-foot above grade level (agl) concealment pole with the antennas of up to four wireless service providers installed within the pole. Verizon Wireless would install three antennas within the concealment pole at a centerline height of 145± feet agl. Dish Wireless would install three antennas within the concealment pole at a centerline height of 115± feet agl. Two additional future carriers would install antennas within the concealment pole at centerline heights of 125± feet agl and 135± feet agl. The concealment pole would be installed within a proposed 50±-foot-by-60±-foot (3,000±-square-foot [sf]) ground-based equipment compound on the northeast portion of the Subject Property. Verizon Wireless would install equipment within the compound on a 10±-foot-by-20±-foot (200±-sf) concrete equipment pad that would connect to the concealment pole via a cable ice bridge. A weather canopy would be installed atop the Verizon Wireless equipment compound, reaching a top height of 9±-feet-4±-inches agl, with four Verizon Wireless GPS units to be installed atop the canopy reaching a top height of 9±-feet-10±-inches agl. Dish Wireless would also install equipment within the compound atop a 5±-foot-by-7±-foot (35±-sf) platform that would also connect to the pole via a cable ice bridge. In addition, the equipment compound would include three 10±-foot-by-20±-foot lease spaces for the equipment of future carriers. Three 500-gallon propane tanks (one for Verizon Wireless and two for future carriers) are proposed atop a 10±-foot-by-16±-foot (160±-sf) concrete pad within the equipment compound. The propane tanks would connect to emergency backup generator(s) for the carriers within the compound via underground gas lines. The equipment compound would be surrounded by an 8±-foot agl chain link fence with an 8±-foot-wide double swing access gate. A proposed transformer, electric meter bank and CSC cabinet would be installed immediately outside of the equipment compound, with underground power/tele conduits routed to an existing utility pole on the south side of Flanders Road. Three bollards would also be installed outside of the compound, on the west side of the transformer, electric meter bank and CSC cabinet. Additionally, evergreen landscape screening would be installed between the proposed wireless telecommunications facility and Flanders Road. These plantings would be installed both immediately north of the equipment compound as well as along the site frontage west of the existing driveway to provide additional screening.		
<b>Name of Applicant/Sponsor:</b> Homeland Towers, LLC		<b>Telephone:</b> (203) 297-6345 <b>E-Mail:</b> mv@homelandtowers.us
<b>Address:</b> 9 Harmony Street, 2nd Floor		
<b>City/PO:</b> Danbury		<b>State:</b> CT <b>Zip Code:</b> 06810
<b>Project Contact (if not same as sponsor; give name and title/role):</b> Robert D. Gaudioso, Esq., Snyder & Snyder, LLP		<b>Telephone:</b> (914) 333-0700 <b>E-Mail:</b> rgaudioso@snyderlaw.net
<b>Address:</b> 94 White Plains Road		
<b>City/PO:</b> Tarrytown		<b>State:</b> NY <b>Zip Code:</b> 10591
<b>Property Owner (if not same as sponsor):</b> S&E Riverside LLC - Scott Perlow, Owner		<b>Telephone:</b> (516) 635-2523 <b>E-Mail:</b> rapidlow@optonline.net
<b>Address:</b> 159 West Montauk Highway, Suite 2		
<b>City/PO:</b> Hampton Bays		<b>State:</b> NY <b>Zip Code:</b> 11946

## B. Government Approvals

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Town of Southampton Planning Board - Special Exception; Site Plan; Relief for setbacks, separation distance	
c. City, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Town of Southampton Zoning Board of Appeals - Variance (multiple uses on residential lot)	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Southampton Department of Land Management - Building Permit	
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Central Pine Barrens Joint Planning & Policy Commission - Hardship Relief	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Is the project site within a Coastal Erosion Hazard Area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## C. Planning and Zoning

