

PUBLIC SAFETY COMMITTEE MEETING

AGENDA

September 4, 2013

Committee Chairperson Lawrence called the meeting to order at _____ p.m.

Public Safety Committee Members: Chairperson Lawrence; Legislators Martinez, Handel, Hatton, Kozloski and H. Lennon.

AGENDA ITEMS:

1. Proposed Resolution “Public Safety Telecommunications System Project – Windham Mountain Tower, Authorizing State Environmental Quality Review Act (SEQR) And National Environmental Policy Act (NEPA) Environmental Reviews And Issuance Of Negative Declaration.” Backup Attached.
2. Proposed Resolution “Authorization To Advertise For Bids For The Construction Of A 911 Communication Tower.”
3. Proposed Resolution “Authorizing Contract – Greene County And NYS Department Of Correctional Services To Procure Food Products For The Jail.”
4. Proposed Resolution “Establish Capital Project #83 – County Office Building Improvements – Cairo.” Backup Attached.

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September 18, 2013

RESOLUTION NO.

PUBLIC SAFETY TELECOMMUNICATIONS SYSTEM PROJECT
WINDHAM MOUNTAIN TOWER
AUTHORIZING STATE ENVIRONMENTAL QUALITY REVIEW ACT
(SEQR) AND NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
ENVIRONMENTAL REVIEWS AND ISSUANCE OF NEGATIVE
DECLARATION

Legislator offered the following resolution
and moved its adoption:

WHEREAS, Greene County is currently engaged in the planning and design of a public safety telecommunications tower on Windham Mountain funded through a grant from the New York State Division of Homeland Security and Emergency Services; and

WHEREAS, the project involves construction of a telecommunications tower on land in the Town of Jewett to be transferred from Windham Mountain Partners to the County at no cost to the County that will host a microwave facility which will provide interoperability with Delaware County's existing public safety microwave facility located on Mt. Utsayantha. The project includes construction of a 135' self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound. The compound will be located in a wooded area screened from the Windham Mt. Ski Facility by heavy vegetation. It will be proximate to an existing Crown Castle Tower compound and will be accessed via an extension to an existing gravel access driveway; (Attachment A – Site Plan); and

WHEREAS, the project is subject to review under the State Environmental Quality Review Act (SEQR) and a Long Environmental Assessment Form has been prepared to document the potential environmental impacts of the project and to assist the Lead Agency in making a Determination of Significance (Attachment B – Long EAF Parts 1 and 2); and

WHEREAS, the project is also subject to review under the National Environmental Policy Act (NEPA) due to the issuance of the license from the FCC, a federal agency, and a NEPA screening report has been prepared (Attachment D); and

WHEREAS, 6 NYCRR 617.6 describes the initial review of actions and the establishment of a Lead Agency. 6 NYCRR 617.2(u) describes the Lead Agency as an involved agency principally responsible for undertaking, funding or approving an action. Involved Agencies are those that will ultimately make a discretionary decision to fund, approve or undertake an action (6 NYCRR 617.2(s)); and

WHEREAS, review and issuance of non-discretionary approvals are required from the Federal Aviation Administration (FAA) for a review for Hazard to Air Navigation, Federal Communications Commission (FCC) Licensing, and NYS Department of State (DOS) Building Permit; and

WHEREAS, the project does not involve any activities that are subject to discretionary permits or approvals from the State Departments of Health, Environmental Conservation or Transportation or the New York City Department of Environmental Protection or any other agency; and

WHEREAS, the project is located in the Town of Jewett and the Town of Jewett Code incorporates land use codes including but not limited to zoning, site plan review, and wireless telecommunications regulations. The purpose of these regulations is to protect the health, safety and welfare of the residents and property owners of the Town. Similarly, the County, in implementing its role in the collaboration with surrounding counties with respect to public safety communications, is also contributing to the health, safety and welfare of the residents of the Town of Jewett as well as many other communities in Greene County; and

WHEREAS, it is not uncommon that infrastructure intended to benefit an entire region is sponsored by an agency with regional jurisdiction. In this case, the County Legislature is acting on behalf of the entire citizenry of the County in implementing a public safety telecommunications site on Windham Mountain in the Town of Jewett. Whenever a regional government is conducting a development action in a local jurisdiction, questions regarding the application of local land use and zoning regulations arise; and

WHEREAS, certain acts of government may be exempt from local land use and zoning regulations if a determination is made that the public's interests are served without the imposition of local regulations. The determination of the public interest is governed through a process of balancing as provided in the New York Court of Appeals 1988 case *Matter of County of Monroe v. City of Rochester*, 72 N.Y.2d 338 N.Y.S.2d 702. This case set forth the following nine factors to be weighed in the "balancing of public interests" analytical approach to determining exemption of governmental acts from local land use and zoning regulations including the nature and scope of the instrumentality seeking immunity; the government's legislative grant of authority; the kind of function or land use involved; the effect local land use regulations would have upon the enterprise concerned; alternative locations for the facility; the impact upon legitimate local interests; alternative methods of providing the proposed improvement; the extent of the public interest to be serviced by the improvements; and, intergovernmental participation in the project development process and opportunity to be heard; and

WHEREAS, the County sought immunity from local regulations as it is directly undertaking the action for the construction of a public safety telecommunications facility, the purpose of which is to enhance the County's ability to provide for the health, safety and welfare of the people of the County, including the Town of Jewett; and

WHEREAS, the imposition of local land use regulations on the public safety telecommunications facility would not result in a substantially different project as there are very few discretionary issues due to the technical nature of the facility and its remote location; however, the imposition of local land use regulations could jeopardize the project schedule, which could result in the loss of grant funds for this vital public service; and

WHEREAS, the location of the public safety telecommunications facility is driven by microwave engineering requirements for interoperability with Delaware County and in consideration of ensuring that the site of the facility is optimized relative to local and regional emergency services telecommunications and alternative locations do not meet these objectives; and

WHEREAS, legitimate local interests will be protected notwithstanding exemption from local land use regulations and zoning through coordination and input with the Town of Jewett and neighboring Town of Windham during the planning of the facility as well as through the functioning of the facility once operational in contributing to the safety of the residents of Greene County; and

WHEREAS, technological requirements govern the provision of public safety telecommunications systems and while there may be other methods of communications (e.g. a technology other than microwave), any technology that provides long distance wireless communications will require one or more towers; thus, alternative methods of providing emergency communications will not eliminate the project and thus are not viable for consideration; and

WHEREAS, the public interest is paramount in the proposed project as demonstrated during recent disasters, both natural (e.g. Tropical Storm Irene) and manmade (e.g. 9-11) validating the need for improved interoperability with neighboring jurisdictions and the need to strengthen public safety communications within the County and regionally; therefore, the public interest in interoperable emergency communications is the purpose of the project; and

WHEREAS, the County engaged the Town of Jewett as the host community for the public safety telecommunications facility as well as the neighboring Town of Windham within the context of the County's environmental review and prior to the development of final plans for the project to seek consultation and input in the project providing intergovernmental participation in the project development process and an opportunity to be heard; and

WHEREAS, on August 14, 2013, the Town Board of the Town of Jewett met in public session to consider the exemption of the public safety telecommunications tower to be located on Windham Mountain from local land use and zoning regulations and adopted a resolution to that effect (Attachment C);



**Office of the
County Administrator**

411 Main Street
Suite 408
Catskill, New York 12414

Shaun S. Groden
County Administrator

MEMORANDUM

①

TO: William Lawrence, Chairman, Public Safety Committee

FROM: Shaun S. Groden, County Administrator 

RE: Public Safety Telecommunications Tower – Windham Mountain;
Authorizing Environmental Reviews and Issuance of Negative
Declaration

DATE: August 28, 2013

Greene County is currently engaged in the planning and design of a public safety telecommunications tower to be located on Windham Mountain, the costs for which are funded through a grant from the New York State Division Of Homeland Security and Emergency Services.

The project involves construction of a telecommunications tower on land in the Town of Jewett to be transferred from Windham Mountain Partners to the county at no cost to the County that will host a microwave facility which will provide interoperability with Delaware County's existing public safety microwave facility located on Mt. Utsayantha. The project includes construction of a 135' self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound. The compound will be located in a wooded area screened from the Windham Mt. Ski Facility by heavy vegetation. It will be proximate to an existing Crown Castle Tower compound and will be accessed via an extension to an existing gravel access driveway.

The project is subject to review under the State Environmental Quality Review Act (SEQR) and the Federal Communications Commission (FCC) must review the project under the National Policy Review Act (NEPA) prior to issuing a license for the frequencies and location to the County.

The attached resolution declares the County Lead Agency for the SEQR review, with the consent of the Town of Jewett by resolution of the Jewett Town Board; classifies the project as an Unlisted Action under SEQR; authorizes submission of the NEPA Screening Report to the FCC; and declares that the project will not have a significant impact on the environment, thus a Negative Declaration will be issued.

The attached resolution incorporates the environmental review record, including a site plan, mapping and supporting documentation, the Jewett Town Board Resolution authorizing the County to act as Lead Agency for SEQR, completed environmental assessment forms, and NEPA Screening Report indicating that the propose action will not have a significant impact on the environmental and therefore a Negative Declaration will be issued.

cc: ✓ John Farrell, Jr., Emergency Services Director
✓ Warren Hart, Director of Economic Development, Tourism & Planning
✓ John Wynne, Director of Information Technology



ATTACHMENT A

SITE PLAN

ATTACHMENT B

LONG ENVIRONMENTAL ASSESSMENT

PARTS 1 AND 2

**GREENE COUNTY
EMERGENCY SERVICES TELECOMMUNICATIONS
SYSTEM PROJECT**

**WINDHAM MOUNTAIN TOWER
TOWN OF JEWETT, NEW YORK**

**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
FULL ENVIRONMENTAL ASSESSMENT FORM**

SEQR UNLISTED ACTION

LEAD AGENCY:

**GREENE COUNTY
411 MAIN STREET, 4TH FLOOR
CATSKILL, NY 12414**

PREPARED FOR:

**GREENE COUNTY
411 MAIN STREET, 4TH FLOOR
CATSKILL, NY 12414**

PREPARED BY:

**DELAWARE ENGINEERING, P.C.
28 MADISON AVE. EXTENSION
ALBANY, NY 12203**

AUGUST 2013

**State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM**

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

**Greene County Emergency Services Telecommunications System
Windham Mt. Tower**

Name of Action

Greene County

Name of Lead Agency

Wayne Speenburgh

Print or Type Name of Responsible Officer in Lead Agency

Chairman of the Legislature

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 & 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Greene County Emergency Services Telecommunications System – Windham Mountain Tower		
LOCATION OF ACTION (INCLUDE STREET ADDRESS, MUNICIPALITY AND COUNTY) Windham Mountain, Town of Jewett, Greene County		
NAME OF APPLICANT/SPONSOR Greene County	BUSINESS TELEPHONE 518-719-3270	
ADDRESS 411 Main Street, 4 th Floor		
CITY/PO Catskill	STATE New York	ZIP CODE 12414
NAME OF OWNER (IF DIFFERENT) Windham Mountain Partners, LLC.	BUSINESS TELEPHONE 518-734-4300	
ADDRESS Clarence D Lane Road		
CITY/PO Windham	STATE New York	ZIP CODE 12496
DESCRIPTION OF ACTION Greene County is a member of a consortium of counties that are engaged in improving interoperable emergency communications. To fulfill Greene County's role in this collaboration, the County intends to construct a telecommunications tower on Windham Mountain in the Town of Jewett that will host a microwave facility that will be interoperable with Delaware County's existing public safety microwave facility located on Mt. Utsayantha. The project includes construction of a 135' self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound. The compound will be located in a wooded area screened from Ski Windham patrons by heavy vegetation. It will be proximate to an existing Crown Castle Tower compound and will be accessed via an extension to an existing gravel access driveway.		

