

Town of Stony Point

Department of Planning

74 EAST MAIN STREET
STONY POINT, NEW YORK 10980

Tel: (845) 786-2716 x 113
786-5138

planning@townofstonypoint.org

Fax: (845)

PLANNING BOARD MINUTES

July 23, 2015

RHO BUILDING at 7:00 P.M.

Present:

Eric Jaslow, Member

Peter Muller, Member - absent

Michael Puccio, Member

Gene Kraese, Member

Gerry Rogers, Member

Michael Ferguson, Member

Thomas Gubitosa, Chairman

Steve Homan, Esq.

Special Counsel

Max Stach

Town Planner

PLANNING BOARD AGENDA
July 23, 2015

PUBLIC HEARING:

1. Verizon Wireless Proposed Public Utility Wireless Telecommunications Facility (NY Mott Farm) at 560 Liberty Drive, Tomkins Cove, New York SBL 10.02-3-10 BU Zone Site Plan/ Conditional Use, located on the East side of North Liberty Drive, Tomkins Cove
Site Plan
Special Use Permit recommendation

Other Business:

Cost Estimates:

Hudson River View Warehousing – SBL 20.04-11-03

Hudson River View Industrial Park Good Luck Auto – SBL 20.02-11-25

Minutes of June 25, 2015 Meeting

Chairman: OK first item on the agenda is going to be Verizon Wireless tonight we are going to have a Public Hearing and go over the Site Plan it is a Special Use Permit recommendation please give us a quick update of where you are from the last time we met.

Verizon Wireless Proposed Public Utility Wireless Telecommunications Facility (NY Mott Farm) at 560 Liberty Drive, Tomkins Cove, New York SBL 10.02-3-10 BU Zone Site Plan/ Conditional Use, located on the East side of North Liberty Drive, Tomkins Cove

Mr. Sheridan: Good evening my name is Michael Sheridan and I am a attorney for Snyder and Snyder LLP attorney for Verizon Wireless quick update on the plan the pole has been moved the back corner of the parking lot on the north side of the property and the equipment has been moved down the embankment to a level space on the property before West Shore Road. This way the equipment is less visible certainly not visible from Route 9 or West Shore Road as well. We also went to the ARB last week one of the recommendations from the ARB was to plant trees on the east and south side of the equipment compound which we have added to the plans. We have also added additional elevations to the plans. The pole itself has been changed from a flag pole to tree pole. The reason why this was decided upon was aesthetically and it will allow for more equipment on the tower and it will provide for more co-locators to run their equipment up the hill.

Final thing was for the equipment to run up from up to the tree pole be located underground and they will not be visible going up to the tree pole. We feel we have addressed all the comments and accommodated all those comments.

Mr. Kraese: As we previously discussed we would like three quarts of the tree from the top to be foliage. This is for the record to make sure it is done. Another thing the ARB would like you to put trees on the south and the east side could you explain that?

Mr. Sheridan: They are concerned you can see the equipment from West Shore Road you cannot see it from Route 9.

Chairman: Max could you go over the EAF.

Mr. Stach: Did the ARB actually approve that planting plan? When you showed that elevation you showed just five trees? I don't know if that accomplished any screening.

Mr. Kraese: The ARB is also looking into screening that.

Mr. Stach: Are they going to see the plan again?

Mr. Sheridan: Yes.

Mr. O'Rourke: Is the pole silver it seems like a metal pole the one at the TAC meeting was brown.

Mr. Sheridan: It is a light brown you just want to confirm that it is a brown color.

Mr. Kraese: You are going to be back next month could you bring us a picture or color chart.

