

TOWN OF PLYMOUTH
TOWN BOARD Resolution #17 of 2025
DATED MAY 12, 2025

**TOWN OF PLYMOUTH
TOWN BOARD RESOLUTION**

May 12, 2025

***SPECIAL USE PERMIT APPROVAL FOR DEVELOPMENT
IN THE TOWN OF PLYMOUTH***

BELL ATLANTIC MOBILE SYSTEMS LLC d/b/a Verizon Wireless (as Applicant) – Special Use Permit Approval to Allow for the Co-Location of Equipment on an Existing 300' Telecommunications Tower Owned by Harmoni Towers LLC (f/k/a Parallel Infrastructure) on Property Owned by the Town of Plymouth Located at 124 Cookhouse Road (more commonly known as Tax Map No. 82.-1-50) in the Town of Plymouth, New York -- Granted with Conditions.

Councilor Wightman moved and Councilor Manwarren seconded the following Resolution, which was carried unanimously:

WHEREAS, Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless (the “Applicant” or “Verizon”), applied on or about March 21, 2025 for a Special Use Permit to co-locate certain Verizon Wireless equipment on an existing 300’ telecommunications tower owned by Harmoni Towers LLC f/k/a Parallel Infrastructure (the “Tower Owner”) on property owned by the **Town of Plymouth** (the “Property Owner” or “Town”) located at 124 Cookhouse Road in the Town of Plymouth, County of Chenango and State of New York, and more particularly described as Tax Map No. 82.-1-50 (the “Property”), pursuant to Local Law No. 1 of 2021 (the “Town of Plymouth Wireless Telecommunications Facilities Siting Law”) (the “Law”); and

WHEREAS, Verizon has submitted plans and application materials to the Town of Plymouth Town Board on or about March 21, 2025 depicting the proposed site improvements, which improvements would consist of the placement by Verizon of a second telecommunications array with cabinet and equipment system, all as depicted on and pursuant to the submitted plans, information and drawings prepared by Costich Engineering, D.P.C., to wit:

1. GA001: Title Sheet, dated January 21, 2025, as last revised January 27, 2025;
2. GA002: General Notes, dated January 21, 2025, as last revised January 27, 2025;
3. GA003: General Notes, dated January 21, 2025, as last revised January 27, 2025;
4. CA100: Overall Site Plan, dated January 21, 2025, as last revised January 27, 2025;
5. CA110: Compound Plan, dated January 21, 2025, as last revised January 27, 2025;
6. CA200: Tower Elevation and Antenna Orientation Plan, dated January 21, 2025, as last revised January 27, 2025;
7. CA500: Equipment Elevations, dated January 21, 2025, as last revised January 27, 2025;
8. CA501: Site Details, dated January 21, 2025, as last revised January 27, 2025; and

WHEREAS, Volume 6 N.Y.C.R.R. Part 617 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), requires that as early as possible and within twenty (20) days of a complete application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the Applicant has completed and submitted a Full Environmental Assessment Form Part 1, dated February 24, 2025, and the same has been reviewed and considered by the Board along with the other submissions provided by the Applicant and its representatives; and

WHEREAS, the application was fully considered by the Board pursuant to the requirements of the Town of Plymouth Wireless Telecommunications Facilities Siting Law and applicable Federal regulations, and the Board finds, among other things, that the proposed work is not significant to the area and no potentially significant environmental impacts have been noted or would be anticipated; and

WHEREAS, the consideration of wireless telecommunications facilities is strictly governed by regulations enacted by the Federal Communications Commission and specifically

with regard to co-locations, such applications are further regulated by 47 CFR Section 1.6100(b)(3) and Section 6409 of Federal Law, which Sections limit local authority to bar co-location or other modification efforts by local authorities or to deny a provider's request to modify wireless equipment, where the proposed modifications do not substantially change the physical dimensions of the existing facility; and

WHEREAS, the Town of Plymouth's Wireless Telecommunications Facilities Siting Law further and specifically encourages the co-location on existing towers in order to avoid the proliferation of new towers within the Town; and

WHEREAS, the proposed co-location qualifies for consideration pursuant to applicable FCC regulations and under the Town's Local law for telecommunications tower co-location; and

