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TOWN OF YORKTOWN
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, NY 10598

This is a resolution adopted by the Town Board of the Town of Yorktown at a special meeting held on Tuesday, February 24, 2023.

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number / Agenda Item: Wetland Permit, Home Rule Request and Parkland Alienation, and Lease to Homeland Towers, LLC

Date: February 24, 2023

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Yorktown (the "Town") by its Town Board, acting as Lead Agency, has determined that the Proposed Action described below will not have a significant effect on the environment and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Proposed Wetland Permit, Home Rule Request and Parkland Alienation, and Lease of Town land (the "Lease") to Homeland Towers, LLC which action contemplates the construction and operation of an antenna support structure.

Status: Unlisted

Conditioned Negative Declaration: Yes _____
No X

Description of Action: The Proposed Action consists of approval of a wetland permit, making a home rule request to the New York State Legislature for the alienation of parkland and entering into a lease of approximately 11,317 square feet of ground space of property for equipment, wetland mitigation and landscaping located at Route 6 and Hill Boulevard, Jefferson Valley, Town of Yorktown, County of Westchester, New York and shown on the Tax Map of the Town as Parcel 16.12-1-31 to Homeland Towers, LLC ("Tenant") to construct, maintain and operate a communications tower and related ancillary facilities and improvements for the transmission and reception of communication signals and to accommodate the installations of wireless carriers and Town and local emergency service antennas and equipment, including without limitation, radio equipment cabinets, antennas and related equipment and utilities.

The Proposed Action will not have a significant adverse environmental impact on air quality other than a generator for each carrier there will be no air emissions from the facility.

The Proposed Action will not have a significant adverse environmental impact on any threatened or endangered species.

The Proposed Action will not have a significant adverse environmental impact on non-threatened or non-endangered species.

The Proposed Action will not have a significant adverse environmental impact on agricultural land resources.

The Proposed Action will not have a significant adverse environmental impact on aesthetic resources. The design of the facility as a monopole to support collocation is necessary and will avoid the proliferation of towers in the area. Use of a Town property adjacent to two main roads and Con Edison transmission lines will minimize visibility and potential impact.

The Proposed Action will not have a significant adverse environmental impact on any site or structure of historic, prehistoric or paleontological importance as confirmed by SHPO.

The Proposed Action will not have a significant adverse environmental impact on the quantity or quality of existing or future open spaces or recreational opportunities as the property is small in size, adjacent to transmission lines and encumbered with wetlands.

The Proposed Action will not have a significant adverse environmental impact on existing transportation systems.

The Proposed Action will not have a significant adverse environmental impact on the community's sources of fuel or energy supply.

The Proposed Action will not have a significant adverse environmental impact as a result of objectionable odors, noise, or vibration.

The Proposed Action will not have a significant adverse environmental impact on the public health and safety. The facility will comply with all FCC regulations pertaining to radio frequency exposure.

The Proposed Action will not have a significant adverse environmental impact on the character of the existing community for the reasons described above in relation to the aesthetic impact and safety impact. The ACABA, Conservation Board TCAC, Telecommunications Advisory Committee and Planning Board had no significant comments against the proposal and all requests by the planning board have been addressed.

There are no potential adverse environmental impacts related to the proposed Lease, wetland permit or parkland alienation.

Location: Route 6 and Hill Boulevard, Jefferson Valley, Town of Yorktown, County of Westchester, New York and shown on the Tax Map of the Town as Parcel 16.12-1-31.

Reasons Supporting This Determination:

Based upon a review of the Environmental Assessment Form, the Exhibits and Site Plan, the Lease terms, the RF Exposure Report, the RF Justification Report, the wetlands report, Alternative Site Analysis, FAA opinion letter, SHPO concurrence, Visual Resource Evaluation, referral responses from Westchester County Department of Planning, NYC DEP, New York State Historic Preservation Office (“SHPO”), Advisory Board on Architecture & Community Appearance, the Planning Board, Tree Conservation Advisory Commission, Telecommunications Advisory Committee, Conservation Board, NYSDEC, and the Town Engineer, and other documents submitted, in connection with the project, the Town Board classifies the project as an Unlisted Action, declares itself Lead Agency in a coordinated review, and as Lead Agency, makes the within negative declaration of environmental significance based upon the following findings:

The Proposed Action will not have a significant adverse environmental impact as a result of physical changes to the leasehold site. The area of the project site where the facility is to be located has been reduced to the minimum size practicable to support the facility and access thereto and account for landscaping and wetland mitigation efforts. The lease area itself is a small approximately 11, 317 square foot area for equipment, wetland mitigation, and landscaping.

The Proposed Action will not have a significant adverse environmental impact on unique or unusual land forms found on the site. The site is a vacant parcel adjacent to 2 main roads and Con Edison transmission towers.

The Proposed Action will not have a significant adverse environmental impact on any water body designated as protected. No wetlands, streams or lakes will be disturbed. The project is within a wetland buffer and a floodplain and the project has been engineered to provide with stormwater management practices, tree, wetland buffer and floodplain mitigation plans.

The Proposed Action will not have a significant adverse environmental impact on any non-protected existing or new body of water. No wetlands, streams or lakes will be disturbed. The project is within a wetland buffer and a floodplain and the project has been engineered to provide with stormwater management practices, tree, wetland buffer and floodplain mitigation plans.

The Proposed Action will not have a significant adverse environmental impact on surface or groundwater quality or quantity. All necessary erosion and sediment control measures will be implemented subject to approval by the Town Engineer.

The Proposed Action will not have a significant adverse environmental impact as a result of altered drainage flow or patterns, or surface water runoff. The plans include stormwater management practices, tree, wetland buffer and floodplain mitigation plans.

The Lead Agency has relied upon the Environmental Assessment Form, the Exhibits and Site Plan, the Lease terms, the RF Exposure Report, the RF Justification Report, the Visual Resource Evaluation, SHPO concurrence, FAA opinion letter, Alternative Site Analysis and other documents and testimony.

If conditioned Negative Declaration: N/A

Lead Agency: Town Board
Town of Yorktown

Contact Person: Supervisor: Town of Yorktown

Address: Town of Yorktown
363 Underhill Avenue
Yorktown Heights, NY 10598

Telephone Number: 914 962 5722

For Type 1 Actions and Conditioned Negative Declarations, a copy of this notice has been filed with: N/A

For Unlisted Actions, a copy of this notice has been filed with:

A copy of this negative declaration is on file in the office of the Town Board of the Town together with copies of all reports and documents referenced herein. These documents are available for review by the public.

For Type 1 Actions and Conditioned Negative Declarations, notice of this determination has been provided to the following organization for publication in the ENB: N/A



Diana L. Quast, Town Clerk
Master Municipal Clerk

Date: February 24, 2023

To: Homeland Towers, LLC

cc: Thomas P. Diana, Town Supervisor
Dan Ciarcia, Town Engineer
John Landi, Building Inspector
John Tegeder, Director of Planning
Adam Rodriguez, Town Attorney
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