

**DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT
(DGEIS)**

Town of Kent Wireless Infrastructure Plan

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Date DGEIS Accepted: September 20, 2011

Date of DGEIS Public Hearing: October 25, 2011

Closing Date of DGEIS Comment Period: November 4, 2011

Web address for electronic copy of this DGEIS: www.townofkentny.gov

**Draft Generic Environmental Impact Statement
Town of Kent Wireless Infrastructure Plan**

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INTRODUCTION

This Draft Generic Environmental Impact Statement (DGEIS) addresses the potential impact related to the adoption of a Wireless Infrastructure Plan ("Wireless Plan) for the Town of Kent. The proposed Wireless Plan identifies the existing wireless coverage (and gaps in coverage) in the Town and, based on an analysis of future wireless coverage needs amongst the various wireless service providers, makes recommendations for locations of future wireless facilities.

The need for a Wireless Plan was identified by the Town Board during development of the Town Comprehensive Plan and amended Zoning Law during 2005 – 2008. It was during that time two applications for wireless telecommunication sites were presented to the Planning Board for review, and because the zoning districts in which the sites were located did not permit wireless facilities use variances from the Zoning Board of Appeals were also required. Through some thoughtful discussions with the competing wireless service providers a plan was developed under which both applicants agreed to configure their respective wireless facilities to use a single site located on Route 311. Under this plan the Zoning Board of Appeals granted use variances and the Planning Board granted site plan approvals for both facilities at the same location. These applications, however, were instructive because they called out the limitations on the Town's ability to regulate the location of wireless telecommunication facilities through its zoning process. It became obvious that the Town needed a plan that would identify the coverage objectives and needs of the various wireless service providers and the geographical and topographical limitations the terrain of the Town presented to those wireless service providers.

In November 2008 the Town Board adopted a new Comprehensive Plan and a new Zoning Law. Although the amended Zoning Law provided for additional areas in which wireless telecommunication facilities could be located subject to special use permit approval by the Planning Board, it was obvious that the Town needed a plan that would provide some certainty as to where such facilities could reasonably be located. The result is the Town of Kent Wireless Infrastructure Plan.

Because the Wireless Plan involves the entirety of the Town of Kent as to its recommendations, the adoption of the Plan by the Town Board is a Type I Action under 6 NYCRR 617.4(b)(1) ("Part 617") of the State Environmental Quality Review Act ("SEQRA") regulations as a town-wide resource management plan. This DGEIS is submitted in compliance with Part 617 and Article 8 of the Environmental Conservation Law. Because the Town Board of the Town of Kent is the only agency with the authority to adopt a town-wide resource management plan the Town Board is the "Lead Agency" for purposes of the environmental review required by SEQRA. This DGEIS has been prepared in order to permit the Lead Agency and other interested agencies and individuals to identify, consider, and make informed judgments concerning the potential environmental impacts of the proposed action and to weigh those potential impacts against other relevant considerations.

SEQRA establishes a process requiring the consideration of environmental factors early in the planning stages of actions that are undertaken, approved or funded by state, regional or local agencies. This systematic approach allows for adverse impacts to be identified early in the planning process so that they may be either avoided altogether, or mitigated to

the extent practicable to reduce the severity of any potential impact. The "action" that requires SEQRA review is adoption of the proposed Wireless Infrastructure Plan by the Town Board. According to §617.10 of Part 617:

"Generic EISs may be broader, and more general than site or project specific EISs and should discuss the logic and rationale for the choices advanced. They may also include an assessment of specific impacts if such details are available. They may be based on conceptual information in some cases. They may identify the important elements of the natural resource base as well as the existing and projected cultural features, patterns and character. They may discuss in general terms the constraints and consequences of any narrowing of future options. They may present and analyze in general terms a few hypothetical scenarios that could and are likely to occur."

The proposed Wireless Plan and its recommendations carefully consider the likely build-out potential of wireless service providers in the Town and makes recommendations for locating wireless facilities on both public and private lands. In many ways the Wireless Plan is a mitigation plan against the potential effects of uncontrolled wireless development on the natural and man-made environment of the Town of Kent. Adoption of the Wireless Plan means that the Town Board and the Planning Board will be better able to guide new wireless telecommunication development in a manner that will enhance the character of the community while protecting the resources that make the Town of Kent a desirable place in which to live.

It is important to note that adoption of the Wireless Plan will not result in the approval of any particular development activity. As individual wireless projects and activities are proposed and reviewed, environmental reviews will still be necessary on a site-specific basis. Site-specific environmental reviews would still need to be conducted under SEQRA and would, in the ordinary course of plan review, consider the scale and intensity of a proposed action and consistency with the concepts and vision outlined in the Wireless Plan and the Town Comprehensive Plan.

1.0 EXECUTIVE SUMMARY

1.1 The proposed action, adverse impacts, mitigation, and the alternatives

The action is the adoption of a Wireless Infrastructure Plan (“Wireless Plan”) for the Town of Kent as a town-wide resource management plan. The Wireless Infrastructure Plan prepared by Homeland Towers, LLC is dated August 8, 2011 and is incorporated into this DGEIS by reference. Although the adoption of the proposed Wireless Plan would not result in any direct environmental impacts, its adoption would commit the Town of Kent to a future course of action to actively locate, design, and ultimately approve one or more wireless communication facilities on properties on and within the coverage areas as defined in the Wireless Plan.

The need for a Wireless Plan was identified by the Town Board and Planning Board during development of the Town Comprehensive Plan and amended Zoning Law in 2005 – 2008. It was during this time it became obvious that the Town needed a plan that would identify the coverage objectives and needs of the various wireless service providers and the geographical and topographical limitations the terrain of the Town presented to those wireless service providers.

As noted in the Wireless Plan the Town of Kent, like all other municipalities in New York State and around the country, does not enjoy unfettered discretion to prohibit wireless communication facilities in the Town. The Federal Telecommunications Act of 1996 both preserves and limits the authority of local government to regulate wireless communication facilities. The Act prohibits discrimination by a locality among carriers of “functionally equivalent” services and provides that local governments may not limit the number of wireless facilities in the town through their zoning laws. For example, if cellular carriers already have facilities in the area, additional or new carriers of similar services cannot be prohibited on the basis that the town already has sufficient wireless service. If there are already three wireless service providers operating in an area, a fourth may not be excluded by the local authority on the basis of ample supply.

These federal limitations on the local land use decision processes typically used by the Town of Kent to weigh and decide development applications effectively bar the Town from denying almost any application for the establishment of a wireless communication facility where the wireless provider offers proof that there is a gap in signal coverage that must be filled and that a wireless facility in a certain location would eliminate that gap.

Conversely, the Wireless Infrastructure Plan allows the Town to “get ahead” in facility planning by identifying the gaps in coverage experienced by the various wireless providers and create a local plan to develop sites to accommodate the needs of the providers. By proactively identifying sites suitable for development of wireless facilities the Town can also identify at the earliest possible time suitable mitigation (typically visual mitigation to hide or minimize the appearance of towers and support structures) for each potential site. The Wireless Plan will also allow the Town to minimize the number of wireless facilities by identifying optimum locations for multiple wireless providers to co-

locate on a single tower or cluster of towers. It is anticipated that, overall, the effects of the Wireless Plan would be beneficial.

The DGEIS analysis of the effects associated with the adoption of the proposed Wireless Plan have not identified any significant adverse impacts on the man-made or the natural environment. Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any environmental impact on Town resources. The purpose of the Wireless Plan is to allow the Town to assess the potential of individual sites for suitability to support a wireless communication facility. The environmental effects associated with the development of any one particular site must still be assessed on a case by case basis in accordance with the requirements of SEQRA, with appropriate mitigation to avoid and minimize potential adverse effects. The type of mitigation for any particular site is expected to be different depending on its environmental setting. Adoption of the proposed Wireless Infrastructure Plan would have the positive effect of narrowing the range of potential wireless communication sites, thereby eliminating potential redundancies by the wireless service providers attempting to place multiple independent wireless sites in close proximity to each other. The Wireless Plan would also allow the Town to minimize the number of wireless facilities by identifying optimum locations for multiple wireless providers to co-locate on a single tower or cluster of towers thereby further minimizing environmental impacts.

