

**TOWN OF CHARLTON
COUNTY OF SARATOGA
STATE OF NEW YORK**

**RESOLUTION NO. 206
December 30, 2019**

**SEQR RESOLUTION AND NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE
ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THE EXCEPTIONAL USE
PERMIT APPLICATION OF CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS TO PLACE A
CELL TOWER AT 764 CHARLTON ROAD**

WHEREAS, the Town Board approved a Resolution, dated September 23, 2019, acknowledging receipt of a telecommunications tower exceptional use permit application from Cellco Partnership d/b/a Verizon Wireless; and

WHEREAS, the Town Board accepted primary jurisdiction of the exceptional use permit application as authorized by the Zoning Ordinance of the Town of Charlton; and

WHEREAS, the Town Board, the Charlton Planning Board, the Charlton Zoning Board of Appeals, the Charlton Environmental Conservation Committee, the Charlton Historical District Commission, the Cell Services Advisory Committee, the Saratoga County Planning Board, and the Town Engineer were provided the documentation presented by the applicant regarding this matter for review and comment; and

WHEREAS, the Town Engineer has submitted a detailed opinion to the Town Board and the Town Planning Board, the Town Attorney, and the Applicant's Counsel, regarding an analysis of the issues to be considered in the processing of the application for Cellco Partnership d/b/a Verizon Wireless; and

WHEREAS, the Town Board received feed-back and/or comments from each of the above Boards and Committees; and

WHEREAS, the Town Board met with the applicant on several occasions to review and discuss the application, and comments and responses, and the applicant, through its attorney, presented written responses to the various comments and concerns made, and supplied documentation to support and address same; and

WHEREAS, a public hearing was duly advertised and held in compliance with Town law, on November 25, 2019 at 6:30 p.m. at Charlton Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said application of Cellco Partnership d/b/a Verizon Wireless, to place a cell tower at 764 Charlton Road, or any part thereof; and

WHEREAS, the Town Board received a duly completed Full Environmental Assessment Form ("EAF") for the project completed by the Applicant, which was reviewed by the Board and Town Engineer; and

WHEREAS, the State Environmental Quality Review Act (SEQRA) regulations found at 6 NYCRR Part 617.3(a) require that no agency shall carry out, fund, or approve an action until it has complied with the requirements of SEQRA; and

WHEREAS, 6 NYCRR 617.6(a) requires that when an agency receives an application for approval of action it must: (1) determine whether the action is subject to SEQRA, (2) determine whether the action involves a federal agency, (3) determine whether other agencies are involved, (4) make a preliminary classification of the action, (5) determine whether a short or full EAF will be used to determine the significance of the action, and (6) determine whether the action is located in an Agricultural District; and

WHEREAS, NYCRR 617.6 establishes procedures for the review of Unlisted actions and whether a coordinated review is required or necessary, if the Town can proceed as lead or sole agency with an uncoordinated review, and what notices, if any, need to be sent out regarding same, and the Town has properly, fully and completely followed all of such procedures and requirements contained therein and as set by law, and duly sent all notices required, if any, as are required thereunder and set by law, and has received no objections to the Town proceeding as lead or the only involved agency under SEQRA; and

WHEREAS, the Town Board has independently considered both the information provided in the EAF and comments on the application provided by the Town Engineering and Board members, as well as the Saratoga County Planning Board, various other entities, the Boards and Committees abovementioned, and including the public comments received;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines that:

1. approval of the proposed project constitutes an Unlisted action which is subject to SEQRA,
2. the proposed action is not located in an Agricultural District and, while it is located within 500 feet of lands within an Agricultural District, it will not have any ascertainable significant impact on any farm or farming operations,
3. a Full EAF is adequate for determining the significance of the proposed action; and

BE IT FURTHER RESOLVED, that the Town Board, as provided at 6 NYCRR Part 617.6(b)(4) hereby determines no coordinate review of the proposed action is necessary, and the Town Board shall and can proceed as if it were the only involved agency; and

BE IT FURTHER RESOLVED, that the Town Board previously and hereby does declared itself as lead agency with respect to SEQRA review of the proposed action; and

BE IT FURTHER RESOLVED, that based upon its review of the project and the EAF, review of the proposal by the various other Boards, the Town Engineering and the Town and County Planning Boards, and upon comparison with the Criteria for Determining Significance found at 6 NYCRR Section 617.7(c), the Town Board hereby finds that the proposed construction of a cell tower at 764 Charlton Road constitutes an action which will not have a significant impact on the environment and, therefore, does not require preparation of Draft Environmental Impact Statement; and

BE IT FURTHER RESOLVED, that this determination is based in part, upon the following facts and conclusions:

SEQRA Status

This matter is an unlisted action under SEQRA as it does not qualify for any of the actions on the Type II list that are not subject to review (6 NYCRR 617.5) and does not fit within the description of any of the actions identified on the Type I list (6 NYCRR 617.4). The site is not identified by Saratoga County as being in a certified agricultural district (6 NYCRR 617.4(b)(8)). Even if it were, nothing in the application exceeds 25 percent of any threshold established elsewhere in that section (Id.). Similarly, while the access road and utilities originate within the Historic District, thereby implicating 6 NYCRR 617.4(b)(9), nothing within the application materials exceeds 25 percent of any threshold established elsewhere in that section. Thus, the action is properly characterized as an Unlisted action under SEQRA.

Introduction

The purpose of the Charlton Center communications facility is to provide an adequate and safe level of emergency and non-emergency Verizon Wireless communications services to the south and central portions of the Town of Charlton. More specifically, the facility will offer significant improvements in both capacity (ability for the network to adequately satisfy the demand for high speed wireless services) and in-building coverage to the homes, businesses and communities along County Route 51 (CR-51 / Charlton Rd), County Route 52 (CR-52 / Jockey St & Swaggertown Rd), and into the Hamlet of Charlton. Additionally, the proposed facility will fill in existing coverage gaps in the 4G network and along several local thoroughfares and community roads (e.g., Stage Road, Maple Avenue, Peaceable Street, etc.) across the target coverage area.

Overview of Project Need

The area within which Verizon Wireless can locate its facility to provide adequate and safe coverage (the “search area”) is determined by a number of factors, including terrain, vegetation and the locations of local population centers and surrounding sites in the Verizon Wireless network.

Existing 4G/LTE service in the area is limited and originates from several existing Verizon Wireless communications facilities within the Town of Charlton and in the neighboring Towns of Ballston and Glenville. Verizon Wireless’ surrounding facilities include its “Charlton” site (3.5 miles north on the self-support tower off Jockey Street in the Town of Charlton), “Ballston” site (3.8 miles east on the self-support tower off N.Y. State Route 50 in the Town of Ballston), “Glenville” (3.7 miles southeast on a monopole tower off NY-50), “Rotterdam Junction” (4.5 miles south on a monopole tower off Rector Road), and “Pattersonville” (4.5 miles south on a monopole tower off Waters Road) sites. Although these facilities are successful in providing coverage within their intended localized areas, they do not provide sufficient 4G/LTE coverage to the targeted area in southern and central Charlton.

Accordingly, construction of a new, locally-based communications facility is required to provide a dominant (i.e., continuous) level of advanced communications service to this area (For reference, see the Site Selection Analysis prepared by Verizon Wireless’ Radio Frequency (RF) Engineer and Site Acquisition Specialist, detailing the purpose and need for this facility). This project is part of a comprehensive upgrade of the Verizon Wireless network in Saratoga County, and serves as a suitable platform for future advanced wireless services expansion at the proposed site and deeper into the town’s residential and more rural areas.

