

**Resolution of
the Town of Ancram Planning Board**

Resolution for Special Use Permit and Site Plan Approval

Date: Thursday, July 9, 2026

Applicant: Homeland Towers, LLC, and Verizon Wireless

Project: NY343 Copake Wireless Telecommunications Facility

Property: 6534 Route 22, Town of Ancram, Columbia County, New York
Tax Map Parcel Number 215.-1-41.110

Matter: Special use Permit and Site Plan Approval

WHEREAS:

**Part 1
The Property, the Applicant, & the Project**

1. The Property that is the subject of this application is owned by Willow Brook Farm Properties, LLC. The lot is located at 6534 Route 22, in the Town of Ancram, Columbia County, New York, and bears the Tax Map Parcel Number Section-Block-Lot (SBL) 215.-1-41.110 (hereafter "Property"). The Property is approximately 153 acres in area.
2. The Applicant is Homeland Towers, LLC, and Verizon Wireless (the "Applicant"). The Applicant has been represented before this Board by attorney David Kenny, Esq. of the law firm Snyder & Snyder, LLP.
3. The Applicant proposes to erect and operate a 100-foot monopole tower for personal wireless services, with space located for three (3) future collocation facilities and related antennae and equipment to provide new and improved wireless communication service primarily along Route 22. The associated equipment will be located within a 40-foot by 60-foot fenced compound. Access to the project area will be by a 12-foot-wide gravel access road from Route 22 (The "Project").
4. The tower, antenna arrays and associated mounting hardware are proposed to be colored brown to help blend the structure with the darker earth-tones of the wooded ridgelines, which operate as the backdrop for several affected vantage points, particularly from the Harlem Valley Rail Trail.
5. The Property is located in the Town of Ancram's Agriculture [Ag] Zoning District, as well as the Scenic Corridor Overlay Zone [SCOZ]. Pursuant to Local Law No. 1 of 2011, entitled Town of Ancram Telecommunications Tower, telecommunications towers are permitted in all districts with the issuance of a special use permit and site plan approval from the Town of Ancram Planning Board. For ease of reference, Local Law No. 1 of

2011 shall hereinafter be referred to as "Town of Ancram Telecommunications Law" or "The Telecommunications Law."

Part 2 Procedural History

6. The Planning Board has commenced a review of this application pursuant to the procedures set forth in the Town of Ancram Local Law 1 of 2011 (the Telecommunication Law), and the Town of Ancram Zoning Law.
7. On November 22, 2024, the Applicant submitted an Application to the Town of Ancram Building Department to install a wireless telecommunication tower. At the time of the initial application, the proposed monopole was 150 feet tall.
8. On January 9, 2025, the Building and Code Enforcement Officer, Edward Ferrato, referred the application to the Planning Board for special use permit.
9. On February 19, 2025, the Applicant submitted an application for site plan and special use permit to the Town of Ancram Planning Board.
10. On August 4, 2025, the Applicant submitted a revised application, which reduced the telecommunication tower height to 100 feet.
11. In addition to the application, the Applicant submitted supplemental materials in support of their application, including, but not limited to, conducting and report of a balloon test for the proposed telecommunication tower, viewshed maps, Full Environmental Assessment Form, Ag Data Statement, Alternative Site Analysis, FCC Compliance Report, RF Justification Reports, Federal Aviation Administration [FAA] Opinion Letter that no lighting is required on the top of the proposed facility, Wetlands Assessment from Ecological Solutions, tower maintenance schedule, structural certification letter, Visual Resource Assessment from Saratoga Associates, alternative lattice design and analysis, and property value impact study.
12. The Planning Board conducted its review with the assistance of the following professional consultants:
 - ☐ Nan Stolzenburg, FAICP, of Community Planning & Environmental Associates, planning consultant to the Planning Board.
 - ☐ George Schmitt, of the firm of CPL, professional consulting engineers to the Planning Board;
 - ☐ B. Benjamin Evans, Senior Project Engineer, and Elizabeth Herington-Smith, VP Planning and General Manager, of CityScape Consultants, Inc., RF engineers and consultants to the Planning Board;
 - ☐ George Janes, AICP, of George M. Janes & Associates, a specialty planning firm with expertise using visual simulation technologies; and

- ☐ John Lyons, Esq. and Kimberly Garrison, Esq., environmental land use attorneys, of the firm of Grant & Lyons, LLP.
- 13. Pursuant to the Telecommunication Act (TCA) § 332 (C)(7)(B)(ii), a state or local government must act within a reasonable time upon any request to place, construct or modify a wireless telecommunications tower, which takes into account the nature and scope of the application. According to guidance from the FCC, the presumptive shot clock period for receiving approval is 150 days. The Applicant and the Planning Board mutually agreed to extend the FCC “shot clock,” on several occasions throughout this review process. The shot clock has most recently been extended to expire on or about July 9, 2026.

Part 3

SEQRA Environmental Review

- 14. The Planning Board acted as the Lead Agency in the environmental review of this application pursuant to New York State Environmental Quality Review Act (SEQRA).
- 15. This Project was classified as a Type 1 action. On May 7, 2025, the Planning Board declared it's intent to be the Lead Agency under SEQRA for the environmental review of this Project.
- 16. After classifying the action, the Planning Board circulated for lead agency status on May 20, 2025. The Notice was sent to the following agencies:
 - ☐ Columbia County Planning Board;
 - ☐ New York State Department of Environmental Conservation;
 - ☐ New York State Department of Transportation; and
 - ☐ U.S. Army Corps of Engineers.
- 17. After no other involved agency objected, the Board declared itself to be lead agency and conducted a coordinated environmental review.
- 18. During the course of its environmental review, the Board took a “*hard look*” at the potential adverse environmental impacts as required by SEQRA regulations. The Planning Board conducted an environmental analysis of potential adverse environmental impacts, which included consideration of the long-term, short-term, direct, and indirect impacts, that was initiated with a comprehensive review of all submitted materials.
- 19. The Board also listened extensively to the comments offered by the members of the public and the consultants who testified during the review process on their behalf.
- 20. On February 11, 2026, the Planning Board completed Part 2 of the Full Environmental Assessment Form [FEAF].

21. After due deliberations and study, the Town of Ancram Planning Board, as the Lead Agency, determined that the proposed Homeland Towers NY343 Copake Wireless Telecommunications Facility project would not have any significant adverse environmental impacts, and that an Environmental Impact Statement (EIS) will not be required for the proposed Project because this Action will not result in any significant adverse environmental impacts [see 6 NYCRR § 617.7(a)(2)].
22. On April 2, 2026, the Planning Board voted to adopt a Negative Declaration as its Determination of Significance for this Project.
23. Both the adopting Resolution and the Conditioned Negative Declaration are on file in the office of the Planning Board Clerk, and their content is incorporated by reference herein. A copy of the Negative Declaration is attached to this Resolution as Appendix A.

Part 4
Referral Pursuant to § 239-m of the
New York State General Municipal Law

24. On October 31, 2025, the Project was referred to the Columbia County Planning Board pursuant to NYS General Municipal Law [NYS GML] § 239-m.
25. The Planning Board received a written response from the Columbia County Planning Board on November 21, 2025. The Columbia County Planning Board (CCPB) recommended APPROVAL of the Project. The CCPB stated:

The CCPB finds that this proposed action will likely result in positive county-wide or intercommunity impacts. The basis for the recommendation is the following considerations set forth in the New York State General Municipal Law (NYSGML), Article 12B § 239-1. Coordination of certain municipal zoning and planning actions; legislative intent and policy¹:

- (f) *community facilities*
- (g) *official municipal and county development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and*
- (h) *such other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.*

26. CCPB continued in their recommendation, and further stated:

The proposed installation of the wireless communications facility is part of the Verizon Wireless network upgrade and future service expansion for

¹ Emphasis in original.

Columbia County. Once completed, it is anticipated that this facility will result in the improvement of Verizon Wireless service in the area. The benefits to the community resulting from development of the facility may include improving coverage in areas with service gaps. This may contribute to the efficiency of the emergency services communications network in the county. It may also serve to benefit travelers along NYS Route 22, an important regional artery traversing Columbia County. The facility may also provide future co-location opportunities. It is anticipated that the scope of the improvements, will serve to benefit the general public and be realized by the community.

The Town of Ancram enacted legislation with provisions for the construction of telecommunication facilities, in accordance with state and federal laws, including co-location and shared use where technically feasible. Columbia County development policies support the continuation and expansion of telecommunications service in the county.

The proposed wireless service facility is a public utility and a permitted use in the Town of Ancram Agriculture Zoning District, and the Scenic Corridor Overlay Zone (SCOZ), subject to a Special Use Permit and Site Plan Review.

The Town of Ancram Planning Board may take final action with a simple majority vote.

27. The CCPB provided some information comments that were offered for consideration.
- ☐ Noted that an Agricultural Data Statement (ADS) was submitted.
 - ☐ Any proposed disturbance of the freshwater wetlands may require approval from the regulating entity which may include New York State Department of Environmental Conservation (NYSDEC), and/or the United States Army Corps of Engineers (USACE).
 - ☐ Noted that NYSDEC made a determination that a Protection of Waters Permit would not be required for work in the unnamed Class C stream located on the parcel.
 - ☐ Any construction activity that results in the disturbance of one acre or more of land, must be in compliance with the State Pollutant Discharge Elimination System (SPDES) Phase II regulations for Stormwater Discharges. An Erosion and Sediment Control Plan may be necessary for areas under this threshold.
 - ☐ Noted that a determination was made that the project site is located within the vicinity of Endangered or Threatened Species. Coordination with NYSDEC and the United States Fish and Wildlife Service may be required.
 - ☐ The proposed access off NYS Route 22 will require review and approval from New York State Department of Transportation (NYSDOT).

- ☐ Suggestion that the local Fire Chief review the site plan for the adequacy for emergency access.
- ☐ Suggestion that the required buffer area be identified on the site plan and that the applicant provide information on the maintenance plan and schedule.
- ☐ Notes that the Town of Ancram Telecommunications Towers provisions include the requirement for a bond or other form of security for performance of the terms and conditions.
- ☐ Suggestion that the applicant provide a decommissioning plan to address the terms and process, should the facility meet requirements for removal. The CCPB also suggested that the applicant provide information on any proposed bond to ensure removal of the tower, related facilities and site restoration.

Part 5 Public Hearing and Comment

28. The Planning Board held a properly noticed public hearing to solicit comments from the public on this project. The public hearing was opened on July 9, 2025, and held open and continued over a number of months.
29. Comments were received in opposition to the Project. Those comments expressed a wide variety of concerns which, among other things, including the following subject matter: placement and siting of the proposed tower in the Scenic Corridor Overlay Zone (SCOZ); the height of the tower, particularly when it was initially proposed to be 150 feet; the general look and design of the tower; adequacy of existing cellular service in the area and whether there was a need for the tower; alternative technologies available (e.g. satellite); propagation maps and radio frequency signal coverage; potential for reduction of property value; visibility of the tower; and the rural and agricultural community and characteristic of Ancram;
30. During the public comment sessions, comments were also received in favor of the Project. Those comments mainly expressed support for improved cell service in the area, particularly in cases of emergency and to assist emergency personnel responding to such calls.
31. The public hearing was closed on July 9, 2026.

Part 6 Findings of Facts

32. The Planning Board is authorized to review this application and to approve, approve with modifications, or disapprove the proposed special use permit site plan pursuant to the Town of Ancram Telecommunication Law pursuant to Section 2(B).
33. Section 1 of the Telecommunications Law is entitled "Purpose and legislative findings,"

and it states:

The Town Board of the Town of Ancram has determined that it is in the best interests of the Ancram community to encourage the availability of cellular telephone service in Ancram, Ancramdale and Boston Corner. The Telecommunications Act of 1996 affirmed the Town of Ancram's authority concerning the placement, construction and modification of telecommunications towers. The intent of this Local Law is to provide the framework necessary to attract cellular service to the Community as soon as possible by making the local zoning process to approve the installation of a cellular tower predictable and reasonable, while at the same time minimizing the negative impact of telecommunications towers on the environment; minimizing the number of towers in the community by encouraging shared use and the use of existing structures if possible; establishing a fair and efficient process for review and approval of applications; assuring an integrated comprehensive review of environmental impacts of such facilities; and protecting the health, safety and welfare of the people of the Town of Ancram. While the objective of this Local Law is to facilitate the delivery of cellular service, the Town intends to implement this Local Law so as to minimize the negative aesthetic impact of such facilities. Further, the Town also finds that in some circumstances, collocation and effective camouflaging of telecommunications facilities can be in the public interest and should be encouraged, but in some circumstances, collocation and camouflage can create unintended visual impacts and may not be consistent with the need to build cell towers with the least intrusive visual impact on the community.

34. This intent and purpose provides the basis for the Planning Board's review of the current application. Overall, the purpose of Ancram's Telecommunications Law is to find a balance between encouraging and allowing cell service in the Town of Ancram and minimizing the visual impact of telecommunications tower.
35. The Planning Board has reviewed the special use permit application and the site plan submitted on behalf of Homeland Towers, NY343 Copake, dated May 16, 2024, and last revised on February 27, 2026, and based on the discussion and reasoning set forth below, has determined that the proposed Project, as shown on that site plan, meets the requirements set forth in the Town of Ancram Telecommunications Law, Special Use Permit Requirements, and Site Plan Review.
36. The standards of the Town of Ancram Telecommunications Law and Zoning Law are extensive. The majority of these standards set forth in the Town of Ancram Zoning Law and Telecommunications Law, including regulations of the Town of Ancram Scenic Corridor Overlay District (SCOZ), were encompassed in the issues that the Board addressed during its lengthy environmental review of the proposed Project. Consequently, we incorporate by reference in this site plan approval resolution, the content of the Negative Declaration which we adopted on April 02, 2026. See attached Appendix A.

Part 7
Compliance with Ancram Land Use Laws.

A. Town of Ancram Telecommunications Law (Local Law 1 of 2011)

37. Section 5 of the Town of Ancram Telecommunications Law is entitled "Standards and Conditions" and sets forth the conditions of the telecommunications tower, antennas and related facilities that the Applicant must demonstrate to the Planning Board's satisfaction in order to be granted approvals.
38. The Applicant proposes a 100-foot monopole design. The tower, antenna arrays and associated mounting hardware are proposed to be colored brown to help blend the structure with the darker earthtones of the wooded ridgelines, which operate as the backdrop for several affected vantage points, particularly from the Harlem Valley Rail Trail.
39. It is specifically noted that, even though telecommunication towers are a permitted use in the Town of Ancram, the object of the Telecommunication Law is to "minimize the negative aesthetic impact of such facilities."

