

TOWN OF LYSANDER
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that pursuant to Section 267-a(12)Town Law, a Public Hearing will be held by the Town of Lysander Zoning Board of Appeals on Monday, June 6, 2022 at 7:30 p.m. at the Town of Lysander Town Offices, 8220 Loop Road, Baldwinsville, New York, for the purpose of considering the following:

The application of American Tower, Inc., for an Area Variance for property located at 2846 Belgium Road, Baldwinsville, New York, Tax Map No. 016.-03-05.0 to allow the extension of a Cellular Communication Tower a greater height than allowed in the Code, in accordance with Chapter 312, Wireless Telecommunications Facilities, Section 312-15, of the Lysander Town Code.

Dated: May 17, 2022

Richard Jarvis, Chairman
Lysander Zoning Board of Appeals

TOWN OF LYSANDER
ZONING BOARD OF APPEALS

APPLICATION

Application Number 2022-002 Date 04/08/2022 Fee \$50

Type of Application

- Special Use Permit
- Permit for Temporary Structure/Occupancy (explain need on page 2)
- Extension of Permit for Temporary Structure/Occupancy (explain need on page 2)
- Appeal of Decision made by the Code Enforcement Officer
 - Area Variance (provide details on page 2)
 - Use Variance (use requested _____)
- Informal Interpretation (describe issue on page 2)
- Other _____

Applicable Sections of the Zoning Ordinance

§ 312-15: Lot size and setbacks.

Height Variance

**Review by Onondaga County
Planning Board**

Required Not Required

**Review by Town of Lysander
Planning Board**

Required Not Required

Applicant

Name American Tower, Inc. (Cullen Morgan, Agent)
Street Number 10 Presidential Way Municipality Woburn
State MA Zip Code 01801

PLEASE SEND ALL MAIL CORRESPONDENCE
FOR THIS APPLICATION TO THE FOLLOWING ADDRESS:
12579 SAGEWOOD DRIVE, VENICE, FL 34293

Property

Street Number 2846 Belgium Road Municipality Town of Lysander
State New York Zip Code 13027
Tax Map Number 058.-06-07.2

Owner (if different than applicant)

Name _____
Address _____

Zoning District PUD Overlay Control _____

Size of Property 1.13 acres

Existing Structures/Uses Conforming Nonconforming

Need and Description

For temporary permits, explain why a permit is needed. For area variances, attach a copy of a current survey and any drawings or plans - if reducing or enlarging documents that **do not** include a graphic representation of scale indicate the percentage of reduction or enlargement. Attach additional pages if necessary.

In order to provide adequate vital telecommunications service to it's customers in the Town of Lysander, T-Mobile will need to upgrade it's equipment array on the tower. In order for the tower to safely handle the new load the equipment will place on the structure, a 20-foot extension will need to be added to the currently 100-foot tall tower. The tower, in it's current approved state, currently is in violation of the setbacks outlined in Code Section 312-15, and therefore American Tower, the owner of the tower and lesee of the ground space it is situated on, will need to request a Variance from the Town's Zoning Board in order to move forward with construction and providing the essential service T-Mobile customers in the town rely on.

Area Variances

- Residential
- Nonresidential
- Principal Structure
- Accessory Structure

- Front Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Individual Side Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Lot Dimensions/Coverage/Floor Area
Type _____
Requirement _____
Variance Requested _____

- Rear Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Total Side Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Other
Type Setbacks
Requirement 132' setbacks (Per Section 312-15)
Variance Requested _____


Alternatives

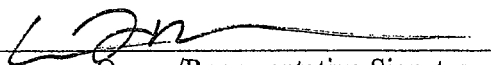
Explain in detail why the proposed action cannot be conducted where a variance would not be required, or where a smaller variance would be required (attach additional pages if necessary).

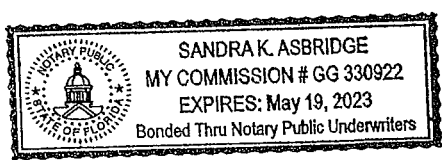
As advised previously, the tower is already in non-compliance with the aforementioned setbacks required in Section 312-15.

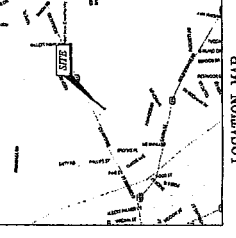
Therefore, the only recourse that would remedy this issue would be for the town to issue a variance for this tower.

