

PUBLIC HEARING & BOARD of SELECTMEN MEETING
MAY 4, 2011

Veteran's Park Elementary School, Cleve's Auditorium – 7:30 P.M.

REVISED/APPROVED MINUTES

These minutes are a general summary of the meeting and are not intended to be a verbatim transcription.

Notice is hereby given that a Public Hearing will be held on May 4, 2011, 7:30 PM, Town Hall Large Conference Room, 400 Main Street, Ridgefield, Connecticut (NOTE: DUE TO ANTICIPATED LARGE TURNOUT, THE LOCATION OF THE MAY 4, 2011 PUBLIC HEARING WAS CHANGED TO VETERAN'S PARK ELEMENTARY SCHOOL, EIGHT GOVERNOR STREET, RIDGEFIELD, CONNECTICUT) to receive comments relative to:

- 1) the proposed Sunset Lane land sale;*
- 2) the proposal to purchase land on Old Stagecoach Road. The purpose for the purchase is to acquire land for open space and to place a cell tower thereon.*

Maps and related documents are available for public inspection in the office of the First Selectman and the Town Clerk.

R. Marconi called the public hearing to order at 7:40 pm.

1) The proposed Sunset Lane Land Sale

Al Garzi, Tax Assessor, explained the situation on Sunset Lane. Several residents approached Town with an interest to purchase the thin strip of land closest to the road from the Town. The thin strip of property in front of each residents' property on Sunset is there because the train tracks used to run down that street. After the tracks were removed the Town moved the road, leaving a strip of property in front of each lot. Although it appears to belong to the residents, it is Town owned. The Town looked at current sales and came up with \$4.55/square foot. D. Masters reiterated that the deed restriction on Mr. Zawacki's property to which Mr. Zawacki has agreed restricts building to the currently approved density by Planning & Zoning. Mr. Zawacki received Planning & Zoning approval to build five houses; and two additional homes are approved for subdivision of this property. No additional living units are allowed. The parcels to be sold will bring approximately \$25,000 to the Town. The Town Meeting for this item will be May 25.

- 2) The proposal to purchase land on Old Stagecoach Road. The purpose for the purchase is to acquire land for open space and to place a cell tower thereon.

Dr. Benjamin Oko, Chairman of the Conservation Commission presented a statement regarding the potential purchase of this open space. It adjoins a 9-acre parcel of open space owned by the Town. The Conservation Commission chose to approach the Town to purchase this property because it was short \$350,000 and it was a better proposition than

going to a builder that would have purchased two lots to be built upon. If the Town votes down the purchase of the open space, the Conservation Commission will try to locate a developer as a partner. The Commission does have a concern that the owner would go to a cell tower company and have one built if the Town votes against purchase of the open space. If this does happen, the residents concerned about the cell tower would have very little to say about it because there are no laws prohibiting placement of a cell tower on private property.

R. Marconi introduced Bruce Hunter, Appraiser, and Dr. Sandhu, Ridgefield resident and Chairman of the Radiology Department at Danbury Hospital. Dr. Sandhu stated he is speaking as a resident and giving a medical point of view. Dr. Sandhu lives near the property, his children attended Ridgebury School. There is no ionizing radiation that comes off cell phone towers. As a physician, Dr. Sandhu relies on the judgment of the experts—the American Cancer Society, World Health Organization—they do not detect medical effects from cell phone towers. Data is still being accumulated; we have to rely on information that is available right now, and that data reflects there is no medical effect from cell phone towers. Dr. Sandhu stated he is personally opposed to the proposed location of the cell tower.

R. Marconi referred to a powerpoint presentation showing a map of the proposed location of the cell tower as well as a simulated cell tower located on the site, and photos taken of the balloon float, which was to show the actual height of the proposed monopine tower. Another potential site exists abutting New York State but the access is very difficult. R. Marconi recently met with the North Salem, NY Supervisor and will be meeting with New York Legislator Mark Harckham to investigate a possible easement to access the site. Other sites that have been investigated include the golf course, Pine Mountain, Lake Windwing, Richardson Park, Sturges Park. But the cell tower companies are looking for a particular height that would give us the best service for both cell phones as well as emergency services. Forty-six percent of our 911 calls come from cell phones.

