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June 15, 2020
VIA EMAIL & MAIL

Russ Oster, Chair
Brunswick Planning Board
Town of Brunswick, Town Hall
336 Town Office Road
Troy, New York 12180

Ann Clemente, Chair
Brunswick Zoning Board of Appeals
Town of Brunswick, Town Hall
336 Town Office Road
Troy, New York 12180
Attn: Charles Golden

RE: **Public Comment Responses**
Updated and Revised Submittals
Blue Sky and CELLCO
Town of Brunswick, New York

Dear Chairs Oster and Clemente:

We have reviewed the responses to the public comments presented to the Boards at the January 17, 2020 Joint Public Hearing submitted by Blue Sky Towers II, LLC and CELLCO Partnership d/b/a Verizon Wireless dated June 8, 2020 and received by Laberge Group via email on the same date and by Overnight delivery on June 10, 2020.

For each of the public comments listed below we have reviewed the applicant's response and provide our comment for each.

1. The proposed curb cut to the tower site is in a poor location on Creek Road and relocation for the access point should be considered.

   We concur with the applicant's response in that the proposed driveway will be on the outside of a curve with good site distance assuming the driveway will be positioned along the northern boundary of the open field area. Although not mentioned in the response, it should be noted that, other than for the initial construction, access to the site is very limited and is less than 1 trip per day.

2. Since Zouky is the only one benefitting from the tower through lease payment why not place the facility behind the Zouky residence to reduce or avoid the visual impacts.

   Based upon the information provided, should the tower be located behind the Zouky residence, the tower will be above the height that requires the tower to have a flashing beacon. While the lower portions of the tower may be obscured by trees, the projection above the tree line will be just as visible as the other tall tower alternatives.

3. The Environmental Assessment lists the incorrect school district.

   The applicant has indicated they will update the EAF to reflect the final selected location, if there is one selected by the Boards.

4. The propagation study misrepresents need for the tower since it is based upon software analytics instead of actual field checking.

   The applicant has provided a lengthy explanation of how the propagation studies have evolved over time. In course of reviewing tower applications for Brunswick and other municipalities, the computer generated studies are the norm for analysis. That said, the applicant has performed a drive test through the area to provide additional data indicating the signal strength currently in the areas of concern. The data confirms that presented in the propagation study.

5. Never had a dropped call while traveling through the area. Why is tower needed now?

   The applicant has provided a narrative regarding the need for additional coverage for existing and future use. They reference not only mobile phone coverage but also other devices including Wi-Fi hotspots, laptops, and monitoring devices. Impacts of 5G are also discussed.

6. The coverage of the proposed tower exceeds that of the area where coverage is indicated to be poor.

   The applicant has acknowledged that there will be overlap with other towers.

7. Based upon studies, property values could be reduced by as much as 20 percent which is a significant impact to the property owners.

   The applicant has provided A Market Study Appraisal to indicate that the property values should not be affected. This is beyond our expertise and defer to others on this particular response.

8. The tower is significant visual pollution as it will be tallest structure in the area.

   The applicant has offered to submit photo renderings of a stealth monopole. Since these renderings have not yet been received, it is difficult to determine how their appearance will compare to the three tower locations previously presented. In regard to the significance of the tower in terms of visual pollution, the Boards must make that determination.

9. The access road to the proposed tower will invite people to trespass on to the Zouky property for ATV use and similar types of recreational vehicles creating a nuisance for the neighbors.

   No comments for this response.

10. Impact to Golden Eagle should be evaluated as part of the environmental assessment.

    The applicant has referenced the US Fish & Wildlife Services "Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning" A copy of the document is attached hereto for your convenience. In general, the applicant has complied with the placement recommendations based upon the area requiring coverage.

The major issues in regard to tower construction that are discussed in the document are:

- *The tower height should be no more than 199 feet tall;*
- *Guy wires should be avoided in favor of monopoles; and*
- *Tower lighting should be avoided as long as it meets FAA requirements.*

11. Generators will create noise pollution and be a nuisance, particularly at night during evenings where windows will be open.

    The applicant has indicated that the generators are for emergency back up power only and will not be run constantly. The generator exercise periods will be during the day for short durations. It is recommended that the since there could be as many as four generators on site, depending upon tower location and height, that the exercise schedule be coordinated between the utilities so that they are not all running at the same time or even the same day.

12. The tower will have a significant impact on the view from the surrounding homes. The view from many of the homes is of the country side and the tower will be completely out of place.

    The applicant has offered to submit photo renderings of a stealth monopole. Since these renderings have not yet been received, it is difficult to determine how their appearance will compare to the three tower locations previously presented. In regard to the significance of the tower in terms of visual pollution, the Boards must make that determination.

13. There have been articles concerning the health risk particularly to children. Shouldn't any tower be as far as possible from residential homes?

    This comment is similar to comment 17. Please see our comments for No. 17 below.

14. The application states there is a dense wooded buffer between homes and tower site. This statement is not entirely true for all surrounding properties.

    The applicant has provided drone imagery of each of the tower sites to provide the Boards with the buffer density or lack thereof. Consideration can be given to providing plantings at the property lines to help reduce the visual impact of the tower.

15. When and how will the proposed flood light(s) shown on the plan be used?

    The applicant has indicated the light is only used intermittently when work is required to be performed in the evening hours.

16. What are the maximum number of panels that can be on the tower?

    The response is noted. Based upon the location of where the tower will be sited and the type of pole, there can be two to four arrays. The stealth monopole proposed will only carry two arrays due to height restrictions.

17. The report discussed ground RF exposure; however, what is the exposure to people at the same elevation as the panels? Many of the homes are at the same elevation as the panels.

    The applicant has documented that the height of the tower will be above the nearby homes. Furthermore, health concern issues in regard to towers meeting the FCC thresholds are not permitted to be regulated by local governments. The following is an excerpt from the Federal Communications Commission (FCC) website pertain to regulation of RF exposure:

"CAN LOCAL AND STATE GOVERNMENTAL BODIES ESTABLISH LIMITS FOR RF EXPOSURE?

In the United States, some local and state jurisdictions have also enacted rules and regulations pertaining to human exposure to RF energy. However, the Telecommunications Act of 1996 contained provisions relating to federal jurisdiction to regulate human exposure to RF emissions from certain transmitting devices. In particular, Section 704 of the Act states that, ***"No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." (Emphasis added)*** *Further information on FCC policy with respect to facilities siting is available from the FCC's Wireless Telecommunications Bureau (see https://www.fcc.gov/general/tower-and-antenna-siting) and from "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety."*

The following excerpt is taken from the above referenced "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety."

