TOWN OF DRYDEN
TOWN BOARD RESOLUTION NO. ____ OF 2019
January 17, 2019

A Resolution Adopting Local Law No. of 2019 to Amend the Town of Dryden Telecommunications Tower Siting Law –Local Law 2 of 2006 ("TTS")

WHEREAS, the Town has the authority to adopt the local law referred to above (hereafter "the Local Law") pursuant to Article 9, §1 of the New York State Constitution and §10 of the New York State Municipal Home Rule Law; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town of Dryden to adopt said Local Law; and

WHEREAS, the Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C.A. Section 1455) calls for an expedited process for local review of equipment modifications and colocations on cell towers that do not increase the height of the tower; and

WHEREAS, the Town Board determined that the TTS should be amended to simplify the permitting process for modifying equipment or collocating equipment on existing towers that involves no increase in the height of the tower; and

WHEREAS, the Local law was introduced at the Town Board meeting on January 2, 2019, and the Town Board of the Town of Dryden reviewed and discussed the Local Law and set a public hearing to be held by said Town Board on January 17, 2017 at 7:05 p.m. to hear all interested parties on the Local Law; and

WHEREAS, notice of said public hearing was duly advertised in the Ithaca Journal, and

WHEREAS, said public hearing was duly held on said date and time at the Town Hall of the Town of Dryden and all parties in attendance were permitted an opportunity to speak and comment on the Local Law, or any part thereof, and

WHEREAS, the adoption of the Local Law is an unlisted action pursuant to the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617, for which the Town Board of the Town of Dryden, acting as lead agency in an environmental review with respect to the adoption of this local law, made a negative determination of environmental significance on January 17, 2019, after having reviewed and accepted as adequate a Short Environmental Assessment Form Parts 1, 2 and 3 prepared by the Town's Planning staff; and

Now, therefore, be it

RESOLVED, that the Town Board of the Town of Dryden hereby adopts said Local Law as Local Law No. ___ of 2019 entitled " Telecommunications Tower Siting Law," a copy of which is attached hereto and made a part hereof, and the Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Dryden, and to give timely notice of the adoption of said Local Law to the Secretary of State, as required by law.

Moved:

Seconded:

Vote: