



**TOWN OF NEWBURGH
PLANNING BOARD
TECHNICAL REVIEW COMMENTS**

PROJECT NAME: VERIZON WIRELESS
PROJECT NO.: 22-18
PROJECT LOCATION: PRESSLER ROAD
SECTION 4, BLOCK 2, LOT 43
REVIEW DATE: 30 SEPTEMBER 2022
MEETING DATE: 6 OCTOBER 2022
PROJECT REPRESENTATIVE: YOUNG/SOMER, LLC- SCOTT OLSEN ESQ.

1. Adjoiner's Notices have been submitted to neighboring property owners.
2. The Town's Wireless Consultant has submitted a set of review comments for the project. Planning Board should discuss the timing of the required balloon testing.
3. This office has coordinated with the Town of Plattekill Planning Board. At a minimum an Access Permit from the Town of Plattekill Highway Superintendent will be required for the access in Ulster County.
4. Orange County Planning submission is required upon completion of the application.
5. The applicants are requested to provide approval from the owner of the power line right-of-way/easement for construction of the access drive within the power line right-of-way.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in blue ink that reads 'Patrick J. Hines'.

Patrick J. Hines
Principal

PJH/kbw

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
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September 20, 2022

Chairman John Ewasutyn and Members of the Planning Board
Town of Newburgh Planning Board
21 Hudson Valley Professional Plaza
Newburgh, New York 12550

Re: Verizon Wireless of the East LP d/b/a Verizon Wireless
Application for Site Plan and Special Use Permit
Fostertown Road – New Tower Construction
Review Memo #1 (Inventory and Completeness)

This memorandum was prepared to summarize HDR's preliminary review of the application materials submitted by Young/Sommer, LLC on behalf of the applicant, Verizon Wireless of the East, LP d/b/a Verizon Wireless (Verizon), for the above-referenced project.

The project proposes the construction of a new 120-ft monopole structure (124-ft to top of lightning rod) and a ±2,500 square foot ground-based equipment compound (50 ft x 50 ft) located on a portion of a privately-owned parcel off of Pressler Road adjacent to the Ulster County border. The parcel appears mainly undeveloped, is approximately 30.4 acres, and lies within an Agriculture ("AR") zoning district. Portions of a proposed 12-ft wide gravel access drive off Pressler Road lies within Ulster County and follows/crosses an existing power line right-of-way (ROW). Verizon is proposing to co-locate at the 116-ft above ground level (ft agl) position on the tower with a total of nine (9) proposed panel antennas arranged in three sectors.

HDR is in receipt of the application materials as inventoried below (Item 1). The applicants are seeking Planning Board reviews (SEQRA determination, Site Plan review, and Special Use Permit review) and relief from several requirements of the Town Wireless Code (Chapter 168) through the issuance of waivers. Based on the application materials provided it does not appear that the applicant is seeking any zoning variances. However, HDR understands that the required permits, approvals, and referrals / notices will be confirmed by the Town.

This application completeness review includes an inventory and assessment of Verizon's application submittals which is based on comparison of the application materials with the Town's Wireless Code requirements, HDR's experience with similar projects, and with consideration to the proposed location of the monopole site and existing site conditions. **Based on HDR's review of the application submittals, the application is incomplete at this time.**

1. Application Inventory

HDR has conducted a preliminary review of the following application materials for this memorandum:



1. Statement of Intent and Application for Special Use Permit and Site Plan Review, prepared by Young/Sommer (June 17, 2022; 14 pp.) – *includes the following components:*
 - a. Town of Newburgh Application form for Site Plan Review
 - b. Fee Acknowledgement form
 - c. Planning Board Disclaimer Statement to Applicants (form)
 - d. Disclosure Addendum Statement to Application Petition and Request (form)
 - e. Town of Newburgh Planning Board Checklist
 - f. Statement of Intent (5 pp.)
2. Construction Drawing prepared by Tectonic Engineering Consultants, Geologists, and Land Surveyors, DPC (“Tectonic”); signed by a NYS P.E. (Rev. 0; 6-6-2022; 8 sheets)
3. Documentation of Public Utility Status and Overview of Rosenberg Decision (2 pp.)
4. Reproduction of a portion of the Telecommunications Act of 1996 (7 pp.)
5. Copies of Verizon Wireless’ FCC Licenses (16 pp.)
6. RF Justification prepared by Verizon (June 1, 2022; 19 pp.) – includes coverage and capacity information as related to existing Verizon cell sites in the area.
7. Equipment Specification Sheets [1 antenna model; 1 mounting unit] (6 pp. total)
8. Site Selection Analysis prepared by Verizon Wireless (June 10, 2022; 8 pp.) – includes the applicant’s search ring and analysis of other potentially viable locations for a new Verizon facility.
9. Verizon Wireless Non-Interference Letter prepared by Verizon (June 8, 2022; 1 pp.)
10. SEQR Full Environmental Assessment Form (FEAF) Part 1 (June 3, 2022; 13 pp.)
11. EAF Mapper Summary Report (June 1, 2022; 2 pp.)
12. Structural Analysis and Grounding Letter, prepared by Tectonic, signed by a NYS P.E. (June 3, 2022; 1pp.)
13. Viewshed Map prepared by Tectonic (undated; 1 pp.) *Note: This map appears to be a “bare earth” representation (e.g., areas from where the proposed tower will be visible appear to be modeled considering ground topography ‘only’, without consideration of trees and structures).*
14. Certificate of AM Regulatory Compliance prepared by Site Safe (June 14, 2022, 1 pp.)
15. Property Owner’s Proxy (June 16, 2022, 1 pp.) Authorizes Verizon Wireless and its agents to represent property owner on the matter of the application.
16. Federal Airways & Airspace Summary Report (June 14, 2022; text file output)

Additional material received on September 12, 2022, included the following:

1. Cover Letter prepared by Young/Sommer LLC (September 9, 2022; 2 pp.)
2. Foliage Conditions for Visual Study Letter prepared by Tectonic (September 7, 2022; 1 pp.)
3. Viewshed Maps prepared by Tectonic (undated; 2 pp.)
Note: Two maps were provided – one provides the predicted viewshed only while the other incorporates proposed viewpoints to visit during the balloon test. The predicted viewshed in these two maps appears to include visibility based on both topography (“bare earth”) and vegetation/development whereas the previous submittal provided viewsheds based on topography only.
4. SEQR Appendix B - Visual EAF Form (undated; 2 pp.)

2. Supplemental Information Needs

Based on a review of the above-noted application materials, supplemental information is required. We note that the below items identified by HDR do not include comments that may be submitted by other Town consultants, the Planning Board, or outside agencies (e.g., SHPO or neighboring municipalities to which the application is or will be referred). The need for other Town permits (e.g., Grading or Tree Removal, as may be applicable) and/or variances will need to be confirmed by the Town. Proposed waivers will be discussed in the future.

A. Balloon Test [§168-6(Z)]

HDR notes that the applicant has not yet conducted a balloon test in accordance with Town Code requirements. The applicant cites in its letter of intent that input from the Planning Board is required to assist in the development of the visual analysis (this was also discussed at the August 4, 2022 Planning Board meeting).

- Pursuant to Town Code §168-6(Z) the balloon test shall meet the following requirements:
 - Balloon Test:
 - Fly or raise upon a temporary mast (e.g., a movable crane) a minimum 3-ft diameter brightly colored weather balloon at the maximum height of the new tower (i.e., 120-ft).
 - The test must be flown for at least eight (8) consecutive hours between 7:00 am and 4:00 pm.
 - The primary date must be on a weekend (Saturday or Sunday); however, if canceled due to poor visibility or other weather conditions the alternate date may be on a weekday.
 - Noticing Requirements:
 - The applicant must notify the Planning Board in writing of the proposed primary and backup dates 14-days in advance.
 - The proposed dates including a backup date must be advertised twice in one of the official newspapers of the Town – 14 days and 7 days in advance. An example public notice is included as **Attachment A** of this Tech Memo.
 - Note that the code requires the balloon test to be completed *prior to* the public hearing being opened on the application.
 - It is noted that **the need for separate notices/outreach to specific parties (e.g., Ulster County, neighboring municipality) in advance of the balloon test and as a supplement to the code-required noticing should be confirmed with the Planning Board.** HDR will be involved during the balloon test planning and make field observations on the day of the balloon test to confirm the balloon set-up and areas from where the balloon is and is not visible.

The applicant has provided preliminary viewshed maps that depict potential visibility based on “terrain only” and terrain in conjunction with vegetation and land cover as part of the application materials. The maps are computer generated predictions and provide an estimate of real-world conditions. One copy of the viewshed maps (received September 12, 2022) includes 21 viewpoints proposed to be evaluated during the future balloon test. The rationale for each point is not clear based on the information provided; however, final viewpoints may be discussed with the Planning Board and decided upon prior to the field mobilization. Additional viewpoints may be added in the field based on observations (as is typical). A copy of the applicant’s viewshed map with proposed photo locations is provided in **Attachment B**.

Based on the viewshed map, it appears that visibility of the proposed tower likely exists over a substantial portion of the area covered by a 2-mile radius including Chadwick Lake Park, Mountain View Avenue, Fostertown Rd/State Route 32, Pressler Road (and some local streets off of Pressler Road in Newburgh and Plattekill), and along East Road in southern Ulster County. HDR agrees that the 21 proposed points appear to be reasonable and appropriate to serve as a guide to assess potential visibility during the balloon test. As noted earlier, it is common that additional viewpoints could be added during the balloon test when visibility can be better assessed.

- **HDR requests that prior to conducting the balloon test, the applicant provide a tabular list of the 21 proposed viewpoints that can be correlated with their location on the provided viewshed map (e.g., numbering system). The list should provide the common name and address or other obvious means of identifying a given location in the field (e.g., cross street), distance and direction to the tower, and the rationale for evaluation (e.g., publicly accessible lands, parks, listed or eligible historic sites, etc.).**
- **HDR requests that the viewshed map(s) have the following added to better clarify and identify the potential and proposed viewpoint locations:**
 - Zoning districts
 - Municipal and county boundaries
 - Historic/cultural resources (listed/eligible)
 - Schools
 - Parks
 - Public areas

Separate maps (one for bare earth/topography only and one for land cover added, each with their own legends and color patterns) should be submitted, with the above information added to both maps.

