

**Minutes of: June 14, 2023**  
**Date Approved: \_\_July 12, 2023**  
**Date Filed/Village Clerk:**

**June 14, 2023**

**TUCKAHOE ZONING BOARD AND BOARD OF APPEALS**  
**Village Hall – 7:30pm**

<b>Present:</b>	Tom Ringwald	Chairman
	Anthony Fiore Jr.	Member
	Christina Brown	Member
	Heather Rinaldi	Member
	Lauren Porretta	Member

**Also in Attendance:**

Gary Gjertsen	Village Attorney
Mike Seminara	Asst. Building Inspector

**Chairman Ringwald announced the agenda as follows:**

<b>Item #1</b>	<b>Approval of the Minutes of May 10, 2023</b>	
<b>Item #2</b>	<b>20 Marbledale Rd.</b>	<b>Amend Special Permit</b>
<b>Item #3</b>	<b>50 Columbus Ave.</b>	<b>Special Permit</b>
<b>Item #4</b>	<b>377 Marbledale Rd.</b>	<b>Adjourned</b>
	46/1/10, 11, 12	
<b>Item #5</b>	<b>377 Marbledale Rd.</b>	<b>Adjourned</b>
	46/1/13, 15	
<b>Item #6</b>	<b>82 Lake Ave.</b>	<b>Withdrawn</b>

**Item #1    Approval of the Minutes of May 10, 2023**

Member Fiore motioned to approve the minutes dated May 10, 2023 was seconded by Member Rinaldi and upon roll call was carried with a vote of 5 – 0.

**Item #2      20 Marbledale Rd.      Amend Special Permit**

Russel Grotto of Elcan Industries, applicant, is requesting the approval to build a shelf in the back indoor area of his facility for storage purposes only. His company runs test for his clients and offers solutions for their products. Currently he works heavily with the electric vehicle industry. Due to the increase in business, he would like to build a storage shelf. There will be no change to the footprint, no noise, no pollutants, just storage. It will not be visible from the street, it will be indoors in the rear of the facility.

**Chairman Ringwald motioned to open the public hearing, seconded by Member Fiore and carried unanimously.**

**No Public Comments**

**Chairman Ringwald motioned to keep the public hearing open, seconded by Member Fiore and carried unanimously.**

**Item #3      50 Columbus Ave.      Special Permit**

David Kenny, attorney representing the applicant, Dish Wireless LLC., noted that Dish Wireless hopes to become the fourth wireless carrier in the nation. The applicant would like to place a 10ft. cell tower on the roof of 50 Columbus Ave. There are currently three antennas in three locations on the roof. The cell tower will sit near the current cell towers but not too close to prevent signal distribution. The tower will measure 6ft. tall and will be placed on a 12in. platform to clear the parafait. The locations of the towers will be on the corner of Circuit Ave. and Limekiln Rd. and two antennas on the Maynard St. side of the building.

Mr. Kenny noted that the power for the cell tower will come from the building with additional batteries in the cell tower to kick-in in the event of a power outage. The applicant will collaborate with the Fire Dept. to ensure the safety of the batteries.

**Member Porretta offered the following resolution in the form of a motion:**

**RESOLUTION DESIGNATING THE TUCKAHOE ZONING BOARD OF APPEALS AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR A SPECIAL PERMIT FOR CELLULAR ANTENNAS AT 50 COLUMBUS AVENUE.**

**WHEREAS**, the Tuckahoe Village Department of Buildings received a building permit application received on March 29, 2023 to collocate Dish Wireless LLC antennas and wireless telecommunications equipment at their base station on the rooftop of an existing building. The application includes three panel antennas with related equipment. The application requires a special permit from the ZBA.

**WHEREAS**, the “Proposed Action” is the granting of a special permit by the Zoning Board of Appeals.

**WHEREAS**, the approval of the Proposed Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review Act (“SEQR”);

**WHEREAS**, under Tuckahoe Village law, the Zoning Board of Appeals is the only entity that can grant a special permit for satellite earth stations and dish antennas in excess of two feet or cellular antennas.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The Tuckahoe Village Zoning Board of Appeals hereby declares itself as Lead Agency to coordinate the environmental review of the proposed action.

**Lead Agency Contact Information:**

Tuckahoe Village Zoning Board of Appeals  
65 Main Street  
Tuckahoe, NY 10707  
Bill Williams, Building Inspector  
T. 914.961.8148  
bwilliams@tuckahoe-ny.com

2. The Tuckahoe Village Zoning Board of Appeals directs that the proposed action be forwarded to the following involved and interested parties for review and comment pursuant to NYS Municipal Law.

**Interested Agencies:**

Tuckahoe Village Planning Board  
65 Main Street  
Tuckahoe, NY 10707  
Bill Williams, Building Inspector  
T. 914.961.8148  
bwilliams@tuckahoe-ny.com

This resolution shall take effect immediately.

Upon Motion of Commissioner Porretta, and seconded by Commissioner Browne,  
this Resolution was approved by the following vote:

Chairperson Tom Ringwald - Yes  
Commissioner Heather Rinaldi - Yes  
Commissioner Tom Ringwald - Yes  
Commissioner Anthony Fiore Jr. - Yes  
Commissioner Tina Browne - Yes  
Commissioner Lauren Porretta - Yes

<b>Item #4</b>	<b>377 Marbledale Rd.</b>	<b>Adjourned</b>
<b>Item #5</b>	<b>377 Marbledale Rd.</b>	<b>Adjourned</b>
<b>Item #6</b>	<b>82 Lake Ave.</b>	<b>Withdrawn</b>

There being no further comments from the public or business before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned.