

**TOWN OF PATTERSON  
ZONING BOARD OF APPEALS  
February 26, 2008**

**AGENDA & MINUTES**

**Proposed Putnam Lake Telecommunications Facility  
*Special Meeting***

**PLANNING DEPARTMENT**

P.O. Box 470  
1142 Route 311  
Patterson, NY 12563

Michelle Russo  
Sarah Wagar  
*Secretary*

Richard Williams  
*Town Planner*

Telephone (845) 878-6500  
FAX (845) 878-2019



**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**

Howard Buzzutto, Chairman  
Mary Bodor, Vice Chairwoman  
Marianne Burdick  
Lars Olenius  
Martin Posner

**PLANNING BOARD**

Shawn Rogan, Chairman  
David Pierro, Vice Chairman  
Michael Montesano  
Maria DiSalvo  
Charles Cook

**Zoning Board of Appeals  
February 26, 2008 Meeting Minutes**  
Held at the Patterson Recreation Center  
65 Front Street  
Patterson, NY 12563

Present were: Chairman Howard Buzzutto, Board Member Mary Bodor, Board Member Lars Olenius, Board Member Marty Posner, Anthony Molé, Attorney with Town Attorney's Office Curtiss, Leibell, Herodes & Molé, and Rich Williams, Town Planner.

Chairman Buzzutto called the meeting to order at 7:45 p.m.

Chairman Buzzutto led the salute to the flag.

Approximately 185 members in the audience.

Sarah Wagar was the Secretary for this meeting and transcribed the following minutes.

**WIRELESS EDGE WESTCHESTER GROUP, LLC AND OMNIPOINT COMMUNICATIONS, INC. CASE #22-07**

Mr. Tom McHugh and Mr. John Arthur, Wireless EDGE, and Neil Alexander, Cuddy & Feder, were all present.

Chairman Buzzutto stated I declare the meeting open. Wireless EDGE and Omnipoint for a telecommunications facility in Putnam Lake. Thank you. Alright. If you have any questions, you can sign-in or if you haven't signed-in, sign-now, and you will be called as you did before. It went pretty routinely and I appreciate it if you sort of abide by that. Thank you.

Mr. Neil Alexander stated down there Good evening Chairman, members of the Zoning Board, members of the public. My name is Neil Alexander.

Board Member Bodor stated can you bring the microphone towards you.

Mr. Alexander stated a lot closer still.

Board Member Bodor stated yeah.

Mr. Alexander stated the air is going and I can't tell if I'm screaming to loudly. You know what Sarah, I'll take that [referring to a cordless microphone].

Chairman Buzzutto stated you can take it right off there is you wish.

Mr. Alexander stated I think I'm taped in. In any event, just backing up a minute. My name is Neil Alexander. I'm a partner at the law firm of Cuddy & Feder. I'm here on behalf of Wireless Edge. We were last before the Board on the 29<sup>th</sup> of January. In the intervening, call it a month, our clients have done a lot of work with regard to analyzing alternatives; alternative onsite and alternative offsite. We've heard a lot of what the public has had to say, and within the realm of trying to accomplish our business objectives and our business plan mission for our clients, Omnipoint and Verizon, we made some modifications to our proposal and we also substantiated some of the reasons why we couldn't make any further modifications, and we made that submission around the 19<sup>th</sup> or 20<sup>th</sup> of February. Essentially what that packet...I'm creating my own feedback [referring to the noise from the microphone]. Essentially what that packet did was it started onsite. We've heard that a lot of people were concerned about the number of variances that were being requested. So at this point, we've modified our compound, and we no longer need any variances any different than any wireless facility will always need. By that I mean we will need a use variance and we will need an area variance as to height. We have obviated the need for the setback variances and the fence variance. Part of what has happened is we, notwithstanding part of what the materials you were given, that there is no house within 200 feet of our proposed compound, and only seven within 500 feet. We said fine, people have a concern for perceived noise, even though we think it's unscientifically supportable with the DBA analysis, we said fine. We'll get rid of the generator, which we did. Once we got rid of the generator, it freed up some of our design for our compound and enabled us to meet the setback requirements in front and side, that previously did require variances. The fence variance we've always maintained because we thought it was a way to address the aesthetic issue. It doesn't make a never mind to us, so we (inaudible) it from the application. We're back with a 6 foot tall fence; that's fine with us. So we believe by doing that within our site, we've obviously brought it more into conformity. We've also addressed any perception as to structural issues or noise. In addition, what you received was an analysis of the maximum permissible emissions pursuant to the FCC's calculation. What we gave you is a multicarrier analysis, not just Omnipoint (inaudible) but at full build out for the proposed tower of 130 feet for carriers as shown in the plans. Now we substantiate that it complies with the FCC regulations substantially. Where wound up being essentially left is at a little bit of a crossroads. We're cognizant that an 80 foot tall monocross was denied at the church about 6 years ago, and we feel we've found a great site that from a design standpoint lines up with design criteria, those announced during our view of Cingular's application on Route 22, which is to put the antennas on the inside the monopole, and run a cable inside as well, as opposed to any alternative means of platforms or something other than a monopole such as a lattice tower. But even with that in mind, and recognizing that aesthetics can be somewhat subjective, we set about and have done our (inaudible) up here and explained to you an analysis from a scientific standpoint and from a radiofrequency signal modeling standpoint, of a potential alternatives. We did not consider whether these sites were leasable and if the property owner would be willing to grant us a lease on commercially reasonable terms. We did not consider whether there is an extraordinary cost in trying to

actually build the site or access that point on the site. It did it basically by talking to our carriers, giving them the latitude and longitude. They know their surrounding sites and having a model of their coverage, and whether it would meet the objective for the search ring and fit into their network for their design requirements for their system and FCC guidelines as far as liability of service and capacity of service. So essentially what you'll see in the materials that you received, and John will go through in more detail, is that there are other sites that will work, but they'll have to be anywhere from 170 to 240 feet tall. What's important to keep in mind as your balancing the issues is that once you go over 200 feet, you have to be lit. The FAA has moved away from striping and marking the sites, and now requires lighting the sites. Many of you have traveled the [Route] 22 corridor probably something according to the DOT, over 15,000 people are traveling that corridor everyday. And you're probably familiar with Tri-Valley Broadcasting's site, that the access for Patterson is actually in Pawling and it's about 300 feet tall, and you can see that blinking light pretty much from I would say from Thunder Ridge all the way up to almost the Village of Pawling on the western side as your driving northerly. That's what we're talking about, but the FAA has also gone to the next step now; once you're over 200 feet they now requiring half height lighting. So that would mean that not only would you have a strobe during the day and a red light at night, but on the arms of a lattice tower, because you cannot build a monopole over 200 feet tall, you would have to have lights at the half height. And this is all for aeronautical...essentially aerospace navigation safety. The other point to keep in mind before John comes up here, is that our design is proposing to put the antennas inside. Essentially, and John can correct me a little bit more on this, but roughly 150 feet is the absolute top limit that anyone's ever, ever seen you being able to build a monopole with the antennas inside. So once you go over 150 feet, you can no longer have essentially...About a 2.5 foot girth at base or 2 feet at base, and about 2.5 feet at top in girth for 30 inches, I think in this case, for the antennas. You now have to put the antennas on the outside on triangular platforms or over arms, or some other mounting device, which now means that each sector of antennas, and there are three of them, have about a 12 foot spread from each side. So you can do the math as far as going twelve, twelve, twelve [feet] to create a triangular around the monopole in order to mount the antennas. So again, so now once you get over 150 [feet], the antennas have to come outside. Once you get over 200 [feet] you can no longer do a monopole, we have to do a lattice tower and you have lighting issues. So with that, what I would like to do is ask John to come up and walk you through the alternative locations that we've looked at. Again, we're not positive we can deliver them. But what we did was we said you want to know about alternatives, and we decided that the best place to start is with if the technology feasible. And from our perspective, we don't really see why any of these other locations would be preferable because of the fact that you're talking about anywhere from the 35% to the 125% increase in height, and substantial increase in girth visually for any of these sites to be developed. But there is some latitude from the municipality under case law as to the aesthetics and if there's a preference that the community has an alternative and it's deliverable from a commercial leasing standpoint, and zoneable and approvable and buildable. My client's in the business of developing coverage for their tenants. And we would be willing to hear and consider that, and that's why we made this good-faith effort, much more so, out of property than what the materials we had suggested we would provide and get back to you. We're trying to work with what we're hearing, the reasonable comments that we were receiving. And we need really feedback from the Board this evening, at the appropriate time, if something that John says with regards to these alternative candidates resonates, particularly in a positive way. So if John, you could come up at this point, I would be most obliged.

Mr. John Arthur stated good evening everyone. My name is John Arthur; I'm with Wireless Edge. Before we talk about the alternate site analysis, I'd like to briefly show you what Neil was talking about on the site layout. In your packages we...

**Audience member stated** can we see it.

Chairman Buzzutto stated can you turn that so the audience can partially see that a little bit better [referring

to plans].

Mr. Arthur stated sure. Can you guys see that.

Board Member Posner stated yeah, I can see it.