The facility is located on a relatively large (47.14± acre) parcel, located within the search area. The monopole, equipment pads and associated improvements will be located on a 100± ft. x 100± ft. (10,000± sq. ft.) section of the premises. Additionally, the site will generate a minimum amount of vehicular traffic (3-4 trips per year by Verizon Wireless for routine maintenance purposes). As an unmanned communications facility, no water supply or sewage treatment / disposal issues have been identified. An emergency generator fueled by propane gas is proposed.

Impact on Land

This project will result in a small to negligible impact on land. The project site is located on a large (47.14± acre) parcel, which is in residential use and was formerly in agricultural production. Ingress, egress and utility services (power and telephone/fiber) will originate from Charlton Road utilizing an existing gravel access road for a portion of the distance, which will be extended and will connect the public road with the tower compound. Utilities will be installed underground in a trench adjacent to the access drive. The access road runs in a generally northerly direction from Charlton Road to the base station yard.

The monopole facility and ground equipment will be located within on a 100 ft. x 100 ft. lease area in a location characterized by both open agricultural fields (or former agricultural fields) and dense, mature trees. The proposed monopole facility and associated ground equipment are located inside a 75 ft. x 75 ft. fenced tower yard. In general, the installations include: six (6) panel antennas mounted at the top position of a proposed 120± ft.

monopole (124± ft. when including a 4± ft. lightning rod); an equipment cabinet on a concrete pad measuring 4.0± ft. x 7.0± ft. in size; utility and RF equipment on a "H" frame mounting structure; a 30 kW propane generator on a concrete pad measuring 4.0± ft. x 7.0± ft. in size for emergency power; cabling connecting the antennas to the equipment platform; and associated cabling and all related ground equipment and utility services (power and telephone/fiberoptic services).

The lease area/tower compound will be accessed over an existing gravel access road that is 1,537± feet in length that will be extended by 993± feet to reach the lease area/tower compound. When combined with the construction of the tower compound, there will be a total of 30,492± square feet (0.7± acres) of grading/disturbance.

The parcel is a large property in an area of residential, agricultural, commercial and municipal uses. Due to the relatively low height of the facility, FAA obstruction lighting is not required at this site.

The communications facility will be unmanned and visited for routine maintenance purposes approximately 3-4 times per year by Verizon Wireless (only as needed). As such, this project will not have any impact on existing water and sewage services. In addition, neither pedestrian nor vehicular access will be significantly impacted. Adequate parking is provided for emergency vehicles and/or infrequent maintenance visits adjacent to the fenced tower compound. A six (6) foot high chain link safety fence (with three strands of barbed wire at top) will be installed to secure the tower site and protect Verizon Wireless' telecommunications equipment from unauthorized access.

Impact on Water

The proposed Communications Facility will not result in any significant impact upon (a) any water body, protected or non-protected, (b) surface or groundwater quality or quantity, or (c) drainage flow or patterns, inclusive of surface water runoff.

No NYS or federal regulated wetlands are located on, or in close proximity to, the work to be constructed for the tower compound. There is an existing New York State regulated wetland (NYS Wetland ID B-42) and a farm pond in the vicinity of the existing access road. While the existing access road is not in the wetlands, it is in the 100 foot buffer. Accordingly, a permit must be secured to install the underground utilities within the buffer area. It is expected that the permit will contain standard and site-specific conditions to maintain the quality of the nearby wetlands. Standard sedimentation and erosion control techniques will be implemented at the site during the construction phase to eliminate potential impact(s) to the wetlands and farm pond. Silt fence will be utilized around the site to prevent silt and soils from being impacted by stormwater. Accordingly, any potential sedimentation and/or erosion-related impact(s) will primarily be confined to the construction phase, and will not be continuous in nature and scope and will be mitigated by the use of appropriate controls.

Along the path of the existing and proposed access road, existing culverts will be utilized to limit the required construction activities to minimize any impact to streams and wetlands.

With respect to the generator, diesel fuel is not proposed as a fuel source and will not be stored on-site. Rather, propane will be used as a fuel source. In the unlikely event of a leak of propane, the gas vaporizes and does not affect soil or water.

Impact on Air

This project will not result in any significant impact on air quality. The Communications Facility proposed does not involve or concern any air quality issues, permit or otherwise. As previously mentioned, this Communications Facility will be unmanned, and visited for routine maintenance purposes approximately 3-4 times per year by Verizon Wireless (only as needed). Therefore, no significant traffic-based impact(s) exist. The

site will have a backup propane-fueled generator located on a concrete pad which is exercised automatically every other week and which otherwise only runs during a power outage to keep the network in operation. The generator complies with all existing emissions regulations. As such, any minimal impact(s) on air quality, if any, will be confined to the construction phase and/or will be negligible in scope and effect during the operational phase.

Impact on Plants and Animals

The proposed Communications Facility will not result in any significant impact on threatened/non-threatened or endangered/non-endangered species of plants or animals. The Full EAF and consultation process indicate that lands in the vicinity of the facility are the location of regularly occurring, non-threatened and non-endangered native plants and animals. With respect to other species, given the small amount of clearing that is proposed to accommodate the access drive and facility, no significant impacts to plants or animals are expected, particularly in light of the significant amount of remaining lands available to accommodate existing animals.

Impact on Agricultural Land Resources

The proposed Communications Facility will have minimal impact on agricultural land resources as the property is not currently in agricultural production. In addition, the property is not listed as being a farm operation within an agricultural district certified under the Agriculture and Markets Law, Article 25-AA, Section 303 and 304. However, the property is within 500 feet of a farm operation within an agricultural district certified under the Agriculture and Markets Law, Article 25-AA, Section 303 and 304. Accordingly, an Agricultural Data Statement was prepared by the Applicant and submitted to the Town for review. Farm operations within 500 feet were notified of the public hearing. The Town Board and the other Town agencies that have reviewed this matter have not ascertained any significant impact on farm operations as a result of the proposal. Accordingly, the use of 0.7± acres of land to support a much needed telecommunications facility is not a significant adverse impact. To the contrary, it is an appropriate use of land to provide a necessary and needed utility service to the residents of the Town.

Impact on Aesthetic Resources

The proposed Communications Facility will result in a negligible to minor impact on aesthetic resources, or no significant visual impact depending on location and view.

A. PROPOSED TOWER HEIGHT

Generally speaking, cellular radio is a “line-of-sight” technology. While radio signals do have some degree of bending (known as diffraction) around obstacles, terrain and vegetation can block or significantly interfere with transmissions to and from a cell site. Distance is also a critical consideration, because increased space to and from the coverage objective means that the proposed facility (and all mobile devices communicating back and forth with that facility) must operate at higher power levels to achieve a proper level of coverage and performance (if possible). Moreover, this technology operates at significantly reduced effective transmit and receive power levels, making modern wireless networks more susceptible to blocking and/or interference than in prior years.

Existing vegetation in the thirty to eighty feet tall range around the tower site will serve to buffer and shield the tower from view from most of surrounding properties and public roads. The Applicant conducted a Visual Resource Evaluation (“VRE”). The Visual Resource Evaluation indicates that, except for a limited number of properties, the vast majority coverage area will not be able to see the facility. As to those properties that have views of the facility, the majority of the views are partially screened and limited by vegetation. More specifically, there are limited areas identified with views of the tower as shown on the Viewshed Analysis Map:

- The primary area from which the tower can be viewed is from certain properties along Maple Avenue.
- There are limited views from Jockey Street.

