

Meeting of the Planning Board of the Town of Lewisboro held at the Town Offices at Orchard Square, 20 Cross River Plaza, Lower Level, Cross River, New York on Tuesday, April 21, 2015 at 7:30 p.m.

Present: Jerome Kerner, Chairman
Robert Goett
Gregory LaSorsa
Ron Tetelman
Judson Siebert, Esq., Keane & Beane P.C., Planning Board Counsel
Greg Monteleone, Esq., Special Counsel
David Sessions, RLA, AICP, Kellard Sessions Consulting, Wetland Inspector
Joseph Cermele, PE, Kellard Sessions Consulting, Town Engineer
Jan Johannessen, AICP, Kellard Sessions Consulting, Town Planner/Wetland Consultant
Lisa Pisera, Planning Board Secretary

Also in Attendance: Janet Andersen, Conservation Advisory Council (CAC).

The Chairman called the meeting to order at 7:30 p.m. and noted the exit.

I. PUBLIC HEARING

NY SMSA Limited Partnership d/b/a Verizon Wireless, applicant (Town of Lewisboro, owner of record), Lewisboro Town Park, 1065 Route 35, South Salem – Application for Special Use Permit Approval for work associated with antenna upgrade – Cal# 2-15PB

The Chairman announced the commencement of the public hearing. There were no objections to the time, place or advertisement of the public hearing.

Michael Sheridan, Esq., Snyder & Snyder represented the applicant.

Mr. Johannessen stated that the Kellard Sessions comments had been addressed and satisfied.

Mr. Kerner noted that the resolution did not include that the application had been referred to the Antenna Advisory Board (AAB).

Mr. Johannessen noted that the resolution did not include that the application had been referred to the Westchester County Department of Parks.

Ms. Andersen stated that the CAC did not have any comments on the application.

Ms. Andersen, from an individual perspective, questioned whether cell service would be interrupted during the upgrade, and if so, for how long. Mr. Sheridan responded that any interruption would be minimal.

On a motion made by Mr. Tetelman, seconded by Mr. LaSorsa, the Public Hearing for NY SMSA Limited Partnership d/b/a Verizon Wireless, applicant (Town of Lewisboro, owner of record), Lewisboro Town Park, 1065 Route 35, South Salem – Application for Special Use Permit Approval for work associated with antenna upgrade – Cal# 2-15PB was closed.

In Favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. Tetelman.

Absent: Mr. O'Donnell.

On a motion made by Mr. Tetelman, seconded by Mr. LaSorsa, the resolution dated April 21, 2015 granting Special Use Permit Approval and Renewal, subject to the inclusion of a statement that the application had been referred to the AAB and Westchester County Department of Parks, was adopted.

In Favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. Tetelman.

Absent: Mr. O'Donnell.

J2 Boniello Builders – Property fronting Bouton Road – Applications for Wetland Activity Permit Approval and Stormwater Permit Approval to construct a single family residence serviced by a septic system and drilled well – Cal# 39-14WP, Cal# 15-14SW

The Chairman announced the continuation of the public hearing.

Tim Allen, Bibbo Associates, and Beth Evans, Evans Associates, were present on behalf of the applicant.

Mr. Johannessen stated that the Kellard Sessions comments had been satisfied.

Mr. Kerner stated that the Board had discussed, in Executive Session, the consideration of a third party wetlands evaluation. During the Executive Session, the Board unanimously agreed that they were confident in the wetland line delineated by the applicant's consultant, as confirmed by Kellard Sessions. The Board determined that a third party evaluation was not necessary.

On a motion made by Mr. LaSorsa, seconded by Mr. Goett, the Public Hearing for J2 Boniello Builders – Property fronting Bouton Road – Applications for Wetland Activity Permit Approval and Stormwater Permit Approval to construct a single family residence serviced by a septic system and drilled well – Cal# 39-14WP, Cal# 15-14SW was closed.

In Favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. Tetelman.

Absent: Mr. O'Donnell.

Mr. Tetelman requested that Mr. Allen relocate the primary septic system location outside of the wetland buffer. Mr. Allen agreed to locate the primary outside of the wetland buffer.

