



# Ulster County

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## PLANNING DEPARTMENT

244 Fair Street, PO Box 1800  
Kingston, N.Y. 12402-1800

Dennis Doyle, Director  
Christopher White, Deputy Director

**PATRICK K. RYAN**  
County Executive

Ms. Victoria Fabella, Clerk  
Ulster County Legislature  
244 Fair Street Box 1800  
Kingston, N.Y. 12402

Ms. Kelly Tuturro, Regional Director  
New York State Department of Environmental Conservation, Region 3  
21 South Putt Corners Road  
New Paltz, NY 12561

Mr. C. Howard Post, Chair  
Town of Saugerties Planning Board  
4 High Street  
Saugerties, NY 12477

Mr Fred Costello Jr, Supervisor  
Town of Saugerties  
4 High Street  
Saugerties, NY 12477

Mr. John Bonafide, Director  
Historic Preservation Field Services Bureau  
New York State Office of Parks, Recreation & Historic Preservation  
Peebles Island, PO Box 189  
Waterford, NY 12188-0189

Office of Interoperable & Emergency Communications  
State Campus, Building 7A, Suite 710  
1220 Washington Avenue  
Albany, New York 12242

United States Environmental Protection Agency, Region 2  
Northeast Regional Office  
290 Broadway  
New York, NY 10007-1866

United States. Fish and Wildlife Service  
300 Westgate Center Drive  
Hadley, MA 01035-9589

United States Army Corps of Engineers  
New York Regulatory Branch  
Western Permit Section Counties  
26 Federal Plaza, Room 1937  
New York, NY 10278-0090

**ULSTER COUNTY LEGISLATURE**  
**SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY**

Re: In the Matter of the Ulster County Legislature Consideration of the Construction of a Public Safety Radio Tower and Appurtenances to be located at 35 Quarry Road in the Town of Saugerties: Notice to Involved Agencies

Ladies and Gentlemen:

Pursuant to 6 NYCRR Part 617.6(b)(3)(i) of the New York State Environmental Quality Review Act [SEQRA] Regulations, the Ulster County Legislature is circulating herewith the annexed Part 1 SEQRA Short Environmental Assessment Form and Ulster County Legislature, Resolution No. 37 of February 2020 for the above referenced construction of a public safety radio tower and appurtenances to be located at 35 Quarry Road in the Town of Saugerties.

The construction of a public service radio tower and associated improvements ("the Project") involves the construction of 150-180 foot radio tower with an equipment shelter, generator fencing and security lighting. Access to the site will utilize an existing road and electrical needs are expected to be met with existing service at the site.

The Project will utilize the current county-owned parcel (SBL No. 8.4-2-1.200) consisting of 22.64 acres. It is anticipated that an approximately 60'x75' enclosure will be needed to protect the equipment and include the tower, equipment shelter and generator. Total disturbed area is will be less than 10,000 sq. ft. The County notes, that in addition to the proposed Public Service Radio Tower, the remainder of the site will be utilized to construct a solar energy project. The County has already assumed lead agency status for this project.

The Project has been classified as an Unlisted Action by the Ulster County Legislature on February 18, 2020 in accordance with 6 NYCRR Part 617.6(a) and the Ulster County Legislature is seeking to establish itself as Lead Agency and conduct a coordinated SEQRA review, which will follow all Type I Action procedures. [6 NYCRR Part 617.6]

The Short Environmental Assessment Form, Part 1, and related documentation is currently being circulated to all Involved and Interested Agencies in order to assist the Legislature in its consideration of the Project as aforesaid.

Involved Agencies include the Town of Saugerties Planning Board, and the New York State Department of Homeland Security, as well as required consultation with the New York State Office of Parks and Recreation and Historic Preservation. The County is seeking to utilize a "Balancing of Public Interests" analytic approach as part of the local municipal land use approval process in recognition of the nature of the use proposed and County's clear governmental interest in the Project.

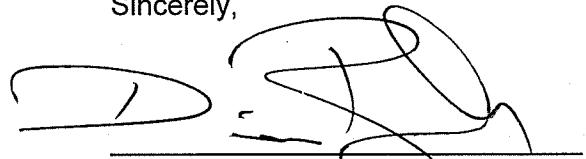
Coordinated review with all involved and Interested agencies is being undertaken by the Legislature and pursuant to 6 NYCRR Part 617.6(b)(3)(i) a Lead Agency must be officially determined within thirty (30) calendar days of the date that the annexed materials were transmitted.

