

PLANNING BOARD

John Currie, *Chairman*
Vicky Gannon
Nancy Gerbino
Eugene Goldenberg
Dennis McNamara
Bruce Prince

Town of Somers

WESTCHESTER COUNTY, N.Y.



TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
TEL (914) 277-5366
FAX (914) 277-4093
EMAIL:
PLANNINGBOARD@SOMERSNY.COM

SOMERS PLANNING BOARD AGENDA APRIL 10, 2019 7:30PM

TIME EXTENSIONS:

1. **GRANITE POINTE RE-GRANT: TM: 27.05-1-2&5**

Request for the 7th – 90 day time extension for the Granite Pointe Subdivision Re-Grant of Final Subdivision Approval, Wetland, Steep Slopes, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permits, as per Resolution 2017-10, from May 3, 2019 up to and including July 31, 2019 pursuant to Town Law Section 276 (7) (c) and Town Code Section 50-13M. The Property is located on the east side of Route 118/202, adjacent to the Amawalk Reservoir and is located in an R-40 Zoning District for the development of 23 lots in a Cluster Subdivision.

2. **ARTIS SENIOR LIVING (TM: 4.20-2-22)**

Request for extension of the approval of Site Plan Approval, Stormwater Management and Erosion and Sediment Control Permit, Steep Slopes Permit, Tree Removal Permit and Wetlands Permit granted April 11, 2018 by Resolution # 2018-04 for the construction of a 72 bed Memory Care Assisted Living Facility for signature of the Site Plan, pursuant to Section 170-114 H&K of the Code of the Town of Somers for one (1) year beginning April 12, 2019 up to and including April 12, 2020. The property is located within the Somers Realty Planned Hamlet on Lot 6 of the Somers Realty Phase 3 Subdivision.

PUBLIC HEARING:**3. TOWNE CENTRE AT SOMERS – EXTENSION OF SEWER DISTRICT: TM: 17.15-1-13**

Application for Site Plan Approval, Stormwater Management and Erosion and Sediment Control Permit, Wetland Permit and Special Exception Use Permit within the Groundwater Protection Overlay District for construction of the infrastructure necessary to facilitate connection of the Shopping Center property to the Heritage Hills Sewer Works. This is part of a related petition to the Somers Town Board to extend the Heritage Hills Sewer District to include this property. The property is located at 325 Route 100 and is in the Neighborhood Shopping (NS) District and the Groundwater Protection Overlay District.

PROJECT REVIEW:**4. T-MOBILE – 2580 ROUTE 35: TM: 37.13-2-3**

Application of T-Mobile Northeast LLC to collocate antennas, together with the installation of ancillary equipment onto the existing facility without any increase in height. The facility is located at 2580 Route 35 and is in an R120 Zoning District

5. NEW CINGULAR WIRELESS PCS LLC “AT&T” (CROWN CASTLE): 243 ROUTE 100: TM: 28.10-1-6.1

Application of New Cingular Wireless PCS, LLC “AT&T” to upgrade an existing wireless facility to replace antennas and install equipment within the 100’ monopole tower, as well as the installation of remote radio heads and other equipment inside the existing equipment shelter and fenced compound. The property is located at 247 Route 100 and is in an Office and Light Industry (OLI) Zoning District.

BIBBO ASSOCIATES, L.L.P.

Consulting Engineers

Timothy S. Allen, P.E.

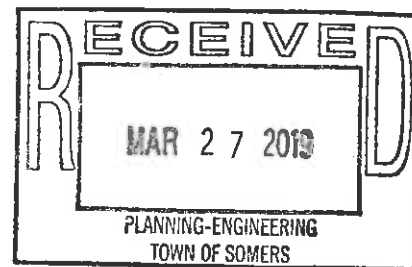
Sabri Barisser, P.E.

2019
Agenda
EC-PB
3/29/19
BTE
JTS

Revised:

March 20, 2019

March 27, 2019



Somers Planning Board
335 Route 202
Somers, NY 10589

Attn: Mr. John Currie, Chairman

Re: Suelain Realty, LLC
Granite Pointe Subdivision
Final Subdivision Approval
Request for Extension
Sh. 27.05, Blk. 3, Lots 2 & 5

Dear Members of the Board:

On behalf of our client we are requesting that a 90 day extension be granted for Resolution 2017-10 that will be expiring on May 2, 2019 for the above referenced project.

The circumstances with regard to this project as discussed at the previous Planning Board meetings have not changed to our knowledge. We therefore request the above extension.

We respectfully request to be placed on your April 10, 2019 agenda for consideration.

Very truly yours,

A handwritten signature in black ink, appearing to be "T. S. Allen", written over the typed name.

Timothy S. Allen, P.E.

TSA/mme

cc: J. Harkins
L. Whitehead, Esq.
File

Site Design ♦ Environmental

Mill Pond Offices • 293 Route 100, Suite 203 • Somers, NY 10589
Phone: 914-277-5805 • Fax: 914-277-8210 • E-Mail: bibbo@optonline.net

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4093

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
835 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

DATE: April 1, 2019

TO: Planning Board

FROM: Syrette Dym, AICP
Director of Planning

RE: Granite Pointe Re-Grant Final Subdivision Approval – Seventh
Ninety-Day Extension Request

By letter dated March 20, 2019 received by the Planning Board office March 21, 2019, the applicant's representative requested a seventh 90-day extension to the re-grant approval of Resolution 2017-10 granted May 10, 2017, the sixth extension which is to expire on May 2, 2019. The requested extension is from May 3, 2019 up to and including July 31, 2019 pursuant to Town Law Section 276(7)(c) and Town Code Section 150-13M. There have been no changes to the plan.

The request has been submitted prior to expiration of the subdivision approval and there are no plan changes. Therefore, I have no objections to granting of an extension to this approval.

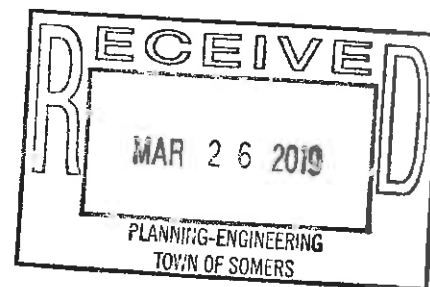
Cc: Tim Allen
Joe Barbagallo
Alvaro Alfonzo-Larrain
Roland Baroni
Joe Eriole

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PC: P.B. TA, CTE
3/26/2019 QJS
Peter J. Wise
pjw@ddw-law.com

DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP
COUNSELLORS AT LAW
THE GATEWAY BUILDING
ONE NORTH LEXINGTON AVENUE
WHITE PLAINS, NEW YORK 10601
(914) 681-0200
FACSIMILE (914) 684-0288

Connecticut Office
1111 SUMMER STREET
STAMFORD, CT 06905
(203) 298-0000



March 26, 2019

By E-mail and Federal Express

Honorable John Currie, Chairman
and Members of the Planning Board
Town of Somers
335 Route 202
Somers, New York 10589

**Re: Artis Senior Living of Somers, LLC: Request for Extension of the Approvals
Granted under Resolution No. 2018-04.**

Dear Chairman Currie and Members of the Planning Board:

We represent Artis Senior Living of Somers, LLC (the "Applicant") in connection with the construction of a 72-bed memory care assisted living facility (the "Project") on Lot 6 at the Somers Realty Planned Hamlet, which is also known and designated on the tax assessment map of the Town as Section 4.19, Block 2, Lot 22. As you may remember, on April 11, 2018, the Planning Board adopted Resolution No. 2018-4 (the "Resolution"), granting the following approvals for the Project: (i) Conditional Site Plan Approval; (ii) Steep Slopes Protection Permit; (iii) Wetlands and Watercourse Protection Permit; (iv) Tree Removal Permit; and (iv) Stormwater Management and Erosion and Sediment Control Permit (collectively, the "Approvals").

The Applicant is working diligently to complete the "Conditions Required Prior to Signing of Site Plan" set forth in the Resolution, including responding to the Town Engineering Consultant's comments on the Water Engineering Report (as required pursuant to Condition No. (8)(iv)). However, the Applicant does not expect the site plan to be ready for the Chairman's signature as required by Section 170-114.H of the Town Zoning Code prior to the expiration of the Approvals on April 11, 2019.

Accordingly, on behalf of the Applicant and pursuant to Section 170-114.K of the Zoning Code, we respectfully request that this matter be placed on the Planning Board's next available agenda for extension of the Approvals for one (1) year, through and including April 11, 2020.

Thank you for your consideration. Please feel free to contact me if you have any questions or if you need any additional information.

Very truly yours,



PETER J. WISE

cc: Syrette Dym, AICP, Planning Director
Max Ferentinos
Richard Williams, P.E.

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4098

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



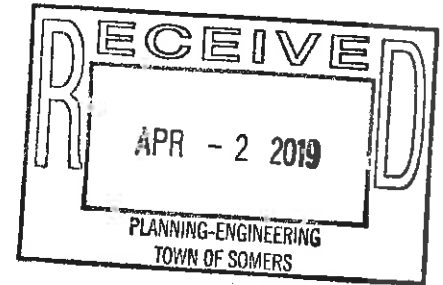
Syrette Dym, AICP
Director of Planning
sdym@somersny.com

DATE: April 1, 2019

TO: Planning Board

FROM: Syrette Dym, AICP
Director of Planning

RE: Artis Senior Living - First Extension of Conditional Site Plan
Approval, Steep Slopes Protection, Tree Preservation, Wetlands and
Stormwater Management and Sediment and Erosion Control Permit



The Planning Board granted Conditional Site Plan Approval, Steep Slopes Protection, Tree Preservation, Wetlands and Stormwater Management and Sediment and Erosion Control Permits for Artis Senior Living by Resolution #2012018-04 of April 11, 2018.

The current request is for an extension of the site plan and permit approvals pursuant to Sections 170-114H and K of the Town Code for a period of one year, up to and including April 12, 2020.

The request for extension was made March 26, 2019 and received the same s day by the Planning Board, prior to expiration of the site plan approval.

Therefore, I have no problem with the extension of this approval.

Cc: Joe Barbagallo
Alvaro Alfonzo-Larrain
Roland Baroni
Joe Eriole
Peter Wise
Rich Williams

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**PLANNING BOARD
TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK**

PUBLIC NOTICE:

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Somers, Westchester County, New York, has scheduled a **Public Hearing** to be held at the Somers Town House, 335 Route 202, Somers NY, on **Wednesday, April 10, 2019 at 7:30pm** to consider the application of Urstadt Biddle Properties Inc., for Site Plan Approval, Stormwater Management and Erosion and Sediment Control Permit, Wetland Permit and Special Exception Use Permit within the Groundwater Protection Overlay District.

The applicant is proposing the construction of infrastructure necessary to facilitate connection of the Somers Towne Center Shopping Center property to the Heritage Hills Sewer Works as shown on plans prepared by JMC Planning, Engineering Landscape Architecture & Land Surveying, PLLC dated February 9, 2019. The subject property is located at 325 Route 100, Somers NY and is in the NS (Neighborhood Shopping) Zoning District.

Anyone is invited to attend and will be heard on the aforesaid matter.

BY ORDER OF THE PLANNING BOARD

John Currie, Chairman

Barbara J. Sherry
Planning Board Secretary

Town of Somers

WESTCHESTER COUNTY, N.Y.



SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Syrette Dym, AICP
Director of Planning
sdym@somersny.com

Telephone
(914) 277-5366
Fax
(914) 277-4093

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com

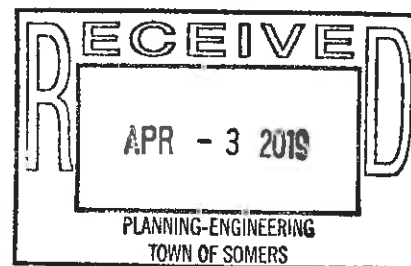
MEMORANDUM

TO: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: April 4, 2019

RE: Project: Towne Centre at Somers – Heritage Hills Sewer District
Extension Site Plan Application
Applicant: Urstadt Biddle Properties Inc.
Location: 325 Route 100 and Route 202 (Section 17.15 Block 1 Lot 13)
Zoning: NS Neighborhood Shopping District; partial Groundwater Protection Overlay District
Actions: Site Plan application Related to Petition for Extension of Heritage Hills Sewer District



Current Submission

The applicant submitted the following materials by cover letter from its engineer, JMC dated March 27, 2019;

1. JMC Drawings, all revised 03/27/19:
 - a. SS-1 Sanitary Sewer Plan
 - b. SS-2 Construction Details
 - c. SS-3 Construction Details
 - d. SS-4 Sanitary Sewer Profiles
 - e. SS-5 Erosion & Sediment Control Plan
 - f. SS-6 Stormwater Pollution Prevention Plan
2. NYS DEC Notice of Intent
3. MS4 Stormwater Pollution Prevention Plan Acceptance Form
4. Generac Guardian Series 20kW Standby Generator Brochure
5. Generac Guardian Protector QS Series 27 kW Standby Generator Brochure
6. GZA GeoEnvironmental, Inc. Letter to the Planning Board dated 03/27/2019

Zoning and Other Permits Required

In response to the requirement of Section 170-32.6 and 8, a letter prepared by GZA GeoEnvironmental Inc. dated 03/27/2019 was submitted. This hydrogeologic analysis indicates that the proposed plan there will be a reduction in the discharge of nitrogen on site and no increase of nitrogen impact to the adjacent aquifer.

The report also indicates that there is enough groundwater recharge on the property to support current groundwater withdrawals. Since the new wastewater discharge piping is being sized to support additional gallons per day than are currently utilized there is likely to be a slight increase in recharge to the adjacent aquifer. The report concluded that this loss of recharge of sanitary wastewater to the aquifer due to its redirection to the Heritage Hills sanitary sewer system will be less than four percent of the total recharge to the aquifer and will not negatively impact future utilization of the resource.

Based on this conclusion, there would not appear to be any need for the establishment of a groundwater protection plan

Site Plan Issues

The revised site plan addresses the comment that the proposed generator was located too close to several units of the adjacent Somers Crossing development. It has now been relocated to the rear of the property north of the telecommunications facility. It is now located within the local wetland buffer and due to its location in the Groundwater Overlay Protection District, it will be powered by propane tanks.

Permits Required and Public Hearing

Of the four permits required for Site Plan, Stormwater Management and Erosion and Sediment Control, Wetland and Special Exception Use Permit within the Groundwater Protection Overlay District, Site Plan public hearing is required based on Section 170-114C (8), and Construction within a local wetland buffer is required by Chapter 167-7. Those two public hearings are scheduled to take place at the Planning Board meeting of April 10, 2019.

Associated Town Board Actions

At its meeting of April 4, 2019, the Town Board is scheduled to declare itself lead agency, make a SEQR determination and issue a Negative Declaration and accept the resolution to extend the Heritage Hills Special Sewer District. As such, the Planning Board would be in a position to close the public hearing and take action on the site plan and special permits at its April 10, 2019 meeting if it believes that the applicant has addressed all concerns or can do so as conditions of approval.

Cc: Joe Barbagallo
Alvaro Alfonse-Larrain
Roland Baroni
Joe Eriole
Patricia Kalba
Willing Biddle
Jody Cross
Robert Aiello
Richard O'Rourke

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Site Planning
Civil Engineering
Landscape Architecture
Land Surveying
Transportation Engineering

Environmental Studies
Entitlements
Construction Services
3D Visualization
Laser Scanning

March 27, 2019

Ms. Syrette Dym, Town Planner
Town of Somers Planning Board
Town of Somers
335 Route 202
Somers, NY 10589

RE: JMC Project # 16059
Towne Centre at Somers
325 Route 100
Town of Somers, NY

Application for Site Plan Approval

Dear Ms. Dym and Members of the Planning Board:

We are pleased to submit the following supplemental materials for the above referenced project (9 Hard Copy (5 full size, 4 reduced), 4 CD's, 1 Thumb Drive):

I. JMC Drawings:

<u>Dwg. No.</u>	<u>Title</u>	<u>Rev.#</u>	<u>Date</u>
SS-1	"Sanitary Sewer Plan"	8	03/27/2019
SS-2	"Construction Details"	4	03/27/2019
SS-3	"Construction Details"	3	03/27/2019
SS-4	"Sanitary Sewer Profiles"	4	03/27/2019
SS-5	"Erosion & Sediment Control Plan"		03/27/2019
SS-6	"Stormwater Pollution Prevention Plan"		03/27/2019

2. New York State Department of Environmental Conservation Notice of Intent
3. MS4 Stormwater Pollution Prevention Plan Acceptance Form
4. Generac Guardian Series 20kW Standby Generator Brochure
5. Generac Guardian Protector QS Series 27kW Standby Generator Brochure
6. GZA GeoEnvironmental, Inc. Letter to the Planning Board dated 03/27/2019

These items have been revised per the following correspondence to Town Planning Board:

- 1) Woodard & Curran Memorandum to the Planning Board dated March 12, 2019 (Woodard and Curran Comments)
- 2) Town Planner Memorandum to the Planning Board dated March 8, 2019 (Town Planner Comments)

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC | JMC Site Development Consultants, LLC

120 BEDFORD ROAD | ARMONK, NY 10504 | 914.273.5225 | MAIL@JMCPLLC.COM | JMCPLLC.COM

- 3) Bureau of Fire Protection Memorandum to the Planning Board dated March 15, 2019 (Bureau of Fire Protection Comments)
- 4) New York State Department of Environmental Conservation letter to the Planning Board dated March 19, 2019 (NYSDEC Comments)
- 5) New York City Department of Environmental Protection letter to the Planning Board dated March 5, 2019 (NYSDEP Comments)
- 6) Town of Somers Open Space Committee Memorandum dated March 22, 2019. (Open Space Comments)

Woodard and Curran Comments

Comment No. 1

The Applicant has indicated on the full Environmental Assessment Form that the proposed disturbance is 0.20 acres (approx. 8,500 SF). The Applicant shall depict the limits of disturbance on the plans for all proposed work.

Response No. 1

The limit of disturbance has been shown on SS-5 "Erosion & Sediment Control Plan".

Comment No. 2

The Applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) that includes erosion and sediment controls consistent with the requirements of Section 93-6(A)(1) of the Town Code. The project will also be required to obtain construction coverage under the NYSDEC SPDES General Permit (GP-0-15-002) since the project is in the East of Hudson watershed and will disturb more than 5,000 SF. The SWPPP must address supplementary criteria specified by the SPDES General Permit.

Response No. 2

A Stormwater Pollution Prevention Plan has been prepared in accordance with Section 93-6(A)(1) of the Town Code and is included for the review. Upon a satisfactory review from the Town's consultants and receipt of the executed MS4 acceptance form the NOI will be filed with the NYSDEC for coverage under the SPDES General Permit.

Comment No. 3

The Applicant shall provide a draft Notice of Intent and MS4 SWPPP Acceptance Form to obtain coverage under NYSDEC General SPDES Permit (GP-0-15-002) based upon the SWPPP for review and acceptance by the Consulting Town Engineer.

Response No. 3

Attached please find Draft NOI and MS4 SWPPP Acceptance Form for review.

Comment No. 4

The Applicant shall provide erosion and sediment controls to prevent downstream sediment migration off-site. The Applicant shall consider the following:

- a. Installation of silt fence along the impacted wetland to prevent potential downgradient sediment migration.*
- b. Inlet protection for existing catch basins located adjacent to the limits of disturbance.*
- c. Pavement sweeping to prevent sediment migration.*
- d. Construction details and associated notes shall be provided for all proposed erosion and sediment controls.*

Response No. 4

The requested erosion and sediment control measures and notes have been added to SS-5 "Erosion & Sediment Control Plan".

Comment No. 5

The Applicant shall provide an equipment staging area on the plans.

Response No. 5

The equipment staging area is depicted on drawing SS-5 "Erosion & Sediment Control Plan".

Comment No. 6

The Applicant shall install construction safety fencing or other controls along the limits of work.

Response No. 6

Since the construction area is linear and will be constantly evolving, note 14 has been added to sheet SS-5 that reads "The contractor shall provide construction safety fencing as required to maintain a minimum 10' buffer from active construction activities and open excavations."

Comment No. 7

The Applicant shall indicate the designated parking areas for construction personnel throughout construction on the plans. The Applicant shall ensure that sediment is not tracked off-site during construction to the extent feasible.

Response No. 7

A construction staging area/contractor parking area is illustrated on sheet SS-5 "Erosion & Sediment Control Plan".

Comment No. 8

The Applicant shall provide a note on the plans which indicates that excess excavated trenching materials not used to backfill trenches shall be hauled off-site at the end of each work day.

Response No. 8

Note 13 has been added to drawing SS-5 which "Excess excavated material not used to backfill trenches shall be hauled off-site at the end of each work day".

Comment No. 9

The Applicant shall provide a note on the plans which states that any open trenched areas will be covered overnight to keep the trenches clean and dry before construction activities resume.

Response No. 9

Note 13 has been added to drawing SS-5 which states "Any open trenches shall be plated overnight to keep trenches clean and dry before construction activities resume".

Comment No. 10

The following comments are related to the proposed sewer extension for the project:

- a. *The Applicant shall include locking hatches capable of HS-20 load for proposed pump stations.*
- b. *The Applicant shall clarify the force main material on the plans.*
- c. *Based on the provided drawings, the Building B profile does not appear to meet the minimum 48" cover as noted. The Applicant shall modify the force main alignment or provide insulation for pipes that do not achieve minimum cover depth.*
- d. *The Applicant shall provide cleanout manholes at local low points along the force main alignment.*
- e. *The Applicant shall provide air release manholes at local high points along the force main alignment. The Applicant shall also include details for the air release manholes on the plans and shall include language related to the air release manholes in the engineering report.*
- f. *The Applicant shall label the pipe size and material on the 'Common Forcemain Profile'.*
- g. *Based on the "Common Forcemain Profile", it appears that the force main is approximately 48" below the proposed grade. According to the plans, a new watermain will be installed by others. The Applicant shall coordinate the sewer work with the proposed watermain work to maintain minimum vertical separation distance.*
- h. *The Applicant has identified pump discharge piping as Schedule 80 PVC on the plans. However, the proposed force main piping in the cleanout manholes detail has been identified as Schedule 40 PVC. The Applicant shall clarify which pipe is to be used during construction.*
- i. *The Applicant shall inspect the existing wet well (Pump Station B) and comment on its condition in the engineering report.*

Response No. 10

- a. *Locking hasps have been identified on the pump station detail.*
- b. *The materials of all the force mains have been labeled.*

- c. The force main profile has been adjusted to clarify 48" of minimum cover.
- d. The locations of clean out manholes and air release manholes have been coordinated as discussed at our meeting on March 20th.
- e. The locations of clean out manholes and air release manholes have been coordinated as discussed at our meeting on March 20th with a detail provided.
- f. So noted.
- g. The force main has been lowered to provide the required minimum separation from the recently installed watermain on DeCicco's property.
- h. We have specified Sch. 80 PVC pipe within the pump stations to the curb valves outside the pump pits due to its rigidity and strength as this location subject to high stress. SDR-21 PVC pipe is specified to be buried, this pipe is best suited for a direct bury application. Schedule 40 PVC pipe is specified within cleanout and cleanout/air release manholes where more structure than the SDR-21 is required.
- i. As discussed in our meeting on 3/20/2019 due to confined space regulations we have requested that this be condition of the approval.

Comment No. 11

The Applicant shall provide a copy of the approval for the NYSDEC Freshwater Wetland Permit.

Response No. 11

The applicant will provide the Town Engineer with all NYCDEC approvals upon receipt.

Comment No. 12

The Applicant shall provide a copy of the approvals for all applicable NYCDEP permit applications (i.e. SWPPP approval).

Response No. 12

The applicant will provide the Town Engineer with all NYCDEP approvals upon receipt.

Comment No. 13

The Applicant shall provide a copy of the approvals for all applicable Westchester County Department of Health permits.

Response No. 13

The applicant will provide the Town Engineer with all WCDOH approvals upon receipt.

Town Planner Comments

The Town Planner's comments cite concern by both the Westchester County Department of planning and NYSDEP regarding the NYSDEC Consent Order that has been issued to the Heritage

Hills Wastewater Treatment Plant noting that the applicant will be unable to connect until such time that the Consent Order is resolved.

The existing septic systems on site are in working order with no violations issued. The applicant is prepared to maintain these systems in good working order until such a time that the Consent Order has been resolved, the construction of the sewer services completed and accepted by the Health Department, Town of Somers and New York State DEC and permission is granted to connect to the Heritage Hills Plant.

The Town planner has requested that the applicant provide a Groundwater Analysis in accordance with Section 170-32.6 of the Zoning Ordinance.

Attached find a Letter to the Planning Board prepared by GZA GeoEnvironmental Inc. dated 03/27/2019.

The proposed generator in the Southeast corner of the site has been relocated further away from the Somers Crossing Development as requested by the Town Planner and since the site is within the GPOD as noted by the Planner, the fuel supply will be propane. Brochures on both the generators have been attached for the review of the Board.

Bureau of Fire Protection Comments

Comment

The Bureau of fire protection has requested to see the location of the generator, it's approximate dimensions as well as make and model.

Response

The location of the proposed generators are depicted on the site plans. Brochures for each generator depicting their sizes, make and model are included for review.

NYSDEC Comments

The NYSDEC has requested that the applicant discuss the connection to the sewer system with their Division of Water regarding process.

JMC will reach out the Department to satisfy their concerns prior to the connection.

The NYSDEC has requested that a Stormwater Pollution Prevention Plan be provided since over 5,000 square feet of disturbance is proposed. Once the SWPPP is approved by the MS4 an NOI must be filed for coverage under the SPDES General Permit.

A Stormwater Pollution Prevention Plan is part of the application as well as a draft NOI and draft SWPPP acceptance form

A NYSDEC Freshwater Wetland Permit will be required for the disturbance of previously developed portions of the site within the 100 foot adjacent area to NYSDEC Freshwater Wetland F-1.

The applicant will be preparing and filing this permit with the NYSDEC. We will copy the town on all related correspondence.

NYCDEP Comments

Comment No. 1

The Heritage Hills Wastewater Treatment Plan is currently under a Consent Order issued by the New York State Department of Environmental Conservation (DEC) for SPDES violations. As such, new extensions or connections to this facility should not be approved until the Consent Order is resolved.

Response No. 1

The applicant will maintain the existing septic systems on site until such a time as the Consent Order has been resolved and the connections made and accepted by applicable parties for use, at which time the connection will be activated and existing on site septic system components abandoned in accordance with the Westchester County Department of Health guidelines.

Open Space Comments:

The open space committee will meet with the Town Engineer to discuss the project, no response required.

We look forward to discussing the project in more detail at the April 10th Planning Board Meeting.

Sincerely,



Richard P. Cordone

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC



Known for excellence.
Built on trust.

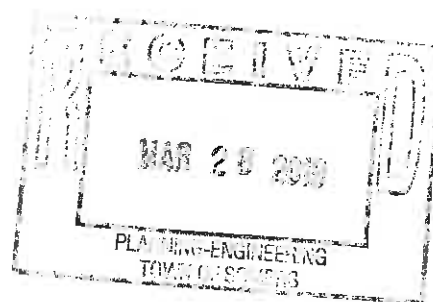
GEOTECHNICAL
ENVIRONMENTAL
ECOLOGICAL
WATER
CONSTRUCTION
MANAGEMENT

35 Nutmeg Drive
Suite 315
Trumbull, CT 06611
T: 203 380 8188
F: 203 376 1929
www.gza.com



March 27, 2019
File No. 05.0045966.02

Mr. John Currie, Chair
Town of Somers Planning Board
Town of Somers
335 Route 202
Somers, NY 10589



Re: Connection to Sanitary Sewer System and Discontinuation of On-Site Sewage Disposal
Hydrogeologic Analysis, Application for Site Plan Approval
Towne Centre at Somers, 325 Route 100, Town of Somers, New York

Dear Mr. Currie:

On behalf of Urstadt Biddle Properties, Inc., this letter presents GZA GeoEnvironmental, Inc.'s hydrogeologic analysis of the planned connection of the Towne Centre at Somers to the public sanitary sewer system and discontinuation of on-site sewage disposal through septic system leach fields. It is our understanding that the Towne Centre at Somers was constructed prior to the adoption of the aquifer protection regulations applicable to the Groundwater Protection District overlays and, therefore, our analysis pertains only to the potential impacts of the proposed discontinuation of the on-site sewage disposal to the groundwater resources of the Town of Somers, not to the overall site impacts on groundwater quality. It is also our understanding that the application for site plan approval does not include any additional occupancy and that the volume of groundwater usage, and volume of wastewater generation, will not be altered by the proposed sewer system connection. This letter should be considered as an addendum to the final Storm Water Pollution Prevention Plan (SWPPP) which has been prepared by JMC Site Development Consultants, LLC for Urstadt Biddle Properties, Inc.

PROPOSED MODIFICATIONS

The focus of the proposed site plan application is to reconfigure the sewage conveyance piping to drain to a connection on the adjacent property to the north of the Towne Centre at Somers which will then be connected to the Heritage Hills sewer system. It is our understanding that there will be a discontinuation of the use of the on-site septic systems and that the on-site water supply well will continue to be used to satisfy the demands of the shopping center.

HYDROGEOLOGIC ANALYSIS

According to the Estimated Thickness and Potential Well Yield of Stratified Drift Deposits in the Upper Croton River Basin, Westchester County, N.Y. (Wolcott & Irwin, 1988), the Towne Centre is proximate to a potential aquifer that could be developed for water supply purposes. The Towne Centre is located on a potentially low-yield (due to limited thickness of stratified drift deposits) part of the aquifer, but the storm water and groundwater discharges from the property would drain to the adjacent wetlands which are underlain by a greater thickness of stratified drift deposits.



According to the SWPPP developed for the Site by JMC, soils at the shopping center are mapped as "Udorthents, smoothed" which are soils that have been modified by development, but soils surrounding the area are mapped as Type B soils that are moderately well drained, including Charlton fine sandy loam and Charlton-Chatfield complex soils. Based on a 1996 soil and groundwater study conducted by Leggette, Brashears & Graham, Inc., groundwater in the vicinity of septic leaching structures was present 16 to 20 feet below grade. A well completion report for the potable water supply well on the Site, which was provided by Urstadt Biddle Properties, indicates the bedrock surface is approximately 37 feet below grade at the location of the supply well.

The proposed plan will result in the loss of groundwater recharge associated with the use of the on-Site septic systems, with this wastewater being diverted off-Site to the sanitary sewer system. Consistent with the Aquifer Protection regulations there will be a reduction in the discharge of nitrogen (and other wastewater constituents) on-Site and therefore no increase of nitrogen impacts to the adjacent aquifer.

Groundwater withdrawal at the Centre varied from a low of 5,723 gallons per day (January 2019) to a high of 7,361 gallons per day (July 2018) over the period from March 2018 through February 2019. Average precipitation in the area is 48 inches per year, of which approximately 50 percent is lost to the atmosphere through evaporation and transpiration. Of the remaining 24 inches, approximately half is direct runoff and the other half (12 inches) is groundwater recharge. The Towne Centre property is mostly paved, but the runoff from precipitation events is diverted to recharge structures that are sized to retain the first two-inches of stormwater runoff, as well as normal precipitation events and snowmelt. ¹ The groundwater recharge on the property has not been directly calculated but is likely on the order of 12 inches per year. Over the 10.79-acre area of the shopping center the average annual recharge would be approximately 9,500 gallons per day, and the average daily withdrawal from the aquifer is approximately 6,284 gallons per day. Therefore, there is enough groundwater recharge on the property to support the current groundwater withdrawals. We understand that the wastewater discharge piping is being designed for 10,000 gallons per day to allow for full occupancy of the shopping center, so the overall groundwater use and recharge may result in a slight decrease in recharge to the adjacent aquifer.

