

PHILIPSTOWN  
CELL SOLUTIONS

April 3, 2018

Zoning Board of Appeals  
Village of Nelsonville, NY  
258 Main Street  
Nelsonville, NY 10516

Dear Board Members:

I am writing on behalf of Philipstown Cell Solutions Group (“PCS”), to urge strenuously that the Board not consider the latest submission of Homeland Towers, dated March 26, 2018, seeking a variance and approval of a 110 foot flagpole tower on Rockledge Road. Homeland’s application for a tower should be decided on the state of the record prior to that filing.

At the last Board meeting on February 27, 2018, Homeland Towers asked for an extension of time to submit 3 alternative designs to this Board, specifically, to wit: consideration of (a) two (2) 110 foot flagpoles, (b) one (1) 120 foot flagpole, and (c) one (1) 125 foot obelisk. At that meeting, the Board agreed to allow those submissions, pending review by NY State Historic Preservation Office (“SHPO”), and provided that the application and all supporting materials were submitted sufficiently early to the Board so that the community could review and comment on the new designs before the April 4, 2018, hearing. Specifically, the Board instructed Homeland and its counsel that the filing must be made before the Haldane school spring break and before Easter. In fact, March 19, 2018 was specifically mentioned and Mr. Gaudioso replied that he could comply with that schedule.

In fact, SHPO reviewed and rejected the new designs, by letter dated March 14, 2018. Apparently, SHPO shared our opinion that Homeland’s proposals to date, “albeit camouflaged to be less obtrusive, will be a visual anomaly in the landscape and thus, impact the setting of the historic resources”.

Now frustrated by the unacceptability of all 4 prior designs (the original monopine and 3 alternatives thereto), Homeland on March 26, 2018 proposed a 5th design, without securing the permission of the Board to do so, and without according the citizens of Nelsonville the opportunity to review and comment on this 5th design. Once again, Homeland is attempting to frustrate the ability of the citizens of Nelsonville to weigh in on this critically important decision by raising a new proposal one week before the final scheduled hearing.

Accordingly, PCS requests that Homeland’s March 26, 2018 submission be stricken from the record and that the Board render its decision based on the original monopine design submitted and commented on extensively to date. If Homeland would like to file an application for a variance for this 5th design, i.e. a 110 foot flagpole, it should be required to submit a full application in support of that request. In the alternative, the Board should adjourn this hearing and accord PCS and other

concerned citizens the opportunity to engage experts to review and comment on the visual aesthetic issues implicated by the 5th design proposal (as well as any of the 3 design alternatives rejected by SHPO that the Board may yet decide to consider) before rendering its final decision.

Sincerely,

Harold E. Akselrad, on behalf of PCS

cc: Todd Steckler