



## TOWN ATTORNEY

**To: Mayor and Town Council**  
**From: Terrence S. Welch, Town Attorney**  
**Re: Resolution - Anthemnet Cell Tower SUP Denial**

**Town Council Meeting – July 11, 2023**

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**Agenda Item:**

Consider and act upon a resolution making written and evidentiary findings relative to the denial of a request from Anthemnet for a Specific Use Permit (SUP) for a commercial antenna on the south side of Prosper Trail west of Preston Country Lane.

**Description of Agenda Item:**

At the June 27, 2023, Town Council meeting, the Town Council denied a request from Anthemnet for a specific use permit to construct a commercial antenna/cell tower on the south side of Prosper Trail west of Preston Country Lane. The federal Telecommunications Act of 1996 provides, in part, that a local government must base any denial of a wireless telecommunications facility based on substantial evidence in writing. The attached resolution provides such substantial evidence supporting the Town Council's denial of the SUP in question.

**Budget Impact:**

There is no budgetary impact affiliated with this item.

**Legal Obligations and Review:**

The Town Attorney has prepared the attached resolution.

**Attached Documents:**

1. Resolution.

**Town Staff Recommendation:**

The Town Attorney recommends the Town Council approve the attached resolution making written and evidentiary findings relative to the denial of a request from Anthemnet for a Specific Use Permit (SUP) for a commercial antenna on the south side of Prosper Trail west of Preston Country Lane.

**Proposed Motion:**

I move to approve a resolution making written and evidentiary findings relative to the denial of a request from Anthemnet for a Specific Use Permit (SUP) for a commercial antenna on the south side of Prosper Trail west of Preston Country Lane.