

MUNICIPALITY OF BETHEL PARK
ALLEGHENY COUNTY, PENNSYLVANIA

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IN RE: CAPITAL TELECOM HOLDINGS, LLC
PITTSBURGH SMSA LIMITED PARTNERSHIP
CONDITIONAL USE TO CONSTRUCT A MONOPOLE

- - - -

COUNCIL MEMBERS

Timothy J. Moury (President)
James P. Hannan (V. President)
Joseph A. Consolmagno
Todd S. Cenci
Donald L. Harrison
James McLean
Timothy Campbell
Lorrie A. Gibbons
Mark J. O'Brien

- - - -

Municipal Manager: Laurence Christian
Police Chief: Timothy O'Connor
Mayor: Jack T. Allen

- - - -

DATE: Monday, February 10, 2020
TIME: 7:15 p.m.

PLACE: Municipality of Bethel Park
5100 West Library Avenue
Bethel Park, Pennsylvania 15102

- - - -

Reported by: Kim Simms Strnisa

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1 P-R-O-C-E-E-D-I-N-G-S

2 (Commencing at approximately 7:15 p.m.)

3 PRESIDENT MOURY: Okay. I'd like to
4 call to order the Public Hearing of
5 February 10, 2020, approximately 7:15 p.m.

6 Mr. Christian, will you please call
7 the roll.

8 MR. CHRISTIAN: Campbell?

9 MR. CAMPBELL: Here.

10 MR. CHRISTIAN: Cenci?

11 MR. CENCI: Here.

12 MR. CHRISTIAN: Consolmagno?

13 MR. CONSOLMAGNO: Present.

14 MR. CHRISTIAN: Gibbons?

15 MS. GIBBONS: Here.

16 MR. CHRISTIAN: Hannan?

17 MR. HANNAN: Present.

18 MR. CHRISTIAN: Harrison?

19 MR. HARRISON: Present.

20 MR. CHRISTIAN: McLean?

21 MR. McLEAN: Here.

22 MR. CHRISTIAN: Moury?

23 PRESIDENT MOURY: Here.

24 MR. CHRISTIAN: O'Brien?

25 MR. O'BRIEN: Present.

1 PRESIDENT MOURY: Nine members
2 present.

3 Just for everybody's information, we
4 have a public hearing that was scheduled at
5 7:10 p.m. We're running a few minutes late.

6 Following the public hearing, we will
7 have our Regular Council Meeting. So there's
8 a chance we may be a little bit late starting
9 that.

10 This is for Public Hearing on
11 Application 2019-0707, Conditional Use to
12 Construct a Monopole Communications Tower in
13 the Industrial Park.

14 An applicant has been made -- an
15 Application has been made by Capital Telecom,
16 Conditional Use, 5412 Enterprise Boulevard,
17 Property Lot & Block No. 567-K-12, Capital
18 Telecom Holdings, LLC and Pittsburgh SMSA
19 Limited Partnership, Applicant, current zoning
20 is M, Manufacturing Light Industrial, which is
21 in Ward 1.

22 Just for everybody's information, the
23 way this will start is Stacey Graf, our
24 Director of Engineering, will give an overview
25 of the project and what's being proposed.

1 At that time, we'll open up to the
2 Applicant, if they have anything they would
3 like to add. Then we'll open it up to the
4 Public Comment section; people that are
5 proponents, in favor of the communications
6 tower, people -- then it would be opponents,
7 people that may be opposed to it. And then
8 we'll open it up for any discussion from
9 Council.

10 So, Ms. Graf, can you please start
11 with an overview of the project.

12 MS. GRAF: Before Council is a
13 Conditional Use Application. The Applicant,
14 Capital Telecom Holdings, LLC and Pittsburgh
15 SMSA Limited Partnership DMA Verizon Wireless,
16 is seeking to obtain conditional use approval
17 for the installation of a new monopole, a
18 tower-based wireless communication facility,
19 at 5412 Enterprise Boulevard. The property is
20 located in Ward 1, and is zoned Manufacturing
21 and Light Industrial.

22 The Conditional Use provisions of
23 Bethel Park Ordinance are offered to be
24 entered into the record as Exhibit A.

25 Copies of all exhibits are being

1 provided to the Solicitor and the Court
2 Reporter.

3 As per the requirements of
4 Municipality's Planning Code, the purpose of
5 this public hearing is to accept public
6 testimony regarding the application. Council
7 is required to hold a public hearing prior to
8 the rendering of a decision on a Conditional
9 Use Application.

10 Advertisements for the public hearing
11 were published January 24 and 31, 2020
12 editions of the Pittsburgh Post-Gazette.

13 The Proof of Publication is entered
14 into the record as Exhibit B.

15 In addition, public notices were
16 placed on the property under consideration on
17 January 30, 2020.

18 A memo was prepared by Michael
19 Hoffman, the Code Enforcement Officer, who
20 posted the property, and is being entered into
21 the record as Exhibit C.