The Board requested that Mr. Johannessen prepare a resolution for the May 19, 2015 meeting.

II. PROJECT REVIEW

Copia Garden Center, 475 Smith Ridge Road - owner of record: Organic Choice, Inc. (Block 09834, Lots 035 & 048, Sheet 0053) & Peter and Jennifer Cipriano, 5 East Street (Block 09834, Lot 036, Sheet 0053) - Site Development Plan Approval for improvements to the existing Copia Garden Center including modification to curb cuts along East Street and expansion of the existing use onto adjacent tax parcel 09834-036-0053 – Cal# 1-15PB

David Coffin, AIA, was present on behalf of the applicant.

The Board summarized the March 22, 2015 site walk. Mr. Kerner stated that the Board was comfortable with the circulatory traffic pattern. The Board instructed that the buffer plantings between Route 123 and the entranceway be maintained. Mr. Tetelman noted that it had been agreed that the parking be kept within the lot line.

It was noted that the applicant was involved in activity (clearing of trees) on the adjacent Vista Market property. Discussion took place as to whether this activity resulted in the need to include the Vista Market property in the proposed site plan.

Mr. Coffin stated that he had not received the survey for the properties until April 20, 2015. This limited the detail of the responses provided.

Mr. Coffin stated that the parking was moved within the boundary lines. The driveway was increased from 16 to 20 feet.

Mr. Johannessen reviewed the Kellard Sessions memo dated April 15, 2015.

Mr. Johannessen stated that the tax parcel boundaries could be used when illustrating the adjacent parcel on the site plan.

Mr. Johannessen stated that a Stormwater Pollution Prevention Program is required.

It was confirmed that permanent evergreen screening is required. This screening may be supplemented by seasonal plantings.

Mr. Siebert stated that if the Vista Market property is to be incorporated into the site plan, authorization from the Vista Market owner is needed.

Mr. Coffin expressed concern that including the Vista Market property would increase the amount of area being disturbed.

Mr. Kerner noted two concerns as a result of the activity on the Vista Market property: the long term issue of storm drainage; and the immediate issue of the disruption and impact on the adjacent property. Mr. Johannessen noted that erosion controls are in place on the adjacent parcel.

Mr. Siebert suggested that the applicant meet with the Building Department to determine whether the Vista Market property be treated separately or be included in the site plan. If the Vista Market property becomes part of the site plan, the Planning Board must deal with separate ownership issues.

Mr. Coffin stated that he preferred that the properties be kept separate. Mr. Coffin agreed to meet with the Building Department.

Guillermo Arias, 411 Smith Ridge Road, South Salem, Sheet 0050, Block 09834, Lot 28, & Lexus Holding Company, LTD, Smith Ridge Road, South Salem, Sheet 0050, Block 09834, Lot 162 – Application for Final Subdivision Plat Approval and Stormwater Permit Approval for a two (2) lot subdivision - Cal# 12-13PB and Cal# 13-14SW

Joe Riina, Site Design Consultants, was present on behalf of the applicant.

Comment #1 of the Kellard Sessions memo dated April 15, 2015 was discussed. Mr. Riina stated that the plans have been signed by the Westchester County Health Department (WCHD), and requested that this requirement be waived. Mr. Johannessen suggested, and Mr. Riina agreed, to shade the area on the site plan. It would not be necessary to go back to the WCHD.

Ms. Andersen stated that the CAC had no comments.

Mr. Riina advised a draft of the required Declaration of Restrictive Covenants had been provided by the Applicant's attorney to counsel for the Planning Board for review. Mr. Siebert stated that it had been received, reviewed and that the only outstanding item is confirmation that the metes and bounds description accompanying the draft Declaration accurately depicts the restricted areas, which can be done as condition of final approval.

Mr. Johannessen requested that the Planning Board Secretary confirm receipt of the Step III application.

