

## PZC Minutes MAY 13 2014

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The Planning and Zoning Commission of the Town of Avon held a meeting at the Company #1 Firehouse, 25 Darling Drive, on Tuesday May 13, 2014. Present were Linda Keith, Chair, Carol Griffin, Vice Chair, David Cappello, Marianne Clark, Tom Armstrong, and Alternates Elaine Primeau and Jenna Ryan; Mesdames Primeau and Ryan sat for the meeting. Absent were Christian Gackstatter and Peter Mahoney. Also present were Town Attorney Kari Olson, Murtha Cullina LLP, and Steven Kushner, Director of Planning and Community Development.

Ms. Keith called the meeting to order at 7:30pm.

### APPROVAL OF MINUTES

Mrs. Primeau motioned to approve the April 8, 2014, meeting minutes, as submitted. The motion, seconded by Mrs. Clark, received unanimous approval.

Mrs. Clark motioned to approve the April 22, 2014, meeting minutes, as submitted. The motion, seconded by Tom Armstrong, received unanimous approval.

### PUBLIC HEARING

App. #4716 - Gladys Walker, owner, Oak Land Developers, LLC, applicant, request for 4-lot Subdivision, 4.99 acres, 354 and 362 Huckleberry Hill Road, Parcels 2810354 and 2810362, in an R30 Zone

App. #4717 - Gladys Walker, owner, Oak Land Developers, LLC, applicant, request for Special Exception under Section IV.A.4.p. of Avon Zoning Regulations to permit one rear lot, 354 and 362 Huckleberry Hill Road, Parcels 2810354 and 2810362, in an R30 Zone

Mrs. Clark motioned to continue the public hearing for Apps. #4716 and #4717 to the next meeting, scheduled for June 10, 2014. The motion, seconded by Mrs. Primeau, received unanimous approval.

App. #4708 -Meredith Corporation dba WFSB-TV, owner/applicant, request for Special Exception under Section IV.A.4.a. of Avon Zoning Regulations to replace communications tower and add Doppler Radar weather system, 375 Deercliff Road, Parcel 2090375, in an RU2A Zone

Also heard at this time but not part of the public hearing.

App. #4709 -Meredith Corporation dba WFSB-TV, owner/applicant, request for Site Plan Approval to replace communications tower and add Doppler Radar weather system, 375 Deercliff Road, Parcel 2090375, in an RU2A Zone

The hearing was continued from April 8.

Present were Attorney Timothy Hollister, Shipman & Goodwin, LLP, representing Meredith Corporation and WFSB TV; Victor Zarrilli, Director of Engineering and Facilities, Meredith Corporation; Joseph Snelson, VP of Engineering, Meredith Corporation; Craig Lapinski, PE, Fuss & O'Neill, Inc.; Bruce DePrest, Scot Haney, Mark Dixon, WFSB TV; Attorney Glenn Dowd, resident of Robkins Road, representing the neighbors; Arnold Chase, resident of West Hartford with knowledge of history of subject site; and Norman Kilcommons, licensed real estate appraiser.

Ms. Keith provided an overview and explained that tonight's proceedings are a continuation of the public hearing held on April 8; the public hearing opened on February 18. She explained that due to statutory requirements the public hearing must be closed tonight and the Commission has 65 days to render a decision. The next regularly scheduled meetings are June 10 and June 24, which are open, public meetings. Ms. Keith clarified that the public is welcome to attend these meetings but clarified that there will be no opportunity for public comment in connection with Apps. #4708 and #4709. She addressed the order of testimony tonight noting that the applicant's team will present first; Attorney Dowd and Mr. Kennedy will present next and then the public will be allowed to comment. She indicated that the applicant will have an opportunity for final comment.

Ms. Keith communicated that the Commission's Administrative Procedures state that meetings adjourn

at 10:30pm. She asked that all presenters be cognizant of time constraints to allow time for all interested parties to speak.

Attorney Hollister explained that he will be addressing the material contained in the applicant's responses, dated May 6, 2014. He noted that he will object to any new material that may be submitted tonight adding that the reason is because this application has been on file since January 10. He explained that April 8 was a delayed date and there should not be submissions of voluminous new written material by the public, as this means the applicant and Commission are seeing it for the first time. He submitted a presentation outline noting that

Mr. Lapinski will first discuss the existing tower and the transmission equipment on the tower, including height and visibility from nearby homes. Mr. Lapinski will also present information about Doppler radar facilities around the country located in close proximity to residential areas. Next, Mr. Snelson will discuss a professional noise/acoustics study that was done by the applicant 2 weeks ago. Mr. Snelson will explain/emphasize how a Doppler radar beam dissipates quickly with distance; a very important point that needs to be understood.

Mr. Snelson will explain how the Doppler radar is always pointed up, towards the horizon, above ground level and above homes and why Deercliff Road is a superior location to Bradley Airport with regard to public safety.

Mr. Snelson will also discuss consumer electronics. Mr. Hollister indicated that he will conclude by discussing use of weather data at the Airport and also the history of weather radar in Avon.

Mr. Hollister addressed responses contained in his submission dated May 6, 2014 noting that there are 5 pieces to the applicant's presentation: (1) the January 7 plans; (2) the January 10 application package; and (3, 4, and 5) supplemental submissions dated February 18, March 25, and May 6.

Mr. Hollister addressed the narrative (11 pages) contained in the May 6 submission noting that the issue of height is discussed. A comparison between the existing tower and the equipment above it and the proposed tower and the radar installation has been provided. The height difference has been stated as less than 18 inches. He explained that the Town Attorney and Town Planner have asked for more precise information and noted that Mr. Lapinski will address that. Mr. Hollister explained that the Regulations say that an increase in the tower height is discouraged but an increase in the height is permitted if (a) the NIER levels at the property line are reduced and the impact on the ridgeline is "materially improved". He noted that the proposed tower would be one foot less than the existing tower; the tower is not in the ridgeline and the height difference is not just less than 18 inches but a matter of inches. Mr. Hollister indicated that the applicant would accept as a condition a requirement that the total height of the reconstructed tower and the radar will not exceed the height of the existing tower and existing equipment. He submitted copies of the special exception issued to WFSB for the TV tower that was granted by the Commission in 2003; this allowed an increase of 20 feet in height of the antenna (from 88 feet to 118 feet). Mr. Hollister noted that this approval shows a precedent at this site for an equipment height increase where the tower stayed the same.