22 A copy of the application was also
23 sent to the Allegheny County Office of
24 Economic Development on September 11, 2020,
25 and is being entered into the record as

1 Exhibit D.

2 Notifications were sent to the
3 abutting property owners prior to tonight's
4 public hearing on the application by the
5 Applicant.

6 Proof of the mailings were provided
7 to the Municipality, and is being entered in
8 as Exhibit E.

9 Notices were also hand-delivered by
10 Vince Kelly and Michael Hoffman, Code
11 Enforcement Officers, to each abutting
12 property by the Municipality on February 6,
13 2020.

14 A copy of the notice is being entered
15 as Exhibit F.

16 Four responses were obtained based on
17 those deliveries; two in favor of the project
18 and two opposed. These responses are being
19 entered into the record as Exhibit G.

20 The Municipality of Bethel Park
21 Planning and Zoning Commission reviewed
22 Application 2019-0707 at their meetings on
23 September 25, 2019, January 2, and January 8,
24 2020.

25 The Planning and Zoning Commission

1 voted 8 in favor and none opposed to recommend
2 approval of the application. A draft copy of
3 the meeting minutes is entered as Exhibit H.

4 The Applicant was made aware of the
5 Planning Commission's recommendation via a
6 letter forwarded to them on January 20, 2020,
7 and is entered as Exhibit I.

8 Pending the results of the public
9 hearing, the next possible date for Council's
10 action on this application would be at their
11 March 9, 2020 Regular Meeting at 7:30 p.m.

12 The Applicant waived procedural
13 timing requirements, as described in the
14 waiver received by the Municipality, signed on
15 October 10, 2019, and a signed but undated
16 letter from December 2019.

17 These waivers are being entered as
18 Exhibit J and K.

19 (Whereupon, Council's Exhibit A
20 through K were marked for identification and
21 entered into evidence.)

22 PRESIDENT MOURY: Okay. Thank you
23 very much. That's the overview.

24 Would the Applicant like to add any
25 comments?

1 If you could, come up to the
2 microphone and state your name and address for
3 the record.

4 MR. PEROTTI: Good evening, Chairman.
5 My name is Joe Perotti. That's P as in Paul,
6 E-R-O-T-T-I. I'm here on behalf the law firm
7 of Sittig & Cortese, representing the
8 Applicants Capital Telecom, as well as Verizon
9 Wireless.

10 Thank you, Ms. Graf, for that
11 comprehensive introduction.

12 As Council's aware, we're here for a
13 communications tower public hearing. I'm
14 cognizant of the fact that there's a number of
15 items on the agenda behind me. And so what I
16 would like to do is be as brief as possible,
17 just introduce a few exhibits, and give a
18 brief rundown to Council.

19 As for the application, briefly
20 turning to my colleague, radio frequency
21 engineer Mr. Shreyas Patel, for his testimony
22 concerning just a few items in the Ordinance
23 that are critical in demonstrating compliance
24 with the Ordinance.

25 But before that, Mr. Chairman, just

1 for housekeeping matters, just to make sure
2 that we introduce and have a complete record
3 and comprehensive record, the Applicant has
4 four exhibits that they would like to
5 introduce into the record.

6 The first of which is, just for
7 standing purposes, it's the lease agreement
8 between the property owner, as well as Capital
9 Telecom, to construct this facility.

10 Would -- would it be best to hand
11 this to you or to the --

12 PRESIDENT MOURY: You can hand it
13 right up here. Thank you.

14 (Whereupon, Applicant's Exhibit
15 Number 1 was marked for identification and
16 entered into evidence.)

17 MR. PEROTTI: The second -- the
18 second applica- -- or, exhibit that the
19 Applicant would like to be introduced is a
20 Narrative and corresponding exhibits.

21 I believe 19 copies of this were
22 provided to the Municipality. But just to
23 have the record being comprehensive, we ask
24 that that be introduced at Applicant's Exhibit
25 2, the Narrative and corresponding exhibits.

1 (Whereupon, Applicant's Exhibit
2 Number 2 was marked for identification and
3 entered into evidence.)

4 MR. PEROTTI: The third and fourth
5 exhibits that we would like to have entered,
6 beginning with the third, is a letter which is
7 correspondence between the tower company,
8 Capital Telecom, as well as First Energy.

9 First Energy owns and manages a wire
10 line, a tower within the area. It's a
11 requirement of the zoning ordinance that we
12 demonstrate that there's no co-location
13 opportunities.

14 So as Exhibit 3, the Applicant would
15 like to introduce as correspondence between
16 Capital and First Energy, demonstrating that
17 that's not a co-location opportunity based on
18 the reasons outlined in this letter.

19 (Whereupon, Applicant's Exhibit
20 Number 3 was marked for identification and
21 entered into evidence.)

