

**AVON TOWN COUNCIL  
SPECIAL MEETING MINUTES  
November 17, 2021**

**I. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. via GoToMeeting by Chairperson Maguire. Members present: Mrs. Maguire, Messrs: Bernetich, Speich, Polhamus, and Weber. A quorum was present.

**II. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairperson Maguire.

**III. PUBLIC HEARING:**

**16/17-51   Amendment of Cellular/Wireless Lease Agreement for Property Located at  
277 Huckleberry Hill Road for Town and Public Safety Communications  
System Replacement Project**

Chairperson Maguire waived the reading of the following notice:

“TOWN OF AVON  
LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, September 2, 2021 at 7:00 p.m. at the Avon Town Hall, Selectman’s Chamber, 60 West Main Street, Avon, CT, or virtually. For information on attending the meeting via remote access, visit [www.avonct.gov/town-council](http://www.avonct.gov/town-council), under “Agendas.”

The purpose of this hearing is to consider and authorize the Town Manager to execute the lease amendment between the Town of Avon and SBA 2012 TC Assets, LLC for property located at 277 Huckleberry Hill Road, Avon, CT 06001.

The Town and SBA desire to relocate the existing cellular/wireless communications tower structure currently located at the Huckleberry Hill Road property in order to address coverage deficiencies in the Town’s public safety communications system. Such improvements will require an increase in the height of the tower structure to no greater than 150 feet. The Town will contribute towards the completion of this relocation. This contribution will be made through a rent abatement as stipulated in the proposed amendment to the lease agreement. The agreement includes the option to pay any remaining balance as a lump sum payment.

A copy of the proposed amendment to the lease agreement is on file in the Avon Town Clerk’s Office and open to the public for inspection during normal business hours.

Dated at Avon, Connecticut this 30<sup>th</sup> day of July, 2021.

Brandon L. Robertson, Town Manager”

Chairperson Maguire noted that this is a continuation of the public hearing. She noted that in September 2020 Town Council discussed options to make-up for the loss of the Kingswood Drive location; there was consensus by the Town Council at that time to proceed with negotiating a revised lease agreement with SBA for the site at the Landfill; since our October 2021 meeting Motorola has run additional coverage scenarios analyzing various combinations of tower locations

at the FoundLand, the Landfill, Company #4, Ridgewood Drive water tank, and Troop H site; Motorola engineers determined that the Landfill site would provide a required roundtrip 95% service area reliability for a portable radio. The Town Manager reported that since the last time we met we have continued our discussion with SBA and there have been a few changes made to the proposed lease amendment as follows: 1) we reduced the successive term from six to four years, 2) SBA has agreed to decrease the contribution by the Town for the site from \$231,790 to \$162,253, 3) some slight clarifying language in the revenue-sharing portion of the agreement – the existing pole comes down, a new pole that is 30 feet higher than the existing pole goes up – the existing three carriers on the existing pole would move over – if a fourth carrier were to locate on the new pole, the Town would also receive a portion of the revenue-sharing except for Verizon, and 4) we added language that the Town could add additional public safety equipment to the pole in the future and if we did, the Town would be required to pay for whatever type of analysis is necessary to ensure it did not interfere with the equipment SBA locates on the site.

On a motion made by Mr. Speich, seconded by Mr. Polhamus, it was voted:

**RESOLVED:** That the Town Council open the public hearing at 7:00 p.m.

Mrs. Maguire, Messrs: Speich, Bernetich, Polhamus, and Weber voted in favor.

Chairperson Maguire noted that Council approved their October 7, 2021 meeting minutes which included 27 pages of testimony from our first public hearing; if you have already spoken, those commented have been made part of the public record; we are looking for new information you may want to share with us.

Andrew Campanelli, Attorney, represents multiple homeowners who would seed their time to speak and be afforded fifteen minutes to speak, including the following residents: Steve Natrass at 87 Westbury, Andrew Gibs at 79 Westbury, Carol Zarb at 26 Berkshire Crossing, Scott Capozzoli at 22 Berkshire Crossing, Dana Misorski at 452 New Road, and Chris & Monica Nicholas at 91 Westbury. He handles telecommunications act cases and telecommunications facilities across the United States for twenty years, both in federal litigation under the federal telecommunications act of 1996 and all types of other proceedings such as this. He looked at the current proposal and it is perhaps one of the most problematic proposals that he has seen in at least a dozen years; this proposal at this location will open Pandora's Box. He cannot necessarily address the specific adverse impacts that this proposed facility will inflict upon nearby property owners in terms of adverse aesthetic impacts and potential adverse impacts on property values as well as adverse impact on a federally protected scenic resource, the Farmington River. The Town Council is considering amending a lease to approve a tower and do not know how tall it will be or where it will be placed or what it is going to look like and has no way of recognizing or ascertaining if amending the lease for this purpose would be consistent with smart planning or if this would be a good site to remedy whatever police department needs may exist. He noted that the National Park Service has already chimed in; when the Town initially entered the first, existing lease, the Town was smart as it bargained for a tower which would avoid any unnecessary adverse aesthetic impacts by limiting the tower to 100 feet and required it to be wood; in addition, the Town also required the tenant to agree to give the Town the right to add whip antennas which you would need and are widely used for UHF coverage for fire and emergency services; there is no need for this facility at all; your own experts have ascertained that this is not the best location or best means of remedying whatever police coverage you need; unlike every other application that he has seen in the last twenty years there is no hard data to back-up any claim that putting it here is the best

solution or even that it would remedy any gaps in service which may exist for fire/police coverage; there are potential alternate sites or even using the site and simply putting on whip antennas that you already have the right to install under your lease; everybody can challenge this; you gave notice of this public hearing and you also had a referendum; the notice of this public hearing which made the public aware that there was going to be a vote on amending the lease did not give notice as to specifically what the lease is going to approve and a homeowner who could be adversely impacted would have standing to challenge this decision based on that alone; it also open it up to a National Environmental Protection Act (NEPA) challenge; because this facility with wireless carriers on it would be regulated by the FCC it is called an undertaking and anyone can request a full NEPA review and any member of the public can become part of that proceeding; what is being proposed here is completely inconsistent with your own Zoning ordinance which has a provision contained in Article 3, Section F which would require this specific type of application to go before the Planning and Zoning Commission; specifically in your Code of Ordinances you codify the specific types of adverse impacts that the Town wanted to prevent to protect against things like adverse aesthetic impacts or reduction in property value; if this proposal goes forward it would inflict those adverse impacts upon nearby property owners; the last time this lease was addressed was when you negotiated that the tower could not be taller than 100 feet and had to be wood to prevent these specific adverse impacts; you cannot justify it for purposes of planning or providing police/fire communication services; you are going to deal with property owners who are most likely going to stand up and protect their property rights perhaps not only before the Planning and Zoning Commission but also before the CT Siting Council and if necessary a federal lawsuit; he is not threatening anything at all or being adversarial at all; he is trying to take an objective approach and advise you what he sees as an attorney who has handled thousands of cases across the entire United States; in the past ten years this is probably the most problematic proposal he has seen; it is rife for a dozen challenges; this site was also not listed on the referendum that was put to a public vote; there are so many ways to challenge this proposal which is entirely unnecessary; you can invoke your rights under the lease as it exists and put whip antennas on the existing tower and have no problem with the (inaudible) of the interior, no problem with the FCC, National Park Service and neighbors; why would you go beyond that, it serves no legitimate purpose. He respectfully submits to the Town Council and as diplomat a fashion as he can that the Town Council should take a long hard look at the real impact is and has been requested by the National Park Service that you consider all possible alternatives, sites, combinations, shorter structures, before you vote to adopt to amend a lease when you don't even know where this will be built or will it be located; you cannot as a question of fact accurately assess the adverse impacts that this facility will inflict upon the nearby homeowners and a federally protected aesthetic resource; there are fifteen different ways to challenge this action; it may costing the Town a fortune trying to fend off a tax if you go ahead and vote to amend the lease under these circumstances. He thinks it would be extremely unwise to vote in favor of amending the lease when you don't know where they are going to build what and he would respectfully request that you listen to the RF Engineer who will explain, under no uncertain terms, why adopting this proposal would be entirely inconsistent with smart planning, your code, and seeking the best communication system for your police or fire department and why it would simply make no sense. He appreciated the time accorded to him and is happy to answer any questions or discuss this any further with any member of the Town Council. Chairperson Maguire appreciated his comments.