As noted above, tower marking and lighting is not required by the FAA. Not having a light atop the tower will reduce its visual impact, particularly at night time.

During the course of the review process, in response to resident concerns and Town Board requests, the applicant has proposed to reduce the size (width) of the antenna booms and also reduced the number of antennas to be deployed from twelve (12) to six (6). Further, the applicant is proposing to paint the monopole, sector mounts, antennas and associated equipment white to limit the contrast with the sky and better blend the visible portion of the tower with its surroundings.

The compound fence and base station equipment is significantly setback from nearby properties. The distances to nearby property lines are: 306'± to the west; 658'± to the north; 357'± to the east; and 310'± to the south.

In this context, the proposed communications facility has been sited and designed to have the limited visibility, and any resultant visual impact is minimal in nature and scope.

B. CONCLUSION

Due to the physics of radio frequency (RF) signal propagation, Verizon Wireless' antennas need to clear all natural and man-made objects to function properly. This translates to a certain amount of unavoidable visibility, which in this case is limited to small areas and a low number of residential properties. As such, it is determined that the proposed communications facility will not: (a) result in a significant level of visual or other impact to the surrounding community or neighborhood under the State Environmental Quality Review Act ("SEQRA"); (b) have a detrimental effect on adjacent land uses or the development of the area.

Impact on Historic and Archeological Resources

The proposed Communications Facility will not result in any significant impact on site(s) or structure(s) of historic, prehistoric or paleontological importance. The Applicants determined that there would be no direct effect and no visual effect on historic properties. In the unlikely event that any artifacts are uncovered, work will cease in that area and the materials will be recovered and documented in accordance with standard best practices.

The proposed site is near the Charlton Historical District. The Charlton Historic District is generally comprised of properties on either side of Charlton Road and is approximately 123 acres in size. The driveway (existing portion of the driveway) is in the Historic District but the tower compound and monopole are outside of the district by approximately 1,500 feet. As identified in the Visual Resource Evaluation there are very limited views of the monopole from the Historic District. For those locations from which there are views, the views are limited, distant and largely obscured by existing mature vegetation.

The matter was referred by the Town Board to the Town's Historic District Commission ("HDC") for a report. The HDC reviewed the matter and the application materials and adopted a letter advising the Town Board that "[i]t was noted that the view of the 120 foot balloon was barely visible from the hamlet and can only be seen from a few select locations. It was unanimously determined by the membership of the Commission that the tower will not significantly impair the historical character of the hamlet."

Impact on Open Space and Recreation

The proposed Communications Facility will not result in any significant impact on the quantity or quality of existing or future open spaces or recreational opportunities given the small size of the facility and its placement on a large lot in private ownership. To the extent that the current owners utilize the property for recreation or hunting, a very limited amount of land will be removed from use and the minor amount of such land will have no appreciable effect on recreational or hunting opportunities. The Town Board also believes that the tower has the potential to keep the large parcel of land as open space by providing a rental revenue stream to the property

owner thereby reducing the potential pressure to subdivide and sell a portion of the property as so often happens in rural communities.

Although by no means determinative of this question, it is noted that the project will provide recreation/open space users (and the traveling public) with additional and/or enhanced access to communications services for emergency and non-emergency use. The historical use of this technology for emergency communications purposes is well-documented.

Impact on Critical Environmental Areas

This project will not impact any Critical Environmental Area(s). According to the NYSDEC website, there are no Critical Environmental Areas in Saratoga County in the vicinity of this project (See, <http://www.dec.ny.gov/permits/25146.html>).

Impact on Transportation

This project will not result in any significant impact on existing transportation systems. An existing gravel driveway/curb cut serving the residential property will be used and extended as a 30± ft. wide access driveway with the installation of gravel and crushed stone material. The access road runs in a generally northerly direction from Charlton Road to the tower yard. Utilities will be installed underground in a trench running along the edge of the access road from Charlton Road to the tower yard. The proposed Communications Facility will be unmanned, and visited by Verizon Wireless approximately 3-4 times each year for Verizon Wireless (only as needed) for maintenance and inspection purposes. There will be a slight increase in vehicle trips during the approximately two month construction time frame associated with work vehicles and delivery trucks. The amount of additional vehicles is comparable to the amount associated with the construction of a single family home. Charlton Road is well maintained and will have no difficulty handling this small number of additional trips. There is no apparent sight distance or other traffic control issues related to the existing location of the driveway curb cut.

Impacts on Energy

The proposed Communications Facility will not result in any significant impact on the community's sources of fuel or energy supply. First, an adequate source of power exists at the existing service lines in the vicinity of the project. Second, it is estimated that the Communications Facility will require approximately the same number of kW hours of power as a 3-4 bedroom house per year to operate, an impact which is not considered to be significant and which will not cause the need for any major electrical upgrades.

Noise and Odor Impacts

This project will not result in any significant environmental impact due to objectionable odors, noise or vibration. Any such impact(s) will be temporary and minor in nature and confined to the construction phase. All construction equipment will be equipped to properly mitigate noise and dust, properly muffled and otherwise in compliance with OSHA standards.

The only time that the propane-fueled emergency generator will run continuously is during times of a power outage. This is necessary to provide continuous wireless service to Verizon Wireless customers. The only other time that the generator will run is for a test cycle once every other week for approximately 20 minutes. The test cycle is generally set for Tuesday mornings after 9:00 am but can be adjusted as necessary.

Given the significant distance in all directions to the property lines and the heavy tree cover, the occasional use of a backup generator will not impact any neighboring land uses. The Applicant has submitted a Noise Evaluation Report which identifies that the sound at the nearest property line (315'± to the west) is 34.7 dBA

and the sound at the nearest residence (800'± to the east) is 26.6 dBA which is significantly lower than the sound associated with a normal conversation (60 dBA).

Based upon the foregoing, the periodic operation of the generator will not represent a significant impact on the neighboring properties.

Impact on Public Health

The proposed Communications Facility will not impact the public health and safety.

A propane powered emergency generator will be located on a proposed equipment pad. The emergency generator and fuel storage tank are designed in accordance with all applicable laws, rules, regulations and safety requirements for New York State.

Without limitation to this evaluation, the Town is prohibited by the Telecommunications Act of 1996 from regulating the placement, construction and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions. 47 USC 332 [c] [7] [B] [iv].

Notwithstanding this Federal preemption, the Applicant has provided a written report entitled "RF Safety FCC Compliance of Proposed Communications Facility", prepared by a New York State licensed professional engineer (Paul Dugan, P.E. of Millennium Engineering, P.C.), which documents that the proposed Communications Facility: (a) will comply by a wide margin with the requirements of the Federal Communications Commission (FCC) concerning radio frequency (RF) emissions (i.e., operate at a composite ground level below 1% of the applicable FCC exposure limits); and (b) be categorically excluded from local regulation under applicable federal law. The Town has had its Consultant review these matters.

Impact on Growth and Character of Community or Neighborhood

This project will result in a negligible impact on the character of the existing community. Although a variety of land uses exist in the general vicinity, the impact on such uses (if any) is typically visual in nature when considering a telecommunications tower. As previously stated, visibility of the proposed Communications Facility will be minor or insignificant in nature and scope. By proposing a facility of a limited height in this setting on a large (47.14 acre) lot surrounded by mature vegetation, the Applicant has largely eliminated impact on the neighborhood and growth and character of the community will be unaffected.