22 MR. PEROTTI: And in the final
23 exhibits which we'd like to have introduced as
24 Applicant's Exhibit 4.

25 When this application was originally

1 submitted, right after the first Planning
2 Commission workshop I was at, I believe, the
3 Municipality hired an expert, The Center For
4 Municipal Solutions, which is headed by Dick
5 Comi and Rusty Monroe. They're specialists in
6 the radio frequency field.

7 They asked that the Applicant provide
8 a completeness analysis. And after that
9 analysis was again reviewed by the
10 Municipality's radio frequency expert, The
11 Center for Municipal Solutions, after they
12 reviewed it, then they deem that the
13 application from a radio frequency perspective
14 was deemed complete.

15 So I would like to have that
16 correspondence introduced as Applicant's
17 Exhibit 4, the final exhibit.

18 (Whereupon, Applicant's Exhibit
19 Number 4 was marked for identification and
20 entered into evidence.)

21 MR. PEROTTI: And so I realize that
22 the application is comprehensive. It's one of
23 the most comprehensive applications that I've
24 been part of in quite sometime.

25 But as indicated, here with me is

1 Mr. Shreyas Patel. He's a radio frequency
2 engineer on behalf of Verizon Wireless.

3 And just to his left is Mr. Scott
4 VonRein. He is a representative of the tower
5 company that is, as part of this application,
6 to construct the facility for Verizon
7 Wireless. And, in fact, Mr. VonRein flew in
8 from New Jersey this afternoon just to be part
9 of this -- part of this hearing.

10 But, again, just a brief overview.
11 Before we even submit applications like this,
12 the first thing that all wireless providers
13 do, we like to co-locate on an existing
14 structure, whether it's an existing
15 communications tower, a water tower, a school,
16 a hospital, a municipal building, anything of
17 adequate height.

18 That's what we always first do to
19 co-locate on. Not only because it's
20 oftentimes easier from a zoning perspective,
21 it's reviewed administratively, but also the
22 FCC requires it. If there's an existing
23 structure in the area, we are required to
24 pursue those opportunities before constructing
25 a new facility.

1 Here, those opportunities simply
2 don't exist. So what Capital did, as well as
3 Verizon Wireless, they partnered to construct
4 a new tower facility proposed to measure 125
5 feet. It will be located on a 50 foot by 50
6 foot -- this area is surrounded by an 8 foot
7 fence that measures -- or, that has a foot of
8 barbed wire at the top of it.

9 And, again, what I think is critical
10 to this application is the fact that it's
11 located in the correct zoning district, the
12 Manufacturing and Light Industrial District.

13 So, from a development perspective,
14 it doesn't get any better than this site.
15 It's not zoned Residential. It's zoned
16 Manufacturing and Light Industrial. So it's
17 considered a conditional use under the zoning
18 ordinance so long as the objective criteria in
19 the zoning ordinance are met.

20 And as part of our exhibits,
21 Applicant's Exhibit 2, we are very confident
22 that we've met the requirements of the zoning
23 ordinance.

24 But I think that there's two
25 requirements that require expert testimony

1 relating to the RF, the radio frequency
2 analysis. So just for the next few minutes,
3 I'd like to have Mr. Patel come forward,
4 briefly go through a radio frequency analysis
5 that should last no more than five minutes.

6 At that time, we're confident with
7 our case in chief. And then we can entertain
8 any questions or concerns by Council, or also
9 engage in public comment.

10 But, Mr. Patel -- Hold on one second,
11 Mr. Patel.

12 Sir, you can go to the microphone.

13 Can you state your name, and spell
14 your last name for the record.

15 MR. PATEL: My name is Shreyas Patel,
16 P-A-T-E-L.

17 MR. PEROTTI: And Mr. Patel, who is
18 your employer?

19 MR. PATEL: Verizon Wireless.

20 MR. PEROTTI: And how long have you
21 worked for Verizon Wireless?

22 MR. PATEL: More than seven years.

23 MR. PEROTTI: And in what capacity
24 are you employed by Verizon Wireless?

25 MR. PATEL: Radio frequency

1 engineering department for all of my career
2 with Verizon Wireless.

3 MR. PEROTTI: And --

4 MR. HARRISON: Sir, would you ask him
5 to get a little bit near the microphone?
6 Thank you.

7 MR. PEROTTI: He's a radio frequency
8 engineer for Verizon Wireless. He's been with
9 them for seven years.

10 MR. HARRISON: I understand. Go
11 ahead.

12 MR. PEROTTI: And before you joined
13 Verizon Wireless, can you briefly describe
14 your educational background?

15 MR. PATEL: I have a master's in
16 electrical engineering from the University of
17 Bridgeport in Connecticut. And I have all my
18 experience in the wireless industry.

19 MR. PEROTTI: Okay. And, Mr. Patel,
20 we introduced as part of Applicant's Exhibit
21 2, radio frequency propagation maps?