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Telecommunications Tower, Recreation (Ski Facility)

2. Total acreage of project area: 0.14 acres (4,900 SF parcel + ~1,200 SF gravel access drive)

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>0</u> acres	<u>0.055</u> acres
Forested	<u>0.14</u> acres	<u>0</u> acres
Agricultural (Includes orchards, cropland, pasture)	<u>0</u> acres	<u>0</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>0</u> acres	<u>0</u> acres
Water Surface Area	<u>0</u> acres	<u>0</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>0</u> acres	<u>0.031</u> acres
Other (Indicate type) <u>Gravel</u>	<u>0</u> acres	<u>0.054</u> acres

3. What is predominant soil type(s) on project site? VhC Vly-Halcott complex, rolling, very rocky
- a. Soil drainage: Well drained 100 % of site Moderately well drained _____ % of site.
 Poorly drained _____ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? 0 Acres (see 1NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? 0.83 – 3.33 (in feet) (10" - 40" to bedrock per Greene County Soil Survey)

5. Approximate percentage of proposed project site with slopes: 0-10% 100 % 10-15% _____ %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? (Per OPRHP Website mapping, Determination Letter is pending) YES No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? YES No
8. What is the depth of the water table? > 6.0 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? YES No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? YES No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? YES No
According to: NYS DEC Environmental Resource Mapper, NY Natural Heritage Program Letter 5/28/2013.
Identify each species: USFWS identifies Indiana Bat as a potential species in area, but field survey determined the site does not provide suitable bat habitat (dead or dying trees with flaking bark.)
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations) YES No
Describe: _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area? YES No
If yes, explain: Site is proximate to the Windham Mountain Ski Facility
14. Does the present site include scenic views known to be important to the community? YES No
There are scenic views from the top of the Windham Mountain Ski Slope but none from within this wooded area.
15. Streams within or contiguous to project area: None
a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area: None
a. Name: _____
b. Size (in acres): _____
17. Is the site served by existing public utilities? **Electrical Power** YES No
a. If YES, does sufficient capacity exist to allow connection? YES No
b. If YES, will improvements be necessary to allow connection? YES No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? YES No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? YES No
20. Has the site ever been used for the disposal of solid or hazardous wastes? YES No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate). (Greene Co. will purchase 4,900 SF of Tax Parcel 95.00-3-1)
- a. Total contiguous acreage owned or controlled by project sponsor 0.1125 acres.
- b. Project acreage to be developed: 0.085 acres initially; 0.085 acres ultimately.
- c. Project acreage to remain undeveloped 0.055
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed 0 %
- f. Number of off-street parking spaces existing 0 ; proposed 2 (park on access drive)
- g. Maximum vehicular trips generated per hour 0 (upon completion of project)
- h. If residential: Number and type of housing units: N/A
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure 135' height; 20' width; 20' length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 0 ft.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.
3. Will disturbed areas be reclaimed? N/A YES No
 a. If yes, for what intended purpose is the site being reclaimed? Gravel area within fence, brushland outside
 b. Will topsoil be stockpiled for reclamation? YES No
 c. Will upper subsoil be stockpiled for reclamation? YES No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.085 acres.
5. Will mature forest (over 100 years old) or other locally-important vegetation be removed by this project? YES NO
6. If single phase project: Anticipated period of construction 2 months, (including demolition)
7. If multi-phased: N/A
 a. Total number of phases anticipated _____ (number)
 b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition)
 c. Approximate completion date of final phase _____ month _____ year.
 d. Is phase 1 functionally dependent on subsequent phases? YES NO
8. Will blasting occur during construction? YES NO
9. Number of jobs generated: during construction 2 ; after project is complete 0
10. Number of jobs eliminated by this project 0
11. Will project require relocation of any projects or facilities? YES NO
 If yes, explain: _____
12. Is surface liquid waste disposal involved? YES NO
 a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____
 b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Type _____ YES NO
14. Will surface area of an existing water body increase or decrease by proposal? YES NO
 If yes, explain: _____
15. Is project or any portion of project located in a 100 year flood plain? YES NO
16. Will the project generate solid waste? YES NO
 a. If yes, what is the amount per month _____ tons
 b. If yes, will an existing solid waste facility be used? YES NO
 c. If yes, give name _____ ; location _____
 d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? YES NO
 e. If yes, explain: _____
17. Will the project involve the disposal of solid waste? YES NO
 a. If yes, what is the anticipated rate of disposal? _____ tons/month.
 b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? YES NO
19. Will project routinely produce odors (more than one hour per day)? YES NO
20. Will project produce operating noise exceeding the local ambient noise levels? YES NO
21. Will project result in an increase in energy use? YES NO
 If yes, indicate type(s) Slight increase in electrical energy.
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute. N/A
23. Total anticipated water usage per day _____ gallons/day. N/A
24. Does project involve Local, State or Federal funding? YES NO
 If yes, explain: **NYS Division of Homeland Security and Emergency Services
 FY 2010-2011 Statewide Interoperable Communications Grant**

25. Approvals Required:

	YES	NO	TYPE	SUBMITTAL DATE
City, Town, Village Board	<input type="checkbox"/>	<input type="checkbox"/>		
City, Town, Village Planning Board	<input type="checkbox"/>	<input type="checkbox"/>		
City, Town Zoning Board	<input type="checkbox"/>	<input type="checkbox"/>		
City, County Health Department	<input type="checkbox"/>	<input type="checkbox"/>		
Regional Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Greene County Legislature	September 2013
State Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NYS Division of Homeland Security	12/21/11
Federal Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Federal Aviation Administration	TBD
Federal Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Federal Communications Comm. (Antenna Structure Registration)	TBD

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required: *(Greene County has determined the emergency services telecommunications project has governmental immunity from local land use regulations.)*
 Zoning amendment Zoning variance New/revision of master plan Subdivision
 Site plan Special use permit Resource management plan Other _____
- What is the zoning classification(s) of the site? C - Conservation
- What is the maximum potential development of the site if developed as permitted by the present zoning? N/A
The Conservation District requires a minimum 5 acre lot size.
- What is the proposed zoning of the site? No Change
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
N/A
- Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
Comp Plan notes limited telecommunications are an issue; encourages development of telecommunication facilities.
- What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
Land Uses: Telecommunications Tower, Forest Land and Recreation. Zoning: C - Conservation
- Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? 1 new lot
 a. What is the minimum lot size proposed? 4,900 SF
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Greene County Date _____

Signature _____ Title Chairman of the Legislature

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

1. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be any impact.
2. **Maybe** answers should be considered as **Yes** answers.
3. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
4. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
5. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
6. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the Proposed Action result in a physical change to the project site? NO YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.

- Other impacts Construction of .10 acres of impervious surfaces

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological) NO YES

- Specific land forms _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON WATER

3. Will Proposed Action affect any water body designated as protected?
(Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts _____

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts _____

5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources? NO YES

Examples that would apply to column 2

- The Proposed Action would sever, cross or limit access to agricultural Land (includes cropland, hayfield, pasture, vineyard, orchard, etc.)
- Construction activity would excavate or compact the soil profile of agricultural land.
- The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.) NO YES

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts Tower may be slightly visible from NYS parkland and Windham Historic District, but will have little visual impact due to close proximity to ex. Crown tower.

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance? NO YES

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts _____

IMPACT ON OPEN SPACE AND RECREATION

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? NO YES

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?
 POSITIVE IMPACT NO YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.
- Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts The project will have a positive impact on public safety by facilitating interoperable emergency communications with neighboring counties.

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?
 NO YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed Action will conflict with officially adopted plans or goals.
- Proposed Action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts _____

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
 NO YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

ATTACHMENT C

TOWN OF JEWETT RESOLUTION

RESOLUTION
EXEMPTION OF GREENE COUNTY FROM TOWN LAND USE LAWS
TOWN BOARD OF THE TOWN OF JEWETT
August 14, 2013

WHEREAS, Greene County has requested that the Town Board of the Town of Jewett make a determination with regard to whether it shall be exempt from the applicability of the Town's land use laws in relation to its proposal to construct a new emergency communications tower near the summit of Windham Mountain and within the Town of Jewett; and

WHEREAS, the Town Board recognizes that there is significant case law on point, with regard to the exemption of such a project including In the Matter of the County of Monroe, 72 NY2d 338 (1988), which held that a balancing test must be performed to determine whether a project of a municipality or agency thereof, is exempt from the local land use regulation weighing the following factors: 1) Legislative intent; 2) Nature and scope of the instrumentality seeking immunity; 3) The kind of function or land use involved; 4) The extent of the public interest to be served; 5) The effect local land use regulation would have on the enterprise; 6) Impact on legitimate local interests; 7) Alternative locations for the facility in less restrictive zoning areas; 8) Alternative methods of providing the needed improvement; 9) Intergovernmental participation in the project development process; and 10) Opportunity of the public and others to be heard; and

WHEREAS, Greene County is a municipal corporation duly organized under the laws of the State of New York and is the County government within which the Town of Jewett is located; and

WHEREAS, specifically the project includes a proposal to construct a new tower on which emergency communication antennas shall be placed, and it is contemplated that other providers may lease space on the tower in the future as co-locators; and

WHEREAS, the Town of Jewett has a zoning law and a communications tower local law which would require a site plan review and special use permit for the construction of the project by the Jewett Planning Board and Zoning Board of Appeals, respectively, and

WHEREAS, the Town caused a notice to be published in the official newspaper of the Town notifying the public of the public hearing on the issues herein and allowed the public an opportunity to be heard and there being testimony from several members of the public in favor of the project and no opposition voiced either against the project or against the granting of an exemption pursuant to the County of Monroe, and

WHEREAS, following a discussion and analysis of the aforementioned issues and testimony, _____ offered a motion which was seconded by _____ and carried:

NOW, THEREFORE, BE IT RESOLVED, that the Board finds that the Legislative intent as it relates to the within matter is found in the Zoning Law of the Town of Jewett at Section 165-3 as follows:

The purpose of this law is to promote the health, safety, morals, and general welfare of the community. In accordance with the town's comprehensive plan this law is designed to secure safety from fire, flood, panic and other dangers (Emphasis added); to promote health and general welfare; to provide adequate light and air; to prevent crowding the land and undue concentration of population; to facilitate transportation, water, sewage, schools, parks and other public services; to assure privacy for residents and freedom from nuisance and things harmful to the senses..

Clearly, the Zoning Law contemplates the safety of the residents as paramount; and

IT IS FURTHER RESOLVED, that the Town Board finds that the nature and scope of the instrumentality seeking immunity, the kind of function or land use involved and the extent of the public interest to be served are as follows: Greene County is a municipal corporation duly organized under the laws of the State of New York and is the County government within which the Town of Jewett is located. The Town and County have a long history of cooperating with and supporting one another. The property is already being used for communication tower purposes and the project contemplates the construction of a new tower on which to place emergency communication antennas.