I. The FCC's RF Exposure Guidelines and Rules.
Part 1 of the FCC's Rules and Regulations contains provisions implementing the National Environmental Policy Act of 1969 (NEPA). NEPA requires all federal agencies to evaluate the potential environmental significance of an agency action. Exposure to RF energy has been identified by the FCC as a potential environmental factor that must be considered before a facility, operation or transmitter can be authorized or licensed. The FCC's requirements dealing with RF exposure can be found in Part 1 of its rules at 47 C.F.R. § 1.1307(b). The exposure limits themselves are specified in 47 C.F.R. § 1.1310 in terms of frequency, field strength, power density and averaging time. Facilities and transmitters licensed and authorized by the FCC must either comply with these guidelines or else an applicant must file an Environmental Assessment (EA) with the FCC as specified in 47 C.F.R. § 1.1301 et seq. An EA is an official document required by the FCC's rules whenever an action may have a significant environmental impact (see discussion below). ***In practice, however, a potential environmental RF exposure problem is typically resolved before an EA would become necessary. Therefore, compliance with the FCC's RF guidelines constitutes a de facto threshold for obtaining FCC approval to construct or operate a station or transmitter. (Emphasis added)***

18. Has a wind study been performed so the at the tower can withstand the strong winds at that location?

We concur with the applicant's response that the tower must be constructed in accordance with all building codes which includes wind considerations.

19. The EAF indicated the site is over a principal aquifer. What is the project's effect upon the aquifer? What is the effect of runoff from the site?

We concur with the applicant's response that the tower will have no affect upon the aquifer. In regard to storm water, a Storm Water Pollution Prevention Plan (SWPPP) is required for the

selected site prior to any work being performed. Diesel fuel storage on site must be in double walled tanks to prevent spillage should the primary tank fail.

20. The fall zone of tower 3 will extend across the property line onto an adjacent parcel.

    No comments for this response.

21. Will the 80 foot tall tower accommodate a third carrier in addition to the Verizon and AT&T?

    No comments for this response other than that the response is predicated on the use a stealth monopole.

22. The Comprehensive Plan and Zoning Ordinance intent is to preserve existing nature of the area. The application is not consistent with this intent.

    Response is noted. We defer to Attorney Gilchrist on this issue.

23. The current zoning does not allow towers as a use.

    Response is noted. We defer to Attorney Gilchrist on this issue.

24. Project will have a negative aesthetic impact which is significant and cause to reject the application.

    The applicant has provided drone imagery of each of the tower sites to provide the Boards with the buffer density or lack thereof. Consideration can be given to providing plantings at the property lines to help reduce the visual impact of the tower.

25. Rosenberg case indicates that cell towers are considered a public utility however it does not state Towers can be placed anywhere the utility wants them.

    Response is noted. We defer to Attorney Gilchrist on this issue.

26. Application should be considered incomplete since options 1 and 3 do not have a fully developed plan.

    We concur that the development of complete site plans for each potential location is not warranted at this time. The key issue for this application is the site at which the tower is to be located. The visual impact of the tower will likely control location once that location is identified, detailed plans should be provided by the applicant to verify compliance with all site and environmental issues.

27. Option 3 falls outside of search ring.

    No comments for this response.

28. The application did not include SWPPP and SHPO documentation.

    Similar to comment 26 above, preparation of a SWPPP for each site is not required until a site is selected.

In discussion with the applicant's consultant regarding SHPO documentation, the cultural resource review must follow the NEPA format the federal government uses since the FCC must perform its own environmental review prior to issuing a license for the facility. The cultural resource review entails more than a simple submission to the NYS CRIS system to determine the presence or lack of cultural resources on the project site. As noted in the applicant's response, if cultural resources are identified on the site there are procedures in place to safely recover these resources.

29. A sound assessment should be conducted due to the use of multiple generators on site.

    The applicant has indicated that they will submit a sound evaluation once a preferred site is selected. Depending upon the findings of the evaluation, the applicant may need to upgrade the sound enclosures for the generators depending upon distance for the surrounding properties and the number of generators in operation.

30. Why not install arrays on the existing towers owned by the power company?

    Location of an array on the nearby power company towers was previously examined and discounted due to the inability to cover the area required.

31. Will there be restrictive covenants in the deed regarding use of the driveway access to the site to prohibit other uses.

    Response is noted. We defer to Attorney Gilchrist on this issue.

32. Does the access road include the cutting of trees along the property line? If so it will increase the visual impact of the tower(s).

    No comments for this response.

It was noted at the end of our list of public comments that several speakers submitted copies of prepared comments and questions which should be included with this summary and that copies could be obtained from the Town Code Enforcement Officer. While some of the comments presented in the writing have been addressed, reference to these written comments should be included in the applicant's response. Copies of the written comments are attached hereto to for your convenience.

The following items are yet to be submitted for the Boards' use in determining the visual impact of the tower:

- Photo simulations of the stealth monopole

In summary, the following items will be required for this application if a preferred site is selected:

A. Updated site plans

B. Updated Environmental Assessment Form

C. Storm Water Pollution Prevention Plan

D. Noise evaluation

E. Cultural resource review

Please do not hesitate to contact us with any questions or comments you may have in regard to the above information.

Very truly yours,
LABERGE GROUP

By: _____
Ronald J. Laberge, P.E.
Executive Vice President

RJL: jkb
Enc.

Cc: Philip Herrington, Supervisor
Andrew Gilchrist, Esq.
David Brennan, Esq.
Charles Golden, Brunswick Building Department

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Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning

Migratory Bird Program
U. S. Fish and Wildlife Service
Falls Church, Virginia
April 2018

NOTE: These recommendations replace all previous recommendations for communication tower construction and operation. These recommendations have been modified and updated from previous versions to incorporate the state of the science and the 2015 Federal Aviation Administration *Obstruction Marking and Lighting Advisory Circular AC 70/7460-1L.*

Communication towers are some of the tallest structures across the landscape and birds are regularly found dead around these towers (Longcore et al. 2012a). It is not definitively understood why this mortality occurs, but evidence suggests that night-migrating songbirds are either attracted to or disoriented by tower obstruction warning lighting systems, especially during overcast (i.e., low cloud ceiling), foggy, or other low visibility conditions (Cochran and Graber 1958, Avery et al. 1976, Ball et al. 1995, Erickson et al. 2005, Evans et al. 2007, Manville 2014, Gehring et al. 2009 and 2011, Longcore et al. 2012a). Birds aggregate in larger numbers at towers with non-flashing lights compared to those with flashing lights, although birds aggregate at flashing lights during the "on" phase, they disperse during the "off" phase (Larkin and Frase 1988; Gauthreaux and Belser 1999, 2006; Evans et al. 2007; Poot et al. 2008). Additionally, birds moving across the landscape at night (e.g., owls and seabirds) can collide with communication tower wires when they are placed in high movement areas.