1.2 Alternatives Considered

In addition to the analysis of the effect(s) of adoption of the proposed Wireless Plan the following alternatives were considered:

- No Action Alternative

Not adopting the Wireless Plan, while an alternative that the Town could consider, is not the preferred alternative. The Town has devoted a significant amount of time and energy to develop the proposed Wireless Plan that considers the existing wireless infrastructure and provides for a reasonable response to future demand for additional wireless communication facilities in the Town. To the greatest extent possible, the proposed Wireless Plan provides a balance of resident needs and desires against the realities of the market demand for wireless services and the federal and state requirements to allow such facilities. Substantial alterations to the proposed Wireless Plan would upset the balance that has been achieved. The absence of a Wireless Plan would place the Town in a position of simply reacting to wireless development instead of being proactive in its efforts.

1.3 Wireless Infrastructure Plan Goals

In adopting the Wireless Plan the Town's planning efforts have the following goals:

1. Facilitate access to reliable wireless communications services throughout the Town of Kent.

2. Protect community aesthetics by planning for well-sited and well-designed wireless service facilities that fit reasonably and unobtrusively into the Kent environment.
3. Manage the placement of all communication antennas, antenna support structures, buildings, and associated equipment so as to promote efficient service delivery and avoid unnecessary proliferation
4. Ensure the safety of wireless communications facilities and avoid potential damage to people and property.
5. Guide decision-makers and Town staff by providing a policy framework and design guidance for decisions about wireless service facilities.
6. Assist wireless companies with information useful in their facility deployment process.
7. Ensure compliance with all applicable state and federal laws.

1.4 Assessment Of Existing Town Wireless Infrastructure

The methodology to assess the existing wireless facilities considered the RSSI (Received Signal Strength Indicator) coverage measurements for the following wireless providers:

- AT&T Wireless 850 MHz Band
- AT&T Wireless 1900 MHz
- Sprint-Nextel 850 MHz Band, Nextel
- Sprint Nextel 1900 MHz Band, Sprint CDMA
- T-mobile 1900 MHz Band
- Verizon Wireless 850 MHz Band

Additionally, the assessment considered each of the existing towers and identified wireless facilities servicing the Town:

- | | | |
|------------------|------|---|
| 1. Kent Monopole | 150' | Verizon, Sprint, T-Mobile, Cingular |
| 2. Kent Tower | 130' | Sprint, Cingular, Nextel |
| 3. Kent Monopole | 180' | Cingular, Nextel |
| 4. Kent Monopole | 150' | T-Mobile, Nextel, Cingular, Verizon |
| 5. Kent Monopole | 150' | Sprint, Cingular, T-Mobile |
| 6. Kent Tower | 180' | T-Mobile, Sprint, Nextel, Verizon, Cingular |

7.	Carmel, Flag Pole	120'	Cingular, T-Mobile, Verizon
8.	Kent Tower	180'	No Wireless Carriers
9.	Kent, Utility Tower	120'	Sprint
10.	Kent Tower	90'	No Wireless Carriers

Site No.8 is a radio facility which has two towers, but the site does not have any wireless carriers. There is one tower that seems to be active with public safety equipment. The second tower located in this exact facility is not occupied with any equipment.

Site No.9 is a utility tower that currently has wireless communication equipment, but does not appear operational.

Site No.10 is a Tower that doesn't have any wireless carriers, but is operational with microwave equipment.

The Wireless Plan has identified inadequate wireless coverage in the 800 MHz and 1900 Mhz range in several areas of the Town. The analysis also determined that the Town currently has sufficient coverage mainly along the Taconic corridor and the Interstate 84 corridor.

1.5 Specific Recommendations

As set forth in the Wireless Plan the recommended course of action is to provide for the construction of up to nine additional wireless communication towers to be developed in two phases. Phase 1 would involve the development of towers in the following locations:

- 176 Farmers Mill Road; Owner: Town of Kent. Zoned R-80.
- 146 Ressique Street; Owner: Town of Kent. Zoned R-80.
- 16 Ray Singer Court; Owner: Town of Kent. Zoned R-80.
- Route 52 between Towners Road and Horsepound Road; various properties, privately owned. Zoned Commercial.

As set forth in the Wireless Plan the recommended course of action is to provide for the construction of up to nine additional wireless communication towers to be developed in two phases. Phase 2 would involve the development of towers in the following locations:

- White Pond area; various properties, privately owned. Zoned R-80.
- Kent Hills area; various properties, privately owned. Zoned R-80.
- Pine Pond East area; various properties, privately owned. Zoned R-80.

- Taconic Parkway Site 9; various properties, privately owned. Zoned R-80.

1.6 Development Process

Generally, the development of any Town owned property is expected to proceed based on a formal agreement between the Town and Homeland Tower, LLC under which Homeland Tower would be granted the right to construct a tower of sufficient height and in the proper location to attract one or more of the wireless communication companies operating in the area. The tower would be designed to avoid and minimize visual intrusions and disturbance to land and vegetation. Approval of any agreement between the Town and Homeland Tower along with any tower development plan would be subject to a full environmental review as required by SEQRA.

Conversely, the development of any privately owned property for wireless communications would be subject to the Town's zoning process under which approval must be obtained from the Planning Board, and possibly the Zoning Board of Appeals. Again, however, any such approvals would be subject to a full environmental review as required by SEQRA.

1.7 Public Need and Benefits

The Town Board has a responsibility to determine the correct the balance between reasonable growth and the protection of public health, safety and welfare. The primary public benefit of the Wireless Plan is that it allows the Town to “get ahead” in facility planning by identifying the gaps in coverage experienced by the various wireless providers and create a local plan to develop sites to accommodate the needs of the providers. By proactively identifying sites suitable for development of wireless facilities the Town can also identify at the earliest possible time suitable mitigation (typically visual mitigation to hide or minimize the appearance of towers and support structures) for each potential site. The Wireless Plan will also allow the Town to minimize the number of wireless facilities by identifying optimum locations for multiple wireless providers to co-locate on a single tower or cluster of towers.

1.8 Required reviews and approvals from town, county, and state agencies

The only agency with the authority to adopt the proposed Wireless Infrastructure Plan is the Town Board of the Town of Kent. Unlike the Town Comprehensive Plan the proposed adoption of the Wireless Plan does not fall within the ambit of General Municipal Law §239-l and §239-m, and a referral to the Putnam County Department of Planning is not required.

1.9 Interested and involved agencies

As the only town entity that is allowed to adopt the Wireless Infrastructure Plan the Town Board is the Lead Agency for the purposes of SEQRA. As such the Town Board is also the sole involved agency.

1.10 Relevant existing information and required new information

The preparation of this DGEIS did not identify any missing relevant information that would be required to complete the analysis as set forth herein.

2.0 PROPOSED ACTION: WIRELESS INFRASTRUCTURE PLAN ADOPTION

2.1 Planning History

The action is the adoption of a Wireless Infrastructure Plan (“Wireless Plan”) for the Town of Kent. The Wireless Infrastructure Plan prepared by Homeland Towers, LLC is dated August 8, 2011 and is incorporated into this DGEIS by reference. Although the adoption of the proposed Wireless Plan would not result in any direct environmental impacts, its adoption would commit the Town of Kent to a future course of action to actively locate, design, and approve one or more wireless communication facilities on properties on and within the coverage areas as defined in the Plan.

