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2 C E N T R A L P I N E B A R R E N S

3 C O M M I S S I O N M E E T I N G

4 -----x

5 HOMELAND TOWERS COMPELLING

6 PUBLIC NEED CORE PRESERVATION AREA

7 HARDSHIP WAIVER APPLICATION

8 -----x

9 May 21, 2025  
10 3:00 p.m.

11 4 West 2nd Street  
12 Riverhead, New York

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TRANSCRIPT OF PROCEEDINGS

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## 2 A P P E A R A N C E S:

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4 JUDITH E. JAKOBSEN, Executive Director

5 TIMOTHY C. HUBBARD, Riverhead Supervisor

6 MICHELLE DI BRITA, Brookhaven Representative

7 JANICE SCHERER, Southampton Representative

8 MATTHEW CHARTERS, Riverhead Representative

9 BRANDAN SWEENEY, Suffolk County Representative

10 JULIE HARGRAVE, Joint Planning and Policy Manager

11 JOHN C. MILAZZO, Commission Counsel

12 ANGELA BROWN-WALTON, Administrative Assistant

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## Homeland Towers

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2 MS. JAKOBSEN: I'll start off by  
3 reading the Notice of Public Hearing.

## Homeland Towers

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The Suffolk County Tax Map Number is

900-170-1-41.1.

The project description: "The proposal is the development of a 150 foot tall wireless tower monopole with a 3,000 square foot equipment basin and 1,500 gallons of propane storage for a generator on a 6.17 acre property with a junkyard in the CR 60 zoning district in the Core Preservation Area at 2055 Flanders Road, Flanders, Southampton Town. The project is classified as an unlisted action pursuant to the State Environmental Quality Review Act regulations. The Commission performed a coordinated review."

17                   We will start by having the  
18                   appearances of the Commission members present  
19                   today state their name and who they are  
20                   representing for the record.

21 MR. CHARTERS: Matthew Charters, Town  
22 of Riverhead Designated Representative.

23 MR. SWEENEY: Brandan Sweeney, County  
24 of Suffolk.

25 MR. HUBBARD: Timothy Hubbard, Town

1 of Riverhead.

2 MS. DI BRITA: Michelle DiBrita,  
3 representing the Town of Brookhaven.

4 MS. SCHERER: Janice Scherer,  
5 representing the Town of Southampton.

6 MS. JAKOBSEN: Thank you.

7 We first will hear from Julie  
8 Hargrave who has prepared a staff report and  
9 materials that she distributed to the members  
10 and reps today.

11 MS. HARGRAVE: Thank you. Good  
12 afternoon. So, everyone has the staff report  
13 that has been published on the website as  
14 well. I'm going to review some of the main  
15 items of the staff report, including existing  
16 conditions, the site, the location, the  
17 project, SEQRA process, hardship criteria,  
18 and discussion items.

19 Just to review, the site is in the  
20 Core Preservation area, six acres -- 6.17  
21 acres in the CR 60 zoning district, Residence  
22 zoning District in the Town of Southampton.  
23 The site is a pre-existing non-conforming  
24 junkyard developed prior to the Pine Barrens

Act. Certificate of Occupancy is dated 1986.

Again, it's a pre-existing non-conforming use that's presently on the site.

The site is on the west side of

Flanders Road, New York State Route 24. It's surrounded by northern 5,000 acres of public land, natural open space, including Hubbard County Park, Sears Bellows County Park and Maple Swamp County Park. The site is about 600 feet away from the boundary of the Core Preservation Area. On opposite side of the road outside of Hubbard, it's not in the Pine Barrens, but the west side is, where the site is located.

The project and the aerial is in Exhibit A, and this is displayed on the monitor, showing roughly the site location in context of the surrounding area.

The site plan is in Exhibit B, identified as the development of a 150 foot cell tower, cell monopole. The tower is proposed to accommodate Verizon Wireless, Dish Wireless, plus three future carriers.

There is a 3,000 square foot

equipment compound proposed for the tower infrastructure and 1,500 gallons of propane storage proposed for the emergency generator.

The tower is about 42 feet from the property boundary with the County land adjacent to it.

The study area is a half mile

surrounding the site, defined in the staff report, from the surrounding land uses. And all of the area in the study area is public land, natural open space, except for developed lots in the Core on the south side of Flanders Road. Outside, again, are County parks 600 to the north opposite the site is outside the Pine Barrens altogether, and the site is opposite the tidal wetlands. The significant coastal monitoring is known as Flanders Bay wetlands, part of the Peconic Bay Estuary, which is one of 28 nationally recognized estuaries of national significance.

The hardship that's included in the staff report, it's required -- the application is a compelling public need waiver, and some of the criteria include that

the project would result in a hardship, as distinguished from your inconvenience, depending on the physical surroundings and the conditions of the property. And if the property does not have beneficial use, which is used for its present use, which it, again, has that junkyard use that will continue to operate on the site, there is a requirement to examine that there are no feasible alternatives that exist outside of the Core Preservation Area, and that no better alternatives exist in the County.

There are potential visual impacts of the project and impacts on continued resources. Flanders Road is a scenic road, and the Pine Barrens defines the plan. Those sections are in the staff report and that could be considered significant.