Craig Lapinski, PE, Fuss & O'Neill Engineers, addressed the height of the existing and proposed tower and equipment. He referenced Item #4 of the May 6 response document and noted that the existing tower is 111.8 feet high (Sheet CD 503 of original plan set). The equipment and antenna height is 15 feet above the tower; he noted that photos of the existing equipment on the tower are included in the May 6 document. The total height of the existing tower and antennas is 126.8 feet. The height of the proposed tower is 110 feet (shown on Sheet E1 of the plan set). He noted that the Doppler ray dome height is 17.5 feet (shown on Sheet CD 501 of the plan set). He noted that  $110 + 17.5 = 127.5$  feet; the difference between 127.5 feet and 126.8 feet is less than a foot. He noted that from any particular location, if you cannot currently see the top of the existing antenna you will most likely not be able to see the proposed Doppler radar.

Mr. Lapinski addressed visibility of the proposed tower and ray dome from nearby residences. He noted that although the overall height of the proposed structure will not be substantially increased over

what currently exists, 2 methods of visibility were reviewed. On April 23, 2014, photographs were taken at about 5 feet above the top of the existing tower (approximately 117 feet). He noted line of sight theory such that if we can't see neighboring homes then the neighboring homes can't see the tower. He referenced 14 photographs included in Tab C that were taken in all directions at the top of the tower. He noted that the photos show that all the surrounding homes are screened by existing trees except for the homes at 376 and 394 Deercliff Road, as these homes are located directly across the street east of the site. The proposal is to plant 16 evergreen trees along Deercliff Road in this area to create screening in the future. He noted that line of sight calculations were done; the distance from neighboring homes to the tower was measured (Tab D). The distance from each home to the tree line was also calculated; a triangle was placed at the assumed tree line. The elevations of the first floors of all the homes, as well as the elevation of the base of the trees at the tree line and the elevation of the base of the tower, were all determined using available State-wide aerial mapping. He noted that heights for the second floor windows of homes were assumed to be approximately 16 feet above ground. The height of a mature tree at the tree line was assumed to be 60 feet above ground. The line of sight at the second floor window of each surrounding home was calculated using this information (Tab E). He pointed out that the "Results" column shows that the line of sight is actually above the top of the ray dome. Mr. Lapinski clarified that the calculation results for 394 Deercliff Road assume that the proposed aforementioned evergreens trees have been planted.

Mr. Lapinski addressed additional information for Doppler radar facilities in close proximity to residential properties. He noted that 11 examples of other Doppler facilities around the country were included in the March 25, 2014, submittal and noted that additional information was included in Tab G of the May 6, 2014, submittal. He concluded by noting that Tab G includes information that shows distance to the closest home, the type of residence, and the address for 6 of the previously submitted facilities. He noted that a zoomed-in view of the site at Alpine NJ is provided, which is very comparable to the proposed site on Deercliff Road (large residential single-family homes within 560 feet from a facility).

Joe Snelson, addressed acoustics (Tab U) and explained that he talked to Baron Services (provider of proposed weather radar) who indicate that they have no record of any complaints regarding noise. He added that his own research produced nothing. He noted that he contacted an acoustical engineer in Kansas City, where there is a radar facility. He commented that the current location of the radar at Bradley Airport would make it difficult to get a proper sound reading. The radar in Kansas City is located in an open field where there is no air traffic or urban roadways nearby. He noted that measurements were taken at 319 feet from the base of the tower; he further noted that the nearest property line to the WFSB tower in Avon is also 319 feet. A measurement was also taken at the base of the tower (Kansas City). He noted that the numbers in the dBA column are virtually all the same; he added that 3 different sweeps were used (i.e., a 360° sweep; a sector scan/horizontal arc; and a vertical arc). He explained that the "non-ambient" figures are when the antenna was turned off. He explained that 65 dBA is the level required for anyone who installs an air conditioner outside their house; the numbers for this study are well below that.

Mr. Snelson referenced TAB E addressing how radar beam energy dissipates. He noted that he performed some calculations and then compared them to the consultant's calculations. He explained that an occupational controlled worker (a person with an understanding of radio frequency energy and how to work around it) could be in a bucket truck stopped at 319 feet high and in the main beam of the radar and be within compliance of the legal requirements, which is 5mw/cm<sup>2</sup> (power density). He further explained that the general public could be 762 feet away from the radar and be within the legal requirements of the radio frequency exposure, contained in OET 65 of the FCC rules.

Mr. Snelson clarified that these examples assume worst case scenarios with the antenna stopped and just aimed; he added that when the antenna is rotating the levels go down by a great amount.

In response to Mr. Kushner's question, Mr. Snelson explained that currently the standard for the general

public is  $1\text{mw}/\text{cm}^2$  so if you are closer than 762 feet to the radar then you would exceed the standard if you were in the main beam.

In response to Mrs. Ryan's questions, Mr. Snelson explained that an occupational worker does not wear protective clothing while in the bucket truck, as none is required. The FCC says that individuals with an understanding of radio frequency energy know how much exposure they can tolerate; the higher the levels the less exposure time is permitted. For example, most tower climbers wear RF monitors on their belts such that if they get close to the point where they're going to exceed the constant exposure an alarm lets them know. Radio frequency energy is averaged out over time and that is why standards are different for workers than general public. Mr. Snelson clarified time frames for exposure noting that a member of the public could be 762 feet away from the radar 24/7, 365 days a year; an occupational worker could be at the property line, 319 feet away from the radar, 24/7, 365 days a year.

In response to Mrs. Griffin's question, Mr. Snelson explained that workers know what limits they can operate on radio frequency energy that may exceed the  $5\text{mw}/\text{cm}^2$  because they understand the time limits involved; they wear monitoring equipment that helps them. He added that notices are placed at tower sites (i.e., "at this location you are below the time average amount"). Trained individuals can work around higher levels of RF energy because they understand and know the limits whereas the general public does not and, therefore, the exposure for the general public has to be assumed at 100% all the time. Mrs. Griffin added, with all sincerity, that she hopes this situation doesn't turn out like "agent orange", where the government indicated, at that time, that it was safe. Mr. Snelson noted that he believes that information relative to rules for non-ionizing radiation were released in 1986; the rules were revised in 1997 such that the limits for the general public were made 5 times more strict (i.e.,  $1\text{mw}/\text{cm}^2$  vs.  $5\text{mw}/\text{cm}^2$ ). He noted that OET 56 (found on the FCC's website) gives a general explanation of RF exposure in layman's terms; OET 65 gives more in depth information. He noted that applications submitted to the FCC must contain information relative to how protection will be provided for both the general public and the workers.