The County has examined the current tower and determined that co-location thereon is not possible, and

IT IS FURTHER RESOLVED, that the Town Board finds that the effect local land use regulation would have on the enterprise would be minimal since as discussed above, the current and future proposed use as emergency communications towers to help secure the safety of the residents of the Town of Jewett, and

IT IS FURTHER RESOLVED, that the Town Board finds that there shall be no impacts on legitimate local interests of any kind. As mentioned above, the current and future proposed use as emergency communications towers to help secure the safety of the residents of the Town of Jewett and the County has expressed its intention to fully cooperate with the Town and provide all information it might otherwise be required to provide to the Town in the context of formal site plan and special use permit applications, and

IT IS FURTHER RESOLVED, that the Town Board finds that there are no alternative locations for the facility in less restrictive zoning areas and that there are no alternative methods of providing the needed improvement. The Town communications tower law requires co-location on existing towers whenever possible. However due to the build-out of the current tower and the needs of the County emergency communications system, co-location is not possible. Further, the new proposed tower shall not impact the environment or sight considerations based upon the proposed negative declaration prepared by the County as Lead Agency in the SEQR process and by previous determinations made by the Town for the existing tower; and

IT IS FURTHER RESOLVED, that the Town Board finds that there has been and shall continue to be considerable intergovernmental participation in the project development process. Both the Town and the County have been contemplating, discussing and planning the action which is proposed for several months. Both parties recognize the need for increased communication

capabilities based upon the experience of all county residents and municipalities following several recent emergency situations, and

IT IS FURTHER RESOLVED, that the Town Board finds that there has been ample opportunity for the public and others to be heard. The public hearing was conducted in an open meeting at the Town Board's regular meeting, following notice thereof being published in the Town's official newspaper and there was wide-spread support for the project during public comment, and

IT IS FURTHER RESOLVED that the Town Board of the Town of Jewett hereby finds that upon the balancing of all factors in relation to the site plan review and special use permit applications, the County is exempt from the applicability of the Town of Jewett zoning law and communications tower local law and thus approval by the Planning Board and Zoning Board of Appeals is not required; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to file this Resolution in the appropriate index within five (5) business days.

COUNCILMAN McCRARY	AYE	NAY	ABSENT/OTHER
COUNCILMAN TRACH	AYE	NAY	ABSENT/OTHER
COUNCILMAN PELLITIRI	AYE	NAY	ABSENT/OTHER
COUNCILMAN JACOBS	AYE	NAY	ABSENT/OTHER
SUPERVISOR MUTH	AYE	NAY	ABSENT/OTHER

AYE _____ NAY _____ ABSENT/OTHER _____ CARRIED _____ DEFEATED _____

Unanimous vote of 5 to 0. The Town Board of the Town of Jewett hereby determines under the County of Monroe "balancing test" that the construction of a new emergency communications tower and associated antennas, together with possible future co-location of other carriers thereon, is exempt from the applicability of the Town of Jewett zoning law and communications tower local law for site plan review and special use permit approvals.

ATTACHMENT D

NEPA SCREENING REPORT

**GREENE COUNTY
EMERGENCY SERVICES TELECOMMUNICATIONS
SYSTEM PROJECT**

**WINDHAM MOUNTAIN TOWER
TOWN OF JEWETT, NEW YORK**

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
SCREENING REPORT**

PREPARED FOR:

**GREENE COUNTY
411 MAIN STREET, 4TH FLOOR
CATSKILL, NY 12414**

PREPARED BY:

**DELAWARE ENGINEERING, P.C.
28 MADISON AVE. EXTENSION
ALBANY, NY 12203**

AUGUST 2013

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) SCREENING REPORT
Greene County Emergency Services Telecommunications System

Windham Mountain Tower
Town of Jewett
Greene County, New York

74° 15' 54.95" W
42° 17' 6.29" N

A NEPA Screening Report has been prepared for Greene County as part of the environmental review of the proposed Windham Mountain Telecommunications Tower. This report has been prepared in compliance with 47 C.F.R. §1.1307, the portion of the Federal Telecommunications regulations that require the Federal Communications Commission to follow specific procedures in implementing the National Environmental Policy Act of 1969 for actions that may have a significant environmental effect.

The NEPA Screening Report contains a NEPA Land Use Screening Checklist that addresses potential impacts in the following eight categories:

1. **Wilderness Area**
Will Facility be located in an officially designated Wilderness Area?
2. **Wildlife Preserve**
Will Facility be located in an officially designated Wildlife Preserve?
3. **Endangered Species**
Will Facility affect listed threatened or endangered species or designated critical habitats; or is likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats?
4. **Cultural Resources**
Will Facility affect districts, sites, buildings, structures or objects significant in American history, architecture, archeology, engineering or culture that are listed, or are eligible for listing, in the National Register of Historic Places?
5. **Indian Religious Sites**
Will Facility affect Indian Religious Sites?
6. **Flood Zones**
Will Facility be located in a Flood Plain?
7. **Surface Features**
Will construction involve significant change in surface features (e.g., wetland fill, deforestation or water diversion)?
8. **High Intensity White Lights**
Will Facility be equipped with high intensity white lights which are to be located in residential neighborhoods, as defined by the applicable zoning law?

The Screening Report includes a compilation of supporting mapping, agency correspondence and other applicable documentation as Appendices to the Screening Checklist.

NEPA SCREENING CHECKLIST

Greene County Emergency Services Telecommunications System Windham Mountain Tower

Category <i>(per 47 C.F.R. §1.1307)</i>	Resources Reviewed	Findings
1. Wilderness Area Will Facility be located in an officially designated Wilderness Area?	<ul style="list-style-type: none"> ▪ NYSDEC Lands GIS File (Forest Preserves) ▪ National Wilderness Preservation System - Wilderness Areas GIS File and Update Database 	Appendix A The site is not located on or near a designated New York State or Federal Wilderness Area.
2. Wildlife Preserve Will Facility be located in an officially designated Wildlife Preserve?	<ul style="list-style-type: none"> ▪ NYSDEC Lands GIS File (Wildlife Management Areas) ▪ USFWS National Wildlife Refuge Boundary GIS File 	Appendix A The site is not located on or near a designated New York State or Federal Wildlife Preserve.
3. Endangered Species Will Facility potentially affect listed (or proposed) threatened or endangered species or critical habitats?	<ul style="list-style-type: none"> ▪ NY Natural Heritage Program Determination Letter (5/28/2013) ▪ NYSDEC Envir. Resource Mapper ▪ NYSDEC Nature Explorer Website ▪ USFWS IPaC Consultation 	Appendix B NYSDEC finds no effect on endangered species. USFWS notes Indiana Bat may be in vicinity, but tower site is not suitable habitat.
4. Cultural Resources Will Facility affect districts, sites, buildings, structures or objects that are listed, or are eligible for listing in the National Register of Historic Places?	<ul style="list-style-type: none"> ▪ NYS OPRHP Correspondence ▪ NYS OPRHP GIS Web Map 	Appendix C Project will have No Effect on cultural resources on or eligible for National Register. Tower may be visible from the Windham Historic District, but will visually merge w/nearby Crown tower.
5. Indian Religious Sites Will Facility affect Indian Religious Sites?	<ul style="list-style-type: none"> ▪ Native American Consultation Database (NACD) 	Appendix D The NACD identifies no Native American Tribes or resources in Greene County.
6. Flood Zones Will Facility be located in a Flood Plain?	<ul style="list-style-type: none"> ▪ FEMA Greene County Flood Insurance Rate Map (FIRM) Map No. 36039C0192F 	Appendix E The site is not located within or near any FEMA Flood Zones.
7. Surface Features Will Facility involved significant change in surface features (e.g. wetland fill, deforestation, etc.)?	<ul style="list-style-type: none"> ▪ NYSDEC Wetlands and Streams GIS Files ▪ National Wetlands Inventory (NWI) Wetlands GIS File ▪ 2010 NYS GIS Orthoimagery 	Appendix F The project will affect ~0.10 acres of existing forest and brush.
8. High Intensity Lights Will Facility with high intensity white lights be located in a residential neighborhood?	Not Applicable	The tower will not be lit. The proposed 135' tall structure does not require lighting per FAA regulations.

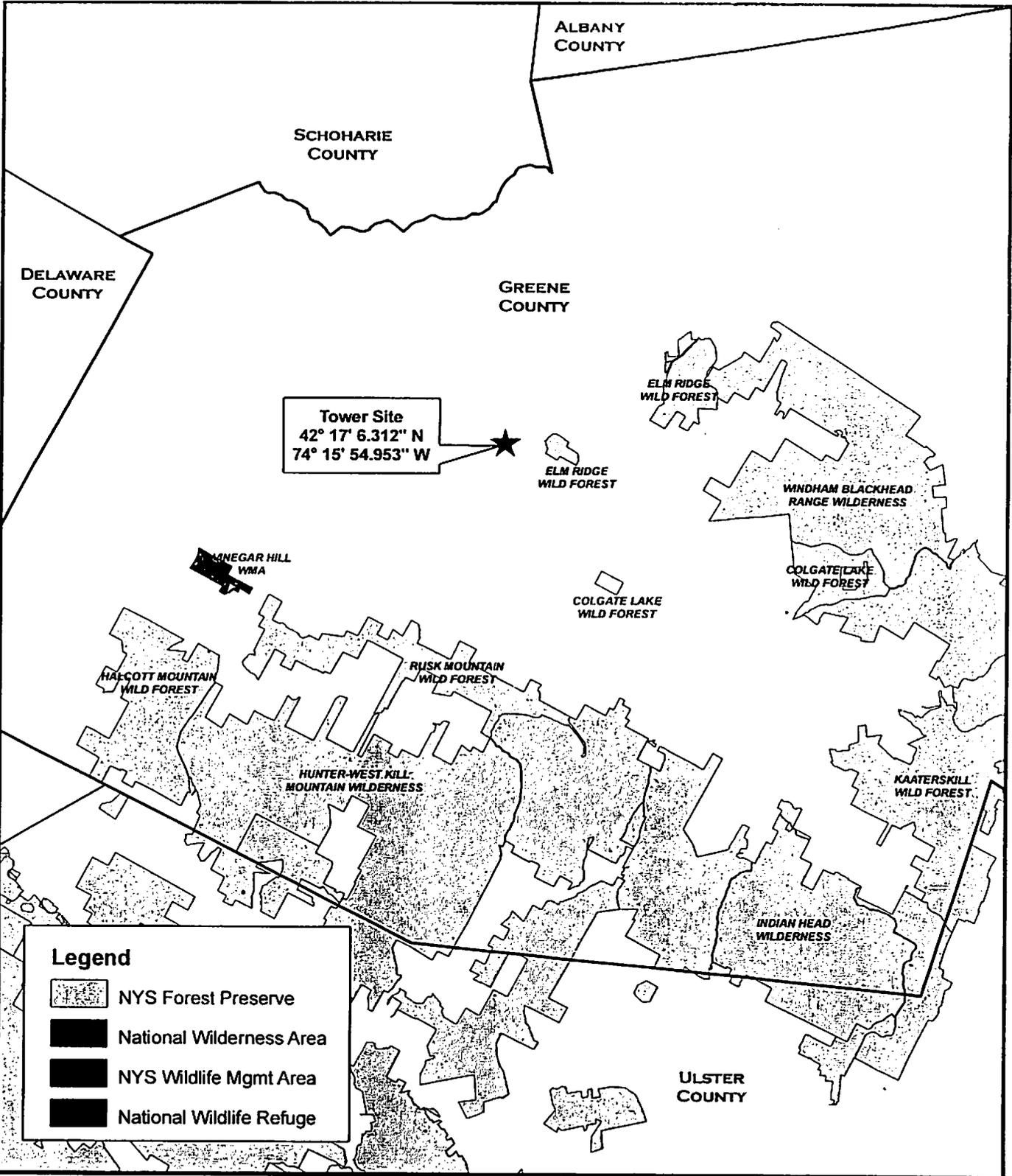
APPENDIX A

WILDERNESS AREA

**NYSDEC Lands GIS File (Forest Preserves)
National Wilderness Preservation System - Wilderness Areas GIS File
and Update Database**

WILDLIFE PRESERVE

**NYSDEC Lands GIS File (Wildlife Management Areas)
USFWS National Wildlife Refuge Boundary GIS File**



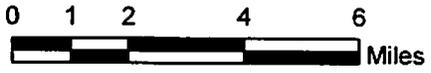
Tower Site
 42° 17' 6.312" N
 74° 15' 54.953" W

Legend

-  NYS Forest Preserve
-  National Wilderness Area
-  NYS Wildlife Mgmt Area
-  National Wildlife Refuge

**GREENE COUNTY EMERGENCY SERVICES
 TELECOMMUNICATION TOWER - WINDHAM MT.**

NEPA CHECKLIST:
 WILDERNESS AREAS AND WILDLIFE PRESERVES

0 1 2 4 6 Miles

Prepared by: Delaware Engineering, PC, June 2013
 Source: NYSDEC Lands, USFWS National Wildlife Refuge and National Wilderness Areas GIS Files

APPENDIX B

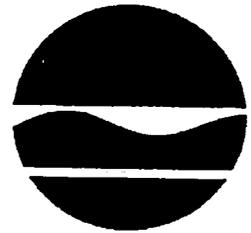
ENDANGERED SPECIES

NY Natural Heritage Program Determination Letter (May 28, 2013)
NYSDEC Environmental Resource Mapper
NYSDEC Nature Explorer Website

US Fish and Wildlife Service IPaC Consultation

**NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DOCUMENTATION**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • Fax: (518) 402-8925
Website: www.dec.ny.gov



Joe Martens
Commissioner

May 28, 2013

RECEIVED

MAY 30 2013

DELAWARE ENGINEERING

Kathleen Tatara
Delaware Engineering
28 Madison Ave. Ext.
Albany, NY 12203

Dear Ms. Tatara:

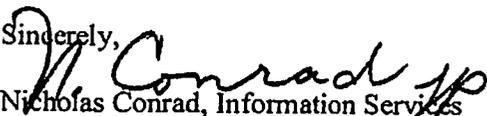
In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the Proposed Telecommunications Tower – Windham Mountain, site as indicated on your enclosed map located in the Town of Jewett, Greene County.