The applicant has identified there is a gap in Verizon's service at this location, and they have explored other properties as alternative sites, including town and county properties and privately owned sites. It was concluded in the materials that in most cases the county was not interested in pursuing a lease with Homeland Towers, and, similarly, the privately owned sites conclusion was that they didn't get back to the applicant.

Alternative co-location sites were reviewed, including town, land and water tanks, and those locations were already covered by Verizon, as explained in their materials. It was repeatedly said that the sites were not suitable and will not cover the gap in Verizon's network.

Again, the site is 600 feet from the

2 Core boundary, and the opposite side of the  
3 road is not in the Pine Barrens Compatible  
4 Growth Area or Core Preservation area. So,  
5 they can speak more to how the sites in that  
6 area outside of the Pine Barrens were found.

The project requires that the site plan special exemption review and approval from the Town and the Planning Board. The Planning Board's comments identified a number variances in quantity and also significance in terms of relief needed from the regulations of the zoning code that area proposed for this project. The Planning Board commented on significant variances from the code, including the second primary use of a non-residential use on the site is pre-existing and non-conforming use in a Residential Zoning District. The second use is being added. Again, the junkyard is not being -- will continue to use that site.

17 There was a note about unless the  
18 applicant can get a determination from the  
19 building inspector, that the use is an  
20 accessory to a junkyard. It's not clear on  
21 how two primarily uses could go on the site.

2 relief. There were significant concerns  
3 expressed on the lack of consistency with the  
4 zoning code and the Town wireless plan. The  
5 project doesn't meet setbacks and all the  
6 requirements and is not in conformance with  
7 those requirements of the code. The site,  
8 again, is a tower 42 feet from the County  
9 open space and property line where at least  
10 150 feet is required and the greater zone of  
11 450 feet is identified in the Town's report  
12 for setbacks to residential use, where 247  
13 feet is provided. All of these setback  
14 limitations require variances.

I would like to briefly go over the  
LIPA substation was granted on November 19,  
2008, and that expanded the existing  
substation on a 40 acre property owned by  
LIPA in the Town of Southampton. That was a  
critical point for the north and south fork  
energy supply, and substation couldn't be  
relocated to expand about two acres of  
development on that site. And that site  
is -- most is not visible from public view.

22 Rockwell Collins was a public need  
23 hardship granted on August 19, 2015. That  
24 was a 40 acre site in Westhampton zoned by  
25 the applicant. The site was developed as an

aeronautical communication infrastructure, including 23 communication towers and equipment building compound. The project developed two 45 foot tall towers for emergency response in the event of disaster. That applicant was the only FCC authorized provider of high frequency radio spectrum emergency backup communications to ensure missions critical on activities for emergency operations, hospitals, first responders, critical infrastructure and federal and state local agencies. The radio -- high frequency radio is specifically dedicated for disasters and provide communication coverage inside and outside of impacted areas of disaster and serve the entire eastern seaboard. That site has the capacity to communicate 1,000 miles away.

20 CVE was a solar project in  
21 Westhampton that was granted in June of 2024.  
22 That was proposed at the gravel line. That  
23 was not visible and was shielded from public  
24 view in the Core to be below grade and that  
25 was aligned with the State's energy targets.

So, just to review the exhibits.

A is the visual of the site, the

junkyard, on a close-up.

B is a copy of the site plan showing the pole site with the compound area and also a cross-section of tower and aerial overlay.

C has some photographs of the site showing where this would be located.

D is the study area map showing a half mile radius that covers 500 acres around the site.

E is a copy of the Town of Southampton's responses, and

F is the applicant's petition, including also their alternative analysis.

So, just at the end of the staff report there are some items that the SEQRA determination needs to be made. Some of the concerns are the potential ground impact of the project, and a few questions are there.

Hopefully the applicant will speak in more detail about the compelling public need hardship and potential alternatives, and also consider leaving the hearing open for a five

2 or ten day comment period and extend the  
3 deadline to August, since the deadline fell  
4 between July and August and this was extended  
5 on the early side for this hearing because  
6 the applicant couldn't attend the hearing  
7 last month. So, that would be helpful.

8 Do you have any questions?

9 MS. JAKOBSEN: Are there any  
10 questions?

11 (No response was heard.)

15 MR. GAUDIOSO: Good afternoon, Madam  
16 Chair, Members of the Commission. Robert  
17 Gaudioso from the law firm of Snyder and  
18 Snyder -- you did pronounce my name properly.  
19 Thank you -- on behalf of Homeland Towers and  
20 Verizon Wireless. As mentioned in the staff  
21 report by Ms. Hargrave -- thank you for the  
22 thorough overview -- we are seeking a waiver,  
23 and it's very important, because this is a  
24 very important facility. This is a wireless  
25 telecommunication facility that is licensed

2 the by the FCC. There's various FCC laws,  
3 and it's also considered a public utility of  
4 the State of New York for this type of  
5 purpose.

1 Saratoga Associates. Mr. Wortman will go  
2 through that.

3 One of the critical issues under the  
4 DEC design manual, these type of facilities,  
5 visibility, in and of itself, is not a  
6 significant impact. It doesn't have an  
7 impact on a resource, and I think that's  
8 important in analyzing visuals.