The Charlton Town Board previously considered use of the Town's water tank which is located on Cherry Lane approximately 1,100'± south of Charlton Road to mount telecommunications antennae along with ground mounted equipment. The Town Board decided that the water tank site is impractical as compared to the proposed Charlton Road site because of, but not limited to, the following reasons:

- Impact on the ability to maintain the water tank including periodic cleaning, painting, and inspections.
- Impact on the use of the relatively small parcel to maintain the tank and water distribution.
- Additional visual impact due to the installation of antennae and other structural elements at the top of the water tank,
- Additional visual impact due to having to raise the light on top of the water tank.
- Additional visual impact of the base equipment within a residential neighborhood.
- Greater visual impact from the Charlton Historic District.
- Limited ability to accommodate other telecommunication carriers on the water tank.
- Potential for additional noise impacts from the generator(s) due to residences in much closer proximity to the equipment.
- Potential for ice falling from the antennae and structural members in close proximity to residential properties.

The above items show and evidence an increased potential for negative impacts on the health and safety of the residents surrounding the Water Tower, impacts that do not exist, or that exist to a much lesser extent at the proposed 764 Charlton Road location. Town Code requires the Board to first consider existing tall structures, and give preference towards use of such, unless the use of the existing structure is impractical. Here, based on the above, public health and safety considerations make the use of the water tower impractical, and the stand alone tower on Charlton Road the much better and safer option. Based on the above, the Town Board has determined that the Town's water tank would have greater adverse impact on the community than the tower proposed at the 764 Charlton Road site.

Other Factors and Considerations

Based on the foregoing discussion and the materials in the Record, the Town Board has determined that:

- (i) The construction of a monopole and related equipment will not cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels. In addition, the project is unmanned so there will be no production of solid waste, let alone a substantial increase in solid waste production. Due to the minor size of the construction activities and the mitigation measures proposed, there is no substantial increase in potential for erosion, flooding, leaching or drainage problems.
- (ii) The project will not result in the removal or destruction of large quantities of vegetation or fauna. Because the site is in a location with an existing driveway and is largely surrounded by trees and is in an open field, there will be no interference with the movement of any resident or migratory wildlife species. The existing property does not contain a significant habitat area. Given the existing state of the land use, largely surrounded by woods and agricultural fields and the minor nature of the construction activities, no adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species or other significant adverse impacts to natural resources have been identified.
- (iii) There are no designated critical environmental areas on or near the premises. As a result no impact on such an area will occur.
- (iv) The proposal of a monopole on private property will not result in the creation of a material conflict with a community's current plans or goals as officially approved or adopted. The proposal is to construct a monopole on a large lot that is largely an open field and wooded. From most vantage points the facility is not visible or if it is visible it is largely screened by the existing woods, which will minimize any visual impact. Moreover, it is the Town Board that is approving the proposal and it is the Town Board that has discretionary jurisdiction over land use matters in the Town, including adopting and amending Comprehensive Plans and Zoning Laws.
- (v) As noted above and throughout this document, the construction of a monopole will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.
- (vi) The proposed facility uses the amount of electricity consistent with a single-family home. As a result, there is no major change in the use of either the quantity or type of energy.
- (vii) the creation of a hazard to human health. This item is discussed in detail above. The finding of no creation of a hazard to human health is supported in the record and not repeated here.
- (viii) The proposal does cause not a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
- (ix) The proposal does not encourage or attract a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action. The site is unmanned with only occasional visits by a technician.

(x) There is nothing in the record to suggest that the proposal will cause the creation of a material demand for other actions that would result in one of the above consequences. Rather, the site is centrally located to existing Verizon Wireless and other sites that provide appropriate telecommunications services to their nearby localized areas but which cannot serve the proposed area.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment is not applicable here. This consideration does not apply as multiple minor impacts have not been identified that could aggregate and be elevated to a substantial adverse impact. The only potential impact under consideration is visibility and, as to that impact, it has been determined to be minor in nature.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision is not applicable as well, as there is no second action proposed or contemplated.

NEGATIVE DECLARATION

After reviewing the Full EAF submitted herewith, together with the documentation provided by the Applicant and the information provided by the Town's consultants, other Town agencies and boards and the public, the Town Board of the Town of Charlton hereby concludes that an Environmental Impact Statement (EIS) will not be required for the public utility Communications Facility proposed because (a) this Action will result in no adverse environmental impacts, or (b) the identified adverse environmental impacts will not be significant (*see* 6 NYCRR § 617.7(a)(2)).

AND,

BE IT FURTHER RESOLVED, that

- (1) the Town Board of the Town of Charlton, based upon (i) its thorough review of the Full EAF, Parts 1 and 2, and any Addendums, along with any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR 617.7(c), hereby makes a negative determination of environmental significance ("Negative Declaration") in accordance with SEQRA for the above referenced proposed action, and determines that no Environmental Impact Statement will be required; and
- (2) the Town Supervisor of the Town of Charlton is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed Full EAF and determination of significance, along with any Addendums, is attached hereto and incorporated by reference in this resolution; and

BE IT FURTHER RESOLVED, that this Determination of No Significance shall be considered a Negative Declaration made pursuant to Article 8 of the Environmental Conservation Law; and

LASTLY, BE IT FURTHER RESOLVED, the Town Clerk is authorized to file this resolution as is required by law and do all that is necessary in order to fully effectuate the determinations contained herein.

Moved by: Councilman Grasso

Voting: Councilman Grasso Aye

Councilwoman Heritage Aye

Seconded by: Councilman Robbins

Councilman Robbins Aye

Councilman Ranaletto Aye

Supervisor Grattidge Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: December 30, 2019

Brenda Mills, Town Clerk

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Verizon Wireless - Charlton Center - Unmanned Wireless Communications Facility		
Project Location (describe, and attach a general location map): 764 CHARLTON RD, CHARLTON, NY 12019		
Brief Description of Proposed Action (include purpose or need): <p>Cellco Partnership, d/b/a Verizon Wireless ("Verizon Wireless" or the "Applicant") proposes the installation of an unmanned wireless communications facility located along the norther portion of the existing property. Said property being located approximately 0.25 miles east of the intersection of Charlton Rd and Swaggertown Rd. Access to the proposed facility will originate from Charlton Road utilizing an existing gravel driveway and a proposed 12' wide gravel access road.</p> <p>In general, the installation will consist of the following: 120' tall monopole with a 4' lightning rod; twelve (12) panel antennas and related equipment to be mounted to the monopole at a center-line height of 116'; two 4'x7' equipment pads; an emergency generator; and all related telecommunications and utility equipment, coaxial cabling and utility services (power and telephone/fiber). All equipment is to be located inside a 75' x 75' fenced enclosure within a 100' x 100' lease area."</p>		
Name of Applicant/Sponsor: Cellco Partnership, d/b/a Verizon Wireless		Telephone: (585) 321-5435
		E-Mail: Kathy.Pomponio@VerizonWireless.com
Address: 1275 John Street, Suite #100		
City/PO: West Henrietta	State: NY	Zip Code: 14586
Project Contact (if not same as sponsor; give name and title/role): David C. Brennan, Esq., Managing Member, Young/Sommer LLC		Telephone: (518) 229-8699
		E-Mail: dbrennan@youngsommer.com
Address: Executive Woods, Five Palisades Drive		
City/PO: Albany	State: NY	Zip Code: 12205
Property Owner (if not same as sponsor): David Hunt		Telephone:
		E-Mail:
Address: 764 Charlton Rd		
City/PO: Charlton	State: NY	Zip Code: 12019

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board - Exceptional Use Permit	TBD
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Town Planning Board - referral for advisory opinion	TBD
c. City, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	ZBA - referral for advisory opinion	TBD
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Building department - Building Permit; Historic District Commission, ECC - for advisory opinion	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Saratoga County DPW - Highway work permit Saragoga County Planning - Section 239 referral	TBD
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC Article 24 Wetlands Buffer Permit	TBD
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Areas: Mohawk Valley Heritage Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

Residential Agriculture

- b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

- c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? Burnt Hills-Ballston Lake Central School District, Po Box 1389, Ballston Lake, NY 12019

- b. What police or other public protection forces serve the project site?