In response to Mr. Snelson's comments, Victor Zarrilli stated that it is standard procedure that everything on the tower is shut off when a worker is on the tower.

In response to Mrs. Clark's question, Mr. Snelson indicated that health records on the workers are not kept but added that he has been with Meredith for 33 years and in broadcasting for 44 years and has never received any information in this regard.

Mr. Kushner asked Mr. Snelson how the testimony he just provided compares with the expert testimony received from the other 2 radio frequency engineers that seems to suggest that energy levels dissipate quite rapidly and it is easy to achieve the standard. He asked the significance of being 762 feet away from the radar, as shown on the diagram in TAB E. Mr. Snelson explained that his point in presenting the diagram is to show how fast RF energy dissipates. A worker can be 319 feet away in the main beam and the general public can be 762 feet away in the main beam and both would meet the standard. He further explained that this scenario is not normal operation but reiterated that the point is how quickly energy dissipates when you move away.

Mr. Hollister offered clarification regarding the aforementioned scenario noting that the distances of 319 feet and 762 feet are 100% of the standard, a worst case calculation, as compared to what Messrs. du Treil and Rhodes said such that the exposure is several zeros after the decimal point.

Mr. Snelson addressed another diagram from TAB E (using same distances of 319 and 762 feet) noting that workers located 2 degrees from the main beam (319 feet) would receive RF exposure equivalent to holding a cell phone out 5 feet. The general public located 2 degrees from the main beam (762 feet) would receive RF exposure equivalent to holding a cell phone out 9 feet. He indicated that the beam is very tightly oriented and spreads as it goes out. He explained that the main beam never hits the ground; it goes out over the horizon. The RF energy/beam coming out of the radar dish is similar to a garden hose such that even though there is a "jet stream" you also have spill over.

Mr. Hollister stated that Cavell Mertz & Associates prepared an updated study dated May 6, 2014.

In response to Mrs. Clark's question, Mr. Snelson confirmed that if the beam is located either 2 degrees above or 2 degrees below the main beam, the energy dissipates and loses intensity. Mr. Snelson referenced the May 6 report prepared by Cavell Mertz and noted that the number revisions are not significant but indicated that the column marked "% of MPE" shows numbers as fractions of 1% (for the general public, the specifications would be made if the number were at 100%).

Mr. Snelson addressed concerns regarding limits placed on the antenna such that it could not tilt downward. He noted that he checked with the manufacturer who indicated that an electrical limit is provided and it is adjustable (i.e., antenna could be set such that the antenna would not go below ½ degree). The design of the antenna doesn't allow it to go below 5 degrees but he noted that mechanical limit switches can also be provided.

Mr. Snelson referenced TAB L regarding location (i.e., using Bradley Airport vs. Avon) and referenced 2 maps; the shaded map was plotted from Bradley at a tilt of .75 degrees upward. He noted that the shadowing shows terrain obstruction, which is shown as "ground clutter" on the radar. To see beyond the clutter, the antenna must be elevated higher. The second map was plotted in Avon at .75 degrees, noting that there is a significant difference between Avon and Bradley Field. He referenced the "Terrain Profile" chart noting that the beam that emanates from the antenna is just about 1 degree in width such that at .75 degrees the radar beam clears Talcott Mountain.

Mr. Kushner asked if some of the problems could be solved by building a taller antenna at Bradley Airport. Mr. Snelson indicated that he doesn't know because he doesn't know how tall it would have to be. He added that one of the problems with Bradley is that airports have height restrictions and the structure may have to be quite sizable to clear the obstructions. Mr. Kushner commented that, theoretically, it may be possible but there may be FAA restrictions that prevent it.

In response to Mr. Armstrong's question, Mr. Zarrilli confirmed that .5 degrees is the lowest point at which the antenna can operate.

In response to Mr. Armstrong's question about EMF levels at Talcott Mountain, Mr. Snelson noted that he isn't sure that he actually calculated that information but explained that at that distance, 4.68 kilometers, the level is well below the .000 mark.

Mr. Snelson referenced TAB M addressing interference with consumer devices. He noted that he checked with his consulting engineer (who has been around for a long time) who indicates that he has not heard of any interference issues. Weather radar operates on different frequencies than electronic home devices, with the exception of some WiFi devices, which can operate on the same frequency as radar. He explained that home devices are unlicensed while radar is licensed; unlicensed devices, per FCC rules, have to accept interference from licensed devices and licensed users are protected from unlicensed devices. He concluded by noting that home WiFi equipment is supposed to have built in detection capability such that it listens and if it hears radar nearby it does not operate on the same channels.

Mr. Hollister noted that at the last meeting Mr. Chase noted that the weather data at Bradley Airport is used only by the ground crew. He referenced a letter dated September 25, 2013, from the CT Airport Authority (TAB 2 of February 18, 2014, submission) which indicates that this information is used throughout the airport for all public safety purposes and not limited to the ground crew. He addressed history of weather radar in Avon noting his agreement with Mr. Chase's claim that he (Mr. Chase) knows more than anyone else alive. He commented that WFSB's 40-year employee, Mr. Paterson, passed away in October of 2013. Mr. Hollister noted that at the Commission's April 8 meeting, Mr. Chase indicated that he didn't intend to speak but just happened to be in the building because he had to address his helipad proposal; Mr. Hollister further noted that Mr. Chase just happened to show up with a meticulously researched 40-year history of the site. Mr. Hollister stated that the applicant accepts Mr. Chase's correction about the time frame from 1976 through the mid 1990s. Mr. Hollister took complete ownership of the misunderstanding noting that he relied on the documents contained in TABS Q, S, and T of the May 6 document that talk about the radar equipment being in Avon as of 1998 and his

discussion with the late Mr. Paterson in February of 2013. He explained that we now understand that the Doppler radar was located in Bloomfield but the information was processed in Avon. Mr. Hollister indicated that he noted his mistake in the narrative and noted that Mr. Chase is a competitor of the applicant in the market, as he owns an existing license, although inactive (noted in TAB P). Mr. Hollister noted that in 1993 Mr. Chase argued for the necessity of having a Doppler radar in central CT, as a matter of safety. He further noted that Mr. Chase also indicated in his April 8 testimony that his Doppler radar located near a residential area in Bloomfield is safe. Mr. Hollister confirmed that the applicant accepts Mr. Chase's well documented timeline on the radar history.

