



NIXON PEABODY LLP
ATTORNEYS AT LAW

NIXONPEABODY.COM
@NIXONPEABODYLLP

Dana K. Campbell, Esq.
C 585-472-2671
dcampbell@nixonpeabody.com

1300 Clinton Square
Rochester, NY 14604-1792

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VIA E-MAIL AND FEDEX

Town of Caroline
2668 Slaterville Road
Slaterville Springs, NY 14881
Attn: Brooke Greenhouse

RE: •Request for Pre-Application Meeting for Verizon Wireless to co-locate telecommunications equipment on an existing tower at 330 Bald Hill Road
•Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112-96), Section 6409 – Wireless Facilities Deployment (47 U.S.C. §1455)

Dear CEO Greenhouse:

Bell Atlantic Mobile Systems LLC (“Verizon Wireless”) proposes to co-locate wireless telecommunications equipment on an existing tower located at 330 Bald Hill Road (the “Existing Tower”) in the Town of Caroline, New York (the “Town”), all as shown on the enclosed Construction Drawings prepared by C&S Companies (the “Project”).

The Project is necessary in order for Verizon Wireless to remedy service deficiencies, and provide adequate service for emergency services and the public in the geographic area of the Town known as the “Brooktondale B Cell”.

The purpose of this letter is to request a pre-application meeting for the Town’s consideration of the Project, and to draw the Town’s attention to the Middle Class Tax Relief and Job Creation Act of 2012 (“TRA”), Section 6409 (entitled “Wireless Facilities Deployment”). We respectfully request that the Town, pursuant to the TRA, administratively issue a building permit for this facility without any “discretionary approvals.” We look forward to discussing this further at the pre-application meeting.

Congress has directed that “eligible facilities requests” under TRA Section 6409 should properly be treated as a non-discretionary review, stating that “a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station” (Section 6409[a][1]). “Eligible facilities requests” are defined to include co-locations and modifications that do not substantially change the physical dimensions of a tower or base station, such as what is proposed here.

As set forth on the enclosed drawings, there are existing wireless telecommunications antennas installed on the Existing Tower. The Project will not “substantially change” the Existing Tower, which is 195’ high; rather, the Project involves the installation of six (6) antennas at a height of 160’, and the installation of ground level equipment within the boundary of the existing compound. Accordingly, the modifications proposed here should be approved administratively (e.g., via building permit). Congress has made it clear that this law is applicable “[n]otwithstanding section 704 of the Telecommunications Act of 1996 (Public Law 104-104) or any other provision of law,” thereby establishing TRA Section 6409 as an independent directive for municipalities to streamline the approval of “eligible facilities requests.”

To that end, please accept this letter and the following materials as Verizon Wireless’ application for a pre-application meeting and local approval for this minor modification to the Existing Tower:

- Tower Owner (CitySwitch) letter authorizing Verizon Wireless’ application for municipal approval.
- Construction Drawings.

Verizon Wireless is anxious to move the Project along to provide this important public service to the Town. As such, any effort you can make to expedite the pre-application meeting would be appreciated. Feel free to contact me with any questions. Thank you.

Sincerely,



Dana K. Campbell

DKC/lac

cc: Robert W. Burgdorf, Esq.