Mr. Arthur stated in your packets there is a drawing; it's not colorized but there's a pullout drawing of the site detail. What we've done is we've basically eliminated the generator in the Verizon shelter, and that reduces the shelter size requirement from what was a 30 foot long shelter to a 20 foot long shelter. So it's really more of a standardized (inaudible) shelter. So what we've done is...That gives us an opportunity to move in toward the back of the compound. We also took T-Mobile's equipment which was upfront, and we've moved that closer to the backspaces near the boathouse. So with that, the setback, which was only I believe 4 feet for the shelter, is now 22 feet. And the side setback, which was I believe 11 feet, it is now at 15 feet which is the setback requirement. With that, there's also enough room in the compound to put additional future carriers without expansion of the compound. So the layout actually works very nicely. Also in your packets, we've provided a couple of additional photosims very similar to what was presented at the last meeting. We've gone back and improved them a bit, to show what the stockade fence would look like and what the trees would look like along Lake Shore Drive. Now we're working on as Neil mentioned, is we did have an independent self perform an RF emissions study and that was performed by RC Peterson Associates. And they did an analysis for the pole with Verizon, Omnipoint, and four future carriers; that would be what the maximum site. And the levels were only at 1.2% of the FCC standards; well below the FCC guidelines. Also as part of the analysis, we went back to Omnipoint, and asked them to show the coverage at a reduced height, and they ran a plot of 112 feet, as opposed to right now they're at about 121 or 127 feet with different antenna levels. And with that, you can see there is a significantly diminished coverage. I believe that's Exhibit A3 in your packets; that just shows you what happens when you reduce the height of that particular carrier. Of course every carrier below that will be also at a lower reduction level. Now what we did with regard to alternate sites, if you look at your packets right at a couple of plots. One was a very similar to the original plot in the application. It's a side by side plot of the existing coverage and the proposed coverage for Omnipoint. The difference in this plot versus what was submitted last time are on two separate pages, is that we've showed two different coverage levels. One is at -84 dBm, which is a considered their baseline coverage for in-vehicle coverage. And then there's smaller coverage area which is in yellow, and that is for in-building coverage which is at -76 dBm. But the plot that follows that is at is a very similar analysis by Verizon. And their signal levels were again very close; they were at -85 [dBm] and -75 [dBm] respectively at the same levels. And again, the colors are depicting Omnipoint, but it's basically the same idea. The blue blotch in the middle is the in-building coverage and the yellow is the in-vehicle coverage. So that just hits at the baseline of the current site. After the last meeting, we went out and conducted a pretty extensive review of the area around the lake. We covered areas that were north, east, south, and west of the site. We looked at many properties and identified properties that could possibly work and properties that were either large properties, they were away from residential area, on top of a hilltop. You know, kind of an assortment of different properties. And I'll just kind of recap the list of the eight that we narrowed it down to. Those eight then were presented back to Omnipoint and Verizon, and have to run an analysis and had them increase the height until they got to a point where it either didn't work or it was at a very high location. So the eight locations that we looked at to the south of the site was Fairport/Glenmont Road; there's a commercial area at the south end of that strip. And that's probably closest to the site in the application. We looked at Green Chimneys, which is a very large property. And we looked at a location near their maintenance building, and again we feel that that's an area that is kind of away from everything. It's even a commercialized zoned for them. We looked at Brown's Mountain, and that was really at the east end of Little Pond Road. That's basically a ways up the hill. We also looked at a property which was a little bit south of there; it was a ranch at White Hawk Trail. And that was actually really located kind of between two hills. But it was

positioned so that it faces the lake. More towards the south, we looked at Hilltop, which was really north of the VFW post, and it's really a large residential property up there. That's all that was, but it was a real hilltop that's probably an area that coverage could be achieved. Which I missed one, oh. Blue Chip Riding Club, which was really quite a ways to the south. And then to the north, we looked at two areas. One was a very large property kind of north on Hammond Road. That road had a dead end to a large property. And we could imagine a site that will be kind of set back on that property. And then also to the west of that, there is a hilltop, and we thought well, we've run that analysis as well. We don't know how access is to that because it's surrounded by a (inaudible) stream. But we had them run the analysis anyway. In your packets there is a plot which is run at the baseline coverage that is roughly -85 dBm for each those properties, run by both Omnipoint and by Verizon, two different RF engineers. As you can see there's some similarity between the plots but you have to realize that both carriers have different sites. The existing sites at different heights; two different frequencies. Omnipoint is running at 1900 PCS frequency and Verizon is utilizing at 800 MHz cellular frequency, which generally speaking should give better coverage. By the way, Verizon also has a 1900 coverage level, which they're also going to be bringing into the (inaudible) but these plots are going to be at the most advantageous to them which cellular frequencies. And in your packet is a summary of the analysis, under exhibit A2. And it just lists the locations, the lats and longs [latitudes and longitudes], the elevation that it was run at. And at the second table it indicates the height. And what we did was we prepared the height that Omnipoint would need and the height that Verizon would need, and really picked the height and added 3 feet, that would be the height of the pole. In some cases we went back to them and said would really take this site. And some cases they said yes, in some cases they said no. We got different answers from different carriers. The summary we presented in the...for Verizon. For example, the candidate for Fairport/Glenmont, that would have to be a 170 foot tower to make an equivalent coverage area. And Green Chimneys, a 250 foot tower. So as you get farther south, you're further blocked by the different hills, you really can't see the lake as well. Anyways, there were four...actually three sites there, that we thought would essentially work. That was Fairport, Green Chimneys that was a much higher height, and the hilltop north of the VFW which would be probably be an unlikely candidate anyway because there was more residences surrounding there. And we also note another problem with enough lighting required for those sites. In general, we gave them about an airport analysis. The rule of thumb is if it's 200 feet and over, it's required to be lit. If it's under that, unless it's near an airport or a wide path, it does not need to be lit. We also have had in there which was the type of tower that it would be. So again, generally speaking, if it's up to 200 feet, you can utilize a monopole. If it's over 200 feet, you would have to go to a lattice tower type of structure. And the monopole that had been mentioned would be anything that's over 150 feet, we would have to have a standard array, and there are certainly options. They will still be painted brown. There will be low profile antenna mounts, but for the most part it would be more of a standard structure as opposed to a concealed site. And that's really the summary of the analysis.

Mr. Alexander stated there is one other issue that I wanted to address which is your Board received a letter from the County Legislature today.

Board Member Bodor stated I'd like to read that letter into the record at this time if you're going to address it.

Mr. Alexander stated sure.

Board Member Bodor stated okay. This is a letter to the Patterson Zoning Board of Appeals dated February 25, 2008.

Board Member Bodor stated read the following letter:

To whom it may concern:

Several concerned residents who are members of the Putnam Lake Community Council contacted Legislator Conklin regarding the proposed installation of a Cell Phone Tower on the Beach of Putnam Lake. The residents felt the placement of the tower would not only be unsightly but also limit the use of the beach and ultimately adversely effect property values. These residents asked legislator Conklin to contact the County Executive and members of the Legislature to determine if the County could provide an alternate site for the placement for the Cell Tower.

Legislator Conklin met with County Executive and with the Director of Real Property Tax Services, George Michaud. The County suggested a site off of Haviland Hollow Road that Sprint had originally expressed an interest in for a Cell Tower back in December 7, 2001, Tax Map # 15.-1-37. Although Sprint chose to consider another location, this property is elevated and would provide excellent Cell coverage for the entire Putnam Lake area.

Legislator Conklin and several residents made an informal request to the Physical Services Committee of the Putnam County Legislature on February 19, 2008, about making the Haviland Hollow site an alternate site for the Cell Tower Application.

Although no specific proposal has been made to the County, the members of the Legislature present expressed an initial support in concept. The terms of any Lease would still have to be agreed upon and any Legal impediments investigated and resolved.

Sincerely,  
Vincent Tamagna, Chairman of Physical Services and Robert J. Bondi, County Executive.

Board Member Bodor stated this is a letter that we did...

(Audience applause)

Board Member Bodor stated that we did receive, and I believe that the Applicant's would like to address this letter at this time.

Mr. Alexander stated I would. I think the end, the last sentence, involved with letter is probably the most salient aspect of it, where it says the terms of any lease would still have to be agreed upon. And here's the real key, any legal impediments investigated and resolved. Back in January in 2002, when Sprint was seeking a use variance and a height variance for a wireless facility at the Roman Catholic Church at Sacred Heart on Haviland Drive, a question came up as to exactly the piece of property, tax map number 15.-1-3. And on the evening of January 16, 2002, the Zoning Board of Appeals was provided a copy of the deed by Council for Sprint at that time, which was Dan Leary who is my partner. And what that deed was, it was a deed from Robert Segal, Judith Segal, Emily Segal from West Orange, New Jersey to the County of Putnam for the tax maps lots 15.-1-5, 15.-1-6, and 15.-1-37. 15.-1-37 being the lot that was referenced in the letter, and basically it's the deed is given to the County, but the County can only use it in its natural state. There's a deed restriction that prevents a commercial use like this on the that property.

**Audience stated** (inaudible – too distant).

Chairman Buzzutto stated alright, hold on.

Mr. Alexander stated this was brought up 6 years ago in the letter, that was also provided a copy of that.

You're not going to be able to use that piece of property without obviating that deed restriction. I don't know where the Segal's are. I don't think anyone knows where the Segal's are. That's not a viable...

**Audience member stated** (inaudible – too distant).

Mr. Alexander stated that's not a viable alternative. It's not commercially available and it's completely encumbered. My client should not be asked to pursue a situation that is just like when we went to the Court of Appeals within the town of Pound Ridge, where Verizon put a tower on a piece of property, and then a restrictive covenant was enforced by the buyer, and they were told to take the tower down. I think someone in view of that would have to ensure my client that the ever pursued and built a facility on that, I don't think that's a viable alternative and that's why I think the letter talks about the legal impediments. That is one of the...In my opinion, is a nonstarter to having any kind of chance or opportunity. So, I wanted to bring that to everyone's attention. I think it's a little bit of a red herring on a piece of property. I don't think that it has any really leg or any opportunity to move forward. I think also what you've seen in the analysis that was provided, you extrapolate from John Arthur's presentation is you're talking about a substantially higher height at Brimstone [Road]. I think my recollection of the materials...and actually let me take a second here. You're talking about a tower that's extrapolating that's going to have to be well over 190 feet tall to be in that area. If you look at the plots, if you look at all the sites essentially once you get north of the lake, in the materials you were provided, have to be over 190 feet tall heading towards 240 feet. So I think given the encumbrance we have, it would have to be somehow lifted, and the fact that technologically it's not going to work, I don't think it's something that's a viable alternative for them to have to chase. You told us that maybe there was something sort of southerly of the lake, that may be a little different. It's not that...And I think that it's important for the public and the Board to take into consideration here, the Applicant here has not shied away from providing substantial additional information in order to help start making your decision. We're willing to chase down and chat ideas and thoughts. If they're available, like I said before, we looked at, you know, eight different sites and gave you our analysis without even (inaudible) those sites even. I just want your input, want alternatives that are viable, put on the table and we're willing to chase those down. But I think if they're somewhat of a red herring or they clearly have major hair on them, proverbially, I don't think it's fair to sort of chase phantoms here.

Chairman Buzzutto stated I'd like to ask the attorney if the Legislator of the County has the authority to overturn a stipulation like that.

Anthony Molé stated if it's a...I'm not going to get into all the legalities of it. If it's a private deed restriction...

**Audience stated** speak up.

Anthony Molé stated I'm not going to get into the legalities of that because I don't have all the paperwork in front of me, but typically the County Legislature would not have the authority to overturn a prior deed restriction. But I haven't seen any of the paperwork. I would have to take a look at it and have to speak with the Department of Law as well.

**Audience member stated** (inaudible – too distant).

Chairman Buzzutto stated so it's still pending whether it could be overturned or not.

Anthony Molé stated I don't know. I don't think any of us know. I can speak to the Department of Law about it and see what information they have.

Chairman Buzzutto stated alright.

Mr. Alexander stated I think also you possibly need a (inaudible) from New York State Legislature to be given as open space. So it wouldn't be just an issue with the County, I believe you would probably...Honestly, you know, if you're interested in pursuing this, I just want to put on the table for your attorney to look as I think you need a (inaudible) message with a whole legislature giving authority to essentially allow a wireless facility in a dedicated parkland. And last time I tried to do that the County requirements (inaudible – feedback from microphone). They're requirements...the County's requirements (inaudible – feedback from microphone).where essentially you need to find new open space to purchase and dedicate in sort of like the old standard of wetlands dedication; you disturb an acre of wetlands, you need to build 1.1 acres of a new wetlands. So they're not giving those messages for leases. So really, based on my experiences, it's really a nonstarter. But obviously, you have, you know, your attorney who can review (inaudible – too many talking).