Saratoga County Sheriff's Office, Charlton Police, NYS Police

- c. Which fire protection and emergency medical services serve the project site?

FD011-Charlton Fire 786 Charlton Road, Ballston Lake, NY 12019

- d. What parks serve the project site?

Elmer Smith Park, Gideon Hawley Park

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial public utility

- b. a. Total acreage of the site of the proposed action? 47.14 acres
b. Total acreage to be physically disturbed? 0.70 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.23 acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

- e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 3 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Total number of structures _____ 1	
ii. Dimensions (in feet) of largest proposed structure: _____ 120' height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ 0 square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____	
• Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☒ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☒ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No • Will a line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>_____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ _____ • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p style="padding-left: 40px;">Construction equipment _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p style="padding-left: 40px;">N/A _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p style="padding-left: 40px;">Backup generator _____</p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>Minimal increase in electrical power usage as necessary to operate the facility.</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>Local utility</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>8am-5pm</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24hrs/7 days a week (Unmanned)</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>8am-5pm</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24hrs/7 days a week (Unmanned)</u> • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>8am-5pm</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24hrs/7 days a week (Unmanned)</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p><u>During construction, noise associated with the operation of construction equipment, once construction of the proposed facility is complete, the on-site generator will be the only contributing factor to noise levels.</u></p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p><u>One LED work light on switch/timer designed to illuminate the Verizon ground equipment area only.</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)
☒ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.57	1.17	+0.60
• Forested	14.83	14.83	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	16.5	16.5	0
• Agricultural (includes active orchards, field, greenhouse etc.)	8.5	7.9	-0.60
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.26	1.26	0
• Wetlands (freshwater or tidal)	0.8	0.8	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 25 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Mosherville silt loam	35.2 %
Broadalbin silt loam	30.6 %
Sun silt loam	27.1 %

d. What is the average depth to the water table on the project site? Average: _____ 6 feet

e. Drainage status of project site soils: ☒ Well Drained: _____ 70 % of site
☒ Moderately Well Drained: _____ 25 % of site
☒ Poorly Drained _____ 5 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Unclassified stream Classification _____
- Lakes or Ponds: Name Unclassified ponds Classification _____
- Wetlands: Name NYSDEC B-42, Class 1 Approximate Size 15 acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
If Yes:

i. Name of aquifer: Principal Aquifer, Sole Source Aquifer Names: Schenectady-Niskayuna SSA

m. Identify the predominant wildlife species that occupy or use the project site:		
Deer _____	Squirrels _____	Skunks _____
Rabbits _____	Opossums _____	Foxes _____
Birds _____	Raccoons _____	Chipmunks _____

n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No
 If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No
 If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No
 If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☒ Yes ☐ No
 If yes, give a brief description of how the proposed action may affect that use: _____
 No impact

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☒ Yes ☐ No
 i. If Yes: acreage(s) on project site? 47.14
 ii. Source(s) of soil rating(s): 2019 NEW YORK AGRICULTURAL LAND CLASSIFICATION - SARATOGA

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No
 If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No
 If Yes:

i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District ii. Name: <u>Charlton Historic District</u> iii. Brief description of attributes on which listing is based: <u>Historic structures along Charlton Road within the designated historic district. Project poses no adverse impacts to the historic district.</u> 	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Describe possible resource(s): _____ ii. Basis for identification: _____ 	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles. 	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No 	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Steven Matthews, agent on behalf of applicant Date 11/8/19

Signature Steven Matthews Title Manager of Engineering

617.20
Appendix B
State Environmental Quality Review
VISUAL EAF ADDENDUM

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

Visibility	Distance Between Project and Resource (in Miles)				
	0 - 1/4	1/4 - 1/2	1/2 - 3	3 - 5	5 +
1. Would the project be visible from:					
! A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! A site or structure listed on the National or State Registers of Historic Places? Historic structures along Charlton Road within the Charlton Historic District.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! State Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! The State Forest Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! National Wildlife Refuges and State Game Refuges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! National Natural Landmarks and other outstanding natural features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! National Park Service lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! Rivers designated as National or State Wild, Scenic or Recreational?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! A site, area, lake, reservoir or highway designated as scenic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! Municipal park, or designated open space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! County road? Charlton Road (Co Rd 51), Jockey Street (Co Rd 52)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! State road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! Local road? Maple Avenue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)					
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			
3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?					
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in question 1, check those which generally describe the surrounding environment.

	*1/4 mile	Within *1 mile
Essentially undeveloped	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Forested	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Suburban Residential	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Commerical	<input type="checkbox"/>	<input type="checkbox"/>
Urban	<input type="checkbox"/>	<input type="checkbox"/>
River, Lake, Pond	<input type="checkbox"/>	<input type="checkbox"/>
Cliffs, Overlooks	<input type="checkbox"/>	<input type="checkbox"/>
Designated Open Space	<input type="checkbox"/>	<input type="checkbox"/>
Flat	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hilly	<input type="checkbox"/>	<input type="checkbox"/>
Mountainous	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: add attachments as needed

5. Are there visually similar projects within:

*1/2 mile ☐ Yes ☒ No 1 mile ☐ Yes ☒ No 2 miles ☒ Yes ☐ No 3 miles ☐ Yes ☒ No

*Distance from project site is provided for assistance. Substitute other distances as appropriate.

EXPOSURE

6. The annual number of viewers likely to observe the proposed project is 1.18M?

NOTE: When user data is unavailable or unknown, use best estimate.

CONTEXT

7. The situation or activity in which the viewers are engaged while viewing the proposed action is:

FREQUENCY

Activity	Daily	Weekly	Holidays/ Weekends	Seasonally
Travel to and from work	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Involved in recreational activities	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routine travel by residents	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
At a residence	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
At worksite	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other _____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Reset

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project : Charlton Center Telecommunications Facility
 Date : 2019-12-29

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

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

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☒ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f., D.2.h, D.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

☐ NO

☒ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

☐ NO

☒ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) If "Yes", answer questions a - g. If "No", go to Section 10.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>See Visual EAF Addendum for additional information</u>		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) If "Yes", answer questions a - e. If "No", go to Section 11.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: <u>Impact on hunting opportunities and Charlton Snowmobile Trail</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

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

☒ NO☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

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

☐ NO☒ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light

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

☐ NO☒ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part I.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
h. Other: <u>Project will include proposed telecommunications equipment not located on existing tall structures as identified in Charlton's zoning code as preferred locations.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>		

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>		

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

See attached Appendix "A" Reasons Supporting Negative Declaration Cellco Partnership d/b/a Verizon Wireless Charlton Center Wireless Telecommunication Facility

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☒ Unlisted

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

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

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

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

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

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

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

Name of Action: Verizon Wireless - Charlton Center Telecommunications Facility - 764 Charlton Road