The need for a Wireless Plan was identified by the Town Board during development of the Town Comprehensive Plan and amended Zoning Law during 2005 – 2008. It was during that time two applications for wireless telecommunication sites were presented to the Planning Board for review, and because the zoning districts in which the sites were located did not permit wireless facilities use variances from the Zoning Board of Appeals were also required. Through some thoughtful discussions with the competing wireless service providers a plan was developed under which both applicants agreed to configure their respective wireless facilities to use a single site located on Route 311. Under this plan the Zoning Board of Appeals granted use variances and the Planning Board granted site plan approvals for both facilities at the same location. These applications, however, were instructive because they called out the limitations on the Town’s ability to regulate the location of wireless telecommunication facilities through its zoning process. It became obvious that the Town needed a plan that would identify the coverage objectives and needs of the various wireless service providers and the geographical and topographical limitations the terrain of the Town presented to those wireless service providers.

As noted in the Wireless Plan the Town of Kent, like all other municipalities in New York State and around the country, does not enjoy unfettered discretion to prohibit wireless communication facilities in the Town. The Federal Telecommunications Act of 1996 both preserves and limits the authority of local government to regulate wireless communication

facilities. The Act prohibits discrimination by a locality among carriers of "functionally equivalent" services and provides that local governments may not limit the number of wireless facilities in the town through their zoning laws. For example, if cellular carriers already have facilities in the area, additional or new carriers of similar services cannot be prohibited on the basis that the town already has sufficient wireless service. If there are already three wireless service providers operating in an area, a fourth may not be excluded by the local authority on the basis of ample supply.

Among its provisions the Act also: 1) prohibits a blanket rejection of any wireless communications services within a town; and 2) requires local authorities to act expeditiously on an application for a wireless communication facility; and 3) requires that any decision to deny an application for a wireless communication facility shall be in writing and supported by substantial evidence contained in the written record; and 4) prohibits the denial of an application for a wireless communication facility based on health concerns; and 5) prohibits a local government from imposing greater limits on radio frequency (RF) emissions on wireless communication facilities than those imposed by the Federal Communication Commission ("FCC").

These federal limitations on the local land use decision processes typically used by the Town to weigh and decide development applications effectively bar the Town from denying almost any application for the establishment of a wireless communication facility once the wireless provider has proven that there is a gap in signal coverage that must be filled and that a wireless facility in a certain location would eliminate that gap.

By contrast, the Wireless Infrastructure Plan allows the Town to "get ahead" in facility planning by identifying the gaps in coverage experienced by the various wireless providers and to create a local plan to develop sites to accommodate the needs of the providers. By proactively identifying sites suitable for development of wireless facilities the Town can also identify at the earliest possible time suitable mitigation (typically visual mitigation to hide or minimize the appearance of towers and support structures) for each potential site. The Wireless Plan will also allow the Town to minimize the number of wireless facilities by identifying optimum locations for multiple wireless providers to co-locate on a single tower or cluster of towers.

2.2 Wireless Facility Planning

To understand the underlying rationale for preparing and adopting a Wireless Infrastructure Plan it is important to have a basic idea as to how a wireless network operates. As noted in the Wireless Plan:

"The Radio Frequencies used by phone require relatively unobstructed paths from transmitter to receiver. They do not travel well through physical objects such as buildings or hills. Because of this, base station antennas generally need to be located higher than surrounding man-made and natural features. They may be mounted on an existing tall structure (e.g. building roof, water tower, etc.) or, when none is available, a specially-built structure such as a tower will be used."

“Wireless communications facilities are sited to achieve maximum coverage, generally in a "honeycomb" pattern. Cellular, ESMR and PCS operate by transmitting and receiving radio frequency (RF) signals between a stationary antenna (the "site") and a mobile unit (such as a cell phone), which also has its own small antenna. RF waves transmitted from an antenna decline in strength, or attenuate, as they travel farther from the transmitting antenna. Therefore, any one antenna can only transmit and receive signals in a limited geographic area, often called the range or coverage area of that antenna. This is the same principle that causes a listener to lose a radio station on a car radio as the listener drives farther away from its source. As a mobile unit travels - for example, when a user is driving down a highway - transmission is "handed off" by the system from one stationary site to the next . . .”¹

In order to “hand off” a call from one tower to another it is necessary for the wireless sites to overlap their coverage so as not to completely drop a call that is in progress. Without overlap, the call will be dropped as the mobile unit leaves the coverage area of one site without being close enough to be picked up by the next site. The ideal wireless telecommunications network looks like a honeycomb, where each site and the area it covers represents a "cell" and with adjacent sites providing seamless, unbroken coverage from one site to the next.

Wireless telecommunications service coverage is not static, most wireless communications service providers (PCS, cellular, ESMR) have already established their initial networks of cell sites. In this "Coverage Phase," facilities were established primarily along highways and other major transportation corridors. As usage patterns have changed and matured, networks have expanded to provide wireless service to where people work and live and not just along the routes they travel. At this point wireless providers enter the "Capacity Phase" whereby they concentrate on adding facilities to fill gaps in their coverage and to increase capacity in high demand areas. (Capacity is the amount of radio traffic, or number of calls, a wireless system can handle simultaneously. A single site has only a finite number of channels that can handle calls.)

The wireless network reaches design capacity as more customers in an area subscribe to the service, use their devices more often, or as mobile devices become more technologically advanced and more data is transmitted, such as in video or wireless internet services. The service carrier may seek to increase network capacity by:

1. Reconfiguring existing antennas or adding more antennas, if possible; or
2. Adding more radios (transmitters) to an existing base station if there is unused frequency capacity (rare); or
3. Adding additional frequencies; or
4. Adding additional cell sites.

1. Town of Kent Wireless Infrastructure Plan, page 5.

Options one and two are used first, with the change typically being transparent to the user. The third option is seldom used because it requires obtaining additional frequencies (licenses), which are very expensive or may not be available. Because the number and range of available frequencies are the main limiting factors for wireless network capacity, capacity needs are most often addressed through item four, adding new sites and "reusing" the allocated frequencies in each smaller geographic area.

New wireless communication sites are usually interspersed within an existing network of sites with each using and reusing a limited number of frequencies over a smaller geographical area so that the system as a whole can carry more calls simultaneously. Because these "Capacity Phase" installations tend to service smaller geographic areas than installations deployed in the "Coverage Phase" height requirements are stricter and there may be less flexible options for siting them.

Antenna height is a determining factor in the location, siting and design of a wireless service facility because the radio frequency signals used for wireless telecommunications are "line-of sight" signals, which is somewhat analogous to the way light travels and is observed. For instance an empty room may be completely lit by a tall lamp in the center, but if the room contains furniture there will be shadows in some areas. The light will not adequately reach places it could if there were no obstacles, and more light sources may be needed to provide good illumination throughout the room. Similarly, if an antenna is placed next to (and lower than) a nearby hill or building, transmissions from that antenna may be blocked from the far side of it and an additional site might be needed to provide a strong enough signal in the "shadowed" area.

Communications shadows can be created by such obstacles in the landscape as hills, trees, buildings and even mobile sources such as cars and trucks; in short, anything that stands between the base station antenna and the mobile unit. Consequently, wireless companies typically seek approval for antenna heights that are above identified obstructions.

2.3 Wireless Infrastructure Plan Goals

In adopting the Wireless Plan the Town's planning efforts have the following goals:

1. Facilitate access to reliable wireless communications services throughout the Town of Kent.
2. Protect community aesthetics by planning for well-sited and well-designed wireless service facilities that fit reasonably and unobtrusively into the Kent environment.
3. Manage the placement of all communication antennas, antenna support structures, buildings, and associated equipment so as to promote efficient service delivery and avoid unnecessary proliferation
4. Ensure the safety of wireless communications facilities and avoid potential damage to people and property.

