

**Town of Charlton  
Saratoga County  
Town Board Open Meeting  
Regarding proposed Cell Antenna Installation**

**January 25<sup>th</sup>, 2016**

An Open Meeting was held by the Town Board of the Town of Charlton, Saratoga County, New York at the Charlton Town Hall, 758 Charlton Rd, Charlton, NY and called to order by Supervisor Grattidge at 6:30 p.m. to hear a presentation by Airosmith Development representing Verizon for a proposed installation of a cell antenna on the Town of Charlton water tower.

Present: Councilman Gay, Councilman Grasso, Councilman Hodgkins, Councilman Lippiello, Supervisor Grattidge, Town Clerk Brenda Mills.

Supervisor Grattidge started the meeting with introductions of the Town Officials, and said that the purpose of this meeting is to introduce a project that the Board is considering. He stated that this is the very beginning of the process. If the Board decides to go further, there will be a Special Usage Permit application and a Public Hearing as part of the process.

Councilman Grasso noted the good turn-out tonight, and thanked the audience for coming. He said that the Board has been entertaining a lease agreement with Airosmith Development for the past few months. Entering into a lease agreement is one of the initial steps in having a cell site go up in the Town. Although it is a contractually binding agreement, it does not guarantee that a cell site would be constructed as part of this application. There are many other steps in the process that involve the Town that would be required to be completed in order for construction to commence. The application is presented by Airosmith Development, a developer of cell sites, but the carrier they are representing is Verizon. Councilman Grasso said when the Town was first approached by Airosmith, one of the things that the Board did was to hire a consultant, Joe Ross, who is well versed in the handling of cell site applications, both from a lease negotiation standpoint as well as a technical review standpoint. He has been supporting the Town Board so far and will continue to do so if the application moves forward.

Councilman Grasso said that this is a public informational meeting and the Board wanted to have this early in the process to get some feedback from the public and get the facts of the application out. This is the first presentation that the Board is hearing from Airosmith Development. Should the Board decide to enter into a lease agreement, the applicant would be required to file a formal application with the Town which involves an Exceptional Use Application to the Town Board or the ZBA and a Site Plan Review by the Planning Board. If these items result favorably, they would apply for a building permit for construction of the structure. One of the provisions of the new Zoning Law is support for installation of cell antennas on existing tall structures in Town. He feels that that is important because it is one of the reasons why the Board is currently entertaining this application. The water tower is an existing tall structure, and it may alleviate the need for installation of numerous other cell towers going up in town. Also, looking at the positives, which are improved cell service in our community and also the revenue component that the Town would receive from the leases with the carriers. He said that it is the expectation that if the Board allows one cell carrier to place antennas on the tower, the Board would also entertain other carriers as well.

Councilman Grasso introduced Jon Terry, Site Acquisition Specialist from Airosmith Development, Dave Brennan, Attorney from Young Sommer, LLC representing the applicant, and Rick Andras from Verizon.

Attorney Dave Brennan said that they are here tonight proposing a project in front of the Town Board to enter into a lease agreement with the Town Board to locate 12 antennas on top of the Cherry Lane water tower. He showed a map of the current cell coverage in Charlton and it showed that most of central Charlton does not have good coverage. He showed another map that showed a 2 to 2 ½ mile radius around the tower that would be covered if the antenna was placed on the tower. They are proposing to put an antenna for 4G LTE high speed data and voice over the phones. He said that this area has been identified as a high need area, and so their next step was to identify existing tall structures or towers that an antenna could be deployed on. He said that almost every community that they have dealt with in upstate New York either has a written preference in their code, as Charlton has, to use existing towers or has asked why can't you go on existing cell towers or

existing towers rather than building a brand new tower. So their first step was to scour the area for existing tall structures. They identified the Cherry Lane water tower, which has a nice height of 133 feet, with the average height of 150 feet on newly constructed towers. Charlton has fairly recently adopted zoning laws that encourage the placement on tall structures. In this case, Jon Terry from Airosmith approached the Town to ask if there was any interest, and there was. Sometimes there are capacities issues with tanks, sometimes there are not good ways to attach. In this case, they have gotten through the preliminary stages of talking to the Town and looking at the tank to see if it is a viable location. It is a fairly newer tank in its design, is structurally capable of putting the antennas on top, the size of it, the weight that it holds, the wind area with the addition of these antennas on top. The surface area of the wind is very small, the weight of them is very small. So structurally it is very capable of handling the increased load.