Chairman Buzzutto stated well, we could pursue...

Mr. Alexander stated and also kind of have questions as to the fact that for three years I tried to get a lease in the town of...in the Mahopac area to lease the BOCES building from the County, and I had several different carriers and ran around for three years trying to get the same people whose names are now saying they're wanting to move forward. And it's just...Obviously you're left to where you want to explore, but I just want to put it on the table that I don't hold out a lot of hope giving restrictive covenant the buyer tends to lease County property for wireless facilities.

Chairman Buzzutto stated well it's going to be pursued. I want the attorney to pursue it because I want to give all angles...I don't want to leave nothing unturned before we make a decision on (inaudible – clapping).

(Audience applause)

Chairman Buzzutto stated I also want to say that with Omnipoint back in 2001 I believe it was, they said at that time...

**Audience member stated** louder please.

Chairman Buzzutto stated at that time there was an ideal spot on White Hawk Trail. They praised that site; they gave everything almost into a resolution. They said there was no other site in Patterson at that time that would give the coverage that White Hawk Trail would give. And that was Omnipoint then. Now why have they changed their opinion of White Hawk Trail.

Mr. Alexander stated I don't think that's what they were saying about White Hawk Trail. They were saying that it was a substantially higher height. We did not say it didn't work. The materials you were provided said it worked. I'm just looking up in the table right now, it said it worked, I believe, at two hundred and...

Chairman Buzzutto stated 30 feet.

Mr. Alexander stated right.

Chairman Buzzutto stated yeah.

Mr. Alexander stated do you want it to blink red all day, all night. It will during the day.

(Audience applause).

Chairman Buzzutto stated (inaudible – clapping).

Mr. Alexander stated I can't even hear you Chairman.

Chairman Buzzutto stated the blend of the tower in the backdrop of the mountain you won't even see it because it's on the other side and the mountain's higher than the tower.

(Audience applause).

Mr. Alexander stated now is that County parkland as well.

Chairman Buzzutto stated no. That's not County...

Mr. Alexander stated that's not the preserve by the Merritt Park.

Chairman Buzzutto stated that belongs to PARC I believe. The horse stable up there. But that's how you test...that's what...

Mr. Alexander stated this is part of the dialogue that we need to have. I appreciate it. I'm not trying to fight with you. I'm trying to get a sense of what it is that...

Chairman Buzzutto stated but if it's such an ideal park then, why is it not a...

Mr. Alexander stated no one said Chairman, to make the record eminently clear, no one has said that it doesn't work. What we've say is that it works at essentially twice the height having to be lit at half-height and at the top.

Board Member Posner stated actually, I'm looking at Exhibit A2, and number 4, Range at White Hawk Trail says site is not acceptable.

Mr. Alexander stated no, that's not what we're saying. And that's not what the plots say.

Board Member Posner stated no, I'm reading it.

(Audience applause).

Mr. Alexander stated I think you're looking at Verizon's plot, not Omnipoint's plot.

Board Member Posner stated okay.

Mr. Alexander stated if you look at Omnipoint's plot...

Board Member Posner stated what exhibit is that.

Mr. Alexander stated that's what looking for right now myself. That's Exhibit H. We're saying it works at 227 feet. You can get to the separate issue, the fact that our second tenant doesn't like it. It doesn't feel

that we meet its design standard. But, you Chairman, you were talking about Omnipoint so I'm staying just on the Omnipoint issue right now.

Board Member Posner stated okay.

Chairman Buzzutto stated but that was then. Now why is it that a different...

Mr. Alexander stated again Chairman...

Chairman Buzzutto stated it's 130 feet up to there...

Mr. Alexander stated Chairman I'm telling you at 227 feet it works. At 227 feet it works.

Chairman Buzzutto stated right. 220 feet up there is not going to make much difference because it is all wooded area, it's all blocked in, it's all...

(Audience applause).

**Audience stated** (inaudible – too distant).

Mr. Alexander stated (inaudible) the Board prefer alternatives that you would like us to see as commercially feasible and construction is within realm of reasonable costs. Correct.

Chairman Buzzutto stated right. Well, the thing is, another thing that I know is that all these sites, you said there before, you said they were not...you said they did an RF propagation...Is that the word.

Mr. Alexander stated right. Exhibit H shows that it works for us for one of our tenants at 227 feet. Now I got to find out if the property owner's willing to lease it...

Chairman Buzzutto stated right. But is that a driveby, or is that an actual analysis of radio equipment.

Mr. Alexander stated that is not a...I understand what mean. That is a theoretical analysis, computer modeling, that is used to qualify sites. That's is not an actual cherry picker at 227 feet. Obviously not possible.

Chairman Buzzutto stated alright. I think that the site on the County property will have to be pursued. Find out no other...

Mr. Alexander stated I mean, obviously...

(Audience applause).

Mr. Alexander stated now Chairman, just to fair out a few more ideas, this is exactly what we've been looking to have happen, is to get a sense of where it works. And I'm very...

**Audience member stated** (inaudible – too distant).

Chairman Buzzutto stated let's not be rude here.

Mr. Alexander stated like I said, I just want to put on the record I'm very dubious that you're ever going to

get to a lease and go with that County property. But I'll leave that to your town...

Chairman Buzzutto stated we don't know that at this time.

Mr. Alexander stated that's fine.

Chairman Buzzutto stated okay.

Mr. Alexander stated now the other thing is that I'm sort of not understanding as we're going forward is you're not grabbing on to the lowest site.

**Audience stated** (inaudible – too many talking and too distant).

Chairman Buzzutto stated hold it. That stuff never gets recorded when talk like that or cross like that. Everything that we say here tonight has got to go into the minutes. And if you talk like that then it does not go into the minutes. So please refrain from crosstalk. Thank you.

Mr. Alexander stated what I was saying Chairman is that what I'm interested in noticing is that the most alternative site is not being grabbed, on Fairmont/Glenmont area; that commercial piece...that commercial area. Or that commercially feeling as opposed to commercially zoned part on the southend of the lake. I would think that would be one of the alternatives that you would be very interested in seeing us pursue considering it is at the low end and it is a monopole, not a lattice tower. And you know, it seems to me it works out sensibly a lot better than a 247 foot tall lattice tower that's lit. But obviously you've identified the two; the White Hawk Trail, which we can take a look at a little bit further and go back to our tenants about, and the County property. I would think that that's the third one we should through into the mix, unless someone disagrees.

Board Member Olenius stated just correct me if I'm wrong, your table shows the location with a with a tower height required of 170 feet. I thought Mr. Arthur just stated that nothing over 150 feet could remain concealed with concealed...

Mr. Alexander stated the antennas have to be outside at that height, correct.

Board Member Olenius stated they would. Okay.

Mr. Alexander stated yes.

Board Member Olenius stated that's what I think we're trying to avoid, is a...Because...

Mr. Alexander stated all the other tower heights that we're talking about, all the antennas are going to be outside.

Board Member Olenius stated and substantially away from residential properties, whereas this one's close.

(Audience applause).

Mr. Alexander stated contrary to I think what the public thinks, this is what we've been waiting for, is an opportunity to get feedback.

Chairman Buzzutto stated alright, can I ask another question about the tower that you put on the lake...on

the dam there. How much of Putnam Lake area is that going to cover.

Mr. Alexander stated I'm sorry. I don't understand the question.

Chairman Buzzutto stated where you put the tower on the dam, where... You are here tonight to propose.

Mr. Alexander stated oh, okay. Yes.

Chairman Buzzutto stated how much of Putnam Lake would that cover.

Mr. Alexander stated all it... What we've done is every single one of these candidates we've talked about at the heights we're talking about, all have comparable or substantially comparable coverage footprints. So they're all going to essentially serve the same people, and that was the first plot that you received. And they all were basically the same amount. Basically you're looking at, from an Omnipoint perspective, a large part of the lake in both areas, meaning both states. You have a plot; that's Exhibit M.

Chairman Buzzutto stated what about the schematic drawing, or the map, which shows that most of the coverage is just in the shoreline of the lake.

Mr. Alexander stated no. I don't think you're looking at the right document at all then.

Chairman Buzzutto stated it doesn't show nothing when you get up on the hill of...

Mr. Alexander stated that's pretty much a lot more than the lake. The lake's the smallest part in the middle, it's white.

Chairman Buzzutto stated well if you go along Haviland Drive, you've got a good sized hill there, up on... what is it, Empire Road, all along there. We can't get over the hill there, what about way over on the other side.

Mr. Alexander stated we're showing coverage all the way up to Brimstone [Road]. The blue and the yellow is the coverage from the site at 121 feet for Omnipoint. It's the foldout. It's the only plot that's 11" x 17" I think. Or it's the first plot that's 11" x 17".

Chairman Buzzutto stated another question I wanted to ask you, on one of the plots there, it shows search rings. What do they represent.

Mr. Alexander stated you do not have a search ring in these materials at all.

Chairman Buzzutto stated I thought I seen a search ring sign that...

Mr. Alexander stated no. Those are the radiofrequency propagation maps. Those are the actual computer model aid studies of what service you would get at the different alternative. What I'm saying here is all the maps provide essentially comparable service. Is it identical in all directions, no. But it's essentially comparable from a design standard standpoint. The radiofrequency engineers are satisfied that at these different heights it would meet the design objectives across the board. But that's why... that would be giving you a footprint of 130 feet from all these locations and it being of varying sizes. We decided to do it the other way; give you the height that gives you the same size footprint of coverage essentially. So that's why the heights are ranging the way they do.

Chairman Buzzutto stated okay. One other question I want to...How close to the lake are you moving this back, or are you just cutting the size of the building.

Mr. Alexander stated we're cutting the size of the building.

Chairman Buzzutto stated cutting the size of the building. Well, if you get more carriers on there, where are they going to put their equipment.

Mr. Alexander stated right now there would be room for...

(Audience applause).

Mr. Alexander stated probably four carriers for sure, and then we would have to work through that issue at the time that they showed up.

(Audience laughter).

Mr. Alexander stated but that's alright to modify that for today. If we came back tomorrow and that was denied, that's a separate application. That's nothing special about that.

Chairman Buzzutto stated yeah, but they have to put an extra shed or something in there, then that's going to go into the variance...

Mr. Alexander stated at that future time, if it occur. When it occur, if it occurs.

Chairman Buzzutto stated well, it will occur to allow four or five more carriers on there.

Mr. Alexander stated no. They would have to come back for that at that time.