Given the height, structural engineering needs (i.e., guy wires), and obstruction lighting requirements, communication towers may cause direct and indirect bird mortality through:

1. Collisions - Birds that are attracted to tower lights and aggregate in the lighting zone, circle the tower and collide with the tower, guy wires, other birds, or fall to the ground from exhaustion (Longcore et al. 2012b, Gauthreaux and Belser 2006, Erickson et al. 2005).
2. Construction, operation, and maintenance activities - Adults, eggs, or nestlings can experience direct mortality through:
    a. Trauma or death during vegetation removal;
    b. Trauma or death during tower maintenance; and
    c. Death of eggs or nestlings when actions or activities cause adults to abandon nests.
3. Significant loss of fat reserves in adults due to the energy expenditure of circling towers, leading to reduced survival during long migrations (Norris and Taylor 2006, Gehring and Walker 2012).

The following avoidance and minimization measures, when used comprehensively, reduce the risk of bird mortality at communication towers:

SITING AND CONSTRUCTION OF NEW TOWERS

1. *Contact with USFWS Field Office.* Communicate project plans to nearest USFWS Field Office. www.fws.gov/offices/index.html
2. *Co-location.* Co-locate communications equipment on existing communication towers or other structures (e.g., billboard, water and transmission tower, distribution pole, or building mounts). This recommendation is intended to reduce the number of towers across the landscape.

3. *Placement*. All new towers should be sited to minimize environmental impacts to the maximum extent practicable.
    a. Place new towers within existing "antenna farms" (i.e., clusters of towers) when possible;
    b. Select already degraded areas for tower placement;
    c. Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., state or federal refuges, staging areas, rookeries, and Important Bird Areas), or in known migratory bird movement routes, daily movement flyways, areas of breeding concentration, in habitat of threatened or endangered species, key habitats for Birds of Conservation Concern, or near the breeding areas ("leks") of prairie grouse;
    d. Towers should avoid ridgelines, coastal areas, wetlands or other known bird concentration areas; and
    e. Towers and associated facilities should be designed, sited, and constructed so as to avoid or minimize habitat loss within and adjacent to the tower "footprint". In addition, several shorter, un-guyed towers may be preferable to one, tall guyed, lit tower.
4. *Construction*. During construction, the following considerations can reduce the risk of take of birds:
    a. Schedule all vegetation removal and maintenance (e.g., general landscaping activities, trimming, grubbing) activities outside of the peak bird breeding season to reduce the risk of bird take. Breeding seasons can be determined using online tools (e.g., Avian Knowledge Network [AKN], Information for Planning and Conservation system [IPaC], Birds of North America Online) or by contacting qualified experts (e.g., local Audubon or birding groups);
    b. When vegetation removal activities cannot avoid the bird breeding season, conduct nest clearance surveys:
        i. Surveys should be conducted no more than five days prior to the scheduled activity to ensure recently constructed nests are identified;
        ii. Timing and dimensions of the area to be surveyed vary and will depend on the nature of the project, location, and expected level of vegetation disturbance; and
        iii. If active nests are identified within or in the vicinity of the project site, avoid the site until nestlings have fledged or the nest fails. If the activity must occur, establish a buffer zone around the nest and no activities will occur within that zone until nestlings have fledged. The dimension of the buffer zone will depend on the proposed activity, habitat type, and species present. The buffer should be a distance that does not elicit a flight response by the adult birds and can be 0.5 – 1 mile for hawks and eagles.
    c. Prevent the introduction of invasive plants during construction to minimize vegetation community degradation by:
        i. Use only native and local (when possible) seed stock for all temporary and permanent vegetation establishment; and
        ii. Use vehicle wash stations prior to entering sensitive habitat areas to prevent accidental introduction of non-native plants.
5. *Tower Design*. Tower design should consider the following attributes:
    a. Tower Height. It is recommended that new towers should be not more than 199 ft. above ground level (AGL). This height increases the mean free airspace between the top of the tower and average bird flight height, even in weather conditions with reduced cloud ceiling;

b. Guy Wires. We recommend using free standing towers such as lattice towers or monopole structures. If guy wires are required for tower design:
   i. The minimum number of guy wires necessary should be used; and
   ii. Guy wired towers that are proposed to be located in known raptor or waterbird concentrations areas, daily movement routes, major daytime migratory bird movement routes, staging areas, or stopover sites should have daytime visual markers or bird flight diverters installed on the guy wires to attempt to prevent daytime collisions.

c. Lighting System. Lights are a primary source of bird aggregation around towers, thus minimizing all light is recommended:
   i. No tower lighting is the preferred option if Federal Aviation Administration (FAA) regulations and lighting standards (FAA 2015, Patterson 2012) permit.
   ii. For some towers, the FAA can permit an Aircraft Detection Lighting System (ADLS), which maintains a communication tower of any height to be unlit until the ADLS radars detect nearby aircraft, at which time the tower lighting system is triggered to illuminate until the aircraft is out of radar range.
   iii. If taller (> 199 ft. AGL) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA should be used. Unless otherwise required by the FAA, only white or red flashing lights should be used at night, and these should follow FAA obstruction and marking standards with regards to the minimum number of lights, minimum intensity (< 2,000 candela), and minimum number of flashes per minute (i.e., longest duration between flashes and "dark phase"). Avoid using non-flashing warning lights at night (FAA 2015, Patterson 2012). Owners of existing towers lit with lighting systems that include non-flashing lights should submit plans to the FAA explaining how and when they will transition to the new standards.
   iv. Security lighting for on-ground facilities, equipment, and infrastructure should be motion- or heat-sensitive, down-shielded, and of a minimum intensity to reduce nighttime bird attraction and eliminate constant nighttime illumination while still allowing safe nighttime access to the site.

OPERATION AND MAINTENANCE OF ALL TOWERS

1. *Existing Tower Lighting*. We recommend that towers be unlit, when allowed by FAA regulations. Light impacts can be minimized by:
   a. Extinguishing L-810 non-flashing red lights (USFWS 2007, 2011) on towers >350 ft. AGL or reconfiguring L-810 non-flashing red lights to flash at 30 FPM (+/- 3 FPM) in synchrony with other flashing obstruction lights on towers 150-350 ft. AGL (FAA 2015);
   b. Extinguishing L-810 red lights and reprogramming LED L-810 lights; this can be done from the tower transmission building or remotely and does not require climbing the tower (FCC 2015).

A "lighting deviation" can be used to extinguish or eliminate L-810 steady-burning side lights from an existing registered tower taller than 350 ft. AGL and to reprogram L-810 steady-burning side lights to flash on registered towers 150-350 ft. AGL.[1] The following steps are necessary: [2]
1. File a Marking and Lighting study electronically with the FAA (https://oeaaa.faa.gov/oeaaa/external/portal.jsp) requesting the elimination or omission of steady-

burning lights (L-810) or requesting that steady-burning lights flash with Form 7460-1, Notice of Proposed Construction or Alteration. Designate structure type: "Deviation from Red Obstruction Light Standards."

