

To: Mayor Casale and the Beacon City Council
Date: January 25, 2019
Re: **2 Red Flynn Drive, Small Cell Special Permit Application**

I have reviewed the October 19, 2017 Special Permit Application packet from Verizon Wireless, including a Short EAF Part 1, a December 14, 2017 packet of supporting materials, including a Full EAF Part 1, a Supplemental Zoning Analysis submitted on November 28, 2018, and a 7-sheet Site Plan set with the last revision date of October 4, 2017.

Proposal

The applicant is proposing to replace an existing 27.7-foot utility pole owned by Central Hudson Gas and Electric with a 36.5-foot wooden pole and install a small cell antenna with accessory equipment on the new pole. Because some equipment is located at an elevation less than 15 feet from the ground level, the application requires a Special Permit and the provisions of Section 223-24.5 apply.

Comments and Recommendations

1. The Full EAF, question C.3.a, and Sheet T-1 identify the proposed pole as located in the Waterfront Development district, but it is actually in the Waterfront Park district.
2. The project location is near the municipal boundary and within the area covered by the City's Local Waterfront Revitalization Program (see EAF question C.2.b), so it should need a referral to the Dutchess County Planning Department and an LWRP consistency review.
3. In Section 223-24.5 D, one of the higher location priorities is to place new facilities in an industrial district, and the priority list would not typically encourage these facilities in the Waterfront Development or Waterfront Park districts. The target search area includes a Light Industrial district, but in the August 28, 2017 Site Selection Analysis no industrial area sites were evaluated. For example, the large MTA maintenance building or the northern MTA overpass, both in the LI district, were not on the list of sites considered. The analysis of other MTA facilities concludes that the MTA Real Estate division was not interested because they were already in discussions with Verizon for a larger infrastructure project for all their stations. What is the current status of any such discussions with MTA and might this pole soon be redundant?
4. Since this a new and higher replacement pole, not installation on an existing structure, it would seem to be a better match for the priority list to put up the new pole in the best position of the industrial district or consider the existing utility pole at the northern edge of the district near the overpass.
5. The applicant should provide a photo-simulation, consistent with the visual impact assessment requirement in Section 223-24.5 G, showing the existing pole and the proposed pole and equipment in relation to the sidewalk and immediate surroundings.

6. The Site Plan shows that the lowest-level of the attached equipment would be set at 5-6 feet, potentially creating a head-high hazard to passing pedestrians.
7. The Council should consider enlisting an independent consultant to review the capacity analysis, exposure, and other more technical parts of the application.

If you have any questions or need additional information, please feel free to email me.

John Clarke, Beacon Planning Consultant

c: Anthony J. Ruggiero, City Administrator
 David Buckley, Building Inspector
 Nicholas M. Ward-Willis, Esq., City Attorney
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