SARATOGA ASSOCIATES

Landscape Architects, Architects,
Engineers, and Planners, P.C.

December 19, 2017

Honorable Chairman William Rice and Members of the Zoning Board of Appeals
Village of Nelsonville
258 Main Street
Nelsonville, NY 10516

Re: Visual Resource Assessment
Proposed Wireless Telecommunications Facility
15 Rockledge Road
Nelsonville, NY

Dear Honorable Chairman and Zoning Board of Appeals Members:

Saratoga Associates is writing on behalf of Homeland Towers, LLC regarding the proposed 110 foot tall monopine telecommunications tower and associated equipment at the above referenced address. Saratoga Associates prepared the Visual Resource Assessment (VRA) submitted for this project. A Visual Resource Assessment Report dated June 2, 2017 and a letter dated November 15, 2017 summarizing the methods and findings of the November 4, 2017 balloon test have been previously submitted to the ZBA.

During the public comment period a number of comments have been received concerning potential visual impact. Below is our response to these comments contained in documents titled Statement in Opposition to Homeland Towers Application for 15 Rockledge Road, Nelsonville, NY, November 28, 2017 ("Statement in Opposition"), and "At a Glance" Opposition Report to a Cell Tower Facility Proposed by Homeland Towers at Site : 15 Rockledge Road, Nelsonville, NY, November 28, 2017 ("At a Glance)". Both documents were submitted by Philipstown Cell Solutions ("PCS").

Comment 1: The Nelsonville Code states, "That the proposed antenna installation or tower will not have a significant adverse impact on scenic or historic resources. If a significant adverse visual impact is identified, the applicant shall demonstrate that suitable landscaping, buffering or other

techniques will be used, and that they are able to minimize such impact to the level of insignificance" (§188-70 A(6)).

Since the Nelsonville Code does not provide a definition for terms "insignificance", "significant adverse visual impact", and "scenic or historic resources" it is within the ZBA's discretion to look for outside sources to assist with defining these terms (Statement in Opposition, p. 2 and p. 17).

Response 1: We disagree. The appropriate source for definition of these terms is the State Environmental Quality Review Act (SEQRA).

Whether a potentially adverse impact is significant or not is ultimately determined or tempered by the specifics related to the scale of the proposed project and context of the community[1]. The determination of significance needs to be based on the magnitude and importance of the potential impact Magnitude assesses factors such as severity, size or extent of an impact. Importance relates to how many people are going to be impacted or affected by the project; the geographic scope of the project; duration and probability of occurrence of each impact; and any additional social or environmental consequences if the project proceeds (or doesn't proceed). Each impact of an action must be judged by these two characteristics[2].

The significance of visual impact on scenic or historic resources is more directly defined by the DEC Program Policy on Assessing and Mitigating Visual Impact (DEP-00-2) (DEC Visual Policy)[3]. The policy defines what visual and aesthetic impacts are, describes when a visual assessment is necessary, and how to review a visual impact assessment. The DEC Visual Policy also defines appropriate mitigation measures to eliminate or reduce visual impact (DEC Visual Policy, p. 1). These definitions are consistent with the requirements of §188-70 A(6) of the Nelsonville Zoning Code. Relevant definitions provided in the DEC Visual Policy include;

- Aesthetic Impact - Aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. Mere visibility, even startling visibility of a project proposal, should not be a threshold for decision making (DEC Visual Policy. P.9).
- Significant Aesthetic Impact - Significant aesthetic impacts are those that may cause a diminishment of the public enjoyment and appreciation of an inventoried resource, or one that impairs the character or quality of such a place. Proposed large facilities by themselves should not be a trigger for a declaration of significance (DEC Visual Policy p. 5).

[1] http://www.dec.ny.gov/permits/91829.html
[2] http://www.dec.ny.gov/permits/47716.html
[3] http://www.dec.ny.gov/docs/permits_ej_operations_pdf/visual2000.pdf

Visual Mitigation - Mitigation may reduce or eliminate the visibility of the project or alter the project's effect on the scenic or aesthetic resource in some way. When practicable, projects should be designed to be aesthetically compatible with the visible landscape and incorporate environmentally friendly design principles and components. Mitigation strategies to minimize visual impact generally include location of the project in a place with minimal visibility from sensitive aesthetic resources, use of earth form, vegetation or other methods to screen or conceal views, relocation of project components to another place within the site to take advantage of the mitigating effects of topography and vegetation, camouflage/disguise to minimize visual contrast (i.e., "communications towers can be disguised as trees"), reducing the height of an object to reduce its viewshed area, and/or reducing the number, area or density of objects to reduce visible components. (DEC Visual Policy, pp. 6-7)

The June 2, 2017 Visual Resource Assessment (VRA) follows DEC Visual Policy guidelines for visual assessment and mitigation. The VRA provides viewshed analysis and photographic simulations which identify the degree visibility from identified scenic and historic resources that fall within the project viewshed. As presented in the VRA, the mountainous landscape combined with dense woodland vegetation screens views of the proposed Project from most vantage points. Affected views are generally confined to very small geographic areas and seasonal glimpses through trees.

To reduce potential impact on the scenic and historic resources of the project area a number of design elements were carefully taken into account at the start of the project. These include:

- Siting the project outside of the village center to avoid visibility from scenic and historic resources and to minimize the number of affected properties and viewers;
- Locating the project within a densely forested area to maximize vegetative screening. Additional of landscaping to supplement forest screening is also part of the proposal;
- Limiting the tower height to 110 feet (the lowest height possible to retain the required coverage while still meeting the express height limitation of the zoning code) to minimize the geographic extent of the project viewshed and the portion of the tower visible above intervening vegetation;
- Locating the tower in a low lying area (e.g., away from hilltops) to avoid visibility above ridgelines; and
- Use of a stealth monopine design to make the structure as visually unobtrusive as possible by minimizing visual contrast with the surrounding landscape.