According to Wolcott & Irwin, 1988, the adjacent aquifer has the potential to support a well in the range of 100 to 250 gallons per minute (approximately 150,000 to 350,000 gallons per day). The loss of the potential recharge of sanitary wastewater to this aquifer from the redirected discharge of the Towne Centre wastewater to the sanitary sewer system is less than four percent of the total recharge to the aquifer and will not negatively impact future utilization of the resource.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Robert Lamonica, CPG
Principal Consultant

Kathleen A. Cyr, LEP
Principal

cc: Ms. Monica Roth, Urstadt Biddle Properties, Inc. enc:

Resume for Robert Lamonica

¹ Water Use, Groundwater Recharge and Availability, and Quality of Water in Greenwich Area, Fairfield County, Connecticut and Westchester County, New York, 2000-2002; John R. Mullaney; Water Resources Inventory Report 03-4300 (2004) and Water Resources Inventory of Connecticut, Part 5, Lower Housatonic River Basin, Wilson, et al; Connecticut Water Resources Bulletin No. 19; 1974



Robert K. Lamonica, P.G., LEP
Consultant

Summary of Experience

Mr. Lamonica has had extensive experience in managing all types of ground-water investigations including those for water supply, for contamination by industrial chemicals and for contamination by free-phase and dissolved petroleum products. He has been the project manager on six major Superfund sites. The first of these involved free-phase heavier-than-water creosote in the ground-water system at a wood treating facility in South Carolina. A remedial investigation/feasibility study was performed, a contaminated ground-water recovery system designed and implemented. Another site involved ground water contaminated by organic chemicals and soils contaminated by PCB at a plastics manufacturing facility in New York. An RI/FS and Remedial Design Work Plan were prepared at this site, and remediation was completed.

Mr. Lamonica's experience in ground-water supply includes the management of a county-wide study of recharge to a Sole-Source aquifer in New York. He has also investigated the long-term yield capabilities of a Coastal Plain aquifer in Virginia for a pulp and paper mill and the potential for saltwater intrusion. Mr. Lamonica has been the consultant to a large water authority in New York evaluating a number of ground-water problems such as site-by-site yield potentials, saltwater intrusion threats and aquifer protection strategies.

Mr. Lamonica has prepared expert witness reports and deposition testimony for numerous cases; he has provided court testimony in several cases.

Relevant Project Experience

Former Producto Redevelopment Public Works Complex, Bridgeport, Connecticut. QA/QC Consultant Reviewer for LEP consulting services provided by GZA on 11-acre former manufacturing property operated for over 100 years. Reviewed Phase II and II environmental testing and reports and probabilistic cost estimates for environmental remediation related costs in coordination with City of Bridgeport outside counsel, architect and construction manager.

Former Perkin Elmer Property, Norwalk, Connecticut. Shared responsibility for Transfer Act compliance with the buyer's consultant and negotiated individual responsibilities based on the Purchase and Sale Agreement. This involved three sites, but only one is a Transfer Act Site.

Former Perkin Elmer Main Plant Site, Norwalk, Connecticut. Designated LEP on a large former manufacturing facility; working towards compliance through both remediation and administrative means (ELURs and Technical Impracticability).

Waterbury-Oxford Airport, Oxford, Connecticut. Designated LEP for this site that has completed the investigation phase and is entering the remediation phase.

Steel Point Redevelopment, Bridgeport, Connecticut. LEP consulting services to Bridgeport Landing Development, LLC, a subsidiary of Midtown Equities, LLC, the designed developer of the Steel Point peninsula, and also jointly to the City of Bridgeport during the City's acquisition of some of the parcels of land. Responsible for reviewing environmental reports, conducting independent testing of parts of the property, remedial cost estimates and attending meetings with United Illuminating Co., (prior owner), the City and the developer. There are several Transfer Act sites in the redevelopment area.

Education

B.A., 1974, Geology, State University of
New York College at Cortland, NY

Areas of Specialization

- Groundwater Supply
- Groundwater Contamination
- Expert Witness Testimony
- CERCLA Project Management



Robert K. Lamonica, P.G., LEP
Consultant

Morganite Crucible/Big Y World Class Supermarket, North Haven, Connecticut. QA/QC Consultant Reviewer for Groundwater Reclassification Application, Phase I through Phase II Environmental Site Assessments for over 30 Areas of Concern, Remedial Action Plan development, development of environmental plans and specifications, construction monitoring for environmental issues and post-remediation groundwater monitoring.

Wall Street Redevelopment Plan, Norwalk, Connecticut. LEP consulting services responsible for conducting Phase I and Phase II environmental site assessments on an economic development program involving several contiguous properties with POKO, a private developer working with the Norwalk Redevelopment Agency.

Rockland County, New York. County-wide assessment of the availability and current use of ground water for future planning purposes in behalf of a large investor-owned water company. Evaluated sources of recharge and points of discharge to create a regional water balance. Collected and evaluated data on water quality, targeting areas of industrial activity and transportation corridors. The study identified areas for potential exploitation.

Westchester County, New York. Evaluated numerous potential ground-water supply sites to reduce the County's dependence on New York City water. Drilling evaluation, yield testing and geophysical interpretation were used to determine the feasibility of ground-water supply applications.

Southeastern Virginia. Determined the long-term yield capabilities of the coastal plain aquifer for a large ground-water user and evaluate the threat of saltwater intrusion. The study involved determination of leakage valves, recharge rates and pollution potential.

Suffolk County, New York. Evaluated, on a case-by-case basis, the potentials for water-supply development throughout Suffolk County, New York, especially in the salt-threatened South and North Fork areas. Participated in an aquifer protection program for the core watershed corridor concept. Numerous site-specific studies involving pollution of public supply wells, development and landfill siting, and various well hydraulic problems.

Nassau County, New York. Directed project that inventoried recharge basins in the County; delineated their drainage areas and initiated a field program to determine recharge potential. The field program consisted of the installation and monitoring of weirs on the recharge basins, and collection of meteorological data.

Orange County, New York. Project Manager on a water-supply investigation for a subdivision in Woodbury. Developed a proven supply of 160,000 gpd (gallons per day) from shale.

Westchester County, New York. Developed a new bedrock water supply capable of producing 475,000 gallons per day. Evaluate data regarding a contaminated well field and provide litigation support.

Various Projects, New Jersey. Provided quality control review for numerous water-supply investigations

Niagara Falls, New York. Field supervision and client and regulatory coordination for a plant-wide, ground-water quality investigation. Supervised investigation of a hazardous waste landfill and its effect on water supply sources.

Philadelphia, Pennsylvania. Field supervision, data analysis and reporting for a plant-wide, ground-water quality investigation at a chemical plant, with emphasis on possible plume release to the Delaware River.

Florence, South Carolina. Coordination of field activities, interaction with regulatory agencies, data interpretation and report preparation for a facility-wide, ground-water quality investigation at a wood-treatment plant. Developed the ground-water section of the RCRA Part B permit application.

Great Neck, New York. Supervision of investigations and remedial design testing at a New York State Inactive Hazardous Waste site. The work included monitor-well, extraction-well, and recharge-well installation and testing, and installation and testing of a soil-vapor extraction system.



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Hicksville, New York. Coordination of CERCLA investigations concerning past waste disposal practices at a manufacturing plant and at two offsite landfills located on a sole-source aquifer. The work at the manufacturing plant included preparation of a Remedial Investigation Report, a Focused Feasibility Study, and Remedial Design Work Plan. Supervision of soil remediation.

Waterbury, Connecticut; Essex, Connecticut; Colorado Springs, Colorado; Shelton, Connecticut; Matamoros, Mexico; Juarez, Mexico; and Harlingen, Texas. Project manager of site investigations and remediation for property transfers of industrial properties. Remediation generally involved UST removal and soil excavation and land disposal.

Retail and Bulk Storage Petroleum Facilities. Direct investigation and supervision of investigations and remediation at more than 20 gasoline service stations and ten bulk loading facilities. Locations include sensitive geologic environments including sole source aquifers and bedrock aquifers tapped by residential wells.

Milford, Connecticut. RCRA investigation, preparation of a Remedial Design Work Plan and supervision of remediation of a surface impoundment containing metal hydroxide sludge. Achieved clean closure through soil and ground-water removal.

Chester, Connecticut. RCRA investigation involving a metal hydroxide sludge lagoon and solvent releases. Long-term monitoring and remedial planning.

Coventry, Rhode Island. Project management, report preparation and interaction with State and Federal regulatory agencies at a Superfund site. The project involved aquifer testing and design of a ground-water recovery and recharge system.

Uncasville, Connecticut. Project supervision, regulatory interaction and report preparation for a ground-water quality investigation involving contamination of residential well supplies.

Strang, Oklahoma. Supervised investigation into the effects of a liquid fertilizer pipeline break on residential well supplies for a pipe line company.

Epping, New Hampshire. Project management and interaction with State and Federal regulatory agencies at a Superfund site. The project included test drilling and surface geophysics to define the hydrogeologic framework and potential for contaminant migration.

Pennsylvania, North Carolina, Maryland and Virginia. Design and implement an environmental sampling plans for wood-treatment plants. Investigation and remediation of leaks and spills.

Suffolk County. Numerous studies regarding potential environmental impacts of industrial discharges on the public water supply system, which is comprised of 400 wells.

North Haven, Connecticut. Project Management of a site investigation of VOC-impacted ground water. Services included soil-vapor sampling, soil and ground-water sampling, pilot testing, oversight of remediation system installation (AS/SVE), long-term monitoring, closure evaluation and expert witness report preparation.

West Point, Virginia. Perform an aquifer evaluation study for a paper company including estimates of the potential for saltwater encroachment.

Durham, Connecticut. Project manager for investigation and remediation of CERCLA site. Contaminated media included soil, overburden and bedrock ground water.

Jersey City, New Jersey. Expert witness in a case involving manufactured gas plant and gasoline. Provided expert report and court testimony.

Pittstown, New Jersey. Provided expert witness report on soil contamination and transport at a Superfund site.

Garden City, New York. Expert witness report on gasoline contamination and effectiveness of remediation.



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Consultant

Naugatuck, Connecticut. Project manager on ground-water containment design project for a Superfund landfill.

Mount Kisco, New York. Oversight and expert opinion services to the municipal government on gasoline contamination of a public supply well field.

Sag Harbor, New York. Project manager for a Superfund site involving soils and ground-water contamination. RI/FS preparation and remedial design and implementation.

Plainfield, Connecticut. LEP services related to remediation of oil-impacted soils and groundwater monitoring at a former manufacturing facility.

Lake Charles, Louisiana. Second opinion review of ground-water contamination issues at a large refinery overlying coastal plain deposits.

Stamford, Connecticut. Project manager for a site investigation and remediation at a former industrial facility containing petroleum and solvent-impacted soil and groundwater.

Expert Witness Testimony

Newport Associates Phase I Developers v. Sun Oil Company, U.S.D.C., D.N.J., CV No. 88-2851, Expert Report - June 1992, Deposition - July 1992, Court Testimony - March 1993. Witness for the Plaintiff in a case involving soil and ground-water contamination caused by gasoline and coal tar.

McDonald Service Station, Inc. v. Chevron USA, Inc., et al., Index No. 22365/89, Supreme Court of the State of New York, County of Nassau. Expert Report - October 1992, Deposition - March 1994. Witness for the Defendant in a case involving contamination of soil and ground-water by gasoline and an evaluation of the appropriateness and effectiveness of the remedial actions, specifically in relationship to timing.

Elf Atochem North America, Inc. v. United States et al., VC No. 92-7458, and United States v. Witco Corporation, etc. VC No. 94-0662, E.D. Pa. Expert Report - March 1995, Deposition - May 1995. Witness for the United States in a case involving cost allocation at a Superfund site in New Jersey; report centered on soil contamination by metals and potential modes of transport.

Suffolk County Water Authority v. Fermenta ASC Corporation and SDS Bitotech Corporation, Index No. 89-20401, Supreme Court of the State of New York, County of Suffolk. Expert Report - December 1995 and February 1996, Deposition - December 1996, Court Testimony - March 1996. Witness for the Plaintiff in a case involving the contamination of a public water supply well by a metabolite of soil fumigant. Expert opinion was centered on the length of time required to flush the aquifer and, hence, the amount of recoverable damages.

Delong Realty Company v. Home Depot U.S.A., Inc. Law Engineering, Inc., et al., U.S.D.C., E.D.N.Y., CV No. 93 civ 2770 (LDW) Expert Report - December 1995, Deposition - October 1995, Court Testimony - May 1999. Witness for the Defendant in a case involving the potential release of fuel oil during a site investigation, the need for remediation, and the potential costs involved.

Cornerstone Realty v. Dresser-Rand Company, et al., U.S.D.C., District of Connecticut, 394CV01560 (TFGD) Expert Report - September 1996, Deposition - October 1996. Witness for the Defendant in a case involving RCRA issues, remediation and characterization of soil and ground water; substances include VOCs and metals.

K.B. Co. v. Anchor/Lith-Kem-Ko, Inc. Et al., U.S.D.C., Eastern District of New York, Civil Action No. 90-4135 Expert Report - January 1997. Performed a review of the existing files and provided an expert opinion, in the form of a mock deposition, on the quality and costs of investigation conducted at a CERCLA site. Witness for the defendant Chessco Industries, Inc.

Bernbach, et al v. Timex Corporation, et al., U.S.D.C., District of Connecticut, No 3: 94CV224 Expert Report - June 1997, Deposition - June 1997, Testimony in front of the American Arbitration Association - February 1998. Witness for the Claimant in a case involving residential well contamination; testimony centered on time of impacts and reporting of incidents.



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United Aluminum Corporation v. Aluminum Company of America, et al., U.S.D.C., District of Connecticut. Civil Action No. 395-CV-00487 Expert Report - July 1998, Deposition - August - September 1998. Witness for the Defendant in a case involving ground-water contamination.

DiScala 1997 Trust v. Brancato et al., U.S.D.C., District of Connecticut. Civil Action No. 398-CV-1127 (IBA) Expert Report - September 1999 Witness for the Defendant in a case involving soil and ground-water contamination beneath a dry-cleaning establishment. Case settled out of court.

Durham Manufacturing Company v. Merriam Manufacturing Company, U.S.D.C., District of Connecticut. Civil Action No. 3:99-CV-2583 (GLG) Expert Report - July 2001, Deposition - July 2002. Witness for the plaintiff in a cost recovery action involving a Superfund site.

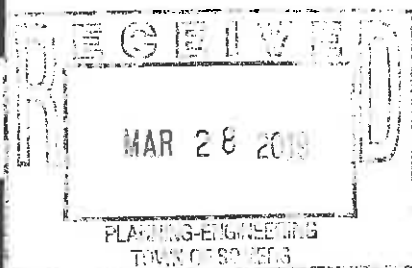
Certifications/Training

- Licensed Geologist, North Carolina, 189
- Licensed Environmental Professional, Connecticut, 1997, 164
- Certified Professional Geologist by the American Institute of Professional Geologists

Affiliations/Memberships

- American Institute of Professional Geologists (Member, Executive Committee
- Northeast Section 1979-1985, Vice President, 1985-1986; President, 1987-1988)
- Association of Ground-Water Scientists and Engineers (National Ground Water Association)
- Geological Society of America
- New England Water Works Association (Member, Ground-Water Committee)
- Environmental Professional's Organization of Connecticut, (Member - Board of Directors, 1997-1999 Secretary)

Protector® QS Series



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PROTECTOR® QS SERIES Standby Generators Liquid-Cooled Gaseous Engine

Protector® QS Series

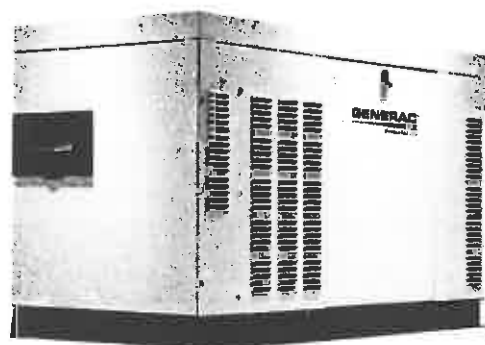
INCLUDES:

- Two-Line LCD Multilingual Digital Evolution™ Controller (English/Spanish/French/Portuguese) with external viewing window for easy indication of generator status and breaker position.
- True Power™ Electrical Technology
- Isochronous Electronic Governor
- Sound Attenuated Enclosure
- Closed Coolant Recovery System
- Smart Battery Charger
- UV/Ozone Resistant Hoses
- $\pm 1\%$ Voltage Regulation
- Natural Gas or LP Operation
- 5 Year Limited Warranty
- UL 2200 Listed
- Capability to be installed within 18" (457) mm of a building*

*Only if located away from doors, windows, and fresh air intakes, and unless otherwise directed by local codes.

Standby Power Rating

Model RG022 (Aluminum - Bisque) - 22 kW 60 Hz
Model RG027 (Aluminum - Bisque) - 27 kW 60 Hz
Model RG032 (Aluminum - Bisque) - 32 kW 60 Hz
Model RG038 (Aluminum - Bisque) - 38 kW 60 Hz
Model RG048 (Aluminum - Bisque) - 48 kW 60 Hz



QUIET-TEST™

Meets EPA Emission Regulations
22 & 27 kW are CA/MA emissions compliant
32 & 38 kW not for sale in CA / MA

FEATURES

- **INNOVATIVE DESIGN & PROTOTYPE TESTING** are key components of GENERAC'S success in "IMPROVING POWER BY DESIGN." But it doesn't stop there. Total commitment to component testing, reliability testing, environmental testing, destruction and life testing, plus testing to applicable CSA, NEMA, EGSA, and other standards, allows you to choose GENERAC POWER SYSTEMS with the confidence that these systems will provide superior performance.
- **TEST CRITERIA:**
 - ✓ PROTOTYPE TESTED
 - ✓ SYSTEM TORSIONAL TESTED
 - ✓ NEMA MG1-22 EVALUATION
 - ✓ MOTOR STARTING ABILITY
- **SOLID-STATE, FREQUENCY COMPENSATED VOLTAGE REGULATION.** This state-of-the-art power maximizing regulation system is standard on all Generac models. It provides optimized FAST RESPONSE to changing load conditions and MAXIMUM MOTOR STARTING CAPABILITY by electronically torque-matching the surge loads to the engine. Digital voltage regulation at $\pm 1\%$.
- **SINGLE SOURCE SERVICE RESPONSE** from Generac's extensive dealer network provides parts and service know-how for the entire unit, from the engine to the smallest electronic component.
- **GENERAC TRANSFER SWITCHES.** Long life and reliability are synonymous with GENERAC POWER SYSTEMS. One reason for this confidence is that the GENERAC product line includes its own transfer systems and controls for total system compatibility.

GENERAC®



22 • 27 • 32 • 38 • 48 kW

GENERAC®

application & engineering data

GENERATOR SPECIFICATIONS

Type	Synchronous
Rotor Insulation Class	H (22 & 27 kW) or F (32, 38 & 48 kW)
Stator Insulation Class	H
Telephone Interference Factor (TIF)	<50
Alternator Output Leads 1-Phase	4 wire
Alternator Output Leads 3-Phase	6 wire
Bearings	Sealed Ball
Coupling	Flexible Disc
Excitation System	Direct

VOLTAGE REGULATION

Type	Electronic
Sensing	Single Phase
Regulation	± 1%

GOVERNOR SPECIFICATIONS

Type	Electronic
Frequency Regulation	Isochronous
Steady State Regulation	± 0.25%

ELECTRICAL SYSTEM

Battery Charge Alternator	12 Volt 30 Amp
Static Battery Charger	2.5 Amp
Recommended Battery (battery not included)	Group 26 (22, 27, 32 & 38 kW) or Group 24F (48 kW), 525CCA
System Voltage	12 Volts

GENERATOR FEATURES

Revolving field heavy duty generator
Directly connected to the engine
Operating temperature rise 120 °C above a 40 °C ambient
Class H insulation is NEMA rated
Class F insulation is NEMA rated
All models fully prototyped tested

ENCLOSURE FEATURES

Aluminum weather protective enclosure	Ensures protection against mother nature. Electrostatically applied textured epoxy paint for added durability.
Enclosed critical grade muffler	Quiet, critical grade muffler is mounted inside the unit to prevent injuries.
Small, compact, attractive	Makes for an easy, eye appealing installation.
SAE	Sound attenuated enclosure ensures quiet operation.

ENGINE SPECIFICATIONS: 22, 27, 32 & 38 kW

Make	Generac
Model	In-line
Cylinders	4
Displacement (Liters)	2.4
Bore (in/mm)	3.41/86.5
Stroke (in/mm)	3.94/100
Compression Ratio	9.5:1
Intake Air System	Naturally Aspirated (22 & 27 kW) or Turbocharged/Aftercooled (32 & 38 kW)
Lifter Type	Hydraulic

ENGINE SPECIFICATIONS: 48 kW

Make	Generac
Model	V-Type
Cylinders	8
Displacement (Liters)	5.4
Bore (in/mm)	3.55/90.2
Stroke (in/mm)	4.17/105.9
Compression Ratio	9:1
Intake Air System	Naturally Aspirated
Lifter Type	Hydraulic

ENGINE LUBRICATION SYSTEM

Oil Pump Type	Gear
Oil Filter Type	Full flow spin-on cartridge
Crankcase Capacity (qt/l)	4/3.8 (22, 27, 32 & 38 kW) or 6/5.7 (48 kW)

ENGINE COOLING SYSTEM

Type	Closed
Water Pump	Belt driven
Fan Speed (rpm)	1980 - 22 & 27 kW 1500 - 32 & 38 kW 1954 - 48 kW
Fan Diameter (in/mm)	18.1/459.7 (22 & 27 kW) or 22/558.8 (32, 38 & 48 kW)
Fan Mode	Pusher (22 & 27 kW) or Puller (32, 38 & 48 kW)

FUEL SYSTEM

Fuel Type	Natural gas, propane vapor
Carburetor	Down Draft
Secondary Fuel Regulator	Standard
Fuel Shut Off Solenoid	Standard
Operating Fuel Pressure	5-14" water column/9-26 mm HG
LP Fuel Pressure	11 - 14" Water Column
NG Fuel Pressure	5 - 14" Water Column

(All ratings in accordance with BS5514, ISO3046, ISO8528, SAE J1349 and DIN6271)

22 • 27 • 32 • 38 • 48 kW

operating data

GENERATOR OUTPUT VOLTAGE/kW - 60 Hz

		kW LPG	Amp LPG	kW Nat. Gas	Amp Nat. Gas	CB Size (Both)
RG022	120/240 V, 1Ø, 1.0 pf	22	92	22	92	100
	120/208 V, 3Ø, 0.8 pf	22	76	22	76	80
	120/240 V, 3Ø, 0.8 pf	22	66	22	66	80
RG027	120/240 V, 1Ø, 1.0 pf	27	113	25	104	125
	120/208 V, 3Ø, 0.8 pf	27	94	25	87	100
	120/240 V, 3Ø, 0.8 pf	27	81	25	75	90
RG032	120/240 V, 1Ø, 1.0 pf	32	133	32	133	150
	120/208 V, 3Ø, 0.8 pf	32	111	32	111	125
	120/240 V, 3Ø, 0.8 pf	32	96	32	96	100
	277/480 V, 3Ø, 0.8 pf	32	48	32	48	60
RG038	120/240 V, 1Ø, 1.0 pf	38	158	38	158	175
	120/208 V, 3Ø, 0.8 pf	38	132	38	132	150
	120/240 V, 3Ø, 0.8 pf	38	114	38	114	125
	277/480 V, 3Ø, 0.8 pf	38	57	38	57	60
RG048	120/240 V, 1Ø, 1.0 pf	48	200	48	200	200
	120/208 V, 3Ø, 0.8 pf	48	167	48	167	175
	120/240 V, 3Ø, 0.8 pf	48	144	48	144	150
	277/480 V, 3Ø, 0.8 pf	48	72	48	72	80

SURGE CAPACITY IN AMPS

		Voltage Dip @ < .4 pf	
		15%	30%
RG022	120/240 V, 1Ø	55	135
	120/208 V, 3Ø	40	92
	120/240 V, 3Ø	35	80
RG027	120/240 V, 1Ø	62	170
	120/208 V, 3Ø	70	120
	120/240 V, 3Ø	61	103
RG032	120/240 V, 1Ø	75	180
	120/208 V, 3Ø	87	210
	120/240 V, 3Ø	75	182
	277/480 V, 3Ø	36	87
RG038	120/240 V, 1Ø	75	180
	120/208 V, 3Ø	87	210
	120/240 V, 3Ø	75	182
	277/480 V, 3Ø	36	87
RG048	120/240 V, 1Ø	85	195
	120/208 V, 3Ø	90	218
	120/240 V, 3Ø	78	189
	277/480 V, 3Ø	36	87

ENGINE FUEL CONSUMPTION

		Natural Gas		Propane		
		(ft³/hr)	(m³/hr)	(gal/hr)	(l/hr)	(ft³/hr)
RG022	Exercise cycle	42	1.2	0.44	1.7	16
	25% of rated load	100	2.8	1.1	4.2	40
	50% of rated load	190	5.4	2.1	7.8	75
	75% of rated load	255	7.2	2.8	10.5	101
	100% of rated load	316	9	3.4	13	125
RG027	Exercise cycle	42	1.2	0.44	1.7	16
	25% of rated load	108	3.1	1.2	4.5	43
	50% of rated load	197	5.6	2.1	8.1	78
	75% of rated load	287	8.2	3.1	11.8	114
	100% of rated load	359	10.2	3.9	14.8	143
RG032	Exercise cycle	79	2.2	0.8	3.2	30
	25% of rated load	144	4.1	1.7	6.3	60
	50% of rated load	226	6.4	2.7	10.3	97
	75% of rated load	298	8.4	3.7	13.9	132
	100% of rated load	375	10.6	4.6	17.5	166
RG038	Exercise cycle	83	2.3	0.9	3.2	31
	25% of rated load	162	4.6	1.7	6.6	62
	50% of rated load	255	7.2	2.9	10.8	103
	75% of rated load	345	9.8	4	15	142
	100% of rated load	437	12.4	5.2	19	185
RG048	Exercise cycle	95	2.7	1	3.9	38
	25% of rated load	204	5.8	2.16	8.5	82
	50% of rated load	392	11.1	4.14	15.7	151
	75% of rated load	547	15.5	5.8	22.8	220
	100% of rated load	756	21.5	7.96	31.3	302

Note: Fuel pipe must be sized for full load.

For Btu content, multiply ft³/hr x 2520 (LP) or ft³/hr x 1000 (NG)

For megajoule content, multiply m³/hr x 93.15 (LP) or m³/hr x 37.26 (NG)

Refer to "Emissions Data Sheets" for maximum fuel flow for EPA and SCAQMD permitting purposes.

STANDBY RATING: Standby ratings apply to installations served by a reliable utility source. The standby rating is applicable to varying loads for the duration of a power outage. There is no overload capability for this rating. Ratings are in accordance with ISO-3046-1. Design and specifications are subject to change without notice.

22 • 27 • 32 • 38 • 48 kW**operating data****ENGINE COOLING**

	22 kW	27 kW	32 & 38 kW	48 kW
Air flow (inlet air including alternator and combustion air in cfm/cmm)	2400/68	2400/68	2200/62.3	4350/123.2
System coolant capacity (gal/liters)	2.5/9.5	2.5/9.5	2.5/9.5	3/11.4
Heat rejection to coolant (BTU per hr/MJ per hr)	99,000/104.5	105,000/110.8	145,000/153	186,000/196.2
Maximum operation air temperature on radiator (°C/°F)	60/150			
Maximum ambient temperature (°C/°F)	50/140			

COMBUSTION REQUIREMENTS

Flow at rated power (cfm/cmm)	68/1.9	68/1.9	106/3	163/4.6
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SOUND EMISSIONS

Sound output in dB(A) at 23 ft (7 m) with generator in exercise mode*	61	61	58	63
Sound output in dB(A) at 23 ft (7 m) with generator operating at normal load*	70	70	64	68

*Sound levels are taken from the front of the generator. Sound levels taken from other sides of the generator may be higher depending on installation parameters.

EXHAUST

Exhaust flow at rated output (cfm/cmm)	165/4.7	180/5.1	300/8.5	414/11.7
Exhaust temperature at muffler outlet (°C/°F)	482/900	538/1000	579/1075	552/1025

ENGINE PARAMETERS

Rated Synchronous rpm	1800
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POWER ADJUSTMENT FOR AMBIENT CONDITIONS

Temperature Deration	3% for every 10 °C above 25 °C or 1.65% for every 10 °F above 77 °F
Altitude Deration (22, 27 & 48 kW)	1% for every 100 m above 183 m or 3% for every 1000 ft above 600 ft
Altitude Deration (32 & 38 kW)	1% for every 100 m above 915 m or 3% for every 1000 ft above 3000 ft

CONTROLLER FEATURES

Two-Line Plain Text LCD Display	Simple user interface for ease of operation.
Mode Switch: Auto	Automatic Start on Utility failure. 7 day exerciser
Off	Stops unit. Power is removed. Control and charger still operate.
Manual	Start with starter control, unit stays on. If utility fails, transfer to load takes place.
Programmable start delay between 10-30 seconds	10 sec standard
Engine Start Sequence	Cyclic cranking: 16 sec on, 7 rest (90 sec maximum duration)
Engine Warm-up	5 sec
Engine Cool-Down	1 min
Starter Lock-out	Starter cannot re-engage until 5 sec after engine has stopped.
Smart Battery Charger	Standard
Automatic Voltage Regulation with Over and Under Voltage Protection	Standard
Automatic Low Oil Pressure Shutdown	Standard
Overspeed Shutdown	Standard, 72 Hz
High Temperature Shutdown	Standard
Overcrank Protection	Standard
Safety Fused	Standard
Failure to Transfer Protection	Standard
Low Battery Protection	Standard
50 Event Run Log	Standard
Future Set Capable Exerciser	Standard
Incorrect Wiring Protection	Standard
Internal Fault Protection	Standard
Common External Fault Capability	Standard
Governor Failure Protection	Standard

22 • 27 • 32 • 38 • 48 kW
available accessories

Model #	Product	Description
G006463-4	Mobile Link™	Generac's Mobile Link allows you to check the status of your generator from anywhere that you have access to an Internet connection from a PC or with any smart device. You will even be notified when a change in the generator's status occurs via e-mail or text message. Note: Harness Adapter Kit required. Available in the U.S. only.
G006478-0	Harness Adapter Kit	The Harness Adapter Kit is required to make liquid-cooled units compatible with Mobile Link™.
G005630-1 - 22, 27, 32 & 38 kW G005632-1 - 48 kW	Cold Weather Kit	If the temperature regularly falls below 32 °F (0 °C), install a cold weather kit to maintain optimal battery temperature. Kit consists of battery warmer with thermostat built into the wrap.
G005616-0 - 22, 27, 32 & 38 kW G007088-0 - 48 kW	Extreme Cold Weather Kit	Recommended where the temperature regularly falls below 32 °F (0 °C) for extended periods of time. For liquid cooled units only.
G005651-0	Base Plug Kit	Add base plugs to the base of the generator to keep out debris.
G005703-0 - Bisque	Paint Kit	If the generator enclosure is scratched or damaged, it is important to touch-up the paint to protect from future corrosion. The paint kit includes the necessary paint to properly maintain or touch-up a generator enclosure.
G005656-0 - 22 & 27 kW G005984-0 - 32 & 38 kW G006205-0 - 48 kW	Scheduled Maintenance Kit	The Liquid-Cooled Scheduled Maintenance Kits offer all the hardware necessary to perform complete maintenance on Generac liquid-cooled generators.
G006664-0	Local Wireless Monitor	Completely wireless and battery powered, Generac's wireless remote monitor provides you with instant status information without ever leaving the house.
G006665-0	Wireless Remote Extension Harness	Recommended for use with the Wireless Remote on units up to 60 kW, required for use on units 70 kW or greater.
G006873-0	Smart Management Module (50 Amps)	Smart Management Modules are used in conjunction with the Automatic Transfer Switch to increase its power management capabilities. It provides additional power management flexibility not found in any other power management system.
G006510-0	E-Stop	E-stop allows for immediate fuel shutoff and generator shutdown in the event of an emergency.
G007005-0	Wi-Fi LP Fuel Level Monitor	The Wi-Fi enabled LP fuel level monitor provides constant monitoring of the connected LP fuel tank. Monitoring the LP tank's fuel level is an important step in making sure your generator is ready to run during an unexpected power failure. Status alerts are available through a free application to notify when your LP tank is in need of a refill.

