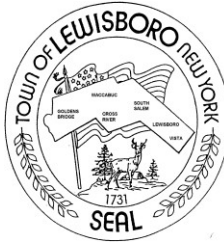


TOWN OF LEWISBORO
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Minutes of the AAB Meeting

February 7, 2023

Meeting was held live at the Town House and via Zoom videoconference and called to order by Joseph Neu at 7:06pm

Present: Joseph Neu (Chair), Rob Cummings, Sam Dodge, Brian Porco, Tony Gonçalves (Supervisor/Town Board Liaison)
Absent: Lynne Geaney, Chris Nelson (KLSD Liaison)

Housekeeping and Approval of Minutes

- The December 15, 2022 meeting minutes were approved without objection.

New and Existing Business

Update on South Salem Cell Tower Considerations:

- Homeland Towers Founder and President Manny Vicente briefed the board on their assessment of the South Salem Presbyterian Church steeple as an alternative location to the Salt Dome for a wireless macro site (cell tower).
- This assessment began with a walk-through that Homeland Towers conducted with engineers and architectural specialists and Sam from the AAB (also the Church Technology Director), plus George van Marter, who heads the Church's Building and Grounds Committee on January 3.
- Manny began by noting that the objective is to arrive at optimal coverage and find a site equidistant from the Leon Levy Preserve tower and the Town Park site. Also, this is the next site that the industry and the carriers want to develop to improve their network and coverage in the area. As alternatives, Homeland Towers looked at:
 - The Recycling Center site and it was clear that the public was not a fan of that location
 - The Salt Dome site, which seemed to be better buffered from residential properties and views (it is still the best location)
 - The Animal Hospital adjacent site, which because it starts to get away from the equidistant point away from South Salem and towards Leon Levy is not as optimal (Verizon does not like that location, in particular)
- Since the Salt Dome site is not preferred by everyone, though from a land use perspective Manny noted that there are not a lot of residents as close to it and it is in municipal use right now, Homeland Towers

continues to assess alternatives. There are no private property owners willing to lease to Homeland Towers for a tower development. Homeland Towers also listened to the request to evaluate the church steeple again and went back to the carriers with the idea.

- He noted that when the idea was raised in the past, the carriers rejected the idea, though there never was a thorough investigation—mainly based on the assumption that the current height of the steeple would be the height and concern that the needed equipment would fit inside.
- When the new request came in, Homeland Towers thought it would be a good idea to do an investigation and got the carriers ok to proceed with one.
- The carriers have not approved the idea yet and Homeland Towers is still working on the formal presentation to them.
- It depends on what sort of height they can get with the Steeple rebuild.
- The challenges are that we need to get something that works from a coverage perspective and that can accommodate multiple carriers.
- The walk-through left Homeland Towers encouraged.
 - The rebuild after the church fire was done nicely and there is a solid support foundation.
- However, they still must figure out how to get all the equipment for 3-4 carriers in the steeple and surrounding stie.
- Homeland Towers has reached out to an expert with a lot of experience doing wireless installations in church steeples to assist with the assessment.
- There are some schematics and designs that have been prepared. These show:
 - The current height of the steeple is 79 feet and Homeland Towers feels the height needs to be brought to at least 110 feet. Given that the current steeple is too short for the church, that height could work both structurally and architecturally. [The current steeple is shorter than the original due to funding constraints during the post-fire rebuild.]
 - There is enough space to house the equipment.
 - It is still a challenge.
- They will present the schematics and designs when they are ready—which is a few weeks away still.
- Next steps for Homeland Towers are to:
 - Finish the design work
 - Talk to the church about a lease agreement
 - Talk to the carriers about accepting the site
- Manny said that he believes there is a more than 50 percent

chance that they could do something on the site, yet it is ultimately up to the carriers. People should not conclude that this is a done deal.