On a motion made by Mr. Tetelman, seconded by Mr. LaSorsa, the Public Hearing for Guillermo Arias, 411 Smith Ridge Road, South Salem, Sheet 0050, Block 09834, Lot 28, & Lexus Holding Company, LTD, Smith Ridge Road, South Salem, Sheet 0050, Block 09834, Lot 162 – Application for Final Subdivision Plat Approval and Stormwater Permit Approval for a two (2) lot subdivision - Cal# 12-13PB and Cal# 13-14SW was waived.

In Favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. Tetelman.

Absent: Mr. O'Donnell.

The Board requested that Mr. Johannessen prepare a resolution for the May 19, 2015 meeting.

InSite Wireless Group, LLC (InSite), 377 Smith Ridge Road, South Salem, Sheet 050A, Block 09834, Lots 84, 88, 94, (Vista Fire Department, owner of record) – Application for Special Use Permit Renewal - Cal# 3-09PB

Robert Gaudio, Esq., Snyder & Snyder, represented the applicant.

Mr. Gaudio acknowledged receipt of the Kellard Sessions memo dated April 15, 2015. Mr. Gaudio stated that he had no objection to any of the comments included in the memo.

Mr. Gaudio stated that a site visit with Kellard Sessions is scheduled for Thursday, April 23, 2015.

As suggested in the Kellard Sessions memo dated April 15, 2015, Mr. Gaudio stated a letter had been submitted to Sprint and AT&T for them to sign to join the application as they were part of the original approval.

Ms. Andersen stated that the CAC had no comments.

A public hearing was scheduled for May 19, 2015.

The Board requested that Mr. Johannessen prepare a resolution for the May 19, 2015 meeting. The resolution should include an expiration date five years from the current expiration date.

O-2 Living Realty Group, LLC (Yellow Monkey Village), 792 Route 35, Cross River, New York, Sheet 0018, Block 10533, Lots 024 & 025 - Applications for Waiver of Site Development Plan Procedures and Wetland Activity Permit Approval for proposed change of use and certain site modifications, all of which require a site plan approval - Cal# 11-13PB and Cal# 12-15WP

Andrew Wynnyk, architect, Beth Evans, Evans Associates, and Rosemary Devlin, owner, were present.

Mr. Wynnyk acknowledged receipt of the Kellard Sessions review memo dated April 15, 2015.

Mr. Kerner noted that an issue with the land-banked parking exists. Permission for this parking must be renewed annually with the New York City Department of Environmental Protection (DEP); this had not been done. The note should be taken off of the plan.

Mr. Siebert stated that a clear delineation of the existing off-street parking versus the off-street parking that is required based on the current mix of uses on the property should be provided. The Code states that the Planning Board has the authority to authorize joint use of parking spaces. In 1978, the Board was satisfied that any parking demands that were going to be thrown off the property would be met, and could be land-banked. The same provision of the code states that in all cases the site plan must show the land-banking. Mr. Siebert expressed his concern that if withdrawn from site plan, the resolution must be changed. A variance from the ZBA would be required for off street parking requirements.

The proposed site plan has the same short fall in parking as the original plan.

Mr. Johannessen stated that there is no change in the parking requirement from the originally approved plan to the plan currently proposed. All proposed uses have the same parking standard as retail, or less. However, if the Planning Board is going to allow joint use of spaces, the applicant is required under the code to provide land-banked parking stalls. If the land-banked parking stalls are eliminated, a variance from the ZBA is required.

Discussion of parking requirements for various uses took place.

Mr. Johannessen requested that the parking spaces referenced in comment #6 of the April 15, 2015 Kellard Sessions memo include curb stops.

Ms. Andersen reviewed the CAC memo dated April 10, 2015.

Ms. Andersen noted the CAC's comment that the wetland delineation was done remotely (using the Peach Lake Quadrangle topo map). It is a concern of the CAC that this remote delineation may be setting a precedent for future applications. Ms. Evans responded that because DEP land is involved, her office went onto the property to measure the wetland. The wetland was measured but not flagged. Kellard Sessions verified the wetland boundary. Ms. Evans stated that the delineation was a hybrid of the Peach Lake Quadrangle topo map and walking the property. Ms. Andersen stated that she was satisfied with Ms. Evans' response, and would relay the information to the CAC members.