We have no records of rare or state listed animals or plants, or significant natural communities, on, or in the immediate vicinity, of your project sites.

The absence of data does not necessarily mean that rare or state-listed species, or significant natural communities, do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Databases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad, Information Services
NYS Department Environmental Conservation

Enc.

cc: Reg, 4, Wildlife Mgr.

499



Delaware Engineering, PC

28 Madison Avenue Extension
Albany, New York 12203

Tel: 518.452.1290
Fax: 518.452.1335

May 18, 2013

New York Natural Heritage Program – Information Services
NYS DEC
625 Broadway, 5th Floor
Albany, New York 12233-4757

RE: Greene County Emergency Services Telecommunications System
Windham Mountain Tower
Town of Jewett, Greene County

Dear New York Natural Heritage Program,

Greene County is upgrading their public safety telecommunications system to facilitate the creation of a regional emergency communications network. The first step is construction of a communications tower on Windham Mountain that will be the backbone of a future county-wide microwave network. The project includes construction of a 125' tall self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound. The compound will be located in the Town of Jewett near the Town of Windham line and close to the existing Crown Castle telecommunications tower. It will be accessed from the Ski Windham facility via an extension to an existing gravel access driveway.

The project site is identified on the attached USGS Site Location Map (Ashland V44 and Hensonville V45 quadrangles.) The latitude and longitude of the proposed tower location is 74° 15' 54.953" W and 42° 17' 6.312" N.

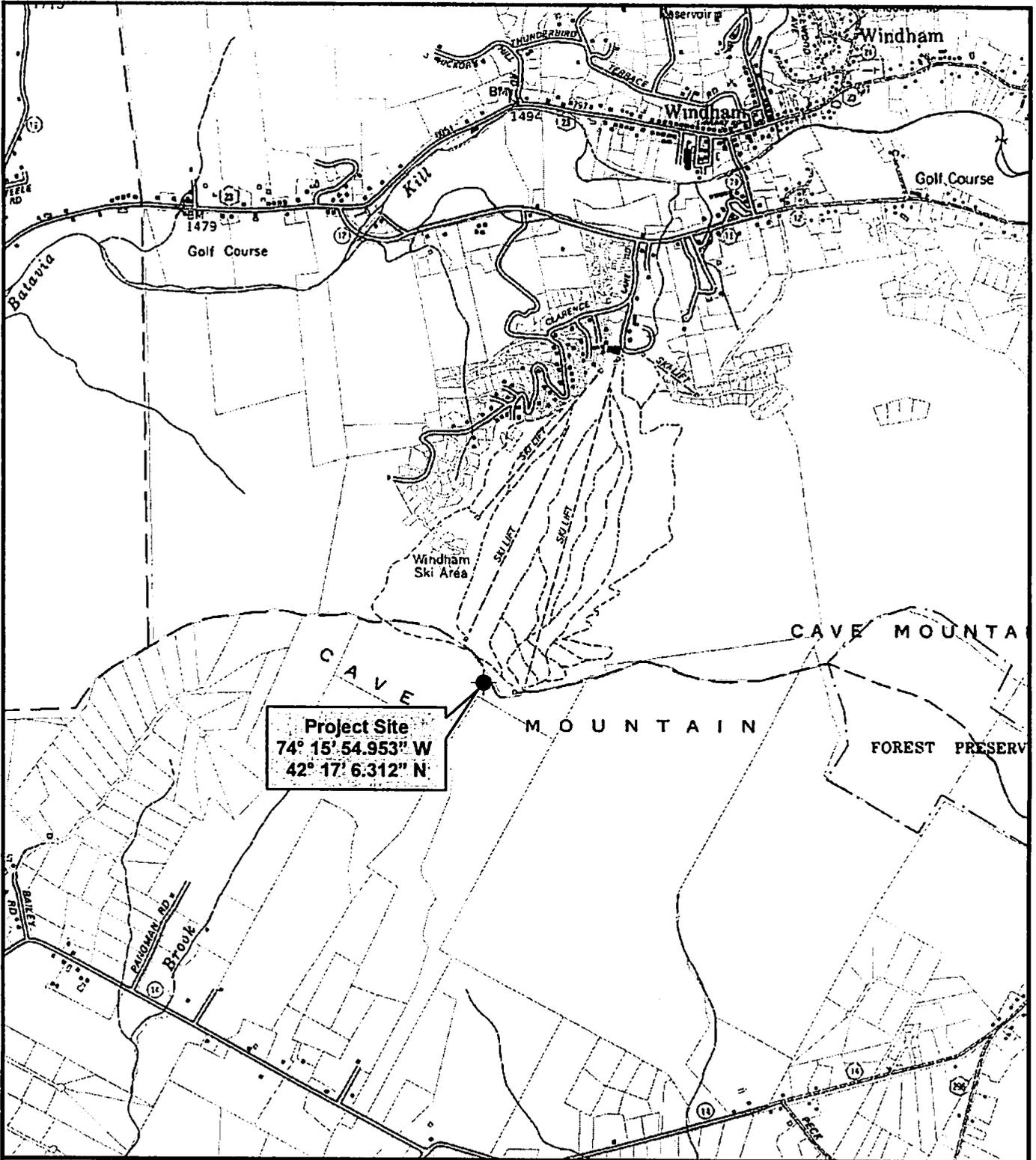
We request that you review NY Natural Heritage Program files with respect to known occurrences of endangered, threatened or special concern wildlife species, rare plant, animal or natural community occurrences or other significant habitats, in the vicinity of this site.

Your assistance in this matter is greatly appreciated. If you have any questions please contact me at (518) 452-1290 or via email at ktatara@delawareengineering.com.

Sincerely,

Kathleen Tatara

Kathleen Tatara
Senior Planner

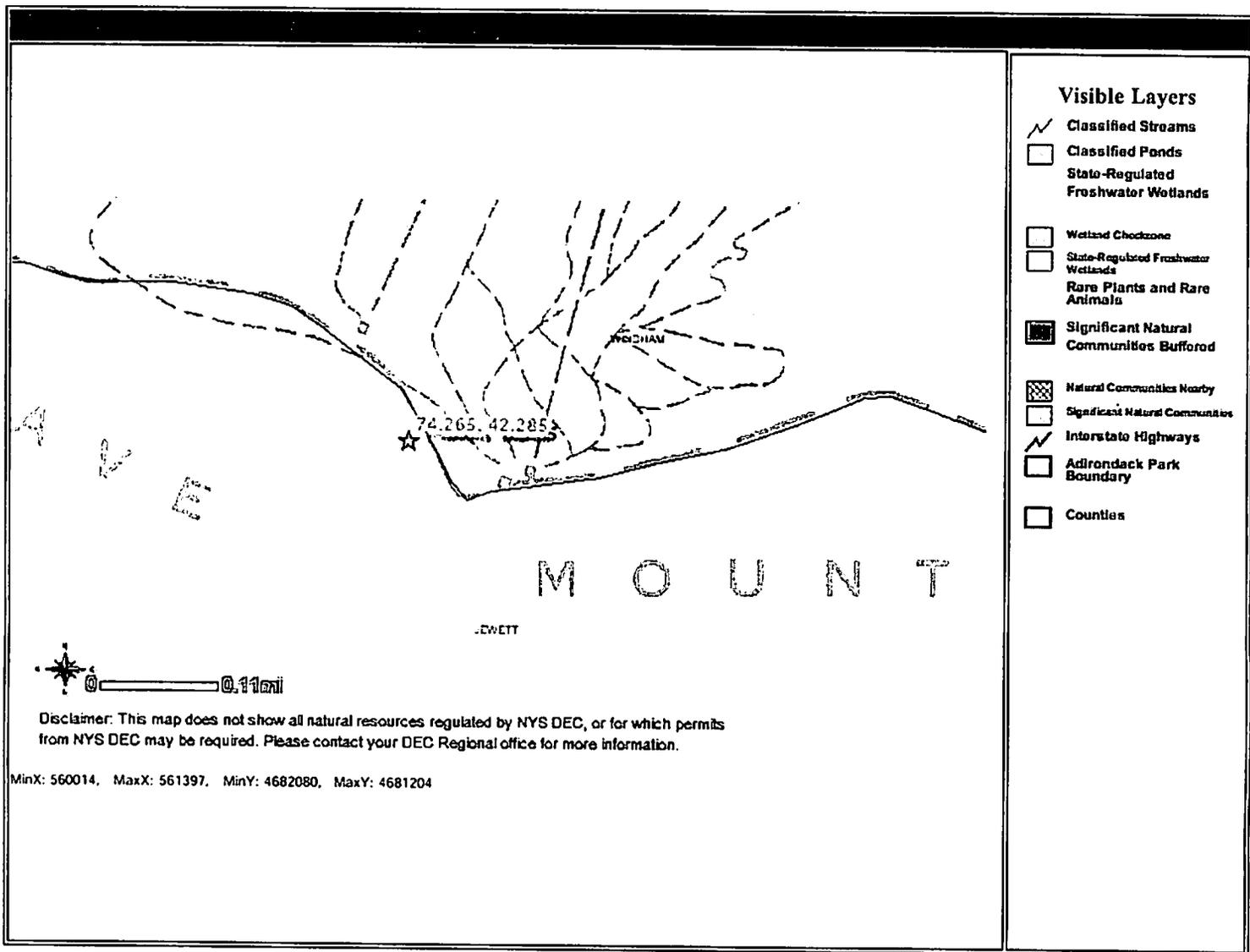


**GREENE COUNTY EMERGENCY SERVICES
TELECOMMUNICATIONS SYSTEM
WINDHAM MOUNTAIN TOWER
TOWN OF JEWETT, NEW YORK
LOCATION MAP**



Prepared by: Dolware Engineering, P.C. May 2013
Sources: NYS DOT 7.5 Digital Raster Quads
(V44) Ashland and (V45) Hersonville
Greene County Digital Tax Parcels 2012



