



Town of North Hempstead

Department of Planning and Environmental Protection



210 Plandome Road, Manhasset, NY 11030-2326

www.northhempsteadny.gov

Special Permit for Wireless Telecommunications Facilities - Submittal Requirements

The procedures and requirements are described in [§75-6: Special Permits of the Town Code](#). Please review the relevant code sections prior to filing as this would provide the most up-to-date information.

In accordance with [§75-6\(B\)](#) of the Town Code, the placement of wireless telecommunication facilities that do not qualify for a ministerial Antenna Location Permit (ALP) will require a Special Permit from the Town Board. The following is a list of favored locations and design features in order of preference:

1. New wireless telecommunications facilities (including cells on wheels) in the Industrial A (I-A), Industrial B (I-B), Planned Industrial Park (PIP), Modified Planned Industrial Park (MPIP) and Transportation (T) Zoning Districts which:
 - a. Are designed or located so that the visual impact of the facility is minimized either by: [1] Utilizing some type of stealth technology to camouflage their appearance as wireless telecommunications facilities; or [2] By being located on a portion of the site where they are not visible from any residential area, public roadway, public property, site of historical significance or scenic area; and
 - b. Are located more than 200 feet from the nearest property line of a residential site or the nearest boundary line of a residential zoning district (whichever is closer); and
 - c. Are located more than 200 feet from the nearest property line or boundary of any park, scenic area, site of historical significance; and
 - d. Are located more than 200 feet from the nearest property line of a school.
2. New wireless telecommunications facilities (including cells on wheels) in the Industrial A (I-A), Industrial B (I-B), Planned Industrial Park (PIP) and Modified Planned Industrial Park (MPIP) Zoning Districts which meet one or more of the criteria listed in (1) above.
3. New wireless telecommunications facilities (including cells on wheels) in the Industrial A (I-A), Industrial B (I-B), Planned Industrial Park (PIP) and Modified Planned Industrial Park (MPIP) Zoning Districts which do not meet any of the criteria listed in (1) above but are less than 50 feet tall.
4. New wireless telecommunications facilities (including cells on wheels) in the Business AA (B-AA), Business A (B-A), Business B (B-B), Hospital (H) or Service Commercial (SC) Zoning Districts which meet one or more of the criteria listed in (1) above.
5. New wireless telecommunications facilities (including cells on wheels) in the Business AA (B-AA), Business A (B-A), Business B (B-B), Hospital (H) or Service Commercial District (SC) which meet one or more of the criteria listed in [§75-6B\(1\)](#) above.
6. All other wireless telecommunications facilities and structures.

All applications for a Special Use Permit will require a public hearing at a regularly scheduled Town Board meeting. The hearings are usually held on Thursday evenings at 7:00 PM at Town Hall: 220 Plandome Road, Manhasset. Meetings are live streamed on the Town's website. The meeting agenda and all draft resolutions will be posted on the Town's website prior to the hearing. All final resolutions will be numbered and usually posted the following day. Contact the Planning Department for more information on Town Board Resolutions or Hearing Procedures.

Once a hearing has been scheduled, legal notices must be sent by registered or certified mail, to the owners of all properties within 200 feet or a radius that is three times the height of any proposed tower or antenna, whichever is greater.

Application procedure:

Contact the Planning Department at planning@northhempsteadny.gov with your intent to file and a link to the application form will be provided. Be advised, the application cannot be filed unless the Building Department has



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*performed an initial review and has indicated that Town Board approval is required. **Applications will not be scheduled for a hearing until all required documents have been submitted and all fees are paid in full.***

Information from the Notice of Disapproval will be needed to complete the application. The documents listed below are **required** for all applications. Certain documents already submitted to the Building Department may be re-used if there are no changes.

<input checked="" type="checkbox"/>	All requirements listed in §75-5D for the Antenna Location Permit (ALP): If no changes have been made to any of these documents, we can access these documents from the Building Department permit application.
<input checked="" type="checkbox"/>	Documentation as to how the proposed facility meets any one or more of the criteria listed in §75-6B , except for facilities proposed in the right-of-way pursuant to §75-4.1 .
<input checked="" type="checkbox"/>	A definition of the area to be served by any proposed wireless telecommunications facility and information regarding how the facility would provide needed coverage or capacity.
<input checked="" type="checkbox"/>	A description of the technological requirements for the proposed site (i.e., height requirements, coverage requirements, etc.).
<input checked="" type="checkbox"/>	Total anticipated capacity of any proposed freestanding facility such as a monopole or tower.
<input checked="" type="checkbox"/>	A list and description of all existing telecommunications facilities within the described service area (search ring), including the name of the owners of each site and the names of all carriers operating at the site.
<input checked="" type="checkbox"/>	A "Zone of Visibility Map" or photo simulations to determine locations where the facility and supporting structure(s) may be seen, including "before" and "after" views, from key viewpoints. These viewpoints will include any historic site or district or any staffed Town park within one mile of the proposed location (to be measured from the outer limits of the supporting structure, i.e., towers, buildings, etc.).
<input checked="" type="checkbox"/>	Where excavation or disturbance of land is required, a utilities inventory showing locations of all affected water, sewer or electrical lines must be provided.
<input checked="" type="checkbox"/>	A landscape plan demonstrating how the facility will be screened.



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<input checked="" type="checkbox"/>	An analysis of at least three alternatives as set forth in §75-6E .
<input checked="" type="checkbox"/>	Affidavit of Authorized Representation: An Affidavit of Authorized Representation is required if anyone other than the property owner (lessee, tenant, contract vendee, etc.) will be filing the application on behalf of the owner.

Filing Fees - All applications must be paid in full before a hearing will be scheduled.

Special Permit for Wireless Telecommunication Facilities..... **\$3,000.00**

Notification of Hearing Requirements

Once a hearing date has been set, you must mail legal notices to all landowners within a 200’ radius of the subject property or three times the height of any proposed tower, whichever is greater. Reference [§75-6\(F\)\(4\)](#) and [§70-225](#) of the Town Code for information on mailing requirements. The Town does not provide you with a notice letter. The notice must be on the applicant’s letterhead and include the applicant’s signature. You may transfer information directly from the Town Board resolution or you may provide a copy of this resolution. This letter must be by sent by registered or certified mail no less than 10 nor more than 20 days prior to the hearing date. If a hearing is adjourned to a later date, you must send new notices, but these need only be sent by first class mail.

Documents required prior to Hearing

The documents listed on the next page must be emailed to the Planning Department **NO LATER THAN 5 DAYS BEFORE YOUR HEARING** to verify that you have noticed your application in accordance with [§75-6\(F\)\(4\)](#) of Town Code. The Affidavit of Mailing and Affidavit of Sign Posting are attached to the end of the document.

<input checked="" type="checkbox"/>	Fully executed and notarized Affidavit of Mailing
<input checked="" type="checkbox"/>	All Date-Stamped Certified Mail Receipts
<input checked="" type="checkbox"/>	A copy of the notice that was mailed



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Expiration of Permit

The special permit has an initial term of three years. Prior to expiration, an application for renewal may be filed with the Commissioner of Buildings, together with a fee in the amount indicated in the Town Fee Schedule and current certification by a licensed Professional Engineer or other qualified person that the facility is within the nonionizing electromagnetic radiation levels adopted by the FCC. The permit may be renewed upon a finding that the facility is structurally sound, complies with the relevant provisions of the law and has not been changed or otherwise modified. Contact the Building Department for further information.