

# March 27, 2003

## **Present:**

Selectmen: Elaine Luckey, Nick Solley and Harry Wyant

Press: Mark Daft, Voices

Guests: Alan Chapin, John DeFeo - Rabbit Hill Road residents

First Selectman Elaine Luckey called the meeting to order at 4:30 p.m.

**Minutes:** Elaine Luckey made a motion to approve the minutes of the March 13th meeting as submitted. Motion seconded by Harry Wyant and unanimously approved.

**Correspondence:** Correspondence was received from Valerie Friedman regarding the listing of the ten highest delinquent property taxpayers recently printed in **The Litchfield County Times** from a neighboring town. She will forward this to the chairman of the Board of Finance and had spoken with Tax Collector Tanya Wescott. Tanya was not enthusiastic about doing this and felt her collection rate was acceptable. The Selectmen were not agreeable to doing this.

## **Old Business:**

**Cell Towers:** Alan Chapin expressed the appreciation of the Rabbit Hill Road neighbors to the Board for their time spent on the issue of cell towers. Elaine reported she had written a letter directly to the CT Siting Council on this issue, which the full Board agreed to sign. (attached) John DeLeo felt the spirit of the letter was great but requested the Selectmen pass a motion stating they are against the towers. While the Selectmen opposed the proposed site on Rabbit Hill Road and asked that the tower sites be kept away from residential areas, they also asked the Siting Council to delay any further action in order to allow time for an environmental assessment and to allow AT&T to explore other sites and the possibility of combining equipment with other companies. Harry Wyant made a motion to endorse the letter as written. Elaine Luckey seconded the motion and it was unanimously passed.

## **New Business:**

**Birch Hill Run:** Elaine has received a request that the Town accept Birch Hill Run as a town road. Zoning regulations required that 50% of the lots in a subdivision must have certificates of occupancy in place before this is considered. One more house is needed to meet these requirements. It was felt these regulations should be followed and Elaine will report this to the owner.

**Volunteer Appreciation:** The CT Federation of Planning and Zoning Agencies has recognized Ed White and Fritz Byerly for their volunteer service as members of the Zoning Board of Appeals and Planning Commission, respectively. A minimum of twelve years of continuous service is required to receive this honor. The Selectmen noted their appreciation of their efforts.

**Letter regarding Snow Removal:** Elaine has composed a letter to the property owners in New Preston Center, who front on Route 25 regarding snow removal. The map of this area will be reviewed prior to sending it.

**House Numbering Ordinance:** Elaine proposed an Ordinance be established to require that property owners make their street numbers visible in the interest of public safety. Implementation, enforcement and awareness of this Ordinance will be discussed further.

The meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Kathy Gollow  
Selectman's Assistant

Att: (1)

March 26, 2003

Ms. Pamela Katz, Chairman  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

Re: Proposed AT&T cell tower at 911 Rabbit Hill Rd., Warren, CT

Dear Ms. Katz:

Approximately a hundred people attended the Zoning Commission's public hearing on January 27, 2003 regarding the AT&T Technical Report proposing a cell tower facility at 911 Rabbit Hill Road in Warren, CT (in our Town, one hundred people at a Zoning Commission meeting is a large number). This property is within a couple of hundred feet of the Washington town line. The strong sentiment of the group was in opposition to the proposed tower. No one spoke in favor of it. We, the Board of Selectmen, would like to register with the Siting Council some of our community's concerns and requests.

**Our Concerns:**

1. **Health:** In spite of FCC regulations curtailing consideration of possible health impacts from radiation, the Town's most crucial concern is for the **health** and safety of its residents. Although we are aware that the Siting Council does not consider the potential for deleterious human health effects from cell towers if they meet FCC standards, there are many professional and knowledgeable people in the country and abroad who are still very concerned about their possible existence. Families who live in the area of the proposed tower are very frightened about their future health and safety. In addition, some people are concerned about sending their children to the new Washington Montessori School 3,000 feet away from the proposed tower.

Although there is no conclusive evidence that these deleterious health effects exist, there also is none, which we know of, proving that they do not. We support these concerns and must safeguard the well being of this neighborhood or any other residential neighborhood in town.

2. **Zoning Regulations:** The Zoning Regulations of Washington prohibit cell tower facilities within 750 feet of dwellings. The Warren regulations prohibit such facilities within 1500 feet of dwellings. This site is in violation of both Washington's and Warren's set back regulations.

3. **Environmental:** The Conservation Commission memo of January 22, 2003 (sent to AT&T, the Siting Council et.al.) details its serious concerns regarding the potential short-term and long-term impacts of the proposed tower upon health, visuals, the environment, wildlife and habitats, and water resources in this area. This includes the very significant natural resource 350+ acre Macricostas Preserve (the purchase of which the State of Connecticut helped fund). Also substantial acreage to the east in Meeker Swamp, which is not protected by the Preserve, is of concern. The proposed site is right at the edge of a "critical habitat area", according to the **Washington, Connecticut: Natural Resources Inventory Report and Recommendations**.

The Inland Wetlands Commission has indicated that there appears to be wetlands on the proposed site and the drainage flows toward Bee Brook, a tributary of the Shepaug River, and Meeker Swamp. There is concern about potential harmful run-off that may leach from the batteries/equipment of the cell tower. The Commission requests that time be allowed for an environmental assessment of this problem as well as upon the wildlife within the critical upland review area.

**4. Property Devaluation:** Because of the perceived negative health effects, residents are also concerned about the devaluation of their property. Incidents were cited of people who wanted to move from a cell tower area, but could not get a sufficient price to enable such a move.

**5. Aesthetics:** The rural and natural landscape of Washington and surrounding towns is one of the most prized characteristics of the region and a contributing factor to our special quality of life. Concerns have been expressed regarding the height and type of tower (the "needle" would be most desirable) and it's visibility. A frequently asked question is: "Are there other less intrusive technologies that could be employed to provide coverage?"

**We request that:**

1. Cell tower sites be kept away from residential areas;
2. The Siting Council delay any further action until June in order to provide time for an environmental assessment;
3. AT&T explore other sites which would be less offensive;
4. The Siting Council explore the possibility of combining the AT&T equipment with that of Sprint on a tower Sprint is proposing in Litchfield.
5. AT&T also look into alternative sites on Mount Tom, Waterbury Reservoir, further north on Rabbit Hill Road (including a revisit to the silo on Luke Tanner's farm) and other state property in vicinity;

We would like to take this opportunity to thank you for your presentation and the information presented at the public hearing on January 27th. We attach a list of documents submitted into the record of the Zoning Commission Hearing on January 27th. The actual documents have been forwarded to AT&T and should be part of the record for the Siting Council Hearing.

Sincerely,

Elaine C. Luckey, First Selectman  
Nicholas N. Solley, Selectman  
Harry H. Wyant, Selectman

ECL:mag  
CC: Rabbit Hill Association