These design techniques effectively minimize the degree of project visibility and modify the visual character of the project to be more compatible with the surrounding landscape and minimize visual impact to the maximum extent practicable, consistent with the NYS DEC Visual Policy and the requirements of §188-70 A(6) of the Nelsonville Zoning Code.

Based on the degree of project visibility and proposed mitigation measures presented in the VRA it is clear any remaining project visibility is not of a size or extent that it would constitute an unacceptable magnitude, nor does the project affect a sufficient number of public viewers or geographic area where the project can reasonably be deemed to be visually important as defined by SEQRA.

Furthermore, when considered within the framework of the DEC Visual Policy's definition of "significant adverse visual impact", it is clear the project will not cause a diminishment of the public enjoyment and appreciation of any scenic or historic resource, or one that impairs the character or quality of such a place. Since the project does not result in a significant adverse visual impact as defined by SEQRA it meets the criteria of approval under §188-70 A(6) of the Nelsonville Zoning Code.

The definition of "significant adverse visual impact" and "insignificance" is clearly governed by the State Environmental Quality Review Act which requires evidence-based decision making. As an example of how municipalities must objectively address visual impact on scenic and historic resources, the NYSDEC website points to the *Matter of WEOK Broad. Corp. v Planning Board of the Town of Lloyd*, 79 NY2d 373 (1992). In this case the Court sustained lower court decisions that annulled the planning board's decision to deny site plan review for a radio transmitter tower based on its conclusion that adverse aesthetic environmental impacts to the Franklin D. Roosevelt homestead in Hyde Park, NY revealed in the environmental impact statement could not be avoided or sufficiently mitigated. The applicant had applied to the Town of Lloyd Planning Board for site plan approval to construct an AM radio tower consisting of five transmission facilities. An analysis showed that there would be minor visual impact from six viewpoints and moderate impact from one viewpoint. The analysis was conducted during the leaf-off period in the spring. The applicant thereafter reduced the height of tallest proposed tower by nearly half, agreed to construct the towers with an open lattice works to make them less visible, and also agreed to paint three of the five towers gray to further decrease visibility. The Planning Board, nonetheless, denied site plan review based on the possibility that there may be a visual impact on the FDR homestead. In holding the Planning Board's site plan review denial to be arbitrary and capricious,

the Court found that the Board had unlawfully relied on general community objection rather than expert or scientific evidence to counter the applicant's detailed analysis[4].

Comment 2: Because the Project is located within a designated "Scenic Area of Statewide Significance" (SASS), it is at the discretion of the Board to consider associated SASS guidelines when determining their ruling on the application (At a Glance, p.12). The commenter also argues the tower installation falls within the Cold Spring subunit of the Hudson Highlands SASS, and as such is subject to Policy 24 of the New York State Coastal Management Plan (CMP).

Response 2: First and foremost, the CMP Policy can only be applied to projects which meet specific criteria, including projects that receive certain state or federal funding or require certain state or federal permits. Projects that meet these criteria must be reviewed by the NYS Department of State for consistency with the CMP. The Homeland Towers Rockledge Road Proposal does not meet these criteria and is not subject to CMP consistency review.

Municipalities with approved Local Waterfront Revitalization Plans (LWRPs) are afforded an additional degree of regulatory authority under the CMP to consider the program's goals in making land use decisions. However, the Village of Nelsonville does not have an approved LWRP.

Applying CMP Policy 24 as criteria for determining visual significance would be arbitrary and inappropriate.

However for the sake of argument, assuming CMP could be used by the ZBA for guidance in determining the significance of tower visibility (which it cannot) the project is still approvable based on the full application of CMP Policy.

The CMP contains 44 policy statements which must be considered collectively to determine a project's overall consistency with the CMP. Policy 24 cannot be taken individually without balanced consideration of all 44 CMP policies.

Regardless, looking only at Policy 24, this policy does not preclude development of a visible telecommunications tower within the coastal zone or a designated SASS. The Policy serves to prevent impairment of - not simple visibly from – scenic resources of statewide significance (including the SASS). According to the explanation of Policy 24, impairment includes[5]:

(i) *The irreversible modification of geologic forms; the destruction or removal of vegetation; the modification, destruction or removal of structures whenever these are significant to the scenic quality of an identified resource.*

[4] http://www.dec.ny.gov/permits/55303.html#weok

(ii) The addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

The project does not involve removal of any structures. Earthwork and removal of vegetation are minor and will not alter the scenic quality of any identified resource or the SASS in general.

As documented in the VRA the project will be visible from a very small portion of the SASS. Potential visibility is substantially or completely screened from the vast majority of the SASS by intervening topography and forest vegetation.

The only identified scenic or historic resource within the SASS with direct project visibility is the Cold Spring Cemetery and associated gatehouse structure. As detailed in the December 18 letter from CBRE to the Nelsonville ZBA, the addition of the telecommunications facility may have some limited effect on the integrity of setting of the Cemetery; however that affect will not be adverse, and certainly not substantially or significantly adverse. While the facility will be visible from within parts of the Cemetery, it will be within the viewshed of only a small portion of the large Cemetery property. Thus much of the Cemetery's setting will be unaffected by the proposed telecommunications facility. In locations where the facility will be visible, the effect on the cemetery's setting will not be adverse due to the proposed stealth pine tree design, which will minimize the salience of the tower and the fact that only the limited upper portion of the stealth pole will be visible.