- **Confirmation if a crane (vs. tether float) is proposed as part of the field test should also be provided by the applicant. Balloon colors and diameters, camera / lens specifications, and other proposed field logistics should be provided.**



- **The applicant shall also confirm outreach to SHPO (and provide determination correspondence from that agency with regard to the Area of Potential Effects and cultural and historic resources that may be noted to exist in the vicinity of the proposed project).**

The above information and confirmation of the applicant's outreach to SHPO can be submitted upfront to allow Planning Board and HDR feedback on the balloon test schedule, methods, and proposed photo locations.

It is noted that prior to the balloon test, the contents of the Visual Assessment Report should also be scoped (i.e., approach to photosimulation development, including alternate tower configurations and heights; utilization of the NYSDEC Visual Assessment Policy and other guidance). Confirmation and mapping of hiking trails, cultural resources, historic sites, scenic roadways, and other resources that may be in the viewshed should be included in the future Visual Assessment Report. As the RF justification analysis is in-progress at this time, HDR (or the Planning Board) may recommend that a second, alternate color balloon be floated at a different height to assess potential co-location.

SCHEDULE – The balloon test should be scheduled for a Saturday (with weather date on the following Sunday and then each consecutive day after that), per the Code. Target dates should be discussed and agreed upon in advance to include in the public notice. The applicant has requested that the balloon test be scheduled as soon as practical, which may be prior to “leaf-off” conditions. Often, balloon tests are scheduled in the winter months after trees have shed their leaves to assess when visibility of a particular tower site would be at its maximum. At the August 4, 2022 Planning Board meeting it was requested that the applicant provide an explanation as to why performing the test during “leaf-on” conditions would be appropriate. In a letter prepared by Tectonic dated September 7, 2022 the applicant states that based on their experience the difference between leaf-on and leaf-off is most prominent when viewing the tower through a thin row of trees (e.g., a wind break between farm fields) wherein there would not be a sufficient amount of trees and branching to block the view. In that case, foliage may play a role in shielding views and leaf-off conditions would be pertinent to the assessment. The applicant further states that the proposed tower location is surrounded by forested areas and that views from public right of ways would be limited.

HDR has also been involved with many visual assessments and balloon tests for proposed wireless telecommunications facilities. For this new application, HDR has reviewed the site area (and conducted a drive by visit to the area). We believe that a balloon float during ‘off leaf’ conditions may yield some differences in visibility at locations along and near Pressler Road (views from vehicles and from closest homes) as compared with a test conducted when the leaves are still on the trees. “Best practice” is to conduct any balloon test during off-leaf conditions, when possible. The schedule is an item that needs to be discussed further with the applicant.



HDR will coordinate with the applicant and the Planning Board leading up to field work and establish a mobile phone / email chain to confirm if the balloon test is “on” or “off” based on the weather forecast. Wind / weather forecasts are not generally available more than 36 hours in advance, so a phone / email chain is important to keep all parties apprised. It is possible that Planning Board members may want to meet HDR and the applicant’s visual assessment team in the field during the balloon test to discuss possible points of visibility and the means and methods of collecting photos and notes.

B. Visual Resources Evaluation (VRE)

The applicant has not provided a visual impact assessment [§168-6(K)] at this time. As noted above, the contents of the updated Visual Assessment Report should also be scoped prior to the balloon test being conducted. Confirmation and mapping of hiking trails, cultural resources, historic sites, scenic roadways, and other resources that may be in the viewshed should be included in the future Visual Assessment Report.

- Photosimulations: Following the balloon test, the field notes and viewpoint photos (from predetermined locations as well as any identified in the field during the balloon test) will be discussed. The number of photosimulations, viewpoints to use, tower colors and configurations/designs to depict, and co-location scenarios will be scoped for the future Visual Assessment Report submittal. These may include:
 - Photosimulations of the tower (top half; near field and distant views) and the ground-based equipment area (including proposed fencing and tree removal/clearing).
 - Alternate monopole designs and scenarios with and without co-location. Potential examples include conventional monopole design with color options such as galvanized gray or brown; stealth tree design; with and without co-location; and/or alternate height scenarios.
- Visual Assessment Report: The future Visual Assessment Report shall include, but is not limited to, the following:
 - Final viewshed maps that depict all pre-determined viewpoints along with any identified in the field during the balloon test.
 - A detailed tabular list of all photo locations as described above (i.e., site address/common name, rationale for selection, etc.) that includes whether the balloon was visible at that location. Full photo log from the balloon test shall be submitted as an appendix.
 - Description of all field equipment and methods utilized during the balloon test (GPS to confirm tower and photo locations; confirmation of balloon float height; etc.), balloon colors and diameters, camera / lens specifications, and the software or other tools used to develop the viewshed maps and photosimulations for the VRE should be described.
 - Photo examples from similar projects should be submitted, including the ground-based equipment area.