2. Once the FAA has approved the request and assigned a FAA Study Number, file Form 854 with the FCC via the Antenna Registration System (ASR). Please select "MD – Modification" and choose the appropriate FAA Lighting Style.[3] The FCC typically will approve the application and modify the registration within 24 hours.

3. Once the lighting change for a tower has been granted by the FCC via ASR, the L-810 steady-burning side lights can be extinguished on towers taller than 350 ft. AGL and reprogramed to flash in concert with L-864 lights on towers 150-350 ft. AGL. Extinguishing L-810 lights and reprogramming lights are typically accomplished in the tower transmission building and do not ordinarily require climbing the tower. Per the FAA requirements, flashing red lights should flash at 30 FPM (+/- 3 FPM).

2. *Infrastructure Lighting*. We recommend that existing infrastructure be unlit. If associated buildings require security or operational lighting, minimize light trespass using motion sensors and down-shielding with minimum intensity light (USFWS 2011; Poot et al. 2008; Manville 2013; FCC 2014).
3. *Vegetation Management*. When management of facility infrastructure is required:
    a. Schedule all vegetation removal and maintenance (e.g., general landscaping activities, trimming, grubbing, etc.) activities outside of the peak bird breeding season to reduce the risk of bird take. Breeding seasons can be determined using online tools (e.g., Avian Knowledge Network [AKN], Information for Planning and Conservation system [IPaC], Birds of North America Online) or by contacting qualified experts (e.g., local Audubon or birding groups);
    b. When vegetation removal activities cannot avoid the bird breeding season, conduct nest clearance surveys:
        i. Surveys should be conducted no more than five days prior to the scheduled activity to ensure recently constructed nests are identified;
        ii. Timing and dimensions of the area to be surveyed should depend on the nature of the project, location, and expected level of vegetation disturbance; and
        iii. If active nests are identified within or in the vicinity of the project site, the site should be avoided until nestlings have fledged or the nest fails. If the activity must occur, a buffer zone should be established around the nest and no activities should occur within that zone until nestlings have fledged. The dimension of the buffer zone depends on the proposed activity, habitat type, and species present. The buffer should be a distance that does not elicit a flight response by the adult birds and can be 0.5 – 1 mile for hawks and eagles.
4. *Birds Nesting on Towers*: If birds are nesting on communication towers that require maintenance activities, contact the state natural resource protection agency and/or the USFWS for permits, recommendations, and requirements. Schedule construction and maintenance activities around the nesting and activity schedule of protected birds. Minimize excess wires and securely attach wires to the tower structure to reduce the likelihood of birds becoming entangled on the tower. Consider installing a bird nest exclusion device on the towers where birds frequently nest.
5. *Tower Access*: Representatives from the USFWS or researchers should be allowed access to the site to evaluate bird use, conduct dead-bird searches, and conduct other research, as necessary.

DECOMMISSIONING

Tower Removal. Towers no longer in use, not re-licensed by the FCC for use, or determined to be obsolete should be removed from the site within 12 months of cessation of use, preferably sooner.

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I MARK A COLLINS on behalf of JOHN A COLLINS owner at 44 Colehamer Ave Troy, NY 12180 of Brunswick, NY oppose the construction of a 154ft. monopole tower and antennas by Blue Sky Towers II LLC (or Blue Sky Towers III LLC) and Cellco Partnership d/b/a Verizon Wireless on the lands n/f of Mary Alice Zouky, Creek Road, Town of Brunswick, Rensselaer County, New York, for the following reasons:

1. Rosenberg Standard. This court case states the applicant need only show that (1) "Required to render Safe and Adequate service" **AND** (2) "Compelling reasons, economic or otherwise" for needing the variance.

In discussions with the Rensselaer County Public Safety Department about safety on the NYS Route 2 corridor, there are no known instances of dropped calls or the inability of residents to access emergency services. However, it is known that there is a Verizon "dead spot" on NYS Route 2 in the area of White Church Road which according to Verizon's submitted coverage map (Exhibit 2) would not be remedied by the new tower and is at the far side of the target area. (Tectonic Viewshed map option B)

In addition, the submitted coverage maps misrepresent the actual Adequate coverage in the area by
(1) In the submitted RF Justification and Site Selection Analysis section 1. Qualifications- States the Engineers use "proprietary software...simulation programs to identify network coverage". Which is not actual field data or what actually works. The entire Eagle Mills Hamlet is shown on the applicant's Exhibit 1 as having no coverage which in actuality as a Verizon customer I have never lost service in this area.
(2) When applying the new tower location coverage overlay in the coverage map Exhibit 2 the existing adequate coverage (blue) in the target area was omitted in the new (green) area to show the new tower would provide a larger new coverage area.
(supporting documentation attached)

Furthermore the applicant states in section "A. Compliance with Rosenberg Standard" sub 2. "No Existing Viable Towers or Tall Structures". In the applicant supplied coverage map Exhibit 3- Hypothetical 100ft Transmission Tower Collocation, Verizon shows this site will help relieve supposed "dead spots" and with the three towers to the West with high network traffic base of the coverage map (Brown-Hatch) but Verizon states it did not pursue collocation on the powerline structure.
It also should be noted that The Town of Brunswick Zoning Board approved an application on June 20, 2005 for a collocation between Cingular Wireless (now AT&T) and a Niagara Mohawk transmission tower in this area.

2. Property values. There have been many unbiased studies that directly link property devaluation with the establishment of the cell tower within a residential community. The National Association of Realtors and the New York State Association of Realtors has recognized studies showing prices of properties were reduced by approximately 20% after a cell phone tower and base station was built in the neighborhood. Decreased property values impacts our towns' ability to collect appropriate tax revenue and resident's ability to refinance and sell their homes. This is especially significant when the property value is based on a custom home having a view compared to a development with smaller lots and identical type homes.

Studies: The Bond and Hue - Proximate Impact Study
The Bond and Hue study conducted in 2004 involved the analysis of 9,514 residential home sales in 10 suburbs. The study reflected that close proximity to a Cell Tower reduced price by 15% on average.

The National Institute for Science, Law and Public Policy (NISLAPP) conducted a survey, noting 94% of respondents said a nearby cell tower or group of antennas would negatively impact value or interest in a property. In addition, 79% of respondents said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antenna.

3. Visual Pollution. A 154ft+/- monopole tower in this location would be one of the highest structures in this section of Brunswick, visible not only to each of the many homes in the area but visually affecting both the aesthetics and the character of the neighborhood and traveling public.