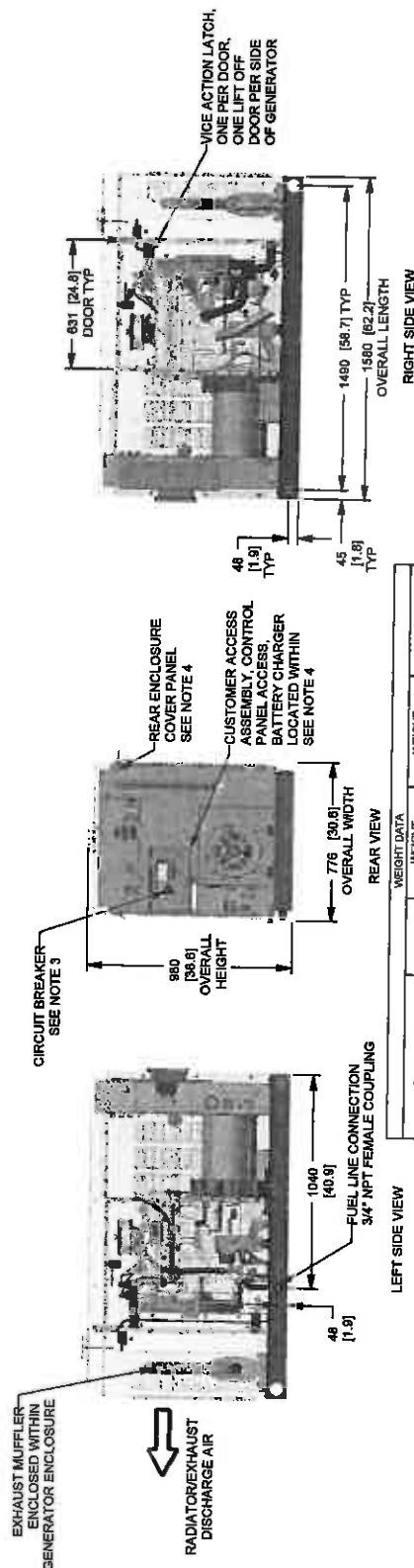
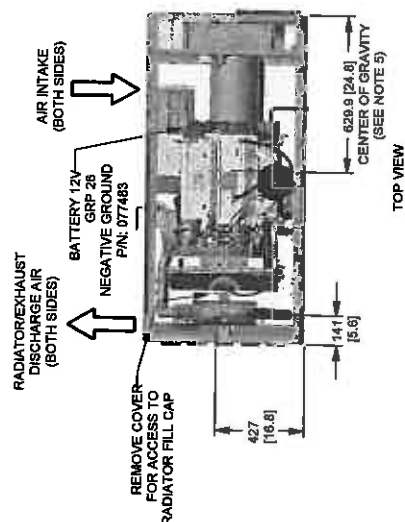
22 & 27 kW

Drawing #0K8624-C (1 of 2)

- NOTES:**
1. MINIMUM RECOMMENDED CONCRETE PAD SIZE: 1022 (43") WIDE X 1885 (74.2") LONG. REFERENCE INSTALLATION GUIDE SUPPLIED WITH UNIT FOR CONCRETE PAD GUIDELINES.
 2. ALLOW SUFFICIENT ROOM ON ALL SIDES OF THE GENERATOR FOR MAINTENANCE AND SERVICING. THIS UNIT MUST BE INSTALLED IN ACCORDANCE WITH CURRENT APPLICABLE NFPA 37 AND NFPA 70 STANDARDS AS WELL AS ANY OTHER FEDERAL, STATE, AND LOCAL CODES.
 3. CONTROL PANEL / CIRCUIT BREAKER INFORMATION:
 - SEE SPECIFICATION SHEET OR OWNER'S MANUAL.
 - ACCESSIBLE THROUGH CUSTOMER ACCESS ASSEMBLY DOOR ON REAR OF GENERATOR. THE STUB-UP AREAS AS FOLLOWS:
 - HIGH VOLTAGE CONNECTION INCLUDING AC LOAD LEAD CONDUIT CONNECTION NEUTRAL CONNECTION, BATTERY CHARGER 120 VOLT AC (0.5 AMP MAX) CONNECTION.
 - LOW VOLTAGE CONNECTION INCLUDING TRANSFER SWITCH CONTROL WIRES.
 - 5. CENTER OF GRAVITY AND WEIGHT MAY CHANGE DUE TO UNIT OPTIONS.
 - 6. BOTTOM OF GENERATOR SET MUST BE ENCLOSED TO PREVENT PEST INTRUSION AND RECIRCULATION OF DISCHARGE AIR AND/OR IMPROPER COOLING AIR FLOW.
 - 7. REFERENCE OWNER'S MANUAL FOR LIFTING WARNINGS.
 - 8. MOUNTING BOLTS OR STUDS TO MOUNTING SURFACE SHALL BE 5/8"-11 GRADE 5 (USE STANDARD SAE TORQUE SPECS)
 - 9. MUST ALLOW FREE FLOW OF INTAKE AIR, DISCHARGE AIR AND EXHAUST. SEE SPEC SHEET FOR MINIMUM AIR FLOW AND MAXIMUM RESTRICTION REQUIREMENTS.
 - 10. GENERATOR MUST BE INSTALLED SUCH THAT FRESH COOLING AIR IS AVAILABLE AND THAT DISCHARGE AIR FROM RADIATOR IS NOT RECIRCULATED.
 - 11. EXHAUST MUFFLER AND FAN BELT ENCLOSED WITHIN GENERATOR ENCLOSURE. REMOVE FRONT PANEL TO ACCESS.

SERVICE ITEM	2.4L
OIL FILL CAP	RIGHT SIDE
OIL DIP STICK	RIGHT SIDE
OIL FILTER	RIGHT SIDE
OIL DRAIN HOSE	LEFT SIDE
RADIATOR DRAIN	LEFT SIDE
COOLANT RECOVERY BOTTLE	LEFT SIDE
RADIATOR FILL CAP	ROOF TOP
AIR CLEANER ELEMENT	LEFT SIDE
SPARK PLUGS	LEFT SIDE
MUFFLER	SEE NOTE 11
DRIVE BELT	RIGHT SIDE
FAN BELT	SEE NOTE 11
BATTERY	LEFT SIDE

REFERENCE OWNER'S MANUAL FOR PERIODIC REPLACEMENT PART LISTINGS.



DIMENSIONS: MM (INCH)

ENGINE/KW	ENCLOSURE MATERIAL	WEIGHT DATA	WEIGHT DATA	WEIGHT DATA
		GENERATOR ONLY	SHIPPING SKID	SHIPPING WEIGHT
		KG (LBS)	KG (LBS)	KG (LBS)
2.4L 22kW (30kVA)	AL	410.5 (905)	30 (66)	440 (971)
2.4L 27kW (36kVA)	AL	428 (944)	30 (66)	458 (1009)

22 & 27 kW

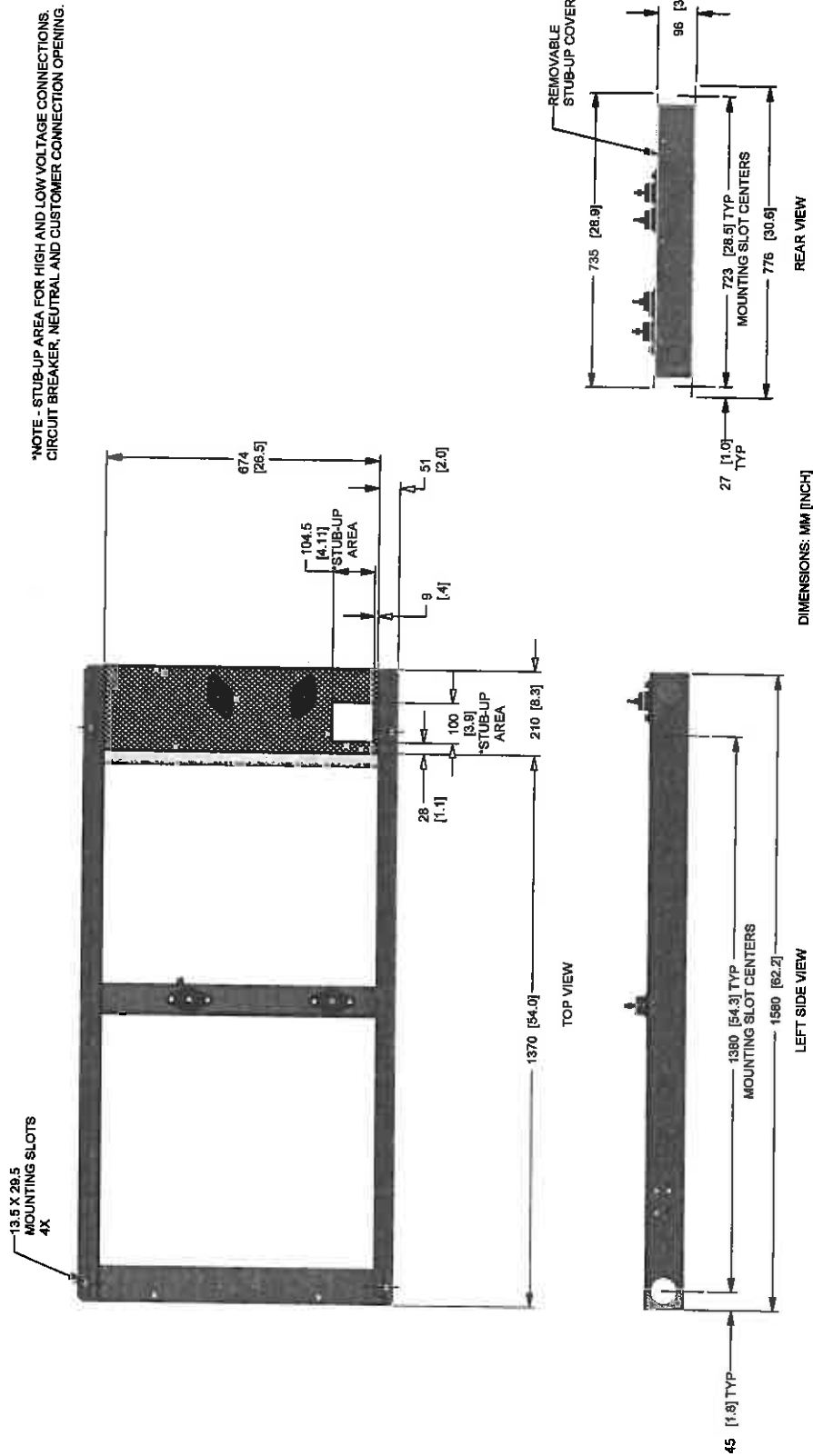
GENERAC

installation layout

Drawing #OK8624-C (2 of 2)

Protector[®] QS Series

7 of 11



32 & 38 kW

Drawing #0K9268-B (1 of 2)

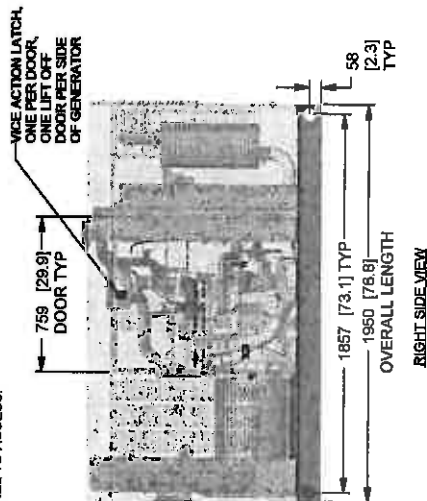
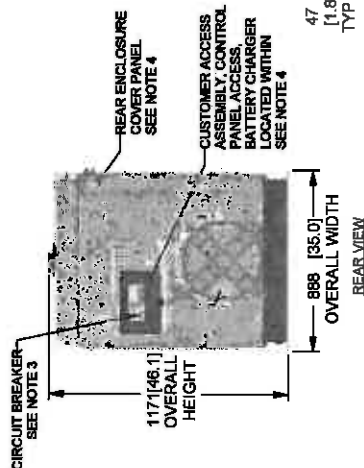
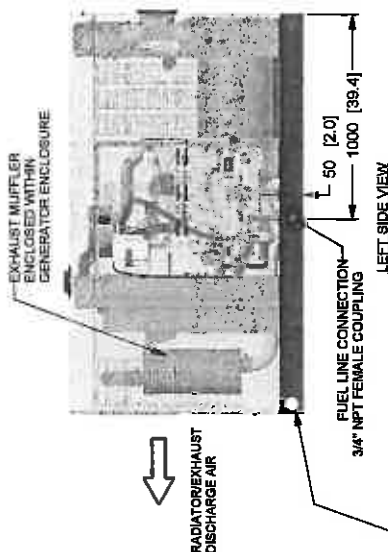
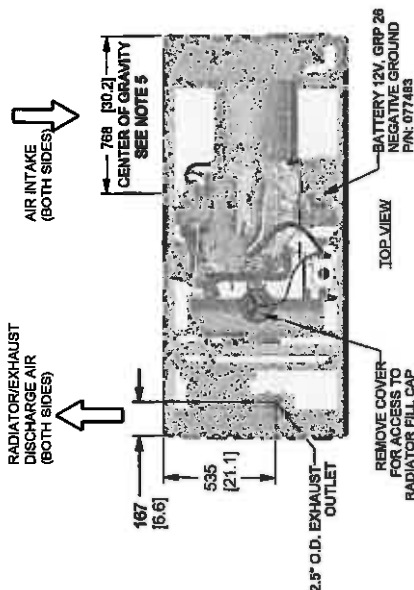
GENERAC®

installation layout

- NOTES:**
1. MINIMUM RECOMMENDED CONCRETE PAD SIZE: 1194 (47") WIDE X 2255 (89.8") LONG. SEE SPECIFICATION SHEET OR OWNER'S MANUAL FOR CONCRETE PAD GUIDELINES.
 2. ALLOW SUFFICIENT ROOM ON ALL SIDES OF UNIT FOR MAINTENANCE AND SERVICING. THIS UNIT MUST BE INSTALLED IN ACCORDANCE WITH APPLICABLE NFPA 37 AND NFPA 70 STANDARDS AS WELL AS ANY OTHER FEDERAL, STATE, AND LOCAL CODES.
 3. CONTROL PANEL / CIRCUIT BREAKER INFORMATION:
- SEE SPECIFICATION SHEET OR OWNER'S MANUAL
- ACCESSIBLE THROUGH CUSTOMER ACCESS ASSEMBLY DOOR ON REAR OF GENERATOR. REMOVE THE REAR ENCLOSURE COVER PANEL TO ACCESS.
 4. REMOVE THE REAR ENCLOSURE COVER PANEL TO ACCESS:
- HIGH VOLTAGE CONNECTION INCLUDING AC LOAD LEAD CONDUIT CONNECTION, NEUTRAL CONNECTION, AND BATTERY CHARGER 120 VOLT AC (0.5 AMP MAX) CONNECTION.
- LOW VOLTAGE CONNECTION INCLUDING TRANSFER SWITCH CONTROL WIRES.
 5. CENTER OF GRAVITY AND SET MUST BE ENCLOSED DUE TO UNIT OPTIONS.
 6. BOTTOM OF GENERATOR SET MUST BE ENCLOSED DUE TO UNIT OPTIONS.
 7. REGULATION OF DISCHARGE AIR AND IMPROPER COOLING AIR FLOW.
- EXHAUST MUFFLER AND FAN BELT ARE ENCLOSED WITHIN GENERATOR ENCLOSURE. REMOVE FRONT PANEL TO ACCESS.
 8. MOUNTING BOLTS OR STUDS TO MOUNTING SURFACE SHALL BE 5/8-11 GRADE 5 (USE STANDARD SAE TORQUE SPECS)
 9. MUST ALLOW FREE FLOW OF INTAKE AIR, DISCHARGE AIR AND EXHAUST. SEE SPEC SHEET FOR MINIMUM AIR FLOW AND MAXIMUM RESTRICTION REQUIREMENTS.
 10. GENERATOR MUST BE INSTALLED SUCH THAT FRESH COOLING AIR IS AVAILABLE AND THAT DISCHARGE AIR FROM RADIATOR IS NOT RECIRCULATED.
 11. EXHAUST MUFFLER AND FAN BELT ARE ENCLOSED WITHIN GENERATOR ENCLOSURE. REMOVE FRONT PANEL TO ACCESS.

SERVICE ITEM	2.4L
OIL FILL CAP	RIGHT SIDE
OIL DIP STICK	RIGHT SIDE
OIL FILL TUB	RIGHT SIDE
RADIATOR DRAIN HOSE	LEFT SIDE
COOLANT RECOVERY BOTTLE	LEFT SIDE
RADIATOR FILL CAP ACCESS	ROOF TOP
AIR CLEANER ELEMENT	RIGHT SIDE
SPARK PLUGS	LEFT SIDE
MUFFLER	SEE NOTE 11
DRIVE BELT	RIGHT SIDE
FAN BELT	SEE NOTE 11
BATTERY	LEFT SIDE

REFERENCE OWNERS MANUAL FOR PERIODIC REPLACEMENT PART LISTINGS.



WEIGHT DATA			
ENCLOSURE MATERIAL	WEIGHT GENSET ONLY KG [LBS]	WEIGHT SHIPPING SKID KG [LBS]	SHIPPING WEIGHT KG [LBS]
2.4L 3200V	556 [1225]	44 [98]	600 [1323]
2.4L 3600V	590 [1295]	44 [98]	635 [1393]

DIMENSIONS: MM [INCH]

32 & 38 kW

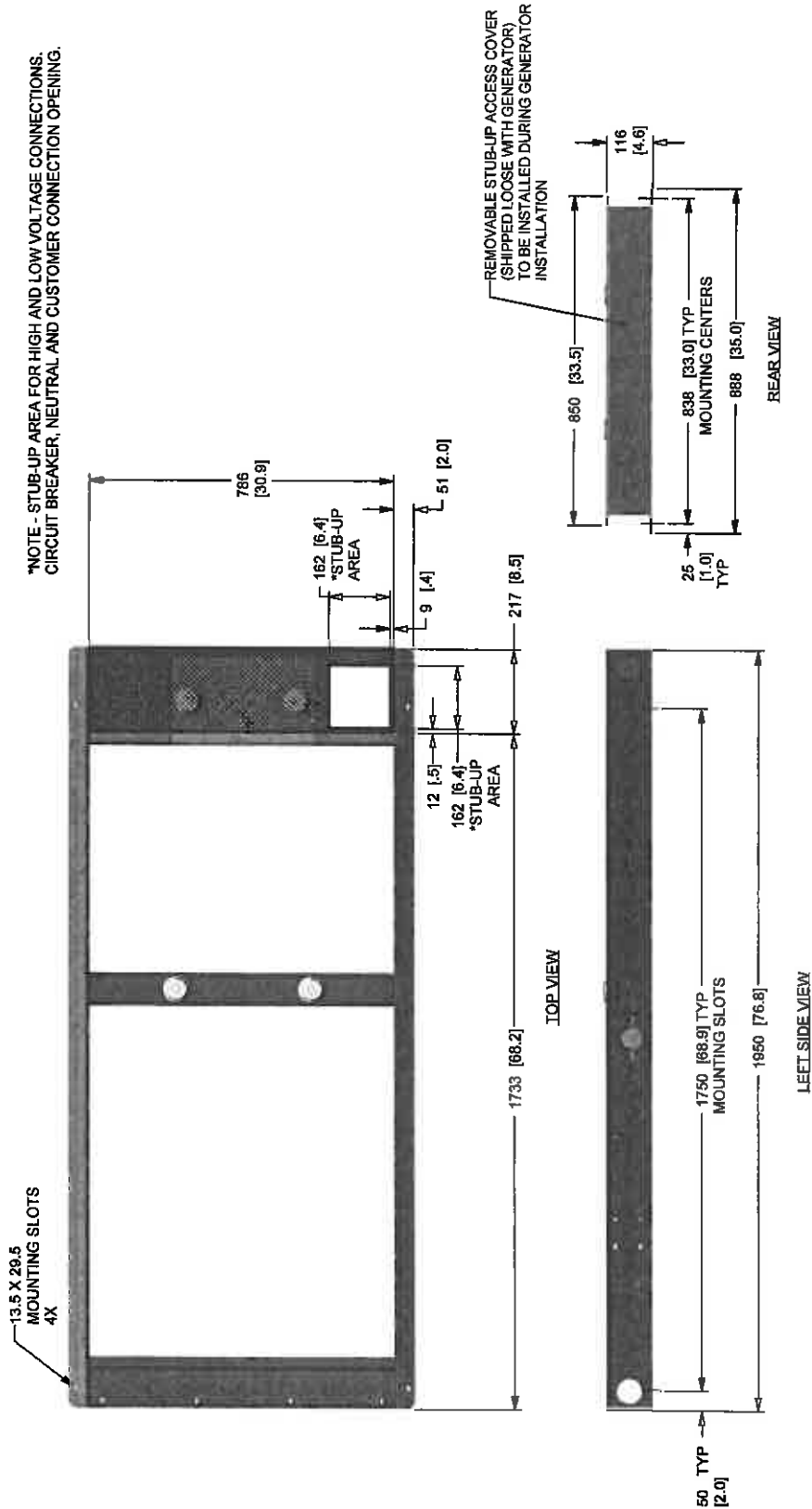
GENERAC®

installation layout

Drawing #OK9268-B (2 of 2)

Protector® QS Series

92-11



48 kW

Drawing #0K9243-B (1 of 2)

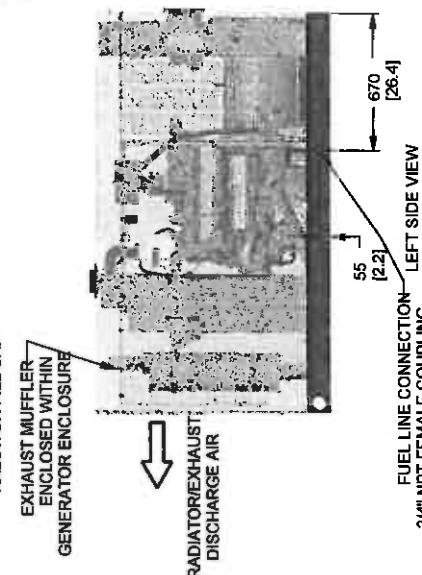
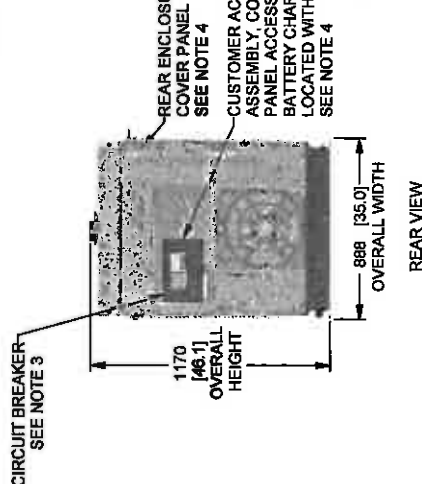
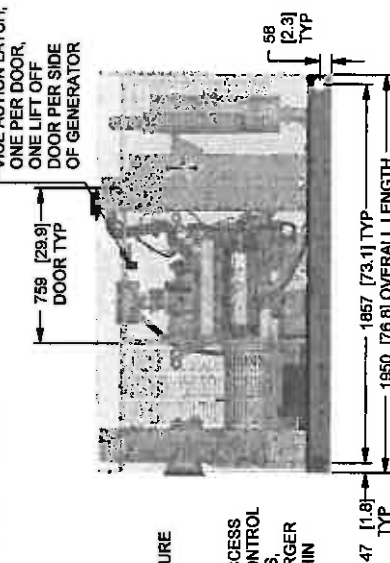
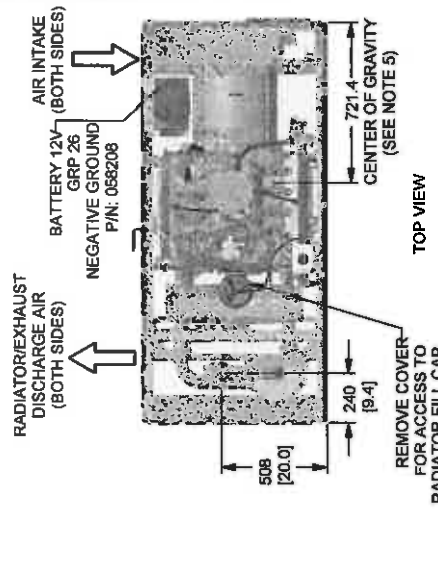
GENERAC

installation layout

- NOTES:
1. MINIMUM RECOMMENDED CONCRETE PAD SIZE: 11'0" (47') WIDE X 22'6" (88'8") LONG. REFERENCE INSTALLATION GUIDE SUPPLIED WITH UNIT FOR CONCRETE PAD GUIDELINES.
 2. ALLOW SUFFICIENT ROOM ON ALL SIDES OF THE GENERATOR FOR MAINTENANCE AND SERVICING. THIS UNIT MUST BE INSTALLED IN ACCORDANCE WITH CURRENTLY APPLICABLE NFPA 37 AND NFPA 70 STANDARDS AS WELL AS ANY OTHER FEDERAL, STATE, AND LOCAL CODES.
 3. CONTROL PANEL / CIRCUIT BREAKER INFORMATION:
 - SEE SPECIFICATION SHEET OR OWNERS MANUAL
 - ACCESSIBLE THROUGH CUSTOMER ACCESS ASSEMBLY DOOR ON REAR OF GENERATOR.
 - REMOVE THE REAR ENCLOSURE COVER PANEL TO ACCESS
 4. THE STUB-UP AREAS AS FOLLOWS:
 - HIGH VOLTAGE CONNECTION INCLUDING AC LOAD LEAD CONDUIT CONNECTION
 - NEUTRAL CONNECTION, BATTERY CHARGER 120 VOLT AC (0.5 AMP MAX) CONNECTION
 - LOW VOLTAGE CONNECTION INCLUDING TRANSFER SWITCH CONTROL WIRES.
 5. CENTER OF GRAVITY AND WEIGHT MAY CHANGE DUE TO UNIT OPTIONS.
 6. BOTTOM OF GENERATOR SET MUST BE ENCLOSED TO PREVENT PEST INTRUSION AND RECIRCULATION OF DISCHARGE AIR AND/OR IMPROPER COOLING AIR FLOW.
 7. REFERENCE OWNERS MANUAL FOR LIFTING WARNINGS.
 8. MOUNTING BOLTS OR STUDS TO MOUNTING SURFACE SHALL BE 5/8"-11 GRADE 5 (USE STANDARD SAE TORQUE SPECS)
 9. MUST ALLOW FREE FLOW OF INTAKE AIR, DISCHARGE AIR AND EXHAUST. SEE SPEC SHEET FOR MINIMUM AIR FLOW AND MAXIMUM RESTRICTION REQUIREMENTS.
 10. GENERATOR MUST BE INSTALLED SUCH THAT FRESH COOLING AIR IS AVAILABLE AND THAT DISCHARGE AIR FROM RADIATOR IS NOT RECIRCULATED.
 11. EXHAUST MUFFLER AND FAN BELT ENCLOSED WITHIN GENERATOR ENCLOSURE. REMOVE FRONT PANEL TO ACCESS.

SERVICE ITEM	S. I.
OIL FILL CAP	RIGHT SIDE
OIL DIP STICK	LEFT SIDE
OIL FILTER	LEFT SIDE
OIL DRAIN HOSE	RIGHT SIDE
RADIATOR DRAIN HOSE	LEFT SIDE
COOLANT RECOVERY BOTTLE	LEFT SIDE
RADIATOR FILL CAP	ROOF TOP
AIR CLEANER ELEMENT	ROOF TOP
SPARK PLUGS	RIGHT SIDE
MUFFLER	SEE NOTE 11
DRIVE BELT	RIGHT SIDE
FAN BELT	SEE NOTE 11
BATTERY	RIGHT SIDE

REFERENCE OWNERS MANUAL FOR PERIODIC REPLACEMENT PART LISTINGS.