9  
10 We submitted the concurrents from  
11 New York State Office of Parks and Recreation  
12 and Historic Preservation, confirming that  
13 there would be no adverse impact or adverse  
14 effect on historic or archeological  
15 resources. We submitted a report from V-Comm  
16 Engineering. They are here with us today, if  
17 you have any questions establishing the need  
18 for this facility. And we went to great  
19 lengths. We actually put up a temporary  
20 antenna, we collected the signal from the  
21 area, and what we have shown is there is a  
22 significant gap in the service, particularly  
23 along Flanders Road.

24 If you look at the maps throughout  
25 the presentation today, you'll notice two or

three very important things: One is that Verizon has a gap because its site to the east is very far down Flanders Road, outside of the Core Preservation Area, and its site to the west is similarly outside the Core Preservation area, but it's the area along Flanders Road where the gap is. That gap is not just on the road, but the road is very important. Your own staff report calls out the amount of usage of 21,000 trips per day. It's a significant amount of usage. But there are also numerous parks in the area. If there's a fire or accident and there needs to be emergency calls or emergency coordination among mutual aid entities, it's very important to have service in these parks. So, it's not just the roadway, it's not just the surrounding homes, but also the parkland where there are scattered but numerous users that may be in need of making emergency calls.

We submitted an alternative site analysis from Ray Vergati from Homeland Towers, who is here. He looked at numerous

alternatives. To go in the parkland, it would be parkland alienation that would require a special act of New York State that's a very high burden. But we also looked at sites in and out of the Core Preservation area. I know there will be a discussion that it's only 600 feet away from the outside. If you go outside the Core Preservation Area, you're going directly into the dense residential area. So, we're on an existing use that has been there for many decades. It's a junkyard. It has a CO as a junkyard. We were able to place it as far as we can from the residents. We think that's important overall.

2 lot, it's the same thing with every lot that  
3 is used in the area, even if it's used as  
4 parkland. But the historical determination  
5 of the Building Department in many other  
6 instances were that these type of facilities  
7 are accessory on properties where they need  
8 internal communications, and the junkyard  
9 certainly does. We're confident we'll get  
10 that same determination or we'll seek the  
11 necessary variance.

2

We submitted an FAA determination.

3

We checked with the FAA. No lighting or  
parking is required on the tower.

5

We submitted a site plan that showed  
multiple different designs for the antennas  
internally for the tower and also externally.

7

We'll talk a little bit about that as well.

9

And we submitted all of these  
documents in the package. I hope you had an  
opportunity to review that. Understanding  
the time frame today, I'd like to introduce  
David Wortman VHB -- I'm sorry, Mr. Neil  
McDonald from WFC. He's going to give you a  
very brief overview of the site plan, I know  
it's been discussed already, and then we'll  
move on to David Wortman from VHB. Thank  
you.

19

MR. MAC DONALD: Good afternoon.

20

Neil MacDonald from WFC Architects. Just  
some quick information about this site from  
the location and context standpoint. The  
proposed communication facility is located in  
a visually isolated area on the south side of  
Flanders Road, tucked into a bend in the

2 road. As you can see on the screen, the site  
3 is located on the property that has been for  
4 many years existing as a junkyard. As you  
5 can see in the aerial views, the entire  
6 property was already 100 percent cleared of  
7 vegetation and developed with an existing  
8 two-story industrial building and large  
9 outdoor junkyard.

1 compound as far east as possible; this is  
2 really to keep it as far as we can from the  
3 residential properties to the west, and we  
4 kept it as close to Flanders Road as we  
5 could, so that we would eliminate the need  
6 for creating lengthy access roads to access  
7 to compound which would, obviously, create  
8 much more construction and disturbance within  
9 that parcel.

10  
11 As far as design of the site goes, in  
12 addition to being within that visually  
13 isolated area, additional vegetation will be  
14 added to improve the site aesthetics.  
15 Integration, as well as a screen at the base  
16 of the concealment pole equipment and  
17 compound. Proposed evergreen landscaping  
18 extends across the entire street frontage,  
19 which will help enhance the overall  
20 appearance of the entire property as well as  
21 the community.

22 The project is designed for future  
23 communication, as was stated earlier, which  
24 reduces the need for additional development  
25 elsewhere, allowing multiple carriers to

2 locate their antennas and equipment within  
3 this facility.

19 Again, this is an unmanned facility.  
20 There is no potable water use, no sanitary  
21 discharge, also no contamination sewer waste.  
22 Therefore, no impact on the aquifer. No  
23 clearing, regrading or land disturbances. As  
24 stated earlier, there are propane tanks at  
25 grade. These would be subject, obviously, to

2 all required local and federal regulations  
3 and permitting requirements, including review  
4 by the fire marshal. The property also  
5 benefits from a fire hydrant directly across  
6 the street and in close proximity to the fire  
7 department right down the road on Flanders  
8 Road. Thank you.

11 MR. WORTMAN: Thank you, Robert.

12                   Madam Chair, thank you all for having me  
13                   today. My name is David Wortman. I'm the  
14                   Senior Environment Manager for VHB  
15                   Engineering with offices in Hauppauge,  
16                   New York.

1  
2                   Among other things, the planning  
3                   report analyzes the potential impacts of the  
4                   proposed action with respect to each of the  
5                   criteria for determining environmental  
6                   significance, which Ms. Hargrave pointed out  
7                   will be the responsibility of the Commission;  
8                   and it also addresses the criteria for the  
9                   granting of Core Area hardship relief, which  
10                   we're also going to talk about today. I  
11                   won't to try to summarize all of that, but  
12                   it's all in your records. I do want to  
13                   highlight several of the key points today.