Design of the Tower and Design Alternatives Considered

40. In order to minimize visual intrusiveness, the Telecommunications Law provides a set of priorities regarding the location, erection, and siting of the telecommunication tower.
41. The Planning Board discussed and considered different alternative design options, with the assistance of their consultants. Upon request from the Planning Board, CityScape Consultants, Inc., consulting radio frequency [RF] engineers to the Planning Board, provided examples of alternative designs that had been considered in the past in other municipalities. Some of the alternative designs discussed included a faux silo, a flagless flagpole, and a lattice tower.
42. George M. Janes, AICP, of George M. Janes & Associates, a specialty planning firm with expertise using visual simulation technologies, in a written report to the Planning Board, dated December 03, 2025, also suggested alternative designs that may lessen the visual impact, given the rural nature of the area. Mr. Janes included several examples of alternative design, such as hiding the panels behind fiberglass skin, close mounted panel design, faux silo, or lattice structure.
43. In considering these possible options and considerations, the Planning Board requested from the Applicant additional information and renderings for further investigation about these possible alternative designs.
44. The Applicant stated that a flagless flagpole, or other closed mounted designs, were not viable options. Such design required taller towers, which would exceed the 100 foot maximum height limitation within the SCOZ.
45. The Applicant also noted technological limitations by such a design, such limiting the

number of carriers for collocation and did not support whip antennas that are typically used by emergency services. As is noted in the Telecommunications Law, collocated facilities are encouraged. The addition of future collocation space encourages any future telecommunication tower to utilize those spaces rather than build new or additional structures, in accordance with the intent of the Telecommunications Law.²

46. The Applicant also stated that flagless flagpole designs were limited in internal space, and due to the layout of the antennas, would ultimately reduce coverage.
47. Regarding the faux silo alternative design, the Planning Board discussed that the faux silo would still be at least 100 feet tall, which is a scale much larger than the real silos in the area, and, as such, would look disproportionate and out of place in comparison to real silos and other agricultural structures in the area.
48. The Applicant did provide to the Planning Board revised renderings of a lattice design. It is noted that the Telecommunications Law cites a preference for lattice design. However, upon review, the Planning Board concluded that, while the lattice design helped to reduce visual impacts from further distances, such as from the Harlem Valley Rail Trail (HVRT), the lattice tower would be more visually intrusive from the Route 22 vantage point, given the wider width and footprint of the lattice tower design.
49. The Planning Board determined that the monopole design proposed by the Applicant, with its matte brown paint, offers the least visually obtrusive of potential structures.
50. The brown paint, together with this siting, will help the tower blend with the vegetative backdrop, particularly from views along the Harlem Valley Rail Trail.
51. The thinner frame and footprint of the monopole, as opposed to the wider footprint of the lattice tower design, also reduces its visibility along Route 22.

Avoidance of Ridgeline and High Ground

52. The tower is also sited to avoid high levels of topography and avoids ridgelines.
53. Although the tower will be visible from the Harlem Valley Rail Trail and Route 22, within the SCOZ, both significant scenic areas, any visual impact is not detrimental to those resources.
54. The Planning Board, during its environmental review, discussed at length the visibility and potential impact of the proposed tower to the Harlem Valley Rail Trail and the SCOZ.
55. Approximately 3.9 miles of the HVRT are situated within a 2-mile radius of the proposed tower. There are some sections where the proposed tower may be visible

² Town of Ancram Telecommunications Law §1. Additionally, Town of Ancram Telecommunications Law requires the Applicant to demonstrate that the (proposed) tower must be structurally designed to accommodate at least two (2) additional antenna arrays equal to those of the applicant. This is met here. See Ancram Telecommunications Tower Law, §6(c)(25).

from the Harlem Valley Rail Trail. However, the Project is located so that it does not rise above the ridgeline from views to the east, and is set against the wooded backdrop from the Rail Trail. This siting, together with its matte brown paint camouflaging, will help the telecommunication tower blend with the vegetative backdrop, thereby mitigating its visual impacts on the HVRT. As found in the Negative Declaration, the Planning Board does not believe that the Tower will diminish the public's use and enjoyment of the Harlem Valley Rail Trail.

56. The Town of Ancram Scenic Corridor Overlay District [SCOZ] is an officially designated scenic area of Ancram. As stated in the Town of Ancram Zoning Law:

The Scenic Corridor Overlay Zone [SCOZ] is established as an overlay district to protect important scenic areas along Route 22 and the Harlem Valley known to contribute to the beauty, rural character, and quality of life of Ancram residents. It is the intent of this District to protect views from public roads and to regulate land uses so that they will complement rather than detract from a scenic experience. It is further the purpose of this district to improve the town of Ancram's economic vitality by preserving one of the significant scenic resources within the Town, enhancing the Town's attractiveness to its visitors as well as its citizens.³

57. In describing the SCOZ, the Town of Ancram Zoning Law states:

The Town of Ancram, New York, recognizes that the New York State Route 22 corridor and that portion of the Harlem Valley lying within that corridor, including the Taconic State Park and its mountain ranges and Fox Hill, are some of the Town's and surrounding community's premium scenic assets.

Within this corridor there exists a confluence of valuable assets for the Town and its residents including, but not limited to, environmental, recreational and scenic resources, and these scenic resources contribute significantly to the overall rural character of the town and possess attributes which the community seeks to preserve and enhance, while accommodating growth and change.

In furtherance of this objective, the Scenic Corridor Overlay Zone is hereby established to:

- a. Further the Town's overall goal of providing a predominantly open and rural character to the Town, and to encourage agriculture and preserve the natural environment and achieve the other goals and objectives as stated in the Town's Development Plan.
- b. Protect one of the Town of Ancram's significant scenic

³ Town of Ancram Zoning Law, Article II, B(9)

resources as identified is the Scenic Resource Protection Plan adopted by the Town Board.

- c. Preserve the scenic beauty along New York State Route 22 and the Harlem Valley for the enjoyment of residents, commuters, recreational users and tourists.
 - d. Improve the Town of Ancram's economic vitality by preserving one of the significant scenic resources within the Town, enhancing the Town's attractiveness to its citizens as well as visitors and tourists.⁴
58. Along Route 22, those driving will pass the proposed tower. However, those driving along Route 22 are also traveling at approximately 55 miles per hour, and thus, their view of the tower will be fleeting. As explained in the Negative Declaration, the proposed telecommunication tower is visible along Route 22 for approximately 0.37 miles for southbound motorists and 0.55 miles for northbound motorists. Practically, the telecommunication tower may be visible to passing motorists for about 30 seconds when driving along Route 22.
59. The Applicant has taken measures to reduce the impact along Route 22. The Applicant has reduced the height of the telecommunication tower from 150 feet to 100 feet. Additionally, the Applicant will be painting the telecommunication tower matte brown to lessen the towers contrast with existing vegetation.
60. When considering the entire SCOZ area, which stretches along the entire length of Route 22 in Ancram (approximately 5 miles), and the entire length of HVRT, the detriment to these scenic area, as a whole, is small. It will not be detrimental to the scenic beauty of the SCOZ, as a whole, or to the enjoyment of the HVRT.
61. Ancram is a farming community. The area surrounding the proposed area are farmlands, rural open fields, and residential homes. As a rural community, adequate cell service and telecommunication tower is important and vital. The Columbia County Planning Board, in recommending approval of this project, found that the proposed facility is anticipated to result in the improvement of Verizon Wireless service. Benefits to the community would include improving coverage in areas with service gaps, which may contribute to the efficiency of the emergency services communications network in the county. The Ancram Fire Chief has also expressed support at several meetings for increasing service along this route, as have some residents, expressing support for better cell service in the area, and noting the importance of improving access to vital telephone and text services, particularly in cases of emergency. Cell service and technology can also provide valuable assistance to farmers in the area, including more reliable coverage for when they or their workers are in the field, or use of technological advances through apps or services that offer real-time data and notifications to assist in their operations.

⁴ Town of Ancram Zoning Law, Article V, (B)3(1)

62. It is recognized that while telecommunication towers are permitted in the Town of Ancram, it is also realized that there are no existing telecommunication towers in the Town.
63. While the proposed tower brings a new use into the Town, the Planning Board also recognizes that this use is permitted.
64. The Town Board has determined that telecommunication towers are allowed in the Town of Ancram, and further, that they are allowed in the SCOZ. The Planning Board, therefore, recognizes that the Town Board expected and anticipated telecommunication towers to one day be within this area.
65. The Planning Board does not find that this proposed Project will be detrimental to the SCOZ. It will not change the essential community character of Ancram as a farming community, or as a rural community. Instead, it will help provide better and more reliable coverage. Further, it will not change the SCOZ, which seeks to preserve scenic resources. Ancram will remain a farming community and the SCOZ will continue to protect Ancram's scenic resources.

Lack of Collocation Options

66. In Ancram's Telecommunication Towers Law, the Applicant shall demonstrate its review of proposed alternatives and shall address collocation as an option, if feasible.
67. Collocation is preferred over construction of new towers.
68. The Applicant has submitted a letter, dated January 6, 2025, analyzing alternate site and collocation opportunities.
69. The Applicant also reviewed a potential alternative location, located at the Overmountain Conservation Area, at the request of the Planning Board. In a letter, dated September 3, 2025, the Applicant provided a review of this location, and found it would not provide sufficient coverage to the identified significant gap.
70. The Applicant has demonstrated that no other areas or existing structures exist that can be collocated.

Camouflaged and Mitigation Measures

71. If a new structure is required, the design must be the least visually obtrusive of all reasonable options. Under the Telecommunications Law, structures that effectively camouflage are encouraged.
72. This Project is also located in the SCOZ.
73. Pursuant to the Town of Ancram Zoning Law, Article V "Supplemental Regulations," at subsection (B)(3)(6):

All radio, television and other communications towers and other accessory structures shall be restricted to a maximum height of 100 feet from the base of the entire structure. To minimize the impact of radio, television and other communications towers located within the overlay zone the applicant must demonstrate the need for a new tower structure by proving that the antennas cannot be co-located on an existing tower or located on an existing structure, building or barn. All radio, television and other communications towers and antennas shall be camouflaged to blend into the surrounding natural environment. All applications for radio, television and other communications towers within the Scenic Corridor Overlay Zone shall be subject to site plan review and approval by the Town Planning Board in accordance with the requirements of Article VII of the Town of Ancram Zoning Law. These requirements are in addition to the requirements and regulations contained in Local Law #1 of the year 2011 [Town of Ancram Telecommunication Towers].⁵

74. The Applicant has proposed a camouflage design which is a combination of the siting of the tower off the ridgeline and against a wooded ridge as background. Beyond that, the Applicant also proposes to paint the tower brown for the purpose of blending it in with surrounding natural environment.
75. Effective camouflage involves blending into the surroundings. It does not necessarily mean that the object camouflaged is rendered invisible.
76. Here, the tower is proposed to be sited against a wooded background, and then the tower will be painted a brown color intended to blend the tower into its background.
77. The height of the tower has also been reduced from 150 feet to 100 feet, which further reduces visibility.
78. Based on the mitigation measures implemented, including reduction in the height, siting of the tower off the ridgeline and painting the tower brown and darker earth-tones against a wooded ridge as background, the tower is camouflaged to blend into the surrounding natural environment.

Landscaping

79. While some roadside trees exist to provide some screening of equipment and the base of the tower, additional trees have been included to provide additional screening to augment the existing vegetation.
80. As a condition of approval, the Applicant shall install and maintain a landscape screening buffer consisting of eight (8) Eastern Red Cedar (*Juniperus virginiana*) evergreen trees, each having a minimum height of six (6) feet at the time of planting. The trees shall be planted immediately adjacent to the outer edge of the approved Limits of Disturbance, on the exterior side of the security fence, and arranged to provide

⁵ Emphasis Added.

effective year-round screening of the facility.

81. The planting design shall specifically screen the tower base, generator, Verizon equipment panels, equipment cabinet, and the security fence from public viewpoints from the road, to the maximum extent practicable.
82. Eastern Red Cedars are expected to mature to approximately 30 to 60 feet in height with an 8- to 20-foot spread under favorable growing conditions; however, if the site has drier or less fertile soils, mature heights of approximately 15 to 25 feet are anticipated, which remain sufficient to screen the 8-foot-high security fence, the 9.5-foot equipment canopy, and associated ground-mounted equipment.
83. The existing 11-gauge black vinyl-coated chain-link security fence shall remain in place and provide additional screening of equipment. Any trees that die, become diseased, or fail to survive shall be replaced with trees of the same species and minimum planting size within the next appropriate planting season to ensure the continued effectiveness of the required visual screening.

Reduction in Tower Height

84. The proposed tower height is 100 feet. This was reduced from the initial proposal of 150 feet. The proposed tower does not require a light for Federal Aviation Administration [FAA] purposes.
85. During the course of our review, the height of the tower was a substantial topic of discussion.
86. The Applicant has submitted to the Board Radio Frequency Justification Reports from its engineers that are part of the record.
87. As part of this review, the Planning Board engaged the firm of CityScape Consultants, Inc. [CityScape] to assist the Board in providing expert review of the Applicant's radio frequency and related technical submissions.
88. During the course of this review, CityScape has reviewed the materials submitted by the Applicant and reported to the Planning Board on its reviews, and provided its expert opinions based on those reviews.
89. In its report to the Board dated March 11, 2026, CityScape stated the following with regard to the minimum height necessary:

Wireless Coverages and Alternative Heights: The 100' non-concealed monopole is designed to support the equipment of up to four personal wireless service providers, with Verizon's antennas centered at 95' above ground level and future tenants' antennas positioned at approximately 85', 75', and 65' feet above ground level (measured from ground to the antennas' center). As noted in CityScape's report dated August 27, 2025, antennas mounted at a centerline height of less than 65' feet above

ground level at the proposed site would experience significant signal degradation due to irregular terrain and tree cover that exceed the height of the antennas. This structure would meet both the current and future demand for wireless service in the area while potentially minimizing the need for additional tower construction for future providers.

90. In a subsequent report, dated June 3, 2026, CityScape provided additional clarification that the Applicant has met the requirement of Section 5(C) of the Telecommunications Act, with regard to the minimum height necessary. CityScape states:

This letter is intended to clarify that it is CityScape's opinion that the Application as proposed meets the requirements of Section 5.C. of the Town's Telecommunications Law. Specifically, it is our opinion that any further reduction in the height of the proposed facility would result in a substantial decrease in resolution of the "coverage gap" that this proposed wireless facility is intended to resolve.

91. CityScape further opined that:

Furthermore, the proposed wireless facility, which is deemed a "utility" for the purposes of zoning applications under New York law (see *Cellular Tel. Co. v. Rosenberg*, 82 N.Y.2d 364, 371 (1993)), appears to present the "least intrusive" option under Section 5.B.(6) of the Town's Telecommunications Law for remedying the service gap as thoroughly explored through alternate design suggestions in past hearings which the Planning Board considered and rejected. It is our opinion that the proposed concealed 100' monopole is the more feasible option for remedying the service gap over other alternatives including a lower height monopole, which would not resolve the demonstrated coverage gap and would necessitate additional wireless facilities to accomplish same, a less feasible (and less desirable) solution than a single monopole.