R. Marconi read letter from the following residents:

Mary Walsh, Aspen Ledges Road—opposed to the cell tower; do not see the need; please substantiate your claims that residents need and have asked for this. Look at alternative technology. Do not spend tax payer money on this; not needed in residential area.:

Barbara & Jon Elkow, Spire View Road--opposed; suggested alternate sites for the cell tower in the Ridgebury area.

R. Marconi clarified the purpose of tonight's public hearing is for the approval of purchasing the open space only—not to approve the cell tower. The Special Town Meeting to vote on purchase of the open space will be held May 25.

R. Marconi read letter from Paul Estefan of Danbury Airport stating the proposed cell tower would present no hazard to aeronautical navigation.

R. Marconi continued to read letters from resident:

Josh Sarath, Lakeside Drive—supports the cell tower, citing a story of an injury (concussion) that occurred at Tiger Hollow and inability to get cell signal to call 911.

Kevin & Cherie Stietzel, 7 Aspen Ledges Road—strongly opposed to the location of the cell tower in this residential neighborhood; should be placed in a non-residential area; use parcel that town already owns; if this is approved, it will set a precedent; get back to true small town values.

Debra Francheschini—object to the plan to locate the cell tower in a residential neighborhood; concerned about the health threats associated with it.

Dr. George Noyes, Circle Drive East, 30-year teacher at RHS—support cell tower; concerned about a lock-down situation at the high school; no cell coverage is a safety concern.

Edward Alvarez—opposed; concerned about potential health risks associated with tower.

Bob Strigler, Todd's Road—in support of cell tower; the greater good of the community must be addressed

Jeremy Eglan, Sugar Loaf Mountain—opposed; concerned about diminishment of home property values—put it somewhere else, on Town property away from people

Trish Mascotti, Twixt Hills resident—support cell tower; very limited cell service at RHS and SRMS; this is not a neighborhood issue, this is a Town issue.

Julie Yaun, 14 Fisher Lane—opposed to cell tower but not to purchase of open space; issue for us is the planned use to build this tower in a residential area.

Eliza Romer—opposed.

R. Marconi then asked residents to come forward to express their opinion and ask questions.

Robert Lavelle, 38 Aspen Mill Road—what other solutions have been looked at for emergency communication at the high school and SRMS? R. Marconi responded this is not the only reason for this tower; emergency services are looking forward to putting emergency equipment on this tower. In addition, the Federal Government usually put equipment on these types of towers. The other locations that have been mentioned are not high enough. Some heights are too high, and the signal passes over. There is an ideal elevation which is 800-875' and this site fits within that range.

Harry Manchester, 310 Old Stagecoach Road—tower would be 500 feet from my property line. I thought you said that if we purchased the land, we would go through this same procedure to put a cell tower on the site. R. Marconi responded this is correct. If this property purchase is approved, we would have to hold another Public Hearing, followed by a Town Meeting with a vote to approve or deny the lease.

Jay Cook, 21 Summit Lane, realtor, questioned the price and value of the land. At the previous meeting at Ridgebury School, it was stated the property could be developed into 3-4 house sites of \$200,000 each. Any developer would have to invest in the infrastructure—it would cost a developer approx \$300,000 for each site. In this market, builders cannot get speculative loans, there is no spec building in this current environment. In looking at the neighborhood, the highest historical price was approx \$585,000 in 2004. For this site to make sense, the builder would need to get approx \$900,000 for each of these prices. Right now, we are years away from getting a \$1M home in this neighborhood. R. Marconi stated that the 4 houses was an estimate given by the Town Assessor and Planning Director. Assessor Al Garzi estimated a house size of approximately 2,800-3,200 square feet for these properties. The approximate cost of each site is \$400,000 and any developer would purchase them at 50 % if they are planning a development. R. Marconi stated that an appraisal of the property was done by Keren & Fazio. This project was brought to the Board of Selectmen as open space possibility; the Board of Selectmen would consider it if there would be a return on the investment, such as revenue from cell tower. If the purchase of the open space is approved, but the cell tower is not, the Board of Selectmen does have the ability to sell one or two building lots to recover the \$350,000.