<b>C.1. Planning and zoning actions.</b>
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No only approval(s) which must be granted to enable the proposed action to proceed?
<ul style="list-style-type: none"> <li>• <b>If Yes</b>, complete sections C, F and G.</li> <li>• <b>If No</b>, proceed to question C.2 and complete all remaining sections and questions in Part I</li> </ul>
<b>C.2. Adopted land use plans.</b>
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Town of Southampton Aquifer Protection Overlay District Long Island Central Pine Barrens - Core Preservation Area
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s): _____ _____

### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance?  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
CR-60 Country Residence District

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No  
c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

### C.4. Existing community services.

a. In what school district is the project site located? Riverhead Central School District  
b. What police or other public protection forces serve the project site?  
Southampton Town Police Department  
c. Which fire protection and emergency medical services serve the project site?  
Flanders Fire Department and Flanders Northampton Volunteer Ambulance Corps  
d. What parks serve the project site?  
The proposed wireless telecommunications facility would be unmanned and would not generate a demand for or utilize parks. Nearby parks include Hubbard County Park and Sears Bellows County Park and Maple Swamp

## D. Project Details

### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Public utility - wireless telecommunications facility

b. a. Total acreage of the site of the proposed action? 6.18± acres \*  
b. Total acreage to be physically disturbed? 0.07± acres \*\*  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.07± acres \*\*

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  
i. If No, anticipated period of construction: 4± months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

\* Reflects the area of the overall subject parcel.

\*\* Reflects the area of the ground-based equipment compound.

f. Does the project include new residential uses? If Yes, show numbers of units proposed.				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____
g. Does the proposed action include new non-residential construction (including expansions)? If Yes,				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ol style="list-style-type: none"> <li>i. Total number of structures <u>2</u> (proposed concealment pole and equipment compound)</li> <li>ii. Dimensions (in feet) of largest proposed structure: <u>150±*</u> height; <u>60±**</u> width; and <u>50±**</u> length</li> <li>iii. Approximate extent of building space to be heated or cooled: <u>N/A</u> square feet</li> </ol>				
h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,				
<ol style="list-style-type: none"> <li>i. Purpose of the impoundment: _____</li> <li>ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____</li> </ol>				
iii. If other than water, identify the type of impounded/contained liquids and their source.				
<ol style="list-style-type: none"> <li>iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres</li> <li>v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length</li> <li>vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____</li> </ol>				
<b>D.2. Project Operations</b>				
a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)				
If Yes:				
<ol style="list-style-type: none"> <li>i. What is the purpose of the excavation or dredging? <u>Installation of pole foundation, utility trenches, fence posts, and equipment pads</u></li> <li>ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?       <ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): <u>Total volume of exported material is to be determined upon design of the pole foundation.</u></li> <li>• Over what duration of time? <u>4± months</u></li> </ul> </li> <li>iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. <u>Topsoil and subsurface soils. Excavated materials would be reused on-site to the extent feasible to minimize export.</u></li> </ol>				
<ol style="list-style-type: none"> <li>iv. Will there be onsite dewatering or processing of excavated materials? If yes, describe. _____</li> </ol>				
<ol style="list-style-type: none"> <li>v. What is the total area to be dredged or excavated? <u>0.07±</u> acres</li> <li>vi. What is the maximum area to be worked at any one time? <u>0.07±</u> acres</li> <li>vii. What would be the maximum depth of excavation or dredging? <u>TBD</u> feet ***</li> <li>viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</li> <li>ix. Summarize site reclamation goals and plan: <u>N/A</u></li> </ol>				
b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?				
If Yes:				
<ol style="list-style-type: none"> <li>i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____</li> </ol>				

\* Refers to the top height of the proposed concealment pole above grade level (agl).

\*\* Refers to the length and width of the proposed fenced equipment compound.

