

**VILLAGE OF BUCHANAN LOCAL LAW AMENDING CHAPTER 211 ENTITLED ZONING TO THE CODE OF THE VILLAGE OF BUCHANAN TO REPEAL CERTAIN REGULATIONS FROM ARTICLE XIII ENTITLED COMMUNICATIONS TOWERS AND PERSONAL WIRELESS FACILITIES, AND TO WAIVE OTHER SPECIFIC REQUIREMENTS**

**BE IT ENACTED by the Board of Trustees of the Village of Buchanan as follows:**

**SECTION 1. LEGISLATIVE INTENT**

**The Board of Trustees finds that certain existing sections of the Village Code, specifically Chapter 211, Article XIII entitled Communication Towers and Personal Wireless Facilities Sections 211-66A 15, 29 and 211 66E, are outdated, inconsistent with state standards, or no longer serve the best interests of the community. Therefore, the Board deems it necessary to repeal these sections and to provide temporary waivers to facilitate Communication Towers In the Village of Buchanan as indicated below**

**SECTION 2. REPEAL OF EXISTING CODE SECTIONS**

**Chapter 211, Article XIII, entitled Communications Towers and Wireless Personal Facilities specifically, Sections [211-66A(15), 211-66A(29) and 211 (66 E) of the Code of the Village of Buchanan is hereby repealed in its entirety.**

**SECTION 3. WAIVER OF CODE SECTIONS**

**Notwithstanding any provision of the Zoning Ordinance and Schedule of Use Regulations to the contrary, the strict application of the following provisions is hereby waived for the Applicant Hemphill/Verizon, only with respect to the Property [R40], provided the development strictly adheres to the site plan once approved**

Be it enacted by the Board of Trustees of the Village of Buchanan as follows:

The following sections are hereby repealed:

**Section 211-66A(15)** Whether the applicant has previously sought a special use permit for a communications tower or personal wireless facility elsewhere in the state and, if so, where and what the ultimate disposition of the application was.

**Section 211-66A(29)** Sufficient data and documentation to demonstrates that applicant has the finances and funds committed and available that are needed to construct the proposed communications tower or personal wireless facility in the manner and in the time frame proposed or as otherwise required by this article.

**Section 211-66(E)** In the case of a change or modification of an application during the application process and prior to the issuance or denial of a special use permit for a communications tower or personal wireless facility or a change or modification in the plans submitted as part of an application for a special use permit for a communications tower or personal wireless facility, the applicant shall pay to the Village a nonrefundable change of request fee, in an amount as may be established by the Village from time to time. Moreover, to minimize changes or revisions in applications that are primarily for the convenience of the applicant or service provider and on which the efficacy of the project or venture does not hinge, after the first change or modification, each additional or subsequent change or modification of the application or of the plans submitted as part of an application for a special use permit for a communications tower or personal wireless facility prior to the issuance or denial of the special use permit shall require an additional fee

that shall increase in increments as established by the Village, which shall accompany each requested change submitted either for the same site or under the same permit application. For purposes of example only, a second change or modification would require a fee consisting of the amount for an initial application plus the increment established by the Village for considering changes or revisions to an initial application.

**The following section is amended as follows:**

**Section 211-66A(12)** Documentation that the proposed communications tower or personal wireless facility will be constructed ~~in a manner that will withstand sustained winds of at least 150 miles per hour or the expected wind load created by a five hundred year storm, whichever is greater.~~ **Recommend that the wireless facility be constructed in accordance with the industry standard TIA/EIA-222-I or more recent adopted standard.**

**FOR HEMPHILL/VERIZON PROJECT**

In addition to the foregoing, the following sections of the Village of Buchanan Code were recommended to be **waived for the applicant Hemphill/Verizon project:**

**Section 211-66A(17)** A reasonably detailed description of the construction methods to be used to construct the communications tower or personal wireless facility. Applicant with state that **construction will conform to all current laws in the State of New York (Building Code, etc.).**

**Section 211-66A(30)** If required by the Planning Board, a map showing any and/or all alternative locations in the Village that would achieve the desired service or coverage area, including situations that would require multiple towers and facilities of a lower height to achieve the desired service or coverage area, and accompanied by a cost comparison showing the estimated cost for each approach compared to the cost for the requested or preferred location, as well as a narrative describing any anticipated problems associated with the use of any alternative site or combination of sites. \* This is a Village recommended site and there are no other preferred locations within the Village.

Section 211-71A, B, C, D, and E. (Village chose this site and will amend the Village Code to permit Communication Towers in the R40 District.)

**VILLAGE OF BUCHANAN**  
**LOCAL LAW NO. \_\_\_ OF THE YEAR 2026 AMENDING THE “USE TABLE” OF**  
**CHAPTER 211-10 ENTITLED ZONING, “SCHEDULE OF USE REGULATION” TO**  
**THE CODE OF THE VILLAGE OF BUCHANAN**

**Section One:** Section 211-10 “Schedule of Use Regulations” Attachment 1 shall be amended to read as follows:

District R-40 Column 2 entitled “Uses Permitted by Right” shall be amended to add letter D to read as follows:

Cellular Towers on land owned by the Village of Buchanan.

**Section Two:** This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

**Section Three:** This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*


### **Instructions for Completing**

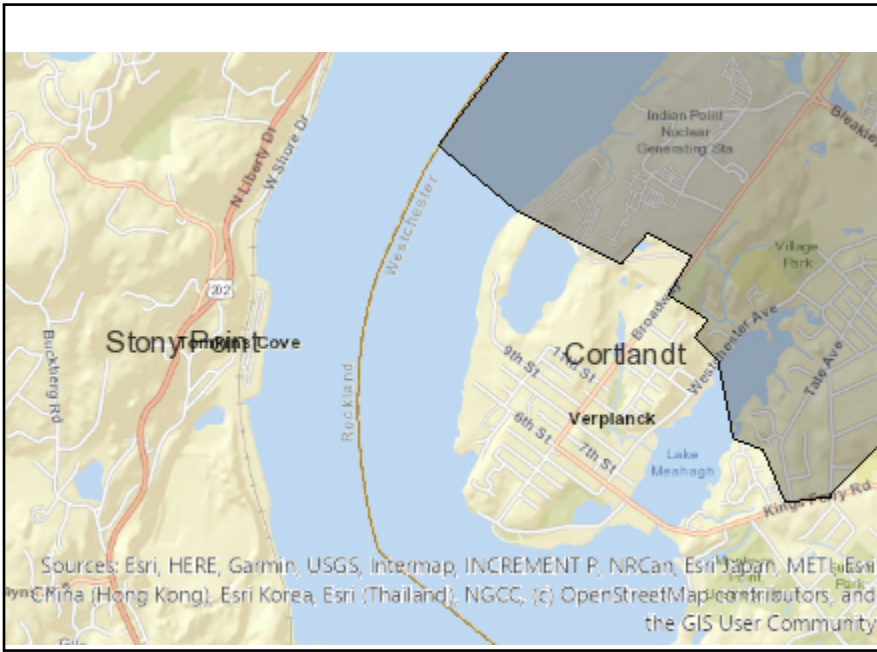
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5.     Urban           Rural (non-agriculture)           Industrial           Commercial           Residential (suburban)			
<input type="checkbox"/> Forest           Agriculture                           Aquatic           Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor/name: _____  _____ Date: _____</p> <p>Signature: _____ Title: _____</p>		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Hudson River, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon, Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes