

15 April 2018

To: Zoning Board of Appeals & Planning Board
Village of Nelsonville
258 Main Street
Nelsonville NY 10516

RE: Special acknowledgement of Hudson Garden Studio LLC (HGS)'s "combined letter", submitted on 4 April 2018 in response to the submission of updated design alternatives proposed by and for the Homeland Towers application to construct a telecommunication tower at 15 Rockledge Road, Nelsonville, New York.

The statements within this letter of acknowledgement are intended to inform and aid the Nelsonville Zoning Board of Appeals (ZBA) and Planning Board (PB) members in their decision-making process. In an effort to provide clarification to the culmination of submissions received by the village to-date, specific documents are hereafter considered for their validity, accuracy, and compliance with the standards of Visual Resource Assessment (VRA) best management practices; additionally, references to standards may be found in our previously submitted *Review of the Saratoga Associates VRA* (see Hoffman and Neville Report 1/1/18). All assessments and conclusions reached within this letter of acknowledgement are based upon the information that is publicly-available, and to the best of the undersigned's knowledge and belief that the information contained herein is true, accurate, and complete.

The *HGS combined letter*, authored by Ms. Liz Campbell Kelly, ASLA, provides an outstanding overview of the potential visual and aesthetic impacts that the proposed tower would create. In an effort to avoid excessive repetition, we echo Ms. Kelly's expressed concerns and statements and affirm them to be accurate from our academic and professional perspective. The *HGS combined letter* should be carefully reconsidered by the Nelsonville ZBA and PB, due to Ms. Kelly's professional background and her articulated appeal to national and state regulations and standards (ex. NYSDEC "Assessing and Mitigating Visual Impacts" pg5). This letter of acknowledgement is intended to further emphasize the points raised in her letter, as well as to draw attention to additional concerns that have not yet been formally addressed.

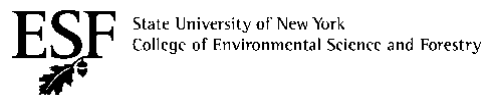
Response letter prepared by:



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It is important to begin by commending the Applicants for producing design alternatives which seek to assimilate the proposed structure into the site's landscape in a variety of ways *other* than with a stealth-monopine structure.

However, it is with great sincerity and conviction that we point out three major flaws in the application as it currently sits:

1. ***None of the proposed alternatives serve to reduce the visual impact of the proposed artificial structure within the Rural Cemetery/surrounding landscape.*** In practice, as defined by standards (see Pages 12 - 18: Planning and Design Manual for the Review of Applications for Wireless Telecommunications Facilities: A Practical Guide for Communities Managing Wireless Telecommunications Facilities Siting in New York State. Town of Pittsford. March 2001.) and basic design principles, in nearly every instance, **the constraints which determine the visual and aesthetic impact of a proposed structure** (100+ foot tower) **are foundationally based upon the context** (landscape *culture, location, and setting*) into which the structure is to be placed, ***not*** based solely upon the tower's ability to **camouflage** or by the façade design itself. The immaterial and metaphysical contexts of history and community values are intrinsically linked to the parameters of measuring a proposed design's success. Therefore, the issues raised with any of the alternative designs are not necessarily relevant to the tower, alone, but rather with the historic resources, the valley vistas, and the local residents' /visitors' visual experiences that would inevitably be infringed upon. Not only would the flagpole(s) or the obelisk designs remain twice as tall as the surrounding vegetative canopy, but their material forms would only further distinguish it from the vegetative forms of the hillside in a significantly-jarring contrast.

The sensitive relevance of an obelisk design should also be cautioned, due to an apparent 'nod' to the nearby cemetery monuments as being design inspiration and/or precedence for the form. While potentially kind in its intention, this could directly be perceived as disrespectfully disregarding the purpose of memorial headstones as honoring one's life, rather than as a disguise to conceal a telecommunications tower.

2. **None** of the new design alternatives that were produced included the tower in the officially-specified setting of its **cleared facility footprint** (which was identified to be necessary for depiction in all future VRA simulations, as requested in our critique 1/1/2018). The clearing and removal of trees, compounded with the barrier fence surrounding the facility footprint, **should be accurately represented and accounted for in every simulation to be fully considered valid**, lest the ZBA, PB, and general public be misled and deceived by incomplete renderings of the proposed impacts.
3. Finally, and perhaps most importantly, approving a telecommunications structure in such a historically and regionally-sensitive context **would set a tremendous precedent** for the Hudson Valley Region and municipalities beyond. Respectfully, we believe that the contributing personnel who have raised their voices *in support* of the application have clearly misunderstood the depth and breadth of the **negative externalities** that this precedent-setting case would yield; those including that similar communities along the Hudson Valley region will be left vulnerable to legally defend their scenic resources due to pressures of the then-existing ‘structural precedent in Nelsonville, NY’.

In conclusion, we believe that Ms. Kelly summarized the overall status of the Homeland Towers application - and its affiliated letters of support - in her words and feelings as follows:

“I am dismayed, and frankly, startled that none of these opinions
[OPINION 1, Graham L. Trelstad, AKRF, Letter to Boards on 1/ 2/2018, PG 4. OPINON 2, Matthew W. Allen, Saratoga Associates, Letter to Boards on 12/19/ 2017 , PG 6. and OPINION 3, Laura L. Mancuso, CBRE Letter of 12/18/2017, PG 4.)]

delineate for the benefit of your boards the defining aesthetic characteristics of the Rural Cemetery that they claim will not be adversely affected by the addition of the proposed tower. If the opinion is that the defining character and overall experience of the cemetery is not significantly impacted by the tower, shouldn't this claim be supported with objective evidence such as a summary of the character-defining features that will allegedly remain intact? Frankly it is unclear to me if any of these professionals have an adequate understanding of the Rural Cemetery Movement and its significant design principles. If they did, they would not be able in good conscience to make the above judgments.”

- Liz Campbell Kelley, ASLA. 2018. HGS combined documents. Pg2.

In acknowledgment of these charges, as well as the other persuasive points that Ms. Kelly expressed in her 9 January 2018 letter, we urge the Nelsonville ZBA and PB to genuinely revisit her statement in its entirety, particularly the design principles she mentions on Page 3, and to draw from them a clarifying understanding of what standards are being violated within this application from a visual/aesthetic impact assessment standpoint.

Furthermore, we concede our position as not being able to make any direct statement regarding the decision of whether or not to accept or reject the application being discussed - that decision is solely reserved for the role and responsibility of the great people of Nelsonville. However, we do offer our final recommendation to those tasked with reviewing all of the available documents of this application: proceed with great caution regarding the proposed application to construct a telecommunications tower at the 15 Rockledge Road location. Do so on the vital basis of consideration for basic design principals and standards, as well as by ensuring that sufficient provisions of objective simulation data have been met, which verify the maximum-reduction of aesthetic impact upon all relevant resources (visual contrast, community-opinion, historic designations of statewide significance, etc.). It is through those lenses that we urge you to comprehend how a failure to recognize/satisfy these factors could result in a detrimental choice made by a community that could significantly impact future generations, both locally and elsewhere.