Mr. Hollister addressed TAB E (May 6 submission) noting that the purpose is to show how radar energy dissipates with distance but added that it is important to note that the distances noted, 319 and 762 feet, are 100% of the standard and explained that that scenario can never happen in real life because that is the beam pointed directly and continuously at a person. He noted that the diagram was only to show that from the antenna to the exposure point the drop in the energy level is so significant that a person could stand there 24/7, 365 days a year. He explained that the Cavell Mertz report measures the beam and the exposure to NIER levels that results from what is being proposed; he added that that is where we get into measurements that are lower than 3,200/1,000ths of the standard. Mr. Hollister addressed Mrs. Griffin's earlier comments relating to "agent orange" noting that, in this instance the NIER has a standard that's been adopted and in place for 35-40 years and we are at 3,200/1,000ths, at most, of the standard. In response to Mrs. Griffin's comment that soldiers were told that agent orange was safe at that time, Mr. Hollister noted his understanding but added that "agent orange" was an unknown chemical used in wartime. He explained that the subject proposal involves a civil engineering standard with a standard and we are at a tiny fraction of the standard and this is how justification is made.

Mrs. Griffin noted that she hasn't seen any photos that show all of the additional items that are on the tower, besides the Doppler radar.

Mr. Hollister referenced TAB B noting that the Doppler radar would replace the antennas shown in the photos.

Mr. Zarrilli clarified that there would only be 2 or 3 antennas and they would be mounted much lower on the tower.

Mrs. Griffin commented that she believes everything is required to be shown on the plans. She noted that she doesn't see listed what is going to remain on the tower.

Mr. Hollister explained that the antennas won't be visible and noted that the photos are to show visibility of the tower itself. He added that all the equipment that is on the tower has been listed.

Mr. Zarrilli referenced the photo in TAB B noting that that is the worst case scenario and added that none of the antennas shown in this photo can be there if the Doppler radar dome is added to the tower. In response to Mrs. Griffin's question, Mr. Zarrilli explained that he can't identify which equipment will remain because some of the antennas belong to the University of Hartford of which only 3 would remain.

Mr. Hollister explained that the 3 antennas owned by the University of Hartford would be lowered on the tower and added that the only thing at the top would be the Doppler radar.

Ms. Keith referenced the photo and commented that everything above the brown line would be removed and everything below the brown line may be lowered further. Mr. Zarrilli concurred and added that the antennas (radio station communication links) owned by WWUH must reapply for licenses to relocate, most likely, to a lower position on the tower but above the tree line. He clarified that the applicant owns the tower only, not the antennas. Mr. Zarrilli explained that this information was communicated to him via email from John Ramsey, the Director of Engineering for WWUH, University of Hartford.

In response to Ms. Keith's question, Ms. Olson noted that it is her understanding that the applicant cannot give assurances as to the location of the antennas.

Mr. Zarrilli noted that he can provide assurances that the antennas will not be located higher than the upper most horizontal on the tower.

Mr. Hollister stated that the applicant can accept as a condition of approval that none of the existing equipment above the top of the tower will be there; it will all be removed and there will be approximately 3 installations that will be lower on the tower.

In response to Ms. Olson's question, Mr. Hollister clarified that the ray dome would be the only thing located above the top of the tower; all of the equipment currently located above the top of the tower would come off and if it can be relocated lower on the tower that is a separate matter, as the FCC has control. Ms. Olson noted her understanding.

Ms. Keith noted that because there is no active drawing, she needs to be clear that the ray dome will sit at the top of the tower and all the antennas will be removed; if antennas are remounted, they would be placed lower than the ray dome. Mr. Hollister concurred and noted that the applicant would accept that as a condition.

Mr. Kushner commented that the Commission will need to decide if that condition is acceptable because it is not known exactly how many antennas will remain and where they would be placed.

Mesdames Keith and Olson noted their understanding that there would be only 3 antennas remaining.

Mr. Zarrilli confirmed that 3 antennas would remain.

Mrs. Griffin commented that the Regulations (Section IV.A.4.) state that the site plan show all existing towers, antenna dishes, and other transmitting and receiving devices. She noted that if the exact placement cannot be shown now, the applicant would have to return at a later time and apply for the placement of each item added to the tower, other than the ray dome.

In response to Mrs. Griffin's comments, Mr. Hollister concurred and explained that the Regulations cover changes in equipment and if the Commission deemed that a change in the location in the height on the tower was proposed, that would have to come back before the Commission for review.

Glenn Dowd indicated that Bill Michella, resident of a leased home on Deercliff Road, has information to present regarding other Doppler sites. He noted that Norm Kilcommons, appraiser, will briefly address concerns contained in WFSB's response dated May 6, to his testimony at the last meeting.

Arnold Chase has information in response to the new information. Mr. Dowd concluded by noting that he will have brief summary remarks.

Mr. Hollister voiced his objection, for the record, to the submission of new research, photos, and information. He noted that the application has been on file since January 10 and April 8 was an extended public hearing date to ensure that the public had ample time to prepare. He commented that for the applicant and the Commission to get brand new information violates the standard, which is fundamental fairness. He noted that it also hangs the applicant for doing what they said they were going to do, which is provide their responses in writing a week ahead of time. Mr. Hollister commented that Attorney Dowd and his speakers are taking unfair advantage of the applicant's good faith and noted his objection to new information.

Ms. Olson stated that there is nothing in the Regulations that says that the Commission must comply with the applicant's objection; this is a public hearing.

Ms. Keith noted that this meeting is a public forum and the Commission can accept information. Ms. Olson concurred.

Bill Michella, 405 Deercliff Road, noted that he spoke at the last hearing, mostly from an emotional standpoint; he noted that tonight's presentation is more factual. He presented his research via PowerPoint (and submitted a hard copy to Commission) and noted that 375 Deercliff is not an appropriate site based on his findings. The data to be presented supports the non compliance of special exception criteria (A, B, C, and I); the subject site is an extreme outlier, as compared to the national sample. He noted that his focus relates to suitable use and noted that the data sources are on the FCC website. He commented that there are approximately 155 national weather service locations; Zillow for home price information and Google maps for geo location and other information. He referenced the