92. CityScape concluded its June 3, 2026 report by stating the following opinions:

In summary, it is CityScape's opinion that the proposed tower is compliant with the requirements of Section 5.C. of the Ancram Telecommunications Law #1 for the following reasons:

- ☐ The Applicant has demonstrated a substantial gap in service to be remedied by the proposed facility.
- ☐ The Applicant has justified the 100' tower height necessary to remedy the gap in service as the least intrusive and more feasible option to remedy the wireless coverage gap and meet Verizon's coverage objectives.
- ☐ The tower is structurally designed to support at least two (2) additional commercial antenna arrays comparable to those proposed by Verizon and positioned as close as practical to Verizon's antenna elevation. This design facilitates the Town's goals, as stated in the Ancram Telecommunications Law,

of encouraging collocation to minimize the number of towers in the community.

- ☐ The tower is sited off the ridgeline on the east side of Route 22 and will be painted brown to blend into the surrounding landscape, thereby minimizing visual impacts to the greatest extent practicable and presenting the least intrusive option available.

93. The Planning Board finds that the proposed tower height is the minimum height necessary for remedying gap in coverage primarily along Route 22, and increasing the availability of cell service in the Town of Ancram.
94. The height proposed Project includes the minimum height necessary to accomplish this objective, while also providing space located for three (3) future collocation facilities and related antennae and equipment, which is encouraged by the Telecommunications Law.
95. Where a new telecommunication tower is proposed, the Applicant must examine the feasibility of designing the tower to accommodate future demand for at least two (2) future collocations. That has been demonstrated here.
96. As stated previously in CityScape's report, "antennas mounted at a centerline height of less than 65' feet above ground level at the proposed site would experience significant signal degradation due to irregular terrain and tree cover that exceed the height of the antennas. This structure would meet both the current and future demand for wireless service in the area while potentially minimizing the need for additional tower construction for future providers."

Minimal Signage

97. The Applicant proposes one sign, which does not exceed two (2) square feet, and which provides adequate safety notification and information regarding its transmission capabilities.
98. No additional signage or advertisements are proposed.

Fencing

99. The associated equipment will be located within a 40-foot by 60-foot fenced compound to secure and prevents unauthorized access from the general public.
100. Brown privacy plats for the fence will be installed to further mitigate views of the equipment on the Rail Trail side of the Project.

The Setbacks are Met

101. The Applicant meets the required setback height. The proposed telecommunication tower is 100 feet from the nearest property line, thus the proposed tower is set back a distance equal to at least the height of the tower.

Underground Utilities

- 102. It is required that all utilities leading to and away from the telecommunications site shall be installed underground.
- 103. The Applicant has confirmed that all new utilities associated with this project will be installed underground.

Satisfactory Emergency Access

- 104. On October 31, 2025, the Town of Ancram Fire Company provided a letter to the Town of Ancram Planning Board, stating that they reviewed the application for the proposed telecommunication tower located at 6534 State Route 22.
- 105. The Ancram Fire Company raised no objection to the Project. They stated:

If the installation complies with fire code standards, we consider emergency access and site conditions to be sufficient for fire and rescue operations.

Grounding

- 106. The Applicant confirmed that the telecommunication tower will be grounded and bonded.
- 107. After construction, the Applicant shall have an electrical inspection, and shall provide certification to the Town that the Telecommunication Tower is grounded so as to protect person and property, and installed with appropriate surge protectors.

Noise

- 108. The proposed Project will have a generator, but the noise will not exceed 40 dBa.
- 109. The generator is not anticipated to be used often. It is anticipated that it may be used once a week, for a small amount of time (e.g. half an hour).
- 110. In the event of a power outage, the telecommunication tower will operate on the generator. As stated by the Applicant, the purpose of the generator is to keep the telecommunication tower operational, so in the event of a power outage, the telecommunication will remaining operational with the aid of the generator. The Applicant noted that many people often rely on wireless service during an outage, so the purpose of the generator would be to keep the telecommunication tower in operation.
- 111. The generator would remain running until such time that the power is restored.
- 112. Although minimal noise is expected from the generator, the generator will also have a Level 2 Sound Attenuated Enclosure, to further reduce any noise from it.

Future Collocation

- 113. The Applicant proposes to erect and operate a 100-foot monopole tower for personal wireless services, with space located for three (3) future collocation facilities and related antennae and equipment to provide new and improved wireless communication service primarily along Route 22.
- 114. Collocation and shared space is encouraged in the Telecommunications Law in order to reduce the number of towers in the community.
- 115. Although no existing structure exists for the Applicant to collocate on for this application, they have provided space located for three (3) future collocation opportunities, thus in conformity with the intent of the Telecommunications Law, and in compliance with its regulations.
- 116. The Applicant has noted that these collocation spaces are available for lease or rent, and is not prohibiting or has the effect of limiting, prohibiting or precluding the right or ability to share space on the proposed tower.

Compliance with Navigable Air Space

- 117. The Federal Aviation Administration (FAA) has been notified of this application.
- 118. The proposed project does not require a light for Federal Aviation Administration [FAA] purposes.

Rent Free Access for Local Emergency Services

- 119. The Telecommunication law encourages or requires the use of the town by town/county fire, highway and emergency services to use the tower rent free. This has been discussed with the Applicant, and the Applicant has no objection to this requirement.
- 120. Emergency services are welcomed to place an antenna on the telecommunication tower, and will not be charged rent. The Ancram Fire Chief has been present at several public meetings, and has expressed support for the Project, noting the impact it will help with emergency services, particularly along the Route 22 corridor.
- 121. It is noted that if the town and county fire, highway or emergency service wish to place an antenna on this structure, they will be responsible for the installation of such equipment. However, once installed, they will not be charged rent for space on the tower.

Conclusion

- 122. Based on our findings above, and the totality of our review, including our environmental review and the Negative Declaration issued at the conclusion of that review, we have

determined that the proposed project complies with the standards and conditions of the Telecommunications Law.

B. Town of Ancram Zoning Law, Article VI - Special Use Permit

123. Pursuant to the Telecommunications Law, no person shall site, build or prepare any site for the placement or use of any telecommunication towers, antenna(s) or related facilities without obtaining a special use permit from the Planning Board.

124. Pursuant to Town of Ancram Zoning Law, the Planning Board is authorized to grant or deny special uses in accordance with the requirements under Article VI of the Zoning Law.

125. Section I of Article VI of the Town of Ancram Zoning Law, entitled "Factors for consideration" states:

In authorizing the issuance of a special use permit, the Planning Board shall take into consideration the public health, safety, and welfare of the community, the purposes of this zoning law, the general considerations as per Article VII (D) (1) and (2) [Commercial Site Plan Approval], and the Town of Ancram Comprehensive Plan, and shall prescribe appropriate conditions and safeguards to ensure the proposed use's scale and intensity are compatible with adjoining properties, and with the natural and built environment and character in the area and will accomplish the following objectives...

126. This Section continues and provides a list of ten (10) objectives, which the Planning Board has reviewed and determined that the Applicant satisfies all of these objectives.

127. The Planning Board has taken into consideration the public health, safety, and welfare of the community. The Columbia County Planning Board, in recommending approval of this project, found that the proposed facility is anticipated to result in the improvement of Verizon Wireless service. Benefits to the community would include improving coverage in areas with service gaps, which may contribute to the efficiency of the emergency services communications network in the county. The Ancram Fire Chief has also expressed support at several meetings for increasing service along this route, noting severe accidents that have occurred in this area and the lack of reliable cell service.

128. Additionally, residents have also expressed support for having better cell service in the area. They have noted the importance of improving access to vital telephone and text services, particularly in cases of emergency, with some providing personal accounts of being stranded, or helping somebody who was stranded, on the road with no reliable cell service to call for help or assistance.

129. Those opposed to the tower have argued that they have adequate cell service with their provider, or have noted alternative technology, such as satellite technology, that would not require telecommunication towers to be constructed.

130. In the Town of Ancram's Telecommunication Towers Law, the intent of the Local Law includes several objectives which encourage the availability of cell service in Ancram, while minimizing negative aesthetic impacts of such facilities, such as promoting collocation and shared use to minimize the number of towers; design preference; camouflage or stealth facilities; and location preference and areas to avoid.
131. The improvement and accessibility of cell service in Ancram is within the intent of the Telecommunications Law. It is also a matter of public health, safety and welfare, as emphasized by the Ancram Fire Department and members of the public. It also will have county-wide benefits, by improving coverage in areas of service gap, which may contribute to the efficiency of the emergency services communications network.
132. The Planning Board had also taken into consideration consistency with the purpose of the zoning law. Telecommunication towers are permitted in all zoning districts in the Town of Ancram, including the SCOZ. The Town of Ancram has a Local Law specifically for Telecommunications Tower, in which its stated intent is "to encourage the availability of cellular telephone service in Ancram, Ancramdale and Boston Corner."
133. In the Town of Ancram's Telecommunication Towers Law, the intent of the Local Law includes several objectives which encourage the availability of cell service in Ancram, while minimizing negative aesthetic impacts of such facilities. The Telecommunications Law continues:

The intent of this Local Law is to provide the framework necessary to attract cellular service to the Community as soon as possible by making the local zoning process to approve the installation of a cellular tower predictable and reasonable, while at the same time minimizing the negative impact of telecommunications towers on the environment; minimizing the number of towers in the community by encouraging shared use and the use of existing structures if possible; establishing a fair and efficient process for review and approval of applications; assuring an integrated comprehensive review of environmental impacts of such facilities; and protecting the health, safety and welfare of the people of the Town of Ancram. While the objective of this Local Law is to facilitate the delivery of cellular service, the Town intends to implement this Local Law so as to minimize the negative aesthetic impact of such facilities.

134. The Proposed project is consistent with adopted land use plans. The proposed tower will remedy gaps in service. However, the Applicant has also minimized negative aesthetic impacts of the tower. The Applicant has provided a current design of a monopole telecommunication tower, to be painted matte brown. The Applicant provided an alternative design as a lattice tower, which was discussed and considered by the Planning Board. But ultimately, the Planning Board determined that the monopole design was the least visually intrusive, particularly along Route 22. The Applicant also lowered the tower height from 150 feet to 100 feet, and has provided space for three future collocation for future providers that encourages any future telecommunication tower to utilize those spaces rather than build new or additional structures.

135. The Project is accessible to fire, police and emergency vehicles. On October 31, 2025, the Town of Ancram Fire Company provided a letter to the Town of Ancram Planning Board, stating that they reviewed the application for the proposed telecommunication tower located at 6534 State Route 22.
136. The Ancram Fire Company raised no objection to the project. They stated:
- If the installation complies with fire code standards, we consider emergency access and site conditions to be sufficient for fire and rescue operations.
137. There is no parking that is required for this Project. Therefore, the consideration of adequacy of parking is not applicable for this review.
138. The proposed use will not negatively impact traffic and will have no greater overall impact on the site and its surroundings than would full development of uses of the property permitted by right, considering environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare or any other nuisances.
139. The Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this project is 0.23 acre, a very small area. While there are wetlands located to the east of the Property, there are no wetlands or associated buffer areas in or near the area of the proposed project or any construction activity.
140. The Project will not increase or impair traffic, will not generate any more noise than any other use permitted in the district, such as residential homes or farm uses, nor will it release any odors, dust, harmful substances, solid waste disposal or glare.
141. There will be no impact to vehicular traffic access or circulation. Once the proposed tower is installed, there will be nobody on the site, except for maintenance purposes, which likely will happen once per month.
142. The Planning Board, during its environmental review, discussed at length consistency with the neighborhood and community character, and we refer to the we content of the Negative Declaration, which we adopted on April 02, 2026, for a full discussion.
143. In sum, telecommunication towers are permitted in the Town of Ancram, including within the SCOZ. However, it is also noted that there are no existing telecommunication towers in the Town. The proposed action will introduce a new, 100-foot monopole telecommunication tower, right along Route 22, and within the SCOZ. There are no similar structures in or near the area to the proposed action. Accordingly, it will be inconsistent with the existing community character, which consists of agricultural lands, open space, scenic views, and residential homes.
144. The Planning Board recognizes the value and sensitivity of the SCOZ. But, at the same time, the Planning Board also recognizes that it is an allowed use. The Town Board has determined that telecommunication towers are allowed in the Town of Ancram, and,

further, that they are allowed in the SCOZ. It has to be recognized that the Town Board expected and anticipated telecommunication towers to one day be within this area.

145. Overall, the purpose of Ancram's Telecommunications Law is to find a balance between encouraging and allowing cell service in the Town of Ancram and minimizing the visual impact of telecommunications tower.
146. The Applicant has accomplished this. While the first of any new use can bring a change to the existing landscape or architectural scale, and can bring changes to the neighborhood, the Applicant has proposed mitigation measures to minimize the negative aesthetic impact of this Project.
147. The Applicant has proposed a camouflage design which is a combination of the siting of the tower off the ridgeline and against a wooded ridge as background. Beyond that, the Applicant also proposes to paint the tower brown for the purpose of blending it in with surrounding natural environment.
148. The height of the telecommunication tower has also been reduced from 150 feet to 100 feet, which further reduces visibility, and is in compliance with the height requirement within the SCOZ.
149. While the proposed action brings a new use into the Town and may create a contrast with the existing landscape and community character, it will not change the essential community character of Ancram as a farming community, or as a rural neighborhood. It will enhance the current cell service in the area, providing better coverage in the area, which can be a vital assistance to residents, emergency services, and visitors to the area.
150. Further, it will not change the SCOZ, which seeks to preserve scenic resources. As stated in our Negative Declaration, Ancram will remain a farming community. The proposed Project is tall, but also has a small footprint, in terms of width and berth, and will be compatible with the neighborhood and small town character of Ancram, while promoting the availability of cell service.
151. The propose project will not have negative impact historic or scenic features. The Planning Board, during its environmental review, discussed at length the aesthetics and potential visual impacts of the proposed project. We again refer to the we content of the Negative Declaration, which we adopted on April 02, 2026, for a full discussion on this issue.
152. Although the telecommunication tower will be visible from the Harlem Valley Rail Trail and Route 22, within the SCOZ, which are both significant scenic areas, any visual impact is not detrimental to those resources.
153. Approximately 3.9 miles of the HVRT are situated within a 2-mile radius of the proposed tower. There are some sections where the proposed telecommunication tower may be visible from the Harlem Valley Rail Trail. However, the tower is located so that it does not rise above the ridgeline from views to the east, and is set against the wooded

backdrop from the Rail Trail. This siting, together with its matte brown paint camouflaging, will help the tower blend with the vegetative backdrop, thereby mitigating its visual impacts on the HVRT. As found in the Negative Declaration, the Planning Board does not believe that the Tower will diminish the public's use and enjoyment of the Harlem Valley Rail Trail.