22 MR. PATEL: Uh-huh. That is correct.

23 MR. PEROTTI: What exactly are these
24 maps? Are these -- is this a sophisticated
25 computer program that Verizon uses to monitor

1 its network nationwide?

2 MR. PATEL: That is correct. Yes.

3 MR. PEROTTI: And so the page titled
4 Current Service Coverage Area --

5 MR. PATEL: Uh-huh.

6 MR. PEROTTI: -- can you describe, in
7 your opinion, what that page represents?

8 MR. PATEL: That -- that page
9 basically shows the computer modeling or
10 simulation software for existing coverage,
11 what it is right now in the area.

12 And it -- it shows the different
13 color in the threshold of what -- of the
14 energy, what -- what energy there was there.
15 So it is the dictate of the different color
16 scheme here.

17 MR. PEROTTI: So, can you describe
18 what each color represents? The green? The
19 gold? And then the areas that, I suppose, are
20 a grayish or a white?

21 MR. PATEL: That is correct. So --
22 so, with the green, yellows, and grayish
23 color, we reviewed the threshold value that's
24 -- that's measured into the DBM values, which
25 is engineering standards.

1 But just -- just for the ease of
2 simplicity and ease of understanding, the
3 green means a good signal strength, the yellow
4 means a little less, and the gold is very less
5 signal strength. And we justify as gray means
6 we can have the in-building coverage.

7 MR. PEROTTI: In-building coverage?

8 MR. PATEL: In-building coverage.

9 MR. PEROTTI: Okay.

10 MR. PATEL: Yellow means we can have
11 the in-car coverage. And the grayish means we
12 can have the outdoor or on-door coverage.

13 MR. PEROTTI: Okay. So the area
14 that's in the middle of the page, does that
15 represent this proposed facility that -- the
16 Capital and Verizon Wireless site?

17 MR. PATEL: That is correct location
18 that we are currently proposing the new cell
19 tower. And because we have seen from this
20 map, we can easily see that we have less or
21 minimum coverage in that area. And that is
22 the reason for choosing that particular area.

23 MR. PEROTTI: And -- and the colored
24 polygons surrounding that proposed facility,
25 do those represent existing Verizon Wireless

1 sites?

2 MR. PATEL: That is correct. Yeah,
3 the -- the color of the sites have been shown
4 with different antennas on it. And it's shown
5 like a colored ploygon.

6 MR. PEROTTI: And so, in your
7 opinion, Mr. Patel, is there a significant gap
8 in coverage where Verizon and Capital are
9 proposing to construct this facility?

10 MR. PATEL: Yes. That is correct,
11 from this coverage map.

12 MR. PEROTTI: Okay. And -- and,
13 briefly, Mr. Patel, just going to the next
14 page, it's nearly identical to the previous
15 page. But if you flip back and forth, the
16 area where this proposed facility is located,
17 and now it looks like it's colored in green;
18 is that correct?

19 MR. PATEL: That is correct. Yes.
20 And there's a reason there. Because we are
21 trying to show the board member what it would
22 like if we had this tower crossing with this
23 frequency on the same locations.

24 And, hence, we have that area colored
25 with green now because it shows that we are

1 getting the coverage being on that site.

2 MR. PEROTTI: So -- so, the second
3 page, the future proposed coverage, this is a
4 conservative projection of Verizon's network
5 in the future. If this site is on there,
6 we're probably getting a signal; is that
7 correct?

8 MR. PATEL: That is correct. Yes.

9 MR. PEROTTI: And there's one
10 specific criteria in the Ordinance that will
11 require your commentary, Mr. Patel. It's
12 related to the minimum height.

13 Some communication towers, as you
14 know, measure 125 feet, like this.

15 MR. PATEL: Uh-huh.

16 MR. PEROTTI: Others are 200 feet.
17 We've even seen, you know, some in western
18 Pennsylvania that are 6-, 800 feet.

19 MR. PATEL: Uh-huh.

20 MR. PEROTTI: So, for this tower, why
21 did Verizon determine that 125 feet is the
22 minimum height necessary?

23 MR. PATEL: So -- so, every tower has
24 its own requirement. Just an example, we
25 don't need to bring in a 500 feet tower to

1 cover the whole area. Because putting so will
2 propagate everywhere. And it will create more
3 interference to the neighboring -- neighboring
4 structures or neighboring towers, cell towers,
5 so to speak.

6 So every tower (inaudible word)
7 behind to determine that height of the tower
8 based on the -- all this calculations, like
9 how far it's going to propagate? How much it
10 is going to serve? Are we going to get the
11 requirement we are looking for in this area?

12 We did our analysis, and we submitted
13 to the board members as well as to the two
14 different height with the 100 feet height on
15 the propagation map, as well as the 140 feet
16 height, and 120 feet height.

17 And we -- we are -- we are saying,
18 like, okay, by going at 120 feet height, we
19 are getting more of the public what we are
20 looking for. And we are -- we are providing
21 the coverage where we have a gap right now.

