

## March 5, 2007

Town Informational Meeting

Public Input Meeting

Verizon Wireless Telecommunications Facility Application

**PRESENT: Verizon Representatives:** Atty. Baldwin, Mr. Nolan, Ms. Carter, Mr. Crotty, Mr. Libertine, Mr. Centore

**Moderator:** Mr. Fairbairn

**Town Staff:** Mrs. Hill, Mr. Sears, Mr. Solley

Mrs. Buonaiuto, Mr. Cornet, Ms. Dupuis, Ms. Levitt, Mr. Mustich, Mr. Zinick, Mrs. Avery, Mr. Swain, Mr. Papsin, Mrs. Matthews, Mr. and Mrs. Williams, Mrs. Tagley, Mrs. Payne, Mr. Finkler, Mrs. Sutter, Ms. Canning, Ms. Bachelier, Ms. Moliniere, Mr. Dean, Mr. Stange, Mr. Hardy, Mrs. Shepard, Mrs. Roth, Mr. Dutton, Mrs. McNamara, Residents - approx. 50 total, Press

Mr Fairbairn called the meeting to order and noted it would be conducted in two parts: 1) a presentation by the Verizon representatives and 2) public comment and questions. He noted full jurisdiction regarding telecommunications towers rests with the Ct. Siting Council and said a summary of all public remarks would be forwarded to the Council.

Mr. Swain raised a point of order that the Meeting had originally been noticed as a special Zoning Commission meeting, but there were no Zoning commissioners present. He also asked whether it was a meeting or a hearing. Mr. Fairbairn explained the meeting was being conducted as part of the cell tower application process to give the Town an opportunity to comment on the alternate locations proposed. He noted it was not a formal Zoning Commission meeting. Mr. Swain asked who would prepare the summary to be sent to the Council. Mr. Fairbairn said Mrs. Hill would write it.

### **Verizon Presentation:**

Atty. Baldwin from Robinson and Cole spoke on behalf of Verizon and introduced the other Verizon representatives listed above. He noted the Town had 60 days from 1/19/07 in which to comment to the Siting Council, the goal of Verizon's presentation was to increase public awareness of the proposal, and it was expected the application would be submitted to the Siting Council on 3/22/07. He described the two proposed alternative locations:

1) the Underwood property at 6 (or 16) Mountain Road and 2) the Waldron property at 167 New Milford Turnpike. He explained this was Phase II of Verizon's build-out plans and that any other suggestions from the public regarding other appropriate locations for cell towers would be considered and incorporated into the Siting Council application.

Mr. Centore, P.E., senior project manager, spoke on the infrastructure and specific sites. On the Underwood site, #1, the tower would be located at the NE corner of a 32 acre parcel requiring an approximate 1000 ft. accessway, 128 ft. of which would be new construction. 24 trees would have to be cut to construct the compound. The Underwood property is located in the Farming-Residential District. On the Waldron site, #2, the tower would be located at the NE corner of the 1.25 acre property. The access would be 350 ft. long, approximately 90 ft. of this would be new construction. Due to the grade of the property, the facility would be located on three tiers separated by retaining walls. The Waldron property is located in the Marbledale Business District. Both sites would have gravel driveways and compound sites to minimize drainage concerns. Each would have an 8 ft. high chain link fence surrounding a 157 ft. mono pine tower capable of accommodating four carriers. Both would be served by underground utilities from the street.

Atty. Baldwin noted the mono pine would not look like the one on the Mass Pike or the Hutchinson River Parkway. The new "pines" are better looking. He said the Siting Council would determine whether a pole or a pine would be the more appropriate for Marbledale.

Mr. Crotty said each of the proposed sites would provide coverage for approximately 3.5 miles along Rt. 202.

Mr. Libertine, Director of Environmental Services, assessed the year round visibility of each of the proposed towers, prepared simulated photos to show how visible the towers would be from some other areas of Town within 2 miles of the sites, and drafted a preliminary viewshed map. The Underwood site was visible from 48 acres within the study area, while the Waldron site was visible from only 26 acres. He noted each site would be backed by a hillside, so the combination of topography and foliage would work together to help make the towers less visible.