4. Environmental Impact. The access road regardless of a gate will allow and invite trespassers, (Example: ATV's and hunters) to access the back side of multiple properties. There are multiple locations around Brunswick where it is proven that a gate is not effective. The most noticeable being power transmission lines where local Police agencies are routinely called for trespassing and illegal activity.
In addition, the Environmental Assessment Form (EAF) which is required paperwork for this application was improperly completed. Section E2.o, There was no recognition of the Golden Eagle, a NYS Department of Environmental Conservation classified as "Endangered" which feeds and lives in the immediate area. The U.S. Fish and Wildlife Service has issued a Recommendation to avoid adverse impacts to migratory birds, Federally listed species and other wildlife from communication towers and antennae. (Documentation attached)

5. Noise Pollution. The generator at the base of the tower will cause excessive noise pollution for nearby residents and with the addition of more carrier's (at&t, ect.) would mean an additional generator for each carrier. (Based on the current plans submitted, two generators are shown.)

I am a Verizon wireless customer and I am in favor of smart development that enriches the lives of the residents. I am not in favor of turning our residential neighborhoods into commercial like environments that devalue our homes, disrupt the environment, and create both visual and noise pollution. Verizon has other commercial options to satisfy their coverage needs but admittedly did not pursue

collocation on the powerline structure. There is a requirement of public utilities to provide coverage to customers but nowhere does it state that coverage has to be perfect, only Safe and Adequate.

I respectfully request that the Town of Brunswick Planning and Zoning Boards deny this application for the proposed site based on the existing coverage of the area which Adequately meets FCC requirements of public utilities and "Required to render Safe and Adequate service" as stated in Rosenberg.

1-16-20

Dear Zoning and Planning Board Members,

My name is Mary Jane OBrien, my husband Chris and I have lived in the Sandcherry Hill Development off Menemsha for the last 17 years, having been the first house built in this development. Prior to his retirement, Chris worked in the town for almost 30 years. When we were ready to build our "dream house" we searched for the perfect spot, one which would give views of the hills and farmland which went with the character of the town we loved. A place safe and secure. We positioned the back of our house to look out to the Grafton and Poestenkill hills and on clear days, Vermont. As the saying goes we have invested a lot of "blood, sweat and tears" along with life savings into building our home. Having 4 children, we added a pool and patio area a few years after moving in. I remember when the Town's Assessor Sylvia Rooney and her Assistent came by to take pictures and inspect the pool area for reassessment purposes, I went out and spoke with them and the first thing that was said to me was "Oh My what a VIEW!" I said "Can you Tax Us on our view?" The reply was "when the view adds to the properties value yes" As time has gone by we have been blessed with six grandchildren and another on the way. All summer the pool is filled with our little ones as well as many friends and family members, We swim, play bocce, hide and seek and tend to a large garden. This is what we live for "Our Happy Place". I am asking you to consider the impacts of the proposed cell tower to be constructed less the 750 feet from our property line. I have seen many towns and municipalities are changing zoning laws to require between 1000 and 1500 feet distance between cell towers and residences, schools etc. had that been the case in Brunswick we would not be here as that distance would encompass many homes that border the property. There are no Natural barriers to obstruct the site from our home, just a 100% clear view from every window and door inside and pool, patio and garden areas outside. We will no longer have the quality of life we have relished the last 17 years. The number who will benefit from this tower is 3 - Verizon, The Zouky's(who will continue to receive their agricultural tax exemption along with hefty lease payments from Verizon) and the Farmer(Herrington Farms) who will continue to lease the land for corn. I would like to thank the board members who came to our home to look at the site from our back yard and would like to invite any other board members to drive up my driveway and stand in my backyard or in my kitchen, livingroom, bedrooms or bathroon facing the rear and personally experience the sight of what a 155 foot(15 stories)monolith cell tower complete with concrete pad, out buildings, guide wires and chain link fence topped with barbed wire in the middle of a scenic corn field will look like. There is not a landscaping feature in the world that could disguise this.

Mary Jane O'Brien

BB

BusinessWire
A Berkshire Hathaway Company

Survey by the National Institute for Science, Law & Public Policy Indicates Cell Towers and Antennas Negatively Impact Interest in Real Estate Properties

94% of respondents said a nearby cell tower or group of antennas would negatively impact interest in a property or the price they would be willing to pay for it

July 03, 2014 01:57 PM Eastern Daylight Time

WASHINGTON--(BUSINESS WIRE)--A survey conducted in June 2014 by the National Institute for Science, Law and Public Policy (NISLAPP) in Washington, D.C., *"Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?"*, shows home buyers and renters are less interested in properties located near cell towers and antennas, as well as in properties where a cell tower or group of antennas are placed on top of or attached to a building.

Of the 1,000 survey respondents, 94% reported that cell towers and antennas in a neighborhood or on a building would impact interest in a property and the price they would be willing to pay for it. And 79% said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas. And almost 90% of respondents said they were concerned about the increasing number of cell towers and antennas in their residential neighborhood, generally. See Full Results here: http://electromagnetichealth.org/electromagnetic-health-blog/survey-property-desirability/.

The NISLAPP survey reinforced the findings of a study by Sandy Bond, Ph.D. of the New Zealand Property Institute, and Past President of the Pacific Rim Real Estate Society (PRRES), published in *The Appraisal Journal* in 2006, The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods. That study found buyers would pay as much as 20% less, as determined at that time by an opinion survey in addition to a sales price analysis.

Jim Turner, Esq., Chairman of the National Institute for Science, Law and Public Policy, says, "The results of the 2014 NISLAPP survey suggest there is now high awareness about potential risks from cell towers and antennas, including among people who have never experienced cognitive or physical effects from the radiation." He adds, "A study of real estate sales prices would be beneficial at this time in the Unites States to determine what discounts homebuyers are currently placing on properties near cell towers and antennas."

Read More

Contacts
NISLAPP
Emily Roberson, 610-707-1602
er79000@yahoo.com

Realtor Magazine

Wednesday, January 15, 2020

Cell Towers, Antennas Problematic for Buyers

July 25, 2014

An overwhelming 94 percent of home buyers and renters surveyed by the National Institute for Science, Law & Public Policy (NISLAPP) say they are less interested and would pay less for a property located near a cell tower or antenna.

What's more, of the 1,000 survey respondents, 79 percent said that under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas, and almost 90 percent said they were concerned about the increasing number of cell towers and antennas in their residential neighborhood.

The survey, "Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?" also found that properties where a cell tower or group of antennas are placed on top of or attached to a building (condominium high-rise, for instance) is problematic for buyers.

Trouble Spots for Buyers:

- Home Owners Object to Cell Tower Installations
- Field Guide to Cell Phone Towers
- 6 Ways a Home May Turn Off Buyers
- 6 Ways to Turn Off Buyers at Open Houses

"A study of real estate sales prices would be beneficial at this time in the Unites States to determine what discounts home buyers are currently placing on properties near cell towers and antennas," says Jim Turner, chair of NISLAPP.