C. RF Justification (Coverage and Capacity)

RF Justification (“Engineering Necessity Case”) was provided by Verizon’s RF engineer in a “slide deck” style format dated June 1, 2022. It includes a depiction of nearby “on air” cell sites and provides information on the current coverage and capacity of the existing network. Based on the information provided, the applicant has identified a need to offload capacity from two nearby sites (“Balmville” [Bannerman View Drive] and “Chadwick Lake” [Quaker Street]) as well as a need to remedy a gap in coverage in the targeted area.

To confirm the RF justification information, responses are requested to the following items:

- A table listing existing and any proposed nearby Verizon macro facilities with 3 miles of the proposed site is requested to accompany the RF Justification report map of sites. The table should include Verizon site name, address (including municipality), coordinates, antenna centerline height, structure type, and distance from the proposed site location.
- Verizon’s recently approved Marlborough High School tower should be included in the existing and proposed 700 and 2100 MHz coverage pattern maps (pp. 13-14, and 17-18). This approved site should also be included in the above-requested table.
- To further assess the potential for future co-location by other carriers and alternate height for the monopole, signal propagation maps depicting 700 MHz and 2100 MHz coverage in RSRP, similar to those provided for Verizon’s proposed 116-ft elevation, are requested for a hypothetical 96-ft elevation (100 ft monopole). One set of maps should include only the alternate height scenario wherein all other nearby Verizon sites are “turned off” (thus showing only the coverage of the proposed tower at the alternate height). The second set should present the alternate height evaluation plus all other nearby Verizon sites “turned on” depicting the total network coverage in the area.
- Verizon should provide a 2-year lookahead communications facilities plan for the Town documenting any considered or known future sites within the Town and adjoining municipalities per §168-7(F).
- A brief statement on the methods and computer software used to generate the coverage maps should be included in the RF justification.
- A tower exists to the south off of Route 32 at the Cronomer Valley Fire Department property. Currently, only AT&T is co-located on this tower. Capacity relief that can be established by this location and signal propagation maps should be provided for co-location at this site to examine if (higher priority) co-location on this existing structure may alleviate the need for a new tower. The Site Selection Analysis should be updated to include the feasibility of potential co-location on this existing tower.

D. Drawings and Specifications

- General:
 - Elevation details of alternative tower designs that include speculative co-locations by others should be provided (DWG C-3) including:
 - Stealth tree monopole

The elevation view (looking from Pressler Road) should be labeled, and background tree line height should be depicted.
 - A survey map of the existing property with contour lines and lot lines, conducted by a licensed professional surveyor, should be provided. This may be an existing property survey. [The current Drawings note that the property lines are based on GIS data and provided for “orientation purposes only”.] The survey map will allow assessment of topography and visual impact of the proposed tower / compound location, and will allow assessment of the proposed gravel access road. Parcel sizes should be included and presented in both square feet and lot line dimensions [§168-6(F)].
 - The applicant should confirm that no wetlands or wetland adjacent areas exist within the proposed limits of disturbance. (HDR submits that an existing property survey may include such information.)
 - A profile of the proposed access road should be provided (from Pressler Road, across the existing power line ROW path, to the proposed tower area).
 - A trench detail for the proposed underground utility runs should be provided.
 - A grading plan should be included. If any drainage is proposed (during construction or long-term), detail on proposed drainage features and facilities should be included as well.
 - More detail on any proposed clearing or removal of other existing natural or anthropogenic features as well as tree protection – such as the tree line and rock wall along the access road. The total number, diameter, and types of trees to be removed should be provided.
 - A landscaping detail sheet should be included. This detail should include:
 - Proposed screening, if any, to limit the view of the proposed wireless telecommunications facility base and related facilities/structures [§168-6(M)].
 - Any proposed temporary stockpile or material storage areas should be identified on a drawing. Additionally, general description of how material is proposed to be managed should be noted.
 - It should be confirmed by the applicant whether any backup power source is going to be proposed. It is noted that as of the initial application filing that no backup generator is depicted. If a backup generator is proposed, specification sheets for the proposed model should be included.



- Proposed colors of the tower, fencing, and other materials should be provided. Per Town Code [§168-6(P)], building materials, colors, and textures should be selected to blend with the natural surroundings.
- Models and dimensions of all proposed panel antennas, remote radiohead units, and other tower-mounted equipment should be included in the drawing set (it is noted that specification sheets for one model of antenna were provided in a separate component of the application package).
- Sheet C-1 and/or SB-1:
 - Indicate the shortest distance to the nearby overhead high-voltage electrical transmission wires to the north.
 - The proposed access road alignment appears to overlap portions of the existing utility right of way access track. It should be confirmed whether the intent is to fully align, when practical (i.e., along the predominantly east-west portion) or whether disturbance off the existing track to either side is proposed. Notes can be added to the drawings to better describe the plan.
 - Indicate distance to the nearest habitable structure.
 - Indicate distance to the nearest residential structure.

E. RF Emissions

A radio-frequency emissions report documenting compliance with FCC requirements is requested [§168-6(F)(19)]. This report should include the Verizon equipment as proposed as well as speculated co-locators. Assumptions for speculative co-locators (for example AT&T, T-Mobile and DISH) regarding their antenna configurations and power inputs can be made for the purposes of this report. This will provide confirmation that the tower will be compliant with FCC criteria (general population MPE) for Verizon and additional carriers.

