

PUBLIC HEARING
JUNE 8, 2011 -- 7:30 PM
EAST RIDGE MIDDLE SCHOOL, 10 EAST RIDGE, RIDGEFIELD, CT
REVISED/APPROVED

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

In Attendance: R. Marconi, A. Bodner, M. Kozlark, B. Manners
Absent: D. Masters

R. Marconi called the Public Hearing to order at 7:46 pm, noting that the location of the meeting had changed from Veteran's Park School Auditorium due to the heat and therefore was giving extra time for those who might have gone to Veteran's Park to arrive at East Ridge Middle School.

The reason for the Public Hearing is to discuss the possible land purchase on Old Stagecoach Road for the purpose of open space and the erection of a cell tower. A public hearing has already been held on this topic but the property owner, Mr. Pellicione did not want to extend the contract and so the Special Town Meeting was canceled. Mr. Pellicione changed his mind and therefore the Board of Selectmen decided to set a date for another Public Hearing and Special Town Meeting with a consolidated question of purchase of the land as well as the approval of the lease of the cell tower. Because the two items are now combined to one question, a public hearing is now necessary at 7 pm on June 15 followed by the Special Town Meeting on June 22 at 7:30 at Veteran's Park School.

R. Marconi reviewed the powerpoint presentation. The proposed purchase is for a 28.8-acre parcel on the ridgeline at the top of Old Stagecoach Road. Conservation Commission will pay \$650,000 of their open space fund money and the Town is being asked for \$350,000 to purchase the parcel. R. Marconi reviewed slides that indicated the proposed location of the cell tower on the parcel of land. Mr. Pellicione suggested moving the cell tower to another location; however, Mr. Pellicione's suggested location is too close to wetlands. The Town has exhausted all other locations available for the possible placement of a cell tower. The Old Sib Road site has a deed restriction placed on that property that it be left in its natural state in perpetuity.

Also present at the Public Hearing were David Grogins, Town Counsel, Manny Vicente, Homeland Towers, Ray Vergati, Homeland Towers.

Sabina Slavin, 128 West Mountain Road requested clarification of the map for orientation purposes.

Mary Walsh, Aspen Ledges Road—asked is it possible to move the location of the cell tower? R. Marconi responded that the current owner, Mr. Pellicione, stated one of the reasons he didn't want to move forward with selling the property was because he didn't like the proposed location. He wanted to move it over to the west side of the property. When we looked at the

property and access to it, we would do more damage over there as there are wetlands there and the existing site already has a trail that has already been built by Mr. Pellicione.

Scott DeYoung, Caudatowa Drive—have you looked at other vendors? American Towers has three cell towers in the area. R. Marconi responded that four vendors responded to the Town's bid. The bids are available for reviewing on the Town website. Federal law mandates nondiscrimination to all on the tower. M. Vicente responded to question stating that this requires access to the facility.

D. Grogins clarified the lease is in draft form and it is subject to modification.

John Elkow, Spire View Road—What does Wilton Bank own versus Town of Ridgefield-owned property—R. Marconi responded, pointing out the requested properties, and stated that there is an easement through the Wilton Bank property to the proposed cell tower site.

Dom D'Addario, Tanton Hill Road—does Homeland Towers have any commitments from tenants? M. Vicente responded that they have been in touch with AT&T and Verizon Wireless. Sprint and Nextel have both shown strong interest. We anticipate at least five tenants on this tower. Mr. D'Addario questioned the Jesse Lee tower—it was eliminated because of merging. R. Marconi responded the tower is being eliminated from Jesse Lee due to a merger. This proposed site is necessary for coverage in the north end of town. Mr. D'Addario asked what safeguards do we have if Homeland Towers gets no tenants? M. Vicente responded that a minimum rent is guaranteed providing an assurance to the Town. M. Vicente stated that although the two companies most likely will merge, they still will operate two separate technologies.

John Katz, Ridgebury Road—The insurance limits in the lease are childish—why so low? They should be raised. Is there a safeguard to allow the Town to collect attorneys fees? Is there a safeguard regarding removal of the tower if the technology becomes outdated?

Jack Baldaserini, Neds Mountain Road—The lease commences upon construction start—is it conceivable that after we purchase the property, the construction may never start? R. Marconi replied that if this happens, the Town has an option in the agreement with the Conservation Commission to sell lots to recoup the money expended for the lot.

Mary Ann Gazynski, 44 Bob Hill Road—are all nine towers in Ridgefield located in residential areas? R. Marconi responded there are 2 or 3 on the rail trail that runs through residential areas, one is in the Jesse Lee Church spire, one is on the top of the SNET building on Catoonah Street, one is at the Police Station surrounded by houses.