Chairman Buzzutto stated yeah, but they would need a variance on that.

Mr. Alexander stated yes they would.

Chairman Buzzutto stated and it could be denied.

Mr. Alexander stated that is possible. That doesn't diminish the change in our application.

Chairman Buzzutto stated okay.

Mr. Alexander stated can we get back to that Fairpoint...Fairmont Road candidate at 167 [feet]. Would you like more information about that site. It sounds like it would be a good one.

Board Member Posner stated yes.

Chairman Buzzutto stated I want information on all the sites if I can get that into the record.

Mr. Alexander stated oh no. We're not going after all of them.

(Audience applause).

Mr. Alexander stated that's not reasonable. I don't think that's even within the realm of fairness.

Chairman Buzzutto stated alright. Then whatever you can give us, you know.

Mr. Alexander stated I think that, you know, you identified two that you thought...this isn't sort of a (inaudible) view. What we need to have is a situation of what's available. We'll go out after White Hawk Trail. You're going to go after the County getting a memo...

Chairman Buzzutto stated (inaudible – too many talking) County.

Mr. Alexander stated from your town attorney as to whether...or the Law Department of the County; however you choose to proceed about that issue. And what I'm sort of asking you is definitively is...White Hawk Trail is going to be a lattice. The County property will be a lattice tower. I'm suggesting that you look at the lowest height monopole, that alternative. And basically, I saw at least one of the board members sort of say that would be a good idea. I just want to make sure that there is some consensus on the Board that you would like some more information about that.

Board Member Bodor stated you have Fairport Road on...

Board Member Posner stated yeah.

Board Member Bodor stated right in the middle of a residential area.

Mr. Alexander stated I know tongue and cheek the whole area is zoned residential.

Board Member Bodor stated yes, so it's not...

(Audience applause).

Board Bodor stated so it's not out on undeveloped land. It is right in the middle of several...

Mr. Alexander stated it is...

Board Member Bodor stated residential.

Mr. Alexander stated basically southwesterly towards Green Chimneys.

Board Member Bodor stated southwesterly towards Green Chimneys.

Mr. Alexander stated southeasterly, I'm sorry. Southeasterly.

Board Member Bodor stated southeast.

Mr. Alexander stated it's basically almost due south of the existing candidate.

**Audience member stated** (inaudible – too distant).

Chairman Buzzutto stated alright, hold it down.

Board Bodor stated okay, thank you.

Chairman Buzzutto stated hold it down.

Board Member Bodor stated alright, I know where it is.

Chairman Buzzutto stated alright, well what (inaudible).

Mr. Alexander stated White Hawk Trail is...I'm suggesting the County, and the third one that I'm suggesting and now trying to get a sense of where (inaudible) I guess it's behind Nick's.

Board Member Posner stated yeah, on Fairport too. Let's get some information on Fairport.

**Audience member stated** (inaudible – too distant).

Chairman Buzzutto stated hold it. Hold it down.

Board Member Bodor stated the coverage that would be given from the Fairport site is very, very similar to the proposed site.

Mr. Alexander stated I mean, that's what I was saying before to the Chairman. All the coverage that you're being shown is...

Board Member Bodor stated well, this one in particular is.

Mr. Alexander stated yes.

Board Member Bodor stated because they...

Mr. Alexander stated it's probably most similar...

Board Member Bodor stated (inaudible – too many talking).

Mr. Alexander stated it's the most similar. Essentially what you're doing, you're moving it back from the lake, and you're using the cove, for a lack of a better word, shape of the lake, to shield it from a much larger percentage than would be proposed from the existing candidate. But you're basically tucking it back towards Connecticut, and it's your only chance amongst the alternatives to actually have a monopole as opposed to the others which would be for a lattice tower and lighted.

Board Member Bodor stated you know, you keep mentioning lighting as a negative factor. I will tell you I personally live within sight of the tower in Pawling with its light going, and I don't even see it.

(Audience applause)

Mr. Alexander stated again, this is why we want to have a dialogue. Our experience is we're doing this work in the entire state of Connecticut, in Albany, and Manhattan. Our experience is that lighting is a deal...is a nonstarter.

Board Member Bodor stated if something is flashing out there, if you want to look at it you look at it. But if you... You know, it's just there and...

Mr. Alexander stated like I said, we're informed by our prior experience, and each community has its own...Sorry Sarah [referring to the feedback from the microphone]. Each community has its own sense of aesthetics, and to a certain extent we're willing to adapt to those once we understand them, and that's fine. I think at this point, I just want to check with my client, but I think we're ready to probably just adjourn for the evening and go get this additional information.

Board Member Bodor stated no, we're not going to adjourn...

Chairman Buzzutto stated we're not going to adjourn.

Board Member Bodor stated because we have a lot of people here who want to have their say as well.

(Audience applause).

Board Member Bodor stated does anyone else on the Board have any input right now. No.

Chairman Buzzutto stated alright. We're going to take the letters now. Mary will call the names. You've got more to say on this. Okay.

Mr. Alexander stated we're done for the night. Thank you.

Chairman Buzzutto stated okay.

Board Member Bodor stated alright, we appreciate everyone coming out in this weather. Thank you so much for being here and for sharing with us your thoughts. If you did sign-up, we are going to be as the same as last meeting; you're going to be allowed three minutes to speak. We have a stopwatch. Lars will let us know when the three minutes are up. Please be courteous to each other, to everyone that's speaking. As Buzzy has mentioned before, everything has to be on the record, and when you look at the minutes, Sarah does a great job, but there are so many inaudibles because there's too much noise. And that's not giving us the full record the way it should be. It just shows what all the...when there is a lot of noise it's not a good record because you can't record it. Okay. Please when you get called, come up to the front, state your name, your address and speak into the microphone. Buzzy, could you fix that microphone so it's closer to the stand there. Move the stand up I think. Thank you. Okay, the first speaker us Scott Porter. And if you changed your mind, let us know and we'll just pass you over.

**Scott Porter stated** Scott Porter. 137 Slater Road and Patterson. Just a couple of points. At the last meeting, I believe the attorney was stating that these cell towers were necessary in order for them to get coverage etcetera, etcetera. I feel...I believe that what is necessary is really up to the residents and not to the cell phone companies.

(Audience applause)

**Scott Porter stated** what's necessary for you is not necessarily necessary for me or others. And I just wanted to go into the Telecommunications Act of 1996 that was authored by the telecommunication companies. And they claim that cell towers...It was written in there that they cannot be denied due to health reasons. I just have a couple of really rhetorical questions regarding that particular verbiage. If that's in there, then what was the purpose of that statement. Is telecommunication companies have something to hide. What do they know that we don't. You know, to me it borders on fraud because to me it's a misrepresentation of a material fact. They put that in there as a scapegoat and as a stop (inaudible) and...To me it's really not very clear and that was kind of done under the table. It's true that this cell tower

could be placed elsewhere. Obviously that was part of the dialogue this evening. But we must keep asking ourselves...or reminding ourselves that this variance, or variances, are asking for in residential area. The aesthetics are why we're here. We don't want to see a decline in our property values any further than they are today. So I'm reminding the Board that it is in a residential area and that I'm going to lead this segway into...I was one of the few people who have fought the...who was against the cell tower at Sacred Heart Church. They had to be no more than a dozen of us. And the Board declined, obviously, that Sprint request because it is in a residential area as one reason along with many, many others. Others were that it could be placed it someplace else. They didn't want to incur the cost of doing that, it's up to the cell towers themselves. Last but not least you did set a precedent when you declined that variance for Sprint, back in....Six years ago.

(Audience applause).

**Scott Porter stated** the night the Board made the decision to decline that request, I was there because I was there at every Zoning Board meeting because I was so set against cell towers. I employ you once again, decline the request. After all, it remains up to you. You had justifiable reasons then as you do today, if not today more so. Please take the courage and logic and the reasoning to say no to this tower.

(Audience applause).

**Scott Porter stated** thank you very much.

Chairman Buzzutto stated thank you.

(Audience applause).

Board Member Bodor stated Dede Lifgren.

(Audience applause).

**Dede Lifgren stated** Dede Lifren. L-I-F-G-R-E-N. I'm at 19 Palmyra Road. I have two questions for Wireless Edge. One, isn't there a new FCC ruling that says there must be generators at cell towers because after Katrina hurricane to avoid any blackouts, communication blackouts, in an emergency. And number two, I guess I don't understand if this site on mountain is 750 feet high, why would we need an additional 190 foot tower.

(Audience applause).

**Dede Lifgren stated** one reason to deny a variance is to prove that it cause an undesirable change in neighborhood character or to nearby properties. Because this is almost 3000 square feet, and would be larger than most homes in Putnam Lake, considering it is less than 100 feet from the water and clearly be visible to hundreds of properties around the lake, that it will attached to the boathouse by a surrounding fence giving the appearance it is even larger from a distance, and the fact that the tower would stand at a height of a 13-story building, this complex will now be the biggest, highest, and most visible structure on the lake and the only industrial complex in the landscape. I would say without hesitation that that change to the neighborhood and lake would permanently alter in a negative way.

(Audience applause).

**Dede Lifgren stated** denying what is now a beautiful view and making it into an ugly one is clearly visual

pollution. A lakefront view is ultimate in positive amenities. We should expect that zoning ordinances that already exist, to protect us from this kind of eyesore. How can Wireless Edge plainly claim that it would not affect views for Putnam Lake homes when they didn't even take one picture from any yard of any residence.

(Audience applause).

**Dede Lifgren stated** why would the lowest spot in the valley be most appropriate for a cell tower when we are completely surrounded by mountains. Ultimately as stated in the Telecommunications Act of 1996, cellular companies are required to find the least intrusive alternative.

(Audience applause).

**Dede Lifgren stated** for those for the Brimstone Mountain location, it is far less obtrusive, less visible, away from nearby homes, and because it's between two higher elevations, only the top of the tower would be seen with woods as a backdrop. The 750 foot high elevation would be better suited for a tower, covering a bigger geographical area than the lowest spot at the spillway and making it better for signal coverage. With the approved tower going up at Maldunn Associates at [Route] 22, more coverage is going to be available to the southwest part of Putnam Lake anyway. Since Wireless Edge has stated that Haviland Hollow corridor would not be covered even with a cell tower on the lake, I would think that the Brimstone location would be better service for every location in the area. In conclusion, having this County location or perhaps the White Hawk Trail site, now makes available even...it makes it even more apparent that placing the cell tower on the shores of Putnam Lake is not only very wrong but totally unnecessary.

(Audience applause).

**Dede Lifgren stated** I have a map here of Putnam Lake and where the alternative is. [Held up an aerial photograph of Putnam Lake] Putnam Lake, and the alternative site is way up here in the mountain, away from the residents.

(Audience applause).