22 MR. PEROTTI: So, 125 feet with
23 Verizon's antennas at 120 foot center line,
24 that -- is that Verizon's opinion that that's
25 the minimum height necessary to meet its

1 coverage needs?

2 MR. PATEL: That is a correct
3 statement.

4 MR. PEROTTI: Does Verizon propagate
5 its signal consistent with FCC regulations?

6 MR. PATEL: Yes. FCC monitor each
7 and every things that Verizon does,
8 particularly with this radio frequency
9 transmission. And we -- we -- we have an all
10 compliance program in place to be always in
11 compliance. So it is -- it's always a FCC
12 regulation and as per the FCC standard.

13 MR. PEROTTI: Did Verizon identify
14 any existing structures around the area that
15 were co-location opportunities?

16 MR. PATEL: Not really. Because we
17 looked at -- the first thing we do is to find
18 the co-located structure. We looked at
19 rooftop possibilities. But being really low,
20 about 40-some feet or less than that, we are
21 not providing the coverage. And -- and those
22 even not into the area we are looking for. It
23 is for the (inaudible word) area out.

24 MR. PEROTTI: Okay. I don't have any
25 more questions for Mr. Patel.

1 And, really, we don't have any more
2 witnesses. We stand by the application.

3 So, at this time, if there's
4 questions from Council or members of the
5 public, we'd be happy to have Mr. Patel or
6 someone else address those.

7 PRESIDENT MOURY: Okay. That's --
8 that's fine. We'll -- we'll turn to the
9 Public Comment section. And then if you feel
10 necessary at the end, you can come up and
11 answer any questions or anything.

12 You would -- to back up. You gave me
13 four different -- four different pieces of
14 evidence you wanted to enter in?

15 MR. PEROTTI: Yeah.

16 PRESIDENT MOURY: I only noted three
17 here.

18 MR. PEROTTI: Oh, you know what, we
19 -- the second one -- so, the first one was the
20 lease agreement. The second one is the
21 Narrative and corresponding exhibits. It's
22 this packet that's 80 or 100 pages.

23 PRESIDENT MOURY: Okay. Let the
24 record reflect that it's the -- we already
25 have a copy of the -- the study that was done.

1 I just wanted to make sure I had all
2 the exhibits.

3 MR. PEROTTI: Thank you.

4 PRESIDENT MOURY: Thank you.

5 Okay. At this time, I would like to
6 turn to the Resident Comment section.

7 Proponents, people that would have
8 been in favor of this application?

9 (No response.)

10 PRESIDENT MOURY: Hearing none; we
11 have four people signed up to speak. And I'm
12 not sure if they're proponents or opponents,
13 but I would assume opponents.

14 Francis and Mary McNulty, if you
15 would like to come up to the microphone, and
16 please state your name and address for the
17 record.

18 And I apologize to everybody, that
19 our Council meeting that normally starts at
20 7:30 will start immediately following this
21 meeting.

22 But we have a lot of information we
23 want. We don't want to rush through this. So
24 we're going to put everything on hold.

25 So can you state your name and

1 address for the record?

2 MR. McNULTY: Francis and Mary
3 McNulty.

4 PRESIDENT MOURY: And if you could --

5 MRS. McNULTY: We're at 5563 Clarene
6 Drive.

7 PRESIDENT MOURY: Could you stand up
8 at the microphone, so -- thank you.

9 MR. McNULTY: A couple of questions.
10 We're saying -- Verizon Wireless, are we
11 saying in that area that they're getting
12 dropped calls, that's why they need increased
13 coverage there?

14 You mentioned a co-location on a, I
15 believe, energy site. And the general answer
16 was that nothing was too high. But I didn't
17 hear the specific of.

18 Did the lawyer mention that site?
19 Why are they not specifically at that site? I
20 know it's in your documents in front there.
21 But they haven't said it. They haven't said
22 that out loud.

23 And what's the -- you're probably
24 going to do this anyway since you had nothing
25 on the -- on the location. But is the ground

1 actually going to support that for what there
2 is? We've got enough landslides going on
3 here.

4 And how deep is that going to be?
5 And does that have -- is that going to support
6 that area after they didn't support --

7 I know they have standards and
8 everything. But their standards are not
9 taking into the account the landslide.

10 MRS. McNULTY: My concern, first of
11 all, when I looked at Verizon Wireless's
12 website, and I looked at the map, I just
13 looked at it now, it's all red. It's all gray
14 -- gray area. They don't show that there are
15 any problems with -- with cell phone coverage
16 in our area.

17 So, I don't know why we need it. I
18 also know that it's going to be, you know, an
19 obsolete technology.

20 But, more importantly, that's right
21 in our site line of -- of the sunset on our
22 deck. Our neighborhood has already suffered a
23 problem with -- with less -- help me.

24 With lower property values and resale
25 values because of the landslide that my

1 neighbors have, which was created by a faulty
2 sewage line.