David Maxson, Isotrope LLC, Medfield, Ma, represents multiple homeowners who would seed their time to speak and be afforded fifteen minutes to speak, including the following residents:

Tracy Godbout at 23 Berkshire Crossing, Chris Calma at 73 Westbury, Matt Zarb at 26 Berkshire Crossing, Luke & Joe Capozzoli at 22 Berkshire Crossing, David Misorski at 482 New Road, Devinder Verman & Ramneek Kaur at 21 Berkshire Crossing, Emily Galati at 14 Berkshire Crossing, Carolyn & Paul Marshall at 27 Berkshire Crossing, Thomas & Julie Armstrong at 19 Berkshire Crossing, Eric & Sharon Finucane at 18 Westbury, and Brian Loveless at 83 Westbury. Mr. Maxson made a presentation (which is attached and made part of these minutes). He noted that the residents he is working for include those named and others. He added that there is an issue about the impact of new towers on the Town. He noted that he has a lot of experience with the CT Siting Council; this is a local issue that has to be resolved at this level in this form before it goes to the CT Siting Council as they have a record of not being responsive to resident concerns, especially when it is a Town property that this proposed tower will be on. He noted that if SBA had come in right away with Verizon and asked to build a taller tower and the Town approved it, SBA would then provide free space on the tower for the Town. He does not know why the Town is considering paying SBA a penny for something that it is functionally entitled to. The lease includes a contractual obligation to not allow SBA to say no to two antennas for public safety on the existing 100 foot tower. We have no idea what a new tower will cost. There is opportunity to save some money with a good value engineering process with Motorola to get the fat out of the proposal. The State tower is only about 60 feet high according to a database; the WFSB tower and town antennas are well over 300 feet up and get a better command of the terrain in the Town and more thorough at providing coverage. For Kingswood Road, going to 150 feet it eliminates the third site problem at Lovely Street. A 2-site solution includes the CT Water Company site at 44 Anvil Road; residents on the hill are downhill from it and the ability to see the skyline at the top of the hill and a tower not visible to residents. He noted the Landfill as a 3-site solution. If SBA refuses to allow the Town to put its antennas on a 100-foot pole at the Landfill it is in effect defaulting on the terms of the lease; a critical opportunity for the Town to save money and time to get this facility up and running with public safety antennas; residents feel this is a secondary choice versus a 2-site solution at the Anvil site. He suggested the Town pay to have an independent structural engineer do an analysis on how the antennas can be put on the St. Matthews cellular pole; the Town has the power to get this done at both the St. Matthews tower and the existing tower at the Landfill without additional cost to the Town. He provided an example in Nahant, Massachusetts. He noted that \$463,000 to build a new tower on the Landfill site is way inflated; \$190,000 for "Purchase Tenants Equipment/Installation" is perhaps to relocate the existing tenants and almost doubles the cost of this installation; the Town shouldn't be paying anything to be on an SBA tower. The suggestion is to leave the existing tower on the Landfill as is and either enforcing the terms of the lease and getting your antennas on it now or the alternative at Anvil. He noted that two 100-foot towers at the Landfill site solves the Verizon problem, visual impact problem, public safety problem, and generates new revenue for the Town versus costing the Town money. Chairperson Maguire thanked Mr. Maxson for his time and presentation of which she requested he send a copy of the presentation to the Town.

Shuo Liu, 3 Ellsworth, thanked the first responders for their hard work in the community; we fully support to provide the best communications mean we can find; strongly suggests that the Town Council reconsider the proposed plan; from the last meeting and tonight's meeting he has heard and read the scientific research and evidence that shows the adverse impact of the proposed tower on nearby parties and Town residents; consider other possible alternatives and address the concerns of the residents; thank you.

Kelly Natrass, 87 Westbury, commented that they understand how the Town feels pressured to implement this project which is already way over budget and out of control at this time; per the Town's e-mail they received through the Freedom of Information Act, the taxpayers' maintenance costs alone would be over \$280,000 every year once this tower is built; now our neighborhoods will be paying the price for the missteps that have taken place since 2017; at some point it is okay to stop and revisit the plan and start over to something that is more manageable; damaged pride stains, but damaging vast areas of Avon land stains much, much more; people's pride will heal but there is irreversible damage to the natural beauty of Avon will not; this Town has taken more of a focus on inclusion; by choosing our neighborhood and causing adverse aesthetic events you are discriminating against us; a significantly heightened tower will destroy the natural beauty of Avon neighborhoods, reducing property values, as well as being an eye sore along historic river trails through Avon. We bring you the statements prepared and presented by the lawyer and the RF engineer hired by the neighborhoods to fight this amendment. We hope the Town Council is here to protect us, the residents, not just the Town; there is too much information that needs to be reviewed further at this time. Thank you.

Michael Galati, 14 Berkshire Crossing, thanked Council for the opportunity to speak; he believes our democracy works best when everyone participates and all voices are heard; consistent transparency is the easiest way to build trust within the community; being completely open and honest will eventually give your constituents a powerful sense of trust; trust in government and political institutions is unfortunately remarkably low; at very basic levels public distress proves corrosive; at the Town Council October 7<sup>th</sup> meeting another neighbor stated "the other thing that has never been answered," and asked the Town Manager specifically about this at the last neighborhood Zoom meeting, "why did Canton say no to the proposed location?" That is an important question to be answered before we can subject our neighborhoods to this. This question was also asked by multiple residents either in-person or on the phone with the Town Manager; in response to that question, to shed some light on the answer, let me briefly read a portion of a local article from January 2020 titled "Canton says no to Avon's 175-foot tower;" this article was e-mailed from Assistant Town Manager Grace Tiezzi to the Town Manager Brandon Robertson and three other recipients in January 2020; we received this e-mail along with hundreds of others from our Freedom of Information request; in a Letter to the Editor, Thomas and Aubrey Blatchley, lawyers representing the Canton residents' rights, "The Canton Board of Selectmen rightfully decided they would not be inclined to modify an easement thereby allowing Avon to increase the height of the existing tower from 80 to 170-feet in the middle of a densely populated neighborhood; bravo to the Board of Selectmen and Conservation Commission for making well-reasoned informed decision in Canton's interest; bravo to the residents who became active and remain vigilant to protect Canton's values." It is difficult to understand Avon's motives; did Avon expect Canton to abandon its values and welcome a 170-foot tower when Avon limits towers to 70 feet, prohibits new towers, and recently denied WFSB's application for a 110 Doppler radar due to concerns over public health, aesthetics, and property value. Why did Avon repeatedly offer Canton to co-locate for free when doing so is a requirement of an existing site? We are happy to live in a Town where residents speak up; 106 residents wrote to our Commission expressing concerns, other spoke publicly at hearings, and many signed petitions; we wholeheartedly support all of our first responders but using them as pawns to force a dramatic (inaudible) to Canton's values is wrong; that article is from nearly two years ago. While the Town of Canton is not required to offer a formal specific reason to Avon, any Avon town official, especially the ones we learned attended these meetings in Canton, would have known from these facts that the denial request was based

on the residents of Canton not wanting a fully visible tower in their neighborhoods; basically the same answer, the same reason our neighborhoods are giving; the Town leadership as well as a few Town Council members have stated via e-mail or in-person that the Landfill is the only option that provides adequate coverage; we also know this is not true; stated in a different internal e-mail from the Town Manager, “the FoundLand site offers the superior technical solution but the permitting path is much less serving; the Landfill site offers a more certain permitting path but it does not have the best coverage solution. We have heard from Mr. Maxson tonight who was using the latest available technology and able to simulate excellent alternative options and also appear to be less expensive to the taxpayers. While our Town Manager is choosing political expedience over a better solution, this pole will be in the ground for forty plus years impacting thousands of people moving in and out of these neighborhoods, not to mention all of those that go to Buckingham Park, play baseball, lacrosse, swing on the swing. Why do our leaders think they should have the power that three individuals, a simple majority, can override the original lease and its verbiage which was clearly written to prevent another Town Council from doing the exact thing? He quoted from the original 2004 lease “nothing in this agreement shall be construed as giving the tenant the right to construct more than one monopole at the site, not to exceed 100 feet in height for aesthetic purposes and also be constructed of a wood laminate pole.” The Town Council then protected the neighborhood beauty by limiting its height to tree line and constructing it of wood. You make this change today, you set a bad precedent; who is to say another group of Town officials, Town Council members, Town Manager fifteen years from now comes along and says to amend this lease again; they already did it once so we need a tower to be 190 feet now. To close, lack of trust damages every aspect of government, from basic functionality to long-term erosion of moral and ethics. In a Hartford Courant article after the recent election, re-elected Councilman Dan Polhamus stated, "I look forward to trying to bring the community back together; I hate the tensions that have come up." I won't attempt to speak for him, but based on the theme of the article and the ongoing discourse it was likely a reference to the division amongst political party; fortunately or unfortunately political party isn't the big source of division in our Town; our neighbor to the north, Canton, have used this as an adversary and the western side of Town now realizes our neighborhoods are being sacrificed so the Town Manager can get his communication system up and running after four years; if this is approved I can imagine the Canton residents shaking their heads and saying wow, they did that to their own residents; while the Town Council members are held accountable by the voters and this year's election reflected that, the Town Manager is not an elected position but rather one by appointment; the Town Council can both appoint and remove a Town Manager at their discretion for what is best for the Town. Ultimately approving the 150 foot cell phone tower in our neighborhoods after the Town of Canton denied the same request in their neighborhoods is not going to make our problem of division go away; it is not going to fix the problem that two neighboring towns have an adversarial relationship; it is not going to fix the western side of Town's animosity towards our Town's top leaders; it is not going to fix a significant lack of trust that a large number of residents now have towards leadership; if anything, it is only going to question every forthcoming decision or project; will we given the full truth, will we have to submit to requesting more public documents; it is going to make the Town leaders' jobs significantly more challenging; you will be left to governed a fractured community struggling to mend relationships not only with our Town but with our neighboring towns as well. He implores you to look past this project as just a singular decision and also decide what the best decision is as to be able to have a functioning government that the entire Town can get behind, can trust in, can believe in. Councilman Polhamus stated that he wanted to bring the Town together, all of you