154. Along Route 22, those driving will pass the proposed tower. However, those driving along Route 22 are also traveling at approximately 55 miles per hour, and thus, their view of the tower will be fleeting. As explained in the Negative Declaration, the proposed telecommunication tower is visible along Route 22 for approximately 0.37 miles for southbound motorists and 0.55 miles for northbound motorists. Practically, the telecommunication tower may be visible to passing motorists for about 30 seconds when driving along Route 22.
155. The Applicant has taken measures to reduce the impact along Route 22. The Applicant has reduced the height of the telecommunication tower from 150 feet to 100 feet. Additionally, the Applicant will be painting the telecommunication tower matte brown to lessen the towers contrast with existing vegetation.
156. When considering the entire SCOZ area, which stretches along the entire length of Route 22 in Ancram (approximately 5 miles), and the entire length of HVRT, the detriment to these scenic area, as a whole, is small. It will not be detrimental to the scenic beauty of the SCOZ, as a whole, or to the enjoyment of the HVRT.
157. The proposed project will be in harmony with the orderly development of the district. Telecommunication towers are permitted in the Town of Ancram. Although, the proposed action will introduce a new use to the area, it is, nevertheless, an allowed use. The Town Board has determined that telecommunication towers are allowed in the Town of Ancram, and, further, that they are allowed in the SCOZ. It has to be recognized that the Town Board expected and anticipated telecommunication towers to one day be within this area.
158. Overall, the purpose of Ancram's Telecommunications Law is to find a balance between encouraging and allowing cell service in the Town of Ancram and minimizing the visual impact of telecommunications tower, as discussed above.
159. The Project meets the area and bulk regulations, as well as the prescribed setbacks for telecommunication towers. It is set back 100 feet from the property line.
160. No municipal or other services for water supply and sanitary sewage disposal is required here. Therefore, there is no effect to the level of municipal and other services required for this Project.
161. In conclusion, based on our findings above, and the totality of our review, including our environmental review and the Negative Declaration issued at the conclusion of that review, we have determined that the proposed project complies with the special use permit criteria of the Town of Ancram Zoning Law.

C. Town of Ancram Zoning Law, Article VII - Site Plan Review

162. In addition to a special use permit, the Telecommunications Law also requires the issuance of site plan approval from the Planning Board.
163. Pursuant to Town of Ancram Zoning Law, the Planning Board is authorized to review and approve, approve with modifications, or disapprove site plans in accordance with the requirements under Article VII of the Zoning Law.
164. The Site Plan Law standards are extensive. The majority of the standards set forth in the Town of Ancram Site Plan Review Law, particularly those set forth in Article VII (D)(1) and Article (D)(2), were encompassed in the issues that the Board addressed during its lengthy environmental review of the proposed Project. Consequently, we incorporate by reference in this site plan approval resolution, the content of the Negative Declaration which we adopted on April 2, 2026.
165. Additionally, there is some overlap between the criteria considered for commercial site plan, and those for special use permits and the Telecommunications Law. Such criteria have been previously discussed here, and do not require any further discussion. These include the following criteria and consideration:
- ☐ Adjacent properties are protected from nuisance caused by noise, traffic, noxious or harmful odor, fumes, vibration and glare of lights. As previously discussed above, the proposed project will not create any noise, traffic, noxious or harmful odors, fumes, vibrations or glares of lights to adjacent properties.
 - ☐ Significant natural, ecological, cultural and historical features of the site are preserved as much as possible. The Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this project is 0.23 acre, which is a small portion of the Property. There are no wetlands in or near the area of the proposed project or any construction activity, nor any historic or archaeological resource near the proposed project.
 - ☐ Adequate access facilities for fire protection and emergency access. As previously discussed above, the Town of Ancram Fire Company reviewed the project and raised no objection to it.
 - ☐ Underground utilities will be installed.
 - ☐ There will be no impact from noise from the generator.
 - ☐ Adequate trees, shrubs and landscaping have been proposed.
 - ☐ Compatibility with neighborhood character and overall rural character of Ancram. Telecommunication towers are permitted in the Town of Ancram, including within the SCOZ. The Planning Board recognizes the value and sensitivity of the SCOZ. But, at the same time, the Planning Board also recognizes that it is an allowed use. The Town Board has determined that telecommunication towers

are allowed in the Town of Ancram, and, further, that they are allowed in the SCOZ. The purpose of Ancram's Telecommunications Law is to find a balance between encouraging and allowing cell service in the Town of Ancram and minimizing the visual impact of telecommunications tower. As discussed throughout our findings, this project accomplishes that balance.

166. The Planning Board considered the Town of Ancram Comprehensive Plan, as well as the Town's Zoning Law and its Natural Resource Inventory, in its review of this application.
167. For Ancram, the Comprehensive Plan begins as follows:

In 20 years, Ancram residents want the Town to look and feel much as it does today, only better. The community continues to value its open spaces and farms, natural resources, how each contributes to the quality of life, and Ancram's historic and cultural heritage. We want to maintain Ancram's rural character; protect the environment, ground water, working farms and open spaces; provide adequate services to our residents; promote local government transparency; and encourage small town, community-oriented activities.⁶
168. Ancram is known to be a predominantly rural and farming community. However, the Town Board has determined that telecommunication towers are allowed in the Town of Ancram, pursuant to the Telecommunications Law, and we have to recognize that the Town Board expected and anticipated telecommunication towers to one day be within this area.
169. In considering this proposed Project against the backdrop of the rural and agricultural community, the Planning Board examined how the telecommunication tower, which is permitted in the Ag Zoning District and SCOZ, would best fit within the rural and farming community.
170. The Planning Board discussed and considered different alternative design options, with the assistance of their consultants, including faux silo, flagless flagpole, and lattice tower. Ultimately, the Planning Board determined that the monopole design proposed by the Applicant, with its matte brown paint, offers the least visually obtrusive design for the telecommunication tower here. The brown paint, together with this siting, will help the tower blend with the vegetative backdrop, particularly from views along the Harlem Valley Rail Trail, and the thinner frame, profile, and footprint of the monopole, as opposed to the wider footprint of the lattice tower design, also reduces its visibility along Route 22.
171. Additionally, height was also an extensive topic of conversation during the review process.

⁶ Town of Ancram Comprehensive Plan, dated April 18, 2019, at page 4

172. The Applicant originally proposed a 150-foot monopole design. This has been reduced to 100-feet. The reduction in height is an important component of this application. The 100-foot is maximum height permitted within the SCOZ, thus shows compliance with the Zoning Law.
173. The telecommunication tower is also within the vicinity of Route 22. From the photo simulations, and as explained in the Negative Declaration, there are areas along Route 22 where the telecommunication tower will still be visible. However, it was found that, due to the backdrop of vegetative to the east, mitigating the views from the Harlem Valley Rail Trail, and the traveling speeds of vehicles passing by, the impact would not be significant.
174. However, if the telecommunication tower were to be any taller, this would raise concerns about visibility, compliance with the SCOZ, and impact to the community.
175. Part of the concealment element to this telecommunication tower is to paint the telecommunication tower brown for the purpose of blending it in with surrounding natural environment. If the telecommunication tower were to be raised any taller, it would be above the treeline, and reduce the effectiveness of the blending the structure with the darker earthtones of the wooded ridgelines.
176. Additionally, along Route 22, it is noted that the proposed tower will be visible to those driving will pass the proposed tower will. However, it is also noted that those driving along Route 22 are traveling at approximately 55 miles per hour, and thus, their view of the tower will be fleeting. It was determined in the Negative Declaration that, due to the telecommunication tower being visible to passing motorists for about 30 seconds when driving along Route 22 was not a significant impact. However, if the tower were taller than what is proposed, it would create a tower that was much more visible, taller, and more obtrusive to those along Route 22.
177. Thus, the height of the proposed tower, having been reduced from 150 feet to 100 feet, was an important consideration to the Planning Board, both in terms of compliance with the Comprehensive Plan and Zoning Law, and considering appropriate camouflage concealment for the proposed height for the surrounding area.
178. As addressed previously, there are no wetlands in or near the area of the proposed project or any construction activity, and there will be no pollution of air, streams, wetlands, ponds, or lakes on the Property. It is noted by the Planning Board that any digging and construction of the land may increase erosion. However, the Applicant has implemented erosion control methods, such as the installation of silt fencing during construction. Moreover, George Schmitt, of the firm of CPL, professional consulting engineers to the Planning Board, has reviewed the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion, and found no ponding or flooding will occur.
179. As previously discussed above and within the Negative Declaration, adopted on April 2, 2026, the proposed project will be compatible with its surrounding and in keeping with the character of Ancram. Ancram is a farming community. The area surrounding the

proposed area are farmlands, rural open fields, and residential homes. However, telecommunication towers are permitted in the Town of Ancram. The Town Board has determined that telecommunication towers are allowed in the Town of Ancram, and further, that they are allowed in the SCOZ. The Planning Board, therefore, recognizes that the Town Board expected and anticipated telecommunication towers to one day be within this area. This proposed project will not change the essential community character of Ancram as a farming community, or as a rural community. Instead, it will help provide better and more reliable coverage, for the benefit of the residents, farmers, emergency services, and visitors to the area.

180. The Applicant has taken measures to reduce the impact along Route 22. The Applicant has reduced the height of the telecommunication tower from 150 feet to 100 feet. Additionally, the Applicant will be painting the telecommunication tower matte brown to lessen the towers contrast with existing vegetation.
181. The Planning Board does not find that this proposed tower will be detrimental to the SCOZ. It will not change the essential community character of Ancram as a farming community, or as a rural community.
182. In continuing its site plan review, the Planning Board must also consider specific considerations with regard to commercial site plans, in accordance with Article VII(D)(2) for Site Plan Review. Some of these requirements are not applicable here and require no further discussion. These include the following:
 - ☐ Consistency with Commercial Design Standards;
 - ☐ Consistency with the Town of Ancram Highway Specifications and adequacy and arrangement of vehicular traffic access and circulation;
 - ☐ Location, arrangement, appearance and sufficiency of off-street parking, screening and loading;
 - ☐ Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience; and
 - ☐ Adequacy of water supply and sewage disposal facilities.
183. The Planning Board has reviewed the location, arrangement, size, design and general site compatibility of buildings, lighting and signs. There is a utility building associated with the Project, which will be located behind slated fence to further reduce visibility.
184. There will be no glare or light pollution associated with this proposed project. The proposed project does not require a light for Federal Aviation Administration [FAA] purposes. The only outdoor lighting will be for maintenance purposes only. Such outdoor lighting is manually controlled and only used when it is required. At all other times, no outdoor lighting will be used. There is no motion sensor lighting that would be triggered or turn on throughout the night.

185. The Planning Board, during its environmental review, discussed the protection of plants and animals, and we refer to the we content of the Negative Declaration, which we adopted on April 02, 2026, for a full discussion. In summary, there is a Rich Graminoid Fen natural community within the vicinity of the Property. Trileaf Corporation visited the proposed site in July 2024 and conducted an Informal Biological Assessment [IBA]. No listed species or communities mentioned above were observed within the project area at the time of the site visit. It was also determined and discussed in the Negative Declaration that Northern Long-eared Bats and Bog Turtles may be present on the Property. However, the Applicant will follow the guidance and protocols by the NYSDEC, and will not clear trees during the restricted period, per NYSDEC guidelines for the protection of Northern Long-eared Bats. There are no wetlands or wetlands buffer within the area of the proposed project, so it is unlikely that there would be any impacts to bog turtles.
186. The Planning Board does not find that this proposed tower will disrupt active agricultural activities. It will not change the essential community character of Ancram as a farming community. The Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this project is 0.23 acre, a very small area. No disruption to farming activities will occur as a result of this proposed project.
187. In conclusion, based on our findings above, and the totality of our review, including our environmental review and the Negative Declaration issued at the conclusion of that review, we have determined that the proposed project complies with the criteria for commercial site plan approval.

NOW, THEREFORE BE IT RESOLVED, based on all of the facts described above and upon the reasoning described above, as follows:

- Section A. Based upon all of the discussion and reasoning set forth in this resolution, the Planning Board determines that the proposed project meets the requirements and standards set forth in Section 5 of the Town of Ancram Telecommunications Law.
- Section B. Based upon all of the discussion and reasoning set forth in this resolution, the Planning Board determines that the proposed project meets the requirements and standards set forth in Town of Ancram Zoning Law, Article VI, entitled *Special Use Permits*, and the Town of Ancram Zoning Law, Article VII, entitled *Site Plan Review*.
- Section C. Subject to any and all conditions set forth in this resolution, and based upon all of the discussion and reasoning set forth in this resolution, the Planning Board grants the special use permit and site plan, and approves the proposed 100-foot monopole telecommunication facility, with space located for three (3) future collocation facilities and related antennae and equipment to provide new and improved wireless communication service primarily along Route 22, as shown on the site plan submitted on behalf of Homeland Towers, NY343 Copake, dated May 16, 2024, and last revised on February 27, 2026, consisting of sheets T-1

through VZ-2.

Section D. Landscaping.

1. As a condition of approval, the Applicant and/or owner shall install and maintain a landscape screening buffer consisting of eight (8) Eastern Red Cedar (*Juniperus virginiana*) evergreen trees, each having a minimum height of six (6) feet at the time of planting. The trees shall be planted immediately adjacent to the outer edge of the approved Limits of Disturbance, on the exterior side of the security fence, and arranged to provide effective year-round screening of the facility.
2. The planting design shall specifically screen the tower base, generator, Verizon equipment panels, equipment cabinet, and the security fence from public viewpoints from the road, to the maximum extent practicable.
3. Eastern Red Cedars are expected to mature to approximately 30 to 60 feet in height with an 8- to 20-foot spread under favorable growing conditions; however, if the site has drier or less fertile soils, mature heights of approximately 15 to 25 feet are anticipated, which remain sufficient to screen the 8-foot-high security fence, the 9.5-foot equipment canopy, and associated ground-mounted equipment.
4. The existing 11-gauge black vinyl-coated chain-link security fence shall remain in place and provide additional screening of equipment. Any trees that die, become diseased, or fail to survive shall be replaced with trees of the same species and minimum planting size within the next appropriate planting season to ensure the continued effectiveness of the required visual screening.
5. The Applicant, and all successors in ownership of the Property, must implement and maintain this landscaping as it has been approved by the Planning Board. It is an express condition of this approval that all landscaping discussed above must be maintained in good condition so long as the telecommunication tower is installed. If substantial substitutions are made to the approved landscaping, the Property Owner shall come back before the Planning Board for an amendment to this site plan approval.

Section E. Camouflage

1. As a condition of approval, the tower, antenna arrays and associated mounting hardware shall be colored brown. The purpose of this is to help blend the structure with the darker earthtones of the wooded ridgelines.
2. The owner of the tower, and any of its assigns or successors, shall continually monitor the design and color of the monopole utilized to camouflage the tower. Upon any notice, including visual notice, that the camouflage features of the tower are no longer in compliance with the

final site plan map attached, the owner of the tower, and any of its assigns or successor, must restore the color to bring the tower back to its compliance with the final site plan. The owner of the tower, and any of its assigns or successors, shall have thirty (30) days to cure any deviation or violation.