3 We -- we're not affected by that.
4 But we're close enough that when we do sell
5 our house, or if we want to sell our house,
6 that will affect our property value.

7 And if you're sitting at our house
8 and you see a monopole, that's -- that's kind
9 of -- that's pollution.

10 So it's not necessary if they still
11 have this great coverage per their website. I
12 just looked at it on our phone. It's all red.
13 It's all good.

14 You know, if you -- if you really
15 need to put this in this area, put it in
16 somebody else's neighborhood because we've
17 already had enough done to our neighborhood.

18 The industrial park is -- is a great
19 neighbor. Nothing is above the horizon, the
20 treeline. So living in my neighborhood with
21 -- even with an industrial park very close,
22 it's still a nice neighborhood.

23 And I know it's not fancy, you know,
24 big money, big houses neighborhood. But it's
25 a neighborhood in Bethel Park. And I think

1 that the Council should be concerned about the
2 quality of life that we have on Clarene Drive.

3 MR. McNULTY: Okay. Just one more.
4 Just a second.

5 Is -- there seems to be around this
6 area, most of the applications for cell would
7 probably be going through wifi coverage in the
8 house. Now, is there a commercial application
9 that we're missing Internet that goes to this
10 tower, the necessity of bringing that there?

11 There just seems to be a ton of
12 coverage that -- what would matter if the
13 resident so it's going to go to wifi by the
14 time they get home?

15 So what -- what are we -- what are we
16 missing here? What's the gap in coverage?
17 And what's the application?

18 Thank you.

19 MRS: McNULTY: And, again, my
20 husband's being way too nice.

21 I don't care if Verizon's having a
22 problem. They can find another site that
23 doesn't affect my quality of life.

24 But thank you.

25 PRESIDENT MOURY: Thank you.

1 Just for the question for our staff.
2 This is the first application process to
3 whether we'll allow it or not. Then they're
4 going to have to go through development phase.
5 If it's approved tonight, the second phase
6 would be like they're going to do a
7 development.

8 So, just so everybody knows, this is
9 just a -- if we're going to be acting on this
10 later this evening, if we approve it, that
11 means the next phase will be -- go to a
12 development phase, which would go back to the
13 Planning Commission, go through our staff. If
14 we don't approve it, it goes away, and we
15 don't know what's going to happen.

16 Okay. Is it Robert and Christine
17 Powell?

18 MR. ROBERT POWELL: I'm going to have
19 my son come up with me too.

20 PRESIDENT MOURY: No problem.

21 MR. ROBERT POWELL: Hello. My name
22 is Robert Powell. I'm a building owner at
23 5409 Enterprise Boulevard, across --
24 diagonally across from this proposed area.

25 And a couple things is, you know, one

1 of the things you do when you first look to
2 buy a house or a piece of property, you kind
3 of look around to see where the power lines
4 and everything else. Nobody wants to live
5 underneath one of those. And, yes, you know,
6 there's none close to me, which is great.

7 In our building, our wifi is fine.
8 Our cell phone coverage is fine. I don't
9 really see where we need one.

10 I also found within less than 200
11 yards of the proposed pole, a power line with
12 a pole on it -- with the cell phone -- or
13 Verizon, whatever it is, up on top. And this
14 is on --

15 MR. RYAN POWELL: It's on -- it's on
16 Logan.

17 MR. ROBERT POWELL: Yeah.

18 MR. RYAN POWELL: It's right at the
19 end of our industrial park. If you parallel
20 Logan and Enterprise, it's right at the --
21 right on that -- those lines that are
22 supposedly lines that cannot be shared. And
23 they are already being shared.

24 PRESIDENT MOURY: Can you state your
25 name and address for the record?

1 MR. RYAN POWELL: Oh, I'm sorry. My
2 name is Ryan Powell.

3 PRESIDENT MOURY: Okay. We'll let --
4 enter these as Exhibit 5 and 6.

5 (Whereupon, Exhibit Number 5 and
6 Number 6 were was marked for identification
7 and entered into evidence.)

8 MR. ROBERT POWELL: The -- the other
9 thing that we've -- we've heard, too, is
10 RE Michaels, which is directly beside the
11 proposed site, had a slight landslide this
12 past year. They had to do some rebuilding.

13 MR. RYAN POWELL: They had to rebuild
14 the back end of their building.

15 MR. ROBERT POWELL: So, they're
16 thinking about -- I imagine Verizon, looking
17 at doing this, is looking at tearing apart
18 part of that hillside and structuring it. So,
19 that's a concern.

20 A couple concern is now you've got
21 125 foot pole. Which direction is it going to
22 fall? Is it a collapsable pole?