tonight have the chance to start us down that path; aim to put those words into action tonight; thank you.

David Cunningham, 18 Berkshire Crossing, lent his support to the first two speakers tonight and the points they were making; the attorney who called out a lot of issues with the current site and the RF engineer talk about other possible solutions that may or may not have been considered yet by the Town. He encouraged Town Council to take a pause, look at that material before you vote on an amendment both on the negatives for the current site and the other solutions that would work for the Town, police and fire departments. He noted that the residents seeded time to support the first two speakers as well. He appreciates the Town Manager talking about additional amendments to the proposed lease, adding twenty years to the lease term, cost going down, but didn't talk about other provisions about how many carriers are going on the pole, if the height will go above the 150 feet in the future; it is concerning to hear it tonight for the first time; a lot of new information came out tonight; take the time to review it, find other possible solutions and be fully informed before voting on the amendment itself; thank you.

Julianna Thompson, 22 Berkshire Crossing, agreed with everything that has been said and urged everyone to open their eyes and see this for it is and course correct; separating the need of our first responders and Town safety from the revenue and get them what they need which is not the commercial cell phone tower; thank you.

Kristen Gibs, 79 Westbury, personally addressed the Town Council who are each elected to look out for the best interests of all of the residents of Avon, not some and reminded them that we are those residents; we are more than property lines on a map and are real people. She fully agrees with all of the statements prepared and presented by the lawyer and the engineer hired by the neighborhoods to fight this amendment. She pointed out that the Town of Avon owns over 1,000 acres of open space land but insists on putting a 100-foot commercial carrier tower within 200 hundred feet of people's homes. The Town has been trying to implement this project since 2017 depending solely on the advice of Motorola, the vendor selling the equipment. Motorola must meet 95% coverage to collect their paycheck and the best way to do that is taller, more massive towers. Motorola does not care about the citizens of Avon as they shouldn't have to; that is the responsibility of the Town; Motorola's only concern is collecting their \$4 million. Today you will be voting on a lease amendment and added that the most current version wasn't shared with the public yet; we did ask for it about ten days ago; this is not a vote for public safety; this is a vote to amend the lease of a commercial carrier tower; this is a vote to take down a smaller wooden pole, designed that way for aesthetic purposes per the contract; this is a vote to put up a new 150-foot galvanized steel commercial carrier tower with a minimum of four commercial arrays; most arrays can hold up to eighteen antennas when the current pole cannot hold more than a few; this tower will look like the ones you see on the highways only in this case it will be placed within 200 feet of homes, playgrounds, and sporting fields; this is a vote to make room for carriers to add more equipment and in Town e-mails SBA, the tower's owner, has said that increasing this tower will definitely attract additional carriers and equipment to it which means increases in revenue share payments for the Town and SBA, just not the homeowners who live next to it. This vote will occur before renderings are provided to the Town residents; this vote is for Avon to pay for a large percentage of a commercial carrier tower which is more expensive than a public safety one, yet taxpayer money will help Verizon thrive in Avon. This vote is for 150-foot cellular tower to be placed in an undetermined location, figured out after it is approved; the contract will allow it to

move anywhere within 10,000 square feet, there are no restrictions for how many towers can be placed within that space. One of the scariest points is this vote is taking place before the Avon taxpayers have approved this location for public safety; what does that mean for everybody; let's say the Town realizes that Motorola is not the right vendor or there is better technology or the taxpayers don't approve it at referendum, this tower moves to 100 feet purely for commercial use; that is a huge risk; this vote allows us to depend solely on Motorola's recommendation for the minimum height required which per Town e-mails is higher than actually required for public safety in order to accommodate Verizon. Town Council members have voiced concerns regarding the draft amendment and since the last call not a single protection was added for the residents, there were improvements for the Town but nothing to limit additional carriers or equipment. This vote will be the Town Council's legacy to Avon and will impact the new leadership and the citizens moving forward; we should always make decisions that positively impact future generations, not destroy the natural beauty of Avon for a minimum of forty years; Avon didn't have to choose this route for its solution but they really wanted full control of a P25 system; now here we are. Canton stood up for its residents and their concerns and we hope that the Town Council would do the same for us. It is truly sad honestly that we are being forced to defend our livelihoods, our properties, the natural beauty of our neighborhoods; when is enough enough? This impact will be irreversible to the Town's neighborhoods and the natural beauty that we have all moved here for; although it may not be the neighborhood that you each of you personally live in, we all pray that you treat it as such and hear our pleas; thank you for your time.

Arnold Chase, 150 Deercliff, commented that last session the overwhelming concern was for safety regarding this tower. If you go on the FCC's web site you will see that measurements made in your typical cellular and PCS cell sites have been shown that ground level power densities are well below the exposure limits recommended by RF microwave safety standards used by the FCC; broadcast towers in Avon are required on a yearly basis, and hopes the Town is enforcing this, to both measure and report the total radiation at the property lines coming off a tower; everyone is concerned about radiation coming off the tower, but the radiation coming off your cell phone is a function of the power coming off the tower and the power coming off the tower is a tiny fraction that comes out of your cell phone; the higher the antennas are on the tower, the lower the power that comes out of your cell phone; this power is going 24 hours a day; you need the experts to talk about the safety and how it really works; he has not heard anyone that has expressed concern really getting a grasp of how the technology really works. With regard to legal, the business, and all those other decisions, he has no comment; his sole purpose is to address the safety concerns.

Richard Barry, 15 Wiltshire Lane, stated that he agrees with all of the statements from our attorney and our RF engineer; both shared important and compelling information that really needs to be considered by the Town Council. He recalled that we were not really notified of the situation until just prior to the August meeting; in the August meeting we received a presentation by the Town but we had no information prior to that and the only opportunity we had to ask questions or have any dialogue with the Town Council; subsequently, we were provided with additional information that we requested; in October there was another meeting, but it simply a hearing like this, no questions, no dialogue; we did a FOI request which generated more information, some of which we asked for in the meetings and never received. Because we don't believe we've really been heard, we needed to engage our attorney and an engineer which required financial outlays on our part. We all support getting the necessary equipment for our first responders but as you heard, there are a lot of things that haven't been considered. Our concern is that the Town Manager and

the Town Council haven't done the necessary due diligence to ensure that our Town arrives at the best solution for all; it is okay to pause and to reset and to come up with a new solution; thank you for your time.

Sergio Frutuoso, 5 Ellsworth Place, echoed remarks supporting the attorney and consultant; there are many other issues and opportunities that we should look at; for example, joining the State police system and helping them have full coverage in Avon also; an 1/8 of a mile from his home at the Route 4/179 intersection a State police antenna recently went up that gives coverage to most of this area and may help finding some of your gaps; he asked to consider other options; he is not in favor of a 130-foot or 100-foot pole sore eye sight on the Town property; we would like to keep Avon as beautiful as it is; we moved to Avon for that particular reason 15 years ago and we would like to leave this space open and the beauty of our neighborhood for the next generations to come; not one time did he hear what we will do with the tower once technology phases out; cell phone technology has been around for quite some time; it is only a matter of time before satellite or other communications take place and the Town will be left with one antenna up on top and having to take that eye sore down; please consider that; we the voters of this household, all over the age of 18, vote no against this program; thank you.