Mr. Stach: I have provided the Board with three documents the first document is the EAF Part II the applicant if you recall you have noticed your Intent to become Lead Agency for this application going back to the first meet was January 26, 2015 that actually got mailed on February 5, 2015 you did not received any objections back but you did receive notice from the Town of Cortlandt that they wanted to be notified on the balloon test you would have actually assumed Lead Agency I believe on May 28, 2015 when this applicant was before us that applicant submitted a Part I EAF which the Town Engineer and myself had comments he did resubmitted another Part I we have reviewed the aesthetic resource impact analysis that he has provided subsequent to the balloon test the Town of Cortlandt was notified as request it was duly noted in the newspaper additional plans have be provided to the Town Engineer and he has reviewed potential impacts to steep slopes and believes that plan as proposed by the applicant is workable and will insure that everything conforms to New York State Standards and specifications for mitigation for erosion and impacts. Where you are tonight is you have to adopt a Part II which is the first document you have before you this identifies two impacts potentially arising from the application. The first being impacts to land from the steep slopes and development areas where there is shallow bedrock the second is impact to aesthetic resources regarding visibility from this site form any officially designated local scenic or aesthetic resources which is the Hudson River and the Stony Point Battlefield. Also from views that are publically assessable and in this case both by commuters and by tourist uses if you agree with that you could adopt the Part II we also prepared a Part III which is the second form that I provided you that Part III indicates in regard to the impact on land which I discussed that all impacts could be mitigated with employment of best management practices. With regard to aesthetic resources it qualifies the type of use that are visible from the Battlefield and the views from across the River limited views from the surrounding neighbors limited views along Route 9W. It discusses the fact that the proposed pole is proposed to be pine tree and it also notices the context of the views it is a developed site there is a very large utility destitution tower right next door which is 350 feet tall and 100 feet wide at the top. There is a number of cranes on the from Lovett site on a temporary site where the construction is being phased for the bridge project just south is Tilcon quarry behind the site there are more utility distribution poles going up the mountain and also noted that the site itself is being used for buildings and construction storage.

In terms of the context of the site the propose tree pole would not be significantly in contrast to what is occurring in the area. So that being said if you agree to that you can adopt the Part II and you have a Negative Declaration.

Chairman: For the Part II is there any discussion if not I need a motion to adopt the Part II.

MOTION: ADOPT THE PART II

Made by Gerry Rogers and seconded by Michael Ferguson

All in favor

MOTION: ADOPT THE PART III

Made by Eric Jaslow and seconded by Thomas Gubitosa

All in favor

MOTION: ADOPT NEGATIVE DECLARATION

Made by Gene Kraese and seconded by Gerry Rogers

All in favor

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

PROJECT: Verizon Monopole - 560 N Liberty Dr

TOWN OF STONY POINT, NEW YORK

DATE: July 23, 2015

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Planning Board of the Town of Stony Point, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Proposed Public Utility Wireless Telecommunications Facility at 560 North Liberty Drive

SEQR Status: Unlisted

Condition Negative Declaration: No

Description of Action: Special Use Permit and Site Plan approval of a 120 foot tall wireless telecommunications pole and attendant equipment paddock on an existing sloping site, currently used for contractor's storage and offices

Location: 560 North Liberty Drive (Route 9W) - East side of Route 9W approximately 600 feet south of Katavolus Drive, Town of Stony Point, County of Rockland.

Reasons Supporting This Determination:

The proposed action is not anticipated to result in any adverse environmental impacts based on the following:

1. On or about January 8, 2015, the Town of Stony Point received an application for the construction of a wireless telecommunication facility consisting of a 120' monopole flagpole located 22 feet from the Route 9W right-of-way and a small equipment paddock, set back 12 feet from the Route 9W right-of-way along with supporting documentation including site plan, survey, documentation of public utility status, need, design, provisions for removal, radio frequency exposure standards, structural soundness and fall zone, FCC license and other relevant information;
2. On or about February 5, 2015, the Town of Stony Point circulated its intent to declare lead agency status to the Town of Stony Point Town Board and Zoning Board as well as Rockland County Planning Department, New York State Department of Transportation, the Town of Cortlandt Supervisor, and the Village of Buchanan Mayor;