5. Guide decision-makers and Town staff by providing a policy framework and design guidance for decisions about wireless service facilities.
6. Assist wireless companies with information useful in their facility deployment process.
7. Ensure compliance with all applicable state and federal laws.

2.4 Assessment Of Existing Town Wireless Infrastructure

The methodology to assess the existing wireless facilities is explained in the Homeland Tower’s Wireless Infrastructure Plan report and will not be repeated at any length for purposes of this DGEIS. However, the drive test analyses included RSSI (Received Signal Strength Indicator) coverage measurements for the following wireless providers:

- AT&T Wireless 850 MHz Band
- AT&T Wireless 1900 MHz
- Sprint-Nextel 850 MHz Band, Nextel
- Sprint Nextel 1900 MHz Band, Sprint CDMA
- T-mobile 1900 MHz Band
- Verizon Wireless 850 MHz Band

Additionally, the assessment considered each of the existing towers and identified wireless facilities servicing the Town:

<u>Location</u>	<u>Tower Type</u>	<u>Height</u>	<u>Carrier(s)</u>
1. Kent	Monopole	150'	Verizon, Sprint, T-Mobile, Cingular
2. Kent	Tower	130'	Sprint, Cingular, Nextel
3. Kent	Monopole	180'	Cingular, Nextel
4. Kent	Monopole	150'	T-Mobile, Nextel, Cingular, Verizon
5. Kent	Monopole	150'	Sprint, Cingular, T-Mobile
6. Kent	Tower	180'	T-Mobile, Sprint, Nextel, Verizon, Cingular
7. Carmel	Flag Pole	120'	Cingular, T-Mobile, Verizon
8. Kent	Tower	180'	No Wireless Carriers
9. Kent	Utility Tower	120'	Sprint

10. Kent Tower 90' No Wireless Carriers

Site No.8 is a radio facility which has two towers, but the site does not have any wireless carriers. There is one tower that seems to be active with public safety equipment. The second tower located in this exact facility is not occupied with any equipment.

Site No.9 is a utility tower that currently has wireless communication equipment, but does not appear operational.

Site No.10 is a Tower that doesn't have any wireless carriers, but is operational with microwave equipment.

As noted in the Wireless Plan inadequate wireless coverage in the 800 MHz range exists in the following areas:

1. A gap of ± 1.2 miles along the Carmel-Kent Cliffs Road and State Route 301 from Clear Pool Road to Smokey Hollow Road.
2. A gap of ± 4.8 miles along Gypsy Trail Road from Farmers Mill Road to Nichols Street.
3. A gap of ± 2.5 along Farmers Mill Road/White Pond Road from Mead Court to Ressique Road.
4. A gap of ± 2.7 miles along Horsepound Road from State Route 52 to Nichols Road.
5. A gap of ± 2.0 miles along Nichols Road from Gypsy Trail Road to State Route 52.
6. Additional gaps along Hortontown Hill Road north to Miller Hill Road and east to Taconic State Parkway south to North Knapp Court.

As noted in the Wireless Plan inadequate wireless coverage in the 1900 MHz range exists in the following areas:

1. A gap of ± 1.3 miles along Old Forge Drive from Westwood Drive to Sagamore Road.
2. A gap of ± 2.0 miles along Richardville Road from Hilltop Court to Peekskill Hollow Road.
3. A gap of ± 5.7 miles along State Route 32 from Stonegate Court south to Sunset Ridge.
4. A gap of ± 3.4 miles along Farmers Mill Road from White Pond Road to Ressique Road.
5. A gap of ± 2.7 miles along Horsepound Road from State Route 52 to Nichols Road.

6. A gap of ± 2.0 miles along Nichol Road from Gypsy Trail Road to State Route 52.
7. A gap of ± 4.61 miles on Gypsy Trail Road from State Route 301 North to Farmers Mill Road.
8. A gap of ± 3.4 miles along Farmers Mill Road from White Pond Road to Ressique Road.
9. A gap of ± 1.3 miles on Ressique Road from Milltown Road to Farmers Road.
10. A gap of ± 1.5 miles on Farmers Mill Road from Ressique Road to North Horsepound Road.
11. Additional gaps along Horsepound Road from State Route 52 to Nichols Street.

The Town of Kent currently has sufficient coverage mainly along the Taconic corridor and the Interstate 84 corridor. The remainder of the Town has significant gaps in service that need to be addressed. Based on the Wireless Plan analysis the following recommendations are set forth:

AREA 1- Farmers Mill Road

The first area of deficient coverage is along Farmers Mill Road and its surrounding areas. Due to terrain and distance, Site 3² does not adequately cover Northeast of Route 301 along Farmers Mill Road and sites 5 and 6 do not cover West of Route 52 to the eastern portions of Farmers Mill Road. Due to the distance of the coverage hole and topography challenges along Farmers Mill Road, the Wireless Plan recommends two sites be developed to adequately address existing coverage needs.

AREA 2- Route 52, North of Route 311

The second area of deficient coverage is along Route 52, north of Route 311. The terrain on both sides of Route 52 effectively block signal from existing sites, requiring facilities be placed closer to Route 52.

AREA 3- Route 52, between Towners Road and Horsepound Road

The third area of deficient coverage is along Route 52 between Towners Road and Horsepound Road. Sites 4 and 7 are about 2 miles away and are unable to cover the majority of this area. This area is comprised of small businesses and commercial use properties. Multiple commercial properties have been identified as good candidates for a communications facility within this area that would significantly improve reliable coverage and improve capacity.

AREA 4- Clearpool- Area around Clearpool Rd. and China Pond

2. Site numbers refer to the existing numbered sites as shown on Exhibit B1 of the Homeland Towers report.

The fourth area of deficient coverage is around Clearpool Rd. and China Pond. In order to provide coverage to this area the Wireless Plan proposes a site located at one of the addresses indicated below or a nearby parcel yet to be identified.

2.5 Specific Recommendations

As set forth in the Wireless Plan the recommended course of action is to provide for the construction of up to nine additional wireless communication towers to be developed in two phases. Phase 1 would involve the development of towers in the following locations:

- Along Farmers Mill Road a site at one of the following properties:
 - 176 Farmers Mill Road; Owner: Town of Kent. Zoned R-80.
 - 146 Ressique Street; Owner: Town of Kent. Zoned R-80.
- Along Route 52 north of Route 311 a site at one of the following properties:
 - Parcel No. 22-1-23.1; Owner: Town of Kent. Zoned R-80.
 - Parcel No. 22-1-23.3; Owner: Town of Kent. Zoned R-80.
 - 16 Ray Singer Court; Owner: Town of Kent. Zoned R-80.
 - 885 Route 52; Owner: Town of Kent. Zoned R-80.
- Route 52 between Towners Road and Horsepound Road a site at one of the following properties:
 - 251 Route 52; Owner: Private. Zoned Commercial.
 - 235 Route 52; Owner: Private. Zoned Commercial.
 - 259 Route 52; Owner: Private. Zoned Commercial.
 - Parcel No. 44.5-2-25; Owner: Private. Zoned Commercial.
 - 301 Route 52; Owner: Private. Zoned Commercial.
 - 315-317 Route 52; Owner: Private. Zoned Commercial.
 - 321-323 Route 52; Owner: Private. Zoned Commercial.
 - 325 Route 52; Owner: Private. Zoned Commercial.
 - Parcel No. 33.18-1-6; Owner: Putnam County. Zoned Commercial.
 - 329 Route 52; Owner: Private. Zoned Commercial.