\*\*\* Maximum excavation depth is to be determined upon design of the pole foundation.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

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iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day (unmanned facility - no potable water demand)

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

(unmanned facility - no liquid waste generation)

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

ii. Describe types of new point sources. \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? \_\_\_\_\_

• If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) \_\_\_\_\_

N/A \_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) \_\_\_\_\_

N/A \_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) \_\_\_\_\_

Propane-fueled emergency back-up generators \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Estimate methane generation in tons/year (metric): _____	
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____	
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____	
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
The unmanned facility would generate approximately one trip per month per carrier to inspect and maintain equipment	
If Yes:	
i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend	
<input type="checkbox"/> Randomly between hours of _____ to _____.	
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____	
iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____	
iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No	
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:	
vi. Are public/private transportation service(s) or facilities available within $\frac{1}{2}$ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No	
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Estimate annual electricity demand during operation of the proposed action: A minimal increase in electricity usage associated with the operation of the proposed wireless telecommunications facility is anticipated.	
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Via connection to existing grid/local utility (i.e., LIPA, c/o PSEG Long Island)	
iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
l. Hours of operation. Answer all items which apply.	
i. During Construction:	
<ul style="list-style-type: none"> <li>• Monday - Friday: 7:00 a.m. to 7:00 p.m. *</li> <li>• Saturday: 8:00 a.m. to 6:00 p.m.*</li> <li>• Sunday: 8:00 a.m. to 6:00 p.m.*</li> <li>• Holidays: Per daily hours above</li> </ul>	
ii. During Operations:	
<ul style="list-style-type: none"> <li>• Monday - Friday: 24 hours**</li> <li>• Saturday: 24 hours**</li> <li>• Sunday: 24 hours**</li> <li>• Holidays: 24 hours**</li> </ul>	

\*Permitted construction hours per Town of Southampton noise regulations at §235-4 of the Town Code.

\*\*Remotely monitored, unmanned wireless telecommunications facility.

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:

Ambient noise levels may be temporarily exceeded during construction activities, which would be conducted between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. and 6:00 p.m. on weekends, in accordance with the Town of Southampton noise regulations at §235-4 of the Town Code.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
Describe: \_\_\_\_\_

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Work lights would be installed within the equipment compound. All equipment lighting would be dark sky compliant, shielded and properly aimed to prevent off-site light spill.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
Describe: \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
\_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored Propane

ii. Volume(s) 1,500 gal per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

Three 50-gallon propane tanks atop a concrete pad within the fenced equipment compound for emergency backup generators.

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

• Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

• Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

• Construction: \_\_\_\_\_

• Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

• Construction: \_\_\_\_\_

• Operation: \_\_\_\_\_

\*Propane tanks would be refilled as necessary to replenish fuel for the emergency backup generators.

s. Does the proposed action include construction or modification of a solid waste management facility?

Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?

Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

## E. Site and Setting of Proposed Action

### E.1. Land uses on and surrounding the project site

#### a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): vacant

ii. If mix of uses, generally describe:

The Subject Property is an automobile junkyard. The surrounding area is a mix of open space to the north, east, south and west; with single-family residential areas and vacant land to the west and northwest.

#### b. Land uses and covertypes on the project site. \*

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0.03±	+0.03±
• Forested	0	0	No Change
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	No Change
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	No Change
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	No Change
• Wetlands (freshwater or tidal)	0	0	No Change
• Non-vegetated (bare rock, earth or fill)	0.03±	0.04±	+0.01
• Other Describe: <u>Landscaped</u>	0.04±	0	-0.04±

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: The overall Subject Property is an automobile junkyard and is registered with the NYSDEC as a Vehicle Dismantling Facility (Registration #52V50350). The proposed facility would be located in a vacant area near the northeast corner of the Subject Property, leaving the remainder of the site in its current use.	
iii. Describe any development constraints due to the prior solid waste activities: N/A _____	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: *The overall Subject Property contains a junkyard/automotive scrap yard. According to the Phase I Environmental Site Assessment for the site, dated 01/31/2022, the site is not registered as a hazardous waste generator and no records indicate that the site has been used as a hazardous waste disposal site. See below for spill information.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input checked="" type="checkbox"/> Yes – Spills Incidents database _____ Provide DEC ID number(s): 2003430 <input type="checkbox"/> Yes – Environmental Site Remediation database _____ Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. If site has been subject of RCRA corrective activities, describe control measures: N/A _____	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): Spill No. 2003430 was closed by NYSDEC on 05/18/2022.	

