



July 19, 2024

Honorable Chairman Kanter and
Members of the Planning Board
Town of Fishkill
807 Route 52
Fishkill, NY 12524

RECEIVED
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Planning Department
Town of Fishkill

RE: evaluation of 2 alternate locations

Hon. Chairman Kanter and Members of the Planning Board:

I am the Regional Manager for Homeland Towers, LLC. I was responsible for identifying a suitable location for a telecommunications facility that would remedy Verizon Wireless' significant gap in reliable wireless service throughout this area of the Town of Fishkill in the vicinity and along Route 9 and adjoining residential areas.

At the Planning Board meeting on 7/11/24 members of the public and the Board requested that we again try to reach out to Century Aggregates, an adjacent property owner, because it was anticipated that a location on their property might provide a better solution to fill the significant gap in service we are looking to cover, even though this property owner had not responded to two (2) proposal letters previously mailed to him by certified mail.

On Tuesday 7/16/24 I met with Mr. Luke Clemente of Century Aggregates who showed me two (2) locations on their property which they would make available for a wireless facility. I then proceeded to perform a preliminary analysis based on location, constructability and environmental impact. A map showing the 2 locations of the sites identified as "Alt Location 1" and "Alt Location 2", is attached as Exhibit A.

Alternate Location 1: this hypothetical alternate location is approximately 3,200 ft north of the proposed site with an access drive off Route 9 just north of the Thalle Industries entrance and would be setback by about +/- 260 ft from Route 9, in a densely wooded area with mature trees (see Exhibit B). Without actually designing the site compound, utility run and access drive I can only estimate the number of trees that would have to be removed to be in the range of 60 to 100 trees that would have to be cut down. Also, the ground elevation is approximately +/- 40ft lower than at the proposed site, which would increase the height of the tower to +/- 190ft, which would require a height variance under the Town Code and even so, given the distance to the existing North Highland site to the south it would not be able to provide as good coverage as our current site and there are coverage objectives we are looking to achieve which cannot be achieved at Alt Location 1. (Please see the V-comm analysis as part of this submission) In addition to approvals from your Board



and a height variance from the ZBA, a curb cut permit would have to be obtained from NYS DOT for the access drive as presently there is only a rough path leading into the property (see Exhibit C). It is also unclear at this time if the DOT would approve a new curb cut along this area of Route 9, and how many trees would need to be removed to account for site lines, wide turns for the driveway apron, and/or drainage improvements.

As noted by members of the public at the last meeting, this particular stretch of Route 9, by the Thalle Industries entrance, is known for the occurrence of frequent severe vehicle accidents, so the granting of a curb-cut permit by the DOT for an additional driveway can by no means be assured. Also, it should be noted that there are several residences only approximately 600 ft away, located just on the east side of Route 9 (see Exhibit D). For comparison our current site is located over 1,000 feet away from the closest residence on Carol Lane.

Alternate Location 2: this hypothetical alternate location is approximately 1,250 ft north of the proposed site and would have a setback of about +/- 150 ft from Route 9 (see Exhibit E), which would require a front yard setback variance from the ZBA (minimum Front yard setback is height of the tower plus 50 ft See Sec. 150-126(L)(2)(c)(1)). This location could be accessed from an existing driveway within Century Aggregates' property, but as they will be re-locating their main access gate to a point further south on Route 9, to opposite of Carol Lane, our site access would be through the entire Century Aggregates plant, which could pose operational issues for both the plant and the wireless facility. This location is also a densely wooded area with mature trees (see Exhibit F) and again, without designing the site compound, utility run and access, I can only estimate the number of trees that would have to be removed to be in the range of 60 to 100 trees. It should be noted that this tower location would be in fairly close proximity to Route 9 and the removal of trees in this area would negatively impact the screening effect of these trees for the quarry and industrial use of the Century Aggregates facility from Route 9. Essentially, at this location not only would the tower be visible from Route 9, but the removal of trees needed for the tower would also open up views of the mining operations occurring on the property.

An additional consideration of this location is the low elevation, at or barely above the Clove Creek elevation and could be subject to frequent flooding (see Exhibit G) and likely would trigger the requirement for a wetland permit from the Army Core of Engineers, the DEC and the Town because the wetland buffer setback of 100' feet could not be met. (see Exhibit H). It must be noted that as part of their reviews the DEC and ACOE would first look to see if there were alternative locations for the Facility that would not trigger a wetland permit and would likely request that our current site be pursued as it is a developed site that would have no impact on Clove Creek.

Conclusion:

In conclusion, I believe the evaluated alternate locations are not viable alternatives as both locations have significantly more environmental impacts just by virtue of the removal of a considerable quantity of trees that act as visual screening for the heavy industrial use of this gateway corridor than the proposed location that does not require the removal of a single tree. Additionally, both



HOMELAND TOWERS

alternate locations are in the vicinity of wetlands and location 2 is actually within a federal wetland buffer area. We also note that not all places on Celemente's property are available or suitable for a wireless facility due to the ongoing mining operations and future development of the site. For all of these reasons I believe our proposed location is the best available location with the least environmental impact potential and provides the best coverage to address Verizon Wireless' significant gap in service in this area.