It is important to note that the DEC visual policy expressly references use of stealth design as a recommended mitigation measure to minimize project visibility. Specifically and precisely on topic, the DEC Visual Policy states, "As an example, communication towers can be disguised as trees, flagpoles, barn silos, church steeples, or other "in-character" structure depending on circumstances" (DEC visual Policy, p.7).

To address project visibility from the scenic resources of statewide significance and the SASS as a whole, Policy 24 provides specific siting and facility related guidelines to be used to achieve the policy. These guidelines recognize that each development situation is unique and that the guidelines will have to be applied accordingly.

<u>Guideline 1</u> - Siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore.

[5] https://www.dos.ny.gov/opd/programs/pdfs/CoastalPolicies.pdf

The project is setback more than one (1) mile from the Hudson River. Views from the east and west bank of the Hudson and from the River itself are limited in area. When visible the project will appear small in scale due to distance, low on the horizon and viewed within the context of all other coastal development in the Cold Spring/Nelsonville area. To the extent the monopine tower is distinguishable from Hudson River vantage points it will be consistent in form, line color and texture with the background landscape and visually subordinate to the regional landscape that comprises the overall view.

Guideline 2 - Clustering or orienting structures to retain views, save open space and provide visual organization to a development;

The Project includes the construction of a 110-foot tall stealth monopine style tower and associated ground equipment. All project components are clustered within a compact 3,250 square foot trapezoidal shaped fenced area at the base of the tower.

Guideline 3 - Incorporating sound, existing structures (especially historic buildings) into the overall development scheme;

The project does not involve modification of any historic structure. No historic structures are located on the project site.

Guideline 4 - Removing deteriorated and/or degrading elements;

The project site is currently undeveloped woodland with no deteriorating or degrading elements that might be removed or enhanced.

Guideline 5 - Maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;

The project site is undeveloped and shows no visible sign of previous disturbance to landform. Project development involves minimal site grading.

Guideline 6 - Maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing creates views of coastal waters;

The project is located within a heavily wooded area and involves minimal vegetative clearing to accommodate construction and maintenance of the access drive and the 3,250 square foot fenced compound. All existing forest vegetation will remain to provide substantial deciduous screening from off-site vantage points. Approximately 300 feet of undisturbed forest will remain between

the tower site and the adjacent Cold Spring Cemetery. Additional landscape plantings are proposed to provide additional project screening.

Guideline 7 - Using appropriate materials, in addition to vegetation, to screen unattractive elements;

The project design includes use of a stealth monopine design to minimize visual contrast. The monopine will include a dense non-uniform branching pattern that will help to blend the structure with the visual characteristics of the surrounding forest and lessen any potential visual impact on the scenic and historic resources and the SASS as a whole.

Guideline 8 - Using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with, and add interest to the landscape.

To the extent practicable the tower height is minimized to reduce viewshed area and visibility above the surrounding tree line, and to meet the express height limit of the Zoning Code. The tower will be a stealth monopine design to help blend the structure with the visual characteristics of the surrounding forest and lessen any potential visual impact.

Policy 24 is not a prohibition on development. Its purpose is to assure that a project is designed in a manner that minimizes visual impact and thus prevents impairment to scenic resources. Based on the ability of the project to address each of the Policy 24 mitigation guidelines combined with its limited visibility from scenic resources of statewide significance, the proposed telecommunications facility is consistent with the intent of Policy 24.

Comment 3: Our scenic resources are exceptional (At a Glance, p.1). With this statement the "At a Glance" document provides a scenic bird's eye view of the Villages of Cold Spring and Nelsonville.

Response 3: As evidenced by the VRA the scenic resources of the Hudson Highlands region will not be adversely affected by the proposed 110 foot tall stealth pine tree design telecommunications facility.

To demonstrate the degree of project visibility, Saratoga Associates has superimposed the proposed project within the Bird's Eye view photograph. This photo simulation is attached as appendix A. In this photo simulation the proposed monopine tower is nearly indistinguishable within the context of the background landscape and visually subordinate to all other existing built

structures in view. It is important to note that the view provided in the "At a Glance" document is an aerial image taken from a vantage point not available to typical viewers.

Comment 4: Our ridgelines are untouched (At a Glance, p.2 .).

Response 4: The proposed telecommunications facility will be located in a low lying area of the Hudson Highlands region. It is not located on a ridgeline and will not be visible above any ridgeline.

Comment 5: Actual photo of balloon test (At a Glance, p .9).

Response 5: The photo provided appears to have been taken during the November 4, 2017 balloon test. In the "At a Glance" document this color photo is artificially desaturated to a black and white image with the notable exception of the red balloon - which remains in full color. This photo manipulation devalues the visual prominence of the foreground landscape to deliberately draw attention to the balloon.

Comment 6: Photo simulation of proposed tower installation of the balloon test (At a Glance, p. 9).

Response 6: During the November 4, 2017 balloon test the balloon was intentionally flown approximately 10 feet higher than the proposed tower at the request of Town Engineer, Ron Gainer. The photo simulation provided in the "At a Glance" document appears to be based on the height of the balloon as flown. Consequently the photo simulation depicts the tower as being substantially taller than the proposed design. The photo simulation also shows the monopine tower in front of foreground vegetation. The trees in front of the proposed tower appear to be on Cold Spring Cemetery property or are otherwise part of the forest buffer to remain. This photo simulation significantly overstates the degree of tower visibility as viewed from the Cold Spring Cemetery. Accordingly, the photo simulation provided is not an accurate representation of the proposed facility.