Please state your agency's interest, including objections if any, regarding selection of Lead Agency and potential environmental impacts of the proposed action by forwarding comments to the attention of Mr. Dennis Doyle, Director, Ulster County Planning Department at 244 Fair Street, PO Box 1800, Kingston, New York, 12402.

Should you have questions with regard to this matter, please contact Mr. Dennis Doyle, Director, Ulster County Planning Department, (845)340-3339 or [ddoy@co.ulster.ny.us](mailto:ddoy@co.ulster.ny.us)

Dated: April 14, 2020

Sincerely,

A handwritten signature in black ink, appearing to read 'Dennis Doyle', written over a horizontal line.

Dennis Doyle, Director  
Ulster County Planning Department

Enc.

Cc: Steven Peterson  
David Donaldson  
Marc Rider

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
County of Ulster			
Name of Action or Project: Construction of a Public Safety Radio Tower			
Project Location (describe, and attach a location map): 35 Quarry Road, Town of Saugerties, Ulster County SBL No. 8.4-2-1.200			
Brief Description of Proposed Action: The construction of a public safety radio tower and associated improvements (“the Project”) involves the construction of 150-180 foot radio tower with an equipment shelter, generator fencing and security lighting. Access to the site will utilize an existing road and electrical needs are expected to be met with existing service at the site. It is anticipated that an approximately 60’x75’ enclosure will be needed to protect the equipment and include the tower, equipment shelter and generator. Total disturbed area will be less than 10,000 sq. ft. The County notes that in addition to the proposed Public Service Radio Tower the remainder of the site will be utilized to construct a solar energy project. The County has already assumed lead agency status for this project and it is being treated separately from this action.			
Name of Applicant or Sponsor: County of Ulster		Telephone: 845-340-3340 E-Mail: ddoy@co.ulster.ny.us	
Address: 244 Fair Street			
City/PO: Box 1800, Kingston		State: New York	Zip Code: 12401
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Saugerties - zoning (balance of interest test) NYS Department of Homeland Security - funding		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 22.64 acres	
b. Total acreage to be physically disturbed?		_____ 0.25 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 39.24 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): former tire dump now meadow w/bldg slabs			
<input type="checkbox"/> Parkland			