Atty. Baldwin explained the notice requirements Verizon would be required to fulfill when the application to the Siting Council is submitted and also the Siting Council's usual procedures for processing these applications.

### **Public Comment:**

Mrs. Sutter asked why the existing high tension wires near Rt. 45 could not be used to mount the antennae so a new tower would not have to be constructed. Mr. Baldwin said this is possible to do when the existing poles are properly located to provide the coverage needed. He said the Siting Council requires that use of existing structures be considered first, that this had been done, and it was determined this would not provide the needed additional coverage along Rt. 202. In addition to the coverage along Rt. 202, he stated Site #1 (Underwood) would also provide coverage for 4.5 sq. miles and Site #2 (Waldron) would provide it for 3.6 sq. miles. He noted Washington was a difficult town to provide coverage for due to its topography, but said Verizon would take another look at the existing power lines.

Ms. Canning asked for clarification regarding what one of the Verizon representatives had meant when he used the term, "future expansion." Atty. Baldwin said this meant each tower was designed so other carriers could share it and that the compounds were designed so there would be enough room for the equipment and shelters for each of the other carriers.

Mrs. Bachelier asked if Verizon had signed a contract for the use of the Northville Firehouse property. Atty. Baldwin said it was true that Verizon was considering the use of this property, which is located 2.1 miles from the center of Marbledale. Mrs. Bachelier asked that plans for the Marbledale tower be postponed until the Northville tower is built and it can be determined whether that tower will improve the

Marbledale coverage. She objected to the needless "destruction" of the Marbledale area if the Northville tower could provide sufficient service. She received a loud round of applause. Mr. Baldwin said the Northville site was just one of many being considered by Verizon to cover Rt. 202. He said coverage would not be duplicated, although there would be slight overlaps to ensure the goal of continuous coverage is accomplished. He stressed the Northville site would not provide all of the coverage needed for Marbledale because generally the towers are required every 1.5 miles or so. Mrs. Bachelier asked if there would be a tower every 1.5 miles along Rt. 202 between New Milford and Litchfield. Atty. Baldwin said this was possible, but that 1) existing structures would be used whenever possible and 2) coverage would be designed with as few facilities as possible. Mrs. Bachelier noted there is an existing tower in New Milford located 5.1 miles from Northville that covers the Northville Firehouse and beyond so said she did not understand why the Northville facility would not adequately serve Marbledale. Mrs. Bachelier continued that proposed Site #1 was in the residential district where the houses are close together and the tower would be visually offensive if the Siting Council did not approve the pine. She said Site #2 had more trees, which would screen the tower from the residential view. Atty. Baldwin encouraged her to write to the Siting Council to express her preference for the pine pole.

Mr. Swain asked whether the yellow areas on the coverage map represented all cell phone coverage or only Verizon coverage. Mr. Cotty said it represented Verizon coverage only, although there might be AT&T coverage in the area, too.

Mr. Dean said he has a Cingular cell phone and has coverage through Marbledale to the Meeker Swamp flats in New Preston, so his coverage was already adequate. He asked what the wattage of the proposed tower would be. Mr. Crotty said it would run at 100% all the time and would be 256 watts per channel.

A woman living on Pleasantview Drive near Site #1 said she had Verizon cell phone coverage and there was no interruption between Marbledale and New Milford. She said she had had "extremely good" Verizon coverage for 6.5 years. There was a round of applause.

Mr. Finkler noted Mr. Crotty specified there would be 250 watts per channel on the tower, but had not informed the public that there could be hundreds of channels on each tower. Mr. Crotty said Verizon bought 6 channels, which would total 1536 watts. He said 40 cell towers could be built and their total wattage would be below the maximum limits set by the FCC. Mr. Finkler asked who monitors the towers to make sure they are operating below the limits. Mr. Crotty again stated the wattage would fall well below the federal limits.