**Dede Lifgren stated** I also have a few hundred letters requesting that the Zoning Board please consider an alternative site to Putnam Lake. Thank you.

(Audience applause).

Board Member Bodor stated Dale Paegelow.

Chairman Buzzutto stated if you're going to talk about stuff that's already been said so many times, just, you know, if you cut down a little bit I would appreciate it...or the Board would appreciate it.

**Dale Paegelow stated** thank you.

Chairman Buzzutto stated thank you.

**Dale Paegelow stated** my name is Dale Paegelow. I live at 12 Interlaken Road. While I do approve of the concept of wireless telecommunications in our community, I do not approve of this particular tower, this ugly building, in this particular place. I just believe it's wrong. I believe this is a matter...out of place architecturally in scale, and it will have a negative effect on our community overall. I'm an architect, a

master planner, a teacher. I further believe that a smaller main tower in a different location perhaps, on a higher hill, with even smaller and less obtrusive beater towers, is far more appropriate for this type of community. Wireless communication is appropriate for this age and our community. We already have it in use in our town. It's use is not being debated by me anyway, only the scale and location of the tower and the ugly buildings proposed. The Town of Patterson, as far as I know, currently has about 13,000 residents. Putnam Lake has about 3,000 of those residents, and the PLCC, who stands to benefit from this, is about 320 members. The PLCC therefore, in my math, has about...represents about 23% of the community in Putnam Lake. The PLCC represents legally zero percent of the remaining 10,000 residents in the Town of Patterson. The PLCC presumably maintains the right to tend the land areas surrounding the lake. It does not own the water in the lake; I understand that the State does. It does not own the land under the lake; I understand that the Town of Patterson does. The Town of Patterson, Patterson taxes having been raising for the past several years until now, and I hope it's until now only. Based among other things, the County increased real estate value in the community. Well, rising real estate values are over. But the mortgage wide national crisis, home values have plummeted. While I personally have not seen any figures for the Putnam Lake area, I should not be shocked to see the value of the real estate here 20%, 30% off what it was two years ago. So how does the PLCC have anything to do with this tower in the Town of Patterson. Well, I believe this is a matter of basic criteria that the ZBA must use to judge an application before it, known as welfare. Quite literally, this issue could have a negative affect of not just a few homes but our whole community, and that qualifies as a welfare issue to me. When one project can potentially negatively affect a whole community, then the ZBA must evaluate the proposal with this in mind. Property values certainly qualify in this case.

(Audience applause).

Board Member Olenius stated sorry sir, that's time.

**Dale Paegelow stated** the PLCC may have a negative impact on real estate value of the whole town if this proposal is allowed to go ahead in present form. Putnam Lake is taxed as a part of the whole Town of Patterson. And if this communication tower does cause the Putnam Lake property value to fall in value, so does the value of the whole town will follow. We are after all...

(Audience applause).

**Dale Paegelow stated** taxed as a whole town. What we could have happening is a misguided group of about 320 individuals....

Board Member Bodor stated excuse me.

**Dale Paegelow stated** influencing...

Board Member Olenius stated sir, you're well over time. I'm sorry.

Board Member Bodor stated give the mic up.

**Dale Paegelow stated** influencing in a negative way 12,000 others. This is just wrong.

(Audience applause).

**Dale Paegelow stated** please reject this proposal...

Board Member Bodor stated sir, excuse us, but your time is well over.

**Dale Paegelow stated** thank you.

Board Member Bodor stated please sit down.

(Audience applause).

Board Member Bodor stated Paul Daria.

(Audience applause).

**Paul Daria stated** my name is Paul Daria. I'm from 3 Palmyra Road, Brewster, New York. I haven't gotten prepared speeches like all the others. I was making it up as we were going along and hearing what was going on here. And I think one of the things as you talked about the White Hawk Trail being a dedicated parkland. Well, what do you think Putnam Lake is.

(Audience applause).

**Paul Daria stated** number one. Number two, you're talking about the height. The height is only an expense for the cell tower.

(Audience applause).

**Paul Daria stated** you talk about lights. We happen to have a place on an island down in Florida, and every high building which is 15 to 20 feet high...20 stories high, has a red light on them, and they're blinking. And it goes up and down the whole coast. So, red lights are not to be shunned upon. But I think they're really something that is for the airforce and for any danger, anybody coming close to it. You also stated that within 200 feet, there were no houses. If you said 220 [feet] maybe. There would have been at least one house. If you went 500 feet...

**Audience member stated** my house.

**Paul Daria stated** you probably would have somewhere in the neighborhood of 20 houses. And if you went 1,000 feet, you'd be close to 40 houses. No that is all part of the EMF area, which is 1,000 feet from the tower. And you said it had 1.2% of the guidelines. Well, the EMF, if it's anything over .5, is detrimental, and there are reports that go back to 1992...

(Audience applause).

**Paul Daria stated** to 1997 that says irrevocably when all tests were done, there were definitely chances of cancer, of leukemia in adults as well as infants. And this is, we know, this is going to be above that. And the fifth thing that I wanted to bring up was about the fish in the water. How do we know what the effect of that's going to be. In other words...

(Audience applause).

**Paul Daria stated** the water...We're on the water and every time we go there, we're going to have problems...possibility. And of the fish, how do we know what their breeding habits are. The reason I say that, the road running from in Putnam Lake was held up for 7 years because of a mud turtle possibly having

the ground their nesting place. As a result, six people died over those 7 years. So those are the six items that I wanted to bring up tonight. Thank you.

Chairman Buzzutto stated thank you.

(Audience applause).

Board Member Bodor stated Joe Perrone.

(Audience applause).

**Joe Perrone stated** Joe Perrone. I live at 4 Brandon Road, Putnam Lake. I just wanted to mention one thing about the environmental effect...assessment that was submitted. I looked at it, and I agreed, you're right, about the amount emissions. One thing they continue to leave out of this report, and that is the actual exposure limit in time. I mentioned this to you the last time I stood before you.

(Audience applause).

**Joe Perrone stated** it's still not in there. But I would just like to make a quick statement, and then I'll leave the podium to the rest of you. While we appreciate these advances in modern technology and we are quick to purchase all the new gadgets to make our job easier, we should never be too quick to surrender one of our primary reasons why we live in this community. We live here for the opportunity to raise our children in a safe and natural environment. We all have a responsibility to maintain that environment because it is part of the quality of our lives. If the cell tower is erected, it will affect the social integrity and character of the area in which we live. It will affect property value, it will affect our health and our children's health, as well as the wellbeing of the wildlife that surrounds us. The proposed cell tower and antenna will be within 1,500 feet of a daycare center. And that's an international recognized precautionary standard distance. And although the process of deciding biological health risks from RF emissions is still being mediated, the federal government and the FCC have established limitations and precautionary guidelines for exposure. This alone requires us to move forward in the most prudent manner, with much more open land available in our area, I feel the cell tower should be located away from the shores of any lake community.

(Audience applause).

**Joe Perrone stated** I would ask the Zoning Board to consider the effect this tower would have on the Putnam Lake community at large. It has already created a division that will only increase if the variances are approved. The construction of this tower will probably do more to divide the Putnam Lake community than bring it closer together. The Patterson Zoning Board holds the responsibility to maintain our quality of life and protect our property values. I cannot see how allowing these variances for the cell tower construction will uphold those responsibilities. Therefore...

(Audience applause).

**Joe Perrone stated** therefore, I do not support the granting of the variances requested by Wireless Edge Westchester Group, LLC.

(Audience applause)

Board Member Bodor stated Elka Perrone.

**Elka Perrone stated** hi, good evening. My name is Elka Perrone, and I live on 4 Brandon Road. I would like to just bring up a couple of points. This is with reference to Wireless Edge letter dated February 19<sup>th</sup>. I have a question with reference to the generator; what will be used for backup if we're not going to use gas.

Chairman Buzzutto stated well, we can ask that after.

**Elka Perrone stated** okay. And also, the Applicant states that no wetlands are found on the proposed site. I would like to show the Zoning Board and everybody the area map for this. We are in fact in a wetland. This whole area of Patterson is in a wetland [referring to a map that she brought]. It is in a watershed. And as we all know, this is a protected area. The Great Swamp, as a matter of fact, does have the bog turtle, which is on the endangered species list, for one. With reference to the Applicant stating that there are no beach facilities at the site location; it is a well known fact that Fairfield Beach is less than 100 feet away from the proposed cell tower location.

(Audience applause).

**Elka Perrone stated** the Applicant further states that wooded areas would not be disturbed, when in fact the tower will be in the migratory bird flyaway. Or in the swamp area and there are many birds that travel.

(Audience applause)

**Elka Perrone stated** we all see them on the lake. So it will affect their migration. With reference to the facility to the Applicants stating that the facility would have no impact on the water quality, I would like to respectfully disagree to say that it would in fact impact the quality of the lake by approximately additional 3% from the excess stormwater runoff. Now this is also with reference to the range rings for the proposed site. The Applicant states that no residential structures are located within 200 feet of the proposed tower, when in fact the nearest homes are within 150 feet distance from the location.

**Audience member stated** that's right.

(Audience applause).

**Elka Perrone stated** again, there is a daycare center with many children in the nearby area, and they will be affected. The cell tower is inappropriate for a residential area. It belongs in an industrial facility. It is not in high need with our community's general plan for development. We would like to request proof of liability from the Applicant to cover negative impacts of the tower antenna...

(Audience applause).

**Elka Perrone stated** for the property devaluation and potential future of health impacts.

(Audience applause).

Board Member Olenius stated your time is up ma'am. Sorry.

**Elka Perrone stated** oh, okay. I had one more sentence. Thank you.

(Audience applause).

Board Member Bodor stated Lisa DiFabbio.

**Lisa DiFabbio stated** my name is Lisa DiFabbio. I live at 28 Manchester Road in Patterson. I would like to talk to you not only as a member of Putnam Lake community, but also as a mother of young children in the community. My husband and I moved to the area a little over 6 years ago, just prior to our role parents. We chose this community for its amazing schools, beautiful scenery, and open spaces, but mostly to distance ourselves from an environment of human hazards that exist in lower Westchester. Therefore, you can imagine our dismay when we were made aware of the proposition of a cell tower being placed on Putnam Lake. I took it upon myself to seek out some information on safety of such towers being placed in residential areas, as I was concerned for my children's health. I'd like to share some of my findings with you. The basis for denying these towers is as follows: the towers use radiofrequency and electromagnetic radiation at levels that do not create thermal heating effects on living cells, and therefore have very few regulations set upon them. However many scientific experts in the field of RF studies believe that even non-thermal waves do in fact cause serious health affects. Possible health hazards that exist from exposure from these RF waves include, but are not limited to, an increase growth of brain cancer cells, breaks in DNA and RNA strands and genetic makeup, an increase in cases of childhood leukemia. And on more minor levels, decrease memory, attention and reaction time in students; or ADD, autism spectrum disorders. Increase blood pressure in healthy men, and reduced fertility and many, many other health risks. The fact that there have not been cellular tower specific studies to prove or disprove the radiofrequency electromagnetic waves emitted by such towers are hazardous, is inconsequential in light of the possible health risks. In an article by Blake Levitt I found more information of interest. She revealed that Motorola has been investigating the use of protective clothing for their cellular tower workers. My question is why would it be necessary if RF waves did not pose a threat to individual's safety.