Respectfully,

Klaus Wimmer

Klaus Wimmer
Regional Manager
Homeland Towers, LLC.

EXHIBIT A

Map of alternate locations evaluated



EXHIBIT B

Alternate Location 1 is heavily wooded



EXHIBIT C

Existing path to alternate location 1



EXHIBIT D

Alternate Location 1 is +/- 600 ft from residences east of Route 9



EXHIBIT E

Alternate Location 2 is +/- 150 ft from Route 9



EXHIBIT F

Alternate Location 2 is densely wooded area



EXHIBIT G

FEMA Flood zone - Alternate Location 2

National Flood Hazard Layer FIRMette



73°54'26"W 41°30'9"N



Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) <i>Zone A, V, AR, B</i>
	With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
	Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
	Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
	Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
	Area with Flood Risk due to Levee <i>Zone D</i>

OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
	Effective LOMRs
	Area of Undetermined Flood Hazard <i>Zone D</i>

GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

OTHER FEATURES	20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
	17.5 Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature

MAP PANELS	Digital Data Available
	No Digital Data Available
	Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

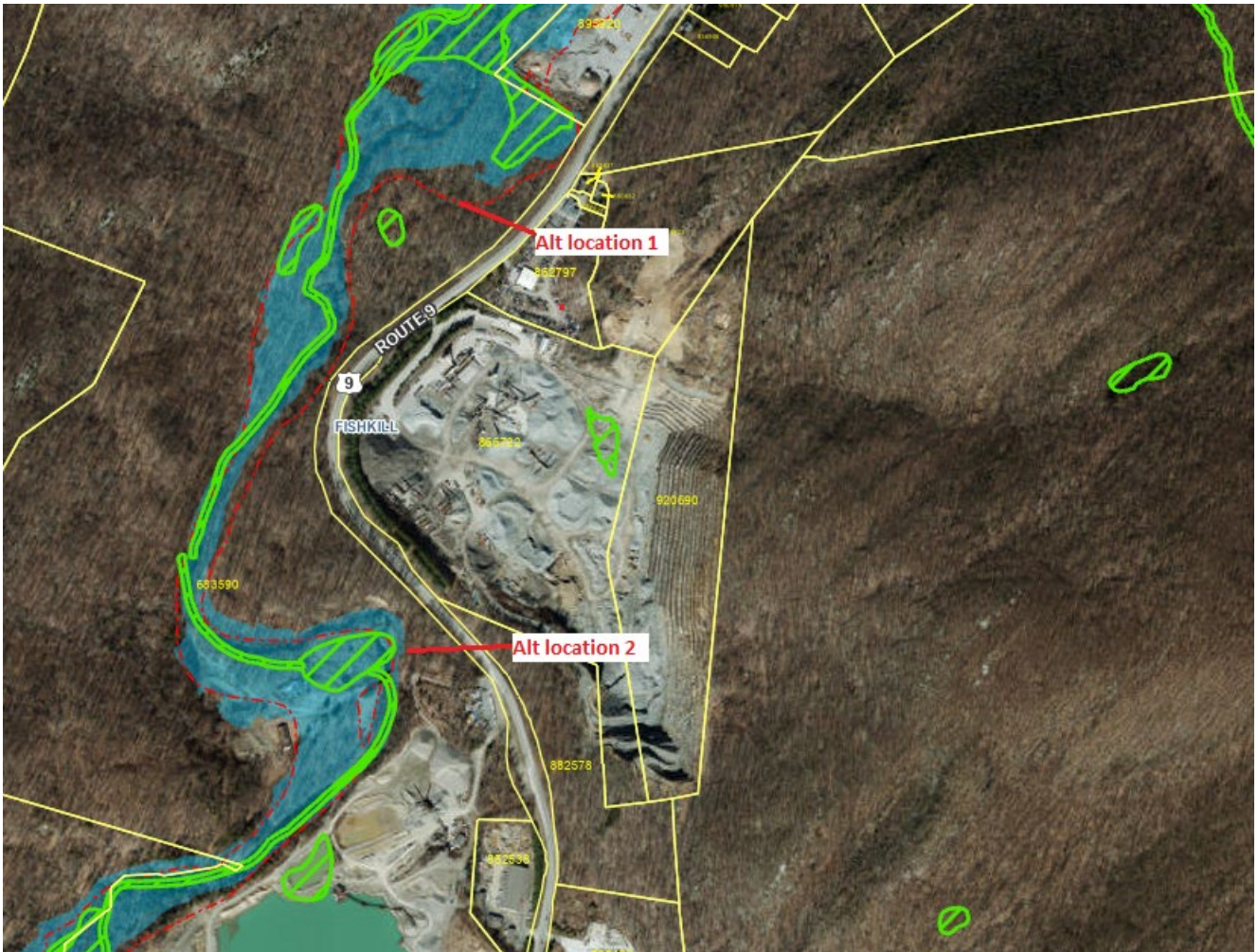
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/17/2024 at 3:58 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

EXHIBIT H

Federal regulated Wetlands - Alternate Locations 1 and 2



Legend

Flood Areas		Wetlands			
0.2%	A	AE	AO	NYS DEC	more info
Historical	more info	Fed. NWI	more info		