To demonstrate the inaccuracy of the PCS simulation Saratoga Associates has prepared a corrected version of this image. The corrected photo simulation is attached as Appendix B. In addition please refer to Figure 5b in the June 2, 2017 VRA for an accurate leaf-off season representation of project visibility from this location.

Comment 7: The applicant has not adequately supported the claim that the impact on many other of our most treasured scenic and historic sites is minimized to a level of insignificance (Aat a Glance, p. 11).

Response 7: Refer to Response 1 above concerning the definition and assessment of visual significance.

Comment 8: In reference to VRA Figure 1, the dark red area of this map indicates the "Land Cover Viewshed Area" where the tower will likely be MOST visible according to Homeland's consultant (At a Glance, p. 11).

Response 8: This is a false statement and an inaccurate interpretation of VRA Figure 1. The VRA does not say the land cover viewshed identifies areas where the tower will be "most visible". The VRA defines the land cover viewshed map as identifying areas where project views are "theoretically" possible based on highly conservative evaluation criteria (VRA, p. 3). Contrary to (and completely inverse of) the assertion that the viewshed map identifies areas where the tower will be "most visible" the VRA defines the land cover viewshed map as identifying "the geographic area where one would expect to be substantially screened by intervening forest vegetation" (VIA p.2). The VRA further states, the primary purpose of the viewshed map is to provide a general understanding of a project's potential visibility and identify areas where further investigation is appropriate" (VIA p. 3).

Rather than offering a definitive map of affected areas, as implied by this comment, the land cover viewshed is prepared as a process step in the overall VRA to identify potentially affected areas where the visual analyst should visit to confirm or deny actual project visibility.

Comment 9: The applicant's submitted Visual Resource Assessment does not adequately depict or omits all together simulations of many of our most significant and historic resources.

Response 9: This is a false statement. The VRA includes an inventory more than two dozen scenic and historic resources, as well as places of local sensitivity or high intensity of use. These include all land based places within or near areas identified by VRA Figure 1 as having potential project visibility. The table on VRA page 5 identifies the places that were inventoried and evaluated. Photographs taken from each of these locations are provided in VRA Appendix A. Each

photograph was evaluated to determine if a view of the project was possible. The results of this photographic analysis are provided in the table found on page 5 of the VRA.

The following identifies scenic resources listed in the "At a Glance" document as being "omitted" that are actually addressed in the VRA.

Rte 9D, and Route 9D at Boscobel – Analysis was conducted at several locations on Rte 9D where the viewshed map indicates potential visibility. These are viewpoint (VP)09 and VP23 in the VRA. VP23 is in the vicinity of the Boscobel entrance. No visibility was identified anywhere along Rte 9D in the VRA or during in the subsequent balloon test.

Boscobel Grounds – The grounds at the Boscobel State Historic were evaluated in the VRA (VP 24). Although the highly conservative land cover viewshed map (VRA Figures 1 and 2) indicates theoretical project visibility in this area, no visibility was identified upon field visit due to dense intervening foreground vegetation.

Chapel of Our Lady – The Chapel of Our Lady is located along the Hudson River more than one-mile southwest of the tower site. As indicated by the viewshed map (Figure 1), views from the Chapel of our Lady will be fully screened by intervening structures and vegetation.

Old Storm King Scenic Byway (NY Rte 218) - The Old Storm King Scenic Byway is located on the west side of the Hudson River more than 1.6 miles southwest of the tower site. Although the viewshed map (VRA Figure 1) indicates this roadway will be screened by intervening vegetation Saratoga Associates drove the scenic byway in April 2017 to determine if visibility might exist from any location. No location with an unobstructed line-of-site was identified. A photograph representing the most exposed vantage point along this roadway is provided as VP25 in VRA Appendix A. Although beyond the two-mile study radius, Saratoga Associates also visited the scenic byway roadside overlook on Storm King Mountain. Views from this location will be screened by Bull Hill on the west side of the Hudson River.

US Route 9W – US Route 9W is more than 2.6 miles west of the proposed tower site at its closest point (beyond the 2-mile study radius). US Route 9W is west of the Storm King Mountain. All easterly vistas are likely to be completely screened by intervening landform and vegetation.

NYS Route 202 – The nearest point on Rte 202 (Bear Mt Bridge) is more than seven (7) miles south of the Project. All locations on Route 202 are likely to be fully screened by intervening landform and vegetation.

NYS Route 301 – Visual analysis was conducted at several locations on NYS Route 301 in the Villages of Nelsonville and Cold Spring. VRA Figure 2 identifies locations along NYS Route 301

where Project visibility is theoretically possible. Potential visibility from these locations is thoroughly evaluated in the VRA. Photographs taken from potentially affected areas are provided in VRA Appendix A. These include VP01, 15, 14, 16 and 17. Project visibility was identified at VP14 and VP16. Photo simulations from these locations are provided as VRA Figures 6b and 7b. In both cases visibility is limited to brief glimpses through foreground vegetation and between existing buildings for motorists and pedestrians travelling this corridor.