Name of Lead Agency: Town of Charlton Town Board

Name of Responsible Officer in Lead Agency: Alan Grattidge

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer) Joseph S Grasso

Date:

2019-12-29

For Further Information:

Contact Person: Alan Grattidge, Supervisor

Address: Town of Charlton, 758 Charlton Road, Charlton, NY 12019

Telephone Number: 518-384-0152

E-mail: supervisor@townofcharlton.org

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

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

Other involved agencies (if any)

Applicant (if any)

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

APPENDIX “A”

Reasons Supporting Negative Declaration Cellco Partnership d/b/a Verizon Wireless Charlton Center Wireless Telecommunications Facility

SEQRA Status

This matter is an unlisted action under SEQRA as it does not qualify for any of the actions on the Type II list that are not subject to review (6 NYCRR 617.5) and does not fit within the description of any of the actions identified on the Type I list (6 NYCRR 617.4). The site is not identified by Saratoga County as being in a certified agricultural district (6 NYCRR 617.4(b)(8)). Even if it were, nothing in the application exceeds 25 percent of any threshold established elsewhere in that section (Id.). Similarly, while the access road and utilities originate within the Historic District, thereby implicating 6 NYCRR 617.4(b)(9), nothing within the application materials exceeds 25 percent of any threshold established elsewhere in that section. Thus the action is properly characterized as an Unlisted action under SEQRA.

Introduction

The purpose of the Charlton Center communications facility is to provide an adequate and safe level of emergency and non-emergency Verizon Wireless communications services to the south and central portions of the Town of Charlton. More specifically, the facility will offer significant improvements in both capacity (ability for the network to adequately satisfy the demand for high speed wireless services) and in-building coverage to the homes, businesses and communities along County Route 51 (CR-51 / Charlton Rd), County Route 52 (CR-52 / Jockey St & Swaggertown Rd), and into the Hamlet of Charlton. Additionally, the proposed facility will fill in existing coverage gaps in the 4G network and along several local thoroughfares and community roads (e.g., Stage Road, Maple Avenue, Peaceable Street, etc.) across the target coverage area.

Overview of Project Need

The area within which Verizon Wireless can locate its facility to provide adequate and safe coverage (the “search area”) is determined by a number of factors, including terrain, vegetation and the locations of local population centers and surrounding sites in the Verizon Wireless network.

Existing 4G/LTE service in the area is limited and originates from several existing Verizon Wireless communications facilities within the Town of Charlton and in the neighboring Towns of Ballston and Glenville. Verizon Wireless’ surrounding facilities include its “Charlton” site (3.5 miles north on the self-support tower off Jockey Street in the Town of Charlton), “Ballston” site (3.8 miles east on the self-support tower off N.Y. State Route 50 in the Town of Ballston), “Glenville” (3.7 miles southeast on a monopole tower off NY-50), “Rotterdam Junction” (4.5 miles south on a monopole tower off Rector Road), and “Pattersonville” (4.5 miles south on a

monopole tower off Waters Road) sites. Although these facilities are successful in providing coverage within their intended localized areas, they do not provide sufficient 4G/LTE coverage to the targeted area in southern and central Charlton.

Accordingly, construction of a new, locally-based communications facility is required to provide a dominant (i.e., continuous) level of advanced communications service to this area. *See*, Site Selection Analysis prepared by Verizon Wireless' Radio Frequency (RF) Engineer and Site Acquisition Specialist, detailing the purpose and need for this facility. This project is part of a comprehensive upgrade of the Verizon Wireless network in Saratoga County, and serves as a suitable platform for future advanced wireless services expansion at the proposed site and deeper into the town's residential and more rural areas.

The facility is located on a relatively large (47.14± acre) parcel, located within the search area. The monopole, equipment pads and associated improvements will be located on a 100± ft. x 100± ft. (10,000± sq. ft.) section of the premises. Additionally, the site will generate a minimum amount of vehicular traffic (3-4 trips per year by Verizon Wireless for routine maintenance purposes). As an unmanned communications facility, no water supply or sewage treatment / disposal issues have been identified. An emergency generator fueled by propane gas is proposed.

Impact on Land

This project will result in a small to negligible impact on land. The project site is located on a large (47.14± acre) parcel, which is in residential use and was formerly in agricultural production. Ingress, egress and utility services (power and telephone/fiber) will originate from Charlton Road utilizing an existing gravel access road for a portion of the distance, which will be extended and will connect the public road with the tower compound. Utilities will be installed underground in a trench adjacent to the access drive. The access road runs in a generally northerly direction from Charlton Road to the base station yard.

The monopole facility and ground equipment will be located within on a 100 ft. x 100 ft. lease area in a location characterized by both open agricultural fields (or former agricultural fields) and dense, mature trees. The proposed monopole facility and associated ground equipment are located inside a 75 ft. x 75 ft. fenced tower yard. In general, the installations include: six (6) panel antennas mounted at the top position of a proposed 120± ft. monopole (124± ft. when including a 4± ft. lightning rod); an equipment cabinet on a concrete pad measuring 4.0± ft. x 7.0± ft. in size; utility and RF equipment on a "H" frame mounting structure; a 30 kW propane generator on a concrete pad measuring 4.0± ft. x 7.0± ft. in size for emergency power; cabling connecting the antennas to the equipment platform; and associated cabling and all related ground equipment and utility services (power and telephone/fiberoptic services).

The lease area/tower compound will be accessed over an existing gravel access road that is 1,537± feet in length that will be extended by 993± feet to reach the lease area/tower compound. When combined with the construction of the tower compound, there will be a total of 30,492± square feet (0.7± acres) of grading/disturbance.

The parcel is a large property in an area of residential, agricultural, commercial and municipal uses. Due to the relatively low height of the facility, FAA obstruction lighting is not required at this site.

The communications facility will be unmanned, and visited for routine maintenance purposes approximately 3-4 times per year by Verizon Wireless (only as needed). As such, this project will not have any impact on existing water and sewage services. In addition, neither pedestrian nor vehicular access will be significantly impacted. Adequate parking is provided for emergency vehicles and/or infrequent maintenance visits adjacent to the fenced tower compound. A six (6) foot high chain link safety fence (with three strands of barbed wire at top) will be installed to secure the tower site and protect Verizon Wireless' telecommunications equipment from unauthorized access.

Impact on Water

The proposed Communications Facility will not result in any significant impact upon (a) any water body, protected or non-protected, (b) surface or groundwater quality or quantity, or (c) drainage flow or patterns, inclusive of surface water runoff.

No NYS or federal regulated wetlands are located on, or in close proximity to, the work to be constructed for the tower compound. There is an existing New York State regulated wetland (NYS Wetland ID B-42) and a farm pond in the vicinity of the existing access road. While the existing access road is not in the wetlands, it is in the 100 foot buffer. Accordingly, a permit must be secured to install the underground utilities within the buffer area. It is expected that the permit will contain standard and site-specific conditions to maintain the quality of the nearby wetlands. Standard sedimentation and erosion control techniques will be implemented at the site during the construction phase to eliminate potential impact(s) to the wetlands and farm pond. Silt fence will be utilized around the site to prevent silt and soils from being impacted by stormwater. Accordingly, any potential sedimentation and/or erosion-related impact(s) will primarily be confined to the construction phase, and will not be continuous in nature and scope and will be mitigated by the use of appropriate controls.

Along the path of the existing and proposed access road, existing culverts will be utilized to limit the required construction activities minimize any impact to streams and wetlands.