3. On or about May 7, 2015, due to concerns about visibility, and in the interest of accommodating more future co-locaters, the applicant revised the application to remove the tower to the rear of the property approximately 111' from the Route 9W right-of-way and relocated and enlarged the equipment paddock to an area at a lower elevation at the rear of the property;
4. On or about May 28, 2015 having received no objections, the Planning Board assumed lead agency status, and noted the Town of Cortland's request by letter dated February 27, 2015 to be notified of the anticipated balloon test;
5. On or about June 18, 2015, the project sponsor under the direction of the Town Planner conducted a balloon test consisting of the flying of a six-foot wide orange balloon at the 120' high tower height and photographing the balloon from multiple locations including Route 9W, the surrounding residential neighborhoods, the Stony Point Battlefield and the Village of Verplanck across the Hudson River, having advertised the test in accordance with the requirements of the Town of Stony Point Zoning Local Law and having duly notified the agencies receiving the notice of intent to declare lead agency including the Town of Stony Point Supervisor;
6. On or about July 10, 2015, the project sponsor provided visual simulations and a revised plan for camouflaging of the telecommunications tower as a "monopole;"
7. On or about July 23, 2015 the Planning Board as lead agency adopted a Part 2 EAF indicating the following potential large impacts:
 - a. The proposed action may involve construction on slopes of 15% or greater;
 - b. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material;
 - c. The proposed action may be visible from any officially designated federal, state or local scenic or aesthetic resource;
 - d. The proposed action may be visible from publicly accessible vantage points year round, the situation or activity in which viewers are engaged in while viewing the proposed action being routine travel by residents, including travel to and from work and recreation or tourism based activities;

8. On or about July 23, 2015, the Planning Board as lead agency adopted a Part 3 EAF, further exploring the potential impacts identified in the EAF Part 2, and concluding as follows:

- a. The disturbance of steep slopes and areas with potential shallow bedrock is limited to the access road for the equipment area, excavation of the equipment area and burying of conduit from the equipment area to the pole. The applicant is proposing erosion control matting to stabilize disturbed soils. The Town Engineer has reviewed the plans and it is likely that all impacts can be mitigated by employing best management practices in accordance with the New York State Standards and Specifications for Erosion and Sediment Control;
- b. The applicant has provided visual simulations of what the proposed facility will look like from several area vantage points, including the scenic and tourist resource of the Stony Point Battlefield. These simulations demonstrate that if the pole is camouflaged as a pine tree or flagpole (without the flag or lighting and painted brown or gray), the visual impact of the pole will be minimal from all perspectives including from the Stony Point Battlefield, area neighborhoods, and across the Hudson River in the Village of Verplanck. It is noted that views from Route 9W will be significant, but of very short duration given the speed, horizontal and vertical alignment of Route 9W and the number of mature trees in the vicinity of the pole. Additionally, it is noted that the site is directly adjacent to a very large uncamouflaged utility tower more than 350 feet tall and 100 feet wide that support high-tension power lines over the Hudson River. Visual context from the Stony Point Battlefield also includes very large temporary cranes at the former Lovett Generation Plant site being used for construction of the Tappan Zee Bridge Replacement; the Tilcon Quarry and conveyor; additional distribution poles travelling up the mountain behind the site; and buildings and stored materials at the site. The proposed camouflaged pole will not be obviously contrasting to the existing character of the area.

9. No other impacts were identified

Chairman: Now the Cost Estimate for Hudson River View Warehousing – SBL 20.04-11-03 and Hudson River View Industrial Park Good Luck Auto – SBL 20.02-11-25

Mr. O'Rourke: I reviewed them and am satisfied with the numbers.

Chairman: I just need a motion to accept the Cost Estimates for Hudson River View Warehousing and Hudson River View Industrial Park Good Luck Auto.