Attorney Brennan gave a brief overview of their proposal. They are proposing to put 12 antennas on top of the tower. There would be a 10 foot high tubular steel extension with about a 36 diameter that goes on the top. On the top of that, are the 12 panel antennas, each antenna being about 6 or 8 inches wide and about 6 to 8 feet in height. There would be an equipment compound at the base where there are radios that operate at the 700,850, 1900 and 2100 megahertz frequencies. He said that PIX106 radio station is broadcasting at 50,000 watts or 106.5 megahertz, but it is a different kind of radio system. He said the equipment compound would be enclosed by a fence and hidden by arborvitaes or other screening. Further discussion would need to be done about the compound. The radios are tied into the landline system though fiber optic cables.

Attorney Brennan said that one thing that they are frequently asked about is the safety. He did bring a safety report for the Board, but said that they would do a site specific one of this site. He said that these sites broadcast at a very, very low power. He said that the Verizon wireless antennas have much less signal strength than a home wi-fi or a baby monitor. If you were to look at the power strength coming off of these, it does not get picked up by any sort of reading, it is not a very strong system. He said certainly, if you were to put a monitor next to your wi-fi or baby monitor, it would pick up the transmission, but you would not be able to pick up what is coming off of the Verizon antenna because it is working at such a low power. He explained that there are 2 types of radio frequencies. The cell antennas would be RF radio and TV, so this is part of what used to be the UHF TV spectrum. These are the 700 megahertz TV channels which the FCC auctioned off and wireless carriers purchased, so this is the same frequency that has been around for many years. Higher up the spectrum is the other type of radio frequency which is ionizing radiation which is used for xrays etc, and that is where it gets harmful. Radio waves, which are much lower on the spectrum, have been around since radio and TV across the last century.

Attorney Brennan said that they are in lease negotiations with the Town Board. If the lease agreement is arranged, then they would need to apply for a Special/Exceptional Use Permit and a Site Plan Review, and they would provide much more detailed plans. He displayed sample pictures of what the equipment platform would look like and also a picture of the antennas. They will have diesel generators on site in case of power outages.

Rick Andras showed the coverage map and reiterated that this will strictly be a 4G or higher facility. Those with 3G, mostly older phones, will not benefit from this. He stated that as far as safety and signal strength, these plots show a signal strength of minus 105dbm, which converted is billionths of a watt. In comparison, a baby monitor is ¼ of a watt and a hand held phone is about ¼ to ½ a watt, so there is more energy coming out of our phones that we hold up to our heads than what is coming out of these antennas.

Supervisor Grattidge asked if people with 3G phones will not be helped with this antenna. A: Correct.

Councilman Hodgkins asked if there are any dead areas around the tower, where people living right around the tower would not have coverage. A: No, no dead zone.

The floor was opened to questions from the audience.

The following residents were in agreement that better cell coverage is needed in Charlton: Ken Crotty, John Wyatt, Dawn Szurek, Steve Dyer, Gail Harkness, Brad Warner, Jim Gavin, Paul St. John.

Additional questions and comments:

Ken Crotty, Newman Road – He asked if the antenna would have to be moved if the Town had to repaint the tower. A: The lease agreement includes provisions that if repainting the water tower is necessary then the lessee needs to temporarily remove their equipment at no cost to the Town. He asked if this structure can handle antennas from different carriers. A: Yes.

Supervisor Grattidge said that AT&T did contact the Town over a year ago, and will probably approach the Town again in the near future. He also said that the Carriers would be responsible for any costs involved if they had to move the antennas should the tower need to be painted.

John Wyatt, Crawford Drive – He said that his concerns are health concerns and property values. He said when he and his wife bought their house, one of the first things that they saw was the water tower. The water tower was an existing structure and they placed that into determination whether to buy the house or not. He said he has looked at appraisals where a cell antenna is on the water tower, and some appraisers take that into consideration and some do not, some values could go up or some could go down. He asked what other locations were considered and asked if the Town Hall was considered. He would like the Board to consider other locations.

Dawn Szurek, Swaggertown Road – She said her concern is for people living near continuous emissions. She said that not many studies were done in the US, but other countries have. She said that Germany, Israel, Austria and Brazil have shown an increase in cancer rates of 2 to 121 times the average population in that community if you are close to that area. She said in the National Association of Realtor news, as late as 2014, says that of 1,000 people polled, 97% said that they would not purchase a property within a few blocks of a cell tower or antennas. She said it also says that 94% would pay less for properties located near cell towers and antennas.