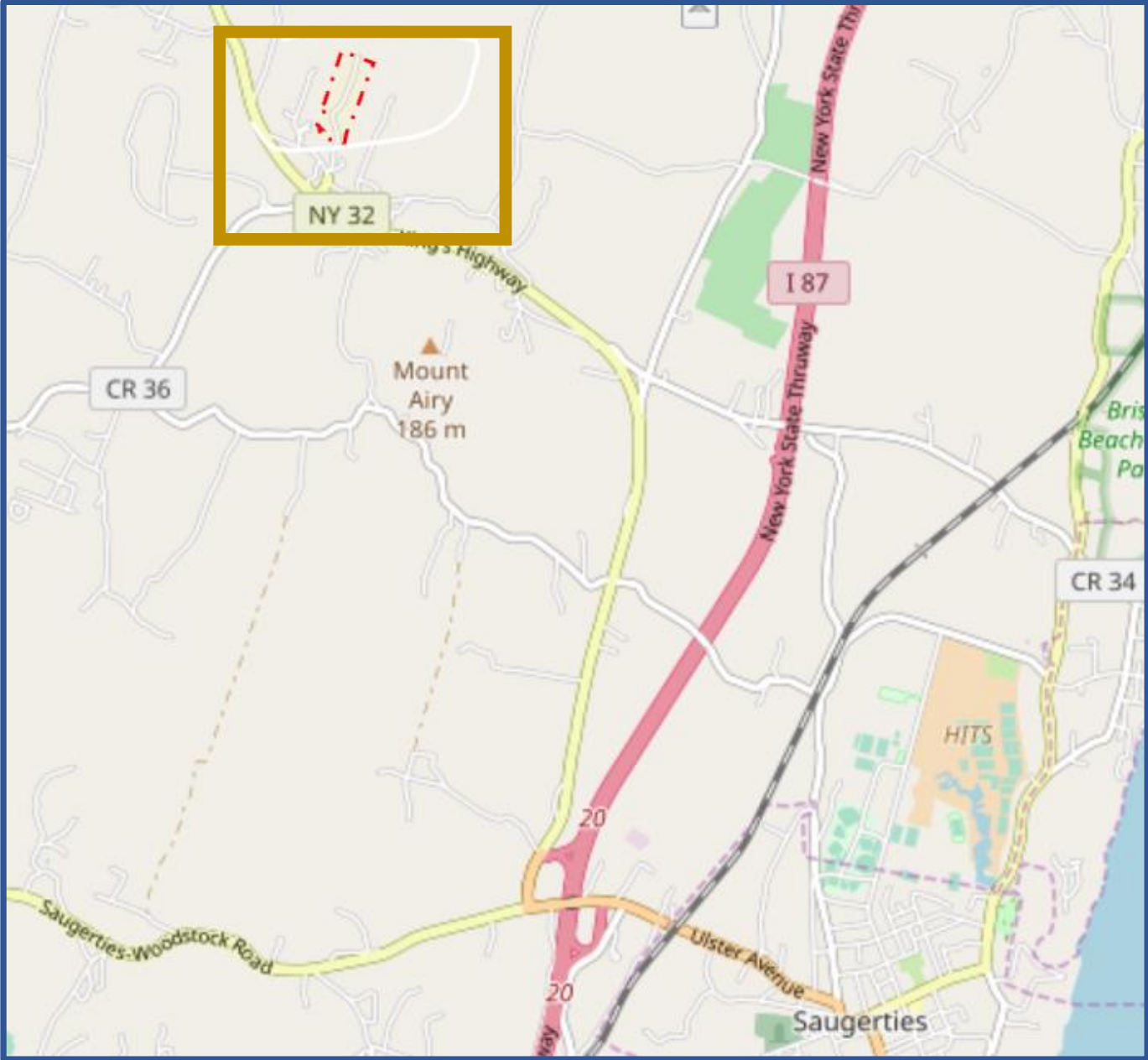
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations? commercial facilitates prohibited - public facilities not mentioned will use balance of interest test. Comp Plan includes need to revisit the issue of wireless/public safety communication b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	<input checked="" type="checkbox"/>
	NO	YES	<input checked="" type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: Note: no energy code established for the proposed use - County will install solar at the site _____	NO	YES	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ None Needed no on-site staff or water needs _____	NO	YES	<input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ not necessary no workers will be on-site except during equipment maintenance _____	NO	YES	<input checked="" type="checkbox"/>
12. a. 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? Note the County has a no adverse effect letter relative to its proposed solar facility b. 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?	NO	YES	<input checked="" type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	NO	YES	<input checked="" type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			<input checked="" type="checkbox"/>

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Directed to existing on-site swales - disturbed area less than 10,000 SF _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
This site was formally used as a tire dump and has been remediated by NYSDEC		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>County of Ulster</u> Date: <u>April 7, 2020</u>		
Signature: <u>Dennis Doyle</u> Title: <u>Director Ulster County Planning Dept.</u>		