MOTION: ACCEPT COST ESTIMATE FOR HUDSON RIVER VIEW INDUSTRIAL PARK GOOD LUCK AUTO

Made by Gerry Rogers and seconded by Michael Ferguson
All in favor

ATZL, NASHER & ZIGLER
234 North Main Street
New City, New York 10956

IMPROVEMENT COST ESTIMATE FORM

**Hudson River View Industrial Park
Good Luck Auto
Tax Lot 20.02-11-25**

Date: June 25, 2015

IMPROVEMENT ITEM DESCRIPTION	<u>QUANTITY</u>	<u>UNITS</u>	<u>UNIT COST</u>	<u>IMPROVEMENT TOTAL COST</u>
<u>SITE DEMOLITION</u>				
Pavement Removal	<u>1,192</u>	S.Y.	\$ 5.00	<u>\$ 5,960.00</u>
<u>ROADWAYS AND PARKING AREAS</u>				
Bituminous Pavement 9"	<u>742</u>	S.Y.	\$ 18.00	<u>\$ 13,347.00</u>
Subbase 6" (Granular material if required)	<u>742</u>	S.Y.	\$ 8.10	<u>\$ 6,006.15</u>
<u>TOTAL IMPROVEMENTS COST</u>				<u>\$ 19,353.15</u>

MOTION: ACCEPT COST ESTIMATE FOR HUDSON RIVE VIEW

Warehousing

Made by Gerry Rogers and seconded by Michael Ferguson

All in favor

ATZL, NASHER & ZIGLER
 234 North Main Street
 New City, New York 10956

IMPROVEMENT COST ESTIMATE FORM

Hudson River View Warehousing
 Tax Lot 20.04-11-03

Date: June 30, 2015

IMPROVEMENT ITEM DESCRIPTION	<u>QUANTI</u> <u>TY</u>	<u>UNIT</u> <u>S</u>	<u>UNIT</u> <u>COST</u>	<u>IMPROVEMENT</u> <u>TOTAL</u> <u>COST</u>
<u>ROADWAYS AND PARKING AREAS</u>				
Curb - Concrete	<u>4,800</u>	L.F.	\$ 19.00	\$ <u>91,200.00</u>
Bituminous Pavement 9"	<u>21,146</u>	S.Y.	\$ 18.00	\$ <u>380,628.00</u>
Subbase 6" (granular material if required)	<u>21,146</u>	S.Y.	\$ 8.10	\$ <u>171,282.60</u>
Modular Block Wall	<u>14,500</u>	S.F.	\$ 55.00	\$ <u>797,500.00</u>
Gates	<u>2</u>	EA.	\$ 4,000.00	\$ <u>8,000.00</u>
6' Fence	<u>2,935</u>	L.F.	\$ 25.00	\$ <u>73,375.00</u>
Painted Handicap Symbols	<u>2</u>	EA.	\$ 50.00	\$ <u>100.00</u>
Handicap Parking Signs	<u>2</u>	EA.	\$ 150.00	\$ <u>300.00</u>
<u>STORM DRAINAGE & RELATED CONSTRUCTION</u>				
15" HDPE	<u>360</u>	L.F.	\$	\$ <u></u>

			24.00	8,640.00
			\$	\$
Catchbasins	<u>70</u>	E.A.	1,500.00	<u>105,000.00</u>
			\$	\$
12" PVC	<u>3,500</u>	L.F.	32.00	<u>112,000.00</u>
			\$	\$
Concrete Headwall (includes walls & footing)	<u>8</u>	E.A.	1,200.00	<u>9,600.00</u>
			\$	\$
Biofilter	<u>2,700</u>	L.F.	26.00	<u>70,200.00</u>

LANDSCAPING

			\$	\$
Seed (for green roofs)	<u>155,060</u>	S.F.	0.25	<u>38,765.00</u>
			\$	\$
Shade Tree (2 1/2" - 3" caliper)	<u>71</u>	E.A.	650.00	<u>46,150.00</u>
			\$	\$
Single pole mounted light	<u>8</u>	E.A.	2,750.00	<u>22,000.00</u>
			\$	\$
Silt Fence	<u>4,800</u>	L.F.	15.00	<u>72,000.00</u>
			\$	\$
Tracking Pad	<u>2</u>	E.A.	2,000.00	<u>4,000.00</u>

TOTAL IMPROVEMENTS COST

\$
2,010,740.60

MOTION: ACCEPT MINUTES OF JULY 23, 2015
Made by Gerry Rogers and seconded by Thomas Gubitosa
All in favor

MOTION: CLOSE PLANNING BOARD MEETING
Made by Gerry Rogers and seconded by Eric Jaslow
All in favor

Respectfully submitted,
Mary Pagano, Clerk to the Planning Board