(Audience applause).

**Lisa DiFabbio stated** Ms. Levitt also insightfully states, just because we can technologically accomplish something, doesn't mean we automatically should. As members of this community, we need to know the potential harm of the proposed tower could have on our health, and more importantly, our children's health; the future of our community. I leave you with one final question. Why do you want our families to be the guinea pigs of cellular tower safety.

(Audience applause).

Board Member Bodor stated Adrienne Kavelle.

(Audience applause).

**Adrienne Kavelle stated** Adrienne Kavelle. 23 Norfolk Road, Brewster, New York. With all due respect to the attorney and the representatives of the cell tower speculators, and their costs and agenda, we are not opposed to your building your tower, per say, only to building it on our lake. This is the third time that residents of Putnam Lake have come before the Zoning Board of Appeals. The first hearing saw very few in attendance because the majority of the people living in the lake area knew nothing of the PLCC's deal with the cell tower speculators. At the last open meeting, more than 200 attended, 700 signed a petition against the construction of a cell tower on Putnam Lake, and 38 voiced their objections, citing environmental concerns, aesthetics, health hazards, and lost property values. As for tonight, with all of its bad weather, look around. Ladies and gentlemen of the Zoning Board, the people have exercised their franchise and declared a mandate. We ask you to listen to and hear the voice of democracy in action. We ask you to weigh...

(Audience applause).

**Adrienne Kavelle stated** we ask you to weigh very carefully the tremendous variances required by the speculators, to desecrate our lake, against the needs, comfort and welfare of the citizens of Patterson. Thank you.

(Audience applause).

Board Member Bodor stated Mary Hanigan...or Herigan. Lives on Lakeshore Drive. Mary. No. I'll skip over her. Maybe she left. I don't know. Jason Lieberman.

(Audience applause).

**Jason Lieberman stated** Jason Lieberman. 23 Norfolk Road. The cell tower speculator...The cell tower speculators and their lawyer would have us believe that the federal government has encouraged them to put up their towers wherever they feel it is necessary. That is necessary for them to make a profit by providing what is still an auxiliary means...method of communication. They have tried to convince us that the FCC's telephone act requires us to stand aside. That federal law supersedes state law, which supersedes local law. They infer that if they can show what they claim as a demonstrated need for the proposal, demonstrated by them, that the local government must approve the application. This is not true.

(Audience applause).

**Jason Lieberman stated** section 332c(7a) of the Telecommunications Act as amended, specifically states, and I quote, nothing in this chapter shall limit or effect the authority of a state or local government, or instrumentality thereof, over decisions regarding the placement, construction, and modification of personal wireless service facilities. In short, the law preserves local zoning authority. There have been a number of court cases which have already established precedence that decisions must be applied under established principles of state and local law. There's also the fact that the act also refers to reasonable coverage., which does not include what the speculators may call necessary coverage.

(Audience applause).

**Jason Lieberman stated** we're sure the town attorneys have done their homework and advised the Board of this matter. However, we'd like to offer the Board documentation that points to the direction to more detailed information. We highlighted the appropriate sections. This is not an easy matter to adjudicate. It is wrapped up on knots of contradictory law and strings of inconclusive meanings. The final solution must be based on the welfare, safety and concern of the residents whom you serve.

(Audience applause).

**Jason Lieberman stated** you have the right, you have the power, you have the obligation to do so. Thank you.

(Audience applause).

Board Member Bodor stated John and Kathy Winward.

**Kathy Winward stated** our feelings have already been expressed.

Board Member Bodor stated thank you. Irene White. Is Irene here.

(Audience applause).

**Irene White stated** hello. I agree with everything that everybody's said so far, so I won't go into that. But there is one thing that I was wondering if the communication company might want to think about, the PLCC, which I am a member of...

Chairman Buzzutto stated you want to talk into the mic.

**Irene White stated** oh, I'm sorry. The PLCC, which I am a member of, made this deal. But it wasn't all the PLCC's members; we didn't vote on it.

(Audience applause).

**Irene White stated** so, and I think that the legality of anyone who signed any paperwork with you might be not legal because we own the property, on essence. Some members, not just two or three people from the PLC, but the members. So if we don't want it there, how does any one person have a right to make a contract with you. I'm owner of that property that you are talking about, since I've lived here. So I don't see the legality of you making a deal with just two or three people on the PLCC.

(Audience applause).

**Irene White stated** (inaudible – clapping).

Board Member Bodor stated Cynthia Danial.

**Cynthia Danial stated** my name is Cynthia Danial. D-A-N-I-A-L. 14 Palmyra Road. The main reasons why not to have a cell tower in Putnam Lake is for obviously the aesthetics; it will definitely affect our property value. Also to mention is the Wireless Edge application was initially denied for the wireless cell tower by New York City DEP, DEP...I'm not quite sure. But my husband is a professional engineer and contacted them. They are required to have 100 feet clearance from the shoreline. There is not enough room. Even with that diagram, they are (inaudible) be closer to the water. Putnam Lake code clearly states no cell tower. Please enforce the laws. Help us protect and conserve our way of life.

(Audience applause).

**Cynthia Danial stated** health risks are a serious concern to Putnam Lake residents, especially my husband and I, regardless what the FDA, FCC and all the other agencies stating it's safe. Keep in mind who submits the studies to the government agencies. The corporations are the ones seeking approval from the government.

(Audience applause).

**Cynthia Danial stated** also the consider the corporations pay millions in taxes to the government, so they are both reaping the benefits at our cost.

(Audience applause).

**Cynthia Danial stated** if the corporation wants to get an approval, basically they pay for their own testing,

submit it to the government for approval. It's clearly easy to see that they can manipulate the data, present it in a positive light, and since they are seeking the approval, it is clearly to see that the answer you get is all in the way you present it. Also consider all the cases and times when government stated it was considered safe. Until later they found that it was deadly, hazardous, etcetera. A few examples: drug companies, Vioxx, over the counter medications, more children medications, food that has been contaminated, nuclear energy, radiation, asbestos. Please let's avoid crying over spilt milk. Is it worth...

(Audience applause).

**Cynthia Danial stated** putting our whole community at harms way for something we do not need nor want.

(Audience applause).

**Cynthia Danial stated** safety concerns of the structure being so high. Concerned about the tower falling or damaged on our homes, children by bus stop, which is right across the street. It has happened numerous of times during major storms which I have copies of storm reports, references and other articles. It is built to withstand 85 mph winds. Remember Hurricane Katrina, New Orleans, Louisiana. The damn was built to withstand a hurricane 3, they received a hurricane 5. I attended last week a Putnam Lake Legislator meeting that was the letter that was presented. The property is located at Brimstone Mountain. It's owned by Putnam County. It was researched by Sprint, approved by Putnam County. So I truly believe that it is a viable alternate cell tower that they need to look into for the that it's in their best interest to minimize cost and maximize their profits. It should be considered.

(Audience applause).

**Cynthia Danial stated** please take this into consideration as you make your decision concerning the cell tower proposal. Putnam Lake residents have lake rights. We have a right to the decision that is being made to our lake that affects the entire community. If the majority of the residents does not want the cell tower, it is only right to deny the request for the variances. PLCC admitted it was a wrong decision at their last meeting on January 23<sup>rd</sup>. So mostly...

(Audience applause).

**Cynthia Danial stated** if not everyone does not want it, please help us protect the community to keep everyone together as a whole community and also from destroying the beauty of our lake. Thank you.

(Audience applause).

**Cynthia Danial stated** I also have copies about the presentation that I'm going to submit as well as my letter, and the articles and reports.

(Audience applause).

Board Member Bodor stated Shauna Tullman.

**Shauna Tullman stated** (inaudible – too distant).

Board Member Bodor stated we can't hear you.

Chairman Buzzutto stated you got to use the microphone.

**Shauna Tullman stated** Shauna Tullman. 60 Fairfield Drive, Patterson, New York. Everything is pretty much been said. I agree with everything that's been said. I wanted to thank you for considering the other spot.

(Audience applause).

Chairman Buzzutto stated thank you.

Board Member Bodor stated Roy Jaruk.

**Roy Jaruk stated** 6 Palisades Road, Patterson. Ladies and gentlemen, we've heard some discussion tonight about whether or not electromagnetic radiation has effects on the human body. I've spent 16 years of my life as a merchant marine officer, went all over the world. One of the places I went to was Panama Canal. It's a remarkable engineering construction, still as effective today as it was 100 years ago. But there has been one major change in the canals operation since the advance of electronics, which were not anticipated when it was built. When a ship enters the locks going up or down, the first thing they have to do is seal the radio transmitter, and seal your radars. You have to shut them down and keep them shut down, until you are away and clear from the locks, and the pilots watch very carefully to see that this is done. Why; because the line handlers that work in the locks are very much concerned about the effect on their body of all the electromagnetic radiation that is cranked out by the radars and the radio antennas.

(Audience applause).

**Roy Jaruk stated** yet the telecommunications people are proposing to plop Paul Bunyan's walking stick down on the southend of the lake...

(Audience applause).

**Roy Jaruk stated** and (inaudible – clapping) start throw electromagnetic radiation all over the area. It will affect people there. I don't live on the lake. However, I do pass alongside the lake several times a day. It's going to affect me too. It's going to affect the school buses that go through there twice a day, five days a week.

(Audience applause).

**Roy Jaruk stated** besides from the fact that that tower is as ugly as a original sin. There is a better site available. It has been evaluated, it has been approved. So you have to put up a lattice tower with blinking lights on it. Big deal. No one lives there. It doesn't effect the aesthetic impact of the lake. It doesn't effect the coverage to any appreciable extent. Put the tower there. So it cost the corporations a little bit more money to put the tower up. That's their problem.

(Audience applause).

**Roy Jaruk stated** we do not need the electromagnetic radiation pollution of that tower would put out in the lake, on our people, in our homes, at Green Chimneys, at the VFW, or anywhere in the area. We have an area that is unpopulated for the tower to be put in. It might be a little more difficult to build, but they've solved more difficult problems than that. I respectfully submit to the Zoning Board of Appeals that the correct thing to do in this case is to move that microwave tower out of the residential area and put it where

it's not going to hurt people.

(Audience applause).

**Roy Jaruk stated** thank you for your attention.

Chairman Buzzutto stated thank you.