# Proposed Public Safety Radio Tower Site

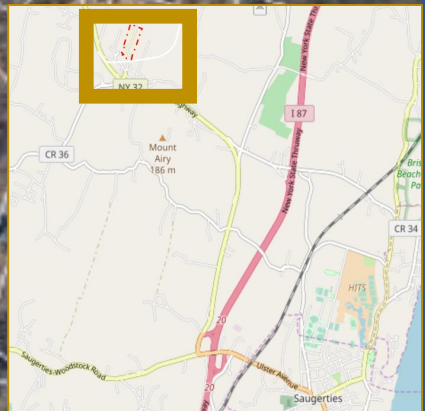
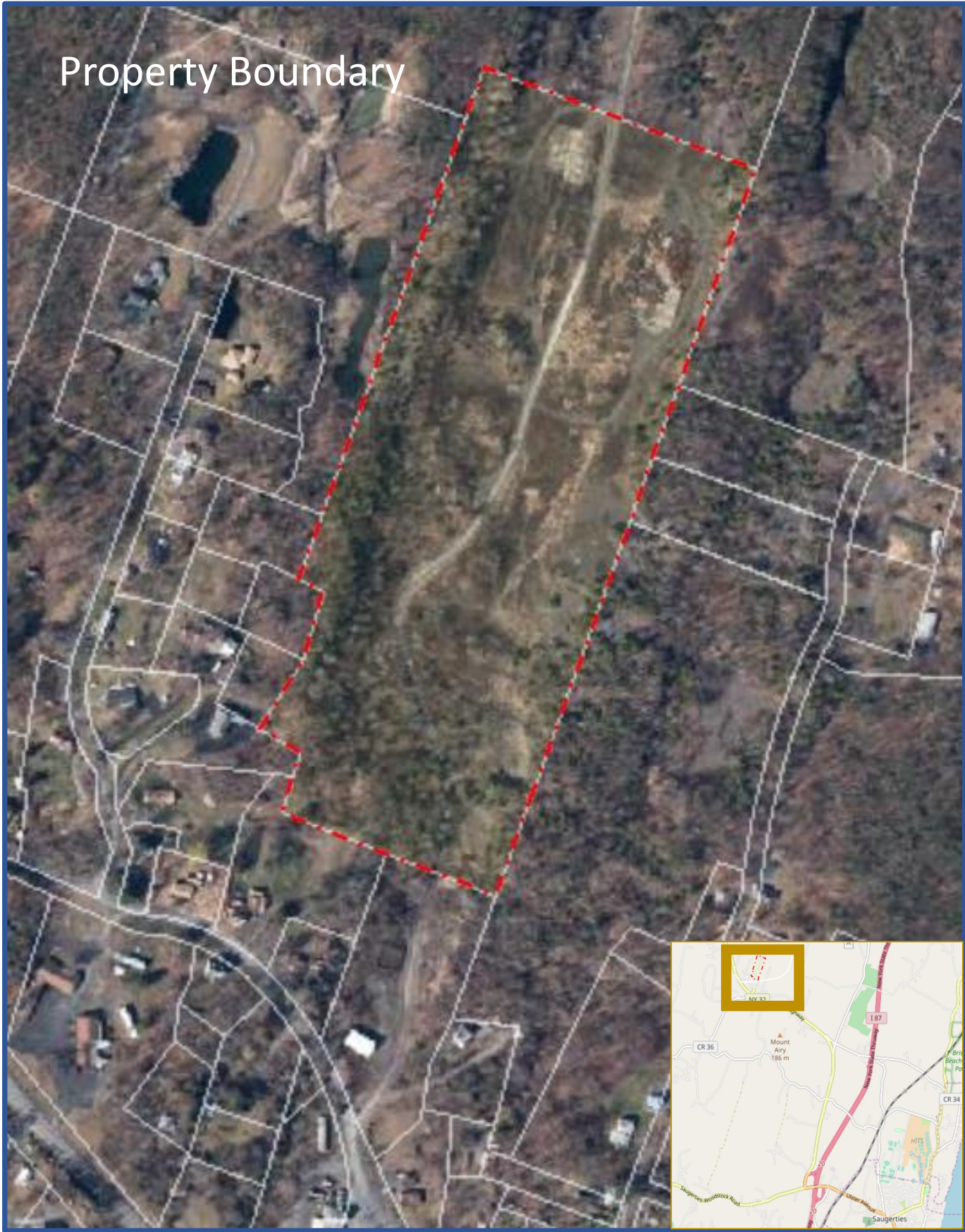
35 Quarry Road (SBL 8.4-2-1.200)

Saugerties, N.Y.





# Property Boundary





# Proposed Tower Location Saugerties Site

2019 Drone Footage with contours





# Proposed Tower Location (Zoom)



**Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The New York Power Authority (NYPA) For Solar Advisory Services At The Quarryville Site And Declaring Intent To Act As Lead Agency Under SEQRA – Department Of The Environment**

Referred to: The Public Works and Capital Projects Committee (Chairwoman Petit and Legislators Fabiano, Greene, Litts, and Nolan), The Energy and Environment Committee (Chairwoman Greene and Legislators Eckert, Heppner, Wawro, and Woltman), and The Ways and Means Committee (Chairwoman Archer and Legislators Gerentine, Maio, Joseph Maloney, Petit, Rodriguez, and Ronk)

Chairwoman of the Energy and Environment Committee, Manna Jo Greene, and Deputy Chair Mary Wawro offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of the Environment; and

WHEREAS, Executive Order No. 1-2019 provides that Ulster County shall endeavor to supply 100% of its annual building and fleet electricity usage from locally generated renewable energy sources by the year 2030; and