- 333 Route 52; Owner: Private. Zoned Commercial.
- 339-349 Route 52; Owner: Private. Zoned Commercial.
- 361 Route 52; Owner: Private. Zoned Commercial.
- 387 Route 52; Owner: Private. Zoned Commercial.
- Parcel No. 33.18-1-16; Owner: Private. Zoned Commercial.
- Vicinity of Clearpool Road and China Road a site at one of the following properties:
 - 33 Clearpool Road; Owner: Private. Zoned R-80.
 - 810 Golf Ridge Road; Owner: Private. Zoned R-80.
 - 887 Golf Ridge Road; Owner: Private. Zoned R-80.
 - 8-26 Kashmir Court; Owner: Private. Zoned R-80.
 - Parcel No. 43-2-44; Owner: Private. Zoned R-80.

As set forth in the Wireless Plan the recommended course of action is to provide for the construction of up to nine additional wireless communication towers to be developed in two phases. Phase 2 would involve the development of towers in the following locations:

- White Pond area; various properties, privately owned. Zoned R-80.
- Kent Hills area; various properties, privately owned. Zoned R-80.
- Pine Pond East area; various properties, privately owned. Zoned R-80 / R-40³.
- Taconic Parkway Site 9; various properties, privately owned. Zoned R-80.

2.6 Development Process

Generally, the development of any Town owned property is expected to proceed based on a formal agreement between the Town and Homeland Tower, LLC under which Homeland Tower would be granted the right to construct a tower of sufficient height and in the proper location to attract one or more of the wireless communication companies operating in the area. The tower would be designed to avoid and minimize visual intrusions and disturbance to land and vegetation. Approval of any agreement between the Town and Homeland Tower along with any tower development plan would be subject to a full environmental review as required by SEQRA.

3. The area in the vicinity of Dean Pond is zoned R-40, single family residential.

Conversely, the development of any privately owned property for wireless communications would be subject to the Town's zoning process under which approval must be obtained from the Planning Board, and possibly the Zoning Board of Appeals. Again, however, any such approvals would be subject to a full environmental review as required by SEQRA.

2.7 Public Need and Benefits

The Town Board is responsible for determining the correct the balance between reasonable growth and the protection of public health, safety and welfare. The primary public benefit of the Wireless Plan is that it allows the Town to "get ahead" in facility planning by identifying the gaps in coverage experienced by the various wireless providers and to create a local plan to develop sites to accommodate the needs of the providers. By proactively identifying sites suitable for development of wireless facilities the Town can also identify at the earliest possible time suitable mitigation (typically visual mitigation to hide or minimize the appearance of towers and support structures) for each potential site. The Wireless Plan would also allow the Town to minimize the number of wireless facilities by identifying optimum locations for multiple wireless providers to co-locate on a single tower or cluster of towers.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATIONS

3.1 Environment

- **Water Resources**

Various ponds, lakes, creeks and tributaries are located throughout Kent. These features provide recreational and environmental functions for the town residents. They are also an important component of the region's water supply system. Most of the land area of the Town is located within the Catskill/Delaware system (a/k/a East of Hudson Watershed), with the remaining watershed lands lying within the Croton system. Thus, most of Kent lies within the drinking water supply watershed of the City of New York. Five sub-basins of the NYC watershed exist in Kent. These are the drainage basins to the Boyds Corner, West Branch, Croton Falls, Middle Branch and East Branch reservoirs. Boyds Corner Reservoir is located entirely within the town and drains a large portion of the western half of the town through the West Branch Croton River, including Sagamore Lake, Seven Hills Lake and White Pond. The West Branch Reservoir crosses the Kent/Carmel town line and drains the central portion of Kent through the West Branch Croton River and Horsepound Brook, including South Lakes, Kentwood Lake and Pine Pond. Croton Falls, Middle Branch and East Branch Reservoirs, located in the Towns of Carmel and Southeast, drain smaller portions of eastern Kent, including Palmer Lake (Croton Falls), Lake Carmel and Drew Lake (Middle Branch) and Solomon Lake.

Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any environmental impact on the water resources of the Town. As noted previously, the Wireless Plan allows the Town to assess the potential of individual sites for suitability to support a wireless communication facility. The environmental effects associated with the development of any one particular site must still be assessed on a case by case basis in accordance with the requirements of SEQRA, with appropriate mitigation to avoid and minimize potential adverse effects. The type of mitigation for any particular site is expected to be different depending on its environmental setting. The Wireless Plan would also allow the Town to minimize the number of wireless facilities by identifying optimum locations for multiple wireless providers to co-locate on a single tower or cluster of towers thereby minimizing soil disturbance that may have an adverse impact on water resources. Therefore, no mitigation is required.

- **Air Resources**

The Town of Kent is largely a rural community characterized by lakes, steep slopes, and forested hillsides. The air quality is considered to be good due to these unique rural qualities. Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any environmental impact on the air quality of the Town. Therefore, no mitigation is required.

- **Plants and Animals**

Within the open space, forest, wetland, and water body areas of the Town are habitat for a variety of flora and fauna. Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any environmental effect on the common and unique flora and fauna of the Town. As noted previously the potential environmental effects of development of any particular site for use as a wireless communication facility must be analyzed on a case by case basis. The Town is required to use its authority under SEQRA to analyze the potential effects of development on flora and fauna to ensure the long term survival of the Town's precious plant and animal life. Therefore, no mitigation is required.

- **Agricultural Resources**

The Town of Kent contains approximately 18% of the agricultural land in Putnam County. Most of the identified agricultural land is in forest management, which under the state definition of "agriculture" qualifies as an agricultural use. Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any impact on the agricultural resources of the Town. Therefore, no mitigation is required.

- **Aesthetic Resources**

Much of the town's scenic quality comes from the views along its hilly roads through forested landscapes, and from large areas set aside for recreation, such as Fahnestock Park. In addition there are any number of roads in the Town that have scenic qualities defined by distinctive vistas, stone fences or walls, hedgerows, and tree canopies. These qualities are created primarily not by the road themselves (which may be paved or unpaved) but by the natural countryside and landscape quality of the open spaces through which the roads traverse. As a result, the preservation of the landscape around these roads is just as important. Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any environmental impact on the important aesthetic resources of the Town. However, as noted previously the potential environmental effects of development of any particular site for use as a wireless communication facility must be analyzed on a case by case basis. In addition the Planning Board will continue to use its authority under SEQRA to analyze the potential effects of development on important aesthetic attributes to ensure the long-term protection of these important resources. Therefore, no mitigation is required.

- **Historic and Archaeological Resources**

Preservation of the remaining physical aspects of Kent's history will make the town's history salient to newcomers, a source of pride to existing residents, and a potential source of historic tourism dollars. However, adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any environmental impact on the historic and pre-historic resources of the Town. Therefore, no mitigation is required.

3.2 Land Use and Zoning

All but one of the sites that are recommended for development of wireless communication facilities are located in zoning districts that allow such facilities by special use permit issued by the Planning Board.⁴ The Dean Pond site is located in the R-40 residential zoning district which prohibits wireless communication sites. Development of a facility in this location would require either a zoning map amendment or a use variance. However, this site is an alternate site to the Pine Pond East site and is not a primary site as recommended in the Wireless Plan. It should also be noted that the wireless communication facilities are unmanned and do not typically require water supply or sewage disposal facilities, significant road access, and do not add to the population of the Town of Kent or to the population of the local schools. Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any particular effect on the Town's land use controls or land uses. Therefore, no mitigation is proposed.