With respect to the generator, diesel fuel is not proposed as a fuel source and will not be stored on-site. Rather, propane will be used as a fuel source. In the unlikely event of a leak of propane, the gas vaporizes and does not affect soil or water.

Impact on Air

This project will not result in any significant impact on air quality. The Communications Facility proposed does not involve or concern any air quality issues, permit or otherwise. As previously mentioned, this Communications Facility will be unmanned, and visited for routine maintenance purposes approximately 3-4 times per year by Verizon Wireless (only as needed). Therefore, no significant traffic-based impact(s) exist. The site will have a backup propane-fueled generator

located on a concrete pad which is exercised automatically every other week and which otherwise only runs during a power outage to keep the network in operation. The generator complies with all existing emissions regulations. As such, any minimal impact(s) on air quality, if any, will be confined to the construction phase and/or will be negligible in scope and effect during the operational phase.

Impact on Plants and Animals

The proposed Communications Facility will not result in any significant impact on threatened/non-threatened or endangered/non-endangered species of plants or animals. The Full EAF and consultation process indicate that lands in the vicinity of the facility are the location of regularly occurring, non-threatened and non-endangered native plants and animals. With respect to other species, given the small amount of clearing that is proposed to accommodate the access drive and facility, no significant impacts to plants or animals are expected, particularly in light of the significant amount of remaining lands available to accommodate existing animals.

Impact on Agricultural Land Resources

The proposed Communications Facility will have minimal impact on agricultural land resources as the property is not currently in agricultural production. In addition, the property is not listed as being a farm operation within an agricultural district certified under the Agriculture and Markets Law, Article 25-AA, Section 303 and 304. However, the property is within 500 feet of a farm operation within an agricultural district certified under the Agriculture and Markets Law, Article 25-AA, Section 303 and 304. Accordingly, an Agricultural Data Statement was prepared by the Applicant and submitted to the Town for review. Farm operations within 500 feet were notified of the public hearing. The Town Board and the other Town agencies that have reviewed this matter have not ascertained any significant impact on farm operations as a result of the proposal. Accordingly, the use of 0.7± acres of land to support a much needed telecommunications facility is not a significant adverse impact. To the contrary, it is an appropriate use of land to provide a necessary and needed utility service to the residents of the Town.

Impact on Aesthetic Resources

The proposed Communications Facility will result in a negligible to minor impact on aesthetic resources, or no significant visual impact depending on location and view.

A. PROPOSED TOWER HEIGHT

Generally speaking, cellular radio is a “line-of-sight” technology. While radio signals do have some degree of bending (known as diffraction) around obstacles, terrain and vegetation can block or significantly interfere with transmissions to and from a cell site. Distance is also a critical consideration, because increased space to and from the coverage objective means that the proposed facility (and all mobile devices communicating back and forth with that facility) must operate at higher power levels to achieve a proper level of coverage and performance (if possible). Moreover, this technology operates at significantly reduced effective transmit and

receive power levels, making modern wireless networks more susceptible to blocking and/or interference than in prior years.

Existing vegetation in the thirty to eighty foot tall range around the tower site will serve to buffer and shield the tower from view from most of surrounding properties and public roads. The Applicant conducted a Visual Resource Evaluation ("VRE"). The Visual Resource Evaluation indicates that, except for a limited number of properties, the vast majority coverage area will not be able to see the facility. As to those properties that have views of the facility, the majority of the views are partially screened and limited by vegetation. More specifically, there are limited areas identified with views of the tower as shown on the Viewshed Analysis Map:

- The primary area from which the tower can be viewed is from certain properties along Maple Avenue.
- There are limited views from Jockey Street.

As noted above, tower marking and lighting is not required by the FAA. Not having a light atop the tower will reduce its visual impact, particularly at nighttime.

During the course of the review process, in response to resident concerns and Town Board requests, the applicant has proposed to reduce the size (width) of the antenna booms and also reduced the number of antennas to be deployed from twelve (12) to six (6). Further, the applicant is proposing to paint the monopole, sector mounts, antennas and associated equipment white to limit the contrast with the sky and better blend the visible portion of the tower with its surroundings.

The compound fence and base station equipment is significantly setback from nearby properties. The distances to nearby property lines are: 306'± to the west; 658'± to the north; 357'± to the east; and 310'± to the south.

In this context, the proposed communications facility has been sited and designed to have the limited visibility, and any resultant visual impact is minimal in nature and scope.

B. CONCLUSION

Due to the physics of radio frequency (RF) signal propagation, Verizon Wireless' antennas need to clear all natural and man-made objects to function properly. This translates to a certain amount of unavoidable visibility, which in this case is limited to small areas and a low number of residential properties. As such, it is determined that the proposed communications facility will not: (a) result in a significant level of visual or other impact to the surrounding community or neighborhood under the State Environmental Quality Review Act ("SEQRA"); (b) have a detrimental effect on adjacent land uses or the development of the area.

Impact on Historic and Archeological Resources

The proposed Communications Facility will not result in any significant impact on site(s) or structure(s) of historic, prehistoric or paleontological importance. The Applicants determined that there would be no direct effect and no visual effect on historic properties. In the unlikely event that any artifacts are uncovered, work will cease in that area and the materials will be recovered and documented in accordance with standard best practices.

The proposed site is near the Charlton Historical District. The Charlton Historic District is generally comprised of properties on either side of Charlton Road and is approximately 123 acres in size. The driveway (existing portion of the driveway) is in the Historic District but the tower compound and monopole are outside of the district by approximately 1,500 feet. As identified in the Visual Resource Evaluation there are very limited views of the monopole from the Historic District. For those locations from which there are views, the views are limited, distant and largely obscured by existing mature vegetation.

The matter was referred by the Town Board to the Town's Historic District Commission ("HDC") for a report. The HDC reviewed the matter and the application materials and adopted a letter advising the Town Board that "[i]t was noted that the view of the 120 foot balloon was barely visible from the hamlet and can only be seen from a few select locations. It was unanimously determined by the membership of the Commission that the tower will not significantly impair the historical character of the hamlet."

Impact on Open Space and Recreation

The proposed Communications Facility will not result in any significant impact on the quantity or quality of existing or future open spaces or recreational opportunities given the small size of the facility and its placement on a large lot in private ownership. To the extent that the current owners utilize the property for recreation or hunting, a very limited amount of land will be removed from use and the minor amount of such land will have no appreciable effect on recreational or hunting opportunities. The Town Board also believes that the tower has the potential to keep the large parcel of land as open space by providing a rental revenue stream to the property owner thereby reducing the potential pressure to subdivide and sell a portion of the property as so often happens in rural communities.

Although by no means determinative of this question, it is noted that the project will provide recreation/open space users (and the traveling public) with additional and/or enhanced access to communications services for emergency and non-emergency use. The historical use of this technology for emergency communications purposes is well-documented.

Impact on Critical Environmental Areas

This project will not impact any Critical Environmental Area(s). According to the NYSDEC website, there are no Critical Environmental Areas in Saratoga County in the vicinity of this project (See, <http://www.dec.ny.gov/permits/25146.html>).