(Audience applause).

Board Member Bodor stated Jeff Nelson.

**Jeff Nelson stated** yeah, I don't have to say anything (inaudible – too distant).

Board Member Bodor stated you're going to pass.

**Jeff Nelson stated** (inaudible – too distant).

Board Member Bodor stated Sandi Gaglio.

**Sandi Gaglio stated** I will pass as well.

Board Member Bodor stated Steven Gallo.

**Steven Gallo stated** Steven Gallo. 29 Palmyra Road. This will be brief. Pretty much everything has already been said except for the fact that on their newest proposal, they've eliminated cabinets and pushed things closer to the lake. I have a feeling what they're trying to do here is nickel and dime you with the zoning variances that are required. They will not be able to operate that tower without some sort of power backup is required, the FCC will fine them. If they loss power and service goes down. There's no way that they can get away without putting a generator there. They can't do it with battery backup; it won't last long enough. One of the other proposals that is on the board was the one by Nick's. That's going to put the tower even closer to the daycare center, which is right next door to Nick's.

(Audience applause).

**Steven Gallo stated** another item I'd like to bring up is who determines reasonable cost.

(Audience laughter).

**Steven Gallo stated** a lot that appeal to this site is that all utilities are within 30 feet of their site. How do you put this up on places that are isolated, requires access roads, requires them to build infrastructure into their facilities. That's going to cost to money. I don't think it should be up to them to decide what reasonable cost is. Thank you.

(Audience applause).

Board Member Bodor stated the first person on this list I probably didn't pronounce the name right because I can't read it, lives at 520 Lake Shore. Is that person still here.

**Audience member stated** she's gone to work.

Board Member Bodor stated I'm sorry.

**Audience member stated** she's gone to work.

Board Member Bodor stated she's not here.

**Audience member stated** went to work.

Board Member Bodor stated thank you. Jeff Bode.

**Jeff Bode stated** hello. Jeff Bode. I live on Palmyra Road. I just wanted to say I am feeling optimistic what I hear tonight, that Wireless Edge is willing to explore other locations. I think for Putnam Lake, this choice was about the worse one that they could have made. As my wife said, there's mountains all around that... You know, keep it away from the people. We don't care. We don't care if it's a 250 foot tower, you know, 4 miles up a mountain. We don't want this thing down at the end of our street around the shore of our lake. You could out a 10 foot high fence there, but when you stand on the road, you can look right down in there. That's about 5 feet lower than the road. So a 6 foot fence isn't really going to block anything. But, we're not in a hurry. We're willing to take the time to find the best site, so...

(Audience applause).

**Jeff Bode stated** you know, don't worry about us.

Board Member Bodor stated Dede, your name is here, but you already spoke.

**Jeff Bode stated** yeah. I put her name down. I didn't know that she signed up already.

Board Member Bodor stated you did. Okay. Marie Graham.

(Audience applause).

**Marie Graham stated** yes. Marie Graham. 98 Haviland Drive. I accidentally put my name on this list, but since I am speaking, because I took the position of saying something to one of the corporate attorneys. I would just like it put in the record that I don't like the fact that any attorney would have any smirk or snide attitude towards people of the community.

(Audience applause).

**Marie Graham stated** there's nothing funny about it, in any way, shape or form.

Board Member Bodor stated ma'am, let's address the issue.

**Marie Graham stated** as far as the issue that's all I have to say. I...

Board Member Bodor stated nothing personal, please.

**Marie Graham stated** well, I think it's personal when people live here.

(Audience applause).

**Marie Graham stated** (inaudible – clapping) I do have to say it's covered very carefully, very completely. Thank you.

(Audience applause).

Board Member Bodor stated Tim Shea.

**Tim Shea stated** I yield my time.

Board Member Bodor stated Lisette Kubie.

(Audience applause).

**Lisette Kubie stated** Lisette Kubie. K-U-B-I-E. 3 Kendall Drive in Brewster. Well, I've prewritten this and I've come to learn that two of the variances have been withdrawn, so bare with me because I'm going to read it as I wrote it. Requests for a 375% variance...

Board Member Bodor stated excuse me, since they have been withdrawn, can you skip over that.

**Lisette Kubie stated** okay. The variances and the large percentages there (inaudible). And to request for a temporary excuse an existing zoning code that doesn't allow wireless telecommunication towers in residential districts. The scope of the requests and the size of the variances requested flies in the face of the spirit of the laws that were enacted to protect us from just such structures as being built. The fact that the variances would have to be so huge speaks to just how inappropriate the cell tower project is for our community. Variance requests; yes perhaps technically. But to me, they're more like requests coming from an outsider to do whatever it takes to make their money and move onto the next project, and to ask this board...

(Audience applause).

**Lisette Kubie stated** to extend and disregard our zoning laws to such an extent that I feel myself wondering why anyone even bothered writing them in the first place.

(Audience applause).

**Lisette Kubie stated** they are (inaudible – clapping) and I urge the members of this board to deny to it entirely. I know it is your responsibility to carefully examine all aspects of the applications before making your decisions. There is no mistaking the fact that people do not want this cell tower constructed on the proposed site in Putnam Lake. You have received many letters, petitions, calls, and have had hundreds of people attending public meetings such as tonight's. And the vast and very passionate majority speak out against this project. The proposed site is too close to people's homes. It is too close to Putnam Lake. What Wireless Edge is requesting is altogether contradictory to our zoning laws. That is why their variance requests are so huge. It is my hope that you will find that granting the variances requested is not for the best interest of the citizens you serve. It brings too much hardship to the homeowners living near the site, and the community of Putnam Lake as a whole. And to defies the existing Town Codes to such an egregious extent that leaves you no other alternative but to deny them. I just want to add my dear friends were the owners of the property at White Hawk Trail. And I'm very happy with the fact that I made some phone calls to move this along. I'm extremely hopefully and you know, very positive about the fact this board has examined other sites and kind of tried to move this discussion along to really try to find

alternative solutions that work for everybody and moving it out of such a residential district. And I appreciate your hard work. Thank you.

(Audience applause).

Chairman Buzzutto stated thank you.

Board Member Bodor stated Anthony T. Cioppa. C-I-O-P-P-A.

**Anthony Cioppa stated** it's Anthony Cioppa. 252 Lake Shore Drive. I just wanted to say you know...

Board Member Bodor stated spell that last name.

**Anthony Cioppa stated** C-I-O-P-P-A. with regards to lake rights PLCC that there is letter on file dated 1931, March 20<sup>th</sup>. It's letter 149c, at the Putnam County Clerks office. It involves lake rights to all the Putnam Lake citizens. It's basically that no structures should be built and any structures that are built should be only for occupants. And no buildings, towers, or anything should be constructed. This documents very lengthy, most of it involves older businesses such as blacksmith shops and so forth, but I feel like this tower would fall into those requirements and not even legally viable. Just alike the attorney for the Applicant's said, so...Just on those grounds it should be denied.

(Audience applause).

Board Member Bodor stated Eileen Gilsean.

**Eileen Gilsean stated** still against the tower. I'll pass.

Board Member Bodor stated you'll pass. Okay thank you. David Cheney. David Cheney. Mary Conklin.

(Audience applause).

**Mary Conklin stated** thank you. Mary Conklin. C-O-N-K-L-I-N. I'd just like to say that Putnam Lake is a community of hard working people and their biggest asset is their homes. Their homes are going to be their heritage. It's going to be the inherence of their children. And to take the value of their home away from them is terribly unfair. The people have expressed that they want another site;; any site will be fine. But the lake site is not acceptable to the people at Putnam Lake. And as for the question on the deed from the County property, we have the support of County Executive and the County Law Department. We're speaking with the family, the Segal family, and although it will take time, it certainly is in the realm of being a viable site. So...

(Audience applause).

**Mary Conklin stated** the people are very encouraged that you are interested in looking at other sites because the are not happy with this one. So thank you very much.

(Audience applause).

Board Member Posner stated just a note on the record that Mary Conklin is the Legislature for District 4, County Legislator (inaudible – clapping).

(Audience applause).

Board Member Bodor stated Mark Slouka.

**Mark Slouka stated** yeah. My name is Mark Slouka. My family and I live in Brewster. My parents came to Lost Lake, which is just next to Putnam Lake, in 1960. It is the only home that I've ever known. I want to say that I've always enjoyed living in this community, but I think I enjoyed it more tonight. I want to thank everybody who's come over.

(Audience applause).

**Mark Slouka stated** I heard the attorney for the telecommunications companies speak about a lot of things; scientific issues, noise issues, fence or stockade issues, variance issues. What I was missing I think, what I think wasn't mentioned, is the common sense issue.

(Audience laughter).

**Mark Slouka stated** which I think is an important issue and I hope you consider it. People have spoken loudly and clearly to you as our representatives, and I hope you hear us. Because I think that common sense is very much a part of this. If, for just a moment, since 1960, that's 50 years, I've seen a lot of changes in this community; dairy farms, family farms have been replaced by business parks. Some of that change may have been inevitable, but that doesn't make it good. I think there's a quality of life issue involved here, which has been spoken to eloquently by a number of people. Let's look at it this way; environmentally, aesthetically, economically putting a 3,000 square foot compound and a 13 floor cell tower between two lakes is just, with all due respect, a really dumb idea.

(Audience laughter and applause).

**Mark Slouka stated** I realize that (inaudible – clapping) because we've all been saying the same thing, but that's because we feel strongly about this. There are alternatives; they're good alternatives. The only people that are going to have to pay at all, and it's a lot, are the folks who want to put up the tower. The gentleman spoke a great deal about what Verizon needs, what Verizon wants, and I respect that. But I think our needs and our wants should come first.

(Audience applause).

Board Member Bodor stated Stephen Fottrell.

**Stephen Fottrell stated** good evening. My name is Stephen Fottrell. I live at 256 Haviland Drive. I've lived there about 2 ½ years and I really enjoy it with my wife and my 4 year old daughter. A lot of what I feel has already been said, but I don't want to demonize the gentlemen that are here [referring to the Applicants and their attorney]. I mean, I'm in law enforcement, so I'm used to being the unpopular guy in the room.

(Audience laughter).

**Stephen Fottrell stated** they were led to believe the site to be available by other people. They came in to do their job and present it. So I don't blame them. Let's not demonize them. A few people on the Putnam Lake Community Council, and I haven't meet all of you...any of you. But those of you that voted and led them to believe that they could do this, shame on you.

(Audience applause).

**Stephen Fottrell stated** that lake is a recreational area where our families come to play. Putting an electromagnetic tower anywhere near it is a dumb idea. Okay. And I'm heartened that the attorneys are willing to explore other areas. Good for you.

(Audience applause).

**Stephen Fottrell stated** you obviously worked very hard on this project, alls I'm going to say to you is work a little bit harder, and come up with something else.