data elements used in TAB G of the applicant's May 6 submission and noted that he added data points such as cluster of homes; home price range; is facility at an airport; is it on farm or large forest; it is alongside a major highway; is it within a commercial zone; and is it among a residential area (i.e., a cluster of 3 or more homes within a 1,000-foot radius). He noted that of the 108 radars analyzed, 12% are at an airport; 28% are on farms; and 44% are located along major highways; a total of 73%. He commented that these scenarios do not exist at 375 Deercliff Road and added that of the 29 radars that are not at an airport or on a farm and not near an interstate, there are only 14 which fall into a residential area (13% of the total). He noted common data points for many of the radar, namely near commercial facilities; against forest land; and in the middle of a city (atop the GE Building in Manhattan). Mr. Michella referenced TAB U relating to acoustics and noted that the site that was researched is located alongside a highway, which is completely different than the subject site. Of the 14 radars in residential zones all but 3 are near condos or low-income housing and of those 3, only one location is near homes ranging above \$500K (Martinsville, NJ). He noted that it has been represented that the Alpine NJ facility is very similar to Deercliff Road; the Avon location is an outlier to the outlier. Mr. Michella indicated that this information shows that the proposal is not in compliance with the Regulations and noted that people have choices about where to live adding that Alpine NJ is less than 9 miles from Manhattan; people accept that location because of its location. Avon is a drastically different location. Mr. Michella concluded by noting that people's choice to live in Avon is slightly changing because the proposed Doppler was not here before. People have a choice on whether to use cell phones or have WiFi but the Doppler is not a choice.

Norm Kilcommons, real estate appraiser, explained that he was asked by Mr. Dowd to look into the effect a Doppler radar would have on home values. He noted that he found no significant data for CT and added that he doesn't feel data from NJ is comparable to Avon. He indicated that the people in NJ knew the Doppler tower was there; it didn't just appear. He noted that he hasn't found anything in New England that is close to the subject proposal. He noted that the applicant's responses (in May 6 submission) to his statements at the last hearing in connection with 385, 395, and 405 Deercliff Road are incorrect. He explained that he (Kilcommons) never stated the Doppler tower, but rather he noted that he stated that the antenna field would have an effect on the value. He indicated that he never measured where the proposed Doppler tower would be, as that tower wasn't there when people bought their homes. He clarified, in response to comments from the applicant, that 2 of the 3 aforementioned homes were built by the same builder (Wilson and Beauchin) and the 3rd house was built by Mike Sweeney. All 3 houses are comparable and the assessor's data does not support what is in the appeal. Mr. Kilcommons indicated that he has talked to commercial and residential appraisers throughout CT, NY and NJ and noted that there is no data available to show how property values might be affected in this instance. He concluding by urging the Commission to visit the site when there are no leaves on the trees.

In response to Mr. Armstrong's question, Mr. Kilcommons noted that he does have information about house values located close to cell phone towers but added that he doesn't consider the subject tower proposal a cell tower and further added that he would have to make arbitrary adjustments. He added that he doesn't feel there is a similar marketability and doesn't feel he could support such an adjustment.

Mr. Kushner asked Mr. Kilcommons if he thinks there is some adjustment in value for the existing homes in Brocklesby and Sky View Subdivision because of the proximity to the existing towers. Mr. Kilcommons explained that the tower farm existed before the homes so when homes were built around the towers that established a basis of value. He added that he doesn't feel an adjustment is warranted because people who bought the homes knew the towers were there; this is a different situation than the subject proposal. He reiterated that there is no data to support an adjustment in value for the subject proposal.

In response to Mr. Dowd's question, Mr. Kilcommons indicated that he feels everyone has an overall



conclusion about what the subject proposal will do to property values.

Mrs. Clark addressed Mr. Kilcommons and noted that although there are no exact numbers, Mr. Kilcommons thinks the proposed tower would lower values.

An unidentified audience member stated that it certainly wouldn't increase values.

Mr. Kilcommons asked the Commission what their thoughts would be if they were considering buying a house at this time near the subject property.

In response to Mrs. Clark's question, Mr. Kilcommons reiterated that he does not have data to prove it but added that he feels the subject proposal would have a negative effect on the nearby neighborhood.

Mr. Hollister asked Mr. Kilcommons if he has read the Cavell Mertz report on the NIER levels. Mr. Kilcommons indicated that he has read the report. Mr. Hollister asked Mr. Kilcommons to comment specifically on the findings of that report in relation to the comments he just made. Mr. Kilcommons explained that he took a visual effect and nothing else; just the visual effect of the tower on neighborhood prices.

Arnold Chase explained that he provides written information as proof of what he says, as opposed to some of the wild statements that have been made. He noted that he prepared much empirical data assuming that the Commission would be more snookered than is apparently occurring. He applauded the Commission for picking out things that would have slipped under the radar. He noted that Attorney Hollister has made statements that he (Mr. Chase) is a competitor and owns radar in the area and that is why he (Mr. Chase) wants to fight this. He explained that his radar license was cancelled on January 10, 2013, noting that Mr. Hollister did not check the FCC database. He submitted to the Commission copies of his presentation tonight. He referenced page 1B, noting that WFSB has no equipment on the radar tower they own; the tower as far back as 1985 was listed as inactive. In 2003, the applicant resubmitted it again as being inactive. In their latest presentation, the applicant lists all the equipment that is there; Mr. Chase noted that WWUH owns everything. He added that the applicant did refer to several whip antennas not owned by WFSB. He noted that the applicant makes a great point by saying that the ray dome will only be a foot and a half higher than the tallest antenna on the tower but explained that the tallest antenna there was abandoned 20 years ago and it was never taken down. Mr. Chase noted that because of all the abandoned equipment, the proper existing height of the tower is around 112 feet and the addition of an 18 foot ray dome will add 18 feet, not 18 inches. He noted that Attorney Hollister has put a lot of effort into showing that the proposal is an application for special exception and noted that a comparison is needed between what was presented vs. what the Regulations really say. He referred to his handout noting that Page 1A is a copy of Mr. Hollister's last submission and Page 1B is a copy of the actual Zoning Regulations. He noted that what was quoted really isn't a quote because words are missing. He explained that Mr. Hollister said "we're allowed modification or replacement at the same site" which is different than what the Regulations say, "modification to or replacement at the same site of any existing communications, transmission stations, and towers". He noted that the word "to" is very important because you can modify what's there but asked how something can be modified that isn't there. He noted that the applicant doesn't own/operate any equipment on the tower and the tower is listed as inactive, adding that this is very curious. He added that the existing tower can be modified and/or replaced and added that it probably should have been done a long time ago because the tower does not pass any of the current safety codes. He noted that the applicant can change the tower but the equipment is another story, as clarification is needed as to the meaning of equipment modification. Mr. Chase explained that he was involved with the creation of the restrictive tower regulations, noting that information was requested of him from the Town Planner. He indicated that at that time he was no longer a broadcaster but was a tower operator and the Town asked how existing operators could be protected but stop any new towers/stations from going up. He explained that he submitted language, which is largely reflected in the Regulations, to allow modification or replacement of what currently exists. He noted that the way the Town has been implementing this regulation is such that if there's an antenna that needs to be replaced, that is a

minimal change that doesn't affect the overall characteristic of the tower; the primary purpose has not changed. He noted that a special exception was granted a number of years ago because it met decreasing radiation levels; the change was from analog signal to digital signal, was higher up and farther away from the neighbors, and went from VHF to UHF.