14                   First regarding environmental  
15                   considerations. You'll see on the screen  
16                   again the aerial photograph here that shows  
17                   the site and the surrounding areas. You can  
18                   see that the overall subject property is  
19                   entirely improved with a junkyard in an area  
20                   that is otherwise predominately characterized  
21                   by expansive wooded, open spaces. Looking  
22                   more closely at the subject property, the  
23                   proposed facility location is currently  
24                   comprised of a cleared and grassed area  
25                   alongside a driveway and parking areas

associated with the longstanding junkyard  
use.

I'll just reference a photo or two quickly. First is a view from the frontage along Flanders Road, State Route 24. This was taken in October of 2024. The facility location is toward the left side of the image. And then a view of the facility footprint, which is within the cleared area in the foreground of the image here.

12 As documented within VHB's planning  
13 report, the proposed facility location does  
14 not contain woodland and vegetation. Does  
15 not contain and is not contiguous to any  
16 wetland areas. There are no steeply sloped  
17 areas present. The site is outside the 100  
18 and 500 year floodplain.

19 You heard from the engineer about a  
20 minimal area of impervious services,  
21 approximately three one hundredths of an acre  
22 would be created, such that there would be no  
23 discernible change in stormwater and runoff  
24 patterns. Areas of disturbance is also  
25 minimal, approximately seven one hundredths

of an acre, such that the potential for erosion or sedimentation related impacts is also a minimal. I'll note that disturbance would occur over a very short duration; we estimate approximately a four month period for construction.

There are no shallow groundwater conditions existing at the site, beneath the site. There is no evidence of significant soil or groundwater contamination present, based on Phase 1 and 2 environmental site assessments that were conducted at the facility location.

There would be no storage of oil or diesel fuel associated with the facility, as any generators would be expected to utilize propane for fuel, which is not a spill threat or groundwater impact.

There are no rare, threatened or endangered species or significant natural communities that will be impacted by the proposed facility.

As Mr. MacDonald mentioned, this will be an unmanned facility. Meaning, there will

2 be no water use, no sanitary generation or  
3 any other kind of wastewater discharge of any  
4 kind, such that groundwater could not be  
5 impacted. By virtue of that fact, there  
6 would be no adverse affect on groundwater  
7 resources or ecological resources. I  
8 respectfully submit the facility will also,  
9 therefore, not have a significant adverse  
10 effect on the primary characteristics or  
11 attributes that lead to the designation of  
12 any critical environmental areas. Also,  
13 there's no stormwater runoff impacts. Taken  
14 together with those other things, there would  
15 be no significant adverse impact on the  
16 significant local fish, wildlife habitat area  
17 or estuary areas that were identified earlier  
18 by Ms. Hargrave.

19 It's noteworthy that the proposed  
20 facility has already received clearance from  
21 the Federal Aviation Administration, and no  
22 lighting or markings are required for  
23 aviation safety, which speaks to the visual  
24 impact.

25 There will be no solid waste

2 generation. Traffic generation would also be  
3 de minimus, approximately one trip per month,  
4 per carrier, to inspect and maintain the  
5 equipment on the site. There are no  
6 significant sources of air emissions.  
7 Essentially, that is limited to activity from  
8 the backup generators which would operate  
9 intermittently or only temporarily during  
10 emergency conditions or during maintenance  
11 activities. Overall, based on these facts,  
12 and as further demonstrated in the VHB  
13 planning report, we respectfully submit that  
14 there would be no significant adverse impacts  
15 to the various elements in the environment.

25 I'll take a few more moments, if you

1  
2       don't mind, to specifically discuss visual  
3       resources and community character.

4               The VHB report contains multiple  
5       analyses, including viewshed analysis, the  
6       results of a crane test with field  
7       reconnaissance, and an analysis of  
8       photographic simulations from multiple  
9       viewpoints throughout the surrounding  
10      community. I'll touch on each of those.

11               So, here on the screen you'll see the  
12       viewshed analysis. This is presented  
13       beginning on page 52 and in Appendix A of the  
14       VHB planning report. This analysis uses  
15       digital elevation data, tree canopy  
16       information and other data to predict where  
17       the proposed facility will be visible from  
18       within a two mile radius of the site,  
19       including all public and private locations.

20               This analysis predicts that the  
21       visibility of the proposed facility will be  
22       severely limited, primarily due to the  
23       presence of dense, mature vegetation that  
24       characterizes the surrounding community.

25               The areas where visibility is

1 predicted is shown on this map figure here in  
2 the dark blue/purple color. Specifically,  
3 the viewshed analysis indicate that  
4 visibility will be primarily limited to the  
5 open, cleared areas that comprise the  
6 junkyard itself, a relatively small confined  
7 stretch of the Flanders Road, State Route 24  
8 corridor in the immediate vicinity of the  
9 subject property, and within open water areas  
10 to the north and around Reeves and Peconic  
11 Bay areas, which I'll talk about in one  
12 second.

14 MR. HUBBARD: How much overlap would  
15 be from the tower that is at the Southampton  
16 Police Department and the tower that is at  
17 the Flanders Fire Department to the west?

18 MR. WORTMAN: That's a great  
19 question, Mr. Supervisor. You hear we're  
20 talking about visual impact. This is  
21 probably a question that more relates to  
22 radio signals and the signal strength,  
23 etcetera that Mr. Gaudioso mentioned.

