

On motion of TRUSTEE ____, seconded by TRUSTEE ____, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York, with a - vote.

Resolution #219-2023

WHEREAS, on December 3, 2018, the Board of Trustees unanimously adopted a resolution to issue a special permit to New York SMA Limited Partnership d/b/a Verizon Wireless for the collocation of a personal wireless facility at 1 Van Wyck Street; and

WHEREAS, the special permit was issued with a number of conditions as recommended by the Village Engineer and Planning Board; and

WHEREAS, the permit expires on December 3, 2023 and must be renewed in accordance with the Telecommunications Chapter of the Village Code; and

WHEREAS, the Village has received a request for renewal from Verizon Wireless and the associated special permit application fee,

WHEREAS, a Public Hearing on the special permit application was opened and closed on October 30, 2023,

NOW, THEREFORE BE IT RESOLVED: the Village Board of Trustees does hereby renew the special permit held by New York SMA Limited Partnership d/b/a Verizon Wireless for the for the collocation of a personal wireless facility at 1 Van Wyck Street, with the following conditions:

1. This permit expires on December 3, 2028 and must be renewed in accordance with the Telecommunications Chapter of the Village Code.
2. That, the Telecommunications facility shall at all times during the life of the facility comply with the applicable FCC regulations pertaining to radio frequency emissions, including such regulations as applicable to cumulative radio frequency emissions. Any necessary mitigation measures to ensure compliance shall follow FCC requirements, procedures and protocols.
3. That the tower, including mounted equipment, guy wires, anchors, and all tower support structures in the attic, be inspected annually by a qualified individual and a report on the inspection results be submitted to the Village within 30 days of the inspection.

4. That, in accordance with section 206-5(B) of the Village Code antennas shall be subject to state and federal regulations pertaining to nonionizing radiation and other health hazards related to such facilities. The owner of the antenna shall submit to the Board of Trustees evidence of compliance with the FCC standards on a yearly basis. If new, more restrictive standards are adopted, the antennas shall be made to comply, or continued operations may be restricted or prohibited by the Board of Trustees. The cost of verification of compliance shall be borne by the owner and operator of the personal wireless facility.
5. That, Verizon Wireless is advised that the Village may switch to a different Emergency Services communication system in the future and that the Verizon Wireless system must be operated to prohibit interference, including implementation of any FCC rebanding plan, to current and future Village wireless systems.
6. That, any additional monthly cost charged by the Village's fire alarm company for the fire/smoke detector and strobe/horn in the facility shall be paid by Verizon Wireless. The lease agreement with Verizon Wireless shall be amended to reflect the payment of this additional cost if required by the Village via written notification to Verizon Wireless.
7. That, as required in the Telecommunications Chapter of the Village Code the applicant must post a bond in an amount to be determined by the Village Engineer to cover the costs of removing and disposing of the tower, antenna and associated facilities. In the event that a tower is not removed within 90 days of the cessation of operations at a site, the tower and associated facilities may be removed by the Village and the costs of removal assessed against the property, the bond or both.
8. That, proper radio frequency and antenna location warning signs be posted and maintained at the PWS facility compound at 1 Van Wyck Street.

Dated: October 30, 2023