Mr. Chase addressed noise and noted that Mr. Snelson's testimony tonight was not really responsive to the question asked because one of the questions was would the effects of the noise be heard at night, when sound travels farther. He noted that he is familiar with sound measurements and has owned several professional sound meters. He noted that an "omni-directional microphone" is designed to pick up 360°. He explained that the microphone used at the site where sound tests were done would pick up Highway 58, located behind the tower. He noted the neighbors to KC TV are a curbside recycling, a landscape business, and a stone cutting facility. He noted that the reason that the numbers in the report are so high is no mystery; it's a commercial/industrial area near a State highway. Mr. Chase indicated that at the last meeting he pointed out that any mechanical device, including radar, will make noise and the question is what is the noise level and is it appropriate to the area. He clarified that he didn't characterize radar as being like a jack hammer or a jet engine. He noted that the study indicates that sleep disturbance may occur at less than 50 dBA; the day/night average sound level is a 24-hour sound level equipment with adjustment for night of 10 dB. He noted that 10 dB is the equivalent of a doubling of the apparent sound level (i.e., 40-43 dB measured at night would become 50-53 dB). He pointed out that the radar used in the study is lower power and an older model (250kw) than what is proposed in Avon (350kw). He noted that the difference in power is the equivalent to a couple of hundred Channel 3 transmitters.

Mr. Chase addressed standards for occupational vs. general public and submitted a copy of the FCC's OET Bulletin 65. He noted that while it may be true that just over the property line a worker in a bucket truck up 80 feet, and not 319 feet as noted by Mr. Snelson, on the WFSB side of the fence is, theoretically, within levels because the requirement is 5 times less stringent. He noted that as soon as a worker in a bucket truck (either trimming trees or spraying) crosses over to the other side of the fence they are vastly over the radiation level. He explained that the existing radar at Bradley Airport is 250k watts and noted that the applicant indicates in their submission information that they are going to move the radar to Avon. He noted that, in reality, the applicant is proposing to move new and different 350k watt output radar to Avon. He added that the proposed 350kw radar can operate at either 350k or at 1M watts; the radar system is designed to be upgraded to 1M watts and the upgrades would take place in the building proposed to be constructed. He noted that no one would know if the radar power was tripled. Mr. Chase referenced rotation rate noting that Mr. Snelson indicated that the radar goes around once per minute. He added that it's very clear from the information that the rotation rate is up to 6 times per minute, resulting in 6 times the potential radiation. He noted that peak transmitter power is listed at 350 watts and noted that it should say 350 thousand watts. He referenced "radar duty cycle" noting that the applicant shows this at .001 and explained that what this means is 1 microsecond pulse per second. Mr. Snelson communicated that there are 1,000 pulses.

Mr. Chase noted that he asked about the pulse width. Mr. Snelson indicated that he doesn't have the information in front of him. Mr. Chase noted his understanding and added that 1,000 pulses is what some of the calculations would show; he noted, however that if you read the radar literature, it can be up to 2,000 pulses depending on the mode. He added that 2,000 pulses would cause the numbers in the radiation study to be doubled. He addressed pulse width making an analogy to being poked with a stick; going from 1 to 2 would mean that the size of the stick is doubled. He pointed out that doubling of the numbers blows apart the study calculations adding that it doesn't necessarily mean that the numbers exceed the radiation limits in the Zoning Regulations but noted that it does mean that the applicant's calculations are wrong.

Mr. Chase addressed "splatter" (Pages 2F and 2G) and noted that if you have a garden hose on the fine spray/stream setting and hit a pole with it, it would splatter all over the place and also kick back to the

person using the hose. He noted that there is another tower approximately 100 feet away from the subject tower and added that as the beam is going around the radiation is splattering (surface reflection); it can be increased by 50%. He asked if the information provided by the applicant can be believed. He noted that the workers are on site for a short time and there is radiation protective clothing available to them. The neighbors would be exposed to the radiation 24/7, which is a different situation. He noted that a radar facility, if designed properly, would be fine; he added that if there is 1,000 feet of separation to the nearest home and additional height it's ok. Mr. Chase asked if the subject site is an appropriate location for the proposed radar.

Mr. Chase noted that Bruce DePrest is a fine meteorologist. He noted that he (Mr. Chase) trained with the old Doppler radar that was used. He indicated that he and Mr. DePrest have experience with the operation of the Doppler radar and what  $\frac{1}{2}$  of a degree really means and is that really where you want to be. He explained that the radar, at all times, was either at zero degrees or below, depending on the weather. You can only see certain weather conditions if the beam is aimed down and noted that in a proper location this is not a problem and is done all the time. He indicated that the proposed location is abnormal and therefore it is a problem. He commented that a radar dish is approximately 600 to 800 pounds and rotates; he asked to think of it on casters and asked if you were to move the dish towards a wall would you expect it to have a "hard" stop as the applicant has indicated or would it be expected to have a softer stop and coast to the end. He explained that he has worked on radars and what the applicant calls a "hard" stop is not a hard stop at all. He explained that there is a rubber bumper involved; the electrical circuit is interrupted, the radar coasts down and hits the bumper and goes back up. Mr. Chase noted that if the applicant is proposing/implies that a block of metal will exist such that a 600-pound radar would be hitting metal (metal against metal) it would not only make a lot of noise but the radar would tear itself apart. He noted that the manufacturer recommends that their settings not be tampered with; the normal setting is 5 degrees below the horizon.

Mr. Chase addressed interference with neighbors and noted that Mr. Snelson's first submission information indicated that there are no consumer electronics that operate in the frequency band and now it appears that maybe there are consumer electronics that operate in the same frequency. He noted that Mr. Snelson's response was that radar is licensed and consumer products are not. Mr. Chase indicated that the proposed Doppler in the proposed location would likely wipe out a whole host of equipment that neighbors now utilize. He commented that the consumers could be liable for fines, under FCC rules, if they fail to take action to resolve interference issues. He noted another reason why the proposed location is not a proper location for radar.