Impact on Transportation

This project will not result in any significant impact on existing transportation systems. An existing gravel driveway/curb cut serving the residential property will be used and extended as a 30± ft. wide access driveway with the installation of gravel and crushed stone material. The access road runs in a generally northerly direction from Charlton Road to the tower yard. Utilities will be installed underground in a trench running along the edge of the access road from Charlton Road to the tower yard. The proposed Communications Facility will be unmanned, and visited by Verizon Wireless approximately 3-4 times each year for Verizon Wireless (only as needed) for maintenance and inspection purposes. There will be a slight increase in vehicle trips during the approximately two month construction time frame associated with work vehicles and delivery trucks. The amount of additional vehicles is comparable to the amount associated with the construction of a single family home. Charlton Road is well maintained and will have no difficulty handling this small number of additional trips. There is no apparent sight distance or other traffic control issues related to the existing location of the driveway curb cut.

Impacts on Energy

The proposed Communications Facility will not result in any significant impact on the community's sources of fuel or energy supply. First, an adequate source of power exists at the existing service lines in the vicinity of the project. Second, it is estimated that the Communications Facility will require approximately the same number of kW hours of power as a 3-4 bedroom house per year to operate, an impact which is not considered to be significant and which will not cause the need for any major electrical upgrades.

Noise and Odor Impacts

This project will not result in any significant environmental impact due to objectionable odors, noise or vibration. Any such impact(s) will be temporary and minor in nature and confined to the construction phase. All construction equipment will be equipped to properly mitigate noise and dust, properly muffled and otherwise in compliance with OSHA standards.

The only time that the propane-fueled emergency generator will run continuously is during times of a power outage. This is necessary to provide continuous wireless service to Verizon Wireless customers. The only other time that the generator will run is for a test cycle once every other week for approximately 20 minutes. The test cycle is generally set for Tuesday mornings after 9:00 am but can be adjusted as necessary.

Given the significant distance in all directions to the property lines and the heavy tree cover, the occasional use of a backup generator will not impact any neighboring land uses. The Applicant has submitted a Noise Evaluation Report which identifies that the sound at the nearest property line (315'± to the west) is 34.7 dBA and the sound at the nearest residence (800'± to the east) is 26.6 dBA which is significantly lower than the sound associated with a normal conversation (60 dBA).

Based upon the foregoing, the periodic operation of the generator will not represent a significant impact on the neighboring properties.

Impact on Public Health

The proposed Communications Facility will not impact the public health and safety.

A propane powered emergency generator will be located on a proposed equipment pad. The emergency generator and fuel storage tank are designed in accordance with all applicable laws, rules, regulations and safety requirements for New York State.

Without limitation to this evaluation, the Town is prohibited by the Telecommunications Act of 1996 from regulating the placement, construction and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions. 47 USC 332 [c] [7] [B] [iv].

Notwithstanding this Federal preemption, the Applicant has provided a written report entitled "RF Safety FCC Compliance of Proposed Communications Facility", prepared by a New York State licensed professional engineer (Paul Dugan, P.E. of Millennium Engineering, P.C.), which documents that the proposed Communications Facility: (a) will comply by a wide margin with the requirements of the Federal Communications Commission (FCC) concerning radio frequency (RF) emissions (i.e., operate at a composite ground level below 1% of the applicable FCC exposure limits); and (b) be categorically excluded from local regulation under applicable federal law. The Town has had its Consultant review these matters.

Impact on Growth and Character of Community or Neighborhood

This project will result in a negligible impact on the character of the existing community. Although a variety of land uses exist in the general vicinity, the impact on such uses (if any) is typically visual in nature when considering a telecommunications tower. As previously stated, visibility of the proposed Communications Facility will be minor or insignificant in nature and scope. By proposing a facility of a limited height in this setting on a large (47.14 acre) lot surrounded by mature vegetation, the Applicant has largely eliminated impact on the neighborhood and growth and character of the community will be unaffected.

The Charlton Town Board previously considered use of the Town's water tank which is located on Cherry Lane approximately 1,100'± south of Charlton Road to mount telecommunications antennae along with ground mounted equipment. The Town Board decided that the water tank site is not as practical as the proposed Charlton Road site because of, but not limited to, the following reasons:

- Impact on the ability to maintain the water tank including periodic cleaning, painting, and inspections.
- Impact on the use of the relatively small parcel to maintain the tank and water distribution.
- Additional visual impact due to the installation of antennae and other structural elements at the top of the water tank,
- Additional visual impact due to having to raise the light on top of the water tank.
- Additional visual impact of the base equipment within a residential neighborhood.

- Greater visual impact from the Charlton Historic District.
- Limited ability to accommodate other telecommunication carriers on the water tank.
- Potential for additional noise impacts from the generator(s) due to residences in much closer proximity to the equipment.
- Potential for ice falling from the antennae and structural members in close proximity to residential properties.

Based on the above, the Town Board has determined that the Town's water tank would have greater adverse impact on the community than the tower proposed at the Charlton Center site at 764 Charlton Road.

Other Factors and Considerations

Based on the foregoing discussion and the materials in the Record, the Town Board has determined that:

(i) The construction of a monopole and related equipment will not cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels. In addition, the project is unmanned so there will be no production of solid waste, let alone a substantial increase in solid waste production. Due to the minor size of the construction activities and the mitigation measures proposed, there is no substantial increase in potential for erosion, flooding, leaching or drainage problems.

(ii) The project will not result in the removal or destruction of large quantities of vegetation or fauna. Because the site is in a location with an existing driveway and is largely surrounded by trees and is in an open field, there will be no interference with the movement of any resident or migratory wildlife species. The existing property does not contain a significant habitat area. Given the existing state of the land use, largely surrounded by woods and agricultural fields and the minor nature of the construction activities, no adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species or other significant adverse impacts to natural resources have been identified.

(iii) There are no designated critical environmental areas on or near the premises. As a result no impact on such an area will occur.

(iv) The proposal of a monopole on private property will not result in the creation of a material conflict with a community's current plans or goals as officially approved or adopted. The proposal is to construct a monopole on a large lot that is largely an open field and wooded. From most vantage points the facility is not visible or if it is visible it is largely screened by the existing woods, which will minimize any visual impact. Moreover, it is the Town Board that is approving the proposal and it is the Town Board that has discretionary jurisdiction over land use matters in the Town, including adopting and amending Comprehensive Plans and Zoning Laws.

(v) As noted above and throughout this document, the construction of a monopole will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

(vi) The proposed facility uses the amount of electricity consistent with a single family home. As a result, there is no major change in the use of either the quantity or type of energy.

(vii) the creation of a hazard to human health. This item is discussed in detail above. The finding of no creation of a hazard to human health is not repeated here.

(viii) The proposal does cause not a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

(ix) The proposal does not encourage or attract of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action. The site is unmanned with only occasional visits by a technician.

(x) There is nothing in the record to suggest that the proposal will cause the creation of a material demand for other actions that would result in one of the above consequences. Rather, the site is centrally located to existing Verizon Wireless and other sites that provide appropriate telecommunications services to their nearby localized areas but which cannot serve the proposed area.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment. This consideration does not apply as multiple minor impacts have not been identified that could aggregate and be elevated to a substantial adverse impact. The only potential impact under consideration is visibility and, as to that impact, it has been determined to be minor in nature.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision. This item does not apply as there is no second action proposed.

NEGATIVE DECLARATION

After reviewing the Full EAF submitted herewith, together with the documentation provided by the Applicant and the information provided by the Town's consultants, other Town agencies and boards and the public, the Town Board of the Town of Charlton hereby concludes that an Environmental Impact Statement (EIS) will not be required for the public utility Communications Facility proposed because (a) this Action will result in no adverse environmental impacts, or (b) the identified adverse environmental impacts will not be significant (*see* 6 NYCRR § 617.7(a)(2)).

Dated: December 30, 2019