3. Part of the concealment element to this telecommunication tower is to paint the tower brown for the purpose of blending it in with surrounding natural environment. If the tower were to be raised any taller, it would be above the treeline, and reduce the effectiveness of the blending the structure with the darker earthtones of the wooded ridgelines.
4. In addition to the color of the tower, antenna arrays and associated mounting hardware, the height of the tower at 100 feet is pivotal for concealment and camouflage to blend into the surrounding natural environment.

Section F. Local Access and Space for Emergency Services. Ancram and Columbia County highway and emergency services shall be given access on the tower to place local emergency transmitters on the tower rent-free. The Town and County will be responsible for all permitting, utility charges and or fees and for providing all labor and materials for their installations. Once such equipment is installed, the Town and/or County highway and emergency services shall not be charged any fees or rent for having its equipment on the telecommunication tower.

Section G. Grounding. After construction and prior to receiving a certificate of compliance, the Applicant shall have an electrical inspection conducted on the telecommunications tower and/or related facility. The Applicant shall provide certification acceptable to the town that the telecommunications tower is grounded so as to protect person and property.

Section H. Annual Reports. The Applicant shall provide annual reports to the Town of Ancram Building Department, Town Board and Zoning Enforcement Officer, demonstrating that the telecommunications tower and/or related facility is operational and being used for the purposes specified in the application. The report shall also confirm the condition of the telecommunications tower and/or related facility, including, but not limited to, the condition of the painting camouflage and landscape, and that they are maintained in good condition. Such reports shall be provided at the end of each calendar year.

Section I. Five Year Renewal of Special Use Permit. The special use permit and site plan approval is subject to renewal every five (5) years, from the date of this resolution.

1. The owner may apply for a renewal ninety (90) days before the permit expires by submitting a brief written request for a permit renewal to the Zoning Enforcement Officer, with a copy to the Planning Board, certifying the compliance of the facility with the Town of Ancram Telecommunications Law.

2. The Zoning Enforcement Officer shall issue a renewed permit, incorporating by reference the relevant conditions from the initial permit if the following criteria are met:
 - (A) there are no changes to the telecommunications tower and/or related facility from the initial permit;
 - (B) the facility is in compliance with the Telecommunications Law;
 - (C) the facility is in compliance with all permit conditions stated in this resolution; and
 - (D) the facility is in compliance with all current applicable Federal standards regarding RF emissions.
3. If any of these criteria are not met, the Zoning Enforcement Officer shall refer such renewal application to the Planning Board to be reviewed.

Section J. Inspection of Facilities. The tower owner(s) shall conduct inspections of the tower's structural integrity and safety using an independent, licensed, professional structural engineer.

1. Towers shall be inspected every five (5) years. A report of the inspection results shall be certified and submitted to the Town Board and the Zoning Enforcement Officer on or before the anniversary date of the approval in intervals of five (5) years, in compliance with Section 7(G) of the Town of Ancram Telecommunications Law.
2. The tower owner(s) shall provide an updated RF Emissions Certification every two (2) years to the Zoning Enforcement Officer, which shall demonstrate compliance with the most recent federal guidelines.
3. Should the inspection of any tower reveal any structural defect(s) which, in the opinion of the inspecting engineer render(s) that tower unsafe, the following actions must be taken:
 - (A) Within ten (10) business days of notification of an unsafe structure, the owner(s) of the tower shall submit a plan to remediate the structural defect(s). This plan shall be initiated within ten (10) business days after commencement.
 - (B) Failure to accomplish this remediation of structural defect(s) within ten (10) business days shall be a violation of the special use permit and shall be grounds for revocation of the special permit by the Planning Board, after public hearing, and subject the facility owner and/or operator to other enforcement and penalty provisions provided in the Town Code.

Section K. Removal. In the event that a telecommunications tower and/or related facility is

no longer used for the purpose specified in the application, or the telecommunications tower and/or related facility ceases operations for a continuous period of 180 days, the Town Board may by resolution, after hearing held upon due notice, require the applicant or its successors or assigns to dismantle and remove such tower, structures and facilities from the site and restore the site to its original condition within ninety (90) days of receipt of written notice from the Town Board.

- Section L. Information Provided for Assessor. Before the building permit is issued for this telecommunications tower or facility, the applicant shall provide to the Assessor of the Town of Ancram such information concerning the deed, lease or license as is reasonably required by the Assessor for real property tax purposes. The applicant or owner will have an ongoing duty to report the cost of any material improvements to the site. Such information may be exempt from public disclosure pursuant to Public Officers Law § 87, Subdivision 2, or similar provisions of law.
- Section N. Bond or Security. The applicant and the owner of record of any proposed property site shall be jointly required to execute and file with the town a bond or other form of security, as required by Section 8(C) of the Town of Ancram Telecommunications Law, acceptable to the Town Attorney and Town Board as to form and manner of execution in an amount deemed sufficient by the Planning Board for the faithful execution of the terms and conditions of this permit. The bond or security shall remain in full force and effect until the removal of the tower and related facilities, its full decommissioning, and full site restoration.
- Section O. Decommission. The Applicant shall provide a full decommissioning plan to address the terms and process of decommission the telecommunication tower, should the facility meet requirements for removal. The decommissioning plan shall be reviewed and found acceptable by the Town of Ancram Planning Board's consulting engineer.
- Section P. Payment of Escrow. The approvals granted by this resolution are conditioned, the Applicant's full payment to the Town of Ancram of any and all fees and escrow deposits due in connection with this application. Such approval shall not be deemed granted until all such fees and reimbursements are paid in full by the applicant.
- Section Q. Final Site Plan for Signature. The Planning Board hereby authorizes the Planning Board Chairperson to stamp and sign the final Site Plan upon the Chair's determination that the final site plan presented for signature matches the site plan approved by this resolution.
- Section R. Filing of this Resolution with the Town Clerk. The Planning Board directs the Clerk to of the Planning Board to file this resolution and all project materials in the office of the Town of Ancram Town Clerk within five (5) business days after this decision is rendered, and a copy of the approval resolution thereof mailed to the Applicant within the same five-day period.

Section S. Other Necessary Approvals. The granting of this approval does not absolve the Applicant and the Property Owners from having to secure any other required permits or approvals.

Motion to approve this resolution by: Tom Brondolo

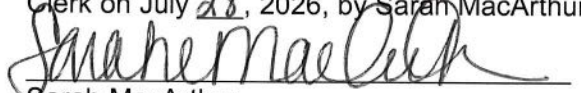
Seconded by: Palmer Irving

Roll Call Vote				
Board Member	In Favor	Against	Abstain	Absent
Joseph Crocco (Chair)	✓			
Tom Brondolo	✓			
Palmer Irving	✓			
Phil Hack		✓		
Donald Tasch	✓			
Jessica Lovelace				✓
Christine Brown				✓
Daren Mosher (alternate)				✓

Result: Motion passes/fails by the following margin: 4-1

Dated:

Filing: A copy of this Resolution was filed in the office of the Town of Ancram Town Clerk on July 28, 2026, by Sarah MacArthur, Clerk to the Planning Board.


Sarah MacArthur
Clerk to the Town of Ancram Planning Board

Attachment: Appendix A: Town of Ancram Planning Board Resolution dated April 2, 2026, adopting a Negative Declaration as the Board's Determination of Significance pursuant to SEQRA, with FEAF Part 3 and "Negative Declaration" supplement attached.

Appendix A

to

Resolution of the Town of Ancram Planning Board in the matter of the Application of Homeland Towers LLC and Verizon Wireless

Resolution date: July 9, 2026

Appendix A document:

Town of Ancram Planning Board Resolution dated April 2, 2026, adopting a Negative Declaration as the Board's Determination of Significance pursuant to SEQRA, with FEAF Part 3 and "Negative Declaration" supplement attached

**Resolution of
the Town of Ancram Planning Board**

**Resolution adopting a Negative Declaration as the Planning Board's Determination of
Significance pursuant to the State Environmental Quality Review Act [SEQRA]**

Date: Thursday, April 2, 2026

Applicant: Homeland Towers, LLC, and Verizon Wireless

Project: NY343 Copake Wireless Telecommunications Facility

Property: 6534 Route 22, Town of Ancram, Columbia County, New York
Tax Map Parcel Number 215.-1-41.110

Matter: State Environmental Quality Review Act [SEQRA] environmental review

Re: Determination of Non-Significance | Negative Declaration

Subject: Resolution adopting Negative Declaration

WHEREAS:

The Property, the Applicant, & the Project

1. The Property that is the subject of this application is owned by Willow Brook Farm Properties, LLC. The lot is located at 6534 Route 22, in the Town of Ancram, Columbia County, New York, and bears the Tax Map Parcel Number Section-Block-Lot (SBL) 215.-1-41.110 (hereafter "Property"). The Property is approximately 153 acres in area.
2. The Applicant is Homeland Towers, LLC, and Verizon Wireless (the "Applicant"). The Applicant has been represented before this Board by attorney David Kenny, of the law firm Snyder & Snyder, LLP.
3. The name of the Action is NY343 Copake Wireless Telecommunications Facility, a proposed 100-foot monopole telecommunication tower.
4. The site of the Proposed Action is located at 6534 Route 22, in the Town of Ancram, Columbia County, New York, and bears the Tax Map Parcel Number Section-Block-Lot (SBL) 215.-1-41.110. The Property is located in the Agricultural (Ag) Zoning District, as well as the Scenic Corridor Overlay Zone (SCOZ).
5. On November 22, 2024, the Applicant submitted an Application to the Town of Ancram Building Department to install a wireless telecommunication tower (hereafter the "Proposed Action"). At the time of the initial application, the proposed monopole was 150 feet tall.

6. On January 9, 2025, the Building and Code Enforcement Officer, Edward Ferrato, referred the application to the Planning Board for special use permit.
7. On February 19, 2025, the Applicant submitted an application for site plan and special use permit to the Town of Ancram Planning Board.
8. On August 4, 2025, the Applicant submitted a revised application, which reduced the telecommunication tower height to 100 feet.
9. The Proposed Action is subject to environmental review pursuant to New York's State Environmental Quality Review Act [SEQRA], as well as special use permit and site plan review and approval pursuant to the Town of Ancram Zoning Law.
10. The Planning Board has commenced a review of this application pursuant to the procedures set forth in the Town of Ancram Local Law 1 of 2011 (the Telecommunication Law), and the Town of Ancram Zoning Law.
11. The Planning Board also acted as the Lead Agency in the environmental review of this application pursuant to SEQRA.

SEQRA Environmental Review

12. The Planning Board determined that this action is subject to environmental review pursuant to SEQRA.
13. This action is a Type 1 action. On May 7, 2025, the Planning Board declared it's intent to be the Lead Agency under SEQRA for the environmental review of this Project.
14. After classifying the action, the Planning Board circulated for lead agency status on May 20, 2025. The Notice was sent to the following agencies:
 - ☐ Columbia County Planning Board;
 - ☐ New York State Department of Environmental Conservation;
 - ☐ New York State Department of Transportation; and
 - ☐ U.S. Army Corps of Engineers.
15. After no other involved agency objected, the Board declared itself to be lead agency and conducted a coordinated environmental review.
16. During the course of its environmental review, the Board took a "*hard look*" at the potential adverse environmental impacts as required by SEQRA regulations.
17. During the course of the SEQRA environmental review, the Planning Board reviewed the Full Environmental Assessment Form [FEAF] Part 1 submitted by the Applicant.

18. The Planning Board engaged consultants to assist us in reviewing technical information about potential impacts and to help us judge the credibility of the information upon which the Planning Board is basing this determination. The Planning Board conducted its review with the assistance of the following professional consultants:
- ☐ Nan Stolzenburg, FAICP, of Community Planning & Environmental Associates, planning consultant to the Planning Board.
 - ☐ George Schmitt, of the firm of CPL, professional consulting engineers to the Planning Board;
 - ☐ B. Benjamin Evans, Senior Project Engineer, and Elizabeth Herington-Smith, VP Planning and General Manager, of CityScape Consultants, Inc., RF engineers and consultants to the Planning Board;
 - ☐ George Janes, AICP, of George M. Janes & Associates, a specialty planning firm with expertise using visual simulation technologies; and
 - ☐ John Lyons, Esq. and Kimberly Garrison, Esq., environmental land use attorneys, of the firm of Grant & Lyons, LLP.
19. The Board also listened extensively to the comments offered by the members of the public and the consultants who testified during the review process on their behalf.
20. On February 11, 2026, the Planning Board completed Part 2 of the Full Environmental Assessment Form [FEAF].
21. On February 26, 2026, the Planning Board continued discussions and further evaluation of those impacts it classified as "moderate to large" to determine their significance. In considering the significance of those potential impacts identified, the Planning Board assessed the magnitude, duration, and likelihood of occurrence.
22. After due deliberations and study, as Lead Agency, the Town of Ancram Planning Board determined that the proposed Homeland Towers project would not have any significant adverse environmental impacts, and that an Environmental Impact Statement (EIS) will not be required for the proposed Project because this Action will not result in any significant adverse environmental impacts [see 6 NYCRR § 617.7(a)(2)].
23. On April 2, 2026, the Planning Board completed the FEAF Part 3, and the attachment thereto entitled "*Negative Declaration*," which together set forth fully the reasons in support of the Board's determination.

NOW, THEREFORE BE IT RESOLVED, based on the foregoing, and upon all of the reasons set forth in the Full Environmental Assessment Form Part 3, including the attachment thereto, as follows:

Section A. After due deliberations and study, and after taking the required "hard look" at the

potential adverse environmental impacts that may be caused by the Proposed Action, as Lead Agency, the Town of Ancram Planning Board determines that the NY343 Copake Wireless Telecommunications Facility, also known as the Homeland Towers project, will not have any significant adverse environmental impacts, and that an Environmental Impact Statement (EIS) will not be required for the Proposed Action because this Action will not result in any significant adverse environmental impacts [see 6 NYCRR §617.7(a)(2)].

- Section B. The reasons in support of the Board's determination are set forth in detail in the Full Environmental Assessment Form [FEAF] Part 3 and the attached document entitled "*Negative Declaration Determination of Non-Significance*" which is attached to the FEAF Part 3. Both the FEAF Part 3 and the attached "*Negative Declaration Determination of Non-Significance*" documents are incorporated into this Resolution by reference.
- Section C. By this resolution, the Board hereby adopts the FEAF Part 3 and the attached "*Negative Declaration Determination of Non-Significance*" document, and declares that a Negative Declaration is its Determination of Non-Significance for the Proposed Action.
- Section D. The Board authorizes Joseph Crocco, as Chairman of this Board, to sign the FEAF Part 3 on behalf of the Board as Lead Agency.
- Section E. The Board directs its planning consultant, Nan Stolzenburg, FAICP, of Community Planning & Environmental Associates, to publish a Notice of the Negative Declaration in the New York State Department of Environmental Conservation [NYSDEC] Environmental Notice Bulletin [ENB].
- Section F. The Board directs its Clerk, Sarah MacArthur, to provide copies of the FEAF Part 3 and all attachments and appendices to the following:
- ☐ Homeland Towers, LLC (via David Kenny, Esq., its counsel)
 - ☐ Verizon Wireless
 - ☐ Town of Ancram Supervisor
 - ☐ Town of Ancram Building Department;
 - ☐ Columbia County Planning Board;
 - ☐ New York State Department of Environmental Conservation;
 - ☐ New York State Department of Transportation; and
 - ☐ U.S. Army Corps of Engineers.