Mr. Finkler thought a 25 ft. tower on either hillside, as opposed to a 150 ft. tower, would have less of an impact on the surrounding residences. Mr. Crotty noted the antennae had to be above the tree line, which was usually 75 ft. high, or the signal would be smothered. He also said "a million" 25 ft. towers would be needed to provide the same coverage as 150 ft. tall towers. Mr. Finkler voiced his concern about maintaining the quality of life in Marbledale and preserving the trees, which contribute to it. There was a round of applause. Mr. Finkler said the residents do not want the clutter of unsightly cell towers and urged Verizon to cooperate better with other carriers. Mr. Finkler then asked what had happened to the proposal to install the cell tower at the New Preston Firehouse on Rt. 202 so that the Town could get the rental money rather than privileged landowners. Mr. Crotty responded the "Marbledale Firehouse" had been considered early in the process, but the First Selectman had been concerned about visibility and had asked Verizon to look elsewhere. That site was no longer under consideration.

Mrs. Tagley asked if the Siting Council was aware of the existing towers and transmitters in both the Town and the region and would it consider pending facilities such as the one in Northville before acting on the Marbledale application. Atty. Baldwin said the applicant was required to include existing, approved, and proposed facilities on the plans presented to the Siting Council so it could consider the overall

network design. He said this would definitely be part of the Council's discussion. Mrs. Tagley asked if the Northville facility would only transmit over a 2 mile radius. Atty. Baldwin said this would depend on several factors such as topography, but that the radius distance was usually 1 to 1.75 miles. He noted both of the proposed towers would cover 3.5 miles. Mrs. Tagley said the Northville location would overlap with the proposed Marbledale locations. Atty. Baldwin said, yes, it was designed so there would be a slight overlap.

An unidentified person complained there was no cell phone service at his home at 59 New Milford Turnpike and so said he was looking forward to the increased coverage. He asked if there would be internet service, too. Atty. Baldwin said there would be an EDO wireless card available for internet access.

Another unidentified person said there was existing Verizon coverage between New Milford Hospital and her house in Marbledale. She asked why Verizon was trying to duplicate its efforts. Mr. Crotty stated Verizon wanted to provide its own services.

Ms. Dupuis, Cell Tower Subcommittee of the Conservation Commission, referred to page 6 of Robinson and Cole's 1/19/07 letter to Mr. Sears, which stated the proposed cell tower might reduce or eliminate the need for other towers in the area in the near future. Atty. Baldwin said that this statement referred to Marbledale only and that other carriers would apply for other towers in the area. He said Verizon tries to get other carriers to locate on its facilities. Ms. Dupuis noted the Town's firemen had asked for cell tower service for use in emergency situations and asked if satisfying that request would mean 10 more towers in Town. Mr. Crotty explained the firemen use a different frequency and that Verizon was looking for other sites to connect with in order to provide the service the firemen would like. Ms. Dupuis noted there was a public misconception that the proposed tower would provide coverage for all of Washington. Mr. Crotty agreed this was a misconception.

Ms. Levitt, attending on behalf of the Conservation Commission, asked how many carriers were licensed by the FCC for this area. Atty. Baldwin said there were 5. Ms. Levitt noted the proposed Verizon tower would accommodate 4, so that meant the 5th carrier would have the right to build another tower. Atty. Baldwin thought the Siting Council would force Verizon to accommodate the 5th carrier.

Ms. Levitt asked how far above the existing tree tops the tower would extend. Mr. Libertine said on average the towers extend double the tree height. Ms. Levitt asked if Site #2 (Waldron) was more tucked in to the hillside. Mr. Libertine said both sites were tucked in, but Site #2 was closer to Rt. 202. Ms. Levitt asked if Site #1 (Underwood) would be at the crest of New Preston Hill, on the level with the Tollman property at the top of the hill. Mr. Libertine researched this and answered later in the meeting that New Preston Hill is 1000 ft. in elevation, while the proposed facility would top at 850 ft. so it would be below the crest.

Ms. Levitt asked what the time line was for the Northville application. Atty. Baldwin said there was no time line and that the search for an alternate location was progressing.