Discussion took place regarding the future implementation of complete streets. Mr. Wynnyk indicated his willingness to avoid actions that would hinder any future endeavors.

The applicant agreed to make an application to the ZBA for a parking variance from the off-street parking requirement.

III. WETLAND VIOLATION

James Sandler, 28 Lake Street, Goldens Bridge, Sheet 007F, Block 12663, Lot 005 – Status update - Cal#4-14WV and Cal# 69-14WP

Thomas Stalzer, Stalzer Design LLC, was present on behalf of the applicant.

Mr. Stalzer stated that there had been a devastating fire at the residence, of which the Board was aware.

Mr. Stalzer informed the Board that the owner intends to fully demolish the house and rebuild. The intent is to rebuild with the existing foundation, minimizing environmental impact on the adjacent wetlands. The owner also intends to reduce some of the setback encroachments and impervious surface in order to bring the house to conforming space.

Mr. Johannessen stated that the previous Kellard Sessions comments would apply to the amended project.

Discussion of the previous violations took place.

Mr. Stalzer stated that the net footprint of the house would be reduced.

IV. DISCUSSION

Septic Compliance Administration

Mr. Monteleone had prepared a memo which was not received by all Board members. The memo will be resent.

Discussion was held over to the May 19, 2015 meeting.

Stormwater Management and Erosion and Sediment Control

A memo containing the proposed stormwater amendment will be sent to the Town Board recommending that the amendment process begin.

V. TOWN BOARD REFERRALS

Proposed Bed and Breakfast Ordinance – proposed change to zoning code

Proposed Hotel/Inn Ordinance – proposed change to zoning code

Multi-family Housing – proposed change of zoning to allow multi-family housing in all non-residential zoning districts

The Planning Board was asked to issue a report to the Town Board on the above proposed amendments.

Open ended discussion took place.

Mr. Siebert offered to provide the Board with Model Code provisions and a summary of the municipalities that have adopted the Model Ordinance and the local variations that they have implemented.

The Board agreed to schedule a special meeting to be held on May 7, 2015 to discuss the referrals.

VI. CORRESPONDENCE AND GENERAL BUSINESS

“Silvermine Preserve”, Ridgeview Designer Builders, Inc & Daniel Higgins, owners of record, Silvermine Drive & Lockwood Road, Lewisboro – Sheet 0048, Block 10057, Lot 015 - Applications for Subdivision & Wetland Activity Permit Approvals - Cal# 3-13PB

A site walk was scheduled for May 7, 2015 at 7:00 p.m.

VI. MINUTES OF MARCH 17, 2014

On a motion made by Mr. LaSorsa, seconded by Mr. Goett, the minutes of March 17, 2015 were adopted.

In favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. Tetelman.

Absent: Mr. O'Donnell.

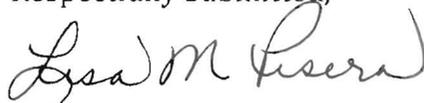
VIII. ADJOURNMENT

On a motion made by Mr. LaSorsa, seconded by Mr. Tetelman, the meeting was adjourned at 9:25 p.m.

In favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. Tetelman.

Absent: Mr. O'Donnell.

Respectfully Submitted,



Lisa M. Pisera
Planning Board Secretary

RESOLUTIONS

**RESOLUTION
LEWISBORO PLANNING BOARD**

SPECIAL USE PERMIT APPROVAL AND RENEWAL

**NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS
1065 NYS ROUTE 35**

Sheet 21, Block 10541, Lots 5 and 25
Cal. #2-15 PB

April 21, 2015

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless (“the applicant/facility owner”) is proposing a modification to its existing wireless communication facility, located at 1065 NYS Route 35 and within the R-4A Zoning District (“the subject property”); and

WHEREAS, the subject property is identified on the Town of Lewisboro Tax Maps as Sheet 21, Block 10541, Lots 5 and 25; and

WHEREAS, while the wireless communication facility is located entirely on Lot 25 (±6 acres), portions of the proposed access driveway are located on adjacent Lot 5 (±54 acres), both of which are owned by the Town of Lewisboro; and