Historic Structures along NYS Route 301 in Nelsonville – The VRA evaluates views from all historic structures identified in the "At a Glance" document. The potential aesthetic impact on these and other historic resources is also thoroughly addressed in the Section 106 National Historic Preservation Act consultation for the project prepared by CBRE and for which SHPO concurred. These include:

First Baptist Church – The First Baptist Church is represented by VP18 in the VRA. From this location project visibility occurs through foreground vegetation. A photo simulation of this view is provided as VRA Figure 8a. The line-of sight from in front of the First Baptist Church is substantially screened by foreground deciduous vegetation. This view will be completely screened during leaf-on season.

Fish & Fur Club – The view from the Fish & Fur Club is represented in the VRA as VP17. Viewshed analysis determined the project will not be visible from this. This conclusion was confirmed during in the subsequent November 4, 2017 balloon test. A photograph documenting the view from the vicinity of the Fish & Fur Club is provided in VRA Appendix A.

Hustis House - The view from the Hustis is represented in the VRA as VP15. Viewshed analysis determined that the project will not be visible from this location. This conclusion was confirmed during in the subsequent November 4, 2017 balloon test. A photograph documenting the view from the vicinity of the Hustis House is provided in VRA Appendix A.

H.D. Champlin & Son Horsehoeing and Wagonmaking and J.Y Dykman Flour & Feed Store National Register properties – These properties are in proximity to each other near the intersection of Route 301 and Spring Street in Nelsonville. Viewshed analysis identified potential project visibility in the vicinity of the H.D. Champlin & Son Horsehoeing and Wagonmaking, and J.Y Dykman Flour & Feed Store National Register properties. Photographs taken from this location is provided in VRA Appendix A as VP16. Visibility is

limited to a narrow corridor between foreground buildings and through foreground vegetation. Photo simulation of this view is provided as VRA Figure 7b.

Comment 10: Many of the simulations that are shown in the VRA are not objective renderings of views. They disproportionally frame and foreground "ugly" elements like construction fences or guard rails in a way that does not mimic the experience of the human eye in our scenic village not (sic) adequately capture the effect of the tower on our sweeping scenic views.

Response 10: Saratoga Associates visited locations identified on the land cover viewshed map (VRA Figure 2) to determine if a view of the Project is likely to occur. In areas where viewshed analysis identified potential visibility the visual analyst carefully and deliberately sought out the most exposed vantage point in order to document worst-case project visibility. Photographs were taken without regard for the scenic quality of local context. As such the photographs are a true and accurate representation of the visual setting in which the project will be viewed.

Moreover, during the balloon test Town Engineer Ron Gainer travelled with the Saratoga Associates visual analyst to confirm locations evaluated in the VRA and the accuracy of previously prepared locations.

Comment 11; The Code requires significant vantage points potentially impacted by the proposed facility shall be determined by the Board. The applicant did not do this so the VRA fails to meet this standard (Statement in Opposition. P. 24).

Response: We disagree. The June 2, 2017 VRA was prepared for Board review prior to the November 4, 2017 balloon test. During the November 4, balloon test Town Engineer, Ron Gainer travelled in the same car with Saratoga Associates' visual analyst to review all affected vantage points as identified in the VRA. During this field reconnaissance Mr. Gainer requested several additional locations be visited to confirm or deny balloon visibility. Additional locations visited at the request of the Town Engineer include Lane Gate Road near Moffat Road, Montrest (Healy) Estate, Manatou School (Plumbush Inn), multiple vantage points within the Cold Spring Cemetery, and various residential neighborhoods within Nelsonville and Cold Spring. Other than a new view identified at the Montrest (Healy) estate (refer to VP5a in Figure B3 in the letter from Saratoga Associates to the ZBA dated November 15, 2017), no new views were found at any supplemental location visited. As a representative of the ZBA we believe Mr. Gainer's field review of the locations presented in the June 2, 2017 VRA and expressed direction for Saratoga Associates to

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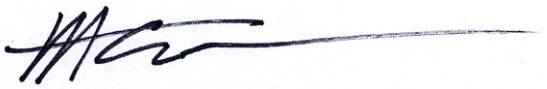
visit additional vantage points during the November 1 balloon test constitutes Board participation in, and concurrence with selection of significant vantage points.

The applicants provided viewshed maps, and specifically offered the Village the opportunity to direct the location of any viewpoint they desired and this was directed through the Village Engineer, Mr. Gainer. Moreover, the date of the balloon test was specifically moved up at the express request of the residents and the Zoning Board in order to conduct the test on a Saturday. The date of the test was announced at the public meeting, published on the Village website and on other well reviewed internet sites, and advertisements were taken out in the local newspapers by the Village. Therefore the balloon test was well noticed.

Thank you for your attention to this matter.



Matthew W. Allen, RLA
Principal
SARATOGA ASSOCIATES
Landscape Architects, Architects, Engineers, and Planners, P.C.