WHEREAS, the application materials have been reviewed and certified by a licensed professional engineer, including the existing tower's ability to safely support the additional proposed equipment; and

WHEREAS, Verizon has demonstrated the necessity for the additional equipment to provide reliable service for the targeted area; and

WHEREAS, the appropriate notifications and publications have been undertaken by the Town and/or the Applicant prior to the holding of the public hearing on this matter; and

WHEREAS, the Town has held a public hearing on this 12th day of May, 2025 at the Town of Plymouth Town Hall, 3461 State Highway 23, South Plymouth, NY; and

WHEREAS, the Town of Plymouth Town Board hereby finds that the proposed request is in conformance with Section 7.0 of the Law, referencing shared use of existing wireless telecommunications facilities; and

WHEREAS, the Town of Plymouth Town Board finds that the location of proposed additional equipment will not result in an overall increase in height of the existing telecommunications tower; and

WHEREAS, the Town of Plymouth Town Board finds that the additional proposed telecommunications equipment will not overwhelm the existing tower facility and will be structurally secure with such co-location; and

WHEREAS, the Town of Plymouth Town Board has determined that the Applicant has otherwise provided all of the necessary information, as required by Federal law and Local Law No. 1 of 2021.

NOW THEREFORE, BE IT RESOLVED that the Town of Plymouth Town Board hereby notices all agencies involved, if any, that it shall be lead agency for this project; and it is further

RESOLVED that the Town Board of the Town of Plymouth hereby determines that the proposed action is an Unlisted Action and that the proposed action shall not require a coordinated review; and it is further

RESOLVED that this Board hereby determines that the proposed action will not have a significant adverse effect on the environment, and this resolution shall constitute a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, for the following reasons:

1. The overall effect of the addition of a second array on the existing 300' telecommunications tower and placement of a cabinet and equipment system at the base of said tower are *de minimis* and will not impact the area or the surrounding neighborhood;

2. No other areas of environmental concern have been identified by the public or the Town Board; and it is further

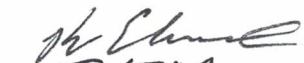
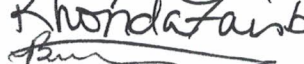
RESOLVED that the Town of Plymouth Town Board hereby allows and grants the Applicant's request for a Special Use Permit to allow Verizon to place and locate a second array, as well as a cabinet and equipment system at the base of the existing telecommunications tower site, all on the Property owned by the Property Owner at 124 Cookhouse Road in the Town of Plymouth, County of Chenango, New York (Tax Map No. 82.-1-50), all as shown on the submitted plans and drawings and as set forth in particularity above, subject however to the following conditions:

1. All construction shall be in strict compliance with the submitted plans, as last revised;
2. All other provisions of the Town of Plymouth Wireless Telecommunications Facilities Siting Law shall be observed for the use;
3. Payment of all reasonable and necessary professional fees associated with the review and approval of this request;
4. The Applicant shall advise the Tower Owner of the approval of a Special Use Permit and to further advise the Tower Owner to contact the Town of Plymouth Town Supervisor regarding additional rents to be remitted to the Town under its Lease of the facility to the Town;
5. Any additional site lighting shall be equipped with shielding apparatus, downward directing and dark sky compliant to avoid unnecessary light spillage onto adjoining properties and roadways, subject to the requirements of Federal Law; and it is further

RESOLVED that the Codes Enforcement Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution subject to the above conditions; and it is further

RESOLVED that this Resolution shall be effective as of the date of its filing with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

	Ray Elsworth	Councilor	Voted	Yes
	Tim Manwarren	Councilor	Voted	Yes
	Rhonda Fairbanks	Councilor	Voted	Yes
	Brett Wightman	Councilor	Voted	Yes
	Patricia Murray	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: May 12, 2025

CERTIFICATION

STATE OF NEW YORK)
COUNTY OF CHENANGO)

I, the undersigned Clerk of the Town of Plymouth, Chenango County, New York, **DO**
HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on May 12, 2025


VIRGINIA E. BROWN
Town Clerk

(SEAL)