v. Is the project site subject to an institutional control limiting property uses?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• If yes, DEC site ID number: _____	
• Describe the type of institutional control (e.g., deed restriction or easement): _____	
• Describe any use limitations: _____	
• Describe any engineering controls: _____	
• Will the project affect the institutional or engineering controls in place?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Explain: _____	

## E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site?	1,375± feet below grade surface (bgs)
b. Are there bedrock outcroppings on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: CpC-Carver and Plymouth soils, 3 to 15 percent slopes	100± % (represents area of the proposed facility at the overall Subject Property)
d. What is the average depth to the water table on the project site? Average: 29± feet bgs	
e. Drainage status of project site soils:	<input checked="" type="checkbox"/> Well Drained: 100 % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site
f. Approximate proportion of proposed action site with slopes:	<input checked="" type="checkbox"/> 0-10%: 100 % of site (represents area of the proposed facility at the overall Subject Property) <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site
g. Are there any unique geologic features on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Do any wetlands or other waterbodies adjoin the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____ Classification _____	
• Lakes or Ponds: Name _____ Classification _____	
• Wetlands: Name _____ Approximate Size _____	
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
j. Is the project site in the 100-year Floodplain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
k. Is the project site in the 500-year Floodplain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Name of aquifer: Nassau-Suffolk Sole Source Aquifer	

m. Identify the predominant wildlife species that occupy or use the project site:  
European Starling, House Sparrow, Rock Pigeon, Song Sparrow, House Finch, Eastern Gray Squirrel, Norway Rat

n. Does the project site contain a designated significant natural community?  Yes  No  
If Yes:  
i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_

ii. Source(s) of description or evaluation: \_\_\_\_\_

iii. Extent of community/habitat:  

- Currently: \_\_\_\_\_ acres
- Following completion of project as proposed: \_\_\_\_\_ acres
- Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
If Yes:  
i. Species and listing (endangered or threatened): \_\_\_\_\_  
Northern Long Eared Bat\*

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
If Yes:  
i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
i. If Yes: acreage(s) on project site: \_\_\_\_\_  
ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
If Yes:  
i. Nature of the natural landmark:  Biological Community  Geological Feature  
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
If Yes:  
i. CEA name: Special Groundwater Protection Area; Central Suffolk Pine Barrens; Aquifer Overlay District; Maple Swamp  
ii. Basis for designation: Protect groundwater; Benefit to human health & protect drinking water; Preserve pure water quality; Benefit to human health & protect drinking water  
iii. Designating agency and date: Long Island Regional Planning Board 03/19/1993; Suffolk County 02/10/1988; Town of Southampton 06/20/1984; Suffolk County 02/10/1988

\*According to the NYSDEC EAF Mapper database, there are non-site-specific records for the NYS and federally Endangered species Northern Long-eared Bat (*Myotis septentrionalis*) in the vicinity of the Subject Property. As the primary threat to this species on Long Island is disturbance to summer roosts due to tree removal, the current NYSDEC and USFWS protections include seasonal and other restrictions on tree removal. As the Proposed Project would occur within developed portions of the Subject Property and does not include tree removal, no significant adverse impacts to Northern Long-eared Bat are anticipated.