Ms. Levitt asked whose antennae were located on the high tension lines in the Northville section of New Milford by Sullivan Farm. Mr. Crotty said it was a Sprint facility and the existing structures in the Northville area had already been analyzed. Ms. Levitt asked why they had been eliminated. Mr. Crotty responded because they did not provide the coverage needed to the north.

Ms. Levitt noted she had a map for the proposed AT&T tower in Warren, which showed coverage would be provided for a significantly

larger area than what Verizon was showing on its map. She asked whether Verizon had compared its information with AT&T's. Mr. Crotty agreed the AT&T coverage shown was a bit larger, but said this was because Verizon used a tower height of 140 ft. vs. the 150 ft. tower used for AT&T's calculations. Ms. Levitt noted she has Cingular and Verizon coverage at the corner of Tanner Hill Road and Rt. 45, where Verizon was showing it has no coverage. She said the tower on Rt. 109 in New Milford was providing more coverage in New Preston than Verizon thought it did and suggested it already had the minimum coverage it was looking for. Mr. Crotty noted the coverage was not good and was not seamless. Ms. Levitt said the computer models that calculate coverage are conservative, but Mr. Crotty said Verizon supplements the computer data with drive test data, which improves accuracy.

Mr. Hardy asked if it was true that PCS systems only go 2 miles, but other systems go double that. Mr. Crotty said it depended on a lot of factors. Mr. Hardy said that PCS had the shortest range, however, and Mr. Crotty said that was true.

Mr. Stange voiced his concern about the long term health affects on his children from electromagnetic fields. He asked what the highest power levels/amount of wattage would be from 5 carriers all pointed in the same direction. Atty. Baldwin said each carrier would operate at 2.46% of the maximum allowable dosage, so cumulatively the worse case scenario would be 10% to 15% of the SEC standard. Mr. Stange asked for the maximum wattage per square centimeter. He said lives at 270 New Milford Turnpike, did not use a cell phone, but would be "radiated" when the tower was in operation. He asked the public to show how many were interested in health concerns. Many hands went up. He then asked how many had attended the meeting because they wanted better phone coverage. Five hands went up.

Mrs. Shepard said she wanted improved cell phone service for emergency use in the Depot and asked if the proposed tower would be used for this. Atty. Baldwin said the proposed sites could not be used for coverage in the Depot. Mrs. Shepard again cited the need for emergency cell phone coverage, but said she did not want the coverage to threaten anyone's health.

Mrs. Roth asked if Wheaton Road and Christian Street already receive service, why not invest in a location further north on Rt. 202, which might be able to overlap with Bantam's coverage and supply some coverage for the Depot. She added that she, too, was concerned about jeopardizing the health of residents.

Ms. Moliniere asked what other technologies Verizon might be using elsewhere that could be used in Washington so that towers would not be required every 2 miles. Atty. Baldwin stated the proposed cell tower is the best technology for Washington's topography. In some downtown areas, like Greenwich, for example, shorter towers might be appropriate, but with Washington's hills and trees and the coverage needed, shorter towers were not appropriate here.

Ms. Dupuis noted the Washington Zoning Regulations require that towers be set back at least 1500 ft. from residences. She asked if the two proposed towers met this requirement. Mr. Crotty provided the distances from several existing houses to the proposed tower locations. The closest house to Site #1 was 17 Mountain Road; 1035 ft. and the closest to Site #2 other than the house on the same property was 260 ft. Ms. Dupuis asked if there were houses located within the fall zone. Mr. Crotty said the towers can be designed to be collapsible to decrease the fall zone. The towers would not fall from their bases, but would fall in on themselves. Ms. Dupuis asked if winds could push a tower into a house. Mr. Crotty explained the towers' design that enables the bottom half to withstand 5 times as much wind as the top half, which reduces the possibility of collapse. Ms. Dupuis asked if the location at Site #1 could be moved to meet Zoning's usual 50 ft. boundary line setback. Mr. Crotty said there was some room, maybe 25 to 30 ft., in which to relocate the tower, but that it had been positioned in the back corner of

the property to minimize the required earthwork and number of trees that would have to be cut.