Lissa Calma, 73 Westbury, lives in her home with her husband, their three children and au pair and wanted to thank Mr. Campanelli and Mr. Maxson for their thorough presentation; there was a lot of information that she did not know of and it was very thoughtful, detailed and appreciates that. As a resident of the Town of Avon and registered voter, she selects people solely based on their genuine protection of their residents and for the good of Avon; this cell tower project has caused a lot of angst among our family and our neighbors; as much as we voice our opinions we are not being heard and simply ignored; is this how we want to treat the people of Avon or is this is an indication of what it will be like if we continue to live in Avon; will our voices even be heard or is this a simply a business transaction our Town officials will approve rather than protect our homes, properties, and well-being. She asked the Town to do its due diligence and seek experts, research and recommendation before making any decisions; the neighborhood of Westbury, Berkshire, and others sought expert advice on our own and is hoping that our Town can. Michael Galati brought up the word "trust." She asks the Town Council, can we continue to trust you? She is hopeful that we can; thank you for your time.

Ben Mezera, 26 Westbury, agreed with the statements made by the attorney and RF engineer who spoke to represent us in our best interests; their statements are compelling and well put. He echoed sentiments around trust and transparency; the Council should be working in our best interests for the residents and the Town; given the new information around the original lease that he was just hearing tonight, we should be keeping those safeguards in place and not voting for an amendment that would take those out; the order in which we are doing these things doesn't make sense. He urged the Council to vote against this for now, take a pause, and do what is best for the Town and the residents; thank you.

Joe Zarb, 26 Berkshire Crossing, thanked the first responders, police and fire departments, for their patience with this project; he reminded the first responders of their mantra, to serve and protect; it is not to coerce and subject. For everyone in favor of this lease amendment, how many of you have actually read the final version of the lease amendment that is being voted on tonight? He noted that the final version has never been published for public review. There is nothing in the

draft amendments that assures delivery of the private 700 MHz wireless services that first responders have been clamant for for years. Did you know the RF designs submitted by Motorola are just that, designs? There is nothing in them that assure delivery of a network availability of performance. You were probably told this lease extension is an essential step before the project can advance; it is not; did you know the only thing this lease amendment does is disintermediate the Town from control over a 10,000 square foot site that is not an optimal site for the network by the Town Council's own admission. Did you know there are no bumper rails that permit rolling back this amendment if in fact the network fails to perform? The proposed Town lease agreement amendment that will permit commercial telecomm carriers like Verizon via SBA to increase the height of the existing cellular tower to 100-feet or with FCC tolerance to 170-feet must be voted down; it must not be permitted to advance. Aside from the fact that there are more effective and better locations for the Town of Avon to host their private 700 MHz network that do not require co-mingling our Town communications to consumer commercial communications; the significantly heightened tower will destroy the natural beauty of Avon, create adverse aesthetics, significantly decrease property values as well as remain an eye sore along the historic Farmington River trails through Avon, visible from national registrars, historic towns of Collinsville and Unionville; the view from my home's front door including the master bedroom window, daughter's bedroom window, our entertainment room, the dining room, study, the living room will face the commercial cellular tower, about 700 feet away; the tranquility and natural beauty of why we moved to Avon will be permanently destroyed by this tower; our family moved to Avon from Ridgefield, CT in Fairfield County to escape the overbuilding of the town and the encroachment of commercial structures that were destroying the town's very own natural beauty; none of his children will walk or ride their bikes up Berkshire Crossing without the specter of that cellular tower looming down on us; now five years later we find ourselves in the same situation we encountered in Ridgefield, including the very real risk of significant loss in property value. The Avon Town Council must vote no on the proposed Town lease agreement amendment; this will permit commercial telecomm carriers via SBA to increase the height of the existing cellular tower to 150-feet or with FCC towers to 170-feet. This amendment will destroy the natural beauty of Avon, create significant adverse aesthetics, and significantly negatively impact property values in our community. This is not a legacy any responsible Town Council member would want to be associated with. Lastly, although no one raised health concerns on this call, he sincerely hopes the arrogance and (inaudible) of a billionaire living on his own mountain claiming to be a medical expert on the implications of cellular exposure is not shared by this Town Council; if his statements are true, as he knows, any tower over 200 feet in height are monitored for safety by the federal government FCC and are required to comply and report the general population standard of radiation as designated by the FCC as well as the occupational standard of radiation as outlined by the FCC; if they are so safe, then why the standards and since the pole is under 200 feet who is going to ensure compliance, the Town? Where is the budget for that? Thank you.

Russ Maida, 264 New Road, has lived at this residence since 2005, purchased because of the location; he is on the mountainside of New Road with a gorgeous view from his picture window of the Farmington River and Burlington Mountain on the other side; in the back yard, if he looks to the east, south, and north and abuts Town land which would be the Landfill land; this thing you are going to build there would destroy the landscape to myself, especially in the winter when the leaves on the trees are gone. He noted the North Canaan area, Litchfield County, and the wind turbine, it gives him chills, it is horrendous and destroys the entire beauty of that area; who allowed that; that is what he sees here in terms of aesthetics, this horrible thing that you are going to build

that is going to destroy so many view for so many homeowners including the value of the land; there are, as you heard from the experts, better places to do this and better ways to do it. His question at the first meeting we had was what about Canton, why did they decide no and you all said you didn't know; at the second meeting you said the same thing, yet the information is readily available as to why they didn't; he would like one of you to answer because 1) everyone on the Council is either incompetent and you didn't do your due diligence or 2) you weren't straight with us. How is it you gave us those answers? He would like one of you to respond and if he is wrong he will apologize in front of everybody here. Chairperson Maguire responded that we will address questions at the end.

Margo Ross, 4 Heathcote, noted that she is a top producing realtor in the Farmington Valley; she has a lot of experience with the application of destroying neighborhoods' aesthetics will have on these neighborhoods; it is serious. The neighbors and all of the constituents who spoke before me with the exception of one or two were very eloquent and agree with everything we're trying to do; it is unfortunate that it has come to the point where attorneys and we had to bring in special RF engineer consultants to have to go through this. She know the Town officials have worked very hard and it is very hard when you have worked on something for so long to see it maybe have to go in a totally different direction but we have had over 100 people on this call tonight and that says something very significant to the Town Council. She knows you want to do the best for Avon; the neighbors want the best for Avon also; we don't want any other neighborhood to have to go through this and why different options were presented that won't impact any neighborhood in Avon; there should be nobody that has to go through this that this neighborhood is facing right now. The Town Council works hard, we understand that. She is pleading with you to vote no on this; two members on the Town Council were not re-elected, one was very adamant about voting for this; she hopes that listening to all of the neighbors and everything that has been said has maybe changed your mind to actually reconsider this and have the Town go in a different direction that is best for everybody; we have some good options here to go forward with and to totally ignore the opinions, the feelings and desires of everybody that has taken three nights to come to different meetings would be disappointing as public servants. She has faith in the Town Council who will understand and do the right thing that is in the best interest for every neighborhood, including the ones here. Thank you.

Shameen Pillai, 32 Arlington Drive, lives in his residence with his wife and two grown children, and owns property in Canton as well; it is disappointing that one of the towns for similar circumstances decided to not move forward with a tall antenna like this; on the other side here in Avon we are dealing with this potential for substantial loss of property as well as public health concerns that must be addressed. He agreed with everything that the attorney and engineer presented today. He urged the Town Council to vote against and not move forward with this proposal. He does not believe that the Town, despite hearing all of the concerns, has taken adequate measures to address the concerns specifically to the public health concerns. He noted that in a previous call versus this call the engineer made comments regarding potential long-term public health advice for such a proposal. He requested the Town Council to vote against the proposal and take a second look at this with an independent consulting agency on not necessarily the proposal that was put forth by the one vendor that the Town has been working and stuck with; that has the opportunity that the Town had to make an independent assessment of the situation and make the right decision. He pleaded the Town Council not to approve this proposal. Thank you.