- Verizon should confirm that high-frequency (“mmWave”) 5G services are not being proposed as part of this application.
- The RF report should also include the frequency, modulation, and class of service of radio or other transmitting equipment, the transmission and maximum effective radiated power of the antennas, and the direction of maximum lobes and associated radiation of the antennas [§168-6(F)(15) through (17)].

F. Structural Analysis

Although a full structural and foundation analysis would be submitted and reviewed as part of a future Building Permit (should the application be approved), a narrative description of potential construction methods (type(s) of foundation construction; collection of borings, grading for equipment slabs, and access road improvements; material handling) should be provided at this time.

An example monopole specification / vendor cut-sheet from a similar Verizon project – showing structural elements, typical welded sections, monopole diameter / taper, and other information – should also be provided at this time.



G. Other Considerations / Comments

- Site Selection Analysis: This report should be updated to reference specific sections / priorities of the Town's wireless code (Chapter 168).
 - In addition, it is noted that a tower exists to the south of the proposed site at the Cronomer Valley Fire Department property. Currently, only AT&T is co-located on this tower. Signal propagation maps should be provided for co-location at this site to examine if (higher priority) co-location on this existing structure may alleviate the need for a new tower. The Site Selection Analysis should be updated to include potential co-location on this existing tower.
- Utility ROW Coordination: The section of the proposed access road that runs west from Pressler Road for approximately 650-ft before the bend south toward the proposed tower site appears to be coincident with an existing ATV or maintenance track associated with the overhead high-voltage electrical transmission lines north of the proposed site. If the applicant has not already done so, the applicant should engage with Central Hudson (or the owner of the transmission lines if not Central Hudson) regarding the proposed access road improvements as well as the proximity of the proposed tower to the overhead transmission lines. To accompany this information, a copy of the access agreement with the utility / ROW owner should be submitted to document that Verizon has access to utilize / improve a portion of the existing access drive.

HDR notes that on other projects where wireless telecommunications towers are proposed adjacent to high-voltage transmission wires, the owning utility has expressed interest in the balloon test and in particular to avoid inadvertent contact of the balloon or its tether to the wires. The applicant should engage with the utility prior to scheduling the balloon test to obtain the necessary approvals and input from the utility to ensure a safe balloon float and provide such documentation to the Town.

- Multi-County / Multi-Town Jurisdictions: The proposed wireless facility's access road is shown to originate in Ulster County within the Town of Plattekill off Pressler Rd (note Sheets AD-1, SB-1, and C-2 of the submitted construction drawings). The applicant should provide documentation that appropriate notifications and permit filings (if necessary) have been made with the Town of Plattekill and Ulster County for the proposed access road, including, if required, a highway access permit.
- Inspection/Maintenance: The applicant should provide documentation of the proposed tower maintenance and inspection procedures and related system of records [§168-6(F)(18)].
- Access Road: The applicant should confirm whether the proposed 12-ft wide access road meets width requirements for emergency vehicle (e.g., fire apparatus) access [§168-6(Q)].



- Waivers: Six (6) waivers of requirements of the Wireless Code (Chapter 168) are requested by the applicant. The waivers will be discussed with the Planning Board, and HDR will evaluate them further in the future Tech Memo prepared for this application.
- Co-Location: Interest in co-location from other wireless carriers – if the proposed monopole is approved and constructed – should be provided for the file if known at this time.
- SWPPP: The need for a SWPPP will be confirmed by the Planning Board Engineer. The applicant should provide a narrative (with backup calculations, if needed) to confirm that no permanent stormwater control features are required.
- FAA Lighting/Markings: It is requested that the applicant provide documentation that there are no FAA marking or lighting requirements for the proposed monopole.
- Archaeological/Cultural Resources: The applicant should provide documentation that there are no concerns for disturbance of cultural or archaeological resources within the project study area. The applicant shall confirm outreach to SHPO (and provide determination correspondence from that agency with regard to the Area of Potential Effects and cultural and historic resources that may be noted to exist in the vicinity of the proposed project).

After review of supplemental information provided by the applicant, HDR will work on a technical review memorandum (Tech Memo) for the Planning Board. At that time, we may have additional clarification needs and will interface with the applicant representatives to resolve. HDR will continue the technical reviews of the various aspects of the proposed wireless facility - in coordination with the Planning Board and other Planning Board consultants - including but not limited to visual assessments, aesthetic impacts and options, site justification, site plan considerations and construction logistics, and safety and structural considerations. It is also noted that feedback from Planning Board members and other consultants may be obtained, which may influence the above-requested supplemental information.



Please do not hesitate to contact me with any questions or comments on the above.

Sincerely,

Henningson, Durham & Richardson
Architecture and Engineering, P.C.
in association with HDR Engineering Inc.

A handwritten signature in black ink that reads "Colin J. Mills". The signature is written in a cursive style.

Colin Mills
Project Scientist

A handwritten signature in black ink that reads "Michael P. Musso, P.E.". The signature is written in a cursive style.

Michael P. Musso, P.E.
Senior Project Manager



ATTACHMENT A
Draft Balloon Test Notice

PLEASE TAKE NOTICE that Verizon Wireless of the East LLP d/b/a Verizon Wireless (“Verizon Wireless”) will perform a balloon test at 85 Pressler Road, in the Town of Newburgh (the "Site"), in connection with its proposal to locate a wireless communications facility (the "Facility") at the Site.