4. Development of property owned by the Town of Kent is not subject to the Town's Zoning Law.

3.3 Community Resources

- **Community Services**

The Town of Kent currently provides the following services to its residents:

- **Police protection.** The Kent Police Department is a force comprised of one full-time chief and twenty-one full time police officers. The force comprises one lieutenant, four sergeants, three detectives, eleven police officers, one K9 officer with dog (named Justice) , and five dispatchers. The department provides 24- hour, seven-days-per-week patrol coverage.
- **Fire protection.** The Town of Kent is currently served by the Kent Fire District (western Kent area) and the Kent Fire Protection District No. 1 (Lake Carmel area). Two fire stations serve the Lake Carmel area and one serves western Kent. Gypsy Trail and Farmer's Mills Road form the boundary line between these two service areas. The Kent Fire District is resident-owned and funded by the tax payers and has elected Commissioners. The Fire Protection District is privately owned and contracts out services. There is a county-wide Mutual Aid Agreement in place in Putnam County which facilitates assistance between all county fire departments. Kent Fire District No. 1 serves western Kent. The fire station is located on Route 301 and was built in 1971 with some modifications in 2001. The district has approximately 40 volunteer members. The equipment comprises 1 brush truck, 2 attack trucks, 1 ambulance, and a utility vehicle. The Lake Carmel Fire Protection Department headquarters was constructed in 2003 and is located on Route 52. There are 118 volunteers serving this fire department. Equipment comprises of eight pieces of apparatus, one ambulance, one utility truck, 1 rescue truck with extraction tools, 2 tankers holding 4500 gallons of water and 3 pumper style trucks holding 3000 gallons of water, and 1 fire police van.
- **Library.** The Kent Public Library is located at Sybil's Crossing adjacent to the Town Hall. Currently there are 15 staff members including a Director, an Assistant Director, a Children's Specialist, and ten clerks. There are public access computers available in addition to numerous library programs.
- **Recreation.** Kent currently owns and operates two town parks. Ryan Memorial Park is located in the furthest southeast corner of Kent, off Towner's Road on Park Street and comprises about 14 acres and some field space is actually on school district property. Huestis Town Park is located on Farmers Mills Road, five miles west of the Kent schools and is approximately 90 acres in size. This facility has two softball fields, a playground, a volleyball court and basketball court. The park is largely

woods, wetlands, and rock. The Recreation Department depends on the Kent Primary School, Kent Elementary School, Matthew Paterson School and the George Fisher Middle School indoor facilities for various sports activities, special events and camps.

Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any effect on the Town's ability to meet the emergency, recreation and cultural services needs of residents. In fact, wireless facilities add to the local tax base but because they are unmanned do not generate significant demand for police or fire services, and generate no demand for school, recreation, or solid waste disposal services. Therefore, no mitigation is proposed.

- **Open Space**

Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any effect on existing open space in the Town. Therefore, no mitigation is proposed.

3.4 Socio-Economic Conditions

- **Population**

Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any effect on the Town's local population profile. In fact, wireless facilities add to the local tax base but because they are unmanned do not generate significant demand for police or fire services, and generate no demand for school, recreation, or solid waste disposal services. Therefore, no mitigation is proposed.

- **Housing**

Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any effect on local housing stock or settlement patterns in the Town. Therefore, no mitigation is proposed.

- **Economy**

Aside from adding to the local tax base by encouraging the development of several new wireless communication facilities, adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any effect on the local economy. Therefore, no mitigation is proposed.

3.5 Transportation

Access to a wireless communication facility is typically via a driveway or unimproved road. Visits to the site typically consist of a single technician

approximately once per month to check on the facility. Adoption of the proposed Wireless Infrastructure Plan would not, by itself, have any effect on the local transportation network. Therefore, no mitigation is proposed.

4.0 OTHER ENVIRONMENTAL EFFECTS

4.1 Irreversible and/or Irretrievable Commitment of Resources

Implementation of the proposed action will not directly cause a loss of resources. To the extent that the proposed action permits development, certain resources relating to building and development will be committed. These resources include, but are not limited to: concrete, asphalt, steel, timber, paint and topsoil. The operation of construction equipment would involve the consumption of fossil fuels, while completed developments would require electricity in addition to fossil fuel usage. The proposed action, however, is not an express authorization to construct or to develop any particular wireless facility anywhere in the Town.

4.2 Unavoidable Adverse Environmental Impacts

Unavoidable adverse impacts may result from the implementation of the Wireless Plan by constructing one or more wireless communication facilities in the areas identified in the Plan, although a specific environmental analysis must be performed on each site, and it is expected that such analysis would include mitigation to avoid and to reduce the severity of potential adverse effects.

4.3 Growth-Inducing, Cumulative, and Secondary Impacts

The proposed action, in and of itself will not result in any direct impacts. The proposed action would generally limit the potential number of wireless communication facilities in the Town by encouraging the location, and the accumulation, of such facilities in the areas defined by the Wireless Plan. However, this action in and of itself is not anticipated to induce significant additional growth.

4.4 Energy Use and Conservation

Any new development occurring as a result of the proposed action will utilize energy resources to construct and to operate one or more new wireless communication facilities. The proposed action, however, would limit future adverse impacts associated with growth, including the additional use of energy by encouraging the use of energy efficient building design and layout through the new design standards.

5.0 ALTERNATIVES

5.1 No Action Alternative: Do Not Adopt the Wireless Infrastructure Plan

Not adopting the Wireless Plan, while an alternative that the Town could consider, is not the preferred alternative. The Town has devoted a significant amount of time and energy to develop the proposed Wireless Plan that considers the existing wireless infrastructure and provides a reasoned response to future demand for additional wireless communication facilities in the Town. To the greatest extent possible, the proposed Wireless Plan provides a balance of resident needs and desires against the realities of the market demand for wireless services and the federal and state requirements to allow such facilities. Substantial alterations to the proposed Wireless Plan would upset the balance that has been achieved. The absence of a Wireless Plan would place the Town in a position of simply reacting to development instead of being proactive in its efforts.

6.0 SUBSEQUENT SEQRA ACTIONS

6.1 Other Required Actions

The adoption of the Wireless Plan does not automatically presume any additional actions under SEQRA will be required. However, since the purpose of the Wireless Plan is to set the Town on course whereby the Town will proactively seek to develop and to allow development of additional wireless communication sites it is expected that a comprehensive SEQRA reviews will be required for any of the sites that are ultimately selected for development.

7.0 ACKNOWLEDGMENTS

Town of Kent Comprehensive Plan, May 2008.

