

• **May 22, 2007**

SPECIAL MEETING

Present: First Selectman Richard C. Sears, Selectmen Nicholas N. Solley, and Mark E. Lyon. Attorney Stephen Smart, Cell Tower Committee members Diane Dupuis, Susan Payne, Michael DeFronzo, and David Thomson.

Members of the public.

Call to Order: First Selectman Richard Sears called the meeting to order at 7:02 p.m.

Discussion Regarding Marble Dale Cell Tower Application:

Dick Sears opened the meeting by welcoming all present and introducing Attorney Smart and explaining that the purpose of this meeting was to explore the Siting Council process, the parameters of what the Town can do before the Siting Council and the best way to present the Town's position on the application made by Verizon for a cell tower in the Marble Dale area of Washington.

- Diane Dupuis read into the record a letter submitted by Debra Avery, Secretary/Treasurer of EMR Policy Institute, Inc., a copy of which is attached to these minutes in the Town Clerk's office.
- Dick Sears explained that the Town is very environmentally sensitive, natural resources are very important to the townspeople and there is a broad spectrum of citizens both for and against the installation of cell towers. The Town has not formed a position as a whole. Dick further explained that the Board of Finance did approve an ex-budget appropriation of \$10,000 to represent the Town's interest in this application process so that Attorney Smart and Walter Cooper, RF Engineer, could be contracted with.
- Diane Dupuis and Susan Payne gave a brief history of the communication and subsequent application made by Verizon for two sites in Marble Dale. They also explained that the Conservation Commission had taken the stance that they had concerns for the health, welfare, impact on property values, etc. and have also urged the Zoning Commission to keep the present section in their regulations that deals with telecommunications.
- Attorney Smart spoke of previous cases he had worked on and success was achieved not by defeating the cell tower from being constructed but by finding the spot that had the least impact. He asked if the Town of Washington had a potential site that would be more acceptable to the cell tower company, the Siting Council and the townspeople. Diane Dupuis and Susan Payne stated the Conservation Commission and the Cell Tower Committee have taken a position not to identify alternate sites for fear that it may encourage telecommunication companies to come in. The Selectmen do not feel it is the Town's responsibility to identify private property as alternate sites. Steve has also spoken with Robert Marconi, Siting Council attorney, and stated he is very interested in hearing the Town's concerns but also stated that the Town is limited in what it can do. In order to be successful, the Town needs to present technical "legitimate reasons" why neither of the Marble Dale sites are appropriate. This is where the RF Engineer comes in-he will verify the information that has been presented by Verizon. There was discussion about the possible sites in Northville and Warren. If towers were to be erected in these two places, there may not be a need for a Marble Dale tower to complete continuous coverage in the Route 202 corridor.
- Questions regarding the importance of technical information, the dismantling of towers should they become obsolete, the reality of finding different sites and whose responsibility that would be, and having

the Siting Council delay a decision because of an alternative "possible" site were discussed by the Selectmen and Attorney Smart. Steve summarized the importance of working with the RF engineer regarding the necessity of the tower; the discovery of other locations and whether there is a site that will be supported by the Town.

- Dick Sears asked that the letter received from the Siting Council be read into the record, a copy of which is attached to these minutes in the Town Clerk's office.
- Steve Smart re-iterated the fact that if Verizon can verify they **need** to put the tower in one of the proposed sites, there is no reason for the Siting Council to deny the application unless the Town can offer a viable alternative site that meets all the conditions and the Town is willing to act immediately. Putting the alternative site theory aside for now as that may be difficult to achieve in a short period of time, Steve will try to determine other sites that have been looked at by Verizon, be in contact with our RF Engineer, and determine if there is enough technical and scientific data to oppose the application. Mike DeFronzo spoke of the Emergency Services concern about lack of coverage in Town and the ability to respond in an efficient manner if coverage was improved. Steve explained that placing emergency frequency on the tower may be a concession Verizon would be willing to make.
- Questions and comments from the public (Doris Mathews, Diana Tagley, Amy Forrell, John Gsell) were heard that dealt with accommodating other companies on Verizon's tower, the placement of a tower on Town property and how "complete" the coverage needs to be to satisfy a telecommunications carrier.

Attorney Smart will begin his research and be in touch with the Selectmen and the Cell Tower Committee.

Adjournment:

- **Motion:** To adjourn the meeting at 8:25 p.m. as there was no further business for discussion. By Mark Lyon, seconded by Dick Sears and unanimously approved.

Respectfully submitted,

Mary Anne Greene

Selectmen's Secretary