

*Village of Pelham Timeline for  
Extenet Application Process & Related Issues*

1. April 11, 2013, Extenet submits application for Special Permit
2. June 18, 2013, Village of Pelham (“VOP”) regular board meeting held and Extenet proposed DAS network discussed
3. Communications between Robert Yamuder, Village of Pelham Administrator and Extenet regarding locations for DAS nodes
4. September 3, 2013, VOP regular meeting with Extenet representatives and engineers in attendance to answer questions
5. September 17, 2103, VOP regular board meeting held and Right of Way (ROW) agreement approved by 7-0 vote of Mayor and trustees; Extenet representatives and engineers in attendance to answer questions
6. September 19, 2013, Yamuder executes ROW agreement on behalf of VOP
7. September 23, 2013, electrical and mechanical permits were issued by VOP and construction of DAS system on 2 existing poles and installation of new monopole at Cliff and Second Street occurs
8. On or about October 31, 2013, construction complete on DAS system
9. Lawsuit commenced on November 6, 2013 seeking to, among other things, have the 3 DAS installations removed
10. November 26, 2013, Judge Barbara Zambelli preliminarily refuses the request to remove the DAS installations
11. Spring of 2014, VOP holds public hearings and adopts local telecommunications law to make it more protective of VOP and its residents
12. June 20, 2104, Judge Barbara Zambelli issues a Decision that annuls and vacates the resolution allowing the ROW agreement to be executed, annuls and vacates the ROW agreement itself and the permits for construction. The judge found that the local telecommunications law should be applied to the Extenet application.
13. The 6/20/14 decision did not require that the DAS nodes, related equipment and the new monopole be removed. The decision is held in abeyance pending a VOP determination in Extenet’s application which must be completed within 150 days of June 20 (November 17, 2014).
14. August, September and October 2014, VOP receives supplements and additional information from Extenet (further supplemental information described below)
15. VOP retains consultants AKRF Environmental and Planning Consultants (AKRF) and CTC Technology & Energy Consultants (CTC) to evaluate Extenet’s application
16. September 30, 2014, VOP holds special meeting to discuss status of Extenet application given the submissions over the past few months since Judge Zambelli’s decision
17. Public hearing on Extenet application opens on November 6, 2104. The VOP receives supplemental submissions for and against the application from Extenet counsel Cuddy &

Feder, litigants Matthew and Aimee Kaplan and their expert consultant, the VOP consultant CTC and from various residents (some from counsel) expressing opinion on the DAS network as proposed and alternative locations for placement of certain nodes

18. Successive meetings are held on November 18, December 2 and December 16
19. At December 16 meeting, VOP 1) by a 7-0 vote of the board issues a “negative declaration” under SEQRA (with edits to the submitted EAF) finding the proposed network has no environmental impact requiring an EIS; 2) by a 6-1 vote of the board authorizes the VOP counsel to draft a resolution approving the application to be voted on at a Special Meeting on December 22, 2014; and 3) by a 6-1 vote of the board authorizes the VOP counsel to draft a new Right of Way agreement between Extenet and the VOP.