Monica Mare, Cherry Lane – She said she lives next door to the water tower, and one of her concerns is fall risk. She said that FHA will not approve loans in fall zones and asked what the fall distance is for the antenna. She wants to know what is protecting her family and others from falling antennas. She does not want a cell antenna in her neighborhood. She said that the zoning ordinance is supposed to protect property values of the Town, who protects them if their property values are going to go down?

Steve Dyer, Edwin Drive – He asked if any of the permit processes require SEQR. A: Yes. He pointed out that the SEQR process requires looking at alternatives.

Gail Harkness, Charlton Road – He said that once when his landline was not working for a week, he had to drive to Burnt Hills to get a good cell signal. He feels it is a tough balance because we need better cell coverage.

Bert Wilson, Cherry Lane – He encouraged the Board to look for other locations. He is concerned with property values declining and said that he has seen on realtor.org a correlation between cell towers and diminished property values.

Torben Aabo, Charlton Road – He thanked the Board for arranging the meeting tonight. As far as the coverage, he noted that the map of coverage from the antennas on the tower would not cover all areas of Charlton and feels that the Town should investigate other areas that give better coverage. He asked what will happen for areas that will not be covered.

Brad Warner, Stage Road – He said that he has been grumbling about cell coverage in Charlton for years. He said that after hearing the neighbors, he is concerned with the impact that it will have on them. He asked if there are other options and can other structures be erected?

Ken Crotty, Newman Road – He suggested putting a tower in the back of the Pine Hill Cemetery.

Jen Model, Vines Road – She said that she is speaking for her friends in the neighborhood, and thinks that another site should be considered. She asked about the projection from the cell tower.

Rick Andras, Verizon – He said the energy focus from the antenna is far less down below the tower. That is because the majority of the energy is focused away, over the top of trees and homes, but it diminishes very quickly over distance. If you were standing right in front of the antenna, which is perfectly safe, there is a significant amount of energy coming out, much more than you would have on the ground.

Councilman Grasso said that tonight we have heard a lot of concerns about the health risks, and he asked Mr. Andras if there were any studies that demonstrate the health effects. Mr. Andras said he would put together some things, but the EPA and all of the various health web pages talk about the safety. Mr. Andras noted that radio stations and military broadcasts have been in use for a hundred years. Councilman Grasso said that he would be interested in seeing those studies and he will do his own research. The Councilman also asked about

other sites that were considered that could serve the same purpose as the water tower site and asked if a tower could be constructed.

Dave Brennan, Attorney stated that there is clearly a lack of coverage and it will have to be a locally based solution. He said it is the usual game plan to come into the community where there is a water tank, because this is usually what the community wants, to use an existing tall structure, where the community gets the rent. Can you go and lease the land from a private individual? Yes. But then what you normally hear is that that person is getting all of the rent, and how come the community is not getting it. He noted that the area to the west that will not be covered by these antennas will require a separate solution because one set of antennas cannot cover all of area that needs coverage. In that case they will look for another tall structure of construct one under 199 feet. This will present a different problem because then the room will be filled with people again that don't want that tower. They will look at all of these things because they want to come to the best consensus that they can reach. He feels that they do owe it to the community to look hard at it and come up with the best solution, but in the end, the antennas require elevation to work. If it is not on Town property, that may be the case, but they always prefer to work with Towns and find another piece of Town property.

Jim Gavin, Vines Road – He said that he works with ionizing radiation everyday and this antenna is no way even close to that. He understands the concerns of those that spoke tonight, because of the lack of information that is available about it. He asked if the Board consulted the Technology Committee.

Dave Pohl, Crawford Drive – He asked if the revenue would go to the Water District or the Town. A: Not determined yet.

Mary Wyatt, Crawford Drive – She asked what the revenue is. A: \$24,000 per year with escalation clauses every year. She is opposed to it in her neighborhood and suggested putting it on the Town Hall or somewhere else.

Paul St. John, Crane Street - He said that no matter where Verizon decides to put the antennas, there will be people who will be concerned with the potential risks. He hopes that this will not discourage Verizon from expanding the cell coverage. He said he is strongly in favor of the antenna, even if it has to go in his yard. He feels that no matter where the antenna goes, the room would be full of people.

Everyone had a chance to speak. Supervisor Grattidge said that this is the very beginning stage. If the project does move forward, there would be public hearings etc. The Board will discuss the project and what they want to do, and public notice will be given.

The meeting ended at 7:40 p.m.

Respectfully submitted,

Brenda Mills  
Town Clerk