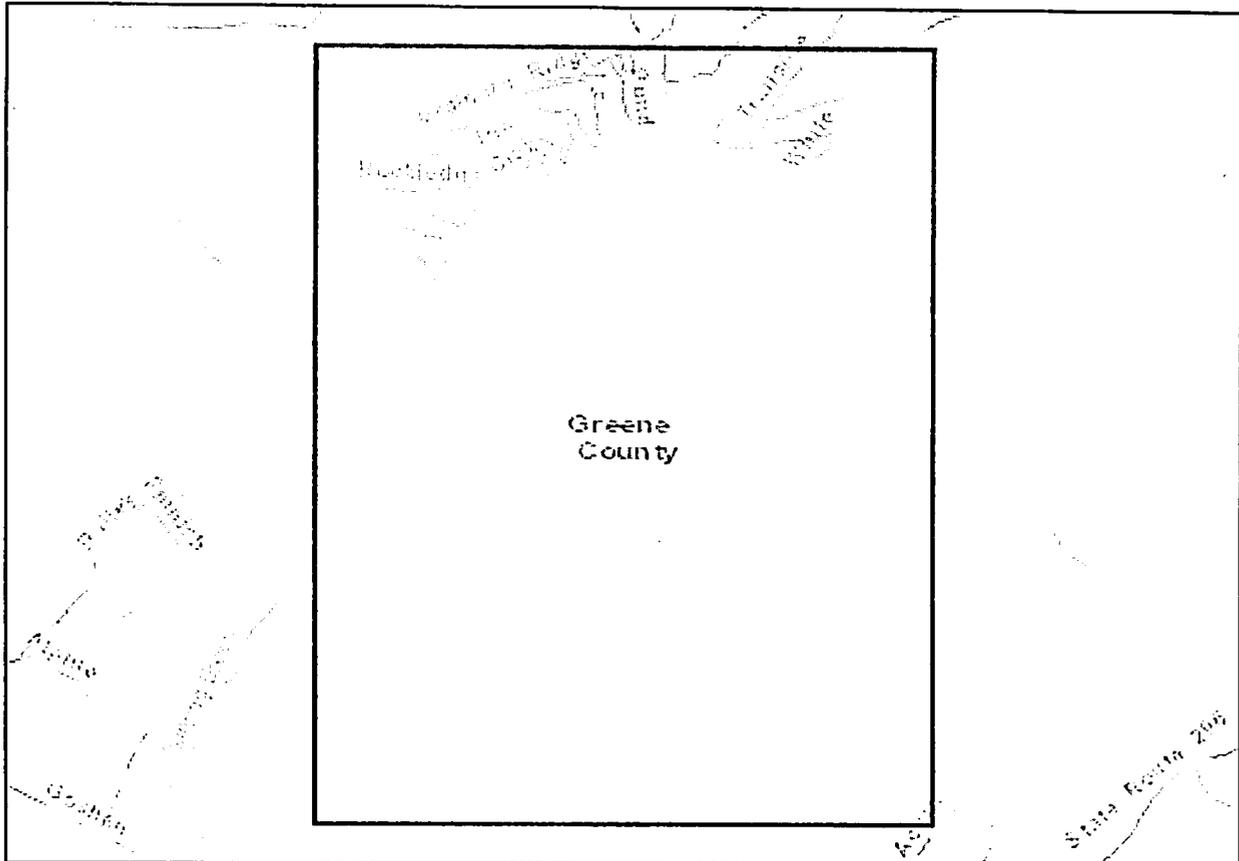


Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

New York Nature Explorer

Greene Co. Windham Tower Site

Criteria: Selected Map Area



Common Name	Subgroup	Distribution Status	Year Last Documented	Protection Status		Conservation Rank	
				State	Federal	State	Global

Note: Restricted plants and animals may also have also been documented in one or more of the Towns or Cities in which your user-defined area is located, but are not listed in these results. This application does not provide information at the level of Town or City on state-listed animals and on other sensitive animals and plants. A list of the restricted animals and plants documented at the corresponding county level can be obtained via the County link(s) on the original User Defined Search Results page. Any individual plant or animal on this county's restricted list may or may not occur in this particular user-defined area.

This list only includes records of rare species and significant natural communities from the databases of the NY Natural Heritage Program. This list is not a definitive statement about the presence or absence of all plants and animals, including rare or state-listed species, or of all significant natural communities. For most areas, comprehensive field surveys have not been conducted, and this list should not be considered a substitute for on-site surveys.

**U.S. FISH AND WILDLIFE SERVICE
DOCUMENTATION**



United States Department of the Interior

FISH AND WILDLIFE SERVICE
NEW YORK ECOLOGICAL SERVICES FIELD OFFICE
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm



Consultation Tracking Number: 05E1NY00-2013-SLI-0565

May 28, 2013

Project Name: Greene Co. Windham Mt. Tower

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects

should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Greene Co. Windham Mt. Tower

Official Species List

Provided by:

NEW YORK ECOLOGICAL SERVICES FIELD OFFICE

3817 LUKER ROAD

CORTLAND, NY 13045

(607) 753-9334

<http://www.fws.gov/northeast/nyfo/cs/section7.htm>

Consultation Tracking Number: 05E1NY00-2013-SLI-0565

Project Type: Communications Tower

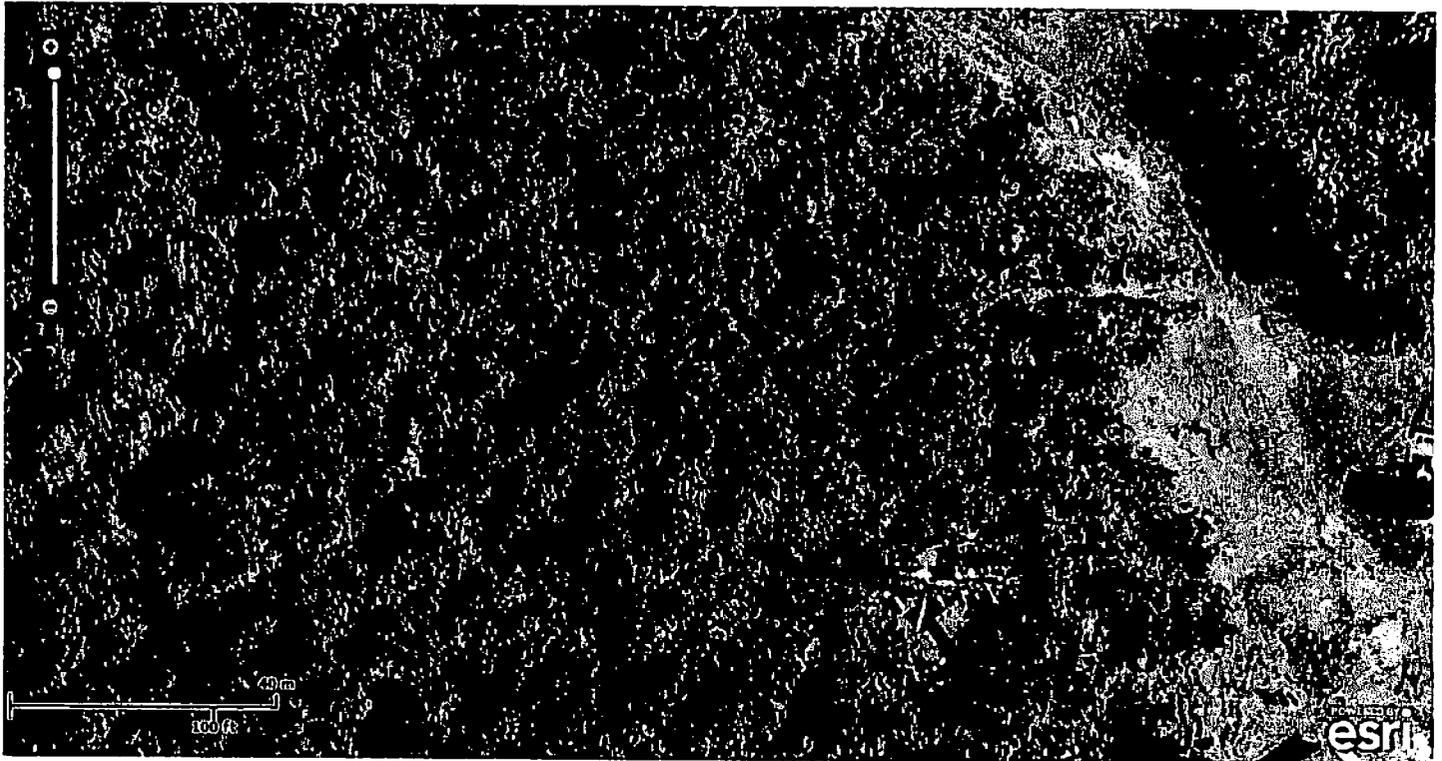
Project Description: Greene Co. is planning a 125' tall interoperable communications tower on the top of Windham Mt. to communicate with Delaware County.



United States Department of Interior
Fish and Wildlife Service

Project name: Greene Co. Windham Mt. Tower

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-74.2653831 42.2852048, -74.2651835 42.2850648, -74.2653807 42.2849173, -74.2655818 42.2850538, -74.2653831 42.2852048)))

Project Counties: Greene, NY



United States Department of Interior
Fish and Wildlife Service

Project name: Greene Co. Windham Mt. Tower

Endangered Species Act Species List

Species lists are not entirely based upon the current range of a species but may also take into consideration actions that affect a species that exists in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Please contact the designated FWS office if you have questions.

Indiana bat (*Myotis sodalis*)

Population: Entire

Listing Status: Endangered



U.S. Fish & Wildlife Service

Indiana bat

Myotis sodalis

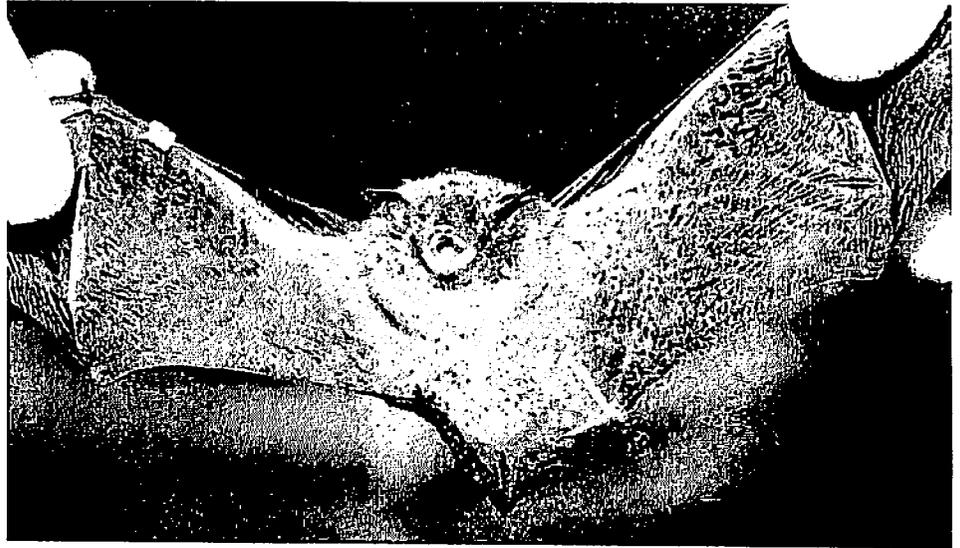
Indiana bats have long lived in the forests and caves of the Northeast and Southeast but primarily in the Midwest. Very gregarious animals, these little bats congregate in winter and summer colonies, migrating between the two in spring and fall. Although they once numbered in the millions, the Indiana bat population has declined 56 percent in the past 40 years, from 883,300 in the 1960s to 387,300 today. In 1967, Indiana bats were listed for protection under the Endangered Species Act.

Small, social sleepers

Indiana bats hibernate in limestone caves, called hibernacula, from mid-autumn to early spring. Hibernating bats form large, compact clusters with as many as 5,000 individuals but averaging 500 to 1,000 bats per cluster. Bats form clusters in the same area in a cave each year, with more than one cluster in some caves. Clustering may protect individual bats from temperature changes, reduce sensitivity to external disturbance, or enable rapid arousal and escape from predators. Roosts usually are in the coldest part of the cave. This ensures a sufficiently low metabolic rate so the bats' fat reserves last through the six-month hibernation. Bats may move from a location deeper in the cave to a site nearer the entrance as the cold season progresses to move away from areas that go below freezing. Indiana bats tend to return to the same hibernacula each year.