Priti Shankar, 35 Spire View Road—stated the land is not safe to build on, taxpayers should not be supporting; there are better uses for our money; the risks are too high, it is a bad deal. In 1998 the Planning & Zoning Commission denied the landowner a subdivision of the property because they were not able to show safe driveways. So the land is not safe to build on and can make nearby properties unsafe as well. Ms. Shankar submitted copy of 1998 Pellicione vs. Town of Ridgefield Planning & Zoning Commission.

Paul Comoia, 56 Spire View Road—opposed; issue of conservation, proposed site of cell tower on top of the Titicus aquifer, a sensitive watershed area, providing drinking water to New York City area. Have heard nothing about the environmental impact of blasting the site for this project. This project has the potential to impact many people in addition to the residents of this area.

R. Marconi stated he received a phone call from the New York City DEP, sent information about the proposed cell tower to them, and is awaiting a response after their review.

Lynn-Marie Wieland, Todds Road—support the cell tower; we need a cell tower in Ridgebury. This is an excellent return for Town's investment.

Lauren Salkin, 139 Seth Low Mountain Road—opposed; told story of Monahan's house fire, watched the house burn; there are no fire hydrants in their neighborhood. We should be spending money on installing fire hydrants, not cell towers. Cited scientist that notes that cell towers may be responsible for the killing off of honey bees. Keep one of CT's finest treasures, the safest Town in CT, in its finest form.

Ed Alvarez, Spire View Road—opposed; there is a stipulation in the RFP related to loss of home value—this is a one-sided arrangement; looking at maintaining tax revenue of the

Town, not at the declined value of the home. Since 2007 my home value has gone down 20%, but tax assessment has increased 36%. A small neighborhood is bearing the burden of this tower. Ridgefield cannot bear the reputational risk associated with this transaction. Wilton, Greenwich, Easton have all voted down erecting cell towers in open space.

Debra Francheschini, 72 Spire View Road—opposed; work for largest wireless communications company in world, read from new requirements of telecommunications companies; another article from the IAFF (International Association of Firefighters) webpage about fire union letter opposing erection of cell towers on buildings until effects of these towers are known; another study about the effects of RF waves on laboratory mice which will end in 2014, expecting to put matter to rest.

Jim Belote, Spire View Road—opposed; we all know that many children travel our roads going to and from school—has anyone looked at the potential auto injuries anticipated if cell tower is erected due to these children texting and talking while driving due to the increase in cell service in this area.

Linda Lavelle, 38 Aspen Mill Road—strongly object spending \$350,000 for the cell tower for a small site that is actually needed for the tower; cannot guarantee the return of \$100,000 per year—we may be on the hook for this for years to come; we don't know if this technology will be in use in six years; use land that we already have if you need cell service.

Laura Torok-Lobelson, 22 Fox Drive—opposed; we get cell service at our home; quoted R. Marconi's response to education budget cuts; how can we spend \$350,000 on this cell tower when we have cut our education budget \$850,000.

Eileen Hackett, 23 Bob Crest Road—opposed; former nurse, current FCC standards did not address non ionizing radiation; brain cancer in children increased 40 percent in the past 20 years; the US has one of the least protective standards in the world when it comes to cell towers; many countries do not allow towers within 1500 feet of schools and children; cited many statistics surrounding the health effects; reminded of the 1950s Buster Brown shoe stores which used x-rays to make sure the fit was right.

Jason Albright, Spire View Road—opposed; localized service in your own home; this project is a dangerous precedent in using open space to erect a cell tower; what alternative technology have we looked at? Microcell technology should be investigated. Suggest we look at it for other neighborhoods. Companies would not force us to use cell towers if we look at alternative technology for the use of their services.

Jeff Ram, 304 Old Stagecoach Road—opposed; spending money on something we don't need; owns the property closest to proposed cell tower; believe it would adversely affect my property values; respectfully ask residents to put themselves in our shoes.