Sonja Larkin-Thorne, 5 Avondale Drive, is a 30-year resident and has been through a lot of discussions in the Town regarding various issues impacting all of the residents and has never experienced the type of nastiness that she is hearing on these calls that she has participated in; the attacks on individual members of the Town, the attacks on individuals who choose to take their personal time and participate in these hearings is unconscionable, but more importantly unnecessary; this is not Avon, this is not the Avon that she has resided in for over 30 years and she finds it appalling that individuals would take the time to falsify documents and put the Town seal on it when it is not produced by the Town. She finds it appalling that individuals would take the time to attack individual employees of the Town. We are all in this together and would hope that we recognize the people we elect who represent us are not one topic individuals but they represent the Town on every issue that will come before us; this is one of many issues that we are asking our elected officials to address, not the only one. She reminded people who have been around this Town for as long as she has or even longer, for those of you that live in Buckingham, the builder of your development came to Town with a plan and what he wanted to do was take Edwards Road which is where she lives at the corner of Avondale and Edwards and have the Town through eminent domain take part of our land and Carolyn and Paul Marshall should remember that as their front yard would have been impacted as would every home going up and down Edwards Road, and he wanted to do his egress/ingress on Edwards Road but we worked with the Town at a Town hearing that was much larger than 100 people who are on this call tonight; we worked with the Town and some old timers in the Town, we looked at the Town master plan for the roads and we knew Edwards Road was never on that master plan when the Buckingham area was to be developed; we also knew it was to be developed off Buttonwood and knew those individuals in those homes and more importantly those children who use those streets would be impacted; with the Town Engineer, the Town Council, the Zoning department, we worked toward a solution which is where the egress/ingress for Buckingham is today, but we did not call Town employees or our elected officials names and what she hears coming out of these hearings for the last couple of meetings is totally unconscionable, unacceptable, and it is not Avon. She suggests to all of you adults who participate on these calls that you do that, act like adults. How someone earns their living or how much money they earn from the way their earn their living is none of your business; it is unconscionable that you should make a nasty sly comment like that and she won't tolerate it and doesn't think anyone else in this Town should have tolerate it and listen to those types of comments. She asked Chairperson Maguire, when people choose to make comments like that, to cut them off because it is not indicative of the topic we are supposed to be discussing and that is whether or not the Town will vote to continue to build or expand the cell tower that is currently located at what she called the Town dump or the transfer station, but it is not about someone's personal wealth or how well our Town employees present a slide presentation at our last hearing; it is not about whether or not you like Brandon or you feel Brandon has been very honest with you. She has talked to Brandon and Town employees, she looked at the first Town e-mail that was sent out in September 2020 regarding this. She called Mr. Zematis at the Police Department and had a long conversation with him about it; she looked at those same public e-mails and discussions from Canton, she didn't need to do a special call, it was all part of the public record and could read it in the local newspapers. She expects that we will all be respectful of everyone who takes their time and energy to participate and discuss this issue, just respect everyone as you would expect them to respect you; thank you.

Eric Finucane, 18 Westbury, with all due respect to the person who just spoke, he does not believe that anybody has had any adverse communications that have hurt people's feeling regarding this

particular issue; if we are critical is because we are compassionate about this particular matter. He has e-mailed Dan, Anthony, Heather; Jeff and Jim he did not e-mail for particular reasons, but we are opposed to this for a variety of reasons and a lot of it has to do with non-transparency; it is sad the disclosure we have had and the interaction that we had with the residents; we have had very little actual transparency when it comes to any type of information about this lease agreement; have we had any updates on this whatsoever. Jim, at the last meeting, posed a question to everybody that you would ask if there was an ability for this tower to be constructed without any additional carriers put on there; was that ever answered or a legitimate question that you posed to the Town Council or to SBA, Verizon; hello Verizon and SBA, who were on the last call and did not actually participate. We are against this lease amendment and for those that read his e-mail, he hopes you take that into consideration; this actual election that occurred a few weeks ago he believes is a no confidence vote in the Town Council members that were voted for; please take that into consideration when we look at the future of what we are going to do here with this particular situation and this project; thank you very much.

Julie Armstrong, 19 Berkshire Crossing, who resides with her husband Thomas and their two daughters Taylor and Lauren, and while she cannot speak to the history of Avon like Ms. Larkin-Thorne, please rest assured that she is an adult and plan to use her time today to let you know how she feels about this tower that you are proposing. Fifteen years ago when Tom and I walked the land of Berkshire Crossing there were only four homes under development; their current lot was under a binder and chose to walk away; they wanted the lot they are on; they then learned from Bill Ferrigno at Sunlight Construction that the lot had become available and we chose this lot and did so because the property to the north was unscathed State owned property as they knew they only wanted to have one neighbor; they take a lot of pride in their home from an aesthetic standpoint, taken a lot of time and money making sure their land is what you see as welcoming to Berkshire Crossing. She is sorry that Mr. Chase does not believe that we are concerned about public safety and health concerns; for fifteen years we have resided here at Berkshire Crossing and for 11 ½ years since May 2010 she has been fighting every day of their life against metastatic breast cancer; so for you to be so flippant in taking about radiation exposure when my property is 250 feet from this proposed tower with a sign on that gate that says “beyond this point radio frequency fields at this site exceed FCC rules for human exposure” is absolutely irresponsible for you to put into the record. She welcomes you to come stand in her backyard and see the site from where she stands and fights this battle every single day; thank you for your time.

Victoria Haskins, 690 West Avon Road, firefighter with the Avon Volunteer Fire Department assigned to Company #3, have been a member since 2018; the fight for this radio system has been ongoing since she joined; the primary purpose of the original request for this is public safety; she understands the concerns related to the cellular portion of this; she has personally witnessed multiple incidents in which our current radio system has been unable to meet the needs of our department. On several occasions such as the two she will describe have nearly resulted in harm to herself and her fellow firefighters. The first incident was two and half years ago working traffic control at a car accident on Lovely Street; about 15 minutes into the incident, a vehicle pulled up and the driver began making threats; she attempted multiple times to reach either the incident commander or our dispatcher via the radio and was unable to get through; the only thing that prevented her from being physically harmed that night was one of their engines happened to drive past and recognized that the situation didn't look right. The second incident was more recent; part of a crew responding calls during the aftermath of Hurricane Isaias; they had to shut down West

Avon Road in front of Company #3; she was stationed at a road block with a probationary firefighter and a driver exited their vehicle and threatened to run them over; they continually attempted to get a hold of any of their officers or dispatcher but unable to get through despite being less than a quarter mile from their station; she had to call 911 while she was on a fire scene; it is based on the two situations described along with the abysmal communications we experienced while searching for the bodies of two young boys that she is asking you to bear in mind it is public safety primarily rather than a commercial cell tower. Please keep an open mind.

Mr. Speich inquired if this is the first time that anyone has seen the information from the RF engineer. The Town Manager responded yes. Mr. Speich commented on transparency; if we are going to share information and going to try to do a good job together we have to all be together and he is very disappointed in that; it was very dramatic.

Mr. Polhamus commented on the concern with the existing amendment that we are looking at right now and now realizes that not everybody has not seen this, he clarified that it has to be mutually agreed upon where the location of the new tower is. The Town Manger responded yes. Mr. Polhamus commented that there is no way that we would agree to this moving 50 feet from someone's backyard; we are talking about a move within the same footprint of the existing site. In response to a question from Mr. Polhamus regarding the existing wood laminate tower, Mr. Kline responded that the lease says they have to provide a space but not where on the pole they have to provide space; the next highest point was 70 feet which for the RF models was too low and proposed to work this arrangement so we could extend the tower above tree line with our antennas at the top leaving the current carriers at the height they are currently at. In response to a question from Mr. Polhamus, Mr. Kline responded that he cannot speak to the structural integrity of the wood laminate. Mr. Polhamus commented on the two tower, one site solution and does it get the height that we need. Mr. Kline responded that most of the property is Landfill which is not buildable so we would abandon the cell site there and have to find a large enough area, undisturbed soil, to build a tower and have the concrete building with the radio equipment in it; the undisturbed area is along Berkshire Crossing and Westbury. We have heard we don't want the increased cell; if we could find a spot for our own tower, what is the outcry going to be for that; we would still need the height. Mr. Polhamus asked if 100 foot tower would be acceptable for a public safety tower. Mr. Kline responded that the models that Motorola has produced for us with the 700 MHz P25 system to get the coverage guarantee we are looking for, our receive antenna is at 130 feet at that location. He noted that Maxson's presentation did not provide us any maps and we have not seen his solutions so we cannot weigh in on his other solutions. Mr. Kline noted that we hired a consultant through an RFP process and Motorola was chosen through an RFP process and those are the players we have been working with. Mr. Kline noted that in his last presentation he specifically talked about how we are partnering with the State to use as one solution their Talcott Mountain site or building our own isolated site that would tie into the State to get expanded coverage; the closest State tower is Talcott Mountain near Heublein; a caller had said there is a new tower at the intersection of Route 179/Route 44 in Canton that is a State tower and does not believe that to be true as the State engineers have never mentioned such during our discussions. He noted that if we go with the State solution would be part of the State constellation and provide additional coverage for State vehicles and other State users on the State system.