24 MR. GAUDIOSO: We have an expert that  
25 can briefly answer that question, if you want

1 to take that on point. It's a good question.  
2 The facility is located more to the west than  
3 right smack in the middle because of the  
4 natural parks that we discussed. There is a  
5 little bit of overlap, but it's important to  
6 have overlap because of the need for  
7 continuous service. But we have Sean here to  
8 speak to it very briefly, whether it works  
9 from an overlap standpoint.

10  
11 MR. EBERT: The two towers that you  
12 mentioned, they are about 4.6 miles apart,  
13 and it's not sufficient to cover the area the  
14 middle. There's about a two mile gap that's  
15 within there that has the coverage. For the  
16 record, Sean Ebert, Director at RF  
17 Technologies at V-Comm Telecommunications  
18 Engineering.

19 MR. HUBBARD: Thank you.

20 MR. WORTMAN: Excellent question. Of  
21 course I'm going to touch a little bit  
22 further on that. If there are any questions,  
23 I welcome the interruption at any time.

24 Again, here, this is a little bit  
25 different. It has to do more with the

viewshed, like what area you would predict visibility. And I note that where you see these darker blue/purple areas on the north end of that radius, open water areas, these are at a substantial distance. Just keep in mind for prospective, you would be viewing only the upper most portions of the pole above the treeline, the portions above. They measure, based on the final design of the pole, somewhere in the range of four feet or less in diameter at that height. So, you could imagine if you are at a viewpoint of a mile, mile and a half away over open water looking back towards land, this is a very slender, narrow structure that is painted a neutral color to blend in the sky and background to the maximum extent, so does not become a dominant feature on the horizon. I'll come back again in a second to that.

Again, we mentioned that this viewshed analysis was performed. The viewshed analysis, again, uses modeling that predicts where areas of visibility occur. Subsequently, several viewpoints -- excuse

1  
2 me. Subsequently, field reconnaissance was  
3 performed by the same folks that prepared the  
4 model, and that analysis, basically,  
5 confirmed these results, and they did that by  
6 way of a crane test.

7 In addition to the viewshed analysis,  
8 a crane test was performed -- that was done  
9 on December 19th of 2023 -- where large,  
10 brightly colored marker flags were affixed to  
11 a crane at the approximate height and  
12 location of the proposed facility location,  
13 and several viewpoint locations throughout  
14 the surrounding community were evaluated to  
15 confirm the expected visibility.  
16 Effectively, that crane test result confirmed  
17 what the model predicted that the visibility  
18 will be severely limited, and that is  
19 primarily due to the presence of the dense  
20 mature vegetation throughout the surrounding  
21 community.

22 MS. SCHERER: You will see it driving  
23 down the road. I mean, it's a 150 foot  
24 monopole on the road.

25 MR. WORTMAN: Right. Again, what we

would say is this viewshed analysis -- I'll scroll to the next more zoomed in version to illustrate that specifically. You can see towards the center of the image is our subject. The proposed facility location is noted. The site itself is a junkyard, as shown in blue, indicating that is clear, open and views are unobstructed.

If you look along Flanders Road on the stretch closest to the subject property, visibility there is expected to continue for approximately 1,400 feet in either direction from the site. Meaning that visibility would occur over roughly a quarter mile stretch of Flanders Road as you travel in either the westbound or eastbound direction. We'll show you a little bit more about what it would look like in those conditions.

So, the model was done, the field test was done via the crane test. It confirmed that these 16 different viewpoints were selected throughout the surrounding area for analysis, and only four of those would have visibility of the proposed facility.

Again, along Flanders Road, Route 24, we're really only talking about a quarter mile stretch in either direction from the site. To put that further into prospective, if you are traveling along Flanders Road around 45 miles an hour, you'd have visibility of the pole for about 20 seconds as you travel along through the corridor. The posted speed limit there is 55. Some folks observe the speed limit, some folks don't. The faster you go, the shorter amount of time you see it for. That's a maximum, if you don't have other things blocking your view.

Out of the three or four locations where visibility is expected, Saratoga Associates generated photographic simulations to provide an accurate representation of the proposed facility, where they take a photorealistic model of the proposed facility and digitally incorporate that into an existing conditions photograph using that crane that was used that I mentioned earlier as a visual reference, as well as software and GPS and digital elevation model data and

## 2 other references.

23 MS. SCHERER: Excuse me. You're not  
24 meeting front yard setback here, your closer?

25 | MB. MACDONALD: That's correct.

2 MR. WORTMAN: This first simulation  
3 depicts a more traditional monopole design  
4 where you have the external antennas. You  
5 saw Mr. MacDonald's elevation drawings  
6 comparing the two alternative designs. So,  
7 here you can see the external antennas of  
8 Verizon Wireless mounted at the top  
9 centerline position of the pole.

2 of the facility.

3                   This is another version of the same  
4                   image, but you can see that spruce plantings  
5                   have had time to grow. This is an estimate  
6                   of seven or so years of growth following  
7                   installation.

11 MR. WORTMAN: There are multiple  
12 alternatives, in terms of height were  
13 analyzed from RF, radio frequency,  
14 prospective and how they perform and meets  
15 the needs of the network. They have not been  
16 evaluated, in terms of visual impacts.