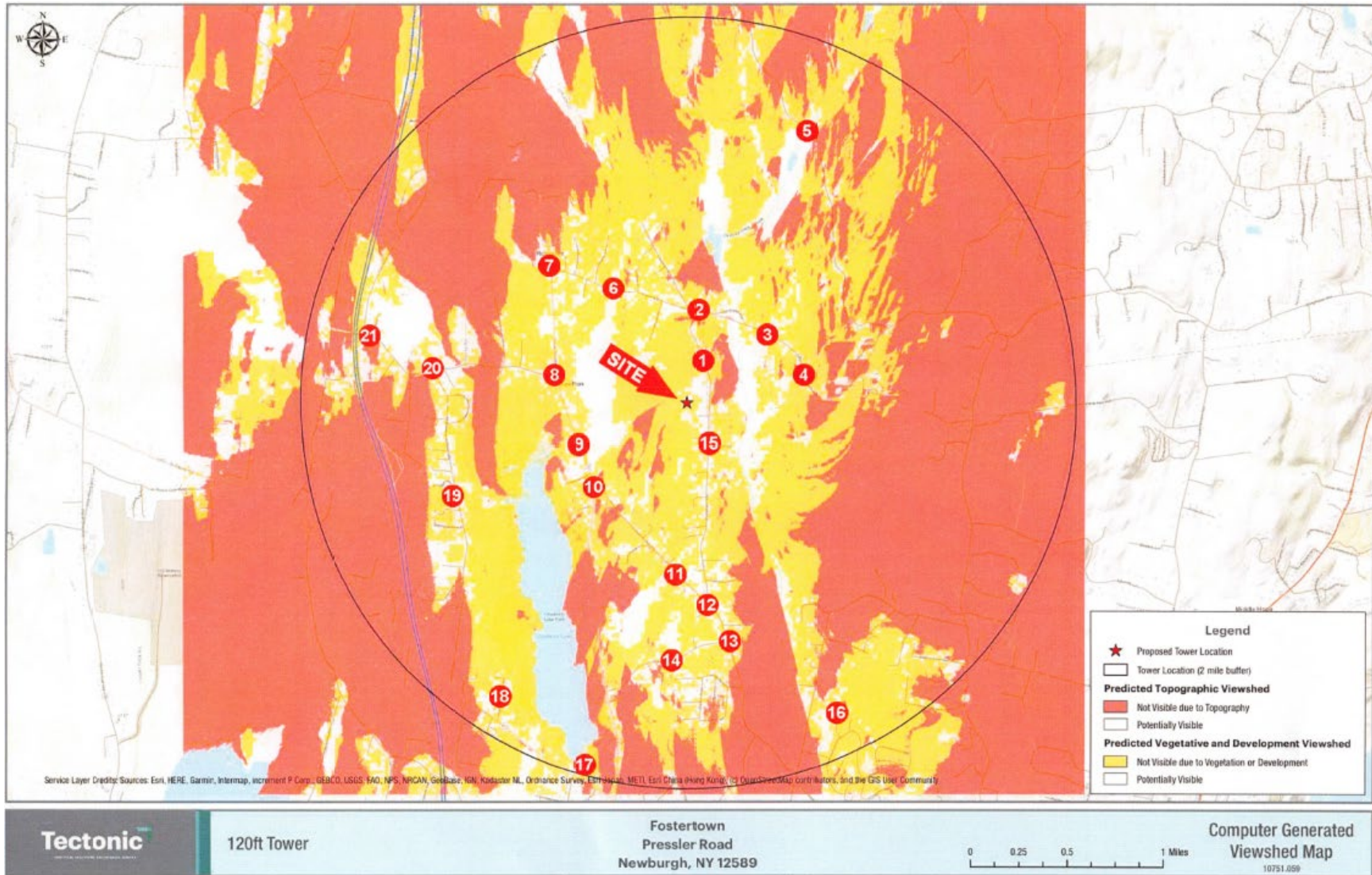
The Facility is proposed to include a 120-foot-tall monopole, with panel antennas thereon, together with related equipment located within a secure fenced area at the base thereof.

The field test will be conducted on Saturday [DATE], or in case of inclement or windy weather on that day, on Sunday [ALT DATE 1]. If conditions on the first weather day of [ALT DATE 1] are not amenable, the field test will be scheduled for each consecutive day thereafter (e.g., Monday ----, Tuesday ----, etc.) until the balloon test is completed. The balloon shall be flown for at least eight (8) consecutive hours sometime between 7:00 a.m. and 4:00 p.m. weather permitting.

The purpose of the balloon test is to establish the approximate location and height of the Facility so that computer generated visual renderings can be prepared from various viewpoints. The balloon test will consist of an approximately three-foot diameter brightly colored balloon being floated on a tether line to a maximum height of 120 feet above ground level. Please contact Verizon Wireless’ attorney, Scott Olson, at 518-438-9907 if you should have any questions in advance of the balloon test.