The NISLAPP survey echoes the findings of a study by Sandy Bond of the New Zealand Property Institute and past president of the Pacific Rim Real Estate Society (PRRES). "The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods," which was published in The Appraisal Journal in 2006, found that buyers would pay as much as 20 percent less for a property near a cell tower or antenna.

Source: "Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?" National Institute for Science, Law & Public Policy (June 2014)

Recent Stories in This Section

How to Keep a Stainless Steel Sink Shining

January 14, 2020

Learn a few tips for keeping this metallic material looking polished at your showings.

Town of Hempstead imposed a moratorium on applications until Sept. 21. That is the date for a public hearing on a new town ordinance stiffening requirements.

At a community meeting on Aug. 16 at Wantagh High School, Dave Denenberg, the Nassau county legislator for Bellmore, Wantagh and Merrick, told more than 200 residents that 160 cell antennas had been placed on telephone poles in the area in the last year by NextG, a wireless network provider.

"Everyone has a cellphone," Mr. Denenberg said, "but that doesn't mean you have to have cell installations right across the street from your house." Under the old town code, installations over 30 feet high required an exemption or a variance. But in New York, wireless providers have public utility status, like LIPA and Cablevision, and they can bypass zoning boards.

Earlier this month in South Huntington, T-Mobile was ordered to take down a new 100-foot monotower erected on property deemed environmentally sensitive (and thus requiring a variance). Andrew J. Campanelli, a civil rights lawyer in Garden City, said a group of residents had hired him to oppose the cellular company's application.

"They were worried about the property values," Mr. Campanelli said. "If your home is near a cell antenna, the value of your property is going down at least 4 percent. Depending on the size of the tower and the proximity, it is going down 10 percent."

In January, in an effort to dismantle 50 cell antennas on a water tower across from a school in the village of Bayville, Mr. Campanelli filed a federal lawsuit that cited health risks and private property rights.

In a statement, Dr. Anna F. Hunderfund, the Locust Valley superintendent, said that in February 2009 the district had engaged a firm to study the cellphone installations near the Bayville schools, finding that the tower "posed no significant health risks," and she noted that the emission levels fell well below amounts deemed unsafe by the Federal Communications Commission.

In June 2009, Sharon Curry, a psychologist in Merrick, woke up to find a cell antenna abutting her backyard, level to her 8-year-old son's bedroom window.

Puzzled by its presence, particularly because she lives next to an elementary school, she did research to see if there was cause for concern. What she learned about possible health impacts, she said, led her to seek help from civic associations and to form a group, Moms of Merrick Speak Out, to keep new cell towers out. She said she was seeking the "responsible" placement of cell antennas, away from homes and schools.

The Federal Communications Act of 1996 says health concerns are not a valid reason for a municipality to deny zoning for a cell tower or antenna. Property values and aesthetics, however, do qualify, according to the act.

Frank Schilero, an associate broker with RE/MAX Innovations in Wantagh, has a listing on a $629,000 home down the street from the Farmingdale Wantagh Jewish Center, where the application is pending to put six cell antennas on the roof.

"People don't like living next to cell towers, for medical reasons or aesthetics," Mr. Schilero said. "Or they don't want that eyesore sticking up in their backyards." There is an offer on his listing, he added, but since the buyer heard about the possible cell antennas she has sought more information from the wireless companies about their size and impact.

Charles Kovit, the Hempstead deputy town attorney, said that under the proposed code change any new towers or antennas would have to be 1,500 feet from residences, schools, houses of worship and libraries.

The town recently hired a consultant, Richard A. Comi of the Center for Municipal Solutions in Glenmont, to review antenna applications.

Under the new ordinance, applications for wireless facilities would require technical evidence that they had a "gap" in coverage necessitating a new tower.

"If not, they will get denied," Mr. Kovit said. The wireless companies would also have to prove that the selected location had the least negative impact on area

character and property values." If another location farther away from homes can solve the gap problem, "they are going to have to move."

A version of this article appears in print on August 29, 2010, on Page RE9 of the New York edition with the headline: A Pushback Against Cell Towers.

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Golden Eagle

Scientific Name: *Aquila chrysaetos*

New York Status: Endangered
Federal Status: Not Listed

Golden eagle held by retired DEC wildlife biologist Scott VanArsdale

Description

This majestic "upland" eagle is aptly named for its golden-brown plumage, with head and nape feathers a slightly lighter, gold color. Measuring 27-33 inches in length, the golden eagle has a wingspan of 78 inches and weighs 7-14 pounds. Adults wield a bill which is a bit smaller and darker than that of our only other eagle, the bald eagle. The immature golden eagle in flight can be distinguished from the immature bald eagle by the presence of distinct white patches on the underside of the wing and by a broad white tail with a dark band.

The most notable field mark distinguishing the bald eagle from the golden eagle is the presence of extensive feathering on the legs of golden eagles. Should you be in a position to see it, the feathers go all the way down to the toes on a golden eagle, while the bald eagle has a considerable amount of exposed leg showing. Favored prey items include rodents, rabbits, birds, and reptiles, as well as carrion.

Life History

The golden eagle is long-lived, with a life span in the wild believed to be 30 years or more. It is also believed a pair mates for life and defends a selected territory against other golden eagles. Both the male and female participate in nest building, occasionally in a tree but more often on a cliff ledge, commonly with the protection of an overhanging tree or rock. The nest is made of large sticks and often contains aromatic leaves which may serve to deter insects. Since the same nest may be used and added to (decorated) year after year, they sometimes get quite large.

The single clutch consists of 1-2 (rarely 3) eggs which hatch after an incubation period of 35-45 days. Eaglets fledge in 65-75 days. The male provides some help with incubation, but is the major food provider during incubation and chick rearing. Young reach sexual maturity and obtain adult coloration at about 5 years of age.

Distribution and Habitat

The golden eagle is distributed worldwide throughout the Northern Hemisphere. Golden eagles are typically associated with the plains of the western United States, and are fairly common in our western states, Alaska, and Western Canada. Never abundant in the Eastern U.S., this species is now virtually extirpated as a breeding bird east of the Mississippi River. Golden eagles once nested at no more than a dozen or so sites in the Adirondacks of New York, in Maine, and in New Hampshire.

They are believed to still nest in some numbers in Eastern Canada, as evidenced by hundreds of golden eagles appearing during the fall and spring migrations in the eastern U.S. Preferred habitats include generally open areas: tundra, grasslands and deserts. The golden eagle feeds primarily on live mammals such as ground squirrels and marmots, found in their preferred upland habitats. In winter they will feed on carrion and waterfowl in the east, often associated with wintering bald eagles.