Mr. Dutton said he was torn between his concern about health issues and the safety needs of the community. He was concerned the general public did not know the difference between analog and digital service and coverage. Mr. Crotty said the proposed site was digital only.

Mr. Dutton asked if coverage would be extended as far north as Rabbit Hill Road if Site #1 was used. Mr. Crotty said it would not. Mr. Dutton said he is currently a Verizon customer and that he now gets satisfactory and continuous coverage at his house on Rabbit Hill Road. Mr. Crotty said Verizon has a roaming agreement with AT&T to provide that coverage. Mr. Dutton asked if that was also true for the Marbledale area. Mr. Crotty said it was possible that AT&T had a larger coverage footprint due to the frequency it uses. Mr. Dutton said Verizon did not realize how well it was already covered with roaming service in this area. Mr. Crotty said Verizon was planning another tower in the Rabbit Hill area.

Mr. Dutton asked when satellite coverage would make the cell tower issue moot. Mr. Crotty said it would be at least 25 years and maybe never since hundreds of satellites would be needed to provide equal coverage. Mr. Crotty noted Verizon would post a removal bond to ensure the tower would be taken down if it would no longer be used.

Mrs. Avery asked about Verizon's statement to the Security and Exchange Commission in 2005 that it had not been proven that wireless phones were absolutely safe. Mr. Crotty explained the issue was not with the cell towers, but with the phones when they are held close against the head. Mrs. Avery disagreed, saying there were studies done in Europe that said otherwise. She asked how Verizon could file such a statement with the SEC and then push for proliferation. She said Verizon did not believe the technology was safe, but expected the public to believe so. Atty. Baldwin agreed with Mr. Crotty that it was the phone use itself, not the facility, that was referred to in the statement and he noted the government had established safety standards for emissions. Mrs. Avery asked how the public could be sure Verizon would comply with those safety standards. Atty. Baldwin stated the company must demonstrate it can comply and conduct on site readings. Mrs. Avery asked if this meant Verizon would check itself once the facility was up. Atty. Baldwin said, yes.

Mrs. McNamara said her property abuts Site #2 and she asked what she would see when she looked out her window. She worried about how this would affect her property values and her ability to sell her property. She asked if anyone wanted to buy her house. Atty. Baldwin said the company has no power of eminent domain and so must rely on the willingness of landowners when selecting sites. He again stated existing structures were considered first and new towers were the last choice. Mr. Libertine said there was 200 ft. with evergreens between the McNamara property and the proposed facility, but she would likely see 30% to 40% or more of the tower.

Mr. Finkler asked if the FCC requires seamless coverage along vehicular routes. Atty. Baldwin said the only FCC requirement is that specific percentage of the area your license covers is covered. He said that did not equate with seamless coverage, although that is a Verizon goal. He noted the initial plan for Phase II was coverage along the major travel corridors, not expansion into residential areas. Mr. Finkler noted Rt. 47 is a major route, but would not be covered by the tower now proposed. He thought there should be a comprehensive coverage plan for all of Washington including the Green. Atty. Baldwin said there were now three major search areas; Marbledale, northeastern Washington, and the Depot, although no Depot sites had been identified yet.

Mr. Finkler asked if it was true that Cingular GSM service doesn't require antennae so close together as Verizon's PCS service. Mr. Crotty

said it depends on the frequency band.

Mr. Finkler stated Verizon did not want to provide roaming service on another company's coverage because it loses revenue and did not want to have to pay another carrier. Mr. Crotty said that was correct, but also said the roaming coverage was an older and not so reliable technology.

Mr. Finkler noted poles and "phony" poles were being considered by Verizon, but asked why a lattice type structure was not being considered because he thought it would blend in better with the forest background. Atty. Baldwin said the poles are the most costly to install and maintain. He said the lattice structures require so many cables for each carrier that they look solid and that a larger area must be cleared to install them. He thought the mono poles blended in better from a visibility perspective.

Mr. Finkler complained the Verizon representatives had the "effrontery" to appear neighborly, but to propose the location of the towers in residential neighborhoods. He also said they can locate the towers by contacting the most desperate property owners. Atty. Baldwin said the company preferred to find community areas in which to locate towers, but noted some residential areas are more suitable. He said the Siting Council makes that determination on a case by case basis.