Single mom, single pup

Having mated in autumn, a female becomes pregnant after the winter hibernation when she ovulates and an egg is fertilized by sperm stored from the autumn mating. Pregnant females migrate to trees that serve as maternity colonies throughout the summer. The female births a single pup, which she tends for about a month before taking it on its first flight in tandem with her. The weather affects the length of time for the



Indiana bats still live in Alabama, Arkansas, Georgia, Iowa, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Missouri, Mississippi, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia, Vermont, and West Virginia.

pup to mature. Females sometimes relocate their pups to warmer spots on the tree. Dozens and up to hundreds of mothers and their young can inhabit maternity roost trees.

In the summer, bats live in wooded or semi-wooded areas. Groups of female Indiana bats form maternity colonies to bear their offspring in crevices of trees or under loose tree bark. Dead trees are preferred roost sites, and trees standing in sunny openings are attractive because the air spaces and crevices under the bark are warm. Typical roosts are beneath the bark and in crevices of dead trees and beneath loose bark of living trees. Roost trees are likely to be exposed to direct sunlight throughout the day, and are as likely to be in upland habitats as in floodplain forests. Indiana bats are also known to roost in human-made structures such as bridges, sheds, houses and abandoned churches.

Meals on the fly and migration, too

Indiana bats eat flying insects, and their diet reflects the available prey. Bats forage along river and lake shorelines, in the crowns of trees in floodplains and in upland forests. Reproductively active females generally forage within a mile of roost trees. Bats may attempt to capture flying insects as many as 17 times a minute.

Indiana bats show strong homing instincts to their hibernacula. When released to the west of a winter cave, over 68 percent of the bats returned to the cave from 12 miles away. Biologists released approximately 500 female bats up to 200 miles from their winter cave and found that more than two-thirds returned. These researchers noted much stronger homing tendencies along a north-south axis, the direction for migrating to and from summer roosts, than along the east-west direction. Winter and summer

habitats may be as much as 300 miles apart, but are probably much closer for the majority of bats.



Bats in trouble

While hibernating in large numbers is beneficial to bats, it also leaves them vulnerable to catastrophe. Human disturbance at winter caves arouses bats, depleting energy reserves. Vandalism and indiscriminate killing have destroyed much of the population. Some early attempts to keep people out of hibernacula by installing gates inadvertently made the caves unsuitable for bats. Improperly constructed gates can alter the air flow, trap debris and block the entrance by not allowing enough

flight space. Altering air exchange by opening additional entrances can also change cave temperature and humidity, rendering the cave unsuitable for bats. Since disruption during hibernation is detrimental, biologists schedule research to avoid harming the bats. To reduce disturbance during a census, the cave is mapped in the autumn before the bats arrive. Then a few, well-trained people carefully collect the minimum data needed for the census.

The rest of the problem

When first looking at the decline of Indiana bat populations, the problems of vandalism and human disturbance in the winter hibernacula were addressed first. When bat populations continued to decline, biologists looked at where bats spend their summers. Loss and degradation of summer habitat and roost sites due to water impoundment, stream channeling, forest clearing, housing development, and clear cutting for agricultural or other uses may be important factors in continuing Indiana bat population decline. Additional research is needed to verify the causes of decline.

Within the delineated summer range, activities planned in habitats occupied by Indiana bats may need to be changed to

accommodate the needs of the bats. Summer roosts and surrounding forest and foraging areas may need to be maintained in as natural a state as possible. In addition, while winter hibernacula themselves must be protected, the forests above and around hibernacula should not be dramatically altered. After all, Indiana bats are animals of the forest. Once as plentiful as the passenger pigeon, these little flying mammals are rapidly falling toward extinction. The Service, along with many partners, is working to conserve and protect Indiana bats for now and for the future.

**Northeast Region
U.S. Fish & Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035**

**Federal Relay Service
for the deaf and hard-of-hearing
1 800/877 8339**

**U.S. Fish and Wildlife Service
<http://www.fws.gov>
1 800/344 WILD**

July 2004

APPENDIX C

CULTURAL RESOURCES

**NYS OPRHP Correspondence
NYS OPRHP GIS Web Map**



Delaware Engineering, PC

28 Madison Avenue Extension
Albany, New York 12203

Tel: 518.452.1290
Fax: 518.452.1335

May 19, 2013

Ruth Pierpont, Deputy Commissioner
New York State Historic Preservation Office
Peebles Island
P.O. Box 189
Waterford, NY 12188-0189

Re: Greene County Emergency Telecommunications System – Windham Mt. Tower
Windham (Cave) Mountain
Town of Jewett, Greene County

Dear Ms. Pierpont,

Greene County has received a NYS Department of Homeland Security and Emergency Services 2010-2011 Statewide Interoperable Communications Grant to upgrade their public safety telecommunication system and facilitate creation of a regional emergency communications network. The project involves construction of a microwave facility on Windham Mountain that will interconnect with the Mt. Utsyantha facility in Delaware County. The Greene County Department of Emergency Services intends to declare lead agency status in the SEQR review of this action.

The project includes construction of a 125' tall self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound on the top of Windham Mountain. The compound will be located in the Town of Jewett just south of the Town of Windham line and approximately 100' from an existing 125' tall Crown Castle Communications tower. The site is in a wooded area approximately 400' northwest of the Ski Windham Ski Lift station and will be accessed via a short extension to an existing gravel access driveway.

The project site is identified on the attached USGS Site Location Map (Ashland V44 and Hensonville V45 quadrangles.) The latitude and longitude of the proposed tower location is 74° 15' 54.953" W and 42° 17' 6.312" N. An aerial map and several birds-eye views of the site are also attached.

Greene County requests that SHPO review the Windham Tower project to determine its potential effect on cultural resources. Your assistance in this matter is greatly appreciated. If you have any questions please contact me at 518-452-1290 or via email at ktatara@delawareengineering.com.

Sincerely,

Kathleen Tatara

Kathleen Tatara
Senior Planner

The Historic Preservation Review Process in New York State

In order to insure that historic preservation is carefully considered in publicly-funded or permitted undertakings*, there are laws at each level of government that require projects to be reviewed for their potential impact/effect on historic properties. At the federal level, Section 106 of the National Historic Preservation Act of 1966 (NHPA) directs the review of federally funded, licensed or permitted projects. At the state level, Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law of 1980 performs a comparable function. Local environmental review for municipalities is carried out under the State Environmental Quality Review Act (SEQRA) of 1978.

regulations on line at:

<http://nysparks.state.ny.us> then select HISTORIC PRESERVATION then select Environmental Review

Project review is conducted in two stages. First, the Field Services Bureau assesses affected properties to determine whether or not they are listed or eligible for listing in the New York State or National Registers of Historic Places. If so, it is deemed "historic" and worthy of protection and the second stage of review is undertaken. The project is reviewed to evaluate its impact on the properties significant materials and character. Where adverse effects are identified, alternatives are explored to avoid, or reduce project impacts; where this is unsuccessful, mitigation measures are developed and formal agreement documents are prepared stipulating these measures.

ALL PROJECTS SUBMITTED FOR REVIEW SHOULD INCLUDE THE FOLLOWING MATERIAL(S).

Project Description

Attach a full description of the nature and extent of the work to be undertaken as part of this project. Relevant portions of the project applications or environmental statements may be submitted.

Maps Locating Project

Include a map locating the project in the community. The map must clearly show street and road names surrounding the project area as well as the location of all portions of the project. Appropriate maps include tax maps, Sanborn Insurance maps, and/or USGS quadrangle maps.

Photographs

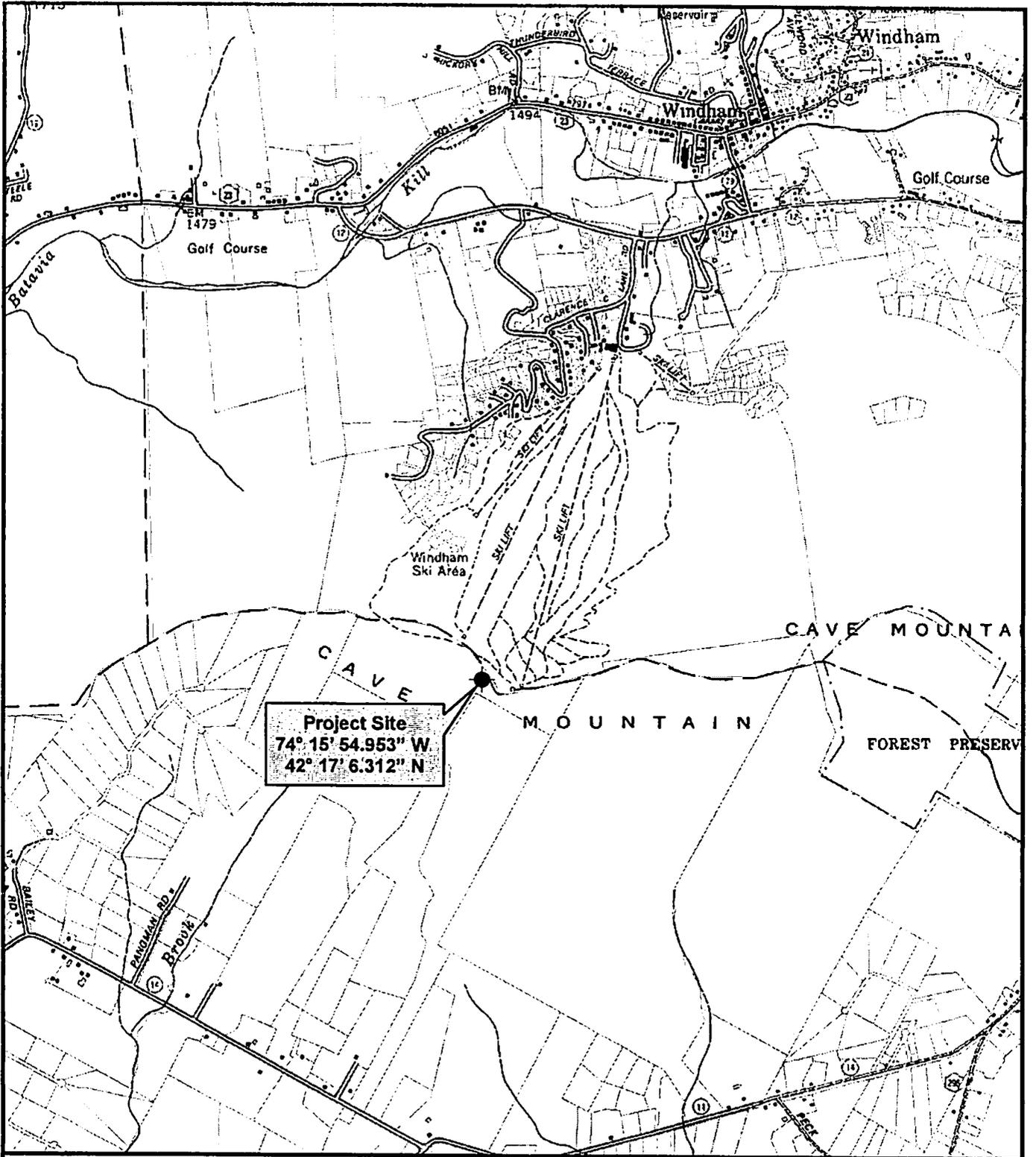
Photographs may be black and white prints, color prints, or color laser/photo copies; standard (black and white) photocopies are NOT acceptable.

-If the project involves rehabilitation, include photographs of the building(s) involved. Label each exterior view to a site map and label all interior views.

-If the project involves new construction, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old) that are located on the project property or on adjoining property.

NOTE: Projects submissions will not be accepted via facsimile or e-mail.

**Undertaking* is defined as an agency's purchase, lease or sale of a property, assistance through grants, loans or guarantees, issuing of licenses, permits or approvals, and work performed pursuant to delegation or mandate.