RECOMMENDATIONS TO AVOID ADVERSE IMPACTS TO MIGRATORY BIRDS, FEDERALLY LISTED SPECIES, AND OTHER WILDLIFE FROM COMMUNICATION TOWERS AND ANTENNAE

Guidance prepared by the U.S. Fish and Wildlife Service

Wireless communication towers and antennae have greatly increased in number in recent years. Cumulatively, communication towers have a potentially significant impact on wildlife, especially migratory birds. All communication towers and antennae requiring authorization from the Federal Communications Commission (FCC) are subject to the environmental review procedures required by Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) and by the National Environmental Policy Act (NEPA) of 1969 (83 Stat. 852; 42 U.S.C. 4321 *et seq.*). The U.S. Fish and Wildlife Service (Service) routinely reviews proposed communication projects and provides recommendations to project proponents and the FCC to avoid adverse impacts to federally listed or proposed endangered and threatened species, migratory birds, and other wildlife.

All native migratory birds (e.g., waterfowl, shorebirds, songbirds, hawks, owls, vultures, falcons) are afforded protection under the Migratory Bird Treaty Act (MBTA) of 1918 (40 Stat. 755; 16 U.S.C. 703-712). Migratory birds are a federal trust resource responsibility, and the Service considers migratory bird concentration areas environmentally significant. Bird concentration areas include traditional migratory flight corridors (e.g., ridges, shorelines, river valleys); rookeries and other bird breeding areas; stopover, staging, or resting areas (e.g., land bounding large bodies of water, wetlands, forests, and natural grasslands); wildlife preserves (e.g., National Wildlife Refuges; State Parks, Forests, Wildlife Management Areas, and Natural Areas; private sanctuaries); and seasonal flight paths (e.g., between feeding and nesting or roosting areas).

Communication towers pose a collision hazard to birds in flight, especially some 350 species of night-migrating birds. Cumulatively, communication towers kill an estimated four to five million birds per year nationwide (Manville 2000). The risk of bird collisions is related to tower height, design, lighting, and location relative to migratory bird concentration areas. Most documented bird kills at communication towers involve tall, lighted structures, and birds migrating at night during inclement weather. During these events, birds attracted by the lights congregate and circle around the tower, with mortality resulting from collisions with guy wires, other birds, and the ground, or from exhaustion. However, occurrences of bird collision mortality at communication towers have also been documented during daytime and fair-weather conditions.

The Service recommends the following steps to avoid or minimize adverse impacts to migratory birds, federally listed or proposed endangered and threatened species, and other wildlife from communication towers and antennae:

1. Collocate communication antennae and other equipment on existing structures whenever possible to avoid new tower construction. Antennae have been mounted on rooftops; flagpoles; bell, cross, and clock towers; road signs; silos; and water and power line towers. Where attachment to an existing non-tower structure is not feasible, collocate antennae on existing communication towers. Depending on tower load factors, multiple (6-10) providers may collocate on a single communication tower. Although usually a preferred option, collocation on certain structures may be

restricted, such as historic sites, or silos on farms under State or county deed restriction for farm preservation, which may prohibit non-agricultural activities.

2. Construct new towers only if collocation is not feasible. Design new towers to allow for multiple transmitters to be collocated on a single new tower, no more than 199 feet above ground level (AGL), without lights or guy wires. (Towers taller than 199 feet are normally required by the Federal Aviation Administration [FAA] to employ aircraft warning lights.)

3. Consider the impacts of new towers to migratory birds, federally listed species, and other wildlife, cumulatively as well as individually when siting and designing networks of towers and antennae.

4. Site towers away from wetlands; areas with a known high incidence of fog, mist, and low cloud ceilings; and habitats supporting threatened or endangered species.

5. Construct taller (>200 feet AGL) towers only if collocation and shorter towers are not viable options. Use the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA. Use only white (preferable) or red strobe lights at night unless otherwise required by the FAA, and employ the minimum number, minimum intensity, and minimum number of flashes per minute (longest duration between flashes) permitted by the FAA. Avoid solid red or pulsating red warning lights at night. (Current research indicates that solid or pulsating (beacon) red lights attract night-migrating birds at a much higher rate than white strobe lights. Red strobe lights have not yet been studied.

6. Construct guyed towers only if other tower designs (e.g., monopoles, lattice towers) are not viable options. Locate guyed towers away from known raptor and waterbird concentration areas and daily movement routes, and away from major diurnal migratory bird movement routes and stopover sites. If a guyed tower must be located in or near such an area, employ daytime visual markers on the wires. Do not use artificial lighting to increase visibility of the structure or guy wires; instead use reflective paint or materials, large balls, or other available technology. (For guidance on markers, see Avian Power Line Interaction Committee 1994 and 1996.)

7. Avoid or minimize habitat loss within and adjacent to the "footprint" of new towers and associated facilities. (However, a larger tower footprint is preferable to the use of guy wires.) Minimize road access and fencing to reduce or prevent habitat fragmentation and disturbance, and to reduce above-ground obstacles to birds in flight.

8. Avoid siting towers in or near known bird concentration areas (discussed on page 1); known bird migration or daily movement flyways; and areas known to be used habitually by significant numbers of breeding, feeding, or roosting birds. If such areas cannot be avoided, avoid construction during seasons of high bird activity.

9. Design new towers structurally and electrically to accommodate the applicant's antennas and comparable antennas for at least two additional providers, for a

minimum of three providers for each tower, to reduce the number of towers needed in the future (unless such a design would require the addition of lights or guy wires to an otherwise unlighted and/or unguyed tower).

10. Down-shield security lighting for on-ground facilities and equipment to keep light within the boundaries of the site.

11. Allow Service personnel and affiliated researchers access to proposed and existing tower sites upon request to evaluate bird use; conduct dead-bird searches; place net catchments below the towers but above the ground; and place radar, Global Positioning System, infrared, thermal imagery, and acoustical monitoring equipment as necessary to assess and verify bird movements and to gain information on the impacts of various tower sizes, configurations, and lighting systems.

12. Provide for tower decommissioning, including removal, in any license application submitted to the FCC. Remove towers no longer in use or determined to be obsolete within 12 months of cessation of use.

LITERATURE CITED

Avian Power Line Interaction Committee. 1994. Mitigating bird collisions with power lines: The state of the art in 1994. Edison Electric Institute, Washington, D.C. 78 pp.

_____. 1996. Suggested practices for raptor protection on power lines. Edison Electric Institute/Raptor Research Foundation, Washington, D.C. 128 pp.

Manville, A.M. II. 2000. The ABCs of avoiding bird collisions at communication towers: the next steps. Proceedings of the Avian Interactions Workshop. Electric Power Research Institute. 15 pp.