6 NYCRR Part 617, the State Environmental Quality Review Act regulations

Code of the Town of Kent

8.0 APPENDIX A - Figures

Exhibit A: Existing Facilities

Exhibit B1: Existing 800 MHz Coverage

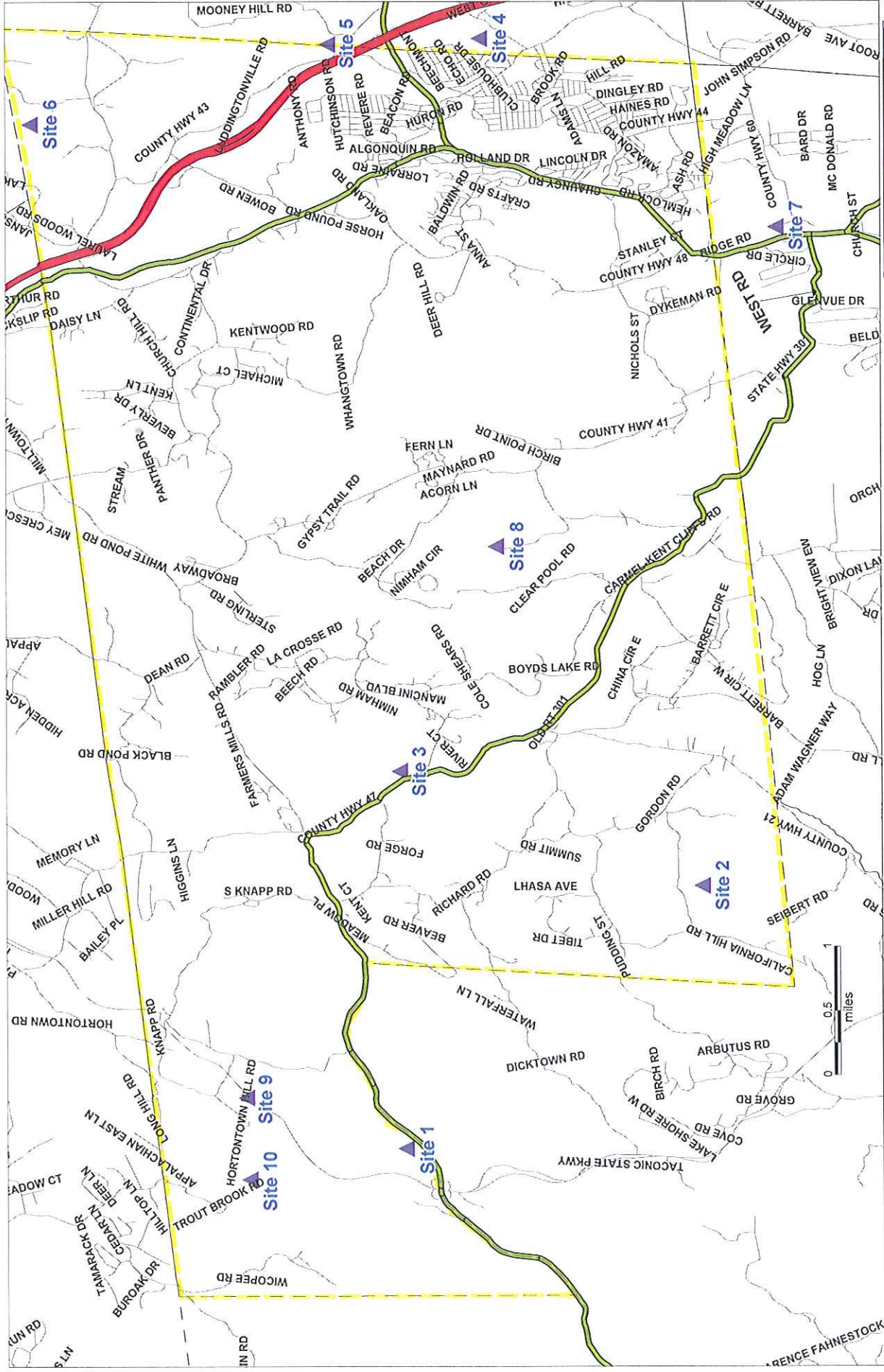
Exhibit B2: Existing 1900 Mhz Coverage

Exhibit HT1: Existing and Proposed Coverage

Copies of this DGEIS and the proposed Wireless Infrastructure Plan are available at:

- The Office of the Town Clerk, 25 Sybil's Crossing, Kent Lakes, New York 10512.
- Kent Town Library, 25 Sybil's Crossing, Kent Lakes, New York 10512.
- On the web at www.townofkentny.gov.