Motion to approve this resolution by: Palmer Irving

Seconded by: Donald Tasch

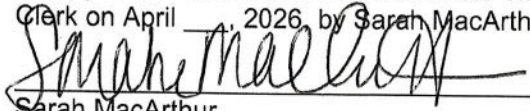
[Resolution continues on next page]

Roll Call Vote				
Board Member	In Favor	Against	Abstain	Absent
Joseph Crocco (Chair)	✓			
Tom Brondolo				✓
Palmer Irving	✓			
Phil Hack				✓
Donald Tasch	✓			
Jessica Lovelace		✓		
Christine Brown (Alternate)	✓			

Result: Motion passes/fails by the following margin: 4-1

Dated: Thursday, April 2, 2026

Filing: A copy of this Resolution was filed in the office of the Town of Ancram Town Clerk on April 2, 2026, by Sarah MacArthur, Clerk to the Planning Board.



Sarah MacArthur
Clerk to the Town of Ancram Planning Board

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Please see the attached "Negative Declaration" dated April 2, 2026, for a full discussion of the lead agency's evaluation, analysis, and reasons in support of its determination, and for all supporting information.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Ancram Planning Board as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: NY343 Copake Wireless Telecommunications Facility

Name of Lead Agency: Town of Ancram Planning Board

Name of Responsible Officer in Lead Agency: Joseph Crocco

Title of Responsible Officer: Chairman, Town of Ancram Planning Board.

Signature of Responsible Officer in Lead Agency:

Date: April 2, 2026

Signature of Preparer (if different from Responsible Officer)

Date: April 2, 2026

For Further Information:

Contact Person: Joseph Crocco, Chairman, Town of Ancram Planning Board

Address: 1416 County Route 7, Ancram NY 12502

Telephone Number: (518) 329 6512, Extension 205

E-mail: planningboard@ancramny.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

NEGATIVE DECLARATION

Determination of Non-Significance

Homeland Towers

Site Plan and Special Use Permit for Telecommunication Tower

6534 Route 22, Town of Ancram, Columbia County, NY

Tax Parcel No. 215.-1-41.110

Lead Agency: **Town of Ancram Planning Board**

Date: **Thursday, April 2, 2026**

This Declaration is issued pursuant to Title 6, Chapter VI of the New York Code of Rules and Regulations [NYCRR] Part 617, the implementing regulations pertaining to Article 8 of the New York State Environmental Conservation Law, commonly known as the "State Environmental Quality Review Act" [SEQRA or SEQR].

The Town of Ancram Planning Board [the "Planning Board"], as Lead Agency, has reviewed the proposed action and determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement (DEIS) will not be prepared.

This document is intended to be an attachment to, and to be incorporated fully, into the Full Environmental Assessment Form [FEAF] Part 3 issued by the Lead Agency.

Part 1

Name of Action:

The name of the Action is NY343 Copake Wireless Telecommunications Facility. The Application was submitted by Homeland Towers, LLC, and Verizon Wireless (collectively referred to herein as the Applicants).

Part 2

Location of Project Site

The site of the Proposed Action is located at 6534 Route 22, Town of Ancram, Columbia County, New York, and bears the Tax Map Parcel Number 215.-1-41.110.

Part 3

SEQRA Classification

The Action is classified as a Type 1 Action.

Part 4

Description of Action

The Applicant proposes to erect and operate a 100-foot monopole tower for personal wireless services, with space located for three (3) future collocation facilities and related antennae and equipment to provide new and improved wireless communication service primarily along Route 22. The associated equipment will be located within a 40-foot by 60-foot fenced compound.

Access to the project area will be by a 12-foot-wide gravel access road from Route 22. The Property is located in the Town of Ancram's Agriculture [Ag] Zoning District, as well as the Scenic Corridor Overlay Zone [SCOZ]. The Applicant states that its primary objective for the proposed action is to provide coverage along Route 22.

The Applicant initially proposed a 150-foot monopole, but the application was later amended to reduce the height to a 100-foot monopole. The tower, antenna arrays and associated mounting hardware are proposed to be colored brown to help blend the structure with the darker earth-tones of the wooded ridgelines, which operate as the backdrop for several affected vantage points, particularly from the Harlem Valley Rail Trail.

Part 5

Standards Applied to this Determination

As part of its obligations pursuant to SEQRA, the lead agency is responsible for determining whether or not any aspect of the overall action may have a significant adverse impact upon the environment. If the lead agency finds one or more significant adverse environmental impacts, it must prepare a positive declaration identifying the significant adverse impact(s), which then requires the preparation of an Environmental Impact Statement [EIS]. If the lead agency finds that the action will have no significant adverse impacts on the environment, no EIS is necessary, and the lead agency must prepare a negative declaration.

A determination of significance is the most critical step in the environmental review process under SEQRA. This is the step in which the lead agency must decide whether or not a proposed Type I or Unlisted action is likely to have a significant adverse impact on the environment.

The New York State Department of Environmental Conservation's [NYSDEC] "SEQRA Handbook" instructs lead agencies on what needs to be part of their analysis and Determination of Significance in order to comply with SEQRA. It says:

In making a legally sufficient determination regarding significance, the lead agency must:

1. identify all relevant environmental impacts;
2. thoroughly analyze these potential impacts; and
3. provide a written explanation of its reasoning in concluding that the proposed action may cause, or will not cause, significant adverse environmental impacts.¹

To accomplish this, the lead agency must be satisfied it has enough information to take a "hard look" at the significant potential environmental impacts. The "hard look" depends on the facts of the particular case but ultimately requires a rational basis for the agency's determination. There is no magic formula for demonstrating compliance with the "hard look" requirement, other than

¹ 6 New York Code of Rules & Regulations [NYCRR] Part 617.7.

common sense and application of "reasoned consideration to all pertinent issues revealed in the process."²

In its "*SEQR Handbook*," the NYSDEC states that the SEQRA regulations "recognize the subjectivity of the term "significance."³ The "*SEQR Handbook*" states further:

The SEQR regulations provide an orderly, comprehensive process for identifying those actions that may be significant. However, SEQR allows implementing agencies the flexibility to accommodate differing community settings and perceptions in assigning importance.

SEQR thus recognizes that different lead agencies in different locations in the state, using the same techniques and information, may arrive at different determinations about the environmental significance of a proposed action.⁴

It is a long-standing rule of law in New York State that the threshold for requiring the preparation of an EIS is low. If an action will generate a single, significant potential adverse environmental impact, then a Positive Declaration is warranted. The NYSDEC "*SEQR Handbook*" states that:

A lead agency must prepare a positive declaration if it finds, based on comparing the information in the EAF [Environmental Assessment Form] to the criteria in the SEQR regulations [see 617.7(c)], that one or more adverse environmental impacts may be significant.⁵

At the same time, however, the *SEQR Handbook* also says:

The principle of reasonableness, as put into practice in SEQR decision-making, has been upheld by the courts. In addressing the review of impacts, the courts have limited the consideration of impacts to reasonably related potential impacts. The court decisions have also stated that not every conceivable impact needs to be considered; speculative impacts may be ignored. ...⁶

Where a potential impact is too speculative, it should not be addressed. The agency's responsibility is to deal with impacts that are reasonably foreseeable.

After taking a "hard look" at the proposed action, if the lead agency finds that the action will have no significant adverse impacts on the environment, the lead agency must prepare a

² See, Michael B. Gerrard, Esq., Daniel A. Ruzow, Esq., and Philip Weinberg, Esq., *Environmental Impact Review in New York*, (2015), pages 3-108 - 3-112 [citing *Jackson v. New York State Urban Dev. Corp.*, 67 N.Y.2d 400 (1986)].

³ NYSDEC, *SEQR Handbook*, 4th Ed. 2020, Ch. 4, Subsection B "Determining Significance," P. 76

⁴ *Id.*

⁵ NYSDEC, *SEQR Handbook*, 4th Ed. 2020, Ch. 4, Subsection C "Positive Declarations", P. 86.

⁶ NYSDEC, *SEQR Handbook*, 4th Ed. 2020, Introduction, Subsection F "What is the concept of reasonableness as it applies to SEQR, P. 5.

negative declaration. The NYSDEC "*SEQR Handbook*" states that:

For a lead agency to issue a negative declaration, it must be able to demonstrate that the action will not have a significant adverse environmental impact. In making decisions on significance, the lead agency must take a hard look at all relevant impacts of the whole action, not just those within its immediate jurisdiction, and document its reasoning in writing.⁷

As the lead agency for the environmental review of the Homeland Towers project, we have borne in mind the foregoing requirements and have conducted this environmental review in a faithful pursuit of SEQRA's goals.

Part 6

The Environmental Review Process Undertaken by the Planning Board and the Reasons Supporting the Determination of Non-Significance

6.1. Overview.

The Planning Board conducted an environmental analysis of potential adverse environmental impacts, which included consideration of the long-term, short-term, direct, and indirect impacts, that was initiated with a comprehensive review of all submitted materials.

The Planning Board engaged consultants for assistance in reviewing technical information about potential impacts, and to help us judge the credibility of the information upon which the Planning Board is basing this determination. The Planning Board conducted its review with the assistance of the following professional consultants:

- ☐ Nan Stolzenburg, FAICP, of Community Planning & Environmental Associates, professional planning consultant to the Planning Board.
- ☐ George Schmitt, of the firm of CPL, professional consulting engineers to the Planning Board;
- ☐ B. Benjamin Evans, Senior Project Engineer, and Elizabeth Herington-Smith, VP Planning and General Manager, of CityScape Consultants, Inc., consulting radio frequency [RF] engineers to the Planning Board;
- ☐ George M. Janes, AICP, of George M. Janes & Associates, a specialty planning firm with expertise using visual simulation technologies; and
- ☐ John Lyons, Esq. and Kimberly Garrison, Esq., environmental land use attorneys, of the firm of Grant & Lyons, LLP.

The Board also listened extensively to the comments offered by the members of the public and the consultants who testified during the review process on their behalf. As Town residents, Planning Board members also drew on our own knowledge of the neighborhood in which this

⁷ NYSDEC, *SEQR Handbook*, 4th Ed. 2010, Ch. 4, Subsection D "Negative Declarations", P. 88.

Project is proposed.

The Planning Board reviewed the FEAFF Part 1 completed and submitted by the Applicant.

Utilizing the input received, and discussions conducted in public meetings, including multiple public hearings,⁸ the Planning Board drafted and completed the FEAFF Part 2 per Part 617 of the SEQRA regulations.

During its initial review of the FEAFF Part 2, the Planning Board identified several areas where there were knowledge gaps or the Planning Board needed additional data to make judgments about the potential impacts for some environmental elements. These were mainly related to potential visual impacts.

The Planning Board discussed alternative design options with their visual impact consultant, George Janes, and their RF engineers and consultants, CityScape. In his report to the Planning Board, dated December 3, 2025, Mr. Janes noted that, given the rural nature of the area surrounding the project site and the proposal to site the tower below the ridgeline from eastern viewpoints, there may be possible opportunities to lessen potential visual impacts of the proposed action with alternative design options. Additionally, CityScape also provided examples of alternative designs that have been considered in the past in other municipalities. Some of the alternative designs discussed included a faux silo, a flagless flagpole, and a lattice tower.

In considering these possible options and considerations, the Planning Board requested from the Applicant and its consultants additional information, renderings, and further investigation about these possible alternative designs.

In response, the Applicant provided to the Planning Board revised renderings of a lattice design. The Applicant asserts that a flagless flagpole, or other closed mounted designs, are not viable options, as they would require increasing the height of the proposed tower, which would require an area variance and other technical limitations. The Applicant stated that the flagpole design limited the number of carriers for collocation and did not support whip antennas that are typically used by emergency services. The Applicant also stated that flagless flagpole designs were limited in internal space, and due to the layout of the antennas, would ultimately reduce coverage.

The Planning Board discussed and considered different designs. Regarding the faux silo alternative design, it was noted that a silo design may be appropriate for an agricultural district but also noted that the faux silo would still be at least 100 feet tall, a scale much larger than real silos and which may look disproportionate and out of place in comparison to real silos and other agricultural structures in the area. The Planning Board also considered the alternate lattice tower design. The Board concluded that the lattice design did help to reduce visual impacts from further distances, such as from the Harlem Valley Rail Trail, where it opened up more spacing against the visual backdrop of the wooded ridgeline. But, where the tower was visible at Route 22, the wider width and footprint of the lattice tower design seemed more visually intrusive from the Route 22 vantage point.

⁸ The public hearing was opened on July 9, 2025. It continues to remain open.

The Planning Board continued its draft of the FEAF Part 2, moving forward with the monopole design. The Board reviewed, discussed and made determinations with regard to all 18 items in the FEAF Part 2. Notes regarding each item from the Planning Board's consultants, revised and edited based on discussions during public meetings, are provided below to detail these discussions. In the case of each FEAF item, the Planning Board compared the identified impacts that may be reasonably expected to result from the proposed changes and activities against the indicators of significant adverse impacts on the environment. Particularly, the Planning Board further evaluated those impacts classified as "moderate to large" to determine their significance. In considering the significance of those potential impacts identified, the Planning Board assessed the magnitude, duration, and likelihood of occurrence.

In going through this process, the Planning Board drew heavily upon the guidance for completion of the FEAF Part 2 items that has been provided to lead agencies by the New York State Department of Environmental Conservation [NYSDEC] in its published "*Environmental Assessment Form [EAF] Workbooks*," and was aided in doing so by the Board's planning consultants.

The Planning Board reviewed the detailed Application documents, related Addenda and other submittals of record together with all other documentation in the record. This included reports from their consultants and comments from the public, received during the pendency of its review. As noted above, the Planning Board also sought guidance from the NYSDEC "*Environmental Assessment Form [EAF] Workbooks*" in considering the questions presented in FEAF Part 2 items.

An FEAF Part 2 item-by-item further evaluation of the specific potential adverse environmental impacts of the proposed action are set forth below. These details flesh out the basis for the conclusions that the Planning Board reached with regard to each FEAF Part 2 item.

6.2. The Full Environmental Assessment Form and Review

FEAF Part 2, Item 1, Impact on Land:

"Proposed Action may involve construction on, or physical alteration of, the land surface of the proposed site."