WHEREAS, the Quarryville Site at 35 Quarry Road, Saugerties, NY 12477, a former tire recycling facility comprised of the properties located at SBL No. 8.4-3-24 in the Town of Saugerties and SBL No. 8.4-2-1.200 in the Town of Saugerties (the “Quarryville Site”), was foreclosed upon by the County in April 2019 pursuant to Article 11 of New York Real Property Tax Law, following the release of New York State Department of Environmental Conservation (“NYSDEC”) liens; and

WHEREAS, the Quarryville site was assessed by the United States Environmental Protection Agency (the “EPA”) and was determined to be an appropriate site for a solar PV development which can accommodate a system with the capacity of approximately 1.85 MW DC; and,

WHEREAS, Section 1005(17) of New York Public Authorities Law permits the New York Power Authority (“NYPA”) to finance and design, develop, construct, implement, provide and administer energy-related projects, programs and services for any public entity, including provision of solar advisory services; and

WHEREAS, Resolution No. 72 of 2019 authorized the County to execute a Master Cost Recovery Agreement with NYPA for implementation of such energy-related projects, programs and services as authorized by the Public Authorities Law; and

**Resolution No. 398      September 17, 2019**

**Execute An Intermunicipal Agreement With The New York Power Authority (NYPA) For Solar Advisory Services At The Quarryville Site And Declaring Intent To Act As Lead Agency Under SEQRA – Department Of The Environment**

WHEREAS, if the County elects to commence the solar project and enter into a power purchase agreement (“PPA”) with the selected developer, the NYPA Advisory Program fee of up to \$166,250.00 will be paid directly by the selected developer through project milestone payments to NYPA; and

WHEREAS, if the County elects to terminate the project prior to entering into a PPA, the County would pay a one-time lump sum of \$25,000.00 to NYPA, and the County would retain rights to all work completed until the point of termination; and

WHEREAS, the development and installation of PV solar at the Quarryville Site constitutes an action as defined under NYCRR Part 617.2(b) [SEQRA], and the County wishes to establish itself as a lead agency and conduct a coordinated review as provided for in NYCRR Part 617.6; now, therefore be it

RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute an Authorization to Proceed (ATP), a Customer Project Commitment (CPC), and any related amendments for the NYPA Solar Advisory Services at the Quarryville Site; and, be it further

RESOLVED, that pursuant to 6 NYCRR Part 617.6(b) (3) of the Regulations pertaining to Article 8 of the Environmental Conservation Law of New York State (SEQRA), the Ulster County Legislature hereby declares its intent to serve as Lead Agency for the above-referenced project; and, be it further

RESOLVED, that the Ulster County Legislature has determined, after review of the criteria contained in 6 NYCRR Parts 617.4 and 617.5, that the project is an Unlisted Action; and, be it further

RESOLVED, that the Ulster County Legislature will conduct a coordinated review and circulate its Notice of Intent to serve as Lead Agency, together with the EAF and accompanying documentation to all interested and involved agencies pursuant to 6 NYCRR Part 617.6(b) (2) (i) and 6 NYCRR Part 617.6(b) (3); and, be it further

**Resolution No. 398      September 17, 2019**

**Execute An Intermunicipal Agreement With The New York Power Authority (NYPA) For Solar Advisory Services At The Quarryville Site And Declaring Intent To Act As Lead Agency Under SEQRA – Department Of The Environment**

RESOLVED, that pursuant to 6 NYCRR Part 617.6(b) (3), at the conclusion of an otherwise unchallenged thirty (30) day period following the date of transmittal of the Notice of Intent, the EAF and documentation aforesaid to the interested agencies, the Legislature shall become the Lead Agency under SEQRA for this project,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20                      NOES: 0  
(Absent: Legislators Collins, Delaune, and Fabiano)

Passed Committee: Public Works and Capital Projects on September 4, 2019

Passed Committee: Energy and Environment on September 5, 2019

Passed Committee: Ways and Means on September 10, 2019

FINANCIAL IMPACT:

TBD

**Resolution No. 398      September 17, 2019**

**Execute An Intermunicipal Agreement With The New York Power Authority (NYPA) For Solar Advisory Services At The Quarryville Site And Declaring Intent To Act As Lead Agency Under SEQRA – Department Of The Environment**

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 17<sup>th</sup> Day of September in the year Two Thousand and Nineteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 19<sup>th</sup> Day of September in the year Two Thousand and Nineteen.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
19<sup>th</sup> Day of September, 2019.

Approved by the County Executive this  
25<sup>th</sup> Day of September, 2019.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

|s| Patrick K. Ryan  
Patrick K. Ryan, County Executive