Mr. Weber commented that he would love to see this kind of involvement with a lot of other issues in Town; a lot gets decided here on the Town Council and this has been a challenging topic that

the Town staff has wrestled with since 2017. He respects the time that the Town Manager, Mr. Kline and other Town staff have put into designing and exploring other options. He looks forward to the time when new technology is developed and we can get rid of these towers and we won't have an issue like this that brings Town residents out and allows passions to percolate like this. He noted that a lot of information was presented tonight; the Town has done a lot of due diligence in exploring options that are available to us; the residents who are around this proposed tower site are passionate in opposition to it being put there. We as a Council have a responsibility to listen to them and to hear what they have to say. He asked about the possibility to bring in Mr. Maxson so he can understand where Mr. Kline is coming from; maybe there is a mutually agreed upon compromise or maybe it is something that Mr. Maxson realizes that the option that the Town has put forward is really the best one available to us despite all the downsides that the residents feel that it has; what would it cost us to do that – time, effort, and money – if we can accept that, look at it for another month which is not the best solution; he would like this finished so we can move forward but does not necessarily feel 100% comfortable if we have not at least given an ear even if it may not change the outcome; it is our due diligence to listen what Mr. Maxson has to say.

Chairperson Maguire commented that Mr. Weber's point is really well taken; we received new information tonight; this is one of the hardest decisions that has become the Council in her tenure on this Council; it is not something that we have rushed into; there has been a tremendous amount of due diligence; through the time period we went to referendum we were sure of going with Avon being the core and after more due diligence we decided to work with the State; this process has evolved over the four years; it can continue to evolve; the site is going to be relevant no matter what; she does not know what better scenario could come before us than what has been presented but it is always going to be a very valuable site; we should take a moment and look at this proposal that has come through; this has to move very quickly; lives are in jeopardy; we have to protect our public safety personnel as well as protect our Town; let us try to have a meeting with Mr. Maxson, Mr. Kline, and the Town Manager; seeing the passion of neighbors this might be the way to go at this point.

Mr. Speich commented that if it goes back to the Landfill, it goes back there; sorry to the residents of Westbury and people who bought next to the Landfill but for that reason and for public safety sake it may end up there; it is time to look at these ideas that were unraveled this evening and see what they do; in his opinion, the cost for the Anvil site are very underestimated; he spends more than three months a night with the Town Council and if anyone thinks the Council spends only a month of its time for the Town they are mistaken. He thanked Ms. Larkin-Thorne for her comments about the Town Council and Town staff; they work remarkably hard and are very talented; they have done a great job on this; he appreciates all of the work that has been done; he would like to think this is near the finish line; and he didn't care for the false pictures of the towers presented this evening.

Mr. Polhamus commented that he entered this meeting fully expecting to move forward on this; we need it. He hopes any delay doesn't cost us life; the neighbors are passionate about this and agreed that we should pause briefly to further review what was presented tonight.

Chairperson Maguire noted that the public hearing was now closed; at the next juncture we would have this on a meeting agenda with perhaps a presentation and ultimately a vote. She asked Mr. Maxson to share his information with the Town Manager and Mr. Kline for their review and

schedule a meeting; whether or not there will be a vote at Council's December regular meeting or a special meeting in December is to be determined. Chairperson Maguire could not stress enough how much time and dedication has gone into coming up with this plan; thank you to Mr. Kline, Mr. Zematis, the Town Manager and the Assistant Town Manager; it has been a lot of work and we appreciate it; to our first responders we are going to get this fixed.

**IV. OLD BUSINESS**

**19/20-50 Amendment of Cellular/Wireless Lease Agreement for Property Located at 277 Huckleberry Hill Road for Town and Public Safety Communications System Replacement Project**

Chairperson Maguire sought consensus to postpone the vote on the Amendment of Cellular/Wireless Lease Agreement for Property Located at 277 Huckleberry Hill Road for Town and Public Safety Communications System Replacement Project, pending further information to a future Town Council meeting date which shall take place before the end of the calendar year. Mrs. Maguire, Messrs: Speich, Polhamus, and Weber gave consensus. Mr. Bernetich opposed. Consensus was granted, 4-1.

**V. NEW BUSINESS**

**21/22-40 Request for Financial Assistance: Winterfest Event Sponsored by Bottoms Up**

Chairperson Maguire reported that Winterfest will take place from December 3-5, 2021. She noted that Mr. Zavalishin has requested financial assistance from the Town for shuttle service for the weekend in the amount of \$3,000; \$6,180 is the actual total cost for these services.

In response to a question from Mr. Weber, the Assistant Town Manager responded that the shuttle location will be on Tower Lane, near Pond Place; parking will be available near the Marriott area. Mr. Polhamus commented that if we can \$3,000 to have an event like this every year it would be great.

On a motion made by Mr. Speich, seconded by Mr. Polhamus, it was voted:

**RESOLVED:** That the Town Council approve \$3,000 for the Winterfest Event to offset the cost for shuttle service.

Mrs. Maguire, Messrs: Polhamus, Speich, Weber, and Bernetich voted in favor.

**VI. ADJOURN**

On a motion made by Mr. Weber, seconded by Mr. Polhamus, it was voted:

**RESOLVED:** That the Town Council adjourn the meeting at 9:22 p.m.

Mrs. Maguire, Messrs: Bernetich, Speich, Polhamus, and Weber voted in favor.

Attest: Grace Tiezzi, Assistant Town Manager



# Avon Public Safety Radio Review

Independent Review of Town Options for Siting  
Public Safety Radio Upgrades

# Avon Public Safety Radio Review

- Desired Outcome
  - ✓ Successful Public Safety Communications Upgrade
    - ❖ Reasonable cost and timing
    - ❖ No excessive charges
  - ✓ Maintain town policy of approving new towers that are well-hidden
    - Over the past 20+ years, cell sites were put on:
      - ❖ Existing structures:
        - » Water towers
        - » Broadcast towers
      - ❖ New structures are well-hidden
        - » Two new 100-foot towers – hardly visible

# Avon Public Safety Radio Review

- The Problem

- ✓ Proposed 150-ft tower at landfill

- Way above the treeline

- No specific location proposed

- No visual impact analysis performed

- Once in front of the Connecticut Siting Council, it will be too late

# Avon Public Safety Radio Review

Before



Landfill tower existing 100 feet not visible

After



Stark difference with added 50 feet

➤ A resident's informal simulation – subject to verification

# Avon Public Safety Radio Review

- The Problem

- SBA deal not in town's best interest

- ❖ Town subsidizes commercial tower investor

- ❖ Subsidy includes excessive costs

- SBA has a contractual obligation to the town on the existing tower

- ❖ More about lease below

- ❖ Town should insist on getting its due

# Avon Public Safety Radio Review

- The Problem

- No benchmark for what a new public safety tower really costs

- Motorola's cost for a new tower is high

- ❖ \$770,000

- ❖ Other costs embedded?

- SBA's cost for a new tower is high

- ❖ \$463,000

- ❖ Other costs embedded?

- » These are not a reliable indicators of new-tower development costs

# Avon Public Safety Radio Review

- “The Perfect is the Enemy of the Good”
  - ✓ Motorola has designed a system that
    - Is overbuilt to ensure they can guarantee the result
    - Is based on a 60-year-old paint-by-numbers propagation model (Okumura)
      - ❖ Overdesign to be safe
    - Goes to great lengths to saturate town with full -12 dB in-building coverage
      - ❖ 12 dB not needed in the woods
      - ❖ 8 dB typically OK for single family residences
        - » RFP set the bar very high
      - ❖ “voting receivers” can resolve areas where where base and mobile coverage is good