23 MR. RYAN POWELL: Is it
24 self-collapsable, sir, or is it a directional
25 fall?

1 MR. PEROTTI: Do you want me to
2 answer the questions as they come?

3 MR. RYAN POWELL: I would -- I'd love
4 that question --

5 PRESIDENT MOURY: Could you, please?

6 MR. PEROTTI: Yeah.

7 PRESIDENT MOURY: If you could step
8 up to the microphone, if you don't mind.

9 MR. PEROTTI: So -- so, relating to
10 the structural integrity, so communication
11 towers are designed where they don't fall at
12 the base like standing timber.

13 If there were a catastrophic event,
14 which I haven't seen, at least in southwestern
15 Pennsylvania, what they're designed to do is
16 bend at the -- approximately the 50 percent
17 mark of the pole. And they sort of just fold
18 over.

19 Like, you know, if you extend your
20 arm and it folds over at your elbow? That's
21 how communication towers are designed.

22 But I think one thing we have to be
23 mindful of is that towers are designed to
24 withstand elements that are common to a
25 certain graphic area.

1 So, for example, towers in the Gulf
2 of Mexico are built to withstand hurricane
3 winds. In southwestern Pennsylvania, they're
4 constructed structurally to withstand elements
5 that we see in southwestern Pennsylvania.

6 But, no, they don't -- they don't
7 fall like standing timber.

8 Mr. Powell also addressed a concern
9 of the previous resident, Mr. McNulty, which
10 was relating to soils and concerns about
11 landslides.

12 Before any shovels are put in the
13 ground -- and I think this information was
14 already provided to the Municipality. But we
15 do a geotechnical evaluation to make sure that
16 the soils are suitable, as well as a
17 structural analysis of the proposed facility,
18 where three or four wireless providers are on
19 this facility to determine whether it
20 structurally will accommodate, you know, the
21 weight of additional antennas.

22 So -- but, again -- again, this is
23 just for the use. I think as far as the
24 permitting process and the land development,
25 we can go over the geotechnical investigation.

1 But -- but those have been done in this
2 circumstance.

3 MR. ROBERT POWELL: What about the
4 tower that's only 100 yards away? 200 yards
5 away?

6 MR. PEROTTI: So, the tower meets the
7 setback requirements. And so that's --

8 MR. ROBERT POWELL: No, no, no. I'm
9 talking about --

10 MR. RYAN POWELL: We're talking about
11 the tower that's --

12 MR. ROBERT POWELL: It's 200 yards --

13 MR. RYAN POWELL: -- 100 yards away
14 from where you want to put this tower.

15 PRESIDENT MOURY: The one you
16 addressed in one of your exhibits, the --

17 MR. RYAN POWELL: Sure.

18 PRESIDENT MOURY: -- First Energy, I
19 believe?

20 MR. PEROTTI: So, I can probably
21 defer to both of my colleagues in that matter.

22 Mr. Von Rein, you spoke with the
23 individuals from First Energy; is that
24 correct?

25 MR. VonREIN: That's correct.

1 PRESIDENT MOURY: If you -- you can
2 come to the microphone and state your name
3 and address for the record, please.

4 MR. VonREIN: Scott VonRein, Capital
5 Telecom, 820 Morris Turnpike, Short Hills,
6 New Jersey.

7 We -- we sent a letter to Diamond
8 Communications, who is the company that
9 manages First Energy wireless facilities. And
10 they wrote us back and said that those
11 facilities weren't capable of handling
12 additional antennas. And, also, there were
13 not enough ground space to accommodate the
14 radio equipment.

15 So that's -- that -- that is what our
16 letter says.

17 MR. ROBERT POWELL: There's a whole
18 line of high-powered lines that go through
19 their poles that are on there currently. You
20 know, they're probably maybe 100 foot tall. I
21 don't know. It's kind of hard to tell.

22 MR. VonREIN: Sure.

23 MR. ROBERT POWELL: Which is probably
24 more than 125 foot (word inaudible) you have
25 at the lower end of that -- of that site. Why

1 would you not use one of those poles?

2 MR. VonREIN: Again, because they're
3 currently not capable of handling the -- the
4 loading that's going to be required to put on
5 this tower.

6 MR. ROBERT POWELL: Would it not be
7 easier to just replace one of those poles?

8 MR. VonREIN: That's not -- it would
9 be just as tall as the one we're proposing.

10 MR. ROBERT POWELL: Yeah, but it's
11 already on an existing pole. And now you're
12 telling us --

13 MR. RYAN POWELL: It's already there.

14 MR. ROBERT POWELL: -- it's already
15 there.

16 MR. VonREIN: Well, again, we've
17 contacted First Energy, and they've --

18 MR. RYAN POWELL: There's not enough
19 money in that pole is the problem.

20 MR. VonREIN: You can see our letter.
21 It's pretty clear.

22 MR. ROBERT POWELL: Okay. The only
23 other thing, too, as far as -- as a property
24 owner is, typically, the -- you're close to
25 one of those poles, your property value is

1 going to go down probably 15, 20 percent. Our
2 taxes will go back and be re- -- have to
3 reevaluate our property tax, et cetera.

