

**NOTICE OF MEETING
INCORPORATED VILLAGE OF MUTTONTOWN
ZONING BOARD OF APPEALS**

NOTICE IS HEREBY GIVEN, that a public hearing and meeting will be held before and by the Zoning Board of Appeals of the Incorporated Village of Muttontown, Nassau County, New York at the Village Hall, 1 Raz Tafuro Way in said Village, on Thursday July 21, 2022 at 7:00 p.m.

The Board will continue to hear and consider:

The Appeal of New Cingular Wireless PCS, LLC, applicant for a proposed wireless telecommunication facility at 1 Raz Tafuro Way (Village of Muttontown Property) in the Village, and designated as Section 25, Block 046, Lots 0102, 0107, 0109 and 0113 on the Nassau County Land and Tax Map and located within the Village's E-3 Zone.

The applicant seeks variances (Z-796) for a proposed Wireless Telecommunications Tower.

1. Village-owned property used for municipal purposes (c) and the alternate site chosen demonstrates to the Board's satisfaction that the alternate site protects and preserves the qualities listed by the Village of Muttontown (e).
2. A free-standing wireless telecommunications tower shall be located from the property line and all dwellings not less than:
 - a. The height of the facility (proposed 165') plus two times the applicable setback (front yard 75', side yard 50' and rear yard 50') for principal structures for the district in which the property is located;
 - i. the facility has a rear setback of **234 feet**, in lieu of the required **265 feet**, requiring a **31 feet** variance
 - ii. the facility has side yard setback of **115 feet**, in lieu of the required **265 feet**, requiring a **150 feet** variance
 - b. Such additional setbacks as required by the Village code in order that the proposed facility will not create damage or injury from a structural failure of a wireless telecommunication service facility.
3. The height of any monopole or other freestanding structure utilized in a wireless telecommunication services facility shall not exceed 150 feet, measured from the highest point of such facility to the original grade elevation of the ground immediately adjacent to the structure. The proposed height is **165 feet**, in lieu of the required **150 feet**, requiring a **15 feet** variance.
4. A wireless communication services facility shall be designed and erected so that in the event of a structural failure it will fall within the required setback area and, to the maximum extent possible, away from adjacent development.

For 1 See ARTICLE XI, §190-58(c & e)

For 2 See ARTICLE XI, §190-60

For 3 See ARTICLE XI, §190-62(b)

The Board will hear and consider:

The Appeal of Vipul Sawhney, owner of 10 Kingwood Court in the Village, and designated as Section 15, Block 206, Lot 0067A on the Nassau County Land and Tax Map and located within the Village's E-3 Zone.

1. The applicant seeks a variance (Z-798) to exceed the maximum amount of grading. Proposed site grading of **2,500 CY** is over the allowable **15 CY**, requiring a **2,485 CY** variance.

For 1 see §62-2 Excavation and Grading Definitions

INCORPORATED VILLAGE OF MUTTONTOWN

Lou Baldino

Chairperson

Dated: July 5, 2022