WHEREAS, the subject property consists of ±60 acres and contains the Town of Lewisboro Town Park; and

WHEREAS, the subject property contains a 160-foot monopole tower and related wireless telecommunication equipment which is owned and operated by the applicant/facility owner and which was approved by the Planning Board via resolution dated December 13, 2011 (see Cal. #1-11PB); and

WHEREAS, the applicant/facility owner is proposing the installation of replacement antennas and ancillary equipment on its existing tower facility. More specifically, the applicant is proposing to replace 12 existing panel antennas with 12 new panel antennas on the existing mounting platform and is proposing to install one (1) GPS unit, 12 RRH units, and three (3) sector distribution boxes; associated wiring will be installed internal to the tower itself; and

WHEREAS, while the number of panel antennas will remain the same, the size of the proposed antennas are larger than the existing (50.5"L x 14.6"W x 7.1"D (largest proposed), as compared to 47.5"L x 8.0"W x 5.9"D (largest existing)); and

WHEREAS, the proposed antennas will be mounted so that the top of the proposed antennas will be at the same elevation as the existing antennas; and

WHEREAS, according to the applicant/facility owner's calculations, the volume of antennas and equipment mounted to the tower will increase from ± 12 c.f. to ± 58.17 c.f.; and

WHEREAS, reference is made to a structural certification letter prepared by Structural Consulting Services, P.C., dated March 27, 2015, which certifies that the existing tower facility and associated foundation can accommodate the proposed antenna replacement and will not impact the towers ability to accommodate four (4) additional future carriers, as originally designed and approved; and

WHEREAS, reference is made to a report entitled "Antenna Site FCC RF Compliance Assessment and Report", prepared by Pinnacle Telecom Group, dated December 11, 2014; and

WHEREAS, reference is made to a memorandum of support and associated attachments, prepared by the applicant/facility owner's attorney, Snyder & Snyder, LLP, dated February 12, 2015; and

WHEREAS, the application was referred to the Westchester County Planning Board in accordance with Section 239-m of the General Municipal Law; and

WHEREAS, the application was referred to the Antenna Advisory Board and, given the proximity of the Ward Pound Ridge Reservation, the Westchester County Department of Parks; and

WHEREAS, unless renewed by the Planning Board, the Special Use Permit granted on December 13, 2011 will expire on December 13, 2016; and

WHEREAS, the applicant/facility owner has requested that the Planning Board grant a 5-year renewal of the existing Special Use Permit; and

WHEREAS, given the nature of the application and as no significant modifications are proposed to the existing facility, the following submission requirements have been waived by the Planning Board:

- a) Verifiable list of FCC complaints (220-41.1B(7))
- b) Communication facility siting (220-41.1C)
- c) Full Environmental Assessment Form (220-41.1D(1))
- d) Service coverage maps (220-41.1D(2) and 220-41.1E(1))
- e) Long range communication facilities plan (220-41.1D(3))

- f) Documentation demonstrating that the height of the tower is the minimum necessary (220-41.1D(4))
- g) Legal description of property (220-41.1D(5)(e))
- h) Landscaping plan (220-41.1D(9) and (220-41.1E(5))
- i) Alternatives (220-41.1E(2))
- j) Provisions for additional antennas (220-41.1E(3))
- k) Setbacks (220-41.1E(4))

WHEREAS, the proposed action has been determined to be an Unlisted Action, pursuant to the New York State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617.4; and

WHEREAS, the applicant submitted the Short Environmental Assessment Form (EAF), dated March 30, 2015; and

WHEREAS, the Planning Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c) and determined that the proposed action will not have a significant adverse impact on the environment; and

WHEREAS, the Planning Board has considered all reasonably related long-term, short-term, direct, indirect, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions; and

WHEREAS, in addition to the above, the Planning Board has considered the written and verbal comments from the Board's professional consultants, written documentation and plans submitted by the applicant/facility owner in support of its application, the verbal commentary made during Planning Board meetings, and testimony of the applicant/facility owner.