A woman noted that several other sites are pending and asked if as an effort to show good faith, Verizon could present its master plan to the public. She noted corporate entities always have master plans. Atty. Baldwin said this could not be done. He said all Verizon could do would be to submit a map showing additional existing sites. He said Verizon planned to fill in as many of the coverage gaps along the travel corridors as quickly as possible and that this would take many towers. The woman stated not everyone is interested in continuous coverage.

Mr. Cornet asked why Verizon does not purchase the properties on which it installs towers and if the property owners renting out the properties would be held harmless. He also asked for comments about decreased property values. Atty. Baldwin said those renting to Verizon would be held harmless for any damage to adjoining properties and that studies have shown that towers do not decrease property values. Mr. Cornet asked who had done the study. Atty. Baldwin said the Siting Council does not consider impact to property values. Mr. Cornet asked if Verizon or the property owner would be liable for health issues. Atty. Baldwin said Verizon has an obligation to comply with the FCC standards and does so.

Mr. Stange complained that the US did not take into account more recent findings concerning the effects of emissions on brain activity and chromosomes. He questioned what kind of future his children would have after being exposed.

Mr. Dutton asked Atty. Baldwin to confirm the First Selectman had rejected the use of the New Preston fire house property by the cell tower company. Atty. Baldwin said that was correct.

Mr. Dutton asked how the pine design would compare to the one on the Hutchinson River Parkway. Atty. Baldwin said the newer poles look better and showed a photo of a pine pole in Coventry, Vermont as an example.

Mrs. Roth asked if Verizon could prepare a map showing not only Verizon coverage, but all existing coverage since other companies already have coverage in the area Verizon proposes to cover. She suggested Verizon should try to provide coverage for areas not already covered by

other companies. Mr. Crotty said Verizon could not submit coverage maps for the other companies because it did not have all of their information. He said, however, Verizon would be willing to evaluate other recommended coverage areas. Mrs. Roth said a more important area to cover than along Rt. 202 was Rt. 47, which is adjacent to Steep Rock and where there have been serious vehicular accidents.

Mr. Dutton asked if the public could get comprehensive coverage information from the Siting Council. Atty. Baldwin said the Council only had information regarding applications submitted by other companies. He noted Verizon is a competitive company with a license to build new facilities that is trying to provide the most reliable service to its customers.

Ms. Moliniere asked if only cell phone service would be provided. Atty. Baldwin said data service for emergency service data transmittal and internet service would be available. Ms. Moliniere said AT&T was already providing this for this area. Atty. Baldwin said Verizon also offers this service elsewhere in the state. Ms. Moliniere noted cell phone service does not guarantee 911 access.

Mr. Mustich asked why the First Selectman had turned down the New Preston fire house site for a cell tower, which meant the Town would not receive the related revenue. Mr. Sears said the matter had been discussed with others and that at that site the aesthetics of the valley was compelling. He also noted there was a higher density neighborhood near the fire house and that the company had approached the Town before there had been any discussion about alternative sites.

M. Sears asked why micro technology, which would be smaller, less obtrusive, closer together facilities could not be used in rural areas. Atty. Baldwin said they were not appropriate for rural areas because they had to be above the tree line, which averages 65 to 70 feet high, and so were not practical. He also noted one macro cell tower would cover a much larger area. Verizon's goal, he said was to cover the maximum area with as few sites as possible. Mr. Sears then asked if an alternate technology such as an amplifier system was possible. Atty. Baldwin said repeaters, as they are called, connect with a macro cell tower, and are not the preferred technology when a macro cell is available.

Atty. Baldwin noted a balloon test had been conducted at both sites, but since the public had not been made aware of it, a second one would be done, most likely on 3/17 or on 3/18 if the weather is bad on the 17th. He said notices would be placed on the Town website and in local papers.

Mrs. Bachelier asked if the proposed tower would require warning lights. Atty. Baldwin said it was not an FAA requirement.