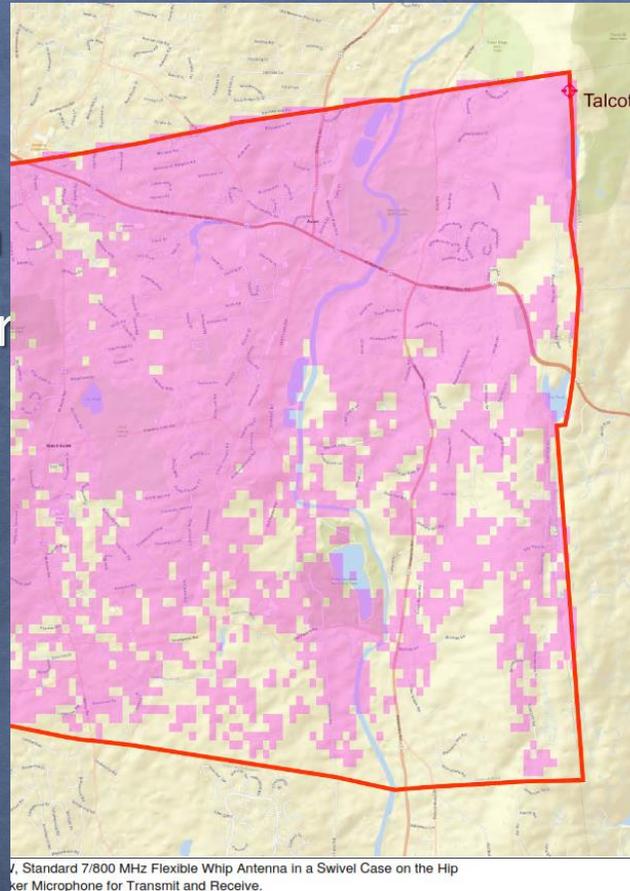


# Avon Public Safety Radio Review

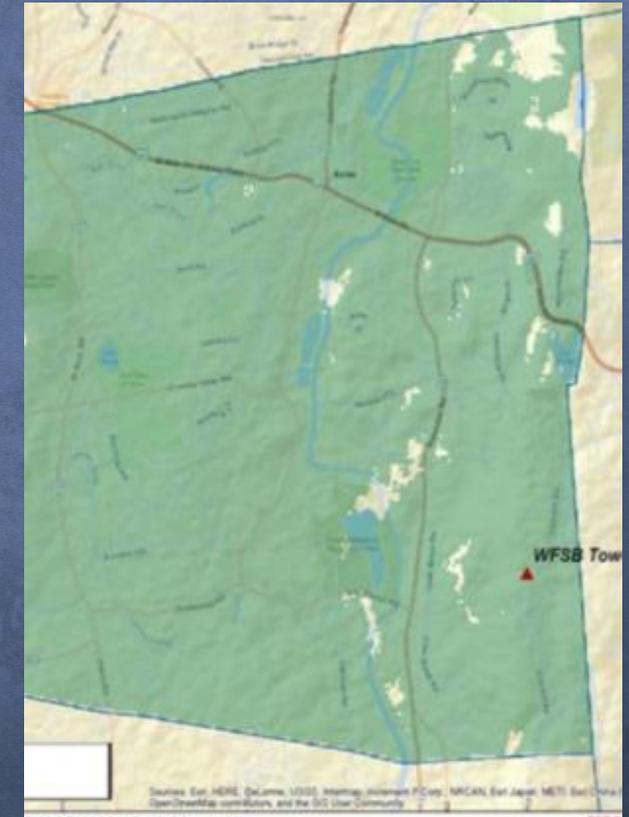
- Sharpen the pencil!
  - WFSB tower versus Talcott tower on eastern ridge
  - 80-foot municipal tower at Kingswood Rd versus defunct 150 foot proposal
  - 100-foot cellular pole at landfill
  - 110-foot cellular monopole at St Matthews (244 Lovely St)
  - Or a new site at 44 Anvil Road!

# WFSB Tower

- Compare to Talcott site
    - WFSB is more effective in Avon
    - Other sites have to make up for Talcott's shortcomings.
  - ✓ WFSB cheaper to upgrade
    - Facility already in place
  - ✓ More opportunities to microwave to WFSB tower
- 
- Stick with WFSB tower!



Talcott from Reference 17



WFSB from Reference 37

Both are inbound portable 12 dB coverage.  
Left side cut off to emphasize area served.

# Kingswood Road

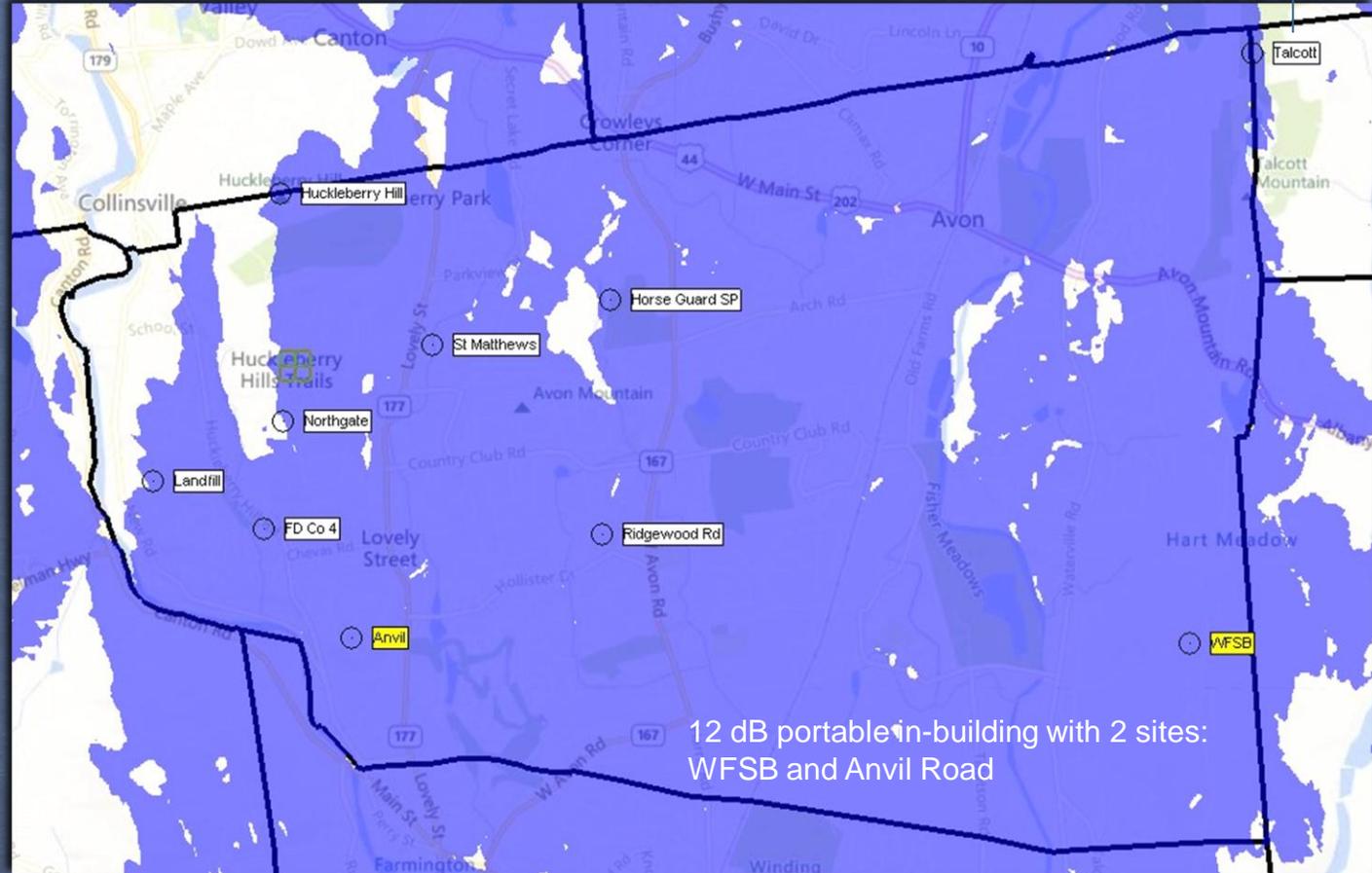
- 80-foot tower at Kingswood
  - ✓ For a 2-site solution, tower must be 150 ft
    - 150-foot tower nixed by Canton
  - ✓ No other 2-site solutions proposed
  - ✓ We have a new 2-site solution!

Existing Tower



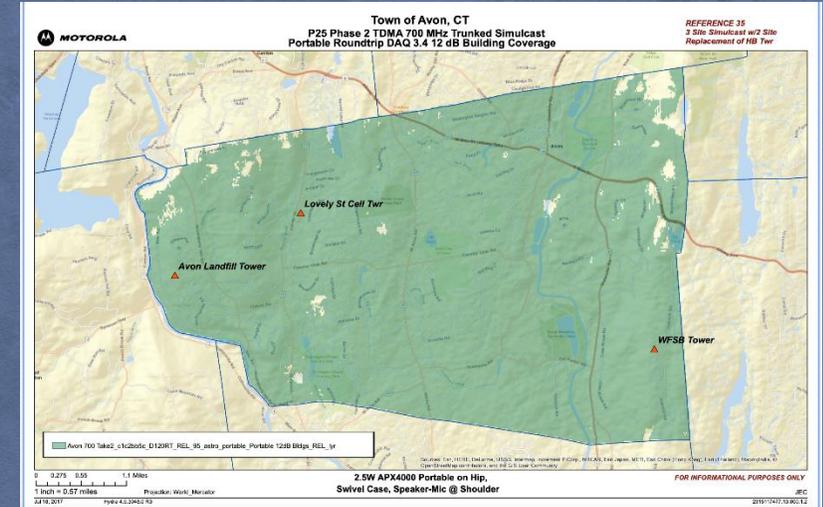
# 44 Anvil Rd

- Connecticut Water Co. site
  - ✓ Top of hill
  - ✓ Large wooded site
  - ✓ Covers both Lovely St and Huckleberry Hill Rd
- Needs to be pursued
  - ✓ No visual impact
  - ✓ Less radio gear needed for 2-site solution



# Landfill

- Landfill is a 3-site solution
  - ✓ Gaps remain along Lovely St
  - ✓ Does 100 ft pole at the landfill work for public safety?