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Homeland Towers, LLC

Date February 14, 2025

Signature Michael A. Levine

Title Senior Environmental Planner

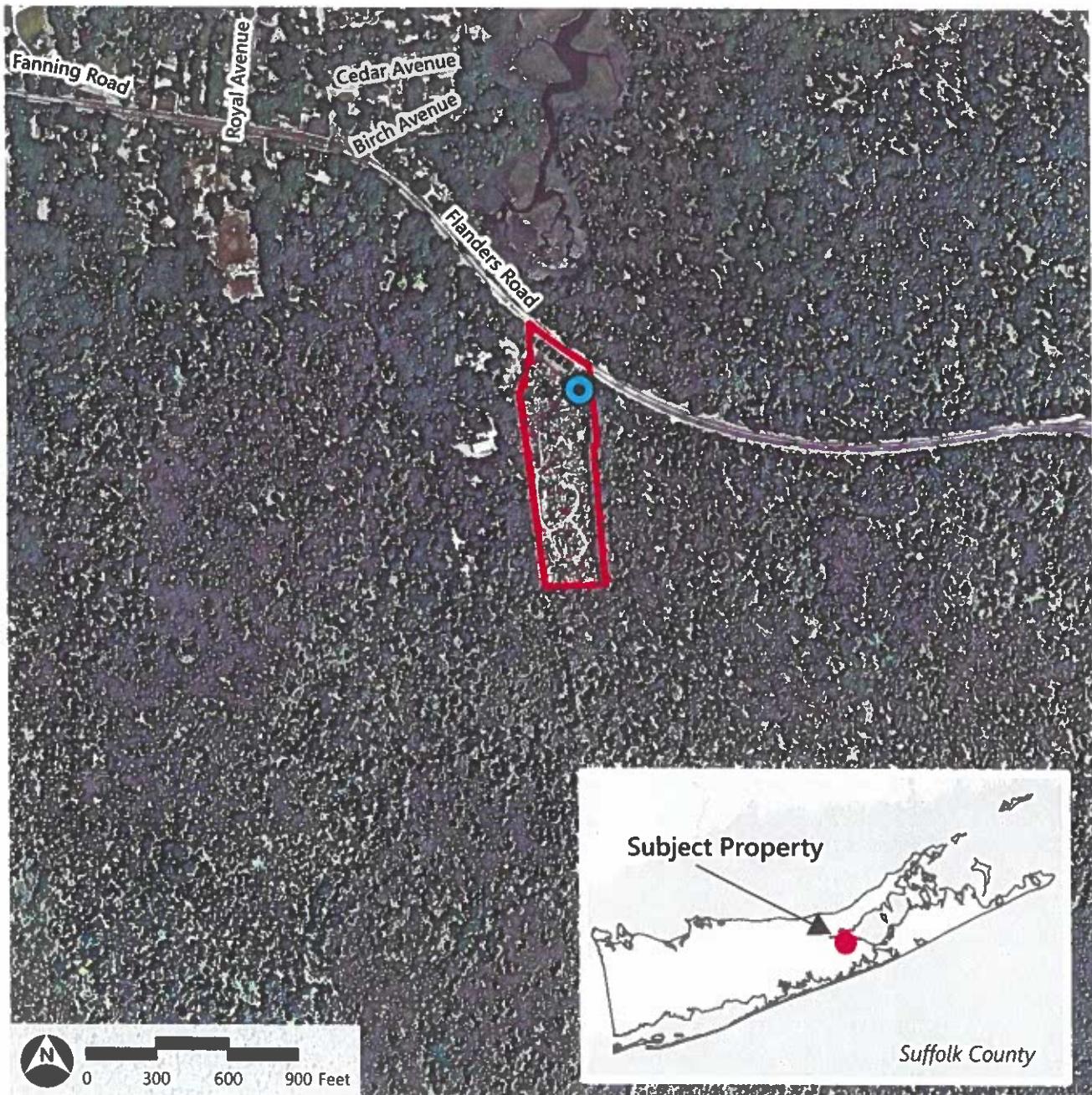
Michael A. Levine, AICP  
VHB Engineering, Surveying, Landscape Architecture and  
Geology, P.C., as Environmental Consultant to the Applicant

\*According to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Cultural Resource Information System (CRIS), the Subject Property is within an "Archaeological Buffer Area." On February 17, 2022, the OPRHP issued correspondence indicating that there are "No Historic Properties in Area of Potential Effects (APE)\* for Direct Effects (see attached correspondence).