Mr. Chase concluded by noting that he doesn't know why Attorney Hollister claims that there is some connection to the Avon site for radar use or data manipulation. He indicated that he has proof that the Talcott Mountain radar that the applicant used went through a data link from Talcott Mountain to the roof of One Corporate Center, where Channel 61 was originally located. He noted that when Channel 3 took over the service, it was moved a couple of blocks away via phone lines but explained that it never had anything to do with the Avon facility.

Mr. Hollister indicated that his witness is dead.

Mr. Chase acknowledged that the witness may be dead but noted that the records are not.

In response to Mr. Armstrong's questions regarding "splatter", Mr. Chase explained that the applicant made radiation measurements and calculations but did not take into account the added effect of the radar beam hitting a nearby tower. A worker on the tower would get a large dose if the radar were operating. He referenced Pages 2F and 2G and noted that there are power densities for a given power; the highest power level used by the applicant is 1M watts. He explained, for example, that with "splatter" a reading of 10,000 could go up to 35,000.

In response to Ms. Keith's question, Mr. Zarrilli explained that he has just verified, via email, with an engineer from another entity that 4 antennas would remain on the tower.

In response to Mrs. Griffin's question, Mr. Zarrilli noted that he would have to look up the license dates

to know when the existing antennas were added to the tower. Mrs. Griffin commented that the Commission needs to know if the existing antennas were added after 1987, the year the Regulations were adopted. Mr. Zarrilli noted that 1987 is way before his time and indicated that he doesn't know when the antennas were added.

In response to Mr. Armstrong's question, Mr. Kushner explained that Mrs. Griffin is referring to a zoning amendment in 1987 which prohibits the construction of any new towers; the amendment only permits modifications to or replacement at the same site. He noted that he believes Mrs. Griffin's point is that any significant change to an existing tower, such as adding new equipment, is only allowed if the owner applies for special permit, similar to the process underway tonight.

Mr. Zarrilli addressed the Chair and indicated that he can get an answer but noted that he cannot go on record because he doesn't own the antennas. He added that because new information was presented tonight he feels he should have the ability to present what equipment would possibly stay.

Mrs. Griffin noted that she would like to know when the equipment was originally installed.

In response to Mr. Zarrilli's question about whether the Commission wants him to get information about the equipment, Ms. Olson clarified that no new information can be received once the public hearing is closed. Mr. Zarrilli indicated that he cannot go on record and give information because it is not his information to give.

Mr. Hollister noted that he would address the equipment issue as a condition.

Mrs. Griffin asked if there was anyone present that knows when the antennas were added.

Mr. Hollister explained that the subject site was before the Commission in 1993 and 2003 for various permits and equipment. He noted his assumption that there was a review of all the equipment on the site at those times and added that that is all he can say at this point.

Mrs. Griffin commented that she doesn't think there was a review of all the equipment.

Mr. Hollister indicated that he doesn't feel it's proper to pin on the applicant an assumption that the Commission's Regulations have been violated by adding equipment that does not have proper permits. He added that there is no way to answer the question tonight, on the last night of the hearing, and asked that the Commission not make an assumption that what is there is not permitted.

Mr. Dowd acknowledged that he has reviewed the responses from WFSB and noted that a fundamental part of the initial application was a statement that this equipment was there and operating. A Doppler radar was on site and operating from the early 1970s to the late 1990s; he noted that was an important part of this application. He commented that in the 1970s, the Sky View Subdivision had not yet been developed; nor had Brocklesby been developed. The number of homes that have been added to this area since the 1970s is significant; the area was isolated and empty. He explained that it was important to show for this application to have hope of success that there was a long-term operation of radar equipment on the subject site in effect when homes went in. He indicated that he is troubled to hear that a publicly traded company with a \$2B market cap relies on an interview with a 40-year employee, an article from a 1972 newspaper and a couple of maps but doesn't look at FCC licenses to ensure the accuracy of information provided. He asked if we are to assume that they paid property taxes on this expensive equipment up through 1999 on the assumption that it was there. Mr. Dowd asked if we would have ever known what was happening on the subject site, if Arnold Chase hadn't taken the time to review the material. He noted that he doesn't feel comfortable with the information that forms the basis of the proposed radar, given a facility that shoots 6.75B watts of energy over homes located a couple of hundred feet away. He noted that it has been represented that the omission of great quantities of information is not relevant because the proposal is to modify or replace equipment at the same site. Mr. Dowd noted the following 3 reasons why he feels the basis that underlies the application is bankrupt and why the proposal cannot be approved:

1. Modification to or replacement at an existing communications/transmissions station. He noted that there hasn't been a Doppler radar on the subject site for 38 years; nothing exists so there's nothing to replace. The existing whip antennas, as indicated by Mr. Chase, are not owned by the applicant. He

asked how something can be replaced that doesn't exist.

2. He noted that replacement of, or modification to, communication transmission stations are permitted. He asked how radar is a communication transmission station; it shoots 6.7B watts of energy off a cloud and gets information back but there is no known language communicated. He noted that because this information is used in some way in a communication media to Mr. DePrest and the weather team is irrelevant. This is about a station that transmits things, like FM antennas and cellular towers, which are communications transmissions stations. He noted that a Doppler radar doesn't communicate and is therefore outside the scope of the Regulations.