Jason Albright, 51 Spire View—is there a property value protective clause—R. Marconi responded that Homeland Towers investigated this and cannot come up with an agreement or solution to that. Mr. Albright asked if there is an alternative? R. Marconi responded it is a difficult issue; there is a perceived devaluation; if the perception goes away, then there might

not be a devaluation. Homeland Towers has agreed to do an appraisal of all houses, but then what do you do with that information?

Adele ? Woodchuck Lane—since we have successfully concealed the tower in Jesse Lee spire and property values were not negatively affected, can we possibly investigate? Would this be a viable solution?

R. Marconi and M. Vicente responded that erecting the tower in the steeple, it presents limitations and that may be why the tower is being decommissioned.

Is it true that students cannot use cell phones in the high school? R. Marconi stated he spoke with Jeff Jaslow, Principal of the high school today, and was told that if the cell tower were erected and we were to receive cell service, it would create other issues, but the safety issue far outweighs the issue. We will deal with the negatives.

Tony DiPreta, Maplewood Road—stated the Jesse Lee cell tower has been decommissioned for one year.

Barbara Dobbin, 499 Danbury Road—confused—open space will be preserved in perpetuity? Thinks it is important that the voters who come to the Town Meeting know that the purchase of this open space will be for a cell tower.

Tom Suda, 161 Bob Hill Road—regarding the proposed site—what happens if in six months to one year we decide to move the cell tower site? R. Marconi stated that if the vote is yes, we will move forward with this location. If vote is no, the deal is off the table.

Cell tower companies have said that if this goes down, they are looking at other private sites to erect a tower.

Scott DeYoung, Caudatowa Drive—Looking at lease, this is a pretty poor return on this real estate investment of \$1,000,000. The taxes the Town is receiving on the property will go away. Conservation money is Town money, I believe. I think \$1,000,000 is a lot of money for that property. You can't build much there. R. Marconi responded that an appraisal was done on the property. Taxes that are paid currently are \$10.50/year due to special tax under Public Act 490, a federal designation that stipulates the owners agree they will not build on the property for ten years.

R. Marconi responded that the \$650,000 from the Conservation Commission is money that they have collected for years from their donations received for the purposed of purchasing open space.

Jack Baldaserini stated that the Conservation Commission action to not lift a deed restriction does not sound correct. Something is fishy.

John Katz clarified the Conservation Commission chose to not go back to the donor of the property to ask for a deed restriction.

Paul Gazynski, 44 Bob Hill Road—will there be additional Town expenses with this? R. Marconi responded no. Asked about the Wilton bank property—is that less money? R. Marconi stated that Dr. Oko approached the bank and they wanted \$500,000 and he got them down to \$400,000, but they would not come down to \$350,000.

Dr. Oko would like to add to the lease that the Conservation Commission have final approval over the landscape design of the tower site.

Louann Cazalet, Virginia Court—we are proponents of the cell tower—us and our neighbors. Safety wise at RHS this is a concern—you cannot get a call up to the high school. We think the property values will go up; we are willing to start a petition on our street.

John Katz—The lease does not take into consideration technological advances.

Michael Baum, Two Aspen Ledges Road—when will the lease be in more final form? The lease will be solidified for the next public hearing. Who will be responsible for the construction of the access to the site? R. Marconi responded that Homeland Towers will be. Will emergency vehicles be able to access? Conservation Commission will not want the road to be 20' wide, but it will need to be accessible for a tractor trailer to get in there to build.

M. Vicente responded that we don't anticipate the width of road to be more than 10-12'. It is a requirement that emergency vehicles have access to cell towers. This would be done after approval from the siting council, which will take 9 months to one year. Preparations are extensive—public hearings, balloon tests, it is a process that takes approximately one year.

John Elkow—Regarding generators verses batteries—the lease should reflect battery backup as was stated in a public hearing. R. Marconi responded that we requested emergency backup batteries, not generators. M. Vicente responded that every company has their own standards—Verizon is the only company that requires generator backup and they do not deviate, but they do have a shelter that houses the generator. It is a very solid structure.

Chris McQuilken—is it possible for residents to walk the property? R. Marconi will ask the owner for permission.

Jason Albright—how is the \$350,000 going to be financed? R. Marconi responded that the Board of Finance will determine that.

R. Marconi adjourned the Public Hearing at 8:50 pm.

Respectfully submitted,
Wendy Gannon Lionetti