ATTACHMENT B
Tectonic Viewshed Map



Tectonic Viewshed Map with Proposed Balloon Test Viewpoints – Received September 13, 2022

Young / Sommer LLC

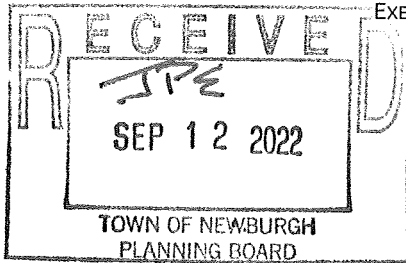
ATTORNEYS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

Phone: 518-438-9907 • Fax: 518-438-9914

www.youngsommer.com

Writer's Telephone Extension: 258
solson@youngsommer.com



September 9, 2022

Via Federal Express

John Ewasutyn, Planning Board Chairman
Town of Newburgh Code Compliance
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

RE: Verizon Wireless "Fostertown Rd" Communications Facility
Pressler Road (Tax Map No. 4-2-43)

Dear Mr. Ewasutyn:

During the July Planning Board meeting we agreed that we would provide a letter from our visual consultant explaining why conducting the balloon test for the proposed tower when the leaves are still out would not be materially different from the results expected by performing the test after the leaves have fallen.

Enclosed is a letter dated September 7, 2022 prepared by Tectonic Engineering which confirms that due to the existing topography and extensive vegetation surrounding the site that "the leaves will make no difference for this visual study."

Also enclosed is a copy of the completed Visual EAF Addendum, which was inadvertently omitted from the original application.

Please kindly schedule this application for the next available Planning Board meeting. Should you have any questions, please do not hesitate to contact us.

Very truly yours,
YOUNG SOMMER, LLC

By: 

Scott Olson

Enclosure

C: Michael P. Musso, P.E. (HDR; w/ encl. via email)

Dominic Cordisco, Esq. (Drake Loeb, PLLC; w/ encl. via email)

Verizon Wireless
1275 John Street, Suite #100
West Henrietta, NY 14586
ATTN: Ms. Kathy Pomponio

September 7, 2022

**RE: FOLIAGE CONDITIONS FOR VISUAL STUDY
PROPOSED TELECOMMUNICATIONS FACILITY
VERIZON WIRELESS SITE: FOSTERTOWN RD
PRESSLER RD, TOWN OF NEWBURGH, ORANGE COUNTY, NY 12589
TECTONIC W.O. 10751.057**

Dear Ms. Pomponio:

As you are aware the Planning Board, their technical consultant, and their legal counsel have recently requested an explanation as to whether the presence or lack of foliage on deciduous trees (commonly referred to as "leaf-on" or "leaf-off") will have an impact on the visibility of the proposed telecommunication structure. We are submitting this letter to explain why foliage will have minimal to no impact on visibility throughout the study area.

In our decades of experience performing visual studies for new telecommunication facilities, it's overwhelmingly evident that leaf-on versus leaf-off conditions will only have an impact on visibility of a structure when viewing it through a narrow tree row. Take a scenario where there is a single tree row separating two farm fields. The viewer is standing in one field looking toward the structure that is located in the other field. If the leaves are on it would block the view of the structure, but without leaves the structure will likely be visible through the branches. Now if that tree area is hundreds of feet thick leaves will no longer matter because there will still be hundreds of feet of branching that would block the view of the structure even in leaf-off conditions (not to mention evergreens will still have their needles). The latter is what we have in this instance – a structure surrounded by large expanses of wooded areas in all directions. As you can see in the attached viewshed maps, most of the study area is blocked by topography and vegetation, with the majority of the anticipated visible areas being large wetland/marsh areas which are privately owned undevelopable lands. So with the exception of possibly catching a glimpse of the structure from a public ROW through a narrow tree row with a house/lawn or field behind it (keeping in mind most viewers in this instance will be traveling 30+ mph in a vehicle) the leaves will make no difference for this visual study.

Should you have any questions, please do not hesitate to contact me.

Sincerely,
Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.

