

One Commerce Plaza  
Albany, New York 12260  
518.487.7600

David R. Everett  
Partner  
518.487.7543 phone  
*deverett@woh.com*

## TELECOMMUNICATIONS/CELL TOWER EXPERIENCE

- Mr. Everett has represented major telecommunications companies in obtaining land use and environmental permits for cell towers and telecommunications facilities including federal and state wetland permits, storm water permits, special use permits, site plan and subdivision approvals and zoning variances.
- He has represented private telecommunications companies and municipal planning and zoning boards in highly controversial and highly contentious cell tower projects. Mr. Everett negotiated successful solutions to land use disputes between telecommunications companies and neighboring property owners.
- Mr. Everett successfully defended lawsuits challenging land use and environmental approvals issued for cell tower facilities.
- Mr. Everett has represented tower management companies, major cellular companies and municipalities in complying with the requirements of the State Environmental Quality Review Act ("SEQRA") including the preparation of environmental impact statements and negative declarations. Mr. Everett has extensive experience with visual impact studies, wetland and stream delineations, FAA requirements, lighting impacts, historic preservation issues, blasting reports, endangered and threatened species, clearing issues, camouflaging alternatives, radio frequency issues, public health and safety issues and storm water pollution prevention plans ("SWPPP"), among others.
- Mr. Everett assisted a private land owner in developing solutions to a cell tower's potential impacts on an historic site of State-wide prominence located in the Hudson Valley.
- Mr. Everett has counseled private clients on complying with the requirements of local telecommunications laws including provisions related to performance and removal bonds, insurance requirements and consultant escrows, to name a few.
- He has represented municipalities in the preparation, adoption and implementation of local telecommunication laws governing the siting, construction and operation of cell towers and other telecommunications facilities.

- Mr. Everett has represented State and local agencies regarding exemptions from local permitting requirements when siting cell towers on public land.
- Mr. Everett represented private landowners in negotiating leases, restrictive covenants, access agreements and visual easements with telecommunications companies.
- He assisted municipalities in compliance with all aspects of the federal Telecommunications Act of 1996 when reviewing permit applications for cell towers.
- Mr. Everett has trained hundreds of local officials on the zoning, planning, and environmental issues related to the siting, construction and operation of cell towers and telecommunications equipment. He has lectured across New York State on such issues.
- He represented municipal clients in zoning enforcement proceedings for violations of local telecommunications laws.