Appendix A

Original Photo - “Our Resources are Exceptional” - “At a Glance” Opposition Report (p. 1)

Figure A1

Visual Resource Assessment
Proposed Telecommunications Tower

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HOMELAND TOWERS

Figure A1

Cold Spring Site (NY170)
15 Rockledge Road
Nelsonville, NY

Simulated Condition - “Our Resources are Exceptional” - “At a Glance” Opposition Report (p. 1)

Figure A2

Visual Resource Assessment
Proposed Telecommunications Tower

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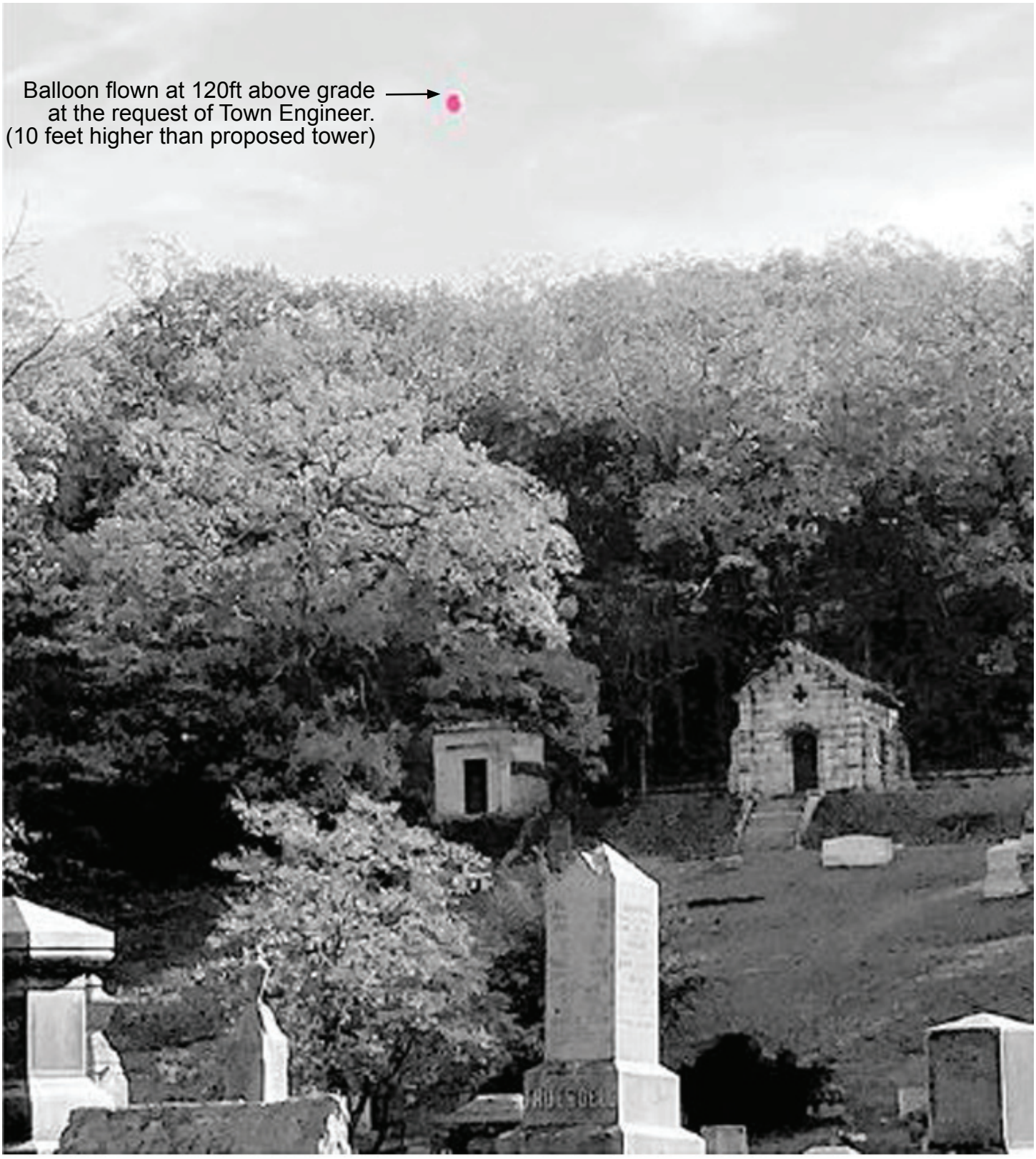
HOMELAND TOWERS

Figure A1

Cold Spring Site (NY170)
15 Rockledge Road
Nelsonville, NY

Appendix B



Balloon Test Photo - “At a Glance” Opposition Report (p. 9)