**GREENE COUNTY EMERGENCY SERVICES
 TELECOMMUNICATIONS SYSTEM
 WINDHAM MOUNTAIN TOWER
 TOWN OF JEWETT, NEW YORK
 LOCATION MAP**



Prepared by: Delaware Engineering, P.C. May 2013
 Sources: NYS DOT 7.5 Digital Raster Quads:
 (V44) Ashland and (V45) Hansonville
 Greene County Digital Tax Parcels 2012





Existing
Crown Castle
Tower Site

Potential
Greene Co.
Tower Site

**POTENTIAL
GREENE CO. TOWER SITE**



0 25 50 100
Feet

Prepared by Delmore Engineering, P.C. April 2013
Sources: NYS Digital Ortho Imagery, Spring 2009
Greene Co. RPS 2012 Draft 3rd Review
3' contours created from NED 1/3 Arc 5m DEM

TOWN OF WINDHAM
TOWN OF CLEMENS

PROPOSED WINDHAM MT. TOWER SITE



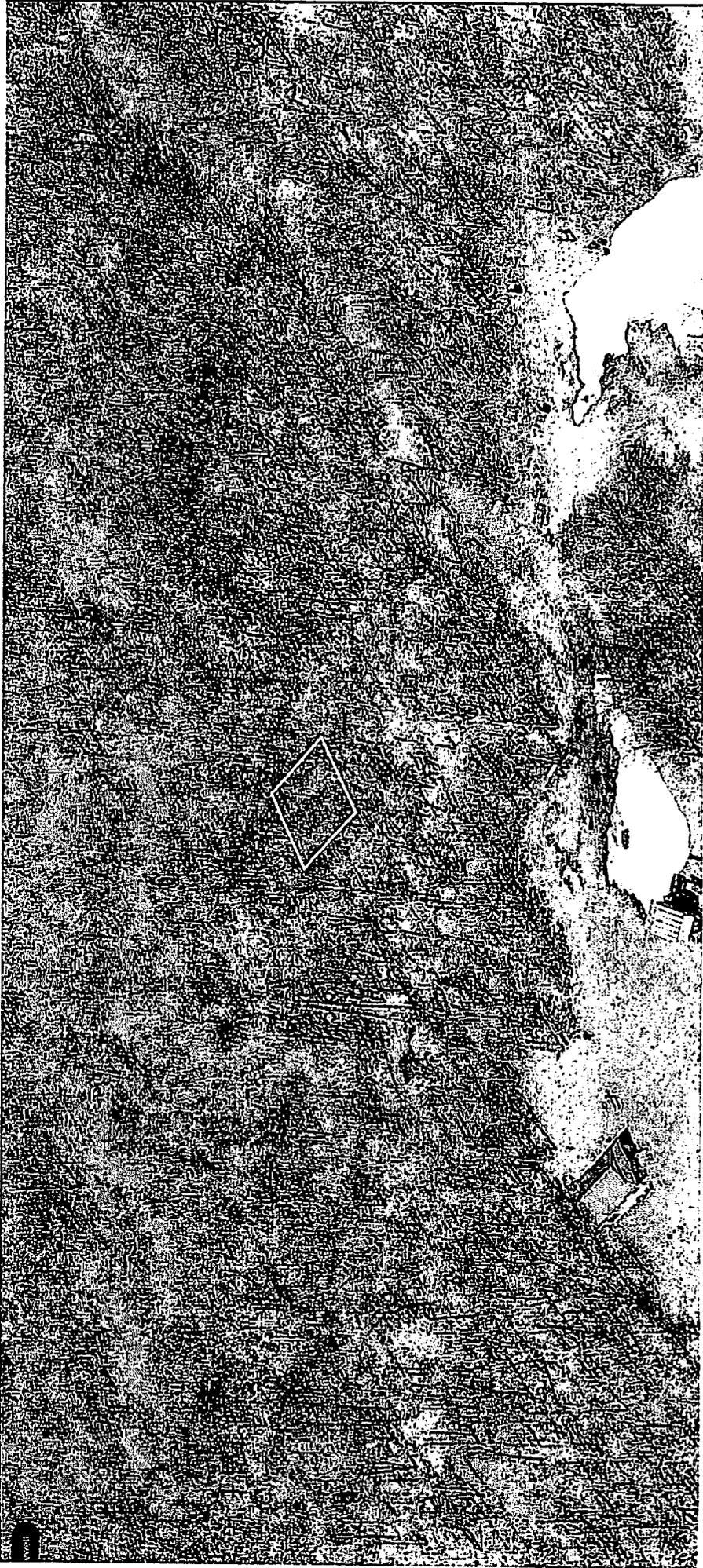
View looking northeast

PROPOSED WINDHAM MT. TOWER SITE



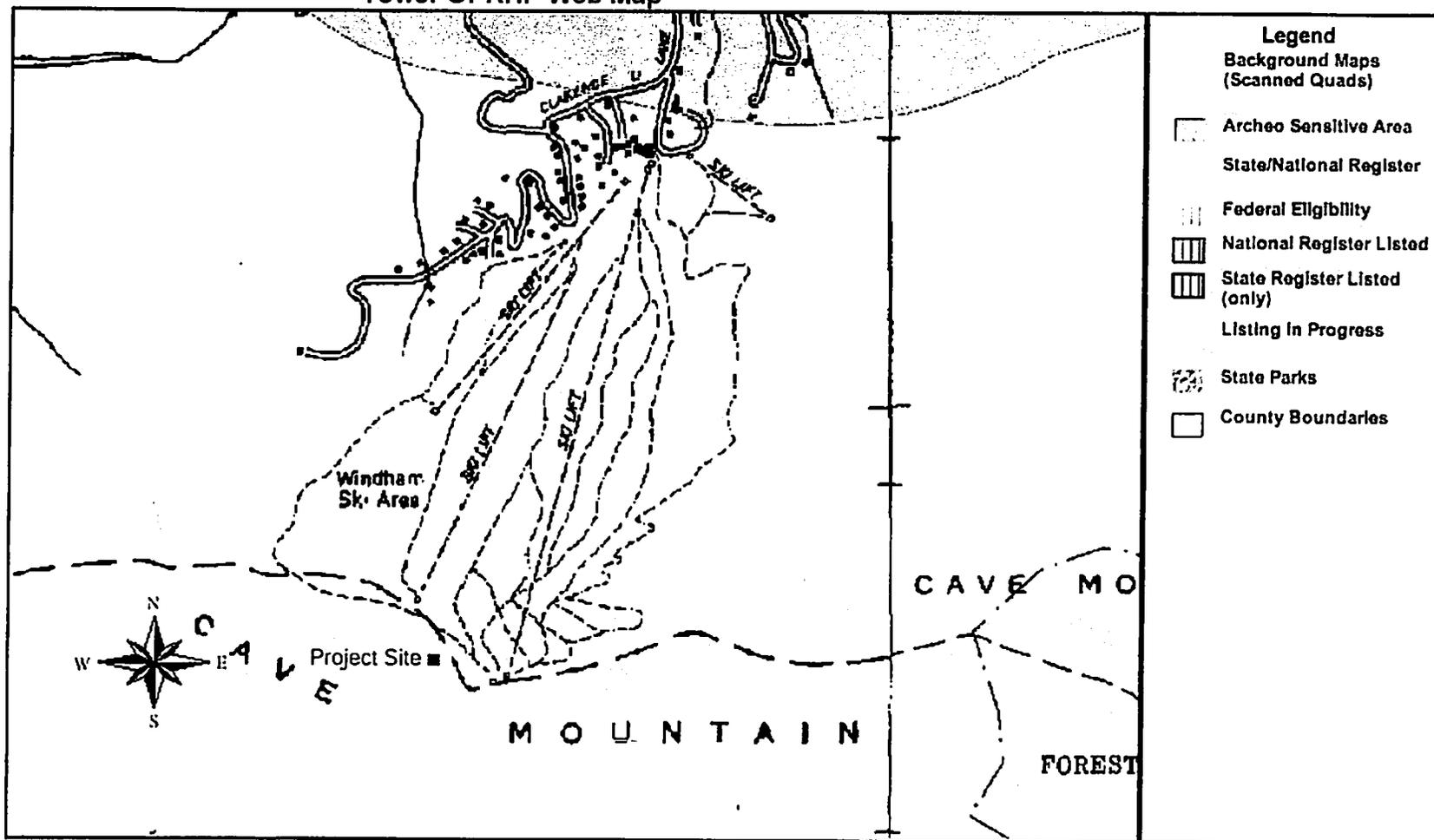
View looking northwest

PROPOSED WINDHAM MT. TOWER SITE



View looking southwest

Greene Co. Windham Mt.
Tower OPRHP Web Map



May 24, 2013

Disclaimer: This map was prepared by the New York State Parks, Recreation and Historic Preservation National Register Listing Internet Application. The information was compiled using the most current data available. It is deemed accurate, but is not guaranteed.

APPENDIX D

INDIAN RELIGIOUS SITES

Native American Consultation Database (NACD)



National NAGPRA Online Databases

NACD Query Results

Full Data Report

Query input:

State = New York

County = Greene

NO RECORDS FOUND MATCHING SEARCH CRITERIA

APPENDIX E

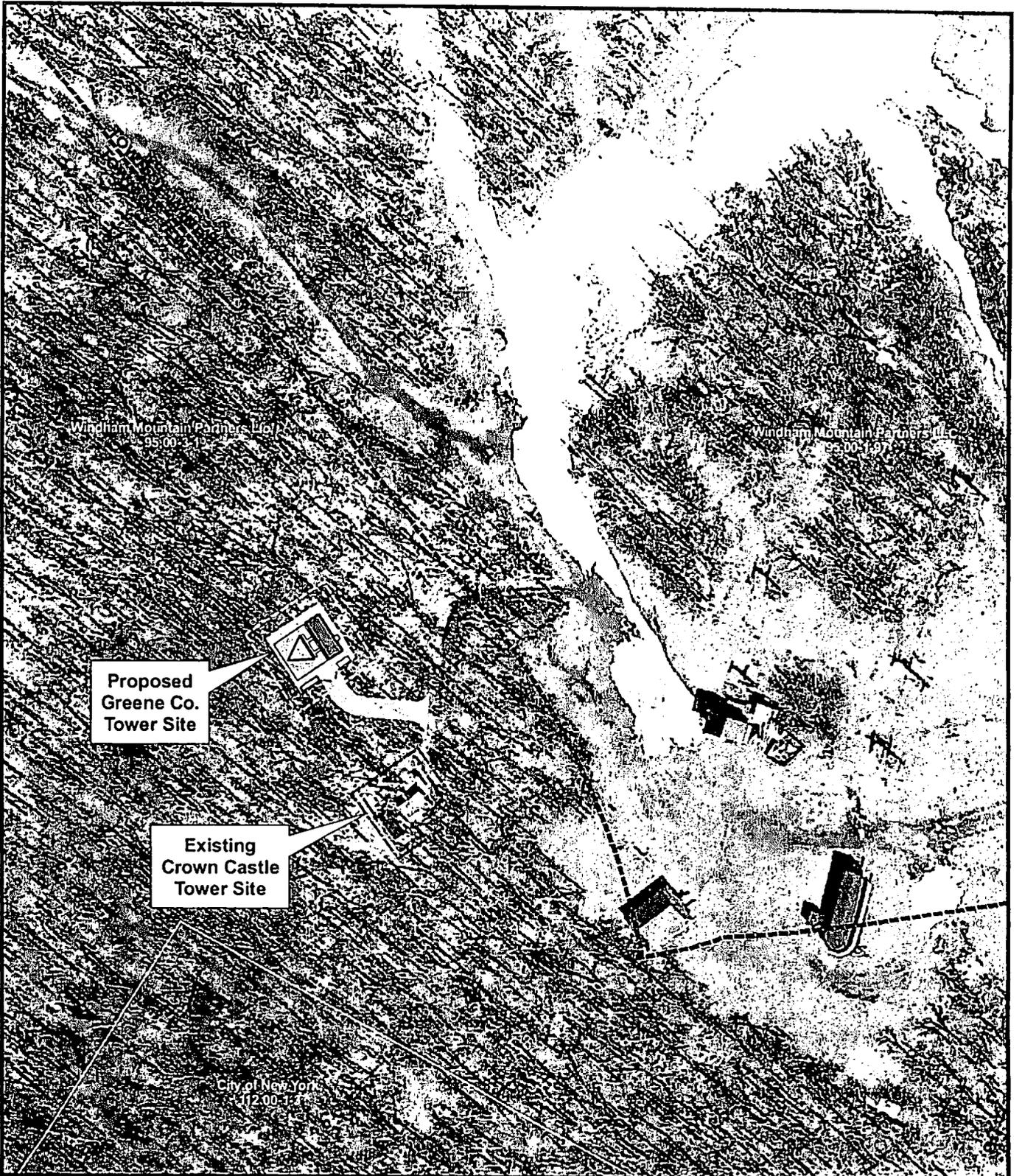
FLOOD ZONES

**FEMA Greene County Flood Insurance Rate Map No. 36039C0192F
Effective Date May 16, 2008**

APPENDIX F

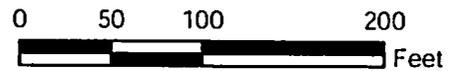
SURFACE FEATURES

**NYSDEC Freshwater Wetlands and Streams GIS Files
National Wetlands Inventory (NWI) Wetlands GIS File
2009 NYS GIS Orthoimagery**