Mrs. Bachelier said she was not satisfied that existing houses would be less than the 1500 ft. required by the Zoning Regulations from the proposed tower sites. Atty. Baldwin said Verizon would confirm the measurements of existing houses to the tower sites, but added that the Siting Council has exclusive jurisdiction and it preempts local zoning regulations. Verizon is not required to comply with local zoning. He noted that use of existing structures was not under the Siting Council's jurisdiction and under the current Zoning Regulations the Town Hall cupola could not be used to provide coverage for the Depot.

Mrs. Levitt spoke of standards and liability issues. She said the FCC had a two tiered standard for controlled vs. uncontrolled environments. She noted the cut off date for the list of studies on professional exposure was 1985, and for civil exposure, 1982. Since that time, 70% to 80% of the studies that have been done cite biological effects. She also noted there are 6 to 8 lawsuits regarding health issues making their



way through the courts. She noted that insurance companies were refusing to indemnify telecommunications companies for adverse health and environmental effects. Currently there is a petition before the US Supreme Court to try to get the FCC to update its regulations, but the FCC continues to assert that it is not a health agency. This petition is supported by Ct. Atty. General Blumenthal. Ms. Levitt read a portion of the opinion written by Atty. Blumenthal, which called the FCC refusal to update its standards as arbitrary and capricious.

Ms. Levitt asked if Verizon expected property owners to indemnify Verizon. Atty. Baldwin said, yes. Ms. Levitt spoke of the blanket liability coverage for the operators of telecommunications systems under the E91 Act, adding that liability was being shifted downward so the public had no recourse but to go after the landowner or the Town. Atty. Baldwin said he was not sure he agreed and asked why the court would find a landowner liable for the technology. Ms. Levitt responded the landowner had willfully leased the property to the company to install the technology. Atty. Baldwin noted Ms. Levitt disagreed with the industry regarding RF emissions and said Verizon would comply with the federal standards. Ms. Levitt complained about attempts to make the standards more lenient even with all the new information coming out. She asked who ultimately was liable for health and environmental effects. Atty. Baldwin said Verizon would comply with the established standards and he knew of no case law regarding liability.

Mr. Stange asked where he could get the answers to his questions about the total maximum power levels possible from the proposed tower. Atty. Baldwin took his name and address and said he would send it to him.

Mr. Cornett said the main and most pertinent issue is health. He asked why all the companies don't have to work together to provide the best total coverage, noting that many residents are very satisfied with their current AT&T coverage. He said there should be an "overall look" at how to have the least amount of cell towers, resulting in the least amount of health concerns.

Ms. Levitt noted the NW Ct. Council of Governments could do a telecommunications coverage overlay map and stated a comprehensive regional plan was needed.

Ms. Dupuis stated there was no such thing as seamless coverage in New England and it was unrealistic to try to provide it. She asked why there was such an emphasis on covering Rt. 202 when seamless coverage is not available on Rt. 684. Atty. Baldwin noted she would think coverage along Rt. 202 was important if she had an accident there.

Ms. Dupuis stated Verizon was merely interested in real estate deals to make money, while the Town paid the price. She said because Washington is a scenic town, its natural viewshed is its industry.

A woman noted again that she and others have reliable cell phone coverage and so asked why that coverage should be duplicated by Verizon. She thought Verizon should focus on areas where there was now no coverage what so ever. She asked why anyone would sign on with Verizon if they already have coverage. Atty. Baldwin said roaming coverage costs more and is not as good. He noted Verizon does not make a significant amount of money from leasing towers, but does make money from providing service. The woman again protested that Verizon was not opening up new areas that were not already covered. Atty. Baldwin disputed her contention that Rt. 202 is already covered because cell phone users were at the mercy of the other carriers. He said the service is needed and Verizon would try to provide it in as unobtrusive way as possible. Reliance on the roaming service of other carriers was not good enough for Verizon, he said.

Ms. Dupuis said she has had good Verizon service for years.

At 10:17 p.m. Mr. Fairbairn thanked everyone for attending and adjourned the meeting.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Coordinator