ENGINE/KW	ENCLOSURE MATERIAL	WEIGHT GENSET ONLY KG [LBS]	WEIGHT SHIPPING SKID KG [LBS]	SHIPPING WEIGHT KG [LBS]
5.4/48KW	AL	705 [1555]	44 [96]	750 [1653]

DIMENSIONS: MM [INCH]

48 kW

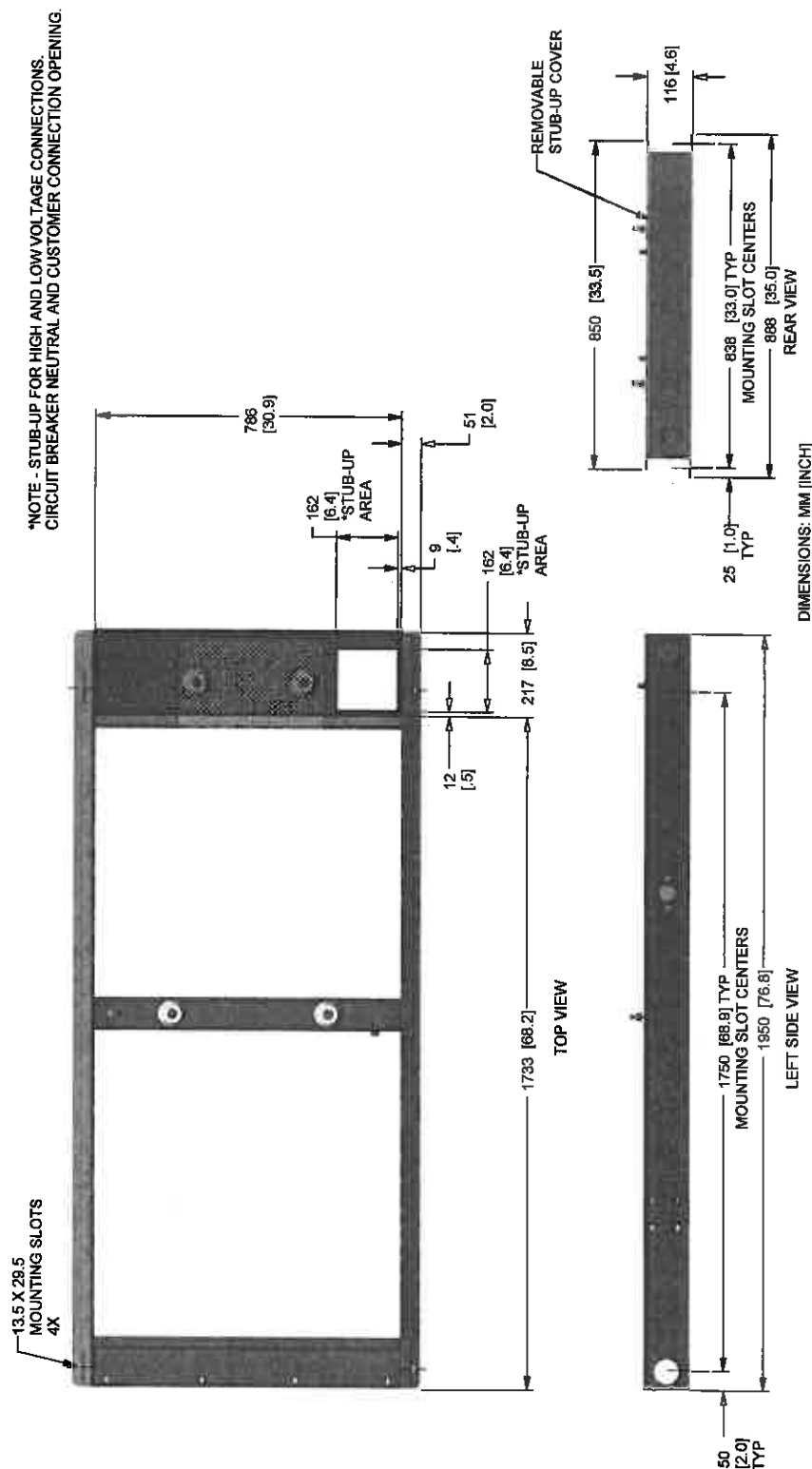
GENERAC®

installation layout

Drawing #0K9243-B (2 of 2)

Protector® QS Series

11 of 11



GENERAC®

16/20/22 kW

GENERAC®

GUARDIAN® SERIES
Residential Standby Generators
Air-Cooled Gas Engine

16/20/22 kW

1 of 5

INCLUDES:

- True Power™ Electrical Technology
- Two Line LCD Multilingual Digital Evolution™ Controller (English/Spanish/French/Portuguese)
- Two Transfer Switch Options Available:
100 Amp, 16 Circuit Switch or
200 Amp Service Rated Smart Switch.
See Page 4 for Details.
- Electronic Governor
- Standard Wi-Fi™ Remote Monitoring
- System Status & Maintenance Interval LED Indicators
- Sound Attenuated Enclosure
- Flexible Fuel Line Connector
- Direct-To-Dirt Composite Mounting Pad
- Natural Gas or LP Gas Operation
- 5 Year Limited Warranty
- Listed and Labeled by the Southwest Research Institute allowing installation as close as 18" (457 mm) to a structure.*
**Must be located away from doors, windows, and fresh air intakes and in accordance with local codes.*
https://assets.swri.org/library/DirectoryOfListedProducts/ConstructionIndustry/973_DoC_204_13204-01-01_Rev8.pdf

Standby Power Rating

Models G007036-1, G007037-1 (Aluminum - Bisque) - 16 kW 60 Hz

Model G007035-1 (Aluminum - Bisque) - 16 kW 60 Hz

Models G007039-1, G007040-1 (Aluminum - Bisque) - 20 kW 60 Hz

Models G007043-2, G007042-2 (Aluminum - Bisque) - 22 kW 60 Hz



QUIET TEST



Note: CUL certification only applies to unbundled units and units packaged with limited circuit switches. Units packaged with the Smart Switch are UL certified in the USA only.

FEATURES

- **INNOVATIVE ENGINE DESIGN & RIGOROUS TESTING** are at the heart of Generac's success in providing the most reliable generators possible. Generac's G-Force engine lineup offers added peace of mind and reliability for when you need it the most. The G-Force series engines are purpose built and designed to handle the rigors of extended run times in high temperatures and extreme operating conditions.
- **TRUE POWER™ ELECTRICAL TECHNOLOGY:** Superior harmonics and sine wave form produce less than 5% Total Harmonic Distortion for utility quality power. This allows confident operation of sensitive electronic equipment and micro-chip based appliances, such as variable speed HVAC systems.
- **TEST CRITERIA:**
 - ✓ **PROTOTYPE TESTED** ✓ **NEMA MG1-22 EVALUATION**
 - ✓ **SYSTEM TORSIONAL TESTED** ✓ **MOTOR STARTING ABILITY**
- **MOBILE LINK™ REMOTE MONITORING:** FREE with every Guardian Series Home standby generator. Allows you to monitor the status of your generator from anywhere in the world using a smartphone, tablet, or PC. Easily access information such as the current operating status and maintenance alerts. Connect your account to your authorized service dealer for fast, friendly and proactive service. With Mobile Link, you are taken care of before the next power outage.
- **SOLID-STATE, FREQUENCY COMPENSATED VOLTAGE REGULATION:** This state-of-the-art power maximizing regulation system is standard on all Generac models. It provides optimized FAST RESPONSE to changing load conditions and MAXIMUM MOTOR STARTING CAPABILITY by electronically torque-matching the surge loads to the engine. Digital voltage regulation at $\pm 1\%$.
- **SINGLE SOURCE SERVICE RESPONSE** from Generac's extensive dealer network provides parts and service know-how for the entire unit, from the engine to the smallest electronic component.
- **GENERAC TRANSFER SWITCHES:** Long life and reliability are synonymous with GENERAC POWER SYSTEMS. One reason for this confidence is that the GENERAC product line includes its own transfer systems and controls for total system compatibility.

THE GENERAC
PROMISE



*Generated from the ISO 9001 standard and design parts.

Engine

- Generac G-Force design
- "Spiny-loc" cast iron cylinder walls
- Electronic ignition/spark advance
- Full pressure lubrication system
- Low oil pressure shutdown system
- High temperature shutdown

Maximizes engine "breathing" for increased fuel efficiency. Plateau honed cylinder walls and plasma moly rings helps the engine run cooler, reducing oil consumption resulting in longer engine life.

Rigid construction and added durability provide long engine life.

These features combine to assure smooth, quick starting every time.

Pressurized lubrication to all vital bearings means better performance, less maintenance and longer engine life. Now featuring up to a 2 year/200 hour oil change interval.

Shutdown protection prevents catastrophic engine damage due to low oil.

Prevents damage due to overheating.

Generator

- Revolving field
- Skewed stator
- Displaced phase excitation
- Automatic voltage regulation
- UL 2200 listed

Allows for a smaller, light weight unit that operates 25% more efficiently than a revolving armature generator.

Produces a smooth output waveform for compatibility with electronic equipment.

Maximizes motor starting capability.

Regulates the output voltage to $\pm 1\%$ prevents damaging voltage spikes.

For your safety.

Transfer Switch (if applicable)

- Fully automatic
- NEMA 3R
- Remote mounting

Transfers your vital electrical loads to the energized source of power.

Can be installed inside or outside for maximum flexibility.

Mounts near your existing distribution panel for simple, low-cost installation.

Evolution™ Controls

- Auto/Manual/Off illuminated buttons
- Two-line LCD multilingual display
- Sealed, raised buttons
- Utility voltage sensing
- Generator voltage sensing
- Utility interrupt delay
- Engine warm-up
- Engine cool-down
- Programmable exercise
- Smart battery charger
- Main line circuit breaker
- Electronic governor

Selects the operating mode and provides easy, at-a-glance status indication in any condition.

Provides homeowners easily visible logs of history, maintenance and events up to 50 occurrences.

Smooth, weather-resistant user interface for programming and operations.

Constantly monitors utility voltage, setpoints 65% dropout, 80% pick-up, of standard voltage.

Constantly monitors generator voltage to ensure the cleanest power delivered to the home.

Prevents nuisance start-ups of the engine, adjustable 2-1500 seconds from the factory default setting of 5 seconds by a qualified dealer.

Ensures engine is ready to assume the load, setpoint approximately 5 seconds.

Allows engine to cool prior to shutdown, setpoint approximately 1 minute.

Operates engine to prevent oil seal drying and damage between power outages by running the generator for 5 minutes every other week. Also offers a selectable setting for weekly or monthly operation providing flexibility and potentially lower fuel costs to the owner.

Delivers charge to the battery only when needed at varying rates depending on outdoor air temperature. Compatible with lead acid and AGM-style batteries.

Protects generator from overload.

Maintains constant 60 Hz frequency.

Unit

- SAE weather protective enclosure
- Enclosed critical grade muffler
- Small, compact, attractive

Sound attenuated enclosures ensure quiet operation and protection against mother nature, withstanding winds up to 150 mph. Hinged key locking roof panel for security. Lift-out front for easy access to all routine maintenance items. Electrostatically applied textured epoxy paint for added durability.

Quiet, critical grade muffler is mounted inside the unit to prevent injuries.

Makes for an easy, eye appealing installation, as close as 18" away from a building.

16/20/22 kW

features and benefits

Installation System

- 1 ft (305 mm) flexible fuel line connector
- Direct-to-dirt composite mounting pad
- Integral sediment trap

Absorbs any generator vibration when connected to rigid pipe.

Complex lattice design prevents settling or sinking of the generator system.

Prevents particles and moisture from entering the fuel regulator and engine, prolonging engine life.

Remote Monitoring

- Ability to view generator status
- Ability to view generator Exercise/Run and Total Hours
- Ability to view generator maintenance information
- Monthly report with previous month's activity.
- Ability to view generator battery information
- Weather information

Monitor your generator via your smartphone, tablet, or computer at any time via the Mobile Link application for complete peace of mind

Review the generator's complete protection profile for exercise hours and total hours

Provides maintenance information for your specific model generator when scheduled maintenance is due

Detailed monthly reports provide historical generator information

Built in battery diagnostics displaying current state of the battery

Provides detailed local ambient weather conditions for generator location

Generator

Model

	G007035-1, G007036-1, G007037-1 (16 kW)	G007038-1, G007039-1 (20 kW)	G007042-2, G007043-2 (22 kW)
Rated Maximum Continuous Power Capacity (LP)	16,000 Watts*	20,000 Watts*	20,000 Watts*
Rated Maximum Continuous Power Capacity (NG)	16,000 Watts*	18,000 Watts*	19,500 Watts *
Rated Voltage	240	240	240
Rated Maximum Continuous Load Current – 240 Volts (LP/NG)	66.7/66.7	83.3/75.0	91.7/81.3
Total Harmonic Distortion	Less than 5%	Less than 5%	Less than 5%
Main Line Circuit Breaker	70 Amp	90 Amp	100 Amp
Phase	1	1	1
Number of Rotor Poles	2	2	2
Rated AC Frequency	60 Hz	60 Hz	60Hz
Power Factor	1.0	1.0	1.0
Battery Requirement (not included)	12 Volts, Group 26R 540 CCA Minimum or Group 35AGM 650 CCA Minimum		
Unit Weight (lb/kg)	409/186	448/203	466/211
Dimensions (L x W x H) in/mm		48 x 25 x 29/1218 x 638 x 732	
Sound output in dB(A) at 23 ft (7 m) with generator operating at normal load**	66	66	67
Sound output in dB(A) at 23 ft (7 m) with generator in Quiet-Test™ low-speed exercise mode**	58	53	58
Exercise duration	5 min	5 min	5 min

Engine

	GENERAC G-Force 1000 Series		
Type of Engine	2		
Number of Cylinders	2		
Displacement	999 cc	999 cc	999 cc
Cylinder Block	Aluminum w/ Cast Iron Sleeve		
Valve Arrangement	Overhead Valve	Overhead Valve	Overhead Valve
Ignition System	Solid-state w/ Magneto	Solid-state w/ Magneto	Solid-state w/ Magneto
Governor System	Electronic	Electronic	Electronic
Compression Ratio	9.5:1	9.5:1	9.5:1
Starter	12 VDC	12 VDC	12 VDC
Oil Capacity including Filter	Approx. 1.9 qt/1.8 L	Approx. 1.9 qt/1.8 L	Approx. 1.9 qt/1.8 L
Operating rpm	3,600	3,600	3,600
Fuel Consumption			
Natural Gas	ft ³ /hr (m ³ /hr)		
1/2 Load	218 (6.17)	264 (5.78)	228 (6.46)
Full Load	309 (8.75)	301 (8.52)	327 (9.26)
Liquid Propane	ft ³ /hr (gal/hr) (l/hr)		
1/2 Load	74 (2.03) [7.70]	87 (2.37) [6.99]	92 (2.53) [9.57]
Full Load	107 (2.94) [11.11]	130 (3.56) [13.48]	142 (3.90) [14.77]

Note: **Fuel pipe must be sized for full load.** Required fuel pressure to generator fuel inlet at all load ranges - 3.5-7" water column (7-13 mm mercury) for natural gas, 10-12" water column (19-22 mm mercury) for LP gas. For BTU content, multiply ft³/hr x 2500 (LP) or ft³/hr x 1000 (NG). For Megajoule content, multiply m³/hr x 93.15 (LP) or m³/hr x 37.26 (NG).

Controls

Two-Line Plain Text Multilingual LCD Display	Simple user interface for ease of operation.
Mode Buttons: Auto	Automatic Start on Utility failure 7 day exerciser
Manual	Start with starter control, unit stays on. If utility fails, transfer to load takes place.
Off	Stops unit. Power is removed. Control and charger still operate.
Ready to Run/Maintenance Messages	Standard
Engine Run Hours Indication	Standard
Programmable start delay between 2-1500 seconds	Standard (programmable by dealer only)
Utility Voltage Loss/Return to Utility Adjustable (Brownout Sensing)	From 140-171 V/180-216 V
Future Set Capable Exerciser/Exercise Set Error Warning	Standard
Run/Alarm/Maintenance Logs	50 Events Each
Engine Start Sequence	Cyclic cranking: 16 sec on, 7 rest (90 sec maximum duration).
Starter Lock-out	Starter cannot re-engage until 5 sec after engine has stopped
Smart Battery Charger	Standard
Charger Fault/Missing AC Warning	Standard
Low Battery/Battery Problem Protection and Battery Condition Indication	Standard
Automatic Voltage Regulation with Over and Under Voltage Protection	Standard
Under-Frequency/Overload/Stepper Overcurrent Protection	Standard
Safety Fuse/Fuse Problem Protection	Standard
Automatic Low Oil Pressure/High Oil Temperature Shutdown	Standard
Overcrank/Over-speed (> 72 Hz)/rpm Sense Loss Shutdown	Standard
High Engine Temperature Shutdown	Standard
Internal Fault/Incorrect Wiring Protection	Standard
Common External Fault Capability	Standard
Field Upgradable Firmware	Standard

**Sound levels are taken from the front of the generator. Sound levels taken from other sides of the generator may be higher depending on installation parameters. Rating definitions - Standby: Applicable for supplying emergency power for the duration of the utility power outage. No overload capability is available for this rating. (All ratings in accordance with BS5514, ISO3046 and DIN6271). * Maximum kilovolt amps and current are subject to and limited by such factors as fuel flow/megajoule content, ambient temperature, altitude, engine power and condition, etc. Maximum power decreases about 3.5 percent for each 1,000 feet (304.8 meters) above sea level; and also will decrease about 1 percent for each 6 °C (10 °F) above 16 °C (60 °F).

16/20/22 kW

Limited Circuits Switch Features

- 16 space, 24 circuit, breakers not included.
- Electrically operated, mechanically-held contacts for fast, positive connections
- Rated for all classes of load, 100% equipment rated, both inductive and resistive.
- 2-pole, 250 VAC contactors.
- 30 millisecond transfer time.
- Dual coil design.
- Rated for both copper and aluminum conductors.
- Main contacts are silver plated or silver alloy to resist welding and sticking.
- NEMA/UL 3R aluminum outdoor enclosure allows for indoor or outdoor mounting flexibility.
- Multi listed for use with 1" standard, tandem, GFCI and AFCI breakers from Siemens, Murray, Eaton and Square D for the most flexible and cost effective install.

Dimensions

	Height		Width		Depth
	H1	H2	W1	W2	
in	26.75	30.1	10.5	13.5	6.91
mm	679.4	764.3	266.7	343.0	175.4

Wire Ranges

Conductor Lug	Neutral Lug	Ground Lug
1/0 - #14	2/0 - #14	2/0 - #14

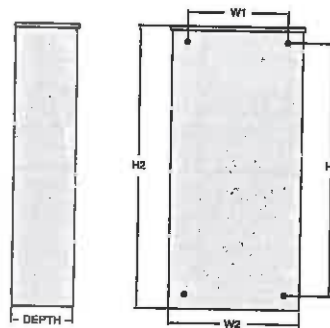
Model

G007036-1 (16kW)

No. of Poles	2
Current Rating (Amps)	100
Voltage Rating (VAC)	120/240, 1Ø
Utility Voltage Monitor (Fixed)*	
-Pick-up	80%
-Dropout	65%
Return to Utility*	approx. 15 sec
Exercises bi-weekly for 5 minutes*†	Standard
UL Listed	Standard
Total Circuits Available	24
Tandem Breaker Capabilities	2 tandems
Circuit Breaker Protected	
Available RMS Symmetrical Fault Current @ 250 Volts	10,000

*Function of Evolution Controller

Exercise can be set to weekly or monthly



Service Rated Smart Switch Features

- Includes Digital Power Management Technology standard (DPM).
- Intelligently manages up to four air conditioner loads with no additional hardware.
- Up to four more large (240 VAC) loads can be managed when used in conjunction with Smart Management Modules (SMMs).
- Electrically operated, mechanically-held contacts for fast, clean connections.
- Rated for all classes of load, 100% equipment rated, both inductive and resistive.
- 2-pole, 250 VAC contactors.
- Service equipment rated, dual coil design.
- Rated for both aluminum and copper conductors.
- Main contacts are silver plated or silver alloy to resist welding and sticking.
- NEMA/UL 3R aluminum outdoor enclosure allows for indoor or outdoor mounting flexibility.

Dimensions

	200 Amps 120/240, 1Ø Open Transition Service Rated				Depth
	H1	H2	W1	W2	
in	26.75	30.1	10.5	13.5	6.91
mm	679.4	764.3	266.7	343.0	175.4

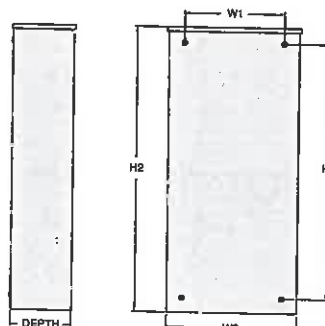
Model

G007037-1 (16 kW)/G007039-1 (20 kW)/
G007043-2 (22 kW)

No. of Poles	2
Current Rating (Amps)	200
Voltage Rating (VAC)	120/240, 1Ø
Utility Voltage Monitor (Fixed)*	
-Pick-up	80%
-Dropout	65%
Return to Utility*	approx. 15 sec
Exercises bi-weekly for 5 minutes*	Standard
UL Listed	Standard
Enclosure Type	NEMA/UL 3R
Circuit Breaker Protected	22,000
Lug Range	250 MCM - #6

*Function of Evolution Controller

Exercise can be set to weekly or monthly

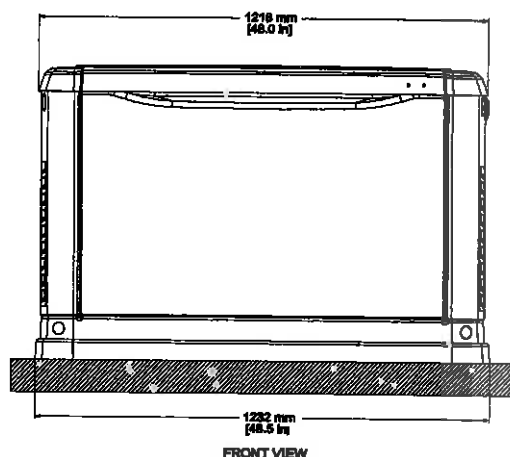
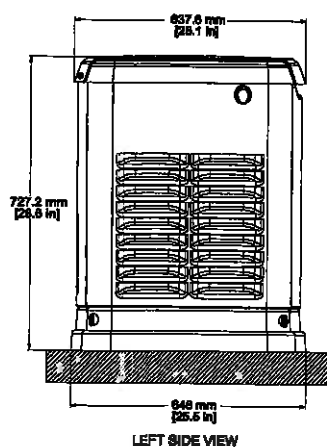


16/20/22 kW

Model #	Product	Description
G007005-0	Wi-Fi LP Fuel Level Monitor	The Wi-Fi enabled LP fuel level monitor provides constant monitoring of the connected LP fuel tank. Monitoring the LP tank's fuel level is an important step in making sure your generator is ready to run during an unexpected power failure. Status alerts are available through a free application to notify when your LP tank is in need of a refill.
G005819-0	26R Wet Cell Battery	Every standby generator requires a battery to start the system. Generac offers the recommended 26R wet cell battery for use with all air-cooled standby product (excluding PowerPact®).
G007101-0	Battery Pad Warmer	The pad warmer rests under the battery. Recommended for use if the temperature regularly falls below 0°F. (Not necessary for use with AGM-style batteries).
G007102-0	Oil Warmer	Oil warmer slips directly over the oil filter. Recommended for use if the temperature regularly falls below 0°F.
G007103-1	Breather Warmer	The breather warmer is for use in extreme cold weather applications. For use with Evolution controllers only in climates where heavy icing occurs.
G005621-0	Auxiliary Transfer Switch Contact Kit	The auxiliary transfer switch contact kit allows the transfer switch to lock out a single large electrical load you may not need. Not compatible with 50 amp pre-wired switches.
G007027-0 - Bisque	Fascia Base Wrap Kit (Standard on 22 kW)	The fascia base wrap snaps together around the bottom of the new air cooled generators. This offers a sleek, contoured appearance as well as offering protection from rodents and insects by covering the lifting holes located in the base.
G005703-0 - Bisque	Paint Kit	If the generator enclosure is scratched or damaged, it is important to touch-up the paint to protect from future corrosion. The paint kit includes the necessary paint to properly maintain or touch-up a generator enclosure.
G006485-0	Scheduled Maintenance Kit	Generac's scheduled maintenance kits provide all the hardware necessary to perform complete routine maintenance on a Generac automatic standby generator.
G006873-0	Smart Management Module (50 Amps)	Smart Management Modules are used in conjunction with the Automatic Transfer Switch to increase its power management capabilities. It provides additional power management flexibility not found in any other power management system.

dimensions & UPCs

Dimensions shown are approximate. Refer to installation manual for exact dimensions. DO NOT USE THESE DIMENSIONS FOR INSTALLATION PURPOSES.



Model	UPC
G007035-1	696471074161
G007036-1	696471074154
G007037-1	696471074178
G007038-1	696471074185
G007039-1	696471074192
G007042-2	696471074208
G007043-2	696471074215

GENERAC

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**Department of
Environmental
Conservation**

**NYS Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505**

**MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance
Form**
for

Construction Activities Seeking Authorization Under SPDES General Permit

*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

I. Project Owner/Operator Information

1. Owner/Operator Name: Urstadt Biddle Properties Inc.
2. Contact Person: Andrew Albrecht
3. Street Address: 321 Railroad Avenue
4. City/State/Zip: Greenwich, CT 06830

II. Project Site Information

5. Project/Site Name: Towne Centre at Somers
6. Street Address: 325 Route 100
7. City/State/Zip: Somers, NY 10589

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by: Joseph Barbagallo
9. Title/Position: Town Engineer
10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4: Town of Somers
12. MS4 SPDES Permit Identification Number: NYR20A
13. Contact Person: Joseph Barbagallo
14. Street Address: 709 Westchester Avenue
15. City/State/Zip: West Harrison, NY 10604
16. Telephone Number: (914)448-2266

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name: **Joseph Barbagallo**

Title/Position: **Town Engineer**

Signature:

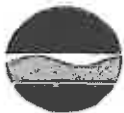
Date:

VI. Additional Information

(NYS DEC - MS4 SWPPP Acceptance Form - January 2015)

NOTICE OF INTENT

New York State Department of Environmental Conservation



Division of Water

625 Broadway, 4th Floor

Albany, New York 12233-3505

NYR

(for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002
 All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

-IMPORTANT-**RETURN THIS FORM TO THE ADDRESS ABOVE**OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)

U r s t a d t B i d d l e P r o p e r t i e s I n c .

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

A l b r e c h t

Owner/Operator Contact Person First Name

A n d r e w

Owner/Operator Mailing Address

3 2 1 R a i l r o a d A v e n u e

City

G r e e n w i c h

State

C T

Zip

0 6 8 3 0 -

Phone (Owner/Operator)

2 0 3 - 8 6 1 - 6 7 5 5

Fax (Owner/Operator)

- - -

Email (Owner/Operator)

a a l b r e c h t @ u b p r o p e r t i e s . c o m

FED TAX ID

0 4 - 2 4 5 8 0 4 2 (not required for individuals)

Project Site Information

Project/Site Name

T o w n e C e n t r e a t S o m e r s

Street Address (NOT P.O. BOX)

3 2 5 R o u t e 1 0 0

Side of Street

☐ North ☐ South ☐ East ☒ West

City/Town/Village (THAT ISSUES BUILDING PERMIT)

S o m e r s

State

N Y

Zip

1 0 5 8 9 -

County

W e s t c h e s t e r

DEC Region

3

Name of Nearest Cross Street

S o m e r s R o a d

Distance to Nearest Cross Street (Feet)

0

Project In Relation to Cross Street

☒ North ☐ South ☐ East ☐ West

Tax Map Numbers

Section-Block-Parcel

1 7 . 1 5 - 1 - 1 3

Tax Map Numbers

1 7 . 1 5 - 1 - 1 3

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you must go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.ny.gov/insmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i"(identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting)

6 0 9 7 9

Y Coordinates (Northing)

4 5 7 5 7 9 8

2. What is the nature of this construction project?

☐ New Construction☒ Redevelopment with increase in impervious area☐ Redevelopment with no increase in impervious area

3. Select the predominant land use for both pre and post development conditions.
SELECT ONLY ONE CHOICE FOR EACH

**Pre-Development
Existing Land Use**

- ☐ FOREST
☐ PASTURE/OPEN LAND
☐ CULTIVATED LAND
☐ SINGLE FAMILY HOME
☐ SINGLE FAMILY SUBDIVISION
☐ TOWN HOME RESIDENTIAL
☐ MULTIFAMILY RESIDENTIAL
☐ INSTITUTIONAL/SCHOOL
☐ INDUSTRIAL
☒ COMMERCIAL
☐ ROAD/HIGHWAY
☐ RECREATIONAL/SPORTS FIELD
☐ BIKE PATH/TRAIL
☐ LINEAR UTILITY
☐ PARKING LOT
☐ OTHER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**Post-Development
Future Land Use**

- ☐ SINGLE FAMILY HOME
☐ SINGLE FAMILY SUBDIVISION
☐ TOWN HOME RESIDENTIAL
☐ MULTIFAMILY RESIDENTIAL
☐ INSTITUTIONAL/SCHOOL
☐ INDUSTRIAL
☒ COMMERCIAL
☐ MUNICIPAL
☐ ROAD/HIGHWAY
☐ RECREATIONAL/SPORTS FIELD
☐ BIKE PATH/TRAIL
☐ LINEAR UTILITY (water, sewer, gas, etc.)
☐ PARKING LOT
☐ CLEARING/GRADING ONLY
☐ DEMOLITION, NO REDEVELOPMENT
☐ WELL DRILLING ACTIVITY *(Oil, Gas, etc.)
☐ OTHER

Number of Lots

--	--	--	--

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

***Note:** for gas well drilling, non-high volume hydraulic fractured wells only

4. In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.)

**Total Site
Area**

		1	0	.	8
--	--	---	---	---	---

**Total Area To
Be Disturbed**

			0	.	2
--	--	--	---	---	---

**Existing Impervious
Area To Be Disturbed**

			0	.	2
--	--	--	---	---	---

**Future Impervious
Area Within
Disturbed Area**

			0	.	2
--	--	--	---	---	---

5. Do you plan to disturb more than 5 acres of soil at any one time? ☐ Yes ☒ No

6. Indicate the percentage of each Hydrologic Soil Group (HSG) at the site.

A

			%
--	--	--	---

B

1	0	0	%
---	---	---	---

C

			%
--	--	--	---

D

			%
--	--	--	---

7. Is this a phased project? ☐ Yes ☒ No

8. Enter the planned start and end dates of the disturbance activities.

Start Date

0	6	/	0	1	/	2	0	1	9
---	---	---	---	---	---	---	---	---	---

End Date

0	8	/	0	1	/	2	0	1	9
---	---	---	---	---	---	---	---	---	---

9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.

Name _____

[illegible]

9a. Type of waterbody identified in Question 9?

- ☐ Wetland / State Jurisdiction On Site (Answer 9b)
- ☒ Wetland / State Jurisdiction Off Site
- ☐ Wetland / Federal Jurisdiction On Site (Answer 9b)
- ☐ Wetland / Federal Jurisdiction Off Site
- ☐ Stream / Creek On Site
- ☐ Stream / Creek Off Site
- ☐ River On Site
- ☐ River Off Site
- ☐ Lake On Site
- ☐ Lake Off Site
- ☐ Other Type On Site
- ☐ Other Type Off Site

9b. How was the wetland identified?

- ☒ Regulatory Map
☐ Delineated by Consultant
☐ Delineated by Army Corps of Engineers
☐ Other (identify)

[illegible][illegible]

10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-15-002?

☐ Yes ☒ No

11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-15-002?

☒ Yes ☐ No

12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters?

☐ Yes ☒ No

If no, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey?

☐ Yes ☒ No

If Yes, what is the acreage to be disturbed?

--	--	--	--	--

14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?

☒ Yes ☐ No

[illegible]

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? ☐ Yes ☒ No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) ☐ Yes ☒ No

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? ☐ Yes ☒ No

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? ☐ Yes ☒ No

If No, skip questions 23 and 27-39.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? ☐ Yes ☐ No

24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:

- ☒ Professional Engineer (P.E.)
- ☐ Soil and Water Conservation District (SWCD)
- ☐ Registered Landscape Architect (R.L.A)
- ☐ Certified Professional in Erosion and Sediment Control (CPESC)
- ☐ Owner/Operator
- ☐ Other

[illegible]

SWFPP Preparer

[illegible]

Contact Name (Last, Space, First)

[illegible]

Mailing Address

[illegible]

City

[illegible]

State Zip

N	Y	1	0	5	0	4	-				
---	---	---	---	---	---	---	---	--	--	--	--

Phone

9	1	4		-	2	7	3		-	5	2	2	5
---	---	---	--	---	---	---	---	--	---	---	---	---	---

Fax.