Sworn this 11th day of April, 2022


Notary Public

Applicant/Representative Signature

Owner/Representative Signature





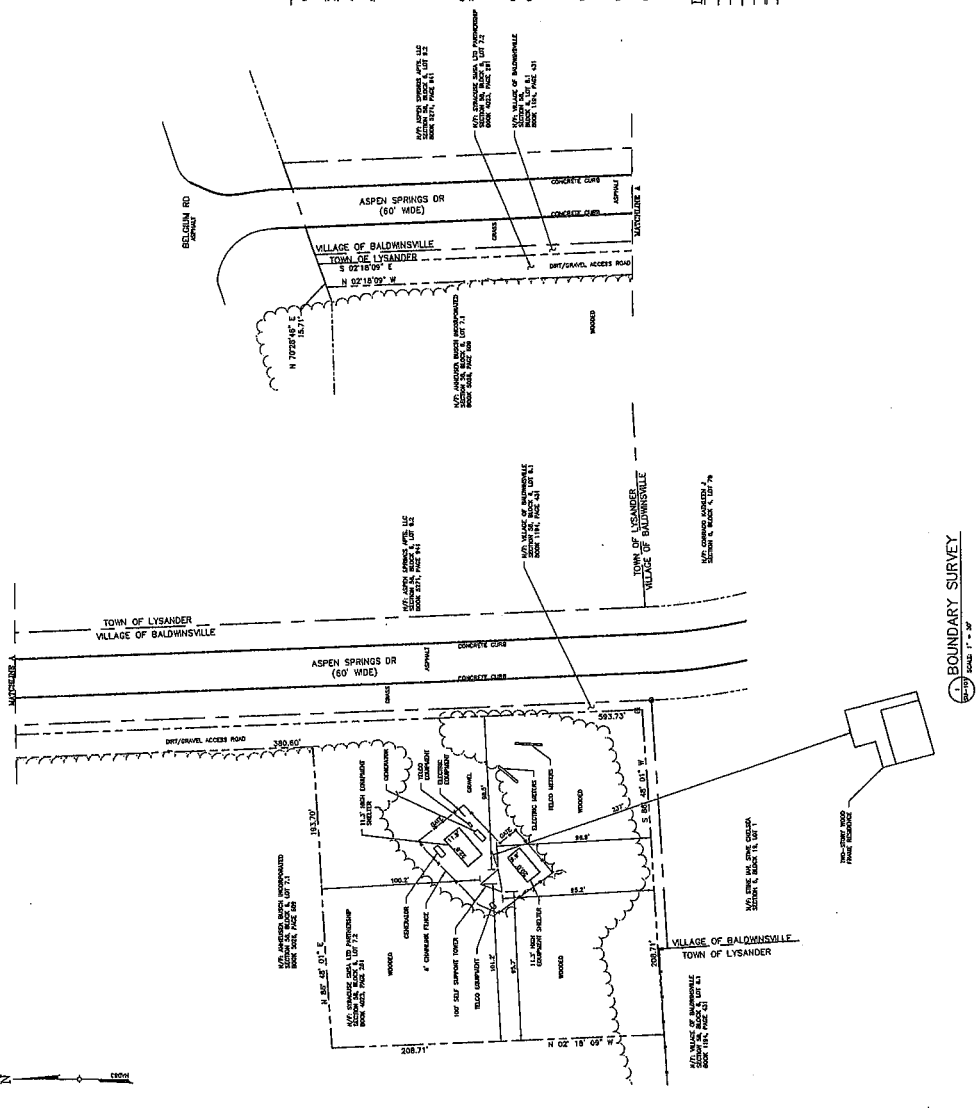
GENERAL NOTES

1. THIS PLAN IS BASED UPON FIELD SURVEY DATA BY TECTONIC SURVEYING AND ENGINEERING, INC. AND IS NOT TO BE CONSIDERED A GUARANTEE OF ACCURACY OR A WARRANTY OF ANY KIND.
2. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE EXISTING BOUNDARY SURVEY DATA IS IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD DATA.
3. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE SPECIFIED.
4. ALL ANGLES ARE GIVEN IN DEGREES, MINUTES AND SECONDS UNLESS OTHERWISE SPECIFIED.
5. THE SURVEYOR HAS FOUND THAT THE PROPERTY IS BOUNDARY SURVEY DATA IS IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD DATA.
6. THE SURVEYOR HAS FOUND THAT THE PROPERTY IS BOUNDARY SURVEY DATA IS IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD DATA.
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LEGEND

(Symbol)	PROPERTY LINE
(Symbol)	ADJACENT PROPERTY LINE
(Symbol)	CONCRETE DRIVE
(Symbol)	DRIVE
(Symbol)	OPEN LAKES
(Symbol)	STATE OF NEW YORK
(Symbol)	UNINCORPORATED
(Symbol)	WARRANTY FOUND
(Symbol)	FROM THIS SURVEY

CONFIGURATION: 6705097DB_6160
 REFER TO LATEST T-Mobile® OF DATA SHEET FOR TRAIL, E.T. DISTANCE & DATA



Chapter 312. Wireless Telecommunications Facilities

§ 312-15. Lot size and setbacks.

All proposed towers and any other proposed wireless telecommunications facility structures shall be set back from abutting parcels, recorded rights-of-way and road and street lines by the greater of the following distances: a distance equal to the height of the proposed tower or wireless telecommunications facility structure plus 10% of the height of the tower or structure, or the existing setback requirement of the underlying zoning district, whichever is greater. Any accessory structure shall be located so as to comply with the applicable minimum setback requirements for the property on which it is situated.