- Sam offered his perspective, referencing the letter entered into the minutes at a prior meeting from George Van Marter, that the goal is to determine if we can or cannot move forward with the Steeple option. He offered to arrange a walk-through for any AAB members who have not seen the site.
- Supervisor Gonçalves asked if Homeland Towers would rely on one carrier's acceptance only or is it AT&T and Verizon or more? Manny answered that T-Mobile is likely not ready to invest further in the area, nor is Dish, so the decision rests with AT&T and Verizon. Supervisor Gonçalves also asked for Manny's assessment about public pushback.
 - Sam indicated that his perspective is that residents have a choice to look at a cell antenna (on a tower) at the Salt Dome or looking at a Church Steeple.
 - Manny cited his father's quote from serving on the zoning board in Ossining: "I know I have made a good decision, because no one is happy." I know we cannot make everyone happy," he said, "but what we can do is get to a point to where is that there is enough consensus that this is the best path to take. We are getting close to that."
 - Rob asked about how this process would compare to the prior tower processes on town property. This one would have to go through the planning board.
 - This raises the issue of reviewing the zoning code and running through the process to ensure the back and forth between planning and zone approval will not result in the project being delayed substantially in comparison to the Salt Dome alternative on town property.
 - The planning board may need to exercise some discretion in waiving certain code provisions regarding setbacks etc., for example—if our Town Code allows them to.
 - This could be a unique situation in that the church is rebuilding a steeple that was replaced short of its historical proportions, Manny said, adding that "the new steeple will look as nice or nicer than the current one."
- In terms of the coverage with a potential Steeple site vs. the Salt Dome, the Chair asked Manny what the comparison would be based on their propagation models. Manny said they have done their own modelling and found that the Steeple does not cover as well as the Salt Dome, "but it is maybe good enough." That is not necessarily how Verizon or AT&T will see it, he warned.
- Homeland Towers had to do this [our own models], "because for us to invest the time and money in investigating it further, we had to feel that it would be viable. We felt yes."
- Speaking with AT&T and Verizon with the finalized proposal is the next step. Manny said he would be pushing for it. If it is viable, it would be a

tough sell for the Town Board to go with something else, in his opinion.

- He estimated that we are five weeks away total from being able to say “we can really do this.”
- “If this is indeed the consensus, we would ask that you sit down with our planning/zoning attorneys and the town attorney to look at the code and see if we can make this happen so that it does not take two years. That would defeat the objective of getting the coverage in here as soon as we can.”
- Rob asked if the 110ft is the limit? Manny said he would be concerned about how it looked if it were much taller. Plus, there are load considerations with wind and ice etc. If this were on a pole such as at the Salt Dome, each rad center would be 3-4,000 pounds.
- In its favor, the Steeple is on cinder blocks and steel, which is pretty good. The beams used are also significant.
- Rob asked if there was equipment that would be exposed and visible, such as he had seen in Ridgefield? Manny replied that in this case they would be rebuilding the steeple with the equipment embedded in it versus attaching the antenna on the outside.
- Chair asked about the support equipment, including generators, and if there were any scenario where the carriers might consolidate this to conserve space? Manny’s response was no. “The carriers are in a competitive business and they do not share anything (unless they absolutely have to).” Multiple generators are also actually preferable for redundancy. In emergencies, calls automatically pass across to the active carrier. Also, both Verizon and now AT&T are set on having backup generators for all their sites.
- Sam asked about the power need: 80 to 100 amps per carrier is the power needed, but it is higher in an emergency situation because everyone will be on.
- Tony asked about backhaul. Fiber will be accessible at either site.
- At the conclusion of this segment, the Board invited Manny back to update the AAB on the final assessment.
- Manny concluded by asking the AAB to consider that it will be impossible to make everyone happy, the carriers will be making compromises on equipment and coverage that they would prefer not to make and we cannot allow for a two-year approval process to stand in the way of progress after all this time.

Public Comment

The Chair moved and had approved a suggestion to move forward public comment so that Manny could hear it.

- Adam Stolorow (Attorney with Sive, Paget and Riesel representing residents): Happy to hear what has been discussed tonight. My clients who would all be affected by a tower at the Salt Dome are all very happy for the progress that is being made on this and would be in full support of the church location and furthermore will support the application process. We

agree that cell service is needed in the area and want to find a solution. I hear Homeland call for a shortened process on this and we would urge the town to work with them to find out how this could be accomplished and hope that from the design side this will work out. We heard that T-Mobile and Dish are not in a position to look at locations in the area right now so I do want to get ahead of one issue and that is if it ends up being the hold up that they can only fit two carriers into the steeple and that it would be difficult to fit three or four, I would ask that the town move ahead and support this and work with Homeland to fit the two carriers in, especially since the two carriers are not actively looking. It would be great if you can get four carriers in, but if you cannot we would encourage and support the proposal at two carriers.”

- Carol Cernak (Farvue Farm): Glad to hear that the church steeple is a possibility. I just wonder what the congregation might feel about the location. [Sam clarified that it was brought up at the congregation meeting unofficially and they are digesting it. Until Homeland approaches the church officially there is no official deliberation as yet.] Carol also spoke to the potential placement of the tower at the Salt Dome: “You have to realize that Echo Farm has a conservation easement protecting their land, as well as Farvue Farm. If Farvue was ever to enter into a contract to sell the land there are 60 2 acre parcels that are buildable on Farvue Farm... not looking at this out of the box is a mistake, I think. I would rather see the church get the money than the town of Lewisboro, since I know that the congregation could need it and would appreciate it. Also, the Salt Dome adjoins a state and town wetlands zone so there a lots of things to consider here. I would urge that no matter where it goes that it goes before the planning board.”

Update on CityScape Wireless Infrastructure Study Project. CityScape has provided the first draft of their final study report for review and comment by the Northern Westchester municipalities involved.

- Supervisor Gonçalves agreed that we could make it available on the town website.
- Chair summarized that based on a preliminary review of the draft it does not seem to offer much new information beyond what CityScape has already presented regarding Lewisboro. 1): It made a recommendation for a minimum of 5 additional macro towers (120ft in height) to address the coverage issues. 2): A further recommendation is made for smaller sites to enhance capacity.
- Chair was unclear on what the further review process looks like. Supervisor Gonçalves will ask CityScape to clarify, including if another presentation before the Town Board would be involved.

Update on Emergency Services Communications. Brian Porco updated the AAB on matters related to EMS communications.

- The effort to resolve the accidental removal of EMSC equipment along with legacy Sprint equipment from the Vista Firehouse Tower (due to the Sprint acquisition by T-Mobile) in September is ongoing. Manny from Homeland Towers offered his help to the extent that he could.

- Following up on the discussion with Tom Kennedy, Chair of the Bedford Wireless Facilities Working Group, Brian noted that he digested the very useful information that he provided, including the engineering firm that they used for their study (Federal Engineering), which was not tied to a company or manufacturer. A portion of the funding in Bedford is coming from capital (very similar to how the county did it), replacing the actual subscriber units first, and then the system infrastructure is going to be bonded, so a two-phased approach. They are also looking into grants, including talking to State Assemblyman Chris Burdick.
- Bedford seemed to be leaning toward the bigger \$2mn plus option Brian spoke to at the prior AAB meeting.
- Investigating this further, Brian noted that in our area there are relatively few options to what is possible: without direct line of sight between the towers where the radio equipment are on. This leaves only two systems as possible with the existing technology being used. One is the system we are using now. The second is what Bedford is deploying. The system Lewisboro is using now also has subscriber units that are at end of life, , which he did not consider when discussing this at the last AAB meeting. So what Highway, Fire and Police etc. are using have reached the end of their support life and will need to be replaced. This adds a large cost.
- If indeed the result of the fact-finding is that the subscriber units need to be replaced, then it makes sense to advance further to the end goal of replacing the entire system. It may be less of an investment than what Bedford is looking at but it is going to be far above the \$10,000-\$30,000 to band-aid the existing system.
- The other takeaway is that you want to have a little bit of future proofing, so that you can add channels to the system for the different constituents (police, fire and highway etc.). Brian said that the lesson from the current system is do it right the first time. "We should really drive toward getting the best system possible, bonding it or financing through the company we purchase it from."
- Sam suggested that the town should look to put some of the cost on the carriers looking to put up cell towers or the tower owners.
- The first step Brian noted is getting the contact info for the appropriate contacts at the owners of the various sites to gain some cooperation. Communication issues are holding up progress. This includes contacts for the Town Park site and especially the Brownell Reserve Tower site (both American Tower sites; American Tower has been radio silent). The Levy Tower owners are not cooperative.
- Supervisor Gonçalves noted he has enlisted Manny from Homeland Towers for help and the contacted the landlord assistance group at American Tower who engaged in a Q&A. The next step is to contact American Tower on the legal side. Beyond that, the action is to put the issue to Zoning to force cooperation upon renewals, but that timeline is too far out.
- Brian reiterated that Motorola will do the engineering for free if you are considering their equipment (and it would almost have to be theirs to be compatible with the county). But they need the cost information on putting the equipment on the towers to proceed with an engineering study.