Cold Spring Cemetery

Figure B1

Visual Resource Assessment
Proposed Telecommunications Tower

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HOMELAND TOWERS

Cold Spring Site (NY170)
15 Rockledge Road
Nelsonville, NY

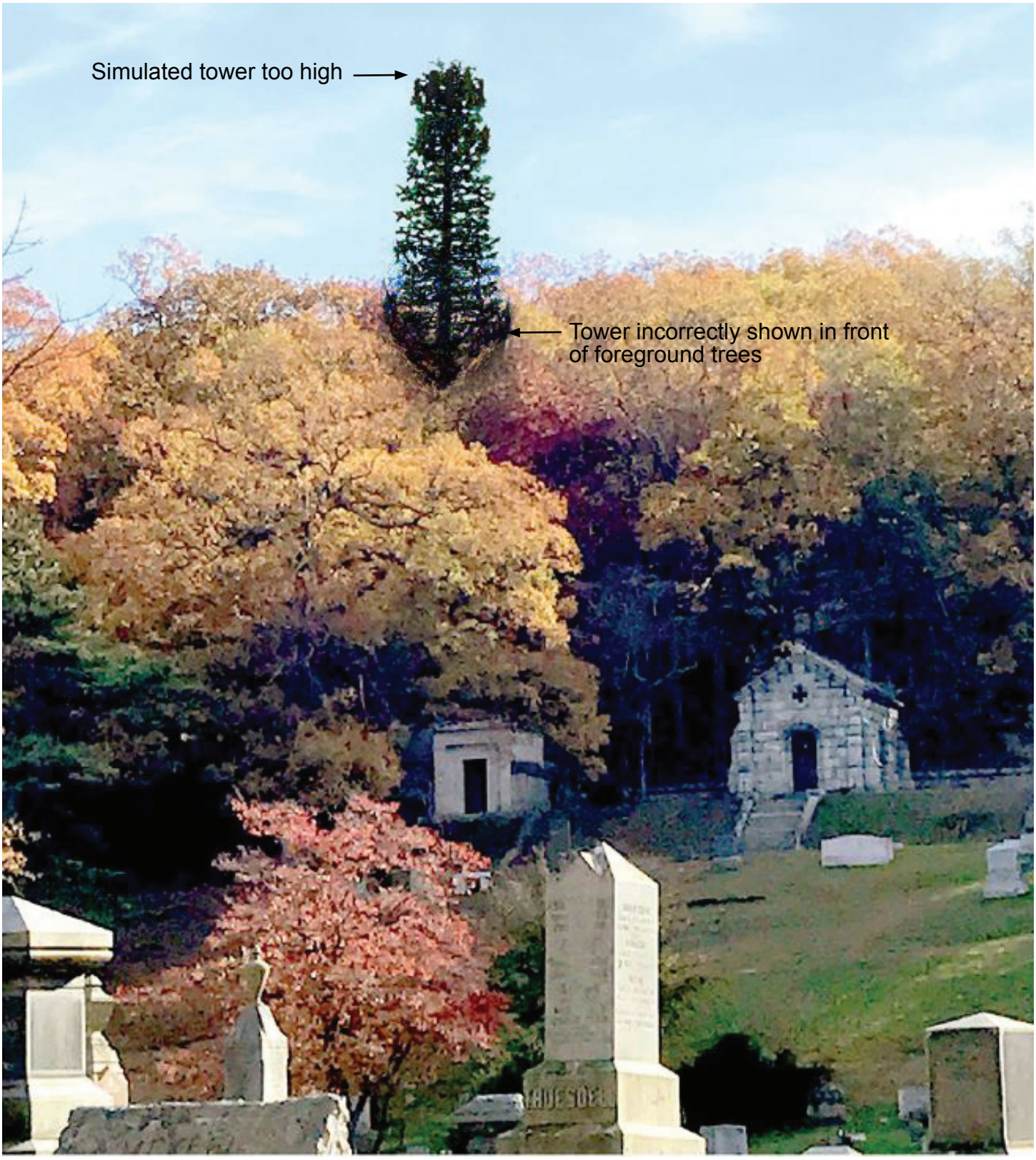

Photo Simulation - “At a Glance” Opposition Report (p. 9)

Cold Spring Cemetery

Figure B2

Visual Resource Assessment
Proposed Telecommunications Tower

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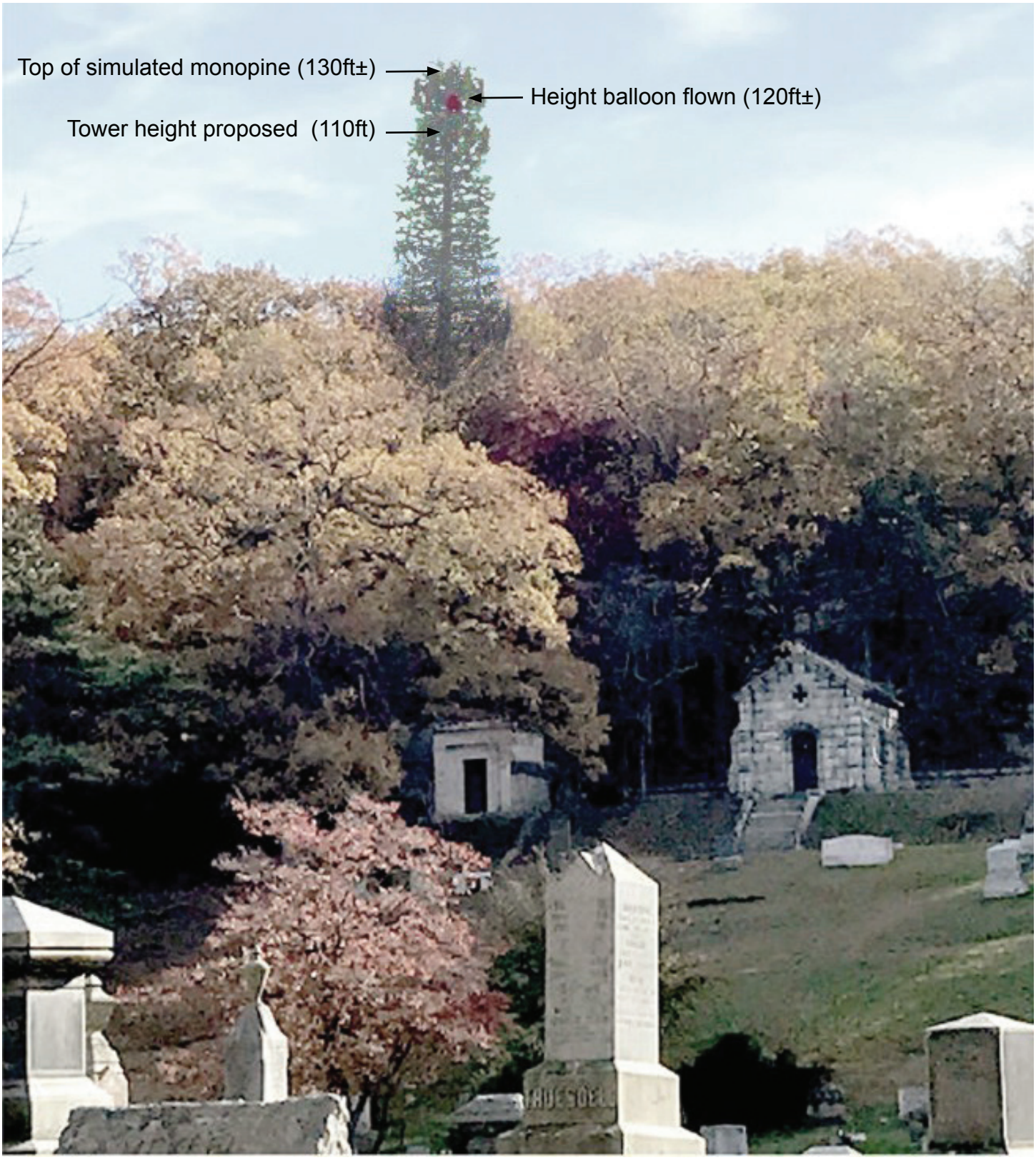
HOMELAND TOWERS