NOW THEREFORE BE RESOLVED THAT, the proposed action meets the purpose and intent described under Section 220-41.1A of the Zoning Code, the proposed action has been designed to satisfy the regulatory compliance standards identified under Section 220-41.1B of the Zoning Code, the proposed communication facility has been designed and sited to comply with Section 220-41.1C and Section 220-41.1E of the Zoning Code, and, unless waived by the Planning Board, the applicant/facility owner has submitted the application materials required by Section 220-41.1D of the Zoning Code; and

BE IT FURTHER RESOLVED THAT, the proposed action represents a minor modification to an existing facility and the Planning Board hereby reconfirms the following findings described in its December 13, 2011 Resolution:

1. The location and size of the use, the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, are such that it will be in harmony with the appropriate and orderly development of the district in which it is located and that the proposed action complies with all special requirements for such use established in Section 220-32, Zoning.
2. The location, nature and height of buildings, walls and fences and the nature and extent of existing or proposed planting on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
3. Operations in connection with the Special Use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operation of any permitted use not requiring a Special Permit.
4. Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum and adequate safety.

BE IT FURTHER RESOLVED THAT, the Planning Board hereby approves a Special Use Permit, subject to the below conditions and compliance with the Special Use Permit Conditions specified below; and

BE IT FURTHER RESOLVED THAT, the following drawings, which shall be referred to as the "Special Use Permit Plans", prepared by Structural Consulting Services, P.C. and dated (last revised) February 13, 2015, are hereby approved, subject to the below conditions and compliance with the Special Use Permit Conditions specified below:

- Compound Plan, Antenna Elevations, Project Information, Topographic Map, and Notes (Sheet C-1)
- FAA Elevation and Antenna Orientation Plan (Sheet C-2)

BE IT FURTHER RESOLVED THAT, this Special Use Permit shall be deemed to authorize only the particular Special Permit Use described herein and illustrated on the approved Special Use Permit Plans referenced herein and shall expire if work is not initiated pursuant thereto within one (1) year of this Resolution, or if said use or uses shall cease for more than one (1) year for any reason, or if all required improvements are not completed within two (2) years from the date of this Resolution, or if all such required improvements are not maintained and all conditions and standards complied with throughout the duration of the use, except that the Planning Board may, upon request, extend the above time periods as determined appropriate; and

BE IT FURTHER RESOLVED THAT, the Special Use Permit for the tower facility and wireless telecommunication equipment owned and operated by Verizon Wireless is hereby renewed for a period of five (5) years and shall expire on December 13, 2021; and

BE IT FURTHER RESOLVED THAT, Conditions #1 through #7 must be fulfilled within six (6) months of the date of this Resolution. Should the below-listed conditions not be completed within the allotted time frame, this Resolution shall become null and void unless an extension is requested by the applicant/facility owner (in writing) within said six (6) month period and granted by the Planning Board.

Conditions to be Satisfied Prior to the Signing of the Site Development Plans by the Secretary and Chairman:

1. Each and every sheet of the Special Use Permit Plans shall contain a common revision date with notation stating "Planning Board Approval", shall contain an original seal and signature of the design professional and shall contain an original signature of the owner.
2. The following signature blocks shall appear on all sheets:

PLANNING BOARD APPROVAL
Approved by the Planning Board of the Town of Lewisboro,
Westchester County, N.Y. by resolution dated _____
Any change, erasure, modification or revision to this Plan,
as approved, shall void this approval.

Jerome Kerner Date

Lisa Pisera Date

OWNER'S CERTIFICATION
The undersigned owner of the property shown hereon is familiar with this drawing(s), its contents, and its legends and hereby approves the same for filing.

Owners Name (insert) Date
Owners Address (insert)

TOWN ENGINEER'S CERTIFICATION
Reviewed for compliance with the Planning Board Resolution.

Joseph Cermele, P.E., CFM Date
Town Consulting Engineer

3. The applicant/facility owner shall satisfy any outstanding written comments provided by the Town's consultants.
4. The applicant/facility owner shall submit a "check set" of the Final Special Use Permit Plans (two (2) sets), prepared in final form and in accordance with the conditions of this Resolution, for review by the Planning Board's consultants.