3. He asked what it actually means to modify or replace something. He asked whether it means that we're going to put in, in place of some whip antennas and some FM antennas, some equipment that transmits 6.7B watts or whether it means something else. Mr. Dowd provided the following scenario, as an example. He noted, hypothetically, that a person owns a road and tells people that they can drive a 1968 Volkswagen Beetle on that road; they are also allowed to make modifications and replacements to the vehicle. He noted that time passes and the 1968 Beetle is replaced with a 2014 model but it's ok because it's the same model and same basic vehicle. If the roof was taken off and/or a big stereo was added it would be modified but would still, essentially, be the same vehicle and remains within the spirit of what was agreed upon. He noted that when modifications and/or replacements get so different from what existed originally and so much more extreme in terms of degree, he asked how the concept of modification and/or replacement remains relevant and noted that it tortures the logic of the Regulations to suggest it. Mr. Dowd asked in what sense the second installation modifies the original structure. He further asked in what sense does the 6.7B watt transmitter, that doesn't communicate anything and that would be the strongest microwave transmitter in Connecticut, replace the array of existing whip antennas contained in the modified response. He noted that it doesn't and added that there has not been a lot of discussion of this topic because it fails under any reasonable interpretation of the rules. He indicated that the Regulations state that any increase in antenna height shall only be permitted when radiation at the nearest property line is reduced and when the proposal results in improvements to the ridgeline. The latest responses received from WFSB admit that the new facility is going to be taller than what currently exists. He noted that the Cavell Mertz report, Dr. Carpenter's report, and the Channel 3 submission all state that the ambient level of radiation at the nearest property line is going to be increased. Mr. Dowd commented that there has been a plain admission of both a height increase and an increase in ambient radiation at the nearest property lines. He noted that the language contained in the Regulations disqualifies the application; no questions and no discretion. Mr. Dowd noted that WFSB took issue with his statement about the ray dome, which we now know is 17.5 feet and not 18, 14 or 16 feet. He noted that the applicant says that the ray dome won't be visible from the porches of the 5 nearby homes; photos were taken by Mr. Lapinski. Mr. Dowd asked how it's possible that it isn't visible from the nearby homes when it is shown on Page 15 of the original PowerPoint submitted by WFSB showing its visibility from the former Cliff house site located across the street; it's visible from Fisher Meadows. He noted that a large white dome placed in the middle of things may be more visible than looking through a bunch of trees; he added that he feels the photos provided in the applicant's response are very misleading. He noted that the noise data provided by the applicant is unreliable, according to Mr. Chase. He pointed out that the neighborhood around the subject site is very quiet and still and added that it won't take much noise for that quietness to be disrupted. If the radar is installed and the noise is unacceptable he asked how the situation could be remedied; he commented that he doubts the tower would be taken down. He noted that there was much discredit given to Dr. Carpenter's testimony but further noted that Dr. Carpenter is a medical doctor trained in public health issues. He asked why there was no testimony from a public health expert telling us that there is nothing to worry about. He commented that there's a reason why workers wear monitors on their belts when they work near radar because it's inherently dangerous. He asked whether the community is willing to accept the risks that the engineers, however credible, may be wrong and the

possible consequences for public health issues. Mr. Dowd indicated that at the time of such things as Agent Orange, DDT, and lead in paint, there were physicians warning people of the dangers, just like Dr. Carpenter is warning us today. He noted that it is his understanding of the Regulations that the Commission has the right to make decisions regarding public health issues; he added that FCC guidelines do not have to be blindly accepted. Statements of engineers who do not have public health training or medical degrees do not have to be accepted. He commented that Mr. Kilcommons' opinion was noted as suspect in the reports but noted that he was given an impossible task. He mentioned Mr. Michella's presentation noting that Avon is an extreme outlier situation. He added that it is his opinion that if the proposal was to build a nuclear power plant a couple of hundred feet from a high-end neighborhood, at the top of Deercliff Road, that Mr. Kilcommons would have trouble finding data in that regard. Mr. Dowd asked how it could be possible that the proposed radar is not going to have an effect on property values. He noted that the Commission's review of the special exception criteria is their opportunity as the conscious of the community to make good decisions. He asked if the proposal is in harmony with the orderly development of a high-end neighborhood. He asked if it's a suitable structure for use and would it hinder the use or diminish the value of adjoining properties. He asked if it would adversely affect property values and would the proposal have a detrimental effect on public health safety and welfare. Mr. Dowd indicated that he doesn't think anyone can give conclusive answers but noted that there is substantial information indicating that the proposal is a problem. Mr. Dowd concluded by thanking the Commission, on behalf of the neighborhood community, for their time and consideration in this matter.

Richard Lublin stated that he bought a lot on Brocklesby 12 years ago because it's a great location. He noted that at that time he was aware of the antennas in the area. He added that he had the antennas assessed and it was determined that they throw off radiation; he noted that when he picks up his telephone he hears WTIC. He noted that it's a beautiful location and there was no health risk and he built a magnificent house. He commented that interlopers come in and have the nerve to want to put a cancer spewing radiation unit right in the backyards. He noted that there is no reason it cannot be put somewhere else where there are no homes. He noted that he serves on cancer committee at UCONN health center and added that the doctors indicate that one of the main causes of cancer is radiation. He commented that the doctors indicated that they don't know what the radar would throw off but warned against taking a chance, as no one really knows.

Frank Kennedy, 14 Robkins Road, mentioned a contingent liability of \$16K per home, per day if the WiFi operates in the same spectrum as proposed radar. He asked what this would do to property values. Perception is reality and noted that everyone is concerned, whether there is compliance with FCC or not. He noted that he got a letter from Shipman & Goodwin asking for a copy of his appraisal; he noted that he didn't respond and added that there was no mention of confidentiality. He concluded by noting that he doesn't think Shipman & Goodwin expected a response and could note that the neighbors are being uncooperative.

John Shimanski, 16 Brocklesby Road, noted that all the statistics reference adults and not children. He noted that he cannot find any data on how this would affect children but communicated information that his children received on Facebook from the National Weather Center in Albany. The National Weather Center (NWC) communicated that there are no Doppler radar towers in CT; the nearest locations are South of Albany, Boston, MA, and Upton NY. The NWC indicated that they are not aware of any privately owned locations for commercial gain but added that CT should be more than adequately covered via Boston, Albany, and Upton.

Andrea Michella, 405 Deercliff Road, noted that she researched Avon's website where it notes that Avon is a picturesque New England village with business opportunities, quality of life, and plans for the future. She commented that she doesn't feel this statement is what is currently happening in Avon. She noted 14 roads that would have a view of the proposed radar and the property taxes paid from these

roads total \$4.8M annually; this amount covers the cost of 372 students' yearly education. She noted that she moved to Avon for a life in a safer and more family-oriented place. She urged the Commission to do the best and safest thing for the residents such that the high quality of life that currently exists can remain.

Dr. Kirsten Ek, 12 Henderson Drive, commented that you cannot put a price on a person's piece of mind; she indicated that she doesn't want to have to worry about her children playing outdoors and growing up in this area. She noted that she loves her house, however modest. She indicated that she knows how to handle sun intensity by using sunscreen. She communicated that she's been on the WHO website and it is clear that there haven't been large studies and therefore there is no evidence. She pointed out that absence of evidence is not evidence of absence; the bucket worker can go home but noted her children do not have a choice to leave at the end of the day. She urged the Commission to strongly consider their decision. She concluded by noting that she is a doctor and knows about radiation, which breaks DNA and, in turn, can effect fertility and create cancer risk. She concluded by noting that she doesn't know what the proposed radar would do but reiterated that she wants "piece of mind" and worked really hard for her home.

Chris Tabora, 474 Deercliff Road, noted his concerns for his children and others in the area. He indicated that the only thing he is armed with on this subject is common sense. He noted that in the