FEAF Part 2, Item 1, [Planning Board as Lead Agency] Analysis:

The proposed action will result in construction on, or physical alteration of, the land surface of the proposed site.

The Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this project is 0.23 acre. While there are wetlands located to the east of the Property, which often indicate a shallow water table, there are no wetlands in or near the area of the proposed project or any construction activity. The Applicant has stated in their FEAF Part 1 that the average depth to the water table on the project site is greater than six [6] feet.

It is noted by the Planning Board that any digging and construction of the land may increase erosion. However, the Applicant has implemented erosion control methods, such as the installation of silt fencing during construction.

The proposed action will not involve grading or construction on slopes of fifteen percent [15%] or greater, and it will not involve construction on land where bedrock is exposed or within five [5] feet of the existing ground surface.

Construction is expected to last three [3] months, and is not expected to last more than a year, or in any phased development.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

FEAF Part 2, Item 2, Impact on Geological Features:

"Proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site."

FEAF Part 2, Item 2, [Planning Board as Lead Agency] Analysis:

This question asks the reviewing agency to evaluate potential impacts to unique or unusual land forms and National Natural Landmarks. There are no such unique or unusual geological land features on the site that fit the criteria for this question (e.g., cliffs, dunes, caves, etc.).

Therefore, there is no impact on geological features.

FEAF Part 2, Item 3, Impact on Surface Water:

"The proposed action may affect one or more wetlands or other surface water bodies (e.g. streams, rivers, ponds or lakes)"

FEAF Part 2, Item 3, [Planning Board as Lead Agency] Analysis:

There are wetlands and surface water present on the Property. The Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this proposed action is 0.23 acre - a very small portion of the Property. While there are wetlands located to the east of the Property, there are no wetlands or associated buffer areas in or near the area of the proposed project or any construction activity.

The proposed action will not create a new water body. It will not modify or increase the surface area of any existing water bodies. The proposed action will not involve dredging. The proposed action does include construction of any outfall for discharge of wastewater to surface water. There are no pesticides or herbicides involved in this proposed action.

As stated previously, any digging and construction of the land may increase erosion. However, the Applicant has implemented erosion control methods.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

FEAF Part 2, Item 4, Impact on Groundwater:

"The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer."

FEAF Part 2, Item 4, [Planning Board as Lead Agency] Analysis:

The proposed action will not result in any new or additional use of ground water. However, there will be a diesel generator. For this reason, the Planning Board considered this as something that may have the potential to introduce contaminants to ground water.

According to the Applicant, the diesel generator will be approximately 136 gallons. It also has a spill containment container that has a capacity of 125% of oil and antifreeze containment.

The generator is small in size and scale, and has appropriate mitigation methods in place.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

FEAF Part 2, Item 5, Impact on Flooding:

"The proposed action may result in development on lands subject to flooding."

FEAF Part 2, Item 5, [Planning Board as Lead Agency] Analysis:

The lands are not subject to flooding. Therefore, there are no impacts to flooding.

FEAF Part 2, Item 6, Impacts on Air:

"The proposed action may include a state regulated air emission source."

FEAF Part 2, Item 6, [Planning Board as Lead Agency] Analysis

The proposed action does not include any state regulated air emission sources. Therefore, there are no impacts on air.

FEAF Part 2, Item 7, Impact on Plants and Animals:

"The proposed action may result in a loss of flora or fauna."

FEAF Part 2, Item 7, [Planning Board as Lead Agency] Analysis:

The FEAF Part 1 has identified the possible presence of Northern Long-eared Bats and Bog Turtles on the Property. As stated previously, the Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this proposed action is a very small portion of the Property, approximately 0.23 acre.

Potential impacts to Northern Long-eared Bats are most likely to occur during certain times of the year (outside winter), and are directly related to tree removal. The NYSDEC has specific "protective guidance" that needs to be followed. See "*Protection of Northern Long-eared Bats*."⁹ "To protect northern long-eared bats [NLEB] from unintentional harm, the Department encourages the voluntary implementation of all forest management activities during the hibernation period, November 1 through March 31, throughout the state, except for Nassau and Suffolk Counties when bats are not expected to be present."¹⁰

The Applicant will follow guidance and protocols by the NYSDEC, and will not clear trees during the restricted period, per NYSDEC guidelines.

The presence of Bog Turtles was also discussed by the Planning Board. As stated previously, it is noted that while there are wetlands located to the east of the Property, there are no wetlands or associated buffer areas in or near the area of the proposed project or any construction activity. Therefore, it is unlikely that bog turtles would be found outside the wetlands or associated buffer areas, or near the proposed action.

There is also a Rich Graminoid Fen natural community within the vicinity of the Property. Trileaf Corporation visited the proposed site in July 2024 and conducted an Informal Biological Assessment [IBA]. No listed species or communities mentioned above were observed within the project area at the time of the site visit.¹¹ Trileaf further concluded that:

Due to the lack of plant species and diversity indicative to rich graminoid fens and the lack of surface water it is unlikely that the project area is within rich graminoid fen natural community habitat. Therefore, based on the documents reviewed and the client's adherence to erosion and sediment controls, a rich graminoid fen natural community habitat will not be impacted by the proposed project.¹²

It is also acknowledged that clearing of the proposed action may result in some displacement of residential native wildlife species, such as birds or small mammals. However, the Planning Board evaluated whether the proposed action would "substantially interfere" with such species. The proposed action is located on a small

⁹ <https://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/endangered-species/northern-long-eared-bats-protection>.

¹⁰ New York State Department of Environmental Conservation, *General Recommendations for the Protection of Northern Long-eared Bats in New York (Not Including Nassau and Suffolk Counties)*, <https://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/endangered-species/northern-long-eared-bats-protection>

¹¹ Letter from Trileaf Corporation to the Town of Ancram Planning Board, dated December 18, 2025.

¹² Letter from Trileaf Corporation to the Town of Ancram Planning Board, dated December 18, 2025.

portion of the Property. Fences installed will also have small openings at the bottom to allow for the passage of small mammals after construction. Furthermore, once the proposed action is complete and installed, there will not be much disturbance associated with the proposed action on plants and animals.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

FEAF Part 2, Item 8, Impact on Agricultural Resources:

"The proposed action may impact agricultural resources."

FEAF Part 2, Item 8, [Planning Board as Lead Agency] Analysis:

The proposed action does not occur in a currently farmed area of the Property. It will not impede any existing farm operation on the Property, nor will it interrupt any access to other areas of the Property that may be farmed. Therefore, there are no impacts on agricultural resources.

FEAF Part 2, Item 9, Impact on Aesthetic Resources:

"The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource."

FEAF Part 2, Item 9, [Planning Board as Lead Agency] Analysis:

The NYSDEC FEAF Workbook states the following as a resource for consideration of this item:

This question asks for information on those scenic and aesthetic resources that are officially designated and publicly accessible. Officially designated scenic areas include scenic byways, scenic roads, scenic areas of statewide significance, scenic trails, and scenic rivers. Other areas may also be designated at the state level for scenic and aesthetic reasons. Some local municipalities have conducted their own scenic inventory and have designated those areas in county or local plans. Others have designated critical environmental areas for aesthetic reasons. Publicly accessible aesthetic or scenic resources are those that can be viewed from public lands or on public roads.

The proposed action is located in the Town of Ancram Scenic Corridor Overlay District [SCOZ], which is an officially designated scenic area of Ancram. As stated in the Town of Ancram Zoning Law:

The Scenic Corridor Overlay Zone [SCOZ] is established as an overlay district to protect important scenic areas along Route 22 and the Harlem Valley known to contribute to the beauty, rural character, and quality of life of Ancram residents. It is the intent of this District to protect views

from public roads and to regulate land uses so that they will complement rather than detract from a scenic experience. It is further the purpose of this district to improve the town of Ancram's economic vitality by preserving one of the significant scenic resources within the Town, enhancing the Town's attractiveness to its visitors as well as its citizens.¹³

The SCOZ runs along the portion of Route 22 within Ancram, which is approximately five [5] miles long.¹⁴

In describing the SCOZ, the Town of Ancram Zoning Law states:

The Town of Ancram, New York, recognizes that the New York State Route 22 corridor and that portion of the Harlem Valley lying within that corridor, including the Taconic State Park and its mountain ranges and Fox Hill, are some of the Town's and surrounding community's premium scenic assets.

Within this corridor there exists a confluence of valuable assets for the Town and its residents including, but not limited to, environmental, recreational and scenic resources, and these scenic resources contribute significantly to the overall rural character of the town and possess attributes which the community seeks to preserve and enhance, while accommodating growth and change.

In furtherance of this objective, the Scenic Corridor Overlay Zone is hereby established to:

- a. Further the Town's overall goal of providing a predominantly open and rural character to the Town, and to encourage agriculture and preserve the natural environment and achieve the other goals and objectives as stated in the Town's Development Plan.
- b. Protect one of the Town of Ancram's significant scenic resources as identified is the Scenic Resource Protection Plan adopted by the Town Board.
- c. Preserve the scenic beauty along New York State Route 22 and the Harlem Valley for the enjoyment of residents, commuters, recreational users and tourists.
- d. Improve the Town of Ancram's economic vitality by preserving one of the significant scenic resources within

¹³ Town of Ancram Zoning Law, Article II, B(9)

¹⁴ Town of Ancram Zoning Law, Article V, (B)3(2)

the Town, enhancing the Town's attractiveness to its citizens as well as visitors and tourists.¹⁵

The proposed action will be visible from Route 22 and within the SCOZ.

Additionally, the proposed action will be visible from the Harlem Valley Rail Trail [HVRT]. The HVRT spans across Columbia County and Dutchess County for a total of 26+ paved miles.¹⁶ According to the Visual Resource Assessment (VRA) conducted by the Applicant, approximately 3.9 miles of the HVRT are situated within a 2-mile radius of the proposed action. The initial VRA showed views from the HVRT in leaf-on conditions. In response to the Planning Board's comments, the Applicant took additional photographs in December 2025 showing leaf-off conditions from the HVRT and produced five [5] additional photo simulations from the HVRT. At the same time, the Applicant corrected technical issues with the prior simulations and submitted a new VRA in January 2026.

The Planning Board, aware of the significance and importance of the SCOZ, and using the information provided in the VRA the Planning board discussed the visual impacts of the proposed action at several meetings.¹⁷ Important discussion centered around the visibility of the telecommunication tower from Route 22, with the acknowledgment that any potential impact would be long in duration and permanent. Additionally, it was also acknowledged that the telecommunication tower's location directly off Route 22 would mean that it would be visible to many residents and visitors in the area.

However, in discussing the significance of the impact, the Planning Board also acknowledged that, in drafting the Zoning Law, the Ancram Town Board had specifically allowed telecommunication towers to be located in the SCOZ. Additionally, the Planning Board also recognizes that mere visibility may not be a significant impact, in and of itself. Rather, significance is also determined by how the visibility diminishes the use and enjoyment of the area.

Upon careful review and evaluation, the Planning Board found moderate-to-large impacts with respect to the following sub-questions for this item:

- ☐ Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource;
- ☐ Proposed action may be visible from publicly accessible vantage points - seasonally and/or year-round;
- ☐ The situation or activity in which viewers are engaged while viewing the proposed action, both by routine travel by residents, including travel to and from work, and recreational or tourism-based activities; and

¹⁵ Town of Ancram Zoning Law, Article V, (B)3(1)

¹⁶ Harlem Valley Rail Trail, <https://columbiacountytourism.org/business/harlem-valley-rail-trail/>

¹⁷ Town of Ancram Planning Board special meeting, February 11, 2026, and Town of Ancram Planning Board special meeting, February 26, 2026.

- ☐ Proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.

Telecommunication towers are permitted in the SCOZ, and permitted up to a maximum of 100 feet. That said, here the proposed telecommunication tower will clearly be visible within the SCOZ, particularly along Route 22. The telecommunication tower will also be visible from the Harlem Valley Rail Trail.

This is a moderate to large impact, due to its visibility.

However, mere visibility is not enough to determine that an impact is significant. In discussing the visibility of the proposed action, and evaluating the potential significant impact, the Planning Board looked to NYSDEC's guidance document, entitled *Assessing and Mitigating Visual and Aesthetic Impacts*,¹⁸ as a way of assisting their analysis. This policy is used by NYSDEC staff with a standardized method for evaluating the significance of a visual impact within the context of SEQRA. The Planning Board, as lead agency, found this guidance helpful as a consideration for evaluating the visual impacts of this proposed action.

The NYSDEC's staff policy defines "aesthetic impact" as follows:

An aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. Mere visibility of a project should not be a threshold for decision making. Instead a project, by virtue of its visibility, must clearly interfere with or reduce the public's enjoyment or appreciation of the appearance of a significant place or structure.¹⁹

Regarding "significance," the guidance publication states further that:

Significant aesthetic impacts are those that 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. . . .

[S]taff must consider "magnitude" and "importance" in determining the significance of a visual impact under SEQR. Magnitude assesses factors such as severity, size or extent of an action. Importance relates to how many people are going to be impacted or affected by the project; the geographic scope of the project; 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. Generally, projects with a bigger impact (larger "magnitude" and or "importance") are more likely to need more detailed analysis.

¹⁸ New York State Department of Environmental Conservation, *Assessing and Mitigating Visual and Aesthetic Impacts*, DEP-00-2, last revised December 13, 2019. https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/visualpolicydep002.pdf

¹⁹ New York State Department of Environmental Conservation, DEP-00-2, *Assessing and Mitigating Visual and Aesthetic Impacts*, at page 15.

Likewise, staff must consider the setting of a proposed building or structure and its impact on a designated resource - not just size alone. Context is a key element of significance especially when evaluating visual impacts. The fact that a project is large, by itself, should not be a trigger for a positive declaration under SEQR. Context matters, which is the function of staff's analysis under Part 3 of the EAF. On the other hand, a project by its having been sighted in visual proximity to an inventoried resource may lead staff to conclude that there may be a significant visual impact.

Therefore, staff must verify the potential significance of the impact using magnitude and importance, the qualities of the resource, and the juxtaposition (use viewshed or line-of-sight profiles, or both) of the project to the inventoried resource as the guide for the determination. If the potential exists for a significant adverse aesthetic impact (the potential for impairment of the character or quality of any identified visual resource), then a positive declaration should be issued under SEQR. However, for projects with no significant adverse impact, Department staff would issue a negative declaration of significance provided there are no other impacts of environmental significance associated with the project.²⁰

In determining significance of an impact, we must evaluate the magnitude, duration, likelihood and overall impact.

The proposed action will be visible in the SCOZ, as it is located directly along Route 22 and the HVRT. However, from the HVRT the proposed action will be in the background of views from the HVRT. Further, the tower is located so that it does not rise above the ridgeline from views to the east. This siting together with its matte brown paint camouflaging will help the tower blend with the vegetative backdrop, thereby mitigating its visual impacts on the HVRT. Upon due consideration, the Board does not believe that the Tower will diminish the public's use and enjoyment of the Harlem Valley Rail Trail.

