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REPLY TO:

TARRYTOWN OFFICE

March 5, 2018

Honorable Chairman William Rice and
Members of the Zoning Board
Village of Nelsonville
258 Main Street
Nelsonville, NY 10516

RE: Homeland Towers, LLC, New York SMSA Limited Partnership d/b/a Verizon Wireless and New Cingular Wireless PCS LLC d/b/a AT&T, Proposed Public Utility Personal Wireless Communication Facility 15 Rockledge Road, Nelsonville, NY

Dear Hon. Chairman Rice and
Members of the Zoning Board of Appeals:

We are the attorneys for Homeland Towers, LLC ("Homeland Towers") and New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") in connection with the above referenced matter. New Cingular Wireless PCS LLC ("AT&T") is represented by Daniel Laub, Esq., of Cuddy & Feder LLP.

Pursuant to the discussion on February 27, 2018, the FCC Shot Clock has been mutually extended for both the Zoning Board and Planning Board until April 27, 2018.

In connection with the public hearing scheduled for April 4, 2018 at 7:30 pm related solely to the variances for the alternative designs, it is my understanding that under the Village Code no mailings are required and that the Village will handle the necessary newspaper publication five days in advance of the hearing in accordance with New York State Village Law and also handle any required referrals. Please let me know if this is not correct.

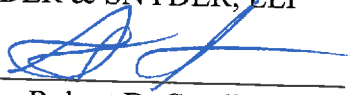
The three alternative designs are as follows: (1) one 120 foot flagpole; (2) two 110 foot flagpoles; or (3) one 125 foot obelisk. Accordingly, the following variances are requested to the extent necessary: (1) a height variance from the 110 foot height limit for either the 120 foot flagpole or 125 foot obelisk; (2) a variance from Section 188-71.D.1 and D.3 for the two flagpoles on one lot within 500 feet of each other.

Please note that the variance form and fee was filed with the initial application. If the Village believes any other forms or fees are required, please let us know immediately.

Please also note that no determination of the building official is required in connection with the foregoing variance requests. New York State Village Law, Section 7-725-b.3 states that "[n]otwithstanding any provision of law to the contrary, where a proposed special use permit contains one or more features which do not comply with the zoning regulations, application may be made to the zoning board of appeals for an area variance pursuant to section 7-712-b of this article, without the necessity of a decision or determination of an administrative official charged with the enforcement of the zoning regulations."

If you have any questions or require additional information, please do not hesitate to call me at (914) 333-0700.

Respectfully submitted,
SNYDER & SNYDER, LLP

By: 
Robert D. Gaudio

RDG:cae

cc: Planning Board
Todd Steckler, Esq. (by email)
Ronald Gainer, P.E. (by email)
Homeland Towers, LLC
Verizon Wireless
Daniel Laub, Esq.

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