

**VILLAGE OF BUCHANAN
LOCAL LAW NO. 4 OF THE YEAR 2026**

**A LOCAL LAW AMENDING CHAPTER 211 ENTITLED ZONING TO THE CODE
OF THE VILLAGE OF BUCHANAN TO REPEAL CERTAIN REGULATIONS FROM
ARTICLE X111 ENTITLED COMMUNICATION TOWERS AND PERSONAL
WIRELESS FACILITIES**

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Article XIII entitled Communication Towers and Personal Wireless Facilities Sections 211-66A 15, 29 and 211 66E, are outdated, inconsistent with state standards, or no longer serve the best interests of the community.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.

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

Section One: The following sections are repealed in their entirety:

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.**

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

**VILLAGE OF BUCHANAN RESOLUTION
LOCAL LAW NO. 4 OF THE YEAR 2026
AMENDING CHAPTER 211 ARTICLE XIII ENTITLED
COMMUNICATIONS TOWERS AND PERSONAL WIRELESS FACILITIES
TO THE CODE OF THE VILLAGE OF BUCHANAN**

Introduced by: _____
Seconded by: _____
Dated: _____

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Buchanan for a public hearing to be held by said Village Board at the Municipal Building, 236 Tate Avenue, Buchanan, to hear all interested parties on a proposed Local Law amending Chapter 211 Article XIII entitled “Communications Towers and Personal Wireless Facilities” to the Code of the Village of Buchanan; and

WHEREAS, notice of said public hearing was duly advertised in the official local newspaper; and

WHEREAS, said public hearing was duly held at a regularly scheduled meeting of the Village Board on May 5, 2026 and continued on June 2, 2026 and July 7, 2026 at 7:00 P.M. at the Municipal Building, 236 Tate Avenue, Buchanan, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Trustees of the Village of Buchanan, after due deliberation, finds it in the best interest of the Village of Buchanan to adopt said Local Law;

NOW BE IT THEREFORE RESOLVED that the Board of Trustees of the Village of Buchanan hereby adopts said Local Law No. 4-2026 Amending Chapter 211 Article XIII of the Code of the Village of Buchanan, a copy of which is attached hereto and made a part of this resolution; and

BE IT FURTHER RESOLVED that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Buchanan, and to give due notice of the adoption of said local law to the Secretary of State of the State of New York.

Upon Roll Call Vote:

Mayor Theresa Knickerbocker _____

Trustee Awilda Baez _____

Trustee Anthony Capicotti _____

Trustee Steve Laker _____

Trustee Robert Wheeler _____

Vote: Resolution carried by a vote of ____ to ____.

STATE OF NEW YORK)
)ss.:
COUNTY OF WESTCHESTER)

I, CYNTHIA KEMPTER, Village Clerk of the Village of Buchanan, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Village Board of the Village of Buchanan at a meeting of said Board held July 7, 2026.

Cynthia Kempter, Village Clerk