9	1	4
---	---	---

-

2	7	3
---	---	---

-

2	1	0	2
---	---	---	---

Email

[illegible][illegible]

SWPPP Preparer Certification

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-15-002. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

First Name[illegible]

MI

7

Last Name

[illegible]

Signature

Date _____

		/			/				
--	--	---	--	--	---	--	--	--	--

Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

- ☐ Preservation of Undisturbed Areas
- ☐ Preservation of Buffers
- ☐ Reduction of Clearing and Grading
- ☐ Locating Development in Less Sensitive Areas
- ☐ Roadway Reduction
- ☐ Sidewalk Reduction
- ☐ Driveway Reduction
- ☐ Cul-de-sac Reduction
- ☐ Building Footprint Reduction
- ☐ Parking Reduction

- 27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).

- ☐ All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- ☐ Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

Total WQv Required

. acre-feet

29. Identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required (#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

Table 1 - Runoff Reduction (RR) Techniques
and Standard Stormwater Management
Practices (SMPs)

RR Techniques (Area Reduction)	Total Contributing Area (acres)	Total Contributing Impervious Area (acres)						
<input type="radio"/> Conservation of Natural Areas (RR-1)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Sheetflow to Riparian Buffers/Filters Strips (RR-2)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Tree Planting/Tree Pit (RR-3)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Disconnection of Rooftop Runoff (RR-4) ..	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
RR Techniques (Volume Reduction)								
<input type="radio"/> Vegetated Swale (RR-5)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Rain Garden (RR-6)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Stormwater Planter (RR-7)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Rain Barrel/Cistern (RR-8)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Porous Pavement (RR-9)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Green Roof (RR-10)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
Standard SMPs with RRV Capacity								
<input type="radio"/> Infiltration Trench (I-1)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Infiltration Basin (I-2)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Dry Well (I-3)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Underground Infiltration System (I-4)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Bioretention (F-5)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Dry Swale (O-1)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
Standard SMPs								
<input type="radio"/> Micropool Extended Detention (P-1)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Wet Pond (P-2)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Wet Extended Detention (P-3)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Multiple Pond System (P-4)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Pocket Pond (P-5)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Surface Sand Filter (F-1)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Underground Sand Filter (F-2)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Perimeter Sand Filter (F-3)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Organic Filter (F-4)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Shallow Wetland (W-1)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Extended Detention Wetland (W-2)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Pond/Wetland System (W-3)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Pocket Wetland (W-4)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Wet Swale (O-2)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td></tr></table>			

Table 2 - Alternative SMPs
(DO NOT INCLUDE PRACTICES BEING
USED FOR PRETREATMENT ONLY)

Alternative SMP

Total Contributing
Impervious Area(acres)

- [illegible]

Provide the name and manufacturer of the Alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.

[illegible][illegible]

Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29.

Total RRv provided

--	--	--

--	--	--

.
acre-feet

31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28).

If Yes, go to question 36.

If No, go to question 32.

☐ Yes ☐ No

32. Provide the Minimum RRv required based on HSG.
[Minimum RRv Required = (P) (0.95) (Ai) / 12, Ai = (S) (Aic)]

Minimum RRv Required

 **acre-feet**

- 32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?

☐ Yes ☐ No

If Yes, go to question 33.

Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.

If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv (= Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

- 33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.

WQv Provided
 . acre-feet

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).

.

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? ☐ Yes ☐ No

If Yes, go to question 36.

If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

CPv Required
 . acre-feet

CPv Provided
 . acre-feet

- 36a. The need to provide channel protection has been waived because:

- ☐ Site discharges directly to tidal waters or a fifth order or larger stream.
☐ Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

Total Overbank Flood Control Criteria (Qp)

Pre-Development
 . CFS

Post-development
 . CFS

Total Extreme Flood Control Criteria (Qf)

Pre-Development
 . CFS

Post-development
 . CFS

37a. The need to meet the Qp and Qf criteria has been waived because:

- Site discharges directly to tidal waters or a fifth order or larger stream.
- Downstream analysis reveals that the Qp and Qf controls are not required

- Site discharges directly to tidal waters or a fifth order or larger stream.
- Downstream analysis reveals that the Qp and Qf controls are not required

☐ Yes ☐ No

If Yes, Identify the entity responsible for the long term
Operation and Maintenance

[illegible]

39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required(#28). (See question 32a)
This space can also be used for other pertinent project information.

40. Identify other DEC permits, existing and new, that are required for this project/facility.

- [illegible]

41. Does this project require a US Army Corps of Engineers Wetland Permit? ☐

☐ Yes ☒ No

If Yes, Indicate Size of Impact.

--	--	--	--	--	--

42. Is this project subject to the requirements of a regulated, traditional land use control MS4?
(If No, skip question 43)

☒ Yes ☐ No

43. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?

☒ Yes ☐ No

[illegible]

--	--	--	--	--	--	--	--	--

Owner/Operator Certification

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Print First Name

A N D R E W

MI**Print Last Name**

A L B R E C H T

Owner/Operator Signature**Date**

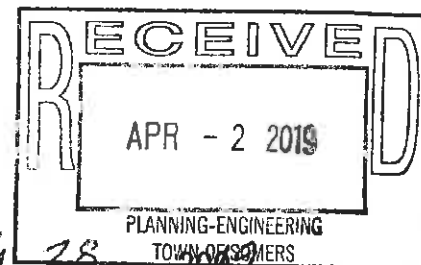
/ /





20
PBT
CTE
4/2/19
f uBP Properties

Affidavit:



I, RICHARD CORDONE do hereby affirm that on March 28 2019 pursuant to Sections 170-114C(5) and 150-12E of the Code of the Town of Somers, I installed the required sign, informing the public that the public hearing will be held on APRIL 10, 2019 at the Town House, Route 202, Somers, N.Y. for the TOWNE CENTRE AT SOMERS project.

RRC

I, Kimberly Romanino a Notary Public for the State of New York, residing in Westchester County, do hereby certify that on this, the 28th day of March, 2019 in the aforesaid county, the above named Richard Cordone subscribed the foregoing affidavit in my presence, and, being duly sworn or affirmed by me, did depose and solemnly swear and truly declare that the matters set forth in said affidavit are true, to the knowledge of said deponent.

IN WITNESS WHEREOF, I, have hereunto set my hand.

Kimberly Romanino
Notary Public
Commission expires:

KIMBERLY ROMANINO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RO6134291
Qualified in Putnam County
My Commission Expires September 26, 2021

C: PB
TP
CTE
TA
Appl.

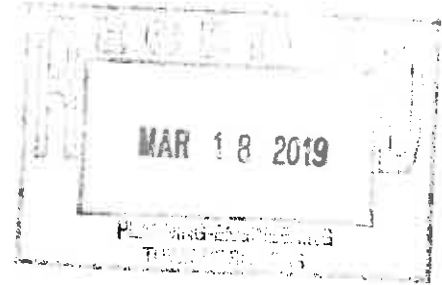
BUREAU OF FIRE PREVENTION

Telephone
(914) 277-8228
Fax
(914) 277-3790

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

THOMAS J. TOOMA, JR.
CHIEF



MEMO TO: Planning and Engineering Department

FROM: Bureau of Fire Prevention

RE: Extension of Heritage Hills Sewer District

DATE: March 15, 2019

At our monthly meeting on March 13, 2019, a review and discussion of a site plan submitted for the extension of the Heritage Hills Sewer District took place. The Bureau would like to know the location of the generator, its approximate dimensions, and make as well as model if available.

EC - SEQR A Dist. List
3/19/19 bjo
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Platt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov

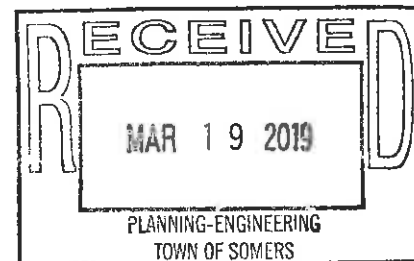


NEW YORK
STATE OF
OPPORTUNITY

**Department of
Environmental
Conservation**

March 19, 2019

Syrette Dym, Director of Planning
Town of Somers Planning Board
335 Route 202
Somers, NY 1089



Re: Extension of Heritage Hills Special Sewer District
Town of Somers, Westchester County
CH# 8076
SEQR Lead Agency Response and Comments on Jurisdiction

Dear Ms. Dym,

The Department of Environmental Conservation (DEC or Department) received your State Environmental Quality Review Act (SEQR) Lead Agency Coordination letter regarding extension of the Heritage Hills Special Sewer District to incorporate the Towne Centre at Somers Shopping Center on February 11, 2019. The proposal involves extension of the sewer district, in conjunction with installation of sanitary sewers and abandonment of existing septic systems at the site, located adjacent to the intersection of US Route 202 and NYS Route 100. The Department has no objection to the Town of Somers Planning Board serving as SEQR Lead Agency for this project. Based upon our review of your inquiry/submitted materials we offer the following comments:

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) SANITARY

The extension of service to the Towne Centre at Somers Shopping Center does not require a modification of the SPDES permit for the Heritage Hills Wastewater Treatment Plant; however, the project sponsor must contact Meena George of the DEC Region 3 Division of Water regarding this process. At a minimum, it must be demonstrated that the current capacity is sufficient to allow for the additional effluent of 12,000 gallons per day.

The permittee for the individual SPDES for Towne Center at Somers, Urstadt Biddle Properties Inc, must maintain the system and the permit until the sewer connection is complete. Once the connection is complete and the existing discharge is ended, the permittee may apply for discontinuance of the individual SPDES. By copy of this letter they are notified of the process necessary for discontinuance of the SPDES and that, if the connection is not completed prior to the expiration of the SPDES permit June 30, 2020, renewal of the permit will be required.

SPDES STORMWATER

If the overall project will disturb over **5000 square feet or more of land (as the site is within the NYC Department of Environmental Protection East of Hudson Watershed)**, the project sponsor must obtain coverage under the current SPDES General Permit for Stormwater Discharge from Construction Activity (GP-0-15-002), and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. Authorization for coverage under this SPDES General Permit is not granted until the Department issues all other necessary DEC permits.

As the site is within a Municipal Separate Storm Sewer System (MS4) community, the SWPPP must be reviewed and accepted by the municipality, and the MS4 Acceptance Form submitted with the SWPPP and the application for coverage, in accordance with the application instructions.

PROTECTION OF WATERS

The following stream is located within or near the site you indicated:



NEW YORK
STATE OF
OPPORTUNITY
**Department of
Environmental
Conservation**

<u>Name</u>	<u>Class</u>	<u>DEC Water Index Number</u>	<u>Status</u>
Tributary of New Croton Reservoir	C(T)	H-31-P 44-18	Protected

A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as "protected."

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

FRESHWATER WETLANDS

This site is near or in Freshwater Wetland F-1 (Class I). Be aware that a Freshwater Wetlands permit is required for any physical disturbance within these boundaries or within the 100-foot adjacent area. To have the boundary delineated, please contact Josh Fisher of the DEC Bureau of Ecosystem Health at joshua.fisher@dec.ny.gov or (845) 256-3113.

WATER QUALITY CERTIFICATION

The site is near federally regulated wetlands. If the US Army Corps of Engineers requires a permit pursuant to Section 404 of the Clean Water Act, then a Section 401 Water Quality Certification will be required. Issuance of these certifications is delegated in New York State to DEC. If the project qualifies for a Nationwide Permit, it may be eligible for coverage under DEC's Blanket Water Quality Certification. Coverage under the blanket requires compliance with all conditions in the blanket for the corresponding Nationwide Permit. A copy of the current blanket for the 2017 Nationwide Permits is available on the DEC website at: http://www.dec.ny.gov/docs/permits_ej_operations_pdf/wqcnwp2017.pdf.

STATE-LISTED SPECIES

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near record(s) of the following state-listed species:

<u>Name</u>	<u>Status</u>
Northern long-eared bat (<i>Myotis septentrionalis</i>)	Threatened

A permit is required for the incidental taking of any species listed as "endangered" or "threatened", which can include removal of habitat.

Any tree removal associated with this project should occur within the appropriate time of the year work window, November 1 through March 31, to avoid direct adverse impacts to Northern-long eared bat. If tree clearing cannot be completed within the acceptable time of year restriction, further review will be required.

The absence of data does not necessarily mean that other rare or state-listed species, natural communities or significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

FEMA FLOODPLAIN

The project site is located within or near a Federal Emergency Management Agency (FEMA) floodplain. If not the Town of Somers, the project sponsor should contact the local floodplain administrator to determine if any additional jurisdictions are applicable to the proposal.

March 19, 2019

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NYCDEP)

The project site is located within the NYCDEP watershed. Please contact NYCDEP directly about any jurisdiction they may have.

CULTURAL RESOURCES

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within or near an area considered to be sensitive with regard to archaeological resources.

The project area you identified is located adjacent to the Somers Hamlet Historical District, listed on the National Register of Historic Places. If any DEC permits are required, a determination of impact from the State Historic Preservation Office (SHPO) will be required.

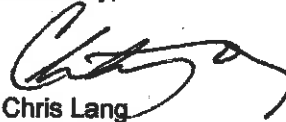
For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

OTHER

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. More information about DEC permits may be found at our website, www.dec.ny.gov, under "Regulatory" then "Permits and Licenses." Application forms may be downloaded at <http://www.dec.ny.gov/permits/6081.html>.

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Chris Lang
Division of Environmental Permits
Region 3, Telephone No. (845) 256-3096

ecc: Meena George, DEC Division of Water
Michael Estremera, Westchester County DOH
Josh Fisher, DEC Bureau of Ecosystem Health
Laurie Machung, NYCDEP
Rosita Miranda, US Army Corps of Engineers
Urstadt Biddle Properties Inc

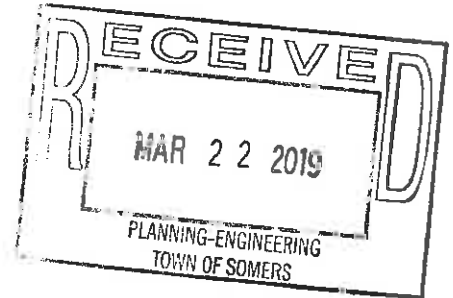
Telephone
(914) 277-5582
Fax
(914) 277-3790

OPEN SPACE COMMITTEE

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

MICHAEL BARNHART
CHAIRMAN



MEMO TO: Planning and Engineering

FROM: Open Space Committee

RE: Extension of Heritage Hills Sewer District

DATE: March 22, 2019

At its monthly meeting on March 21, 2019, a review and discussion of a site plan submitted for the extension of the Heritage Hills Sewer District took place. The Committee will reach out to Joe Barbagallo to see if he can meet with the Committee at their April meeting to answer some questions.

LAW OFFICES OF
SNYDER & SNYDER, LLP

94 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK 10591

(914) 333-0700

FAX (914) 333-0743

WRITER'S E-MAIL ADDRESS
Rgaudio@snnyderlaw.net

NEW YORK OFFICE
445 PARK AVENUE, 9TH FLOOR
NEW YORK, NEW YORK 10022
(212) 749-1448
FAX (212) 932-2693

LESLIE J. SNYDER
ROBERT D. GAUDIOSO

DAVID L. SNYDER
(1956-2012)

NEW JERSEY OFFICE
ONE GATEWAY CENTER, SUITE 2600
NEWARK, NEW JERSEY 07102
(973) 824-9772
FAX (973) 824-9774

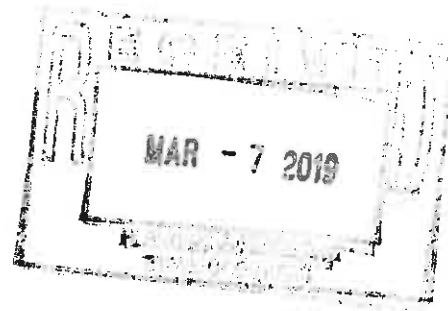
REPLY TO:

Tarrytown Office

March 6, 2019

Honorable Chairman Currie and
Members of the Planning Board
Town of Somers
337 Route 202
Somers, NY 10589

RE: T-Mobile Northeast LLC
Eligible Facilities Request Application (Collocation)
2580 Route 35, Somers, New York



Dear Chairman Currie
And Members of the Planning Board:

We represent T-Mobile Northeast LLC ("T-Mobile") in connection with the enclosed eligible facilities request to collocate its facility at an existing base station ("Existing Facility") at the above referenced property ("Property"), that does not substantially change the physical dimensions of such base station pursuant to Section 6409 (codified as 47 U.S.C. 1455(a)) of the Middle Class Tax Relief and Job Creation Act of 2012 ("Tax Relief Act"), and its implementing regulations 47 C.F.R. §1.6100 (a copy of which is attached hereto).

T-Mobile's project consists of collocating antennas, together with the installation of ancillary equipment onto the Existing Facility without any increase in height, as indicated on the plans submitted herewith. The proposed collocation will be concealed within the faux branches for the existing stealth monopine design. Moreover as shown on the plans provided T-Mobile's equipment will be painted to match the monopine. Pursuant to 47 U.S.C. Section 1455, as well as, Section 6409 of the Federal Middle Class Tax Relief and Job Creation Act of 2012 ("TRA") and Title 47 C.F.R. § 1.6100, T-Mobile's proposed collocation is an eligible facilities request since it involves the collocation of transmission equipment that does not constitute a "*substantial change*" to the Existing Facility. In accordance with 47 C.F.R. § 1.6100(c)(2) a municipality *shall approve* an eligible facilities request application within 60 days from the filing of the request.

As set forth in the materials submitted herewith, T-Mobile's proposed modification involves the collocation of transmission equipment and does not substantially change the physical dimensions of the existing base station.

T-Mobile's proposed eligible facilities request includes the collocation of 8 panel antennas, 8 RRH's and related cables and equipment. All proposed ground work is to be installed within the allowable leased area. There will be no "substantial change" to the physical dimensions of the base station for the following reasons. **First**, the proposed antennas will not increase the height of the Existing Facility by more than 20 feet, in fact there will be no increase in height to the Existing Facility at all. **Second**, the proposed antennas will not protrude further from the edge of the Existing Facility by more than 20 feet, in fact they will not extend further than existing antennas on the Existing Facility. **Third**, the number of equipment cabinets will not be increased by more than four. **Fourth**, there will be no excavation or deployment outside of the existing base station's current site. **Fifth**, the proposed modification will not defeat the concealment elements of the existing base station. **Sixth**, the proposed modification will not violate any prior conditions of approval for the existing base station.

As the proposed modification meets the criteria specified in 47 C.F.R. § 1.6100, the Town is required to approve the enclosed eligible facilities request within 60 days of submitting the request. See 47 C.F.R. § 1.6100(c)(2). In addition by asserting in writing, as has been done by this letter, that the enclosed request meets the criteria for an eligible facilities request, the Town is prohibited from requiring any additional documentation unless such documentation is reasonably necessary to determine if the application meets the aforementioned criteria listed in the six points above. See 47 C.F.R. § 1.6100(c)(1). Therefore, pursuant to the aforementioned federal regulations, the Town is required to issue the building permit to approve T-Mobile's eligible facilities request within 60 days of the submission of this filing. In addition thereto, as the Town is required to approve the eligible facilities request [See 47 C.F.R. § 6100(c)(2)], and its review is limited to determining if the application meets the objective criteria, this action is ministerial in nature with no subjective review involved, and is a Type II action in accordance with 6 CRR-NY 617.5(c)(19). "By definition, SEQRA applies to discretionary decisions only. For decisions where a permit or license must be issued if a given set of circumstances have been met, SEQR does not apply." See SEQRA Handbook: Type II Actions. Therefore the SEQRA process is unnecessary for T-Mobile's application in that it is a Type II action and is ministerial in nature. Notwithstanding the above a Short Environmental Assessment Form has been submitted herewith.

In connection with the above-referenced work, please find enclosed a check in the amount of \$1,000.00 representing the special permit fee for Wireless Telecommunications Facilities and a check in the amount of \$1,500.00 representing the applicable escrow fee together with 14 copies of the following documents:

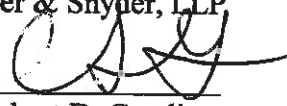
1. Planning Board Application for Wireless Telecommunications;
2. Letters of Authorization from the Property Owner;
3. Short Environmental Assessment Form;
4. FCC RF Emissions Compliance Report; and

5. Signed and sealed plans for T-Mobile's proposed collocation.

Since T-Mobile's eligible facilities request is a collocation on the monopine with no deployment or development outside the existing fenced compound, it is hereby requested that pursuant to Section 170-129.9(B) and/or (C) of the Town Zoning Code, this Honorable Board waive site plan review and approval. However, to the extent that this Honorable Board finds that site plan approval is necessary, T-Mobile respectfully requests site plan approval for its proposed eligible facilities request.

Thank you for your prompt consideration. We look forward to discussing this matter with the Planning Board further at the next available meeting.

Sincerely yours,
Snyder & Snyder, LLP

By: 
Robert D. Gaudioso

RDG/djk

Enclosures

cc: T-Mobile

Z:\SSDATA\WPDATA\SS3\RDG\T-Mobile\Somers\NY-09-122A\tr.PB.djk.rtf

Code of Federal Regulations
Title 47. Telecommunication
Chapter I. Federal Communications Commission (Refs & Annos)
Subchapter A. General
Part 1. Practice and Procedure (Refs & Annos)
Subpart U. State and Local Government Regulation of the Placement, Construction, and Modification of Personal Wireless Service Facilities (Refs & Annos)

47 C.F.R. § 1.6100

§ 1.6100 Wireless Facility Modifications.

Effective: January 14, 2019

Currentness

(a) [Reserved by 83 FR 51886]

(b) Definitions. Terms used in this section have the following meanings.

(1) Base station. A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

(i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

(iii) The term includes any structure other than a tower that, at the time the relevant application is filed with the State or local government under this section, supports or houses equipment described in paragraphs (b)(1)(i) through (ii) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

(iv) The term does not include any structure that, at the time the relevant application is filed with the State or local government under this section, does not support or house equipment described in paragraphs (b)(1)(i)-(ii) of this section.

(2) Collocation. The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

(3) Eligible facilities request. Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

(i) Collocation of new transmission equipment;

(ii) Removal of transmission equipment; or

(iii) Replacement of transmission equipment.

(4) Eligible support structure. Any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the State or local government under this section.

(5) Existing. A constructed tower or base station is existing for purposes of this section if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

(6) Site. For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

(7) Substantial change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

(i) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

(A) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.

(ii) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

(iii) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

(iv) It entails any excavation or deployment outside the current site;

(v) It would defeat the concealment elements of the eligible support structure; or

(vi) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in § 1.40001(b)(7)(i) through (iv).

(8) Transmission equipment. Equipment that facilitates transmission for any Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(9) Tower. Any structure built for the sole or primary purpose of supporting any Commission-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

(c) Review of applications. A State or local government may not deny and shall approve any eligible facilities request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure.

(1) Documentation requirement for review. When an applicant asserts in writing that a request for modification is covered by this section, a State or local government may require the applicant to provide documentation or information only to the extent reasonably related to determining whether the request meets the requirements of this section. A State or local government may not require an applicant to submit any other documentation, including but not limited to documentation intended to illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.

(2) Timeframe for review. Within 60 days of the date on which an applicant submits a request seeking approval under this section, the State or local government shall approve the application unless it determines that the application is not covered by this section.

(3) Tolling of the timeframe for review. The 60-day period begins to run when the application is filed, and may be tolled only by mutual agreement or in cases where the reviewing State or local government determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.

(i) To toll the timeframe for incompleteness, the reviewing State or local government must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standard under paragraph (c)(1) of this section.

(ii) The timeframe for review begins running again when the applicant makes a supplemental submission in response to the State or local government's notice of incompleteness.

(iii) Following a supplemental submission, the State or local government will have 10 days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this paragraph (c)(3). Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

(4) Failure to act. In the event the reviewing State or local government fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

(5) Remedies. Applicants and reviewing authorities may bring claims related to Section 6409(a) to any court of competent jurisdiction.

Credits

[80 FR 28203, May 18, 2015; 83 FR 51886, Oct. 15, 2018]

AUTHORITY: 47 U.S.C. chs. 2, 5, 9, 13; Sec. 102(c), Div. P, Public Law 115–141, 132 Stat. 1084; 28 U.S.C. 2461, unless otherwise noted.

Notes of Decisions (1)

Current through Jan. 17, 2019; 84 FR 125.

End of Document

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2.2013

**TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
APPLICATION FOR SPECIAL USE PERMIT
WIRELESS TELECOMMUNICATIONS FACILITY**

Facility Owner/User InSide Towers, LLC Tel. #: (703) 535-3009
 Address: 1199 N. FAIRFAX ST., Suite 700, Alexandria, VA 22314
 Property Owner: Umberto and Carol Santaroni Tel. #: _____
 Address: 2580 Route 35 Katonah, NY
 Applicant: T-Mobile Northeast LLC Tel. #: 845-664-5204
 Address: 4 Sylvan Way Parsippany, NJ 07054
 Managing Agent: _____ Tel. #: _____
 Address: _____
 Westchester County Agent: _____ Tel. #: _____
 Address: _____

Premises: Sheet: 37.13 Block: 2 Lot: 3 Situated on the _____ side of
 _____ (Street) _____ feet from the intersection of _____ (Street)

Zoning District 12-170
 PROJECT TITLE: N409100A T-Mobile
 DESCRIPTION OF WORK AND PURPOSE:
Installation of Telecommunications equipment on existing building

TYPE OF PERMIT REQUESTED: _____ ORIGINAL
 _____ AMENDED (Date of Original Permit)
 _____ RENEWAL (Date of Original Permit)

SIZE OF ACTIVITY AREA: within existing compound
 ESTIMATED TOTAL VALUE OF WORK: \$50,000.00
 PROPOSED STARTING DATE: _____
 PROPOSED COMPLETION DATE: _____
 PLANS PREPARED BY: Tectonic Engineering DATED: 12/3/18
Plans must be submitted with application.

APPLICATION FEE: \$300

Based upon Somers Town Code §133-2. At the time of submission of any application, an Escrow Account shall be established to pay for the costs of professional review services.

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:

14 Copies of all correspondence and plans submitted to the Planning Board.

Please refer to Somers Town Code §170-129.8, Application procedure. for the required documents to be submitted. (see attached)

APPLICANT/FACILITY/OWNER/USER SIGNATURE: [Signature]

DATE: 3/1/19

PROPERTY OWNER'S SIGNATURE: See LOA

DATE: _____

PROPERTY OWNER'S LETTER OF AUTHORIZATION

APPLICATION FOR ZONING/APPROVAL

Umberto Santaroni and Carol Santaroni, the owners of the existing property located at 2580 Route 35, Katona, New York, do hereby appoint T-Mobile Northeast LLC and its representatives, for the purpose of filing any applications necessary to insure its ability to install a public utility communications facility at the aforementioned property. The owners are fully aware of the actions concerning the applications that are being made by T-Mobile Northeast LLC.

Owners:

By: Umberto Santaroni

Name: Umberto Santaroni

Sworn to before me
this 31st day of JAN, 2019

[Signature]
NOTARY PUBLIC

NOTARY PUBLIC
State of New York
JAN 31 2019
5/31/19

By: Carol Santaroni

Name: Carol Santaroni

Sworn to before me
this 31st day of JAN, 2019

[Signature]
NOTARY PUBLIC

NOTARY PUBLIC
State of New York
JAN 31 2019
5/31/19

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

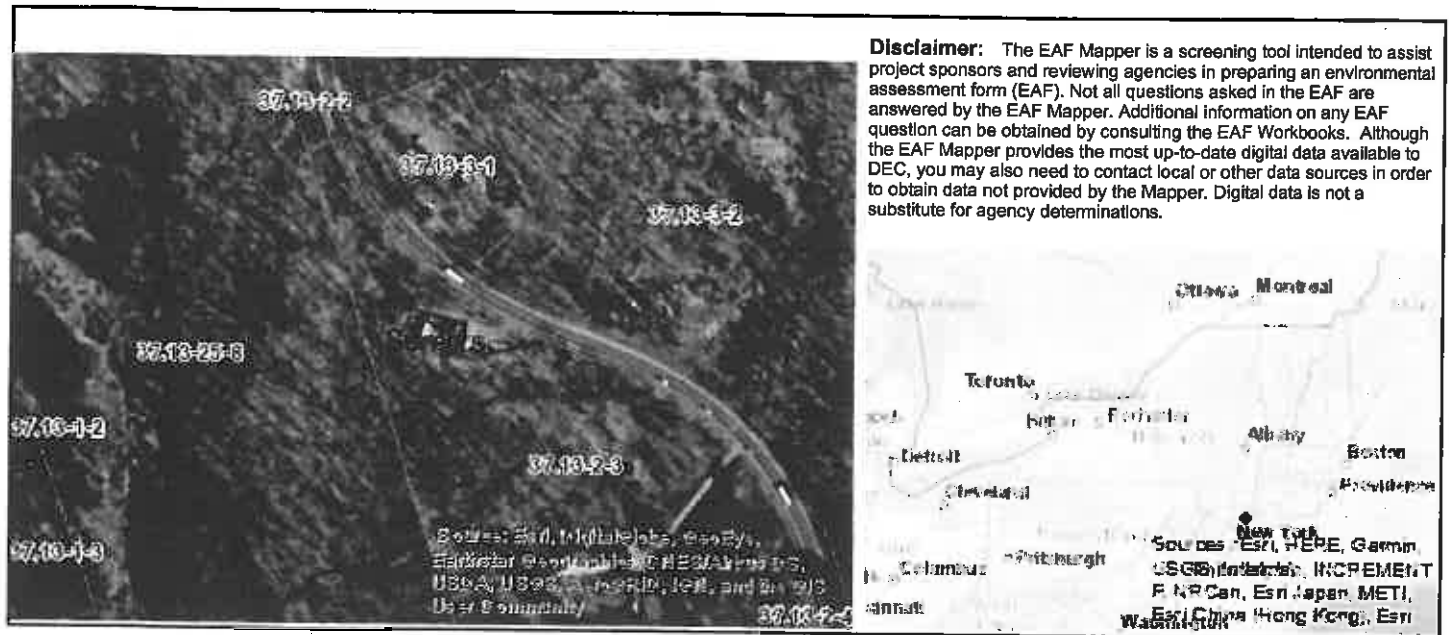
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Name of Action or Project: NY09122 - TS81220875							
Project Location (describe, and attach a location map): 2580 Route 35, Katonah, Westchester County, NY 10536							
Brief Description of Proposed Action: T-Mobile proposes the modification of an existing wireless telecommunications facility. Specifically, T-Mobile proposes a new telecommunications facility including new equipment at grade within the existing fenced area and new antennas on existing monopole.							
Name of Applicant or Sponsor: T-Mobile Northeast, LLC		Telephone: E-Mail:					
Address: 4 Sylvan Way							
City/PO: Parsippany		State: NJ	Zip Code: 07054				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		0.004 acres					
b. Total acreage to be physically disturbed?		0.004 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.004 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Existing telecommunications facility <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
The proposed project will meet state energy code requirements. _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>CBRE, Inc. Telecom Advisory Services</u> Date: <u>1/30/19</u>		
Signature: <u>Christophe B...</u> Title: <u>Project Manager, Biologist</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

617.20
Appendix B
State Environmental Quality Review
VISUAL EAF ADDENDUM

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

Visibility

**Distance Between
Project and Resource (in Miles)**

1. Would the project be visible from:	0 - ¼	¼ - ½	½ - 3	3 - 5	5 +
• A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A site or structure listed on the National or State Registers of Historic Places?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• State Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The State Forest Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• National Wildlife Refuges and State Game Refuges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• National Natural Landmarks and other outstanding natural features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Park Service lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Rivers designated as National or State Wild, Scenic or Recreational?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• A site, area, lake, reservoir or highway designated as scenic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Municipal park, or designated open space?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• County road?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• State road?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Local road?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)

☐ Yes ☒ No

3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?

☒ Yes ☐ No

DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in question 1, check those which generally describe the surrounding environment.

	*1/4 mile	Within *1 mile
Essentially undeveloped	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Forested	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>
Suburban Residential	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Commerical	<input type="checkbox"/>	<input type="checkbox"/>
Urban	<input type="checkbox"/>	<input type="checkbox"/>
River, Lake, Pond	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cliffs, Overlooks	<input type="checkbox"/>	<input type="checkbox"/>
Designated Open Space	<input type="checkbox"/>	<input type="checkbox"/>
Flat	<input type="checkbox"/>	<input type="checkbox"/>
Hilly	<input type="checkbox"/>	<input type="checkbox"/>
Mountainous	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: add attachments as needed

5. Are there visually similar projects within:

*1/2 mile ☒ Yes ☐ No 1 mile ☐ Yes ☐ No 2 miles ☐ Yes ☐ No 3 miles ☐ Yes ☐ No

*Distance from project site is provided for assistance. Substitute other distances as appropriate.

EXPOSURE

6. The annual number of viewers likely to observe the proposed project is ~1000?

NOTE: When user data is unavailable or unknown, use best estimate.

CONTEXT

7. The situation or activity in which the viewers are engaged while viewing the proposed action is:

FREQUENCY

Activity	Daily	Weekly	Holidays/ Weekends	Seasonally
Travel to and from work	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Involved in recreational activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routine travel by residents	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
At a residence	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
At worksite	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other _____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Reset

Criteria
Spatial
Results

1. Navigate to your area of interest

Option A: Zoom to a County or Municipality

Select County...

Option B: Find an Address Location

2580 Route 35, Katonah, NY

2. Define or refine the location/area for your search

Click a button below to activate the draw tool and draw the shape on the map

☐ Point
☐ Line
☐ Rectangle
☐ Circle
☐ Polygon

3. Generate a search radius around your graphic (Optional)

Generate a ☐ Spot ☐ Buffer ☐ Generate Buffer



44SEC-670970B2

Tectonic
 Tectonic Engineering & Surveying, Inc.
 1000 Route 308
 Katonah, NY 10536
 www.tectonicengineering.com

T-Mobile
 NORTH HAVEN, CT
 4000000000
 10000000000

AMP
 COMMUNICATIONS, LLC
 ACQUIRE • DESIGN • BUILD • MAINTAIN

REV	DATE	DESCRIPTION	BY	CHKD
1	10/27/14	FOR CONSTRUCTION	JD	
2	10/27/14	FOR CONSTRUCTION	JD	
3	10/27/14	FOR CONSTRUCTION	JD	

Handwritten signature

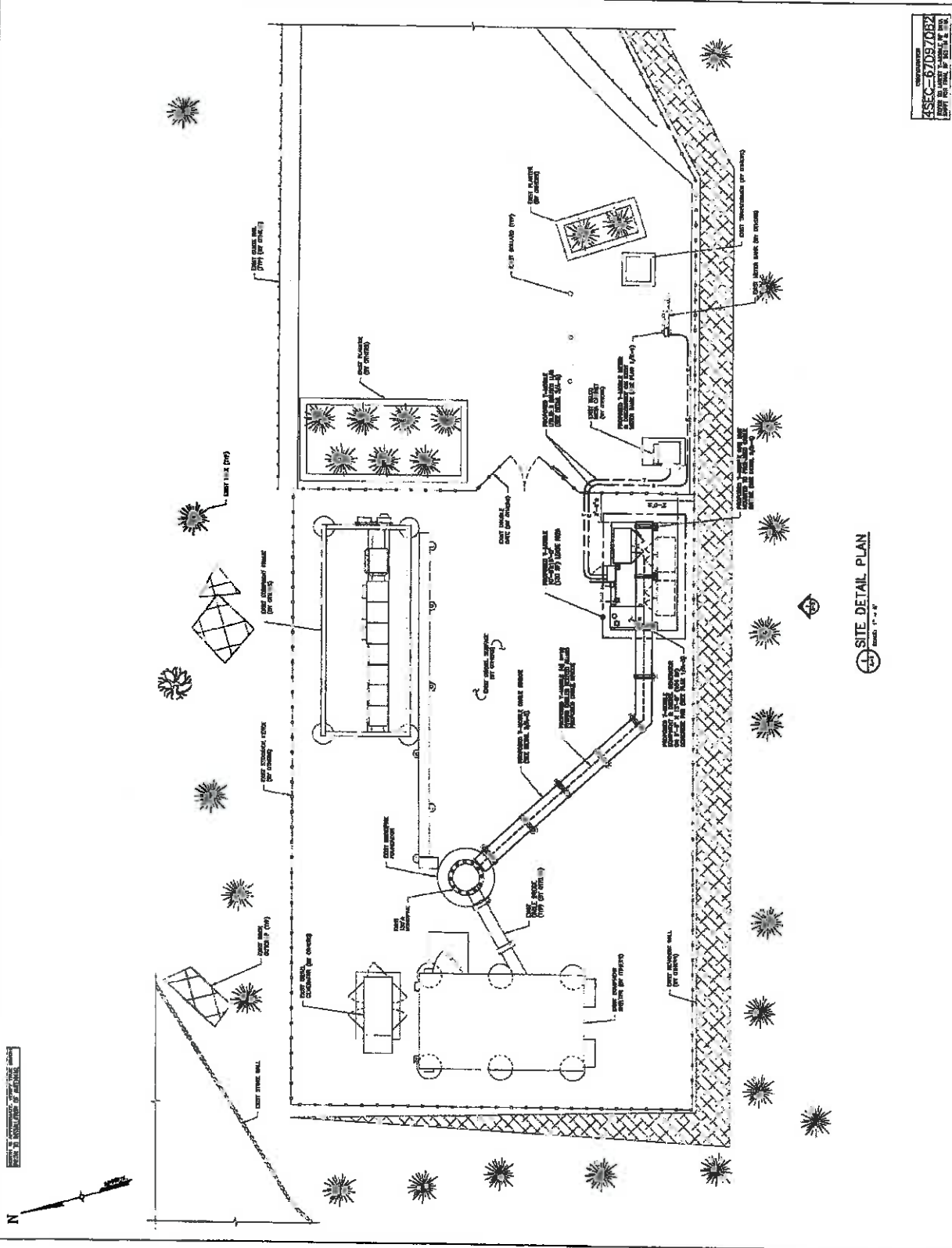
MAINTAINED AS SHOWN TO A REMAIN IN THE EXISTING CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES SHOWN ON THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES SHOWN ON THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES SHOWN ON THE SITE.

T-MOBILE SITE ID: NY081224

2580 ROUTE 35
 KATONAH, NY 10536
 WESTCHESTER COUNTY

SHEET TITLE
 SITE DETAIL PLAN

A-1



4500000000
 10000000000
 10000000000

Tectonic

1578 Avenue J
 Memphis, TN 38163
 Phone: (901) 367-6200
 Fax: (901) 367-6234
 Website: www.mccormick.com

Mobile
EAST

AMP
COMMUNICATIONS, LLC

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understands is typical for someone who has a deep understanding of the world. He is a person who is not afraid to speak his mind and who is not afraid to stand up for his beliefs. He is a person who is not afraid to take a stand and who is not afraid to be different. He is a person who is not afraid to be a leader and who is not afraid to be a follower. He is a person who is not afraid to be a man and who is not afraid to be a woman. He is a person who is not afraid to be a child and who is not afraid to be an adult. He is a person who is not afraid to be a citizen and who is not afraid to be a subject. He is a person who is not afraid to be a man and who is not afraid to be a woman. He is a person who is not afraid to be a child and who is not afraid to be an adult. He is a person who is not afraid to be a citizen and who is not afraid to be a subject.

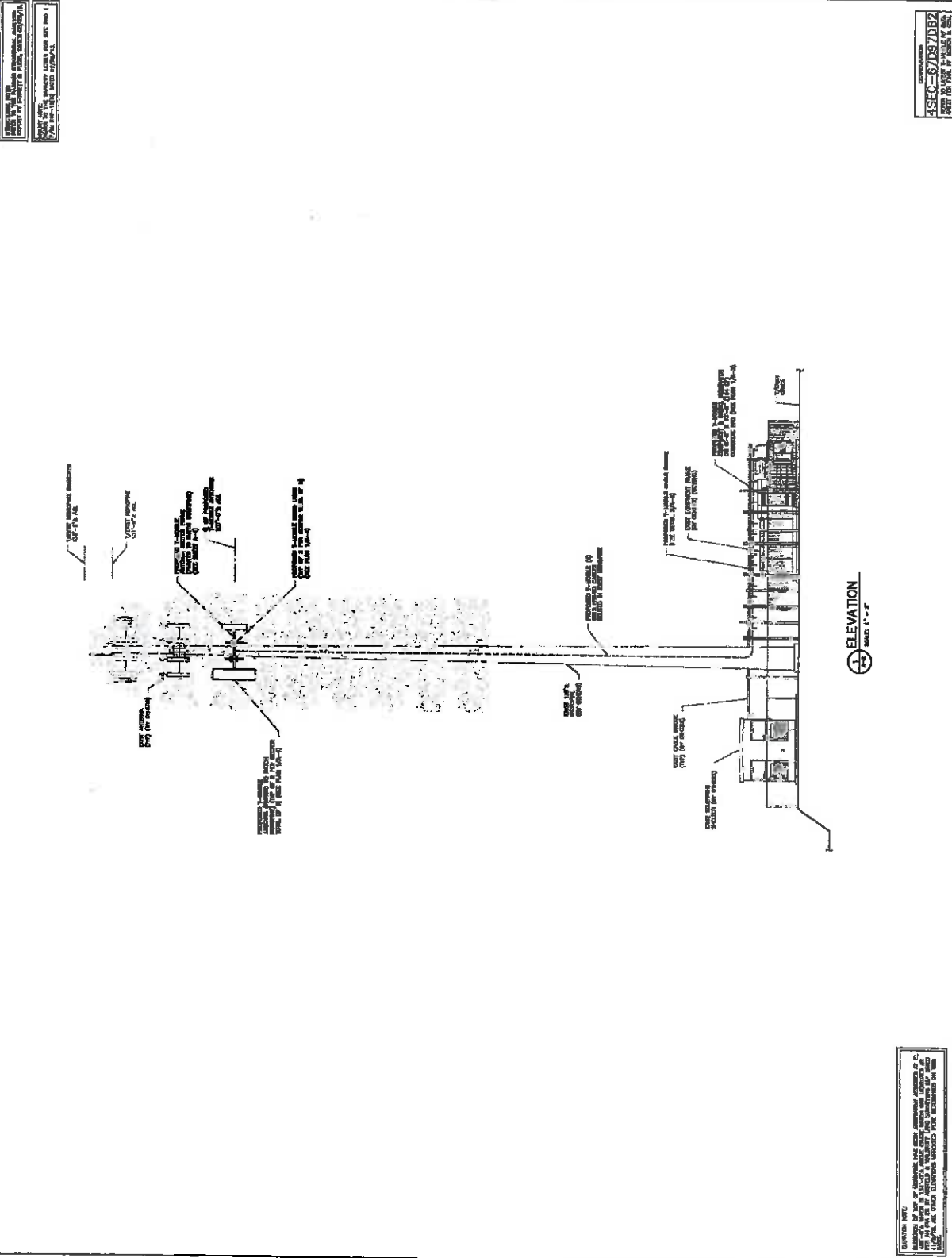
STANDARD SIZE IN INCHES

SITE INFORMATION

MOBILE SITE ID: MW00472A

SITE ADDRESS
580 ROUTE 35

ESSEX COUNTY



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AMP
COMMUNICATIONS, LLC

PROJECT FILE #	DATE	DESC. INFO.	BY	NO.
13872400128A	11/27/78	FOR COMMENT	AF	
	12/24/78	FOR COMMENT/COMMIT	AF	
	12/14/78	FOR COMMENT	AF	

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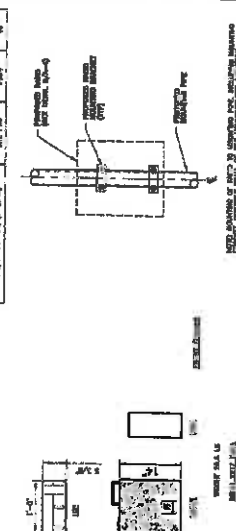
80 ROUTE 35
TITONAH, NY 10536
SCHUSTER COUNTY

TENNIS PLANS SCHEDULE

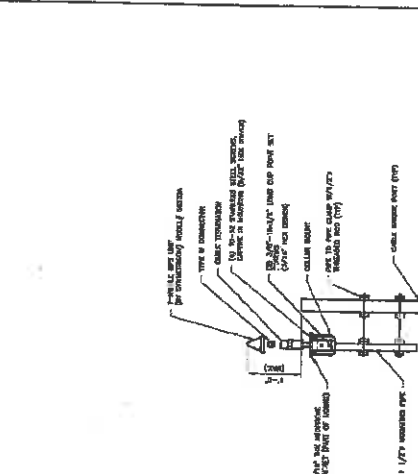
A-4

[illegible]

QUESTIONS	# YES	# NO	REMARKS
1. Are you a member of any religious organization?	10	10	MEMBER OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
2. Do you believe in the existence of God?	10	10	YES
3. Do you believe in the existence of angels?	10	10	YES
4. Do you believe in the existence of demons?	10	10	YES
5. Do you believe in the existence of spirits?	10	10	YES
6. Do you believe in the existence of ghosts?	10	10	YES
7. Do you believe in the existence of evil spirits?	10	10	YES
8. Do you believe in the existence of evil spirits who can harm people?	10	10	YES
9. Do you believe in the existence of evil spirits who can possess people?	10	10	YES
10. Do you believe in the existence of evil spirits who can cause illness?	10	10	YES
11. Do you believe in the existence of evil spirits who can cause death?	10	10	YES
12. Do you believe in the existence of evil spirits who can cause mental illness?	10	10	YES
13. Do you believe in the existence of evil spirits who can cause physical illness?	10	10	YES
14. Do you believe in the existence of evil spirits who can cause financial loss?	10	10	YES
15. Do you believe in the existence of evil spirits who can cause legal problems?	10	10	YES
16. Do you believe in the existence of evil spirits who can cause social problems?	10	10	YES
17. Do you believe in the existence of evil spirits who can cause family problems?	10	10	YES
18. Do you believe in the existence of evil spirits who can cause health problems?	10	10	YES
19. Do you believe in the existence of evil spirits who can cause emotional problems?	10	10	YES
20. Do you believe in the existence of evil spirits who can cause spiritual problems?	10	10	YES

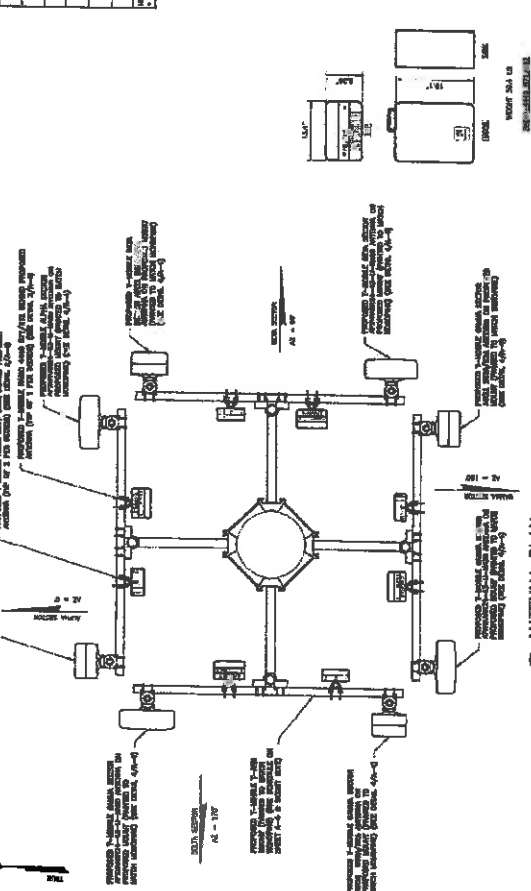


SCALE 1" = 1'-0"

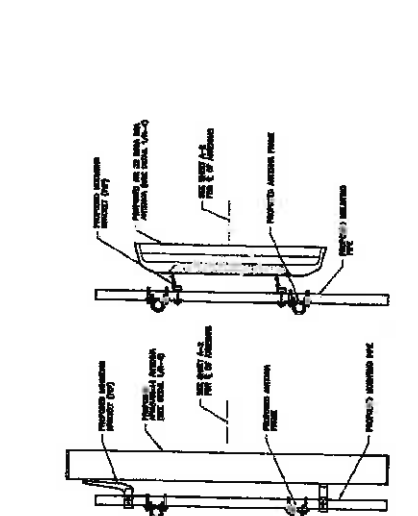


ASAC-67097DB2

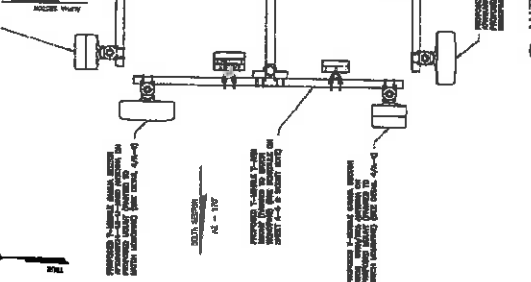
Two floor plan images of the building.



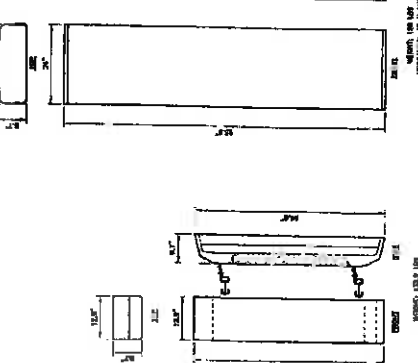
① 1" or 1'-0"



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MOUNTING DE JAIL

Tectonic
Tectonic Engineering & Surveying, Inc.
1000 New York Ave.
New York, NY 10002
www.tectonicsurveying.com

T-Mobile
NORTHEAST LLC
4 BILLYMONT
TACONIC, NY 10984

AMP
COMMUNICATIONS, LLC
ACTUARY • DESIGN • BUILD • MAINTENANCE

REV.	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY
0	1/1/2016	FOR CONSTRUCTION	JO	JO
1	1/1/2016	FOR CONSTRUCTION	JO	JO
2	1/1/2016	FOR CONSTRUCTION	JO	JO



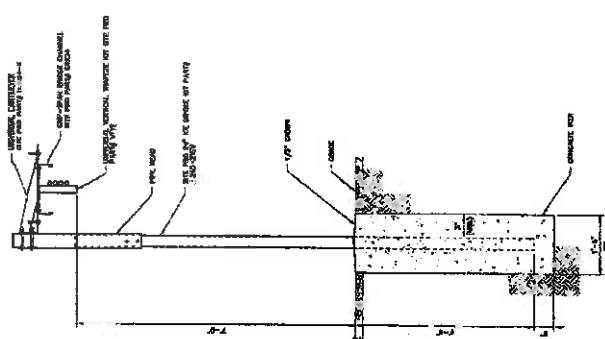
MANUFACTURER'S SPECIFICATIONS TO BE SUBMITTED TO THE ARCHITECT FOR REVIEW AND APPROVAL. THE MANUFACTURER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE STRUCTURE. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE STRUCTURE. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE STRUCTURE.

T-MOBILE SITE I.D.: NY08122A

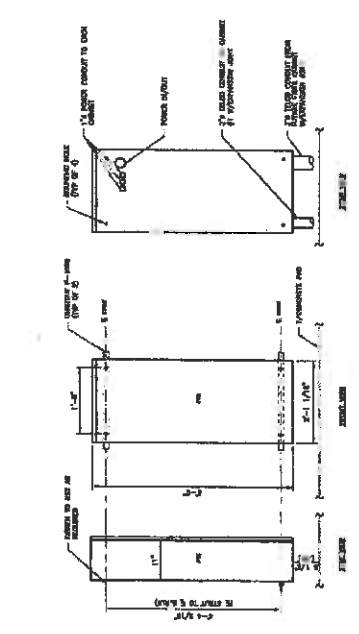
2580 ROUTE 35
KATONAH, NY 10536
WESCHESTER COUNTY

DETAILS

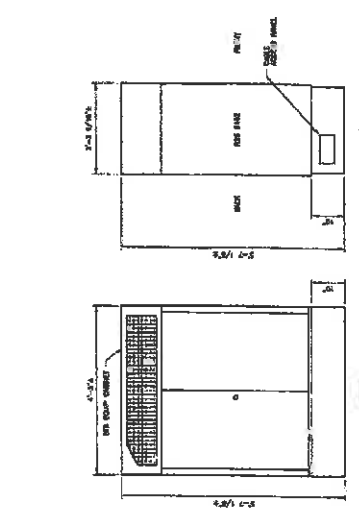
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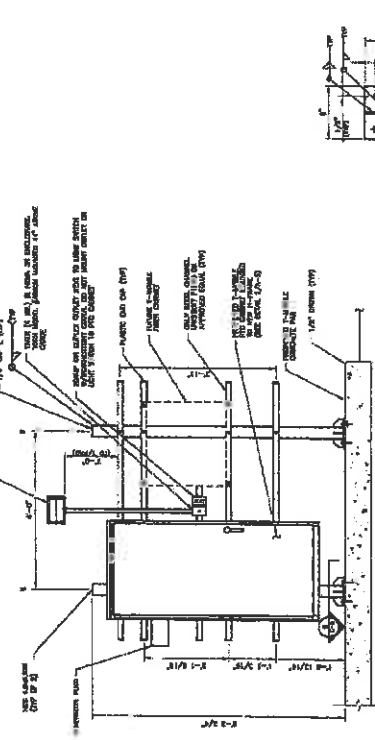
CABLE BRIDGE DETAILS
SCALE: 1/4" = 1'-0"



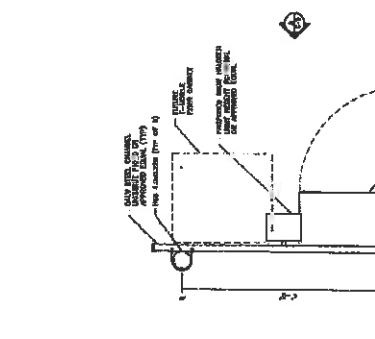
PTC CABINET DETAIL
SCALE: 1/4" = 1'-0"



EQUIPMENT DETAIL
SCALE: 1/4" = 1'-0"



H-FRAME ELEVATION
SCALE: 1/4" = 1'-0"



H-FRAME PLAN
SCALE: 1/4" = 1'-0"

35EC-6709 ZD92
CHECKED BY: [Signature]
DATE: 1/1/2016

Tectonic
 Tectonic Engineering & Consulting, Inc.
 10000 Highway 100, Suite 100
 Houston, TX 77055
 Phone: (281) 415-1000
 Fax: (281) 415-1001
 www.tectonicec.com

Mobile
 SOUTHEAST LLC
 10000 Highway 100, Suite 100
 Houston, TX 77055
 Phone: (281) 415-1000
 Fax: (281) 415-1001
 www.tectonicec.com

AMP
 COMMUNICATIONS, LLC
 10000 Highway 100, Suite 100
 Houston, TX 77055
 Phone: (281) 415-1000
 Fax: (281) 415-1001
 www.tectonicec.com

PROJECT NO.	10000
DATE	10/1/00
BY	10/1/00
1	10/1/00
2	10/1/00
3	10/1/00
4	10/1/00
5	10/1/00
6	10/1/00
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9	10/1/00
10	10/1/00

Handwritten signature

NOTES: 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE AIA, ASHRAE, AND SMACNA STANDARDS. 2. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBMITTED FOR APPROVAL PRIOR TO INSTALLATION. 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LOCAL, STATE, AND FEDERAL REGULATIONS. 5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT MANUAL. 6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS. 7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT DRAWINGS. 8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT SCHEDULE. 9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT BUDGET. 10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT QUALITY ASSURANCE PROGRAM.

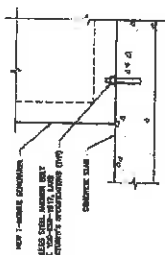
T-MOBILE SITE ID: NY08122A

2580 ROUTE 35
 KATONAH, NY 10538
 WESCHSTER COUNTY

CONCRETE PAD DETAILS

A-6

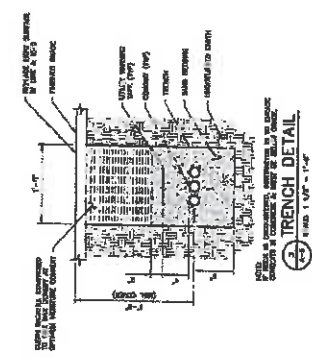
ASCC-6708 ZDBZ
 10/1/00 10/1/00 10/1/00



GENERATOR MOUNTING DETAIL
 SCALE 1/4" = 1'-0"



CONCRETE SLAB SECTION
 SCALE 1/4" = 1'-0"



TRENCH DETAIL
 SCALE 1/4" = 1'-0"

GENERAL NOTES

- [illegible]

STRUCTURAL NOTES

1. GENERAL
2. STATEMENT OF WORK
3. SCOPE OF WORK
4. DELIVERABLES
5. ASSUMPTIONS
6. DEPENDENCIES
7. RISKS
8. CONCLUSIONS
9. RECOMMENDATIONS
10. APPENDICES
11. REFERENCES
12. CONTACT INFORMATION
13. REVISIONS
14. APPROVALS
15. DATE
16. PAGE
17. TOTAL PAGES
18. PROJECT NAME
19. PROJECT NUMBER
20. PROJECT MANAGER
21. PROJECT TEAM
22. PROJECT STATUS
23. PROJECT START DATE
24. PROJECT END DATE
25. PROJECT BUDGET
26. PROJECT RISK LEVEL
27. PROJECT COMPLEXITY
28. PROJECT INTEREST
29. PROJECT IMPACT
30. PROJECT BENEFITS
31. PROJECT CHALLENGES
32. PROJECT OPPORTUNITIES
33. PROJECT RISKS
34. PROJECT MITIGATIONS
35. PROJECT MONITORING
36. PROJECT REPORTING
37. PROJECT COMMUNICATION
38. PROJECT STAKEHOLDERS
39. PROJECT GOVERNANCE
40. PROJECT CLOSURE
41. PROJECT EVALUATION
42. PROJECT LESSONS LEARNED
43. PROJECT IMPROVEMENTS
44. PROJECT RECOMMENDATIONS
45. PROJECT CONCLUSIONS
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CONVERT NOTE

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TELCO WIRE NOTES

CONDUCTOR SIZE, TYPE, AND TENSION SHALL BE AS SPECIFIED IN THE STANDARD SPECIFICATIONS FOR THE INSTALLATION OF TELEPHONE LINES. THE FOLLOWING NOTES ARE TO BE USED IN CONNECTION WITH THE STANDARD SPECIFICATIONS.