(Audience applause).

**Stephen Fottrell stated** and to the Board, thank you for your time tonight. Please consider what you heard tonight, I know you'll do the right thing. Thank you.

(Audience applause).

Board Member Bodor stated Enza Daria.

**Enza Daria stated** everything's been say that I have to say. But I...

**Audience member stated** (inaudible – too distant).

(Audience laughter).

**Enza Daria stated** my name is Enza Daria. I live at 3 Palmyra Road. My house is right on the corner of Lake Shore Drive, Fairfield Drive, and Palmyra Road; right on the corner. I sit in my backyard and see the beautiful view of the tower...

(Audience laughter).

**Enza Daria stated** the one that you're putting there. My children cannot...my grandchildren play in the backyard, since I watch them, and they're going to (inaudible) the radiation of the tower. The children on the corner of Palmyra Road and Lake Shore Drive wait for this bus stop right there, and they're going to have the effect of this thing. I want to thank you, but please I ask you to deny this matter. Think of an alternative that they can look for. Thank you.

(Audience applause).

**Enza Daria stated** (inaudible- clapping and too distant). I live right here. Right here.

(Audience laughter).

Board Member Bodor stated Allison Paulo. You'll have to spell your last name for us.

**Allison Paulo stated** hi everybody. My name is Allison Paulo. P-A-U-L-O.; Paul with an O. I live at 137 South Lake Drive. Do I have to point [referring to a map].

(Audience laughter)

**Allison Paulo stated** right here. Two and a half years ago my husband and I bought this house for the same reason that everybody else did. We wanted to come...

Board Member Posner stated please step back to the microphone.

**Allison Paulo stated** come on, I'm really loud. You guys can hear me. Because we wanted to come to a natural scene. I think that's why Putnam Lake is created, because when we...my husband and I came here, we did a lot of research about Putnam Lake, and it was the Manhattan escape. It was the place to go to get away from cell towers. There might not have been them back then, but there would have been now the same thing. Very nervous. The second thing I want to say is we bought this house for the view. We have an 880 square foot house.

Chairman Buzzutto stated you want to talk into the mic.

**Allison Paulo stated** we spent \$30,000 redoing our house to accommodate our view. It is everything to us. Everything. I said it before, it's our sanctuary. We come home to a vacation every night. I am deathly...

(Audience applause).

**Allison Paulo stated** deathly afraid of a cell tower going in to 150 yards away from my house. Taking up the whole god darn view. That's my whole thing. That's what I want to say that everything's been said so well. Thank you to the Board for really taking the time. And the last thing is I kind of feel like we're in a deal with the devil because we came up here, you gave us 8 sites that you're willing to look at. How many are you really willing to look at.

(Audience applause).

**Allison Paulo stated** (inaudible – clapping).

(Audience applause).

Board Member Bodor stated alright. Nelson DaSilva. Lives at 2 Ilion Road. Is the person still here. John Logue.

(Audience applause).

**John Logue stated** John Logue. L-O-G-U-E. 2 Hadley Road. Earlier, the Board lady mentioned number 520 Lake Shore Drive. You said the guys that work. That reminded me of 521 Lake Shore Drive, which must be across the road from them. I know exactly where 521 [Lake Shore Drive] is. It's between Lake Shore Drive and the lake. And so a couple hundred feet from the proposed site. And that house is for sale. And my son is looking for a house. And I never told him about the cell tower. But I've spoken to a few real estate agents, and when you mention a cell tower to the real estate agent of that house, the answer is silence. The house...the selling price is \$500,000; he's not going to get \$400,000 even without cell towers. And the real estate is that even with a cell tower, it is not going to be sold. You'll see, it's going to be on the market for a long time. What I really wanted to talk about is significant scenic value.

(Audience applause).

**John Logue stated** Federal lawmakers deliberately left wiggle room in the Telecommunications Act. They always try to do that for very good reasons. They believe in state rights, even though they're feds. And they believe in county rights and they believe in grassroots government rights, like associations as well as individual rights. And the wiggle room that they have in a few places, some of them mentioned earlier is significant scenic value. And they didn't define what that means. And I'm not going to define it now, you can imagine what I think it means. And the last time I was here, I made a point that I was a wee bit ashamed of afterwards. I thought it wasn't fair but I'm still the same person as I was the last time. I said you don't have to believe what an attorney tells you. You have to believe. And that's the difference one of the differences between me and an attorney. I'm not telling you what to believe, I tell you what I believe. And I believe that this area has significant scenic value.

(Audience applause).

**John Logue stated** the last fact that I'm going to mention, I want you to know that the lease which was signed by one of my best friends, who doesn't have too much common sense...

(Audience laughter).

**John Logue stated** and that's probably one of the reasons he's one of my best friends.

(Audience laughter).

**John Logue stated** it makes me feel very good.

(Audience laughter).

**John Logue stated** I think I even like it better. But he is. He is one of my best friends. He...The PLCC did not go to all of the members. There's not 320 families...

(Audience applause).

**John Logue stated** that support this. I can't find a tenth of that number. I know there are people in favor of things tend not to come to meetings. I'm not talking about numbers of people at the meeting. I'm talking about people that I can find outside of the meetings. A very small number of people do exist.

Board Member Olenius stated that's your time.

**John Logue stated** okay. Thank you.

Chairman Buzzutto stated thank you.

(Audience applause).

Board Member Bodor stated Susan Melchiori.

(Audience applause).

**Susan Melchiori stated** Susan Melchiori. 1 Queensbury Road, Brewster, New York. M-E-L-C-H-I-O-R-I. Thank you for all who've made comments. It's been an exceptional amount of information and I hope that you'll review carefully; I know you will. Coming with one more point this evening, apart from the

aesthetics, property values, health concerns in a residential area, the reason I speak tonight is with regard to persons having pacemakers. My mother, Dorothy Brennan, who lives at 1 Queensbury Road, has a pacemaker. She's already had to have it replaced. So she's lived through her first 8 or 10 years with it, and hopefully has another 8 or 10 to go. I have here a letter sent to her by her cardiologist from a company with regards to the cause and effects of radiofrequency transmission and persons using pacemakers. It's a negative effect. I will leave this with you for your review, and I hope that you will go over it with great thought because I moved here for the same reasons; aesthetics, to get away from the flow of the city of lower Westchester. I was born in Manhattan; I love the city but I think this is god's country, and we need to keep it...

(Audience applause).

**Susan Melchiori stated** beautiful. A person with a pacemaker should not be forced to live below a cell tower that can cause side effects and cause ill effects by this machine that is to keep them alive. I had a neighbor that also mentioned to me that...with regard to the property at BOCES, BOCES has children in that property. That is why the County denied that location. The County property that is proposed is uninhabited and should be a better site to be reviewed. Please take this in you consideration. Thank you for your help. Thank you all for...

(Audience applause).

**Susan Melchiori stated** (inaudible – clapping).

Chairman Buzzutto stated thank you.

Board Member Bodor stated Joyce DeFlumer. Is Joyce still here.

**Joyce DeFlumer stated** yeah I'm here. I signed my name when I came in; I thought it was attendance. And so I'm sitting over there thinking I want to talk, I want to talk. So...I live at 276 Quaker Lane. It's Joyce DeFlumer. D-E- capital F-, like frank, L-U-M-E-R. And I'm not going to repeat everything that was said. And I really appreciate all the work people have done; the research is incredible. I wouldn't even think about putting a cell phone tower anyplace around Putnam Lake. I won't even go into that at all. But I bought a piece of land...I moved up here to get away from things like four years ago I bought a piece of land that's all woods, part of Brimstone Mountain's on that property. I've got all kinds of birds, I've got some wetlands there. It's, you know, it's a very nice piece of property, and it was an investment for me, I thought. So I'm concerned about you know, the water, and all the animals and the birds if there's a cell phone tower in that area, even in the Brimstone Mountain area. So, I've said my peace.

(Audience applause).

Board Member Bodor stated Bonnie Hyde.

**Bonnie Hyde stated** I pass.

Board Member Bodor stated Lee Carilli.

**Lee Carilli stated** I'm Lee Carilli. I live at 55 Lakeport Drive. C-A-R-I-L-L-I. I'm going to do a little gambling here, looking around the room, and for the Board's education, I'd like to know how many of you do not get cell signal where you live. Raise your hand. Alright, so there's not that many hands I'm seeing, maybe a dozen. So we're being told that we need a tower for the proposes of getting us all cell service.

And I would contend that actually this tower is not really serving us, but it's serving the people on the other side of the border.

(Audience applause).

**Lee Carilli stated** it's going to be serving Connecticut more than it will serve us because most of us already have service. Also, throughout the evening as people have come to this microphone, occasionally when we hear this little da-dit, da-dit, da-dit, da-dit sound, that's actually a cell phone receiving a signal. So you can honestly hear these transmissions transferring through the air, okay. And that's only when the cell phone is ringing. Now if anybody is going to be standing by or living by this tower, those emissions will be happening constantly, alright. When you go to the dentist's office, he hits you with electromagnetic radiations; x-rays. He makes you wear a lead apron, okay. We don't have lead aprons to wear in our homes. We don't have lead aprons to wear at the bus stop. We don't have lead aprons...

(Audience applause)

**Lee Carilli stated** to wear while we're fishing, okay. So these are my concerns, and I hope that the Board will take them into consideration. Thank you very much.

Board Member Bodor stated Helen Bletsas. Helen.

**Helen Bletsas stated** I choose to pass. Thank you.

Board Member Bodor stated and Nadia Bletsas.

**Nadia Bletsas stated** (inaudible – too distant).

Board Member Bodor stated that's it then.

Chairman Buzzutto stated that's it.

Board Member Bodor stated yes. It's finished. Is there anything that you would like to say...anymore. Okay, you're finished for tonight [referring to Applicants]. Okay. We are going to continue the public hearing.

(Audience applause).

Board Member Bodor stated it will remain open since there are other sites being considered. So there will be new information coming in next time around. The public hearing, of course we still will accept comments. I just would ask that if it's already been said, let's not say it again next time, okay. There has been a lot of repetition. And also thank you very much for all your input, but also let's please remember that we do not want any personal attacks going on. That is not going to benefit anyone. I don't know when the next date is going to be at this time though because we have to see about...

Chairman Buzzutto stated (inaudible).

Board Member Bodor stated it would have to be another special meeting because we need the large space. It would be a Tuesday because then we know that's available to us, and probably in a month's time. I can't give you anymore information than that right now.

Chairman Buzzutto stated okay.

(Audience applause).

Board Member Bodor stated I would like to adjourn tonight's meeting. Do I have a second on the motion to adjourn.

Board Member Posner stated second.

Board Member Bodor stated thank you. All in favor. Motion carried by a vote of 4 to 0.

Meeting adjourned at 9:48 p.m.