5. Any revisions required as a result of the consultant's review of the Final Special Use Permit Plans shall be made. Following review and revision (if necessary), the applicant/facility owner shall furnish the Planning Board with two (2) complete mylar plan sets, complete with all required original signatures, for final review by the Town Engineer and endorsement by the Town Engineer, Planning Board Secretary and Planning Board Chairman.
6. The applicant/facility owner shall provide a written statement to the Planning Board Secretary acknowledging that they have read and will abide by all conditions of this Resolution.
7. The applicant/facility owner shall pay to the Town of Lewisboro, by certified check, all outstanding professional review fees.

Conditions to be Satisfied Prior to the Issuance of a Building Permit:

8. Following the endorsement of the Final Special Use Permit Plans by the Town Engineer, Planning Board Chairman and Secretary, one (1) mylar set will be returned to the applicant/facility owner for copying and the second mylar set will be retained by the Planning Board as a record copy.
9. Within 10 days after endorsement of the Final Special Use Permit Plans by the Town Engineer, Planning Board Chairman and Planning Board Secretary, the applicant/facility owner shall deliver to the Planning Board Secretary nine (9) printed sets of the signed plans, collated and folded.

Conditions to be Satisfied During Construction:

10. Construction-related activities shall be conducted between 8 a.m. and sunset, Monday through Saturday.
11. During construction, the Town Engineer and/or Town Planner may conduct site inspections, as necessary, to determine compliance with the provisions of this Resolution and the approved Final Special Use Permit Plans.
12. A copy of this Resolution and approved Final Special Use Permit Plans shall be kept on site at all times.

Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy and/or Use:

13. Certification by a NYS Professional Engineer that all proposed antennas and related equipment have been installed in accordance with the approved plans.
14. The Town Engineer shall conduct a site visit to determine conformance with the approved Special Use Permit Plans.

15. The applicant/facility owner shall pay to the Town of Lewisboro, by certified or Attorney check, all outstanding professional review fees.

Special Use Permit Conditions:

16. The applicant/facility owner shall comply with the conditions specified within the Planning Board's December 13, 2011 Resolution referenced herein.
17. Unless further extended by the Planning Board, the Special Use Permit for the tower facility and wireless telecommunication equipment owned and operated by Verizon Wireless shall expire on December 13, 2021. Any subsequent renewal application shall be subject to the same procedure, rules and regulations applicable to an original application; however, the Planning Board may waive, upon the request of the applicant/facility owner and subject to appropriate circumstances, the application submission requirements as per Section 220-41.1H(3) of the Zoning Code.

ADOPTION OF RESOLUTION

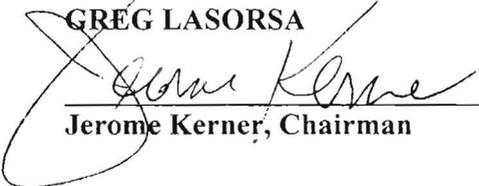
WHEREUPON, the Resolution herein was declared adopted by the Planning Board of the Town of Lewisboro as follows:

The motion was moved by: Mr. Tetelman

The motion was seconded by: Mr. LaSorsa

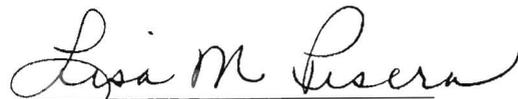
The vote was as follows:

JEROME KERNER	Aye
JOHN O'DONNELL	Absent
RON TETELMAN	Aye
ROBERT GOETT	Aye
GREG LASORSA	Aye


Jerome Kerner, Chairman 4/26/15
April 21, 2015

**STATE OF NEW YORK
COUNTY OF WESTCHESTER
TOWN OF LEWISBORO**

I, Lisa M. Pisera, Secretary to the Planning Board of the Town of Lewisboro, County of Westchester, State of New York, do hereby certify that I have compared the preceding copy of a resolution adopted by the Planning Board of the Town Lewisboro, County Westchester at a meeting held on the 21st day of April and that the same is a true and correct copy of said original and of the whole thereof.


Lisa M. Pisera
Planning Board Secretary

Dated at Cross River, New York
This 28th day of April