APPENDIX A - FIGURES



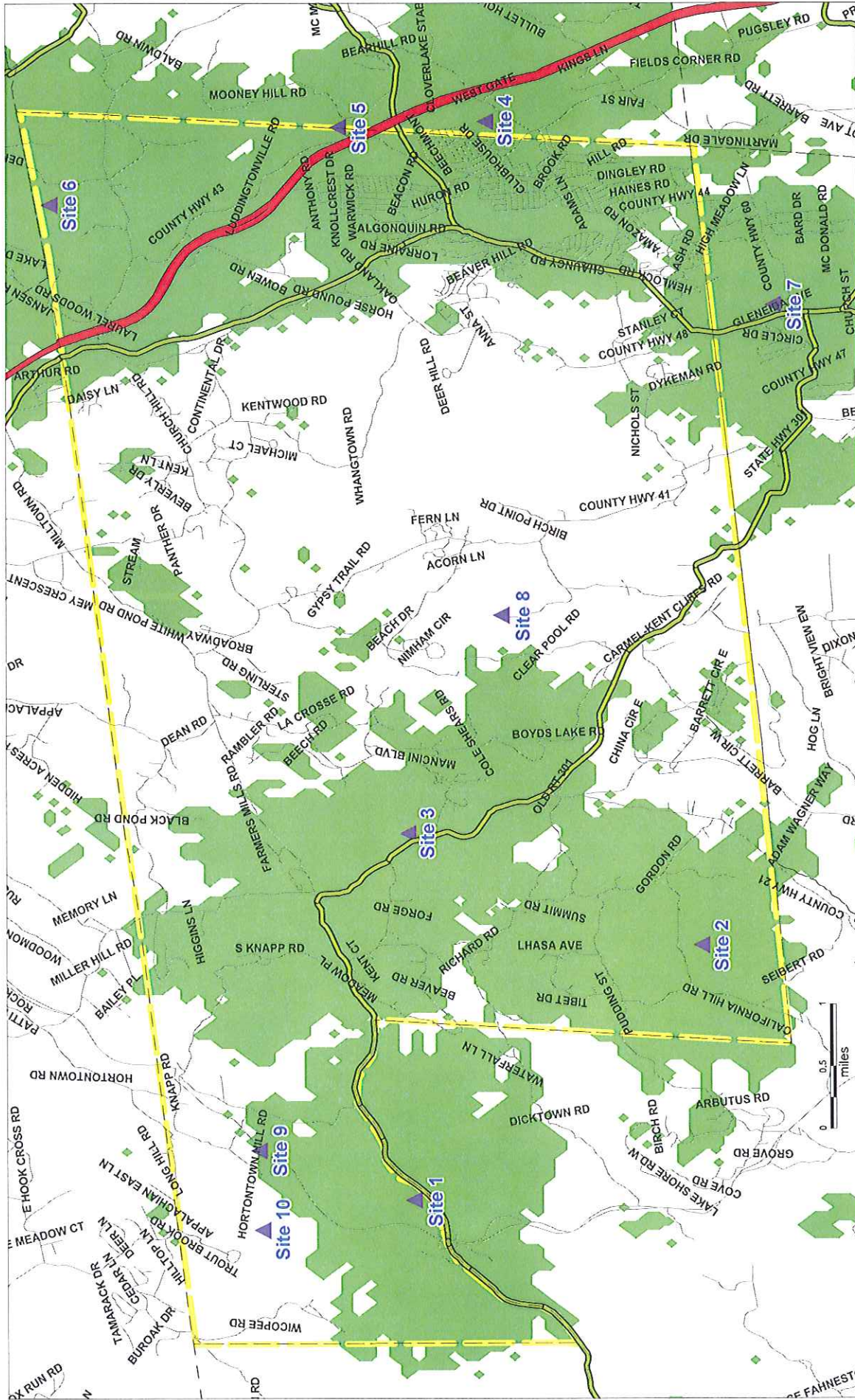
HOMELAND TOWERS

Prepared By: K. Harris



▲ Existing Site Locations
 - - - Town Boundary

Exhibit A
Existing Facilities
 Site Name: Town of Kent
 Prepared: 10/23/2008

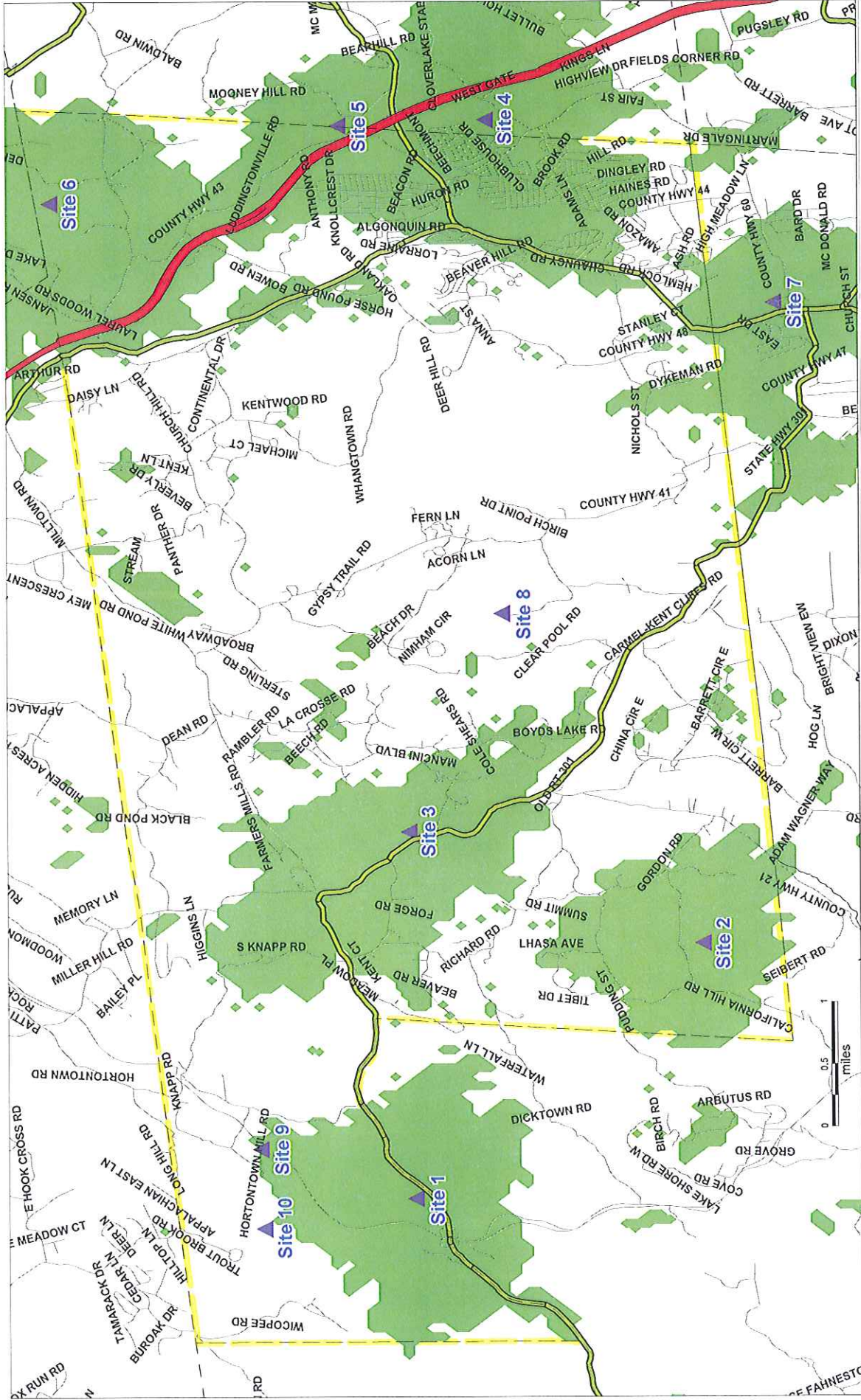


HOMELAND TOWERS

Prepared By: K. Harris
PierCon Solutions
Specialists in Wireless Systems

Exhibit B1
Existing 800MHz Coverage
Site Name: Town of Kent
Prepared: 10/23/2008

-  Existing Site Locations
-  Town Boundary
-  -84 Reliable Coverage



HOMELAND TOWERS

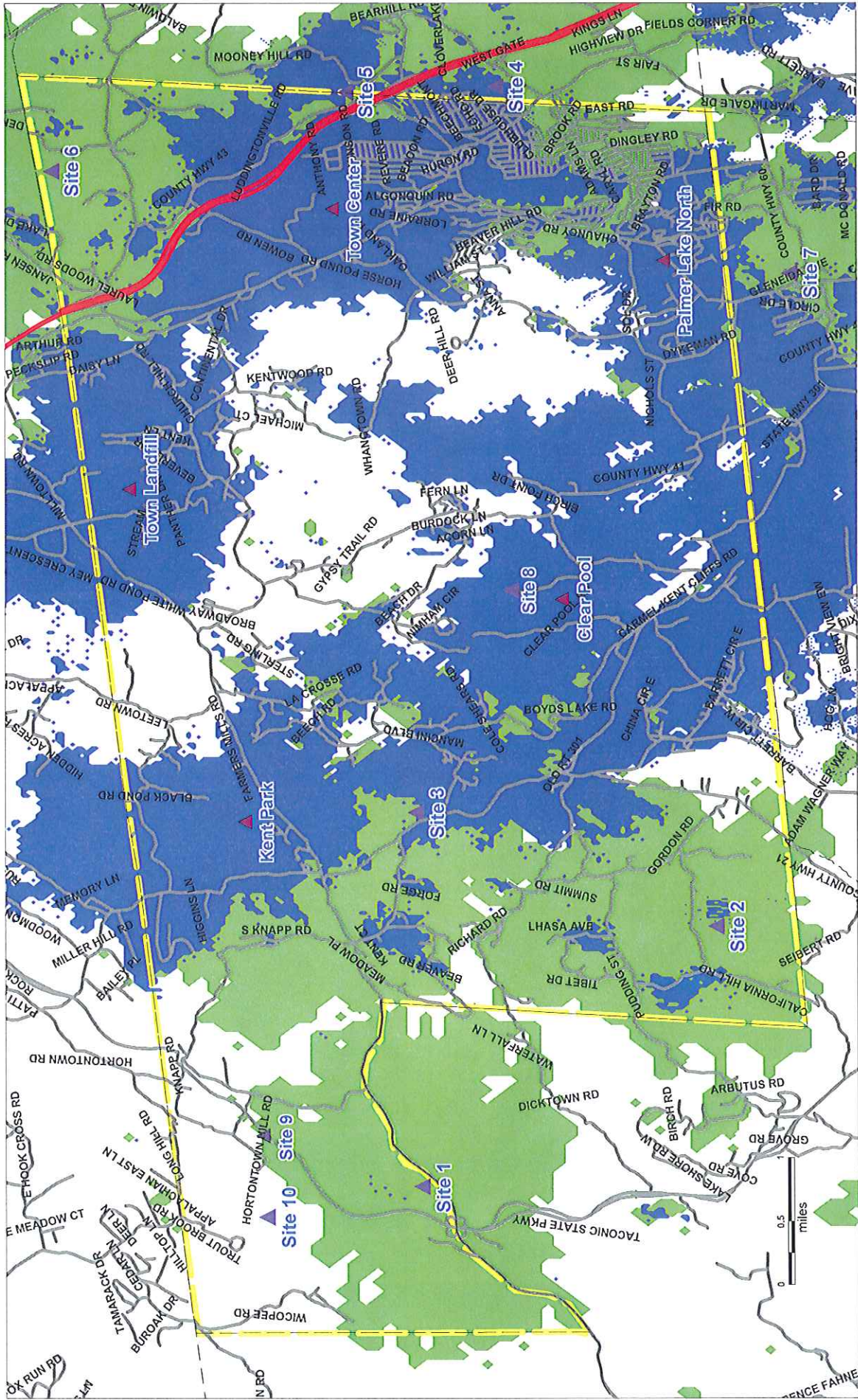
Prepared By: K. Harris
PierCon Solutions
Specialists in Wireless Systems

Exhibit B2
Existing 1900MHz Coverage

Site Name: Town of Kent

Prepared: 10/23/2008

-  Existing Site Locations
-  Town Boundary
-  -84 Reliable Coverage



Prepared By: D. Castillo
PierCon Solutions
Specialists in Wireless Systems

- Proposed Coverage @ -84 dBm
- Existing Coverage @ -84 dBm
- Proposed Site
- Existing Site
- Town of Kent Boundary

Exhibit HT1
Existing and Proposed Coverage

Frequency: 800 MHz

Town of Kent
Prepared: 08/08/2011