17 MS. SCHERER: All right.

2 Next I'll refer to this image taken  
3 from roughly 300 feet east of the proposed  
4 facility location. This is the existing  
5 conditions photograph. The crane reference  
6 is visible -- the upper portion anyway. The  
7 lower portion is obscured by the mature  
8 deciduous and evergreen vegetation that is  
9 present.

10 A review of the next figure indicates  
11 what it would look like. Again, sort of a  
12 traditional monopole design where the upper  
13 most portion is visible beyond the trees.  
14 And this image shows what the proposed  
15 facility would look like utilizing the  
16 stealth design where the antennas are  
17 concealed within. As you can see, kind of  
18 comparing the two, this minimizes the profile  
19 and the visual impact of the facility.

20 This is what it looks like when you  
21 are very close. The winding nature and the  
22 presence of mature vegetation are the reasons  
23 why you see such limited visibility of this  
24 pole from along the corridor that I described  
25 before. That's also why so few viewpoints

2 are really appropriate for analysis, because  
3 once you get a little further east or west of  
4 here, you won't be able to see the facility  
5 at all from the road.

6 One last prospective. This is what's  
7 described on their maps as Viewpoint 11. The  
8 existing conditions of this photograph is  
9 taken from next to the Town of Southampton  
10 boat launch located at the end of Point Road.  
11 This location is just about under 1.5 miles  
12 from the proposed facility. The view here  
13 includes small public parking lot views of  
14 Reeves Bay. And the crane with referenced  
15 flags attached is just barely discernible  
16 among the tree line here. So, this gives a  
17 good representation of what you might look at  
18 when you are seeing the facility from the  
19 purple areas shown in the viewshed model.

20 The next figure here, C13, depicts  
21 the proposed facility. Only the upper most  
22 portion is visible here. It's just barely  
23 discernable above the tree line, due to the  
24 slender design, neutral coloration and, of  
25 course, the distance from the facility. And

these features minimize what is already, essentially, a minimal visual impact from this prospective.

5 So overall, with regard to visual  
6 impacts, given the limited extent of  
7 visibility within the surrounding area, and  
8 due to the various measures incorporated into  
9 the design of the proposed facility where it  
10 even is visible, it's respectfully submitted  
11 that there would be no significant adverse  
12 visual impacts or associated impacts on the  
13 character of the neighborhood.

14 Just a few more addition points  
15 there. This first I'd like to acknowledge  
16 that the Town of Southampton had recommended  
17 a portion of Flanders Road for designation as  
18 a scenic corridor in its 1999 comprehensive  
19 plan. I'm not aware if that designation was  
20 formalized in the roughly 26 years since that  
21 plan was adopted. Nonetheless, I described  
22 earlier that the facility would be visible  
23 from a very small portion of that roadway  
24 corridor.

I'd also like to say that, for the

Board's consideration, the visibility of this facility adjacent to a longstanding junkyard operation would not change the character of the overall corridor in any significant way, especially given you'd see the facility for only around 20 seconds or so while traveling past the site through this area.

I'd also like to note relevant to scenic resources, Volume 2 of the Central Pine Barrens Comprehensive Land Use Plan describes Flanders Road as a scenic resource. Specifically, it identifies a six mile stretch of Flanders Road extending east from Cross River Drive, County Road 105, to Jackson Avenue, which is essentially where State Route 24, Flanders Road, meets 27, Sunrise Highway.

The subject property is adjacent to a portion of this corridor, as we have discussed. The plan provides details as to the features that warrant recognition as a scenic corridor. It's heavily forested character, the marsh and parklands that are present along the root are noted. Even the

2 architecture of some of the older buildings  
3 along the route are noted as the scenic  
4 quality of the corridor. None of these  
5 features could be altered or removed, as a  
6 result of the proposed project. In fact,  
7 it's the heavily wooded character, together  
8 with the winding alignment of the roadway  
9 that contributes to the remarkably limited  
10 visibility of this facility.

16 MS. SCHERER: Can it be located at  
17 the compliant setback? What is the purpose  
18 of the variance?

19 MR. GAUDIOSO: It cannot because the  
20 setback is so overly onerous, Number 1.  
21 There is no place on the property where we  
22 meet the east and west setback. The 450 foot  
23 three times the height of the tower setback  
24 is impossible to meet. In addition to that,  
25 it's a junkyard. There is no way to get back

1  
2 there. There's no access to the back portion  
3 of the property.

4 MS. SCHERER: The property owner and  
5 the junkyard operation in the Core of the  
6 Pine Barrens, there's nothing that anyone is  
7 offering? We're going to clean some of this  
8 up or move some of these operations out?

9 MR. GAUDIOSO: Two things about that.  
10 Number One, there's a new owner of the  
11 property since December. We are in  
12 discussions with him. I don't have an answer  
13 for you today about what his plans are, but  
14 we can certainly provide you with some  
15 additional information specific to your  
16 question at the next hearing.

17 Secondly, what we have proposed, as  
18 you have seen, is not only significant  
19 landscaping around the base of the facility,  
20 but also significant evergreen landscaping  
21 across the entire front of the property,  
22 which we think our planting over time will  
23 contribute greatly to screening the entire  
24 property.

25 So, that is something that is offered

1 as part of the application that I think is  
2 unrelated to the facility, but we wanted to  
3 offer it right upfront as something to  
4 improve the corridor itself and the existing  
5 view of the property itself.