Update on Optimum Fiber-to-the-Home and Internet Service Issues.

- Supervisor Gonçalves contacted the Optimum government relations representative, Frank Aleva, and they reconfirmed the delays due to the Department of Transportation compliance issues but that they had worked out with them on an expedited approval process that will move much faster. They expect these to come through in Q2, with Lewisboro slated for Fiber-to-the-Home service in Q3. Lewisboro will be one of the first communities they will begin construction with. He added that: If the DoT timeline speeds up, the roll out would speed up as well.
- Meanwhile, Westchester County was stringing fiber to the Lewisboro Library for its library system earlier in the year.
- The Chair also referenced a conversation that he had with Lightpath in January, where he learned that they are in the process of being spun out of Altice (the Optimum parent company) and technically may be able to compete with Optimum to offer commercial-oriented residential service. The AAB questioned whether Optimum would therefore string new fiber for Fiber-to-the-Home or use the current Lightpath fiber.
- Rob volunteered to work with Westchester County's Broadband Coverage Verification Initiative. This will help the county access funds from the Infrastructure Investment Jobs Act by verifying where broadband coverage is or is not. The Chair moved to appoint Rob to be the point person without objection.

Identifying Town Property in Coverage/Capacity Gaps for Future Wireless Plans. Chair encouraged public to continue to submit recommendations for sites, starting with those on town property, that they think could be used to help fill wireless Coverage/Capacity gaps. The AAB will log these for future consideration. Supervisor Gonçalves also referenced an updated list/map of town-owned property that could be used to cross reference.

Public Comment (round 2)

Carol Cernak (Farvue Farm): These meetings are very technical and difficult to follow as a layman... so I am not sure if you don't need to give more background about the information that you are presenting. But it is very very difficult to follow so I don't know if you need to provide more information. I appreciate everything you do. You guys are doing a great job, but I would appreciate more background information.

Polling of the Board

- Brian: called for an Executive Session to discuss a personnel matter.
- Rob: I was heartened to hear what Manny had to say. I was skeptical. 50:50 is higher odds than I would have guessed a month ago... but still we have one site and the other site. It is up to him and the carriers. They will decide based on economics and a lot of other factors, but one of those is going to be how long the process takes. I am in favor of helping him out. I just want to temper the optimism with that.
- Tony: This was a good discussion. Having the church steeple be an option is very good. If we can help out the church, why not. But he agreed that it is up to the carriers. Hopefully, with the work that has been done so far that the carriers will be able to come

back and reevaluate and say that it works for us.

- Sam: There is engineering work going into this. Manny is going to be in contact with the carriers, too. Manny is dotting his I's and crossing his T's and then it will be up to the carriers and then the church.
- Chair: I was excited about this meeting to get feedback from Homeland Towers on behalf of the carriers which they both (AT&T and Verizon) said that Homeland Towers was their point person... and if we look at it from the perspective that we now have two options to get that tower that we need put in. That's better than one option. I am also heartened by the endorsement for the church location from one of the key opposition constituents in the public comment.
- Brian prompted a discussion to clarify the public commenter's point (Attorney Adam Stolorow) about two carriers and continuing to look at the steeple housing 3 or 4.
- Sam said there would likely be room for them and Emergency Services Communications equipment as well.
- Chair noted that as an action item the AAB should investigate the process issues to ensure a that a tower there could be approved in a timely fashion.

The Chair adjourned the meeting to Executive Session at 8:23pm.

Disclosure: Brian Porco disclosed to the AAB that he has taken a part-time job with Metrocom, which is the reseller that has a vendor relationship with the town on emergency service communications. The AAB determined that it will make this disclosure public at the next meeting and Brian offered to recuse himself from any advisory opinion or recommendations on emergency services radio equipment and contracts the AAB might be asked to make if ever this scenario might arise.