Along Route 22, the telecommunication tower will be much more visible. The Applicant has reduced the height of the telecommunication tower from 150 feet to 100 feet. Additionally, the Applicant will be painting the telecommunication tower matte brown to lessen the towers contrast with existing vegetation. This form of camouflage is apt to be most effective from vantage points where the telecommunications tower's backdrop is the wooded hillside.

Those driving along Route 22 will see the telecommunication tower, even with these mitigation measures. However, those driving along Route 22 are also traveling at approximately 55 miles per hour, and thus, their view of the tower will be fleeting. As the Applicant has stated, the proposed telecommunication tower is visible along Route 22 for approximately 0.37 miles for southbound motorists and 0.55 miles for northbound motorists. Practically, the telecommunication tower may be visible to passing motorists for about 30 seconds when driving along Route 22.

²⁰ New York State Department of Environmental Conservation, DEP-00-2, *Assessing and Mitigating Visual and Aesthetic Impacts*, at page 9.

The residents living near the telecommunication tower, or pedestrians who will be walking along Route 22 or the nearby vicinity, will be impacted by this proposed action, as it will be more visible to them. However, when considering the entire SCOZ area, which stretches along the entire length of Route 22 in Ancram (approximately 5 miles), and the entire HVRT, the impact of the aesthetic resources, as a whole, is small. It will not be detrimental to the scenic beauty of the SCOZ, as a whole, or to the enjoyment of the HVRT.

We are aware of the importance of the SCOZ and the value of the SCOZ to the Town of Ancram. The telecommunications tower regulations in the Town Zoning Law and the Zoning Law regulations pertaining to the SCOZ require the telecommunication tower to be constructed at the minimum height necessary and designed in the least intrusive means. Some of these methods were previously discussed. The Planning Board will be continuing to review this proposed action subject to its site plan and special use permit criteria. We reserve the right to continue discussions of further mitigation measures to determine the least intrusive means and height necessary in compliance with our local laws.

In conclusion, upon the Planning Board's review of the FEA Part 1, submitted site plan and related documentation, the form-defined questions set forth under this caption on the FEA Part 2, we find these potential impacts on aesthetic resources to not be significant.

FEAF Part 2, Item 10, Impact on Historic and Archeological Resources:

"The proposed action may occur in or adjacent to a historic or archaeological resource."

FEAF Part 2, Item 10, [Planning Board as Lead Agency] Analysis:

The proposed action is not in or adjacent to a historic or archaeological resource. Therefore, there are no impacts to historic or archeological resources.

FEAF Part 2, Item 11, Impact on Open Space and Recreation:

"The proposed action may result in the loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan."

FEAF Part 2, Item 11, Analysis:

There is no loss of recreational opportunities or reduction of an open space resource. There is no municipal open space plan. Therefore, there are no impacts to open space and recreation.

FEAF Part 2, Item 12, Impact on Critical Environmental Areas:

"The proposed action may be located within or adjacent to a critical environmental area [CEA]."

FEAF Part 2, Item 12, [Planning Board as Lead Agency] Analysis:

There are no Critical Environmental Areas in the Town of Ancram. Therefore, there are no impacts on Critical Environmental Areas.

FEAF Part 2, Item 13, Impact on Transportation:

"The proposed action may result in a change to existing transportation systems."

FEAF Part 2, Item 13, [Planning Board as Lead Agency] Analysis:

There will be no change to existing transportation systems. Therefore, there are no impacts on transportation.

FEAF Part 2, Item 14, Impact on Energy:

"The proposed action may cause an increase in the use of any form of energy."

FEAF Part 2, Item 14, [Planning Board as Lead Agency] Analysis:

The proposed action will require a small amount of energy. But, in evaluating the sub-questions of this item, none of the thresholds were reached or relevant to the proposed action.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

FEAF Part 2, Item 15, Impact on Noise, Odor, and Light:

"The proposed action may result in an increase in noise, odors, or outdoor lighting."

FEAF Part 2, Item 15, [Planning Board as Lead Agency] Analysis:

The proposed action will have a generator. The generator may be used once a week, for a small amount of time (e.g. half an hour). Any noise generated from the generator will be minor and not significant. The generator will also have a Level 2 Sound Attenuated Enclosure, to further reduce any noise from it.

In the event of a power outage, the proposed action will operate on the generator. The purpose of the generator is to keep the telecommunication tower operational, especially since many people often rely on wireless service during such outages. The generator would remain running until such time that the power is restored.

The proposed action does not require a light for Federal Aviation Administration [FAA] purposes. There will be outdoor lighting, solely for maintenance purposes. Such outdoor

lighting is manually controlled and only used when it is required. At all other times, no outdoor lighting will be used. There is no motion sensor lighting that would be triggered or turn on throughout the night.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

FEAF Part 2, Item 16, Impact on Human Health:

"The proposed action may have an impact on human health from exposure to new or existing sources of contaminants."

FEAF Part 2, Item 16, [Planning Board as Lead Agency] Analysis:

The proposed action will not have any new or existing sources of contaminants. Therefore, there are no impacts to human health.

FEAF Part 2, Item 17, Consistency with Community Plans:

"The proposed action is not consistent with adopted land use plans."

FEAF Part 2, Item 17, [Planning Board as Lead Agency] Analysis:

The Planning Board considered the Town of Ancram Comprehensive Plan, the Town's Zoning Law, and its Natural Resource Inventory. Notably, the Town of Ancram has a Telecommunication Law, Local Law 1 of 2011 [now integrated into the Zoning Law].

The Telecommunication Law begins by stating:

The Town Board of the Town of Ancram has determined that it is in the best interests of the Ancram community to encourage the availability of cellular telephone service in Ancram, Ancramdale and Boston Corner.

Telecommunication towers are permitted in all zoning districts in the Town of Ancram, including the SCOZ. The proposed action here is for a 100-foot telecommunication tower, which is also permitted in the SCOZ.²¹

Generally speaking, the proposed action is consistent with adopted land use plans. The Applicant has provided a current design of a monopole telecommunication tower, to be painted matte brown. The Applicant has provided alternative designs, such as a lattice tower. The Planning Board has discussed these designs with the Applicant and reserves the right to continue discussion regarding alternative designs, camouflage methods, and

²¹ Town of Ancram Local Law 1 of 2011 (Town of Ancram Telecommunications Tower), Section 1.

necessary height. It is specifically noted that, even though telecommunication towers are a permitted use in the Town of Ancram, the object of the Telecommunication Law is to "minimize the negative aesthetic impact of such facilities." One of the specific standards that the Planning Board must review and consider is to minimize visual intrusiveness and have the telecommunication towers be no higher than the minimum height necessary. As we continue with our site plan and special use permit review, we will be considering and evaluating the proposed action to meet these criteria and requirements.

FEAF Part 2, Item 18, Consistency with Community Character:

"The proposed project is inconsistent with the existing community character"

FEAF Part 2, Item 18, [Planning Board as Lead Agency] Analysis:

According to the NYSDEC's FEAF Workbook:

Many people define their community's character in very general terms: suburban, rural, urban, quiet, safe, scenic, or friendly are terms often used. Others describe community character only in terms of visual features. Community character is broader than this however.

Community character is defined by all the man-made and natural features of the area. It includes the visual character of a town, village, or city, and its visual landscape; but also includes the buildings and structures and their uses, the natural environment, activities, town services, and local policies that are in place. These combine to create a sense of place or character that defines the area.²²

For Ancram, the Comprehensive Plan begins as follows:

In 20 years, Ancram residents want the Town to look and feel much as it does today, only better. The community continues to value its open spaces and farms, natural resources, how each contributes to the quality of life, and Ancram's historic and cultural heritage. We want to maintain Ancram's rural character; protect the environment, ground water, working farms and open spaces; provide adequate services to our residents; promote local government transparency; and encourage small town, community-oriented activities.²³

²² NYSDEC, Full Environmental Assessment Form (FEAF) Workbook, Question 18 - Consistency with Community Character, <https://dec.ny.gov/regulatory/permits-licenses/seqr/eaf-workbooks/part-2-identification-of-potential-project-impacts/q18-consistency-with-community-character>

²³ Town of Ancram Comprehensive Plan, dated April 18, 2019, at page 4

Ancram is known to be a predominantly rural and farming community. When entering Ancram along Route 22, a sign welcomes visitor to "Scenic Ancram; Historic Farming Community."

While telecommunication towers are permitted in the Town of Ancram, it is also noted that there are no existing telecommunication towers in the Town. The proposed action will introduce a new, 100-foot monopole telecommunication tower, right along Route 22, and within the SCOZ. There are no similar structures in or near the area to the proposed action. Accordingly, it will be inconsistent with the existing community character, which consists of agricultural lands, open space, scenic views, and residential homes.

Upon careful review, consideration, and evaluation, the Planning Board found moderate-to-large impacts with respect to the following sub-questions for this item:

- ☐ The proposed action is inconsistent with the predominant architectural scale and character; and
- ☐ Proposed action is inconsistent with the character of the existing natural landscape.

There are no 100-foot tall telecommunication towers in the area within Ancram. The proposed action will be in sharp contrast to the surrounding area. Ancram is a farming community. The area surrounding the proposed area are farmlands, rural open fields, and residential homes.

The proposed action is also located in the SCOZ. In describing the SCOZ, the Town of Ancram Zoning Law states:

The Town of Ancram, New York, recognizes that the New York State Route 22 corridor and that portion of the Harlem Valley lying within that corridor, including the Taconic State Park and its mountain ranges and Fox Hill, are some of the Town's and surrounding community's premium scenic assets.

Within this corridor there exists a confluence of valuable assets for the Town and its residents including, but not limited to, environmental, recreational and scenic resources, and these scenic resources contribute significantly to the overall rural character of the town and possess attributes which the community seeks to preserve and enhance, while accommodating growth and change.

In furtherance of this objective, the Scenic Corridor Overlay Zone is hereby established to:

- a. Further the Town's overall goal of providing a predominantly open and rural character to the Town, and

to encourage agriculture and preserve the natural environment and achieve the other goals and objectives as stated in the Town's Development Plan.

- b. Protect one of the Town of Ancram's significant scenic resources as identified in the Scenic Resource Protection Plan adopted by the Town Board.
- c. Preserve the scenic beauty along New York State Route 22 and the Harlem Valley for the enjoyment of residents, commuters, recreational users and tourists.
- d. Improve the Town of Ancram's economic vitality by preserving one of the significant scenic resources within the Town, enhancing the Town's attractiveness to its citizens as well as visitors and tourists.

The Planning Board recognizes the value and sensitivity of the SCOZ. It is difficult to evaluate this proposed action because, as a telecommunication tower, it is tall, visible, and different. At the same time, it is also an allowed use. The Town Board has determined that telecommunication towers are allowed in the Town of Ancram, and, further, that they are allowed in the SCOZ. To evaluate this proposed action, we have to recognize that the Town Board expected and anticipated telecommunication towers to one day be within this area.

The proposed action will be inconsistent with the Town's existing architectural scale and character. There are tall structures in Ancram (tall agricultural buildings, wind turbines), but not as tall as the proposed action will be.

Similarly, the proposed action does not fit within the existing natural landscape, which consists of predominantly agricultural lands and open fields.

The first of any new use can bring a change to the existing landscape or architectural scale, and can bring changes to community character.

However, just as with our evaluation of aesthetic resources, we must examine not just visibility, but also detriment and severity of the impact.

Along Route 22, the proposed action will be visible. As stated previously, the Applicant has reduced the height of the telecommunication tower from 150 feet to 100 feet to be more conforming with the SCOZ. Additionally, the Applicant will be painting the telecommunication tower brown to further help camouflage the telecommunication tower against the trees and backdrop of the surrounding area. Those driving along Route 22 will see the tower, but driving at 55 miles per hour, the proposed action will be visible for about 30 seconds.

While the proposed action brings a new use into the Town and creates a contrast with the existing landscape and community character, it will not change the essential community character of Ancram as a farming community, or as a rural community. Further, it will not change the SCOZ, which seeks to preserve scenic resources. Ancram will remain a farming community and the SCOZ will continue to protect Ancram's scenic resources. The proposed action is tall, but also has a small footprint, in terms of width and berth.

Therefore, the Planning Board has determined that although the proposed action would cause long-term and irreversible impacts that are likely to occur, such impacts are not significant impacts because it impacts a small area along Route 22 and within the SCOZ.

Part 7

Conclusion and Determination of Non-significance | Negative Declaration

There have been many comments received about the potential impact to the immediate area around the proposed action, to the Town, and to community character, particularly due to its location within the SCOZ. The Planning Board has been attentive to those comments and concerns during the course of this review process. Several meetings have been devoted to the discussion of aesthetic impacts, community character, Ancram's farming and rural community, and the SCOZ. Additionally, many discussions regarding the Telecommunication Law, the permitted use of telecommunication towers within the SCOZ, and the need for telecommunication services in the Town of Ancram have taken place.

During these discussions, the Applicant has lowered the height of the tower from 150 feet to 100 feet, as the maximum permissible height in the SCOZ. The Applicant and the Planning Board has also discussed alternative designs, such as a silo, flagless flagpole, and lattice tower. The Applicant has proposed a brown monopole, as a way of camouflaging the monopole from certain scenic areas, such as the Harlem Valley Rail Trail.

Regarding SEQRA's purpose, the NYSDEC *SEQR Handbook* says:

SEQR establishes a process to systematically consider environmental factors early in the planning stages of actions that are directly undertaken, funded, or approved by local, regional, and state agencies. By incorporating environmental review early in the planning stages, projects can be modified as needed to avoid adverse impacts on the environment.²⁴

It is the Planning Board's view that the purpose of SEQRA has been fulfilled by Board's environmental review of this Project. The potential adverse environmental impacts were

²⁴ NYSDEC, *SEQR Handbook*, 4th Ed., Introduction, Section B "What is the purpose of the Act," P. 3.

carefully and diligently identified and analyzed. And importantly, changes have been made to lower height and camouflage the tower from certain vantage points.

The Planning Board of the Town of Ancram hereby concludes and determines, that its SEQRA Determination of Significance is a Negative Declaration, and hence, that an Environmental Impact Statement [EIS] will not be required for the proposed action because this action will not result in any significant adverse environmental impacts [see 6 NYCRR § 617.7(a)(2)]. This conclusion and determination is based on: (1) the information currently available to the Planning Board in the record; (2) the analysis detailed above in this document; (3) the evaluation of all relevant and probable environmental impacts related to the activities and actions herein proposed; (4) our review of the FEAF Parts 1 and 2 together with all of the information, documents, and comments received from the Applicant, the public, experts testifying on behalf of the public, and the Planning Board's own consultants.

The Planning Board, however, will be continuing to review this proposed action subject to its site plan and special use permit criteria.

End of FEAF Part 3, Determination of Non-Significance | Negative Declaration