6  
7 MS. SCHERER: Thank you.

8  
9 MR. WORTMAN: It may be worth briefly  
10 just noting some of the other features  
11 visible along the corridor, including some of  
12 these overhead utility cables, poles, road  
13 signage. I think this image does a job of  
14 illustrating what is there now. There is  
15 also other development, right? There's a  
16 7-Eleven convenience store, gasoline service  
17 station, numerous road signs, commercial  
18 signs, the existing junkyard itself.

19  
20 In fact, two existing wireless  
21 telecommunications facilities are present on  
22 or near that same scenic corridor that the  
23 Pine Barrens identifies. The one nearest to  
24 the subject property being the Flanders Fire  
25 Department, which is just a little ways to  
the west of the subject property. The design  
of that facility is one that has the more

traditional monopole style where several carriers and parts of equipment are present on that pole are not concealed within the pole. It's also worth noting that that location is very proximate to a more densely populated area, an area that is zoned R10, quarter acre zoning, within the Town Zoning Ordinance. There are numerous residences right in and around that facility, contrasted with this proposed facility which has the alternative of a stealth design available. It's also located on commercial/industrial

15 space and very few individual residences.  
16 That talks a lot about the visual impact, the  
17 environmental impacts, the character impacts.

2 vicinity that are related to the  
3 characteristics of the property and not the  
4 applicant, and which are not the result of  
5 any action or inaction by the applicant or  
6 property owner.

I just have this image up. It's the same aerial photograph I referenced earlier. What is obviously unique is that this is the only viable commercial or industrial use site within the area where Verizon Wireless is experiencing a service deficiency. That's documented in the V-Comm Radio Frequency report that was submitted to the Commission that is included in Appendix D of the planning report.

2                   There is a demonstrated need for  
3                   wireless service in the immediate vicinity,  
4                   and no other suitable alternative sites were  
5                   found to be available for the proposed  
6                   facility, despite an exhaustive search. So,  
7                   let's talk about those points for a moment.

8                   If I could ask, would you mind  
9                   bringing up the File Number Six?

10                  So, to talk a little bit about that.  
11                  We're going to bring up what we'll refer to  
12                  as a propagation map, relevant to what  
13                  Supervisor Hubbard mentioned earlier, which  
14                  is the coverage areas and existing sites,  
15                  etcetera.

16                  So, what you see here is Map 2 of the  
17                  V-Comm report. It shows the various existing  
18                  Verizon Wireless sites throughout the broader  
19                  surrounding region, those are shown in the  
20                  red triangles, as well as the areas where  
21                  coverage is achieved under existing  
22                  conditions. Those are shown in the bright  
23                  green color.

24                  I'll call your attention to the  
25                  stretch of Flanders Road and the extensive

2 areas surrounding the proposed facility  
3 location, the blue triangle, that currently  
4 do not experience reliable service. Those  
5 are the areas shown out of the green or shown  
6 in white here.

The next image, which is Map 3 from their report, is the same image, only now the proposed site is turned on, if you will, and there are significant additional areas now shaded green where reliable service would be achieved as a result of the proposed facility. You heard the testimony that there is some overlap in the service, which is important to the function of the system.

wireless service has shifted from a luxury to a necessity, in its words, and references the importance to public safety and emergency services, which Mr. Gaudioso described earlier. These points taken together, along with the radio frequency data, demonstrate there is a compelling public need for the proposed facility.

There's also a lack of alternatives available to provide the necessary service to the area currently experiencing a gap in wireless coverage. The affidavit of Raymond Vergati included in Appendix E of the VHB planning report documents the exhaustive search for potential sites and alternatives for the proposed facility.

If I could ask you to pull up the last one, Document Number 7.

What's on the screen here, this is Exhibit 1 of the Vergati affidavit. This shows a total of 30 candidate sites that were evaluated throughout this corridor. They range from properties that have existing tall structures, parcels owned by the Town, County

1 and other public entities, as well as  
2 multiple private properties. Each candidate  
3 was systematically considered. The report  
4 details the reasons why each were determined  
5 not viable one at a time. Ultimately, the  
6 results determined that the subject property  
7 was the only viable site among them that  
8 support the proposed facility.

9  
10 V-Comm, the radio frequency engineer,  
11 in their report, further evaluated three of  
12 the potential sites as alternatives from a  
13 radio frequency standpoint, and found that  
14 none would sufficiently address the coverage  
15 needed, in part to the proximity to some of  
16 the existing Verizon sites to the east and  
17 west, and for other technical reasons.  
18 Alternative technology was also considered by  
19 V-Comm and found insufficient in addressing  
20 the gap in service.

21 Just to summarize all of that, the  
22 requested relief relates to circumstances  
23 that are unique to the subject property and  
24 do not relate to other properties in the  
25 area. The relief is intended to address the

2 service deficiency of a public utility, which  
3 is a substantial need, and that it does not  
4 arise out of characteristics of the subject  
5 property or any personal situation of the  
6 applicant. Additionally, the present use and  
7 condition of the site has existed since prior  
8 to the enactment of the Pine Barrens  
9 standards.

Very briefly, last couple of points quickly. The criteria for granting hardship relief also requires that additional standards be met, including the granting of the relief will not materially be detrimental to other property or improvements in the area. It would not impair the resources of the Core Preservation Area, or be inconsistent with the spirit or intent of the law. Also, the relief granted would be the minimum necessary.