Michael Dow, 2 Aspen Ledges—strongly opposed to proposal for purchase of property for construction of cell tower. Believe construction of this tower will have lasting negative impact on entire town. Believe proposal is in direct contrast to core values of our historical heritage. Why would the conservation commission lead this project.

John Elkow, 13 Spire View Road—opposed; would ask people who speak in favor of this, why not use the school property or Richardson Park property or McKeon property that we

already own? R. Marconi responded that the school site and Richardson Park property are too low; McKeon property is deed restricted and not allowed.

Bart van De Weghe, 226 Barlow Mountain Road—opposed; there is a sliding scale when justifying spending money—there is a larger burden when justifying spending this money. Don't think there has been a justified reason for this project. There is a sharp opposition for this project; this will drive a wedge between this neighborhood and town officials.

Walt Wieland, 6 Todds Road—was previously ambivalent about this cell tower until coming tonight and hearing all the spurious information being shared tonight. Am for it now.

Carolyn Shults, 94 Bob Hill Road—supportive; encourage you to vote for this, critically important; mother of two children, now young adults, and we were talking about this 10 years ago; don't have a land line at home any more. Used to work for a cell phone company; was a financial analyst; Ridgefield is a last bastion because of our topography.

Dave Goldenberg, Seth Low Mountain Road—we need to have cell phone coverage in northern Ridgefield. Basically have heard three arguments tonight: 1st argument-cost unjustified—revenue stream though. 2nd argument-health—scientific consensus is there is no health risk. 3rd argument-I don't want it—reasonable argument. If we don't put the tower here, what are alternatives? Better? Worse?

R. Marconi stated we have been told there are other sites but we don't know where they are. Our Purchasing Agent, Jerry Gay stated another cell company had map and was marking other sites for erection of a tower.

Kevin Steitzel, 7 Aspen Ledges—opposed; questioned \$100,000 return based on 5 carriers; do you think you can get 5 carriers? R. Marconi stated 3-5 carriers. Questioned non-ionizing radiation from Dr Sandhu.

Sebastian Romano, 26 Rolling Ridge Road—opposed; can we find out how the other towns kept them out? R. Marconi stated that towns in Connecticut have no jurisdiction in that area; we cannot prohibit cell tower companies from erecting them.

Mary Walsh, 35 Aspen Ledges Road—opposes the funny tree; land preservation—how do you do that and erect cell tower and preserve land's natural beauty? Isn't that an oxymoron? Requested Board of Selectmen follow the rules of the Conservation Commission, which she read from the open space book, in order to protect open space.

Shankhar child—opposed

B. Manners clarified that many towns have cell towers, citing Greenwich has 27. It was further clarified that the towns mentioned earlier were able to keep the cell towers from being erected in open space.

Mr. Camoia—stated this process is more like socialism.

Tony DiPreta, 9 Maplewood Road—opposed to cell tower.

Ben Oko spoke about Town's open space. This site exists as a potential development site and so our hope was to protect this site and to keep it as open space. The cell tower impact is much smaller—½ acre of the property.

Susan Mushlin, 72 Regan Road—supportive; has no cell coverage; experienced three accidents this past winter and was unable to call 911 on cell; had to go door to door looking for a land line.

Lauren Salkin, Seth Low Mountain Road, requested a list of contributors toward this project. Ben Oko responded there is a yearly fundraiser sent to all residents—the money being used has been raised over past 15 years.

The Public Hearing was closed at 9:50 pm.

R. Marconi called the Board of Selectmen meeting to order at 9:52.

D. Masters moved, B. Manners seconded a motion to approve a vendor permit for Joe Esposito, J&E Ice Cream. Motion carried 5-0.

D. Masters moved, B. Manners seconded a motion to approve Izabela Ortonowski as a full member of the Board of Ethics. Motion carried 5-0.

B. Manners moved, M. Kozlark seconded a motion to table approval of meeting minutes. Motion carried 5-0.

B. Manners left the meeting at 10 pm.

M. Kozlark moved, D. Masters seconded the motion to adjourn the Board of Selectmen meeting at 10:15 pm. Motion carried 4-0.

Respectfully submitted,
Wendy Gannon Lionetti