Cold Spring Site (NY170)
15 Rockledge Road
Nelsonville, NY



Balloon Test and Photo Simulation Image Overlay

Cold Spring Cemetery

Figure B3

Visual Resource Assessment
Proposed Telecommunications Tower

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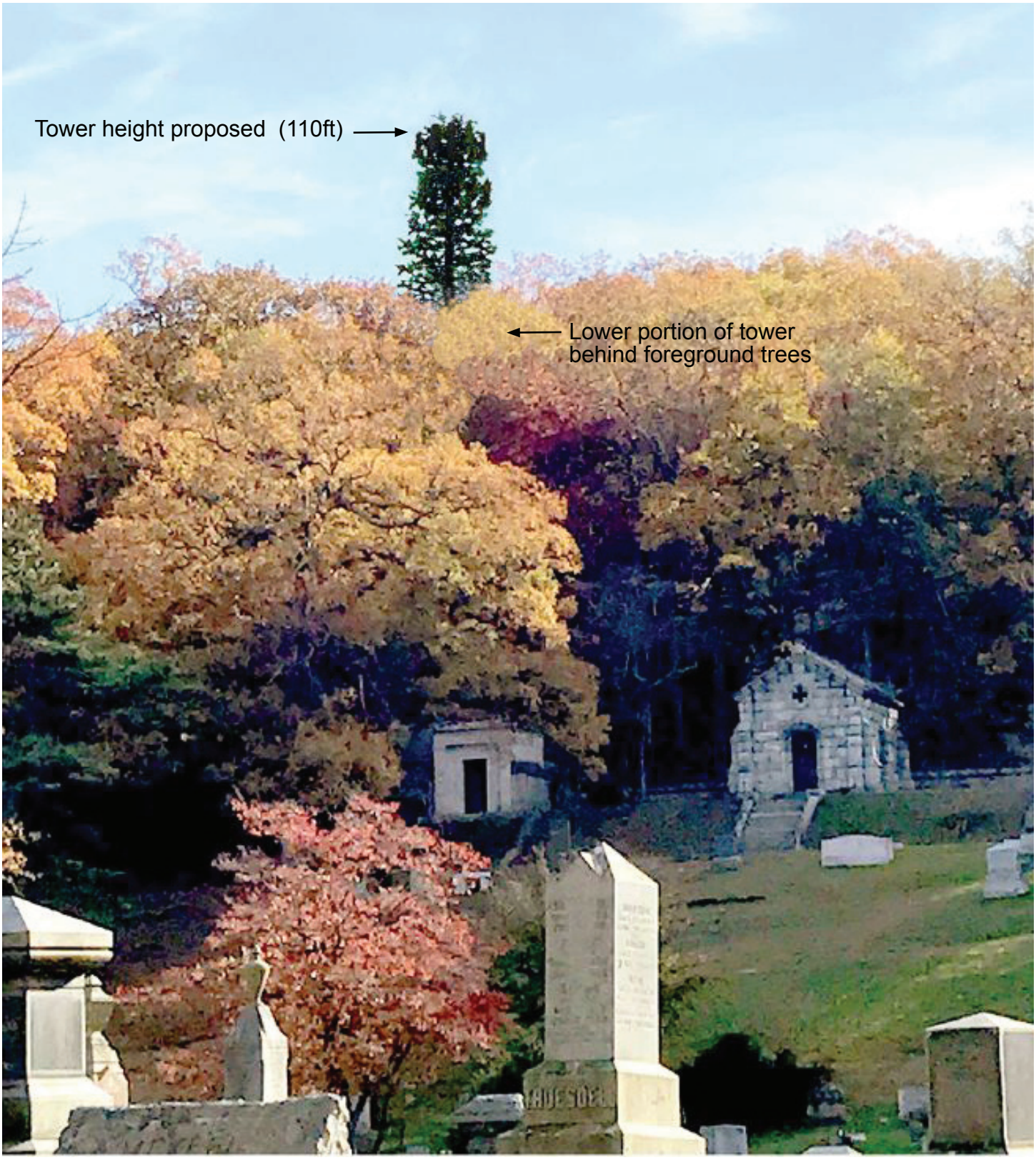
HOMELAND TOWERS

Cold Spring Site (NY170)
15 Rockledge Road
Nelsonville, NY



Corrected Simulation by Saratoga Associates

Cold Spring Cemetery

Figure B4

Visual Resource Assessment
Proposed Telecommunications Tower

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Cold Spring Site (NY170)
15 Rockledge Road
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