## Site Location

Proposed Wireless Telecommunications Facility - Homeland Towers NY065  
2055 Flanders Road, hamlet of Flanders, Town of Southampton, Suffolk County, New York



 Subject Property (boundaries are approximate)

 Proposed Facility Location

## **Virginia M. Janssen**

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**From:** towernotifyinfo@fcc.gov  
**Sent:** Thursday, February 17, 2022 3:15 PM  
**To:** SEC106  
**Subject:** Section 106 Notification of SHPO/THPO Concurrence- Email ID #6717430

This is to notify you that the Lead SHPO/THPO has concurred with the following filing:

Date of Action: 02/17/2022

Direct Effect: No Historic Properties in Area of Potential Effects (APE)

Visual Effect: No Effect on Historic Properties in APE

Comment Text: The NYSHPO concurs with the recommended effect finding based on the information provided.

Reviewed by DM Rohde, NYSHPO

File Number: 0009887576

TCNS Number: 243196

Purpose: New Tower Submission Packet

Notification Date: 7AM EST 01/28/2022

Applicant: Homeland Towers, LLC (22112036)

Consultant: Dynamic Environmental Associates, Inc.

Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: No

Site Name: Hampton Bays (NY065)

Site Address: 2055 Flanders Road

Detailed Description of Project: NEW BUILD The proposed project will include the development of a new telecommunications tower facility, including a fenced equipment compound and a 150ft tall Monopole tower. 22112036.

Site Coordinates: 40-54-2.9 N, 72-36-3.6 W

City: Flanders

County: SUFFOLK

State: NY

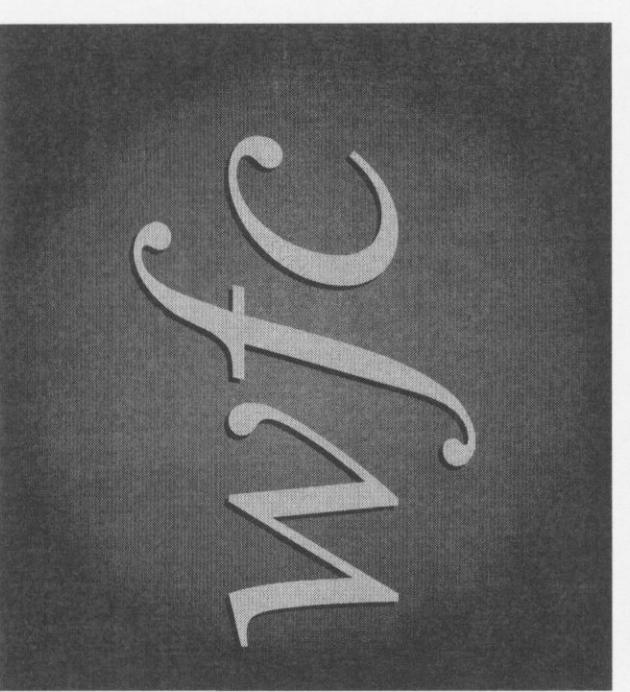
Lead SHPO/THPO: New York State Historic Preservation Office

### **NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE**

Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.