FURTHER INFORMATION

Bibiliography of bird kills: http://migratorybirds.fws.gov/issues/towers/review

Federal Communications Commission, Wireless Telecommunication Branch - Siting Issues http://www.fcc.gov/wtb/siting

Federal Communications Commission Telecommunications Act of 1996 http://www.fcc.gov/telecom.html

General Information: http://migratorybirds.fws.gov/issues/towers/abcs.html

Ogden, LJ.E. 1996. Collision Course: The hazards of lighted structures and windows to migrating birds. World Wildlife Fund Canada and the Fatal Light Awareness Program. Toronto, Ontario, Canada. 46 pp.

Towerkill.com. http://www.towerkill.com

U.S. Fish and Wildlife Service Endangered Species Home Page. http://endangered.fws.gov

U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Bird Issues. http://migratorybirds.fws.gov/issues/tblconthtml

U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Service Guidelines. http://migratorybirds.fws.gov/issues/towers/comtow.html

make copies Louis Huth

Thank you for the detailed explanative application. It was educational and eliminated most of my comments. It was also nice to see a complete application for a change.

I express no objections to the cell tower. I don't like cell towers and don't want them, but cell towers are required to satisfy our high demand for cell service. They are a fact of life now and Verizon appears (to me, don't know about the ZBA and PB) to have reasonably satisfied the town requirements in its application, subject to my following questions and comments. All page numbers refer to the 163 page .pdf downloaded from the town website.

Page 4 & 73

There are multiple references to improving cell service to the southwest area of the town. These pages reference improvements to the southeastern area. Are the southeastern areas a typo?

Page 7 Para F.1

It is stated that the annual required tower inspection is an unreasonable burden on Verizon and proposes a substitute based on the ANSI/TIA standard. The annual inspection reference is not provided. The annual inspection reference and why it is not applicable to this case should be stated before proposing a substitute.

Zouky Site

1. There are multiple references to the size, setbacks, vegetative cover, etc of the Zouky site that are used to justify this tower site. These site restrictions to the non-cell tower area of the site should be included in the granted variance.
2. How will the cell tower affect the 85 acre site property taxes? This need not be included in the application but would be good for the town to provide to us.

Pages 81-82 (Exhibits 1 & 2)

1. The coverage is not much of an improvement. Most of the area is already adequately served.
2. Significant areas of the town, specifically in the center (including this building) and in the east along NY 351, are still unserved. Since the application uses the reason that Verizon is required to provide service, the application should include the plans for these areas.
3. The location and height of this tower relative to the nearby other towers and considering their age and technology makes it appear that a new cell tower grid is in the works for this area of the county.
    a. Is this true? If so, should be in the application.
    b. Going forward, there should be a combined variance for the grid instead of expensive and confusing single tower variances.

Diesel Generator

1. The fuel storage tank should be described enough to show that it is in conformance with the Environmental Assessment limits.
2. Is fire department coordination required for the diesel fuel storage?

capacity (i.e., 4G network bandwidth) will be more than tripled in the southwestern portion of the Town of Brunswick.

(d) Solution

Based on the network deficiencies in the Pinewoods area described above, a search area was developed to define specific geographical locations from which a new wireless telecommunications facility, when also designed at an appropriate height, is most likely to provide the required coverage and capacity needs. The Pinewoods search ring is provided in the aerial map at **Figure 2** below, where the black boundary illustrates the search ring location and targets the higher elevation ridgeline / hilltop between Menemsha Ln and Pinewoods Ave. The proposed Pinewoods site location is also displayed in the map at **Figure 2** as the green dot in in the eastern end of the search area.

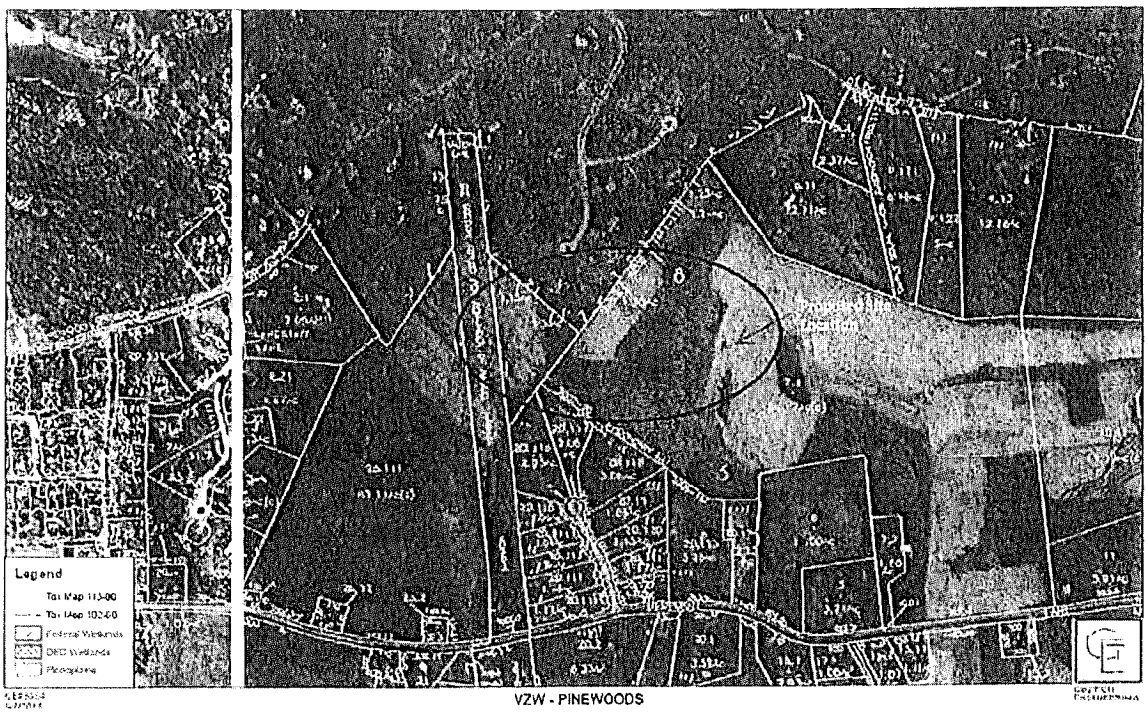

Figure 2. Pinewoods Search Ring Aerial Map Overlay.

The Pinewoods search area targets what has been determined by Verizon Wireless as the most suitable location for a wireless facility given the challenging terrain features across the targeted network performance improvement area and when considering the local zoning law. Given the local environment and topography, there are only a small number of feasible locations from which a reasonably tall wireless facility is able to overcome the local terrain variations and associated tree canopy while satisfying Verizon Wireless objectives and meeting property setbacks per the town zoning ordinance.

6. LAND USE AND ZONING CONSIDERATIONS

Before arriving at its decision to place a communications facility on the Zouky property, Verizon Wireless completed a thorough analysis of the Pinewoods Search Area. An effort was