**GREENE COUNTY EMERGENCY SERVICES
TELECOMMUNICATION TOWER - WINDHAM MT.**

NEPA CHECKLIST:
SURFACE FEATURES



Prepared by: Delaware Engineering, PC, May 2013
Source: NYSGIS Orthoimagery, Spring 2009
NYSDEC Wetlands and Streams, NWI Wetlands

ATTACHMENT E

NEGATIVE DECLARATION SUPPORT DOCUMENT

617.21
Appendix F
State Environmental Quality Review (SEQR)

**NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

This notice is issued pursuant to part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (SEQR).

Greene County, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and that an Environmental Impact Statement will not be prepared.

DATE: September 18, 2013

NAME OF ACTION: Greene Co. Emergency Telecommunications System Project
Windham Mountain Tower

LOCATION: Top of Windham Mountain
Town of Jewett
Greene County

SEQR STATUS: Unlisted Action

LEAD AGENCY: Greene County

CONTACT PERSON: Wayne Speenburgh, Chairman
Greene County Legislature
411 Main Street, 4th Floor
Catskill, New York 12414

DESCRIPTION OF ACTION:

Greene County is a member of a consortium of counties that are engaged in improving interoperable emergency communications. To fulfill Green County's role in this collaboration, the County intends to construct a telecommunications tower on Windham Mountain in the Town of Jewett that will host a microwave facility that will be interoperable with Delaware County's existing public safety microwave facility located on Mr. Utsyantha.

In general, the project includes construction of a 50' x 50' fenced compound containing a 135' tall self-supported lattice tower and 12' x 32' equipment shelter. The compound will be located on a 4,900 SF parcel to be purchased from Windham Mountain Partners and will be screened from Ski Windham patrons by heavy vegetation. The site is located approximately 75' northwest of an existing Crown Castle Telecommunications Facility and will be accessed via a short gravel driveway to be constructed off the existing shared gravel access drive.

REASONS SUPPORTING THIS DETERMINATION:

Greene County has reviewed the Full Environmental Assessment Form (FEAF) and the criteria contained in 6 NYCRR §617.7 and has determined that the Windham Mountain Tower will not have a significant impact on the environment for the following reasons:

- A. As required by §617.7(a)(2), Greene County has determined that an Environmental Impact Statement is not required because any identified adverse impacts on the environment will not be significant.
- B. As required by §617.7(b), Greene County has:
 1. Considered the action as defined in subdivisions 617.2(b) and 617.3(g).
 2. Reviewed the FEAF, the criteria identified in 617.7(c) and other supporting information to identify relevant areas of environmental concern.
 3. Analyzed the identified relevant areas of environmental concern to determine whether the action will have a significant adverse impact.
 4. Set forth herein its written Finding of No Significant Environmental Impact.
- C. Greene County has compared the impacts reasonably expected to result from the proposed action to the criteria listed in 617.7(c)(1) as indicators of significant adverse impacts:
 1. Air quality, ground or surface water quality or quantity, traffic or noise levels, solid waste production, erosion potential, flooding, leaching or drainage problems;
No Significant Impact. The project will create less than 0.1 acres of impervious surfaces and will have minimal effect on stormwater drainage. It will generate no air emissions, noise or increased traffic.
 2. Removal or destruction of large quantities of vegetation or fauna, interference with migration fish or wildlife, impacts to special habitats, impacts to threatened or endangered species, or any other impacts to natural resources;
No Significant Impact. The project site is located in a wooded area at the top of Windham Mountain Ski Area. Approximately 0.14 acres of woodland will be affected by the project, however the area outside the fence (0.055 acres) will be revegetated with grass and brush after construction is completed.

The NYSDEC Natural Heritage Program found no records of rare or state listed animals or plants or significant natural communities in the vicinity of the site. The U.S. Fish and Wildlife Service (USFWS) Information Planning and Conservation (IPaC) online consultation service notes that the site is within the range of the Indiana Bat. Indiana Bats live in wooded or semi-wooded areas during the summer, with typical roosts beneath loose bark and in the crevices of dead trees located in direct sunlight. A field survey found that the proposed site does not contain trees which would provide suitable roosting habitat. It has therefore been determined that the project will have no significant impact on endangered or threatened species.

3. Impairment of Critical Environmental Areas;
No Impact.
4. Conflicts with currently adopted community plans and goals;
No Impact. The Town of Jewett Comprehensive Plan notes that limited telecommunications are an issue in the Town and encourages development of telecommunication facilities.
5. Impairment of important historical, archeological, or aesthetic resources or community character;
No Significant Impact. The NYS Office of Parks, Recreation and Historic Preservation (OPRHP) Web Mapping Application indicates that the project site is not in an area of archeological sensitivity or near any sites of historical significance. OPRHP was contacted in May 2013 to determine if the proposed project would have an impact on historic or cultural resources and their response letter is pending.

The site is located approximately 75' northwest of an existing Crown Castle Telecommunications Facility. Although the proposed Windham Tower may be slightly visible from the Windham Historic District and NYS forest land, it will be partially screened by existing vegetation. It will also tend to visually merge with the adjacent Crown Castle tower and be perceived as one artifact in the landscape.
6. Major change in use or type of energy;
No Impact.
7. Creation of a human health hazard;
Positive Impact. This project will have a positive impact on human health by creating a more robust public safety network and facilitating interoperable emergency communications with neighboring counties.
8. Substantial change in use or intensity of use of land including agricultural land, open space or recreational resources;
No Impact. The project has been sited in an area where it will have no impact on the recreational activities at the Windham Mountain Ski facility.
9. Encouraging a population increase;
No Impact.
10. Creation of a material demand for other actions resulting in above consequences;
No Impact.
11. Changes in two or more elements of the environment that combined have a substantial adverse impact on the environment;
No Impact.
12. Two or more related actions undertaken, funded or approved by an agency that combined have a significant effect on the environment.
No Impact.

- D. 617.7(c)(2) – For the purpose of determining significant adverse impacts on the environment of those factors listed above, the long-term, short-term, direct, indirect and cumulative impacts, including simultaneous or subsequent actions, to the extent reasonable, as included in any long-range plan for the action, any action that is a result of the reviewed action or is dependent on the action were reviewed.
- E. 617.7(c)(3) – The significance of any likely consequences were assessed in connection with the setting of the action, the likelihood of occurrence, duration, irreversibility, geographic scope, magnitude and the number of people affected as a consequence of the action.

Based on this review, Greene County has determined that no significant adverse environmental impacts would result from this Action.

Public Safety
3

September 18, 2013

RESOLUTION NO.

AUTHORIZING CONTRACT – GREENE COUNTY AND
NYS DEPARTMENT OF CORRECTIONAL SERVICES
TO PROCURE FOOD PRODUCTS FOR THE JAIL

Legislator offered the following resolution and
moved its adoption:

WHEREAS, by Resolution No. 122-09, adopted by the Greene County Legislature on April 15th, 2009, Greene County entered into an Agreement with the New York State Department of Correctional Services, Office of Nutritional Services, for the purchase of food products for the inmate population at the Greene County Jail; and

WHEREAS, it has been determined that by entering into the contract with the New York State Department of Correctional Services' Office of Nutritional Services, the County of Greene sees a significant savings on these products and would therefore like to renew this five year contract;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Greene County Legislature be authorized to enter into a Contract with the New York State Department of Correctional Services, subject to approval as to form by the County Attorney, to procure food products for the inmate population at the Greene County Jail; and be it further

RESOLVED, that the term of this contract will be from May 1, 2012 until April 30, 2017.

Seconded by Legislator

Ayes Noes Absent CARRIED.

Approved by Public Safety Comm.:
Approved by Finance Comm.:

B
4

September 18, 2013

RESOLUTION NO.

ESTABLISH CAPITAL PROJECT #83
COUNTY OFFICE BUILDING IMPROVEMENTS - CAIRO

Legislator offered the following resolution and moved its adoption:

WHEREAS, it is the desire of the Greene County Legislature to establish a Capital Project for the purpose of improving the County Office Building - Cairo: and

WHEREAS, \$300,000 from the Greene County Restricted Fund Balance is to be used for this project;

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Treasurer be authorized to establish Capital Project #83 – County Office Building Improvements – Cairo and to establish the following accounts:

H83 0000 2770	Unclassified Local	\$270,000.
H83 0000 5197	Project Expense	\$270,000.; and

BE IT FURTHER, RESOLVED, that the Greene County Treasurer transfer \$300,000 from A 899.1010 Restricted Fund balance to H83 0000 2770 in the amount of \$270,000. and \$30,000. to A 3110 1000 for the additional Part Time Security.

Seconded by Legislator

Ayes Noes Absent CARRIED.

- Approved by Public Safety Comm.:
- Approved by Public Works Comm.:
- Approved by Finance Comm.:

Mental Health Bldg Improvements

The following is a summary for improvements to the MH Bldg in Cairo. They are broken down into two phases: a) Security Improvements and b) Facility – Infrastructure Improvements.

This breakdown also easily divides the work into Legislative Committees agenda items as well.

Phase One – Public Safety Committee

Item:	Cost estimate	Description
a) Metal Detectors	\$ 5,000.00	Add walk thru and hand helds
b) Telephones	\$30,000.00	New hardware including panic buttons and Paging system
c) Front Door	\$25,000.00	Realign entryway so visitors pass thru Metal detectors and reposition Security desk
d) Add PTE	\$30,000.00	Add additional Part Time Security
Subtotal	\$90,000.00	
Contingency	\$10,000.00	Ten (10%) percent is sufficient
e) Grand Total	\$100,000.00	

Phase Two – Public Works

a) Replace Steam Boiler	\$50,000.00	Elevate and add 1.2 BTU steam boiler Note: this is inside existing boiler room Estimate for adding two units outside Is \$200,000.00
b) New Roof and Gutters	\$135,000.00	Add metal roof over existing system and Replace eves where needed. Also replace Existing Slate tiles
c) Add Attic Insulation	\$ 35,000.00	Currently, there is no insulation is attic
d) Install De-humidifiers	\$ 25,000.00	Remove basement moisture
e) Asbestos abatement	?	Estimates not yet received
Subtotal	\$245,000.00	
Contingency	\$ 55,000.00	Twenty (20%) is sufficient
Grand Total	\$300,000.00	