➤ Yes – 75 feet at landfill works with WFSB and Lovely sites

- ❖ “Landfill (all antennas assumed at 75 feet for this analysis)”
- ❖ [WFSB, Lovely & Landfill] “sites will meet the 95% service area reliability for 12 dB building coverage.”
  - » J. Cuvellier, Motorola, 20 December 2019, Reference 35
- ❖ “WFSB – Lovely – Landfill might be the best option”
  - » B. Robertson email 7 Jan 2020

# Landfill

- Town has a right to use the 100-foot pole at landfill
  - ✓ Lease *REQUIRES SBA TO PROVIDE FOR TWO TOWN ANTENNAS!*
  - ✓ No excuses
  - ✓ Town can request – SBA must comply

Rider # 13: "22. LANDLORD'S RIGHT TO INSTALL EQUIPMENT... TENANT will reserve for LANDLORD's use space on the tower ...for Landlord's installation of at least two "whip" style antennas as set forth below, with the actual location and height of such antennas to be determined by mutual agreement of the parties based upon the best available antenna location at the time LANDLORD exercises LANDLORD's Option...

...[provided] (b) LANDLORD's use of the Tower is considered appropriate based on a structural study and report (to be paid for by LANDLORD) prepared by the Tower manufacturer, or such other qualified consultant as TENANT may select, relating to the structural design limits of LANDLORD's proposed tower attachments and equipment, as determined by TENANT in its sole, good faith discretion...

... Notwithstanding the foregoing it is expressly acknowledged by TENANT that the installation on the Tower of two whip style antennas weighing up to 50 pounds each, as currently proposed by LANDLORD, can be accommodated and will not be prohibited by TENANT based on the factors listed subsection (b) of this Section 22, or otherwise."



# Landfill

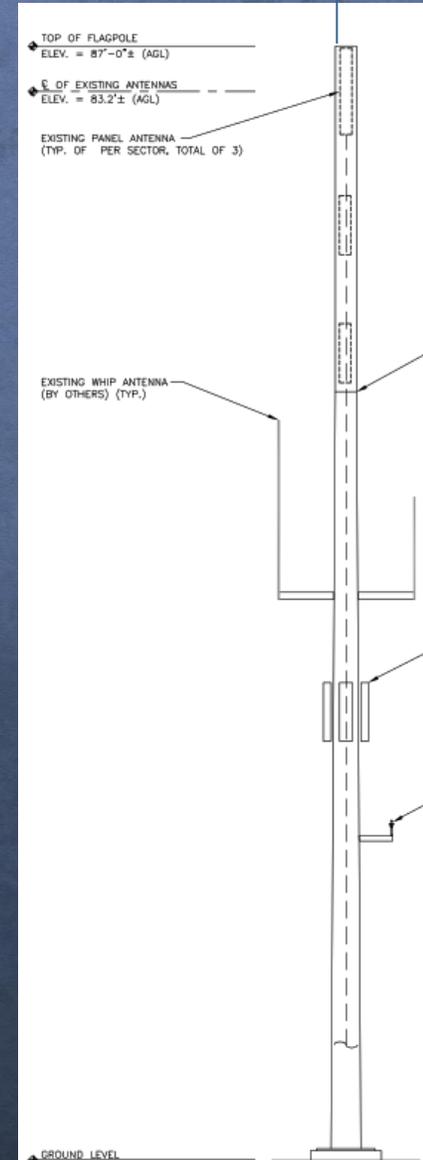
- 100-foot pole at landfill
  - ✓ The two town antennas *“will not [be] prohibited by TENANT based on the factors listed subsection (b) of this Section 22, or otherwise.”*
    - (b) covers structural integrity
    - “otherwise” includes “interference” concerns
  - ✓ SBA was obligated to reserve viable space and structural capacity
    - Town’s option was ignored
    - SBA bears burden of performing structural and interference analysis and of making it work

# Landfill & St Matthews/Lovely

- “...but we can’t use St Matthews cellular pole at Lovely Street!”
  - ✓ *Nothing is easy to the unwilling*
    - *Thomas Fuller ca. 1660*
- Idea summarily dismissed
  - ✓ No engineering done
- This section of Lovely St is in a gap regardless of other options
  - Something has to be done to cover this area

# St Matthews

- 110-foot cellular monopole
  - ✓ Siting council requires free access if structurally capable
    - 7. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Avon public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower
- Consider center-mount antenna(s) on top
- or sidemount appropriately
  - ✓ Nahant Massachusetts:
    - ❖ Public safety antennas on unipole
- Town needs a good-faith effort to make it work



# Costs

- Replacing Landfill tower is a poor investment

- ✓ Why subsidize a for-profit company?

- Town entitled to free space on cell tower
    - Ordered by Siting Council
    - Embedded in lease
    - Town should pay nothing

- ✓ SBA has to pay subtenants' relocation costs?

- An extra \$190,000 – they charge back half to town?

- ✓ Leave existing tower/tenants as-is

<b>Proposed Tower Build Budget</b>	<b>\$463,580</b>	updated July 2016
Pre-Construction / Due Diligence	\$39,500	
Construction Bid #'s	\$153,380	
Tower Costs	\$70,000	
Miscellaneous Construction Items	\$3,200	
Purchase Tenants Equipment/Installation	\$190,000	
Decommission Old Site	\$0	
SBA Ops Construction Management - OVERHEAD	\$7,500	
Miscellaneous	\$0	
	<b>\$463,580</b>	

# Costs

- If Anvil doesn't work out...
  - ✓ A better deal for Landfill
    - No-cost-to-town alternative:  
Offer a second pole location to Verizon
    - Verizon or a tower co builds a second pole
    - Town gets new rent
    - Counterintuitive
      - ❖ People think two towers are worse than one
      - ❖ But you can't see two 100 ft towers
      - ❖ A single 150-foot tower becomes obnoxious



Can you find two 100-foot towers in this photosimulation?

# Costs

- The No-cost-to-town alternative:
  - In a nutshell:
    - ❖ Solve the public safety problem for free
    - ❖ Solve the Verizon-has-no-space problem
    - ❖ Solve the visual impact problem
    - ❖ Generate new revenue
  - It can be a good distance from current site
    - ❖ Minimize interference potential
    - ❖ Keeps it embedded in woods
    - ❖ Keeps it out of sight



# Costs

- What does a new tower cost?
  - ✓ Motorola Quote High
    - 150 ft tower originally proposed at Kingswood Rd
    - \$770,000?
    - Other costs likely hidden in this figure
    - Not a true cost of a new tower

Description	Total
<b>Infrastructure Development - Existing Sites (Subtotals from Table B.4A)</b>	
Towers	\$ 78,512
Shelters	N/A
Generator, Propane Tanks, and ATS	\$ 39,509
PM, Engineering, and Installation	\$ 652,666
Other	\$ -
<b>Total Infrastructure Development Cost - Existing Sites</b>	<b>\$ 770,687</b>

- Recent new public safety tower
  - ✓ Isotrope engineered, permitted and built a public safety tower
    - Sheriff of Martha's Vineyard
    - 100 ft tall, existing facility site
    - Most rugged – Class III
    - All-in, it was less than \$120,000
      - ❖ Additional cost for new site: power and telecom
      - ❖ Generator, shelter, etc extra
      - ❖ Budget \$200-250k



# Avon Public Safety Radio Review

- Key Points

- Town has put too much money on the table
  - ❖ SBA deal wastes taxpayer money
  - ❖ Motorola's overdesign needs a value-engineering process to bring it into budget
- Alternative sites (not just Anvil) have not been evaluated
- Or, landfill works at existing height
- Instead of a cost-center, Avon can generate revenue from the solution
- Residents' interests align with town officials:
  - ❖ Use of 100-ft towers have least visual impact, lowest cost and necessary performance
- Isotrope is available at no cost to the town to meet and discuss options
  - ❖ 2-hr meeting