## ZONING TABLE: SOUTHAMPTON (CR-60) ZONE

ITEM:	REQUIRED	EXISTING	PROPOSED (POLE)	PROPOSED (COMPOUND)
LOT AREA <sup>2</sup>				
MINIMUM (SQUARE FEET)	60,000	269,327	NC	NC
MINIMUM PER DWELLING UNIT (SQUARE FEET)	N/A	N/A	N/A	N/A
MAXIMUM NUMBER OF DWELLING UNITS ON ANY 1 PARCEL, EXCEPT AS PROVIDED IN § 330-8				
LOT COVERAGE				
MAXIMUM LOT COVERAGE BY MAIN AND ACCESSORY BUILDINGS (PERCENT)	15	1.3	NC	NC
LOT WIDTH, MINIMUM (FEET)	150	260.9	NC	NC
HEIGHT, MAXIMUM <sup>6</sup>				
STORIES	2	2	NC	NC
FEET	32	25	150	N/A
YARDS, PRINCIPAL BUILDING, MINIMUM (FEET) <sup>8</sup>				
FRONT	80	129'-9" (EX. BUILDING)	104'-11"	46'-2"
SIDE, MINIMUM FOR 1	25	64'-11" (EX. BUILDING)	42'-1"	2'-0"
SIDE, TOTAL FOR BOTH ON INTERIOR LOT	65	185'-5" (EX. BUILDING)	270'-7"	206'-9"
SIDE, ABUTTING SIDE STREET ON CORNER LOT	80	N/A	N/A	N/A
REAR	100	812'-5" (EX. BUILDING)	831'-0"	821'-7"
YARDS, ACCESSORY BUILDINGS <sup>10</sup> AND STRUCTURES EXCEPT FENCES AND RETAINING WALLS, MINIMUM (FEET)				
DISTANCE FROM STREET <sup>11</sup>	90	129'-9" (EX. BUILDING)	93'-7"	46'-2"
DISTANCE FROM SIDE AND REAR LOT LINES	30	N/A	N/A	N/A
DISTANCE BETWEEN BUILDINGS				

**NOTES:**

2: WHERE PUBLIC SEWERAGE IS NOT AVAILABLE, NO LOT SHALL BE BUILT UPON WHICH HAS INSUFFICIENT SPACE FOR A PRIVATE SANITARY WASTE DISPOSAL SYSTEM, AS DETERMINED BY THE TOWN AND THE SUFFOLK COUNTY HEALTH DEPARTMENT.

6: MAXIMUM HEIGHT IN ANY AE OR VE ZONE AS SHOWN ON THE APPLICABLE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE TOWN OF SOUTHPHAMPTON SHALL NOT EXCEED ELEVATION +40 FEET NAVD (88) PLUS REQUIRED RESIDENTIAL CODE OF NEW YORK STATE FREEBOARD OR THE MAXIMUM HEIGHT AS SHOWN ON THIS TABLE, WHICHEVER IS LESS.

8: MINIMUM YARDS MAY BE MODIFIED PURSUANT TO THE PROVISIONS OF § 330-45A OR 330-83K.

10: MINIMUM YARDS FOR A RESIDENTIAL STORAGE SHED MAY BE MODIFIED PURSUANT TO THE PROVISIONS OF § 330-77E.

11: UNDOCKED SEWER DECKS, DRAINS AND TERRACES SHALL NOT BE SUBJECT TO DETERIORATION OR

I accept the provisions of this site plan and all conditions of the Planning Board resolution and agree that all conditions will be fully complied with and agree that it will be fully completed, or the outstanding items of work bonded (with acceptable surety to the Town) before any new building(s) or structure(s) shown on this approved plan is (are) occupied, and agree that a Certificate of Occupancy and/or Certificate of Compliance will be applied for"

<b>S&amp;E Riverside LLC</b>	<hr/>		
<b>Date</b>	<b>BY:</b>	<b>Name:</b>	<b>Title:</b>
<p>"I accept the provisions of this site plan and all conditions of the Planning Board resolution dated April 13, 2023 and agree that all conditions will be fully complied with and agree that it will be fully</p>			

new building(s) or structure(s) shown on this approved plan is (are) occupied, and agree that a Certificate of Occupancy and/or Certificate of Compliance will be applied for"

# VICINITY MAP

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SCALE = 1" - 10'