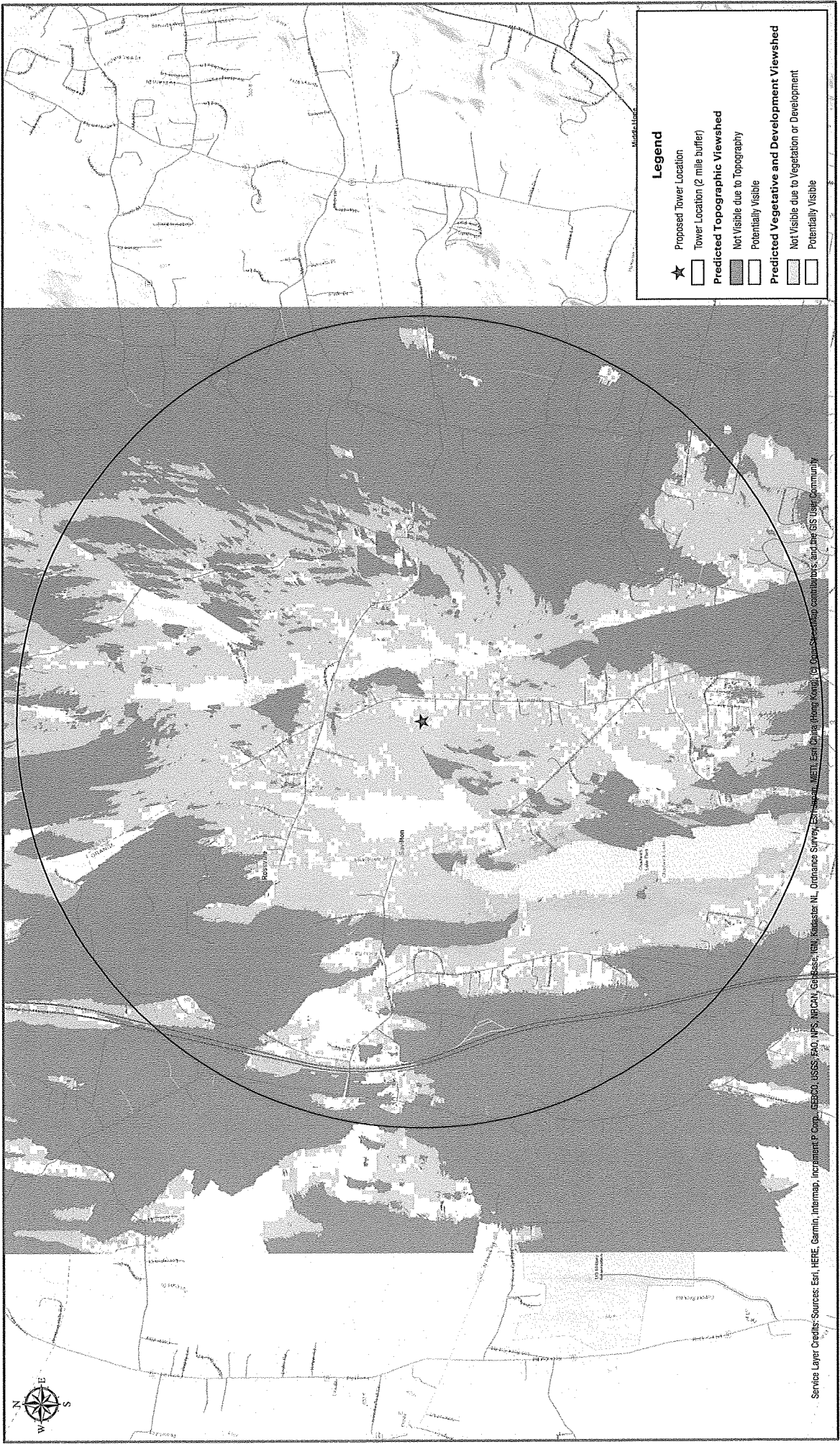


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Computer Generated Viewshed Map
10751_059

1 Miles
0.5
0.25
0

Fostertown
Presser Road
Newburgh, NY 12589

120ft Tower

Tectonic

617.20
Appendix B
State Environmental Quality Review
VISUAL EAF ADDENDUM

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

Visibility		Distance Between Project and Resource (in Miles)				
		0- ¼	¼- ½	½- 3	3- 5	5+
1.	Would the project be visible from:					
!	<i>A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>A site or structure listed on the National or State Registers of Historic Places?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>State Parks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>The State Forest Preserve?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>National Wildlife Refuges and State Game Refuges?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>National Natural Landmarks and other outstanding natural features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>National Park Service lands?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>Rivers designated as National or State Wild, Scenic or Recreational?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>A site, area, lake, reservoir or highway designated as scenic?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>Municipal park, or designated open space?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>County road? E Rd (CR-14)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>State road? NY-32</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
!	<i>Local road? Pressler Rd, Countryman Ln, Gidney Creek Way, Gould Pl</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	<i>Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)</i>					
	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No				
3.	<i>Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?</i>					
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No				

DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in question 1, check those which generally describe the surrounding environment.

	Within	
	*¼ mile	*1 mile
Essentially undeveloped	<input type="checkbox"/>	<input type="checkbox"/>
Forested	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>
Suburban Residential	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Commerical	<input type="checkbox"/>	<input type="checkbox"/>
Urban	<input type="checkbox"/>	<input type="checkbox"/>
River, Lake, Pond	<input type="checkbox"/>	<input type="checkbox"/>
Cliffs, Overlooks	<input type="checkbox"/>	<input type="checkbox"/>
Designated Open Space	<input type="checkbox"/>	<input type="checkbox"/>
Flat	<input type="checkbox"/>	<input type="checkbox"/>
Hilly	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mountainous	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: add attachments as needed

5. Are there visually similar projects within:

*½ mile Yes No 1 mile Yes No 2 miles Yes No 3 miles Yes No

*Distance from project site is provided for assistance. Substitute other distances as appropriate.

EXPOSURE

6. The annual number of viewers likely to observe the proposed project is 1.5 M?

NOTE: When user data is unavailable or unknown, use best estimate.

CONTEXT

7. The situation or activity in which the viewers are engaged while viewing the proposed action is:

FREQUENCY

Activity	Daily	Weekly	Holidays/ Weekends	Seasonally
Travel to and from work	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Involved in recreational activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routine travel by residents	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
At a residence	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
At worksite	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other _____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Reset