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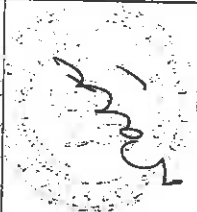


Tectonic
Tectonic Engineering & Surveying, Inc.
10000 Highway 100, Suite 100
Houston, TX 77036
Phone: (713) 465-0000
Fax: (713) 465-0001
www.tectonicengineering.com

Mobile
MOBILE/ATL
10000 Highway 100, Suite 100
Houston, TX 77036
Phone: (713) 465-0000
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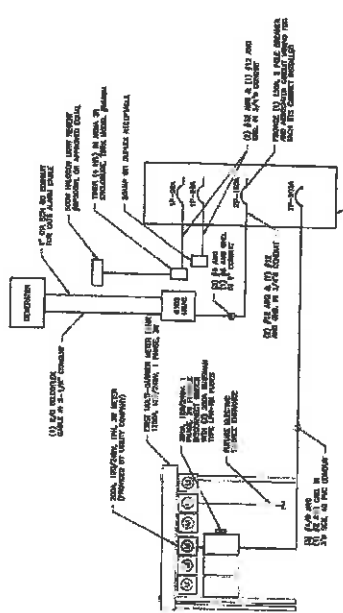
AMP
COMMUNICATIONS, LLC
10000 Highway 100, Suite 100
Houston, TX 77036
Phone: (713) 465-0000
Fax: (713) 465-0001
www.tectonicengineering.com

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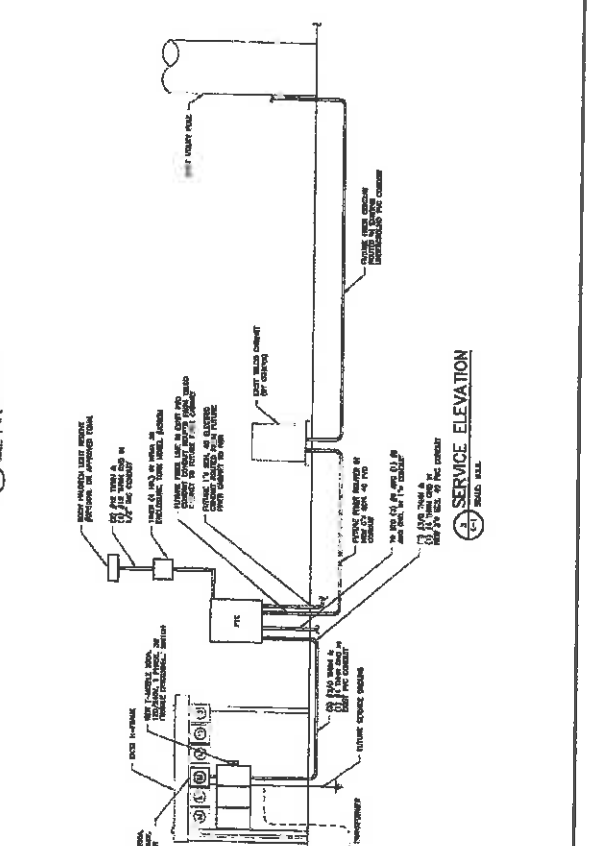
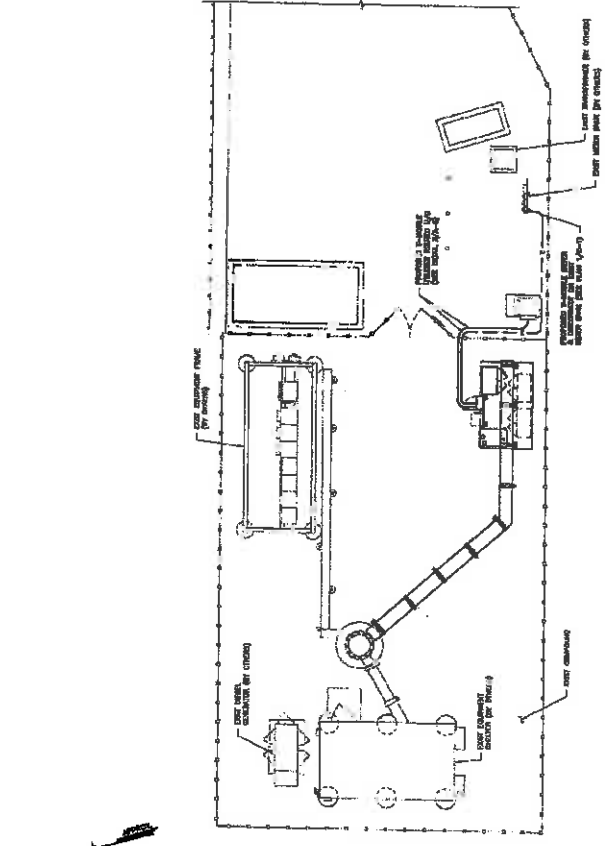


GENERAL ELECTRICAL NOTES

1. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE TEXAS ELECTRICAL CODE (TEC).
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4SEC-87097DR2
10000 Highway 100, Suite 100
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Phone: (713) 465-0000
Fax: (713) 465-0001
www.tectonicengineering.com



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POLITICAL ANALYSIS AND INTERNATIONAL STRATEGIES
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Westborough, MA 01581 (508) 991-4329
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COMMUNICATIONS, LLC

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	2	12/11/14	FOR CLOSURE	JO

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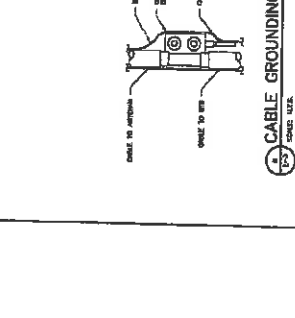
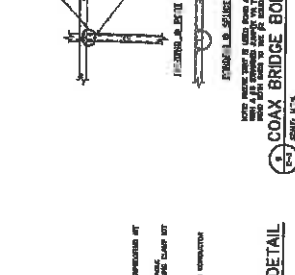
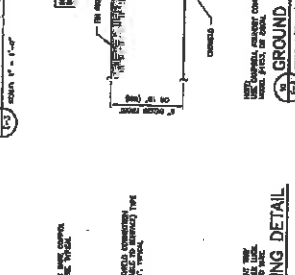
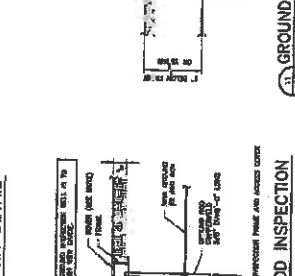
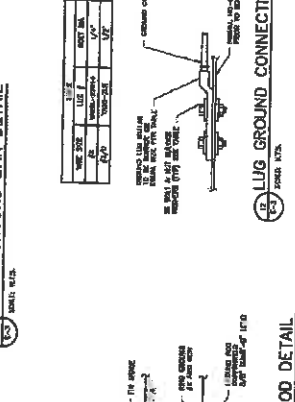
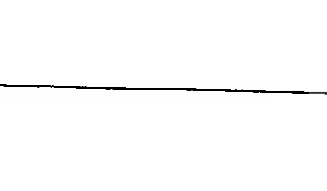
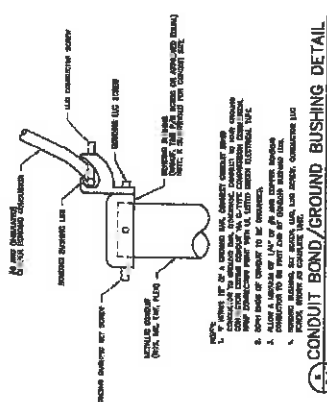
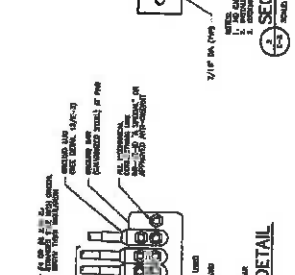
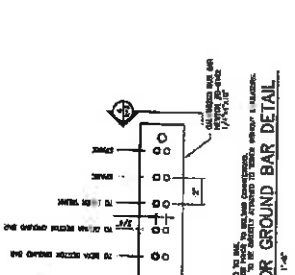
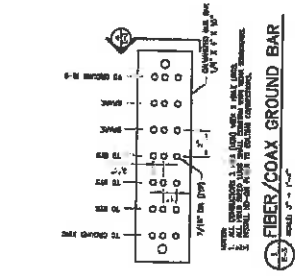
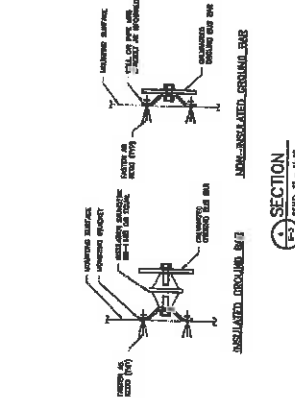
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SITE INFORMATION -MOBILE SITE I.D.: NY09122A	SITE NAME 580 ROUTE 35 ATONAH, NY 10536 ESCHESTER COUNTY	SERT TYPE SURROUNDING DETAILS
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STAYING IN A ROOM FOR THE NIGHT
WANTS TO BE CALLED "GUEST"
AND NOT "GUESTS" OR "GUESTS"

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Evaluation of the Radiofrequency Environment
in the Vicinity of the Proposed
NY09122A
Wireless Facility

2580 Route 35,

Somers, NY 10536

Located in the County of Westchester

Prepared for

T-Mobile Northeast LLC, a Delaware Limited Liability Company

by

PierCon Solutions, LLC

October 23, 2018

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1.0 SUMMARY AND COMPLIANCE STATUS

T-Mobile Northeast LLC, a Delaware Limited Liability Company, proposes to construct and operate a new wireless communications installation on a 130 foot tall monopole structure at **2580 Route 35, Somers, NY 10536**.

PierCon Solutions, LLC, an engineering firm specializing in wireless communications, was contracted to perform an independent assessment of this facility and its environs on behalf of T-Mobile Northeast LLC. The primary purpose of this assessment was to predict whether the radiofrequency (RF) environment at the wireless communications site location and in its immediate surroundings will be in compliance with guidelines for applicable limits for human exposure to radiofrequency fields, as adopted by the Federal Communications Commission (FCC). To perform this assessment, PierCon Solutions personnel obtained applicable engineering data and drawings from the applicant and obtained antenna specifications from the manufacturer.

RF information was collected and analyzed using methodology recommended by the Federal Communication Commission's Office of Engineering and Technology in Bulletin 65 *Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields*, 97-01 (OET Bulletin 65) and of Richard Tell in his *CTIA's EME Design and Operation Considerations for Wireless Antenna Sites* November 15, 1996.

The completed assessment includes consideration of contributions to the radiofrequency environment from the proposed T-Mobile installation and existing carriers. The proposed T-Mobile installation includes 2 panel antennas in 4 sectors (8 total antennas). The proposed installation will provide LTE service at 600 MHz, 700 MHz, 1900 MHz, and 2100 MHz and UMTS service at 2100 MHz. The centerlines of the antennas for this service will be 107' above ground level (AGL). Associated transmitters and ancillary equipment will be located at the base of the monopole. GPS antennas are also required. They are utilized to receive only and are not capable of contributing to RF energy at the site.

PierCon Solutions predicted the future radiofrequency environment by adding the worst-case RF contribution, in terms of percentage of applicable FCC limits, from the proposed and existing installations. The FCC's general public exposure limits were applied which are the strictest criteria.

After reviewing and analyzing the information gathered and considering relevant factors, PierCon Solutions, LLC has made the following determination regarding the site's compliance with applicable guidelines for Maximum Permissible Exposure (MPE) limits, as defined by the FCC. The potential RF exposures will be well below general public limits for all publicly accessible areas in this location and nearby properties.

**This site will be in compliance with applicable
FCC radiofrequency exposure limits.**

2.0 PREDICTIVE ANALYSIS

2.1 TECHNICAL DATA USED IN THIS PREDICTIVE ANALYSIS

Technical input parameters used or considered in the predictive modeling performed in this study are identified in the following tables.

T-Mobile Radio Parameters					
Service Type	UMTS	LTE	LTE	LTE	LTE
Transmission Frequency Band	2100 MHz Band	2100 MHz Band	700 MHz Band	1900 MHz Band	600 MHz Band
Antenna Height above ground level (centerline)	107 feet AGL	107 feet AGL	107 feet AGL	107 feet AGL	107 feet AGL
Person Height above ground level	6 feet AGL	6 feet AGL	6 feet AGL	6 feet AGL	6 feet AGL
Antenna type	Panel	Panel	Panel	Panel	Panel
Antenna Manufacturer	RFS	Ericsson	RFS	Ericsson	RFS
Antenna Model	RFS APXVARR24_43-C-NA20-3-6-2100+	Ericsson KRD901044_1_A_06DT	RFS APXVARR24_43-C-NA20-1-6-735+	Ericsson KRD901044_1_A_06DT	RFS APXVARR24_43-C-NA20-1-6-630+
Antenna Length	96 inches	57 inches	96 inches	57 inches	96 inches
Antenna horizontal Beamwidth (at 3 dB down)	67 degrees	64 degrees	59 degrees	64 degrees	62 degrees
Antenna Gain	16.8 dBd	15.6 dBd	13.5 dBd	15.6 dBd	13.1 dBd
Antenna Tilt (electrical)	6 degrees	6 degrees	6 degrees	6 degrees	6 degrees
Antenna Tilt (mechanical)	0 degrees	0 degrees	0 degrees	0 degrees	0 degrees
Antenna gain, front-to-back ratio	44 dB	35 dB	39 dB	35 dB	37 dB
Transmit Power per channel (Watts)	40 Watts/Channel	30 Watts/Channel	10 Watts/Channel	20 Watts/Channel	20 Watts/Channel
RF channels per sector	1 channels/sector	1 channel 4X4 MIMO	1 channel 4X4 MIMO	1 channel 4X4 MIMO	1 channel 4X4 MIMO
Effective Radiated Power (ERP) per channel	1897 Watts/Channel	1077 Watts/Channel	222 Watts/Channel	718 Watts/Channel	405 Watts/Channel
Line loss (worst-case – no loss)	0.0 dB	0.0 dB	0.0 dB	0.0 dB	0.0 dB

Table 1 – T-Mobile Radio Parameters

2.2 FCC AND STATE GUIDELINES

The FCC has established two sets of Maximum Permissible Exposure (MPE) limits. Occupational/controlled limits apply to RF exposures to workers who are in an area as a consequence of their occupations, as long as they have been made fully aware of their potential for exposure to RF fields and are able to exercise control over their exposure.

For everyone else, general population/uncontrolled limits apply. These limits are extremely protective, in consideration of the most vulnerable members of the public. For sites where the surrounding area is generally accessible by members of the general population, the FCC general population/uncontrolled MPE limits are generally applied.

The analysis in this report uses the FCC General Public standards (the strictest).

2.3 MPE ANALYSIS FROM HORIZONTAL AND VERTICAL PERSPECTIVE

The Power Density Calculations in the analysis must take into account the distance between the location of the general public versus the location of the transmitting antennas (from both a horizontal and vertical perspective). From a horizontal perspective, the standard Power Density Calculations are performed from 0 to 2000 feet from the wireless communication site (in 5 foot increments).

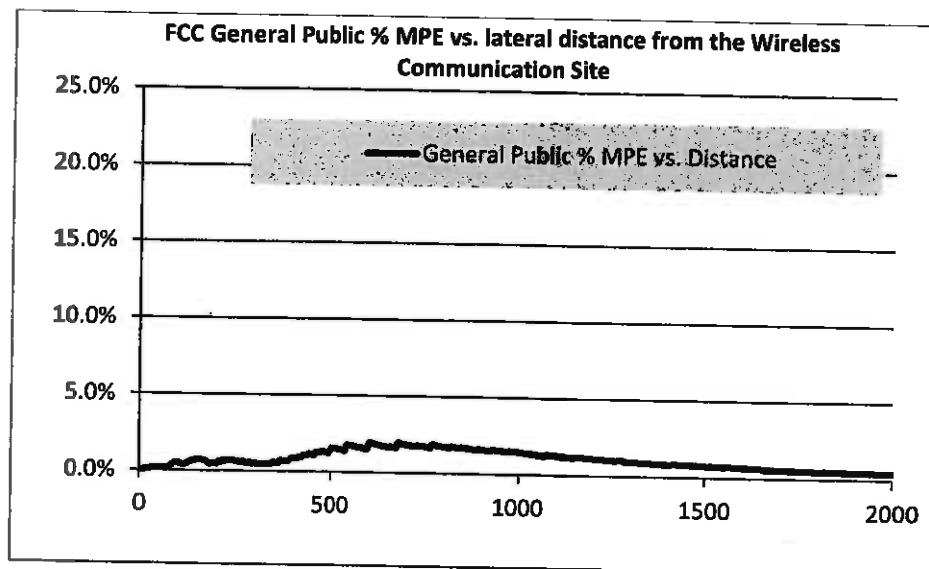
From a vertical perspective, a factor must be included in order to account for differences between the general public's height above ground level versus the wireless communication site's ground elevation. These differences are typically caused by fluctuations in local ground elevation or multi-story buildings with outdoor areas where the general public may occupy. The analysis was performed to determine the appropriate height factor for the general public to include in the worst-case power density calculation. The height factor is 6' feet for the general public which represents a 6' tall in the nearby area.

3.0 RESULTS OF THE ANALYSIS

The analysis was performed using the technical input parameters shown in Section 2.1 in order to calculate the wireless communications site's worst-case % MPE from the proposed transmitters.

Figure 1 shows a graph of the wireless communication site's % MPE versus its distance from the general public (within the first 2000 feet) at 6' above ground. For each location, the % MPE is calculated by summing each Service Type by the existing and proposed providers' % MPE values.

Figure 1 – FCC General Public % MPE vs lateral distance from the Wireless Communications Site from the proposed Transmitters at grade level.



The worst-case combined RF exposures to transmissions from the proposed T-Mobile installation and existing carriers at a general public height of 6' will be:

- **1.975%** of (or 50.64 times below) the **FCC Maximum Permissible Exposure** limit for General Public. This maximum value was calculated to occur at a distance of **680 feet** from the proposed site location

4.0 CONCLUSION

This conclusion represents the analysis and compliance assessment by PierCon Solutions, LLC of the RF environment surrounding the proposed wireless communications installation and existing wireless facilities on the monopole at **2580 Route 35, Somers, NY 10536**.

The assessment is based on careful consideration of the information supplied by T-Mobile.

Using conservative predictive calculations, PierCon has considered the effect on the existing RF environment which will result from operation of the new installation, and compared this total combined effect to the applicable limits set by the FCC.

Simultaneous operation, at maximum power, of the proposed installation and existing installations, will result in total exposure levels below the Maximum Permissible Exposure limit set by the FCC for public areas. Maximum worst-case combined potential RF exposures will be at least **50.64 times below** the applicable limit (**1.975% of the FCC limit**). Inside buildings, total combined potential RF exposures from the existing and proposed sources on this wireless communication site will be substantially lower.

PierCon Solutions LLC has determined that all publicly accessible areas in this location and nearby properties will remain in full compliance with all applicable FCC radiofrequency exposure limits, as well as all applicable ANSI, IEEE, NCRP and NJDEP limits. The roof area that has the potential to expose individuals at above the limits set for occupational should be accessible only to those who will be exposed as a consequence of their employment. At this site, appropriate signage must be installed establishing occupational "awareness" of the potential for RF exposure and reminds workers of procedures available to them to exercise control over their exposure and is therefore in compliance.

Report Prepared by:



Benjamin Blankstein
Associate RF Engineer
PierCon Solutions, LLC

(Date) 10/23/18

Report Reviewed by:



Frances Boschulte
RF Manager
PierCon Solutions, LLC

(Date) 10/23/18

5.0 MATHEMATICAL PREDICTIVE ANALYSIS – METHODS, ASSUMPTIONS USED

5.1 PREDICTIVE METHODS AND ASSUMPTIONS

When using mathematical methods to predict RF energy fields from wireless communications sources, PierCon Solutions follows the methodology recommended in Section 2 of the FCC's Office of Engineering and Technology's Bulletin 65, *Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields*, 97-01 (OET Bulletin 65). In the case of certain near-field exposures, PierCon Solutions also uses modifying methods described in Richard Tell's 1966 publication, *EME Design and Operation Considerations for Wireless Antenna Sites*, a technical report prepared for the Cellular Telecommunications Industry Association, Washington, D.C.

Occasionally, some site specific radio parameters and antenna information are not available. In these cases, the situation is noted and more general information is substituted, based on experience and knowledge of similar operations.

In OET Bulletin 65, a number of formulas are recommended for calculating power density emission levels. The first step in selecting the most appropriate equations to use is to determine whether areas of interest are in the "near-field" or "far-field" regions. Once this determination is made, the appropriate formula is applied.

Areas of interest at this site are found both in the far field and near-field regions of the antennas.

Far-field calculations: The preferred method described in OET Bulletin 65 for predictive far-field calculations assumes perfect (100%) reflection of incoming signal. This factor, resulting in a four-fold increase in predicted power density, was used in this study, to ensure that the conclusions of this report represent a worst-case. Additionally, PierCon uses the following additional highly conservative assumptions:

- Transmitters are assumed to operate continuously and at maximum power, although they customarily operate intermittently and at varying power levels.
- When the RF signal is sent through a coaxial cable from the transmitters to the antennas, significant power losses are expected. Typically, about half the nominal transmitter power (3 dB) is lost. PierCon assumes that there are no power losses.
- Whenever PierCon is aware that a carrier is using more than one antenna model at a given frequency, we perform a worst-case calculation for each model, and then choose the parameters representing the "worst-case" antenna – the one capable of producing the highest predicted RF fields in the areas of interest.
- PierCon assumes that all power available for transmission from all the antennas any one sector is directed through the worst-case antenna mounted closest to ground level. This antenna is assumed to be mounted on the edge of the structure and directly above the point from which the RF field strengths are calculated. Thus, the calculations assume the shortest potential distance between the center of the strongest beams from the antenna and a hypothetical person standing at the level of interest.
- The FCC's MPE exposure limits are defined in terms of "spatial exposure" – the average of a series of partial exposures, head-to-toe, of a six-foot tall human standing in the described field. These partial exposures to RF fields vary in intensity from the person's foot level to head level. The energy fields closer to the ground are further from the antennas and are almost always less intense. In PierCon's far-field calculations, the field strength at head height is assumed to be the average exposure of the person. PierCon's predicted exposure values will always be greater than the actual measured exposure.

In the far-field, the following formula [formula (6) on page 19 of OET Bulletin 65] incorporates a 100% reflection factor is used for calculating power density levels:

Far field: $S_{ff} = EIRP / \pi R^2$

Where: S_{ff} = far-field power density in mW/cm²

EIRP = effective isotropic radiated power (factoring "G" the gain in direction of interest)

R = distance to the center of the antenna, in appropriate units

PierCon applies this equation incrementally, at five-foot intervals, for distances horizontally from the base of the structure to as far as 2,000 feet from the antenna. The RF fields vary directly as a function of gain and inversely as the square of the distance from the center of the antenna. Additional variations are caused by vertical intensity patterns inherent in the design of the various antennas. These variations are taken into account as described on page 22-23 of OET Bulletin 65.

Gain is affected by antenna design. Directional panel antennas (those commonly used by wireless carriers) are designed to focus the majority of emitted energy into a relatively narrow beam, transmitted from the front, center of the antenna. This main beam is typically directed almost horizontally towards the horizon or just below. Relatively little emitted energy is emitted below or above the main beam. Almost no energy escapes behind the antenna. PierCon Solutions incorporates the most specific information available regarding the RF pattern of the antennas being modeled.

Down-tilt (mechanical or electrical) also affects the vertical RF pattern. Greater downtilt typically causes higher intensity portions of the antenna beams to illuminate far field locations at distances closer to the antenna and causes RF fields to be higher. Mechanical down-tilt is set physically, on location. Electrical down-tilt is a design parameter of the antennas. Electrical down-tilt of some modern sector antennas is designed to be variable, either on site or remotely. Typical down-tilts are 0-2 degrees below horizontal. Antennas on tall structures or at high relative elevations may be set with more down-tilt.

When multiple wireless services or providers are on a structure, each service's antennas will produce exposure maxima at different distances from the structure and oriented in different directions. Each carrier's maximum usage load is likely to occur at different times. However, in this situation, PierCon again presents conservative results. Our model assumes that antennas representing each carrier and service at the site all point in the same direction, that all the RF maxima occur at the same distance from the antenna and they are all running at full power, with no power losses. Thus, the combined theoretical maximum RF field strengths which we report will always be more intense than those we would obtain via actual measurements at the site.

Near-field calculations: For modeling near-field situations, the following formula [formula (20) on page 32 of OET Bulletin 65], which models the field as a portion of a cylindrical surface, was developed by Richard Tell and modified by him in a publication referenced in OET Bulletin 65 to include a mounting factor, M.

Near Field: $S_{nf} = (360/\theta_{bw}) MP_{net}/2\pi Rh$

Where: S_{nf} = near field power density
 P_{net} = net power input to the antenna
 θ_{bw} = beam width¹ of the antenna, in degrees
R = distance from the antenna
M = Mounting factor
H = height of the antenna

Mounting factors, which were also developed by Richard Tell, are explained in his study *EME design and Operation Considerations for Wireless Antenna Sites*². This document is referenced in OET 65, although mounting factors are not included in the simplified equation included in the OET 65 guidelines. This document is also referenced on page 31 of OET 65.

Mounting factors are used to account for the mitigating effect of antenna mounting distance above a roof or similar surface on the RF environment experienced by personnel on the described surface. These mounting factors conservatively emulate spatially averaged exposures of a six-foot-tall person standing as much as ten feet below the bottom of an antenna and on a perfectly reflective surface. When predicting similar exposures due to

¹ Azimuth (horizontal) beam width at half-power (3 dB)

² Tell, Richard A. (1996) *EME Design and Operation Considerations for Wireless Antenna Sites*. Technical report prepared for the Cellular Telecommunications Industry Association, Washington, D.C. 20036.

RF emissions in the near-field from antennas mounted higher than ten feet above the surface of interest, PierCon Solutions uses the ten-foot mounting factor.

6.0 FEDERAL LAWS, FCC RULES AND GUIDELINES

6.1 FEDERAL LAWS

The National Environmental Policy Act of 1969 (NEPA)³ is a federal law directed at federal agencies. It requires the agencies (including the Federal Communications Commission) to evaluate the effects of their actions on the quality of the human environment. To meet these responsibilities, the FCC adopted a number of requirements to evaluate and limit the environmental impact of its actions.

One of these environmental factors addressed by the FCC is human exposure to RF energy emitted by FCC-regulated transmitters and facilities.⁴ The FCC decided that, whenever they must approve construction or operation of a facility, they will require the applicant to determine whether there is a potential impact due to the facility. If applicants are able to attest that the operation meets FCC RF exposure guidelines, the operation is considered not to have an adverse effect on the human environment and is more likely to be approved by FCC.

The Telecommunications Act of 1996⁵ (a major revision of the Telecommunications act of 1932) is the applicable federal law regarding controls of the effects of RF emissions from wireless communications facilities on the human environment. With respect to controls on the environmental effects of radiofrequency emissions, the Act states the following:

Section 704(a) (7) (B) (i) (II) (iv):

"No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions."

Section 704(b): RADIO FREQUENCY EMISSIONS- Within 180 days after the enactment of this Act, the Commission shall complete action in ET Docket 93-62 to prescribe and make effective rules regarding the environmental effects of radio frequency emissions.

6.2 FCC RULES AND GUIDELINES

In 1985, pursuant to the National Environmental Policy Act of 1969 (NEPA)⁶, the FCC established guidelines for human exposure to Radio Frequency (RF) energy emitted by FCC-regulated transmitters. The latest revision of these guidelines fulfilled the requirements of Section 704(b) of the Telecommunications Act of 1996.

The FCC requires their licensees intending to construct or operate wireless communications facilities to ensure that the proposed facilities are designed and maintained to keep human exposures to RF energy produced by the wireless communications facilities within very conservative limits. These limits are intended to protect humans from harm due to known hazards of RF energy.

The FCC guidelines are intended to limit the amount of RF energy to which humans may be exposed due to emissions from FCC-regulated transmitters and facilities. Electromagnetic energy from natural sources (for example, from the Sun or lightning) is beyond the scope of the FCC's mandate, as is electromagnetic energy at

³ National Environmental Policy Act of 1969, as amended, 42 U.S.C. §§ 4321 *et seq.* (1976)

⁴ This limits FCC responsibilities to effects from manufactured sources and to the range of non-ionizing electromagnetic frequencies which are useful for wireless communications.

⁵ Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat 56 (1996)

⁶ 42 U.S.C. §§ 4321 *et seq.* (1976)

higher or lower frequencies than are used for wireless communications (For instance, FCC does not have authority with respect to power-line electromagnetic fields.)

The FCC consistently explains that they are not experts in the field of RF health and safety. In setting limits and recommending methods for evaluating the environmental effects of RF fields, FCC relies on recommendations and advice of federal agencies and other organizations with expertise in evaluating health-related issues and in standards-setting. Such sources include the Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), National Council on Radiation Protection and Measurements (NRC), the Institute of Electrical and Electronics Engineers (IEEE), the American National Standards Institute (ANSI).

The FCC lists certain situations in which there is little expectation of non-compliance with RF exposure levels. For these listed situations, FCC does not require routine evaluations. However, compliance with the limits described in their guidelines is always required.

In meeting the requirements of the Telecommunications Act of 1996, FCC adopted and released their current RF exposure guidelines on August 1, 1996 FCC 96-326 "Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation (ET Docket No. 93-62). The guidelines are incorporated into FCC regulations and codified at 47 CFR 1.1307 and 1.310. These guidelines specify two sets of maximum permissible exposure levels – one for general population/uncontrolled exposures – the other for occupational/controlled situations – indicate criteria for deciding which limits are applicable.

When considering these guidelines, it is important to remember that they:

- Describe exposure limits, not emission limits.
- Apply only in reasonably accessible locations.
- Apply to power densities or the squares of the electric and magnetic field strengths that are spatially averaged over the body dimensions. "Spatially averaged RF fields most accurately relate to estimating the whole body averaged SAR [*Specific Absorption Rate*] that will result from the exposure."

"General population/uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or can not exercise control over their exposure."

Limits set by FCC for general population/uncontrolled (or "uncontrolled") situations are applicable to:

- Everyone whose exposure is not a consequence of their employment and
- Everyone who is not made fully aware of the potential for RF exposure and
- Anyone not able to exercise control over their exposure.

FCC permits workers in occupational/controlled situations to be exposed to areas where higher levels of RF energy are present as long as the following criteria are satisfied:

"Occupational/controlled limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure."

For occupational/controlled limits to apply, controlling access to the area is a necessary component, but not sufficient. These limits only apply to people whose exposure is as a consequence of their employment.

- If the area has a potential to expose people at above the limits set for general population/uncontrolled situations, it must be accessible only to those who will be exposed as a consequence of their employment.
- Workers must have been made fully aware of the potential for RF exposure and
- Workers must be able to exercise control over their exposure.

Please refer to the newly published IEEE standard, C95.7-2005 IEEE Recommended Practice for Radio Frequency Safety Programs, 3 kHz to 300 GHz, for recommendations about signage and setting up a safety program and providing training to cover workers and areas at the site where the potential RF environment can

be above the FCC limits for general population/ uncontrolled areas. This is the standard prospectively referenced by FCC:

For purposes of developing training programs for employees, we [FCC] note that several resources are becoming available to provide guidance on appropriate RF safety programs. These resources include services provide by commercial vendors as well as information available through governmental and other Internet Web sites. Furthermore a committee of the IEEE, Subcommittee 2 of Standards Coordination Committee 28, is now in the process of drafting an IEEE recommended practice for the development of an RF safety program.⁷

... awareness of the potential for RF exposure in a workplace or similar environment can be provided through specific training as part of an RF safety program. Warning signs and labels can also be used to establish such awareness, as long as they provide information, in a prominent manner, on risk of potential exposure and instructions on methods to minimize such exposure risk.⁸

To make it easier for our licensees and grantees to interpret their responsibilities, we propose to explain in a note to Section 1.310 of our rules that "fully aware" means that an exposed individual has received written and verbal information concerning the potential for RF exposure and has received training regarding appropriate work practices relating to controlling or mitigating his or her exposure.⁹

Incidental or "transient" workers: FCC recognizes that the exposure of many workers to RF energy from communications transmission equipment is incidental to their employment. For example, per OET 65, p55: *"Persons who are only 'transient' visitors to the rooftop, such as air conditioning technicians, etc. could also be considered to fall within the occupational/ controlled criteria as long as they are also 'made aware' of their exposure and exercise control over their exposure."*

FCC recognizes that these individuals do not require in depth training regarding RF exposures. They state: *"As specified in the rules, transient individuals must simply be made aware of their exposure. This could be achieved by means of written and/ or verbal information, including, for instance, appropriate signage."¹⁰*

At this site, appropriate signage should be posted to establish occupational "awareness" of the potential for RF exposure and remind workers of procedures available to them to exercise control over their exposure.

F.37. the occupational/ controlled limits in our [FCC] rules apply "in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure."

Limits for occupational/ controlled exposure also apply *"in situations when an individual is transient through a location where occupational/ controlled limits apply provided he or she is made aware of the potential for exposure."¹¹* Posting awareness signage is particularly useful to satisfy the FCC¹² intentions to ensure the awareness of "transient" workers – those who may come near a transmitting antenna in the course of other duties.

General population/uncontrolled exposure limits apply *"in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure."¹³*

⁷ FCC Notice of Proposed Rulemaking ET Docket 03-137, FCC 03-132, adopted June 12, 2003, – footnote to paragraph 38.

⁸ See OET Bulletin 65, p10. Also see FCC Report and Order, ET Docket 93-62, FCC 96-326, adopted August 1996, paragraph 45.

⁹ FCC Notice of Proposed Rulemaking ET Docket 03-137, FCC 03-132, adopted June 12, 2003, paragraph 38.

¹⁰ Ibid: paragraph 38.

¹¹ 47 CFR § 1.1310 Table 1, Note 1.

¹² FCC ET Docket No. 03-137 NPRM, released June 26, 2003

¹³ 47 CFR § 1.1310 Table 1 Note 2.

(footnote continued)

6.3 BACKGROUND ON FCC RF EXPOSURE LIMITS (GUIDELINES)

In 1985, the FCC first adopted guidelines to be used for evaluating human exposure to RF emissions.¹⁴ The FCC revised and updated these guidelines on August 1, 1996, as a result of a rule-making proceeding initiated in 1993¹⁵ and to satisfy the requirements of Section 704 (b) of the Telecommunications Act of 1996. Because its licensees must meet the FCC's guidelines or answer to the FCC, these guidelines effectively set the current exposure limits for FCC licensees.