21 You already heard my testimony  
22 regarding the negligible environmental impact  
23 associated with the proposed facility, as  
24 well as the minimal visual impacts that are  
25 expected to result due to the character of

the area and specific attributes of the facility.

4 As part of that testimony, I  
5 addressed impacts to the groundwater,  
6 ecological resources, scenic resources,  
7 cultural resources and others, which are  
8 directly relevant to the spirit and intent of  
9 the Pine Barrens laws.

As to the minimum relief necessary, there are no possible changes to the design of the facility that would reduce the level of relief sought. Even alternative designs or height of the building -- the height of the facility would all still continue to constitute development as defined in the Pine Barrens Act and would require similar relief to that sought today.

19 As previously detailed, there are no  
20 viable alternative sites, including sites  
21 outside of the Core Preservation Area where  
22 the facility would be located to render  
23 service. Overall, based on these points and  
24 the various data that has been submitted for  
25 the Commission's review, I respectfully

1 submit that the proposed facility meets the  
2 criteria for the granting of the requested  
3 hardship.

4  
5 I will be happy to answer any  
6 questions.

7 MR. GAUDIOSO: I know that was a lot.  
8 I appreciate your attention. We know there's  
9 a compelling need for this. We know it's a  
10 utility service, we know it's a unique  
11 situation with the parks and the road and the  
12 lack of alternatives. Moving it, quite  
13 frankly, we believe will be more intrusive.  
14 We found the least intrusive spot for the  
15 location and the existing use. But generally  
16 you always ask, "Why do you need this?" I  
17 have a home in Southampton. When the last  
18 fires happened, there were some terrifying  
19 scenes. It was a ginormous mutual aid  
20 response that quite frankly was incredible.  
21 That's coordination, that's communication.  
22 The land use plan talks about it on page 55.  
23 I believe it starts on page 55 about mutual  
24 aid.

25 I have Mark Harris here. He's from

Verizon Wireless. I just want him to come up and say some brief final points about why the Verizon service is so important. As noted, Dish Wireless wants to co-locate. We designed the facility for also AT&T and T-Mobile, so there is not a proliferation of towers. They expressed interest in coming here. All the carriers have a need. We also always make these facilities available for municipal public safety entities when they need it. We think that's a very important thing. Homeland Towers is at the forefront in doing that work. They work with municipalities, and they would be happy to make space available.

20 MR. HARRIS: My name is Mark Harris.  
21 I'm an employee of Verizon Wireless and real  
22 estate project manager for the site. I'm  
23 available for -- let me start off by saying  
24 first, I appreciate what Homeland Towers is  
25 doing. It's a very difficult application.

2 As we continue to build our sites in this  
3 area, obviously in the northeast in general,  
4 it's more and more difficult to find good,  
5 suitable locations that adequately provide  
6 the coverage that we need to reliably and  
7 ubiquitously serve everyone, and also to find  
8 a good way to reduce the aesthetic impact.  
9 So, I think they have done a great job here.  
10 I'm available for any questions.

11 MR. GAUDIOSO: So, I know there were  
12 questions in the staff report. We'd like an  
13 opportunity to respond to some of those  
14 questions. There was a question this  
15 afternoon, I should say almost evening  
16 already. We'd like the opportunity to  
17 respond to that and come back next month and  
18 present those responses as well.

19 MS. JAKOBSEN: Any other questions?  
20 (No response was heard.)

24 MR. MILAZZO: I think they want to.  
25 MS. JAKOBSEN: They want to come

1 back.

2  
3 MR. MILAZZO: I would keep it open  
4 and continue the hearing next month. At that  
5 time, we'll need an extension, giving a  
6 timeline.

7 MR. GAUDIOSO: Not a problem. Next  
8 month's meeting date?

9 MS. JAKOBSEN: June 18th.

10 MR. GAUDIOSO: Thank you very much.  
11 Happy Memorial Day. Thank you.

12 MS. JAKOBSEN: That will also be here  
13 in Riverhead, that meeting.

14 That brings us down to the end of the  
15 agenda to the next public comment period. Is  
16 there anyone present that would like to  
17 provide public comment at this time? Seeing  
18 none, I would like to have a motion to go  
19 into closed session concerning certain legal  
20 litigation matters.

21 MS. SCHERER: Motion.

22 MS. DI BRITA: Second.

23 MS. JAKOBSEN: Motion by Ms. Scherer,  
24 second by Ms. DiBrita. All in favor?

25 (WHEREUPON, there was a unanimous

affirmative vote of the Board.)

MS. JAKOBSEN: Any opposed?

(No response was heard.)

MS. JAKOBSEN: Motion carries  
unanimously. Thank you.

(Time Ended: 4:10 p.m.)

\* \* \*

# 2 | C E R T I F I C A T E

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5 I, BETHANNE MENNONNA, a Notary Public  
6 within and for the State of New York do  
7 hereby certify that the foregoing is a true  
8 and accurate transcript of the proceedings,  
9 as taken stenographically by myself to the  
0 best of my ability, at the time and place  
-1 aforementioned.

12 IN WITNESS WHEREOF, I have hereunto  
13 set my hand this 4th day of June, 2025.

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BethAnne Mennonna  
BETHANNE MENNONNA

## BETHANNE MENNOMINA