These guidelines incorporate two tiers of exposure limits and two sets of time-averaging provisions, based on whether the RF exposures occur to informed workers in an occupational/controlled situation or to members of general public, in an "uncontrolled" situation. The guidelines incorporate limits for Maximum Permissible Exposure (MPE) in terms of electric and magnetic field strength and power density for transmitters operating at frequencies between 300 kHz (0.3 MHz) and 100 GHz (100,000 MHz). The guidelines are based on exposure limits recommended by the NCRP¹⁶ in 1986 and, over a wide range of frequencies, on exposure limits developed by IEEE and adopted by the American National Standards Institute (ANSI) to replace the 1982 ANSI guidelines.¹⁷

The FCC states that, in reaching its decision on adopting these guidelines, it carefully considered the large number of comments submitted during its rule-making proceeding and gave particular weight to comments submitted by the EPA, FDA and other federal health and safety agencies. The current guidelines are based substantially on the recommendations of those agencies. The FCC states that it believes the guidelines represent a consensus view of the federal agencies responsible for matters relating to public safety and health.

The basis (reference level) of the FCC's RF exposure limits, and the NCRP and ANSI/IEEE limits upon which the FCC limits are scientifically based is a whole-body averaged Specific Absorption Rate (SAR)¹⁸ threshold level of 4 watts per kilogram (4 W/kg), as averaged over the entire mass of the body. Expert organizations have determined that adverse biological effects may occur above this SAR.

FCC exposure limits are also frequency dependent, in response to data showing that the human body absorbs RF energy at some frequencies more efficiently than at others. As listed OET 65, Table 1 of Appendix A and 47 CFR 1.1310 Table 1, the most restrictive limits occur in the frequency range of 30-300 MHz where whole-body absorption of RF energy by human beings is most efficient. At other frequencies whole-body absorption is less efficient and the corresponding MPE limits are less restrictive.

Current MPE limits are derived by incorporating safety factors that lead, in some cases, to limits that are more conservative than the limits originally adopted by the FCC in 1985. Where more conservative limits exist they do not arise from a fundamental change in the RF safety criteria for whole-body averaged SAR, but from a precautionary desire to protect subgroups of the general population who, potentially, may be more at risk. The object of the various limits, including those in the FCC rules, is to limit SAR due to occupational/controlled exposures to 0.4W/kg or less (time averaged over any six minute period). This incorporates a safety factor of 10. Regarding exposures to the general public and anyone who may not be aware of the potential for RF

¹⁴ *Report and Order*, GEN Docket No. 79-144, 100 FCC 2d 543 (1985); and *Memorandum Opinion and Order*, 58 RR 2d 1128 (1985). The guidelines originally adopted by the FCC were the 1982 RF protection guides issued by the American National Standards Institute (ANSI).

¹⁵ *Report and Order*, ET Docket 93-62, FCC 96-326, adopted August 1, 1996, 61 Federal Register 41,006 (1996), 11 FCC Record 15,123 (1997). The FCC initiated this rule-making proceeding in 1993 in response to the 1992 revision by ANSI of its earlier guidelines for human exposure. The Commission responded to seventeen petitions for reconsideration filed in this docket in two separate Orders: *First Memorandum Opinion and Order*, FCC 96-487, adopted December 23, 1996, 62 Federal Register 3232 (1997), 11 FCC Record 17,512 (1997); and *Second Memorandum Opinion and Order and Notice of Proposed Rulemaking*, FCC 97-303, adopted August 25, 1997.

¹⁶ "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," NCRP Report No. 86 (1986), National Council on Radiation Protection and Measurements (NCRP), Bethesda, MD. The NCRP is a non-profit corporation chartered by the U.S. Congress to develop information and recommendations concerning radiation protection.

¹⁷ ANSI/IEEE C95.1-1992, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz." Copyright 1992, The Institute of Electrical and Electronics Engineers, Inc., New York, NY. The 1992 ANSI/IEEE exposure guidelines for field strength and power density are similar to those of NCRP Report No. 86 for most frequencies except those above 1.5 GHz.

¹⁸ Specific absorption rate is a measure of the rate of energy absorption by the body. SAR limits are specified for both whole-body exposure and for partial-body or localized exposure (generally specified in terms of spatial peak values).

exposure, the limit is set at 0.08 W/kg (time averaged over any 30 minute period. This incorporates a safety factor of 50.

The FCC makes it clear that the MPE limits are exposure limits, not emission limits and therefore apply only in accessible areas. Fundamentally, in areas that are considered normally inaccessible, the exposure limits do not apply.

7.0 TABLE OF FCC RF EXPOSURE LIMITS (47 CFR 1.1310 TABLE 1)

Table 1. LIMITS FOR MAXIMUM PERMISSIBLE EXPOSURE (MPE)

(A) Limits for Occupational/Controlled Exposure

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f ²)*	6
30-300	61.4	0.163	1.0	6
300-1500	--	--	f/300	6
1500-100,000	--	--	5	6

(B) Limits for General Population/Uncontrolled Exposure

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)	
0.3-1.34	614	1.63	(100)*	30	
1.34-30	824/f	2.19/f	(180/f ²)*	30	
300	27.5	0.073	0.2	30	30-
300-1500	--	--	f/1500	30	
1500-100,000	--	--	1.0	30	

f = frequency in MHz *Plane-wave equivalent power density

NOTE 1: **Occupational/controlled** limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure.

NOTE 2: **General population/uncontrolled** exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or can not exercise control over their exposure.

8.0 DEFINITIONS AND GLOSSARY OF TERMS (FROM OET BULLETIN 65)

The following is directly from OET Bulletin 65, edition 97-01 and are standard terminology used in studies of human exposure to RF electromagnetic fields, including in this report.

These definitions are adapted from those included in the American National Standards Institute (ANSI) 1992 RF exposure standard [Reference 1], from NCRP Report No. 67 [Reference 19] and from the FCC's Rules (47 CFR § 2.1 and § 1.1310).

Average (temporal) power. The time-averaged rate of energy transfer.

Averaging time. The appropriate time period over which exposure is averaged for purposes of determining compliance with RF exposure limits (discussed in more detail in Section 1 of OET 65).

Continuous exposure. Exposure for durations exceeding the corresponding averaging time.

Decibel (dB). Ten times the logarithm to the base ten of the ratio of two power levels.

Duty factor. The ratio of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmissions. A duty factor of 1.0 corresponds to continuous operation.

Effective radiated power (ERP) (in a given direction). The product of the power supplied to the antenna and its gain relative to a half-wave dipole in a given direction.

Equivalent Isotropically Radiated Power (EIRP). The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Electric field strength (E). A field vector quantity that represents the force (F) on an infinitesimal unit positive test charge (q) at a point divided by that charge. Electric field strength is expressed in units of volts per meter (V/m).

Energy density (electromagnetic field). The electromagnetic energy contained in an infinitesimal volume divided by that volume.

Exposure. Exposure occurs whenever and wherever a person is subjected to electric, magnetic or electromagnetic fields other than those originating from physiological processes in the body and other natural phenomena.

Exposure, partial-body. Partial-body exposure results when RF fields are substantially nonuniform over the body. Fields that are nonuniform over volumes comparable to the human body may occur due to highly directional sources, standing-waves, re-radiating sources or in the near field. See RF "hot spot".

Far-field region. That region of the field of an antenna where the angular field distribution is essentially independent of the distance from the antenna. In this region (also called the free space region), the field has a predominantly plane-wave character, i.e., locally uniform distribution of electric field strength and magnetic field strength in planes transverse to the direction of propagation.

Gain (of an antenna). The ratio, usually expressed in decibels, of the power required at the input of a loss-free reference antenna to the power supplied to the input of the given antenna to produce, in a given direction, the same field strength or the same power density at the same distance. When not specified otherwise, the gain refers to the direction of maximum radiation. Gain may be considered for a specified polarization. Gain may be referenced to an isotropic antenna (dBi) or a half-wave dipole (dBd).

General population/uncontrolled exposure. For FCC purposes, applies to human exposure to RF fields when the general public is exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public always fall under this category when exposure is not employment-related.

Hertz (Hz). The unit for expressing frequency, (f). One hertz equals one cycle per second.

Magnetic field strength (H). A field vector that is equal to the magnetic flux density divided by the permeability of the medium. Magnetic field strength is expressed in units of amperes per meter (A/m).

Maximum permissible exposure (MPE). The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with an acceptable safety factor.

Near-field region. A region generally in proximity to an antenna or other radiating structure, in which the electric and magnetic fields do not have a substantially plane-wave character, but vary considerably from point to point. The near-field region is further subdivided into the reactive near-field region, which is closest to the radiating structure and that contains most or nearly all of the stored energy, and the radiating near-field region where the radiation field predominates over the reactive field, but lacks substantial plane-wave character and is complicated in structure. For most antennas, the outer boundary of the reactive near field region is commonly taken to exist at a distance of one-half wavelength from the antenna surface.

Occupational/controlled exposure. For FCC purposes, applies to human exposure to RF fields when persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general population/uncontrolled limits (see definition above), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

Peak Envelope Power (PEP). The average power supplied to the antenna transmission line by a radio transmitter during one radiofrequency cycle at the crest of the modulation envelope taken under normal operating conditions.

Power density, average (temporal). The instantaneous power density integrated over a source repetition period.

Power density (S). Power per unit area normal to the direction of propagation, usually expressed in units of watts per square meter (W/m^2) or, for convenience, units such as milliwatts per square centimeter (mW/cm^2) or microwatts per square centimeter ($\mu\text{W}/\text{cm}^2$). For plane waves, power density, electric field strength (E) and magnetic field strength (H) are related by the impedance of free space, i.e., 377 ohms, as discussed in Section 1 of this bulletin. Although many survey instruments indicate power density units ("far-field equivalent" power density), the actual quantities measured are E or E^2 or H or H^2 .

Power density, peak. The maximum instantaneous power density occurring when power is transmitted.

Power density, plane-wave equivalent or far-field equivalent. A commonly-used terms associated with any electromagnetic wave; equal in magnitude to the power density of a plane wave having the same electric (E) or magnetic (H) field strength.

Radiofrequency (RF) spectrum. Although the RF spectrum is formally defined in terms of frequency as extending from 0 to 3000 GHz, for purposes of the FCC's exposure guidelines, the frequency range of interest is 300 kHz to 100 GHz.

Re-radiated field. An electromagnetic field resulting from currents induced in a secondary, predominantly conducting object by electromagnetic waves incident on that object from one or more primary radiating structures or antennas. Re-radiated fields are sometimes called "reflected" or more correctly "scattered fields." The scattering object is sometimes called a "re-radiator" or "secondary radiator".

RF "hot spot." A highly localized area of relatively more intense radio-frequency radiation that manifests itself in two principal ways:

- (1) The presence of intense electric or magnetic fields immediately adjacent to conductive objects that are immersed in lower intensity ambient fields (often referred to as re-radiation), and
- (2) Localized areas, not necessarily immediately close to conductive objects, in which there exists a concentration of RF fields caused by reflections and/or narrow beams produced by high-gain radiating antennas or other highly directional sources. In both cases, the fields are characterized by very rapid changes in field strength with distance. RF hot spots are normally associated with very nonuniform exposure of the body (partial body exposure). This is not to be confused with an actual thermal hot spot within the absorbing body.

Root-mean-square (rms). The effective value, or the value associated with joule heating, of a periodic electromagnetic wave. The rms value is obtained by taking the square root of the mean of the squared value of a function.

Scattered radiation. An electromagnetic field resulting from currents induced in a secondary, conducting or dielectric object by electromagnetic waves incident on that object from one or more primary sources.

Short-term exposure. Exposure for durations less than the corresponding averaging time.

Specific absorption rate (SAR). A measure of the rate of energy absorbed by (dissipated in) an incremental mass contained in a volume element of dielectric materials such as biological tissues. SAR is usually expressed in terms of watts

per kilogram (W/kg) or milliwatts per gram (mW/g). Guidelines for human exposure to RF fields are based on SAR thresholds where adverse biological effects may occur. When the human body is exposed to an RF field, the SAR experienced is proportional to the squared value of the electric field strength induced in the body.

Wavelength (λ). The wavelength (λ) of an electromagnetic wave is related to the frequency (f) and velocity (v) by the expression $v = \lambda f$. In free space the velocity of an electromagnetic wave is equal to the speed of light, i.e., approximately 3×10^8 m/s.

9.0 REFERENCES

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- [2] FCC 47 CFR 1.1307 Parts 1, 2, 15, 24 and 97.
- [3] FCC OET Bulletin 56, "Questions and Answers about Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields", Fourth Edition, August 1999.
- [4] FCC 47 CFR 1.1310 "Practice and procedure, Radiofrequency radiation exposure limits"
- [5] NARDA "Non-Ionizing Radiation Handbook"
- [6] Rutgers University, "Management of Electromagnetic Energy Hazards", October 1993.
- [7] Telecommunications Act of 1996
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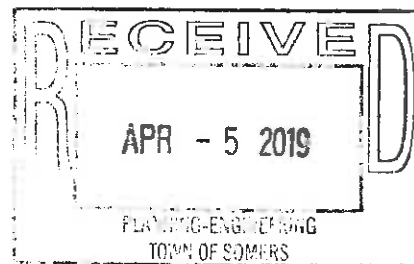
Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Town of Somers Planning Board
FROM: Syrette Dym, Director of Planning
DATE: April 3, 2019



RE: Project: T-Mobile Sprint PCS – Co-Locator and Installation of Ancillary Equipment
Applicant: T-Mobile Northeast LLC
Location: 2580 Route 35 (TM 37.13-2-3)
Zoning: R120
Actions: Review of Site Plan Special Permit Application to Co-locate a Public Utility Wireless Telecommunications Facility and Installation of Ancillary Equipment at 2580 Route 35 Somers, NY

Application Request:

The proposed action consists of the following components:

1. Site Plan Approval for co-location of T-Mobile 8 panel antennas 8 RRH's and related cables and equipment to be concealed within the faux branches of the existing stealth monopine design within the allowable leased area as per §170-129.9 of the Code of the Town of Somers.
2. Special Use Permit as per §170-129.6 of the Code of the Town of Somers.

The request is to co-locate eight panel antennas 8RRH's and related cables and equipment concealed within the existing stealth monopole located at the telecommunications facility at the Santaroni property at 2580 Route 35. There will be no increase to the height of the monopole. There will be no protrusion from the edge of the

existing facility by more than 20 feet. The number of equipment cabinets will not be increased by more than four. There will be no excavation outside the concealment elements of the existing base station. A diesel generator will also be installed on a new 8' by 13' concrete pad. All will be in compliance with prior conditions of approval.

In addition to the requirement for issuance of a Special Use Permit under Section 170-129.6, Section 129.9 A indicates that a modification of a wireless telecommunications facility is subject to site plan review. However, in accordance with Section 129.9 B if the Planning Board deems the modification minor, it can waive Site Plan review and the associated public hearing, such waiver being requested by the applicant.

Submissions

The applicant has submitted the following documents:

- Cover Letter from Snyder & Snyder, LLP dated March 6, 2019
- Special Permit Application fee of \$1,000 and SEQOR Review escrow fee of \$1,500
- Copy of Federal Code Title 47 Telecommunication -Wireless Facility Modifications
- Application for Special use Permit
- Letters of Authorization from Property Owner
- Short Environmental Assessment Form
- FCC RF Emissions Compliance Report dated October 23, 2019 by PierCon Solution
- Plans for T-Mobile proposed collocation

An affidavit did not accompany the application and one needs to be submitted.

Applicable Regulations and Requirements

The applicant has prepared statements demonstrating why it considers that this request meets the regulations and requirements of Section 170 -129.7.

170-129.7 H. Height standards (2) (b) The proposed antennas will not increase the height of the Existing Facility by or more than 20 feet, and in fact there will be no increase in height.

170-129.7 I. (1) Setback and distance standards. The proposed antennas will not protrude further from the edge of the existing facility by more than 20 feet and in fact will not extend further than existing antennas.

In accordance with 129.7 J. Visual Mitigation, the antennas will be concealed within the faux branches of the existing stealth monopine design

The proposed T-Mobile lease area is proposed at 10' by 15' within which will be constructed an 8' by 13' concrete pad for the equipment and diesel generator based on Site Detail Plan A-1.

The extent of ground disturbance and any required mitigation will be reviewed and commented upon by the Consulting Town Engineer.

RF Compliance Assessment

An Evaluation of the Radio Frequency Environment in the Vicinity of the Proposed NY09122A Wireless Facility was prepared by PierCon Solutions, LLC dated October 23, 2018. This report calculated the maximum RF level from the combination of proposed and existing antennas. As a result of its modeling to estimate the worst-case density from the proposed T-Mobile antennas and other carriers' existing antennas for potential Maximum Permissible Exposure (MPE) levels resulted in total exposure levels below the MPE limit set by the FCC for public areas. Maximum worst-case combined potential RF exposures will be at least 50.64 times below the applicable limit or 1.974% of the FCC limit. The report concludes that the proposed T-Mobile project is in compliance with FCC rules and regulations.

Status of Monopole Structure

By Resolution BZ20/16 dated December 20, 2016, the Zoning Board of Appeals renewed the Special Exception Use Permit of the Insite Towers Development, LLC located at 2580 Route 35. A Radio Frequency Exposure Report was performed on January 21, 2016 for the existing AT&T facility and a Structural Analysis Report dated May 1, 2015 was provided in support of the requirements of Article XXIIA and Section 170-129.6 of the Zoning Ordinance. Base on the above, the Planning Board can consider the co-location application because the pole is in renewal compliance.

CC: Joe Barbagallo
Alvaro Alfonse-Larrain
Roland Baroni
Joe Eriole
Robert Gaudioso

Z:\PE\Site plan files\Homeland Towers -Insite Towers\2580 Route 35-Santaroni\T-Mobile Co-Locator 03-09-19\T-Mobile Eligible Facilities Request 2019 -03-06-19.doc



445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyyfeder.com

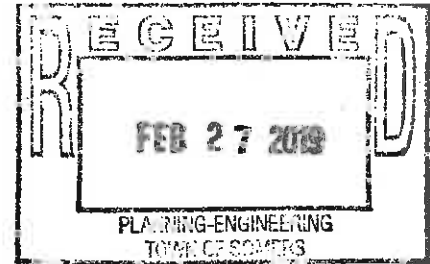
Taylor M. Palmer
tpalmer@cuddyyfeder.com

February 27, 2019

VIA HAND DELIVERY

Chairman John Currie
and Members of the Planning Board
Town of Somers
335 Route 202
Somers, New York 10589

Thomas J. Tooma Jr., Building Inspector
Town of Somers
335 Route 202
Somers, New York 10589



RE: Applicant: New Cingular Wireless PCS, LLC ("AT&T")
 Eligible Facilities Request
 Upgrade of an Existing Wireless Facility
 Property/Site: 80 Route 6, Somers, New York (Somers Commons)
 Tax Parcel: Section 4.20, Block 1, Lot 11
 Tower Owner: Crown Castle

Dear Chairman Currie, Members of the Planning Board and Mr. Tooma:

On behalf of our client, New Cingular Wireless PCS, LLC ("AT&T"), we respectfully submit this letter and attachments in connection with AT&T's proposed upgrade to its existing wireless telecommunication facility located at the above Property.

AT&T is proposing to minor modifications to its existing antennas and associated equipment for the existing monopole located at the above-referenced Property. AT&T's facility is being updated to provide enhanced wireless services to meet AT&T's current coverage requirements in this area of the Town, and the facility is necessary to continue providing service to its customers living in and traveling through this area of the Town of Somers. As detailed in the enclosed construction drawings, AT&T's proposal includes replacing and mounting of transmission equipment at a centerline height of approximately 84.0' inside the existing 120' monopole tower and the installation of remote radio heads inside the existing equipment room.

Federal Communications Commission ("FCC") regulations that implement federal laws adopted by Congress specifically mandate approval of any zoning and land use permits that are not substantial.¹ The FCC's regulatory definitions and implementing order preclude municipalities from requiring certain documents and other information typically required in local zoning codes for new tower facilities. Further, FCC regulations require a municipality to complete its review and approve any eligible applications within 60 days of filing and if the process is not completed in such timeframe, the application is deemed to be automatically granted as a matter of law.

Enclosed with this letter is an Eligible Facilities Request Form and supporting documents that demonstrate AT&T's proposal will not increase the height of the existing tower, nor will the proposed appurtenances protrude from the edge of the tower by more than 20 feet. In addition, AT&T's unmanned equipment will remain within the existing compound at grade. AT&T's proposed modifications to its existing facility previously approved by the Town thus meets the FCC's regulations as an eligible facility modification under federal law.

AT&T's proposal also complies with Sections 170-129.9B and 170.129.6F of the Town Code, which authorizes the Planning Board to waive site plan review and approval and to waive the special permit review and public hearing requirements for minor modifications. We request that the Board grant such waivers and exempt this application within the federal timeframes, to the extent one is needed to facilitate the issuance of a building permit.

Enclosed please find the following materials in support of AT&T's requests:

- Exhibit A:** Eligible Facilities Request Form;
- Exhibit B:** Applicable Laws and Regulations (47 USC § 1455 and 47 CFR § 1.40001);
- Exhibit C:** Town of Somers Wireless Telecommunications Application Form;
- Exhibit D:** Town of Somers Application Processing Restrictive Law Affidavit Form;
- Exhibit E:** Building Permit Application Form, Including Copies of the Certificates of Insurance;ⁱⁱ
- Exhibit F:** Short Environmental Assessment Form;
- Exhibit G:** Resolution No. 2011-01, effective dated April 13, 2011, Granting Conditional Amended Site Plan Approval and Special Use Permit for AT&T's Existing Facility;
- Exhibit H:** RF Exposure Analysis Report for Proposed Upgrade, dated January 31, 2019; and
- Exhibit I:** Structural Certification, dated January 28, 2019.

Also enclosed please find fourteen (14) sets of the Construction Drawings, ANT-001.00—ANT-008.00, last revised February 20, 2019.

Please also find two (2) checks in the amount of \$800 and \$4,000 made payable to the Town of Somers representing the Planning Board application fee and the escrow fee for the Wireless Telecommunications Facility application, respectively.

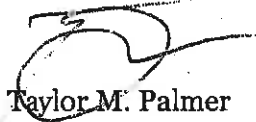
To the extent that any provisions of the Town Code may require any further information beyond demonstrating that AT&T's proposal is an eligible facilities request, AT&T respectfully asks for a

waiver given that such provisions are preempted by Section 6409(a) and FCC regulations and thus, not legally applicable.

We request that this matter be placed on the next Planning Board agenda for adoption of a resolution exempting this proposal from site plan and special permit approval review and waiving the public hearings so that the Building Department may issue a building permit within the timeframe allotted under federal law. We are also requesting that the Building Inspector review the building permit application filed concurrently for compliance with the New York State Building Code.

Thank you for your assistance.

Very truly yours,



Taylor M. Palmer

Enclosures

cc: Roland A. Baroni, Jr. Esq., Town Attorney (via email)
AT&T (via email)
Virginia DeRolf, NB+C Engineering Services, Inc. (via e-mail)
Lucia Chiocchio, Esq.
Jeanene Chambliss

ⁱ See FCC Report and Order, adopted October 17, 2014 (FCC 14-153) adopting regulations at 47 C.F.R. § 1.400001 and implementing Section 6409(a) of the Spectrum Act.

ⁱⁱ Note: We understand that the application fee for the Building Permit application is required at the time that the Building Permit is issued. A check payable to the Town of Somers representing the Building Permit application fee will be provided to the Town once confirmed with the Building Department.

ⁱⁱⁱ Note: Full-size (24" x 36") copies of the Construction Drawings are being delivered to the Town of Somers under separate cover. A CD-ROM with the referenced attachments is also enclosed in this submission.

Code of Federal Regulations

Title 47. Telecommunication

Chapter I. Federal Communications Commission (Refs & Annos)

Subchapter A. General

Part 1. Practice and Procedure (Refs & Annos)

Subpart U. State and Local Government Regulation of the Placement, Construction, and Modification of Personal Wireless Service Facilities (Refs & Annos)

47 C.F.R. § 1.6100

§ 1.6100 Wireless Facility Modifications.

Effective: January 14, 2019

Currentness

(a) [Reserved by 83 FR 51886]

(b) Definitions. Terms used in this section have the following meanings.

(1) Base station. A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

(i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

(iii) The term includes any structure other than a tower that, at the time the relevant application is filed with the State or local government under this section, supports or houses equipment described in paragraphs (b)(1)(i) through (ii) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

(iv) The term does not include any structure that, at the time the relevant application is filed with the State or local government under this section, does not support or house equipment described in paragraphs (b)(1)(i)-(ii) of this section.

(2) Collocation. The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

(3) Eligible facilities request. Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

(i) Collocation of new transmission equipment;

(ii) Removal of transmission equipment; or

(iii) Replacement of transmission equipment.

(4) Eligible support structure. Any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the State or local government under this section.

(5) Existing. A constructed tower or base station is existing for purposes of this section if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

(6) Site. For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

(7) Substantial change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

(i) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

(A) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.

(ii) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

(iii) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

(iv) It entails any excavation or deployment outside the current site;

(v) It would defeat the concealment elements of the eligible support structure; or

(vi) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in § 1.40001(b)(7)(i) through (iv).

(8) Transmission equipment. Equipment that facilitates transmission for any Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(9) Tower. Any structure built for the sole or primary purpose of supporting any Commission-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

(c) Review of applications. A State or local government may not deny and shall approve any eligible facilities request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure.

(1) Documentation requirement for review. When an applicant asserts in writing that a request for modification is covered by this section, a State or local government may require the applicant to provide documentation or information only to the extent reasonably related to determining whether the request meets the requirements of this section. A State or local government may not require an applicant to submit any other documentation, including but not limited to documentation intended to illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.

(2) Timeframe for review. Within 60 days of the date on which an applicant submits a request seeking approval under this section, the State or local government shall approve the application unless it determines that the application is not covered by this section.

(3) Tolling of the timeframe for review. The 60-day period begins to run when the application is filed, and may be tolled only by mutual agreement or in cases where the reviewing State or local government determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.

(i) To toll the timeframe for incompleteness, the reviewing State or local government must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standard under paragraph (c)(1) of this section.

(ii) The timeframe for review begins running again when the applicant makes a supplemental submission in response to the State or local government's notice of incompleteness.

(iii) Following a supplemental submission, the State or local government will have 10 days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this paragraph (c)(3). Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

(4) Failure to act. In the event the reviewing State or local government fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

(5) Remedies. Applicants and reviewing authorities may bring claims related to Section 6409(a) to any court of competent jurisdiction.

§ 1.6100 Wireless Facility Modifications, 47 C.F.R. § 1.6100

Credits

[80 FR 28203, May 18, 2015; 83 FR 51886, Oct. 15, 2018]

AUTHORITY: 47 U.S.C. chs. 2, 5, 9, 13; Sec. 102(c), Div. P, Public Law 115–141, 132 Stat. 1084; 28 U.S.C. 2461, unless otherwise noted.

Notes of Decisions (1)

Current through Jan. 17, 2019; 84 FR 125.

End of Document

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PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4093

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
835 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: March 11, 2019

RE: New Cingular Wireless PCS, LLC (AT&T) Upgrade of Existing Facility
Applicant: New Cingular Wireless PCS Sprint PCS
Location: 80 Route 6 (TM 4.20-1-11)
Zoning: CS Community Shopping District
Actions: Review of Site Plan Special Permit Application to Upgrade Equipment at an Existing Facility

Application Request:

The proposed action consists of the following components:

1. Special Use Permit as per §170-129.6 of the Code of the Town of Somers for replacement and mounting transmission equipment consisting of three antennas and replacement of six new diplexers at a center line height of approximately 84.0' inside the existing 120' monopole tower and the installation of six remote radio heads inside the existing equipment room in the at grade compound.

The request is for an upgrade and minor modification to exiting antennas and associated equipment for the existing monopole.

In addition to the requirement for issuance of a Special Use Permit under Section 170-129.6, Section 129.9 A indicates that a modification of a wireless telecommunications facility is subject to site plan review. However, in accordance with Section 129.9 B if the

Planning Board deems the modification minor, it can waive Site Plan review, such waiver being requested by the applicant. In addition, the applicant requests a waiver of a public hearing.

Submissions

The applicant has submitted the following documents:

- Cover Letter from Cuddy & Feder dated February 27, 2019 and additional cover letter of February 28, 2019
- Special Permit Application fee of \$800 and SEQR Review escrow fee of \$4,000
- **Exhibit A:** Eligible Facilities Request Form;
- **Exhibit B:** Applicable Laws and Regulations (47 USC § 1455 and 47 CFR § 1.40001);
- **Exhibit C:** Town of Somers Wireless Telecommunications Application Form;
- **Exhibit D:** Town of Somers Application Processing Restrictive Law Affidavit Form;
- **Exhibit E:** Building Permit Application Form, Including Copies of the Certificates of Insurance;ⁱ
- **Exhibit F:** Short Environmental Assessment Form;
- **Exhibit G:** Resolution No. 2011-01, effective dated April 13, 2011, Granting Conditional Amended Site Plan Approval and Special Use Permit for AT&T's Existing Facility;
- **Exhibit H:** RF Exposure Analysis Report for Proposed Upgrade, dated January 31, 2019; and
- **Exhibit I:** Structural Certification, dated January 28, 2019.
- Construction Drawings, ANT-001.00—ANT-008.00, last revised February 20, 2019 prepared by Burtner Engineering Services, PLLC, licensed in the State of New York

Applicable Regulations and Requirements

The applicant has prepared statements demonstrating why it considers that this request meets the regulations and requirements of Section 170 -129.7.

170-129.7 H. Height standards (2) (b) The proposed antennas will not increase the height of the Existing Facility by or more than 20 feet.

170-129.7 I. (1) Setback and distance standards. The proposed antennas will not protrude further from the edge of the existing facility by more than 20 feet.

In accordance with 129.7 J. Visual Mitigation, the antennas will be concealed within the existing monopole.

The proposed equipment will be located within the existing compound.

The extent, if any, of ground disturbance and any required mitigation will be reviewed and commented upon by the Consulting Town Engineer.

RF Compliance Assessment

An Antenna site FCC RF Compliance Assessment Report of January 31, 2019 was prepared by Pinnacle Telecom Group. The radiofrequency fields analysis took into account the effect of other existing antenna operation at the site by T-Mobile and Verizon Wireless. The results of the assessment indicate that the maximum RF level from the combination of proposed and existing antenna operation is 4.1202 percent of the FCC general population MPE limit, which is well below the one hundred percent reference for compliance. What this means is that the worst-case RF level is more than 20 times below the limit established as safe.

Structural Report

A structural Analysis Report was prepared by Paul J. Ford & Company for the tower owned by Crown Castle on which the AT&T facility is located. The purpose of the analysis was to determine the acceptability of the tower stress level. Based on the analysis, it was determined that there was sufficient capacity for the tower to handle the modified structure with the proposed equipment configuration as long as the equipment is installed in accordance with the drawing attached to the report.

The issue that this raises is that the original resolution of approval included in the application package was dated April 13, 2011, but that application was re-granted by resolution of 2013-08 issued on July 10, 2013 and five years have elapsed since passage of that resolution. So, while the application for the upgrade for the AT&T facility essentially constitutes its own renewal, there has been no separate renewal application for the Crown Castle monopole itself which would require an on-site inspection pursuant to Section 170-129.6G. certifying the facility is structurally safe based on a personal inspection. So, it would appear that a renewal application for the monopole itself would need to be provided.

CC: Joe Barbagallo
Alvaro Alfonse-Larrain
Roland Baroni
Joe Eriole
Taylor Palmer

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