4 And, to me, it's just -- it's not
5 needed. Everybody has come here and said, you
6 know, we have cell phone coverage.

7 G4 is becoming obsolete. That's what
8 this is going to be used for. They're going
9 to attach everything else that's going to be
10 on top of it.

11 I don't know. Anything else you want
12 to add, Ryan?

13 MR. RYAN POWELL: Not really.
14 Besides the fact that we have perfect coverage
15 -- we have perfect coverage on this site.
16 That's what we have trouble with is, they say
17 there's problems on this site.

18 I'm on that site 40 hours a week, 52
19 weeks out of the year, and I have never had a
20 dropped phone call 20 feet from this site.

21 MR. ROBERT POWELL: Yeah. I might
22 want to throw another thing too. I'm not one
23 of the people that say this is -- it's going
24 to hurt people. But now we have two poles
25 within 3-, 400 yards of each -- 200 yards of

1 each other.

2 I mean, you know, one pole they do
3 the studies on, and he goes, "Oh, no, it's no
4 problem." But now you have two poles that are
5 emitting the same kind of radiation.

6 Is there -- is there a danger here?
7 I -- I don't know. I'm -- I'm not running
8 around with an aluminum foil hat. But --

9 MR. RYAN POWELL: But the signals are
10 --

11 MR. ROBERT POWELL: But the signals
12 -- the signals are getting higher, so.

13 Thank you very much.

14 PRESIDENT MOURY: Thank you.

15 MR. RYAN POWELL: Thank you all for
16 your time. Appreciate it.

17 PRESIDENT MOURY: Just for the
18 record, the electrical poles are between 85
19 and 94 feet high.

20 MR. ROBERT POWELL: Okay. Thank you.

21 But you know what, they're even
22 higher than that because they put their top
23 on.

24 MR. RYAN POWELL: But we are --

25 MR. ROBERT POWELL: So --

1 MR. RYAN POWELL: Sorry we're not
2 close to the microphone on this comment.

3 But if you look at the direct drop to
4 where the location they're proposing is, is
5 almost 40 feet below grade of where those
6 poles are at. So we'd actually be above
7 where -- if we attached to the one pole that's
8 on -- between Logan and --

9 I forget all the intersections. The
10 -- with the big intersection that we all know
11 about in that area. It looks like a crash
12 course going through it.

13 PRESIDENT MOURY: Irishtown.

14 MR. RYAN POWELL: Irishtown. Thank
15 you very much. I apologize. I drove it every
16 day.

17 If we attach there, we would be --
18 from what the estimates that were on my --
19 because I took my Garmin there, we'd actually
20 be 10 feet above using -- with your math you
21 just said, we'd be about 130 to 140 feet above
22 if we used one of those.

23 PRESIDENT MOURY: Thank you.

24 MR. RYAN POWELL: You're welcome.

25 PRESIDENT MOURY: Michael Zerns

1 [sic]?

2 MR. ZERVOS: Zervos.

3 PRESIDENT MOURY: Zervos. Sorry.

4 MR. ZERVOS: That's okay.

5 My name's Michael Zervos,
6 Z-E-R-V-O-S, 5417 Enterprise Boulevard. We're
7 directly right across from the proposed tower.

8 PRESIDENT MOURY: Can you speak into
9 the microphone?

10 MR. ZERVOS: Sure.

11 PRESIDENT MOURY: I'm sorry.

12 MR. ZERVOS: Do you want me to say
13 that over?

14 PRESIDENT MOURY: No, that's okay.

15 MR. ZERVOS: So we're directly right
16 across the street from the tower.

17 So, obviously, I oppose the tower. I
18 don't feel the tower is needed for health,
19 environmental concerns, the safety of the
20 tower, the construction of the tower, and then
21 also the visual pollution of the tower as
22 well.

23 Just to kind of give you guys a
24 picture, the adjacent properties next to where
25 this tower is going could be anywhere between

1 100 and 125 feet.

2 So from where you guys are sitting,
3 two and a half times this room is where the
4 tower is going to be from my building, from
5 the Powell's building, and from the other
6 eight or so buildings that are adjacent to it
7 on all three si- -- on all four sides,
8 actually. That's pretty close to have a tower
9 there.

10 There is evidence as far as -- and
11 you can dispute some of the evidence as far as
12 the health and different things like that
13 which goes with the radio transmissions and so
14 on and so forth. But what you can't dispute
15 is the closer you are to the tower, that there
16 is a better chance that there would could be
17 some kind of health concern.

18 And when you're 100, 125 feet away,
19 depending on exactly where that tower is going
20 on that property, that's -- you can't get any
21 closer than that.

22 So, we don't feel that the tower is
23 needed. We have great cell capabilities
24 there. Never had a problem with any -- any
25 calls or with any, you know, variety of

1 different carriers.

2 The property values, obviously, are
3 going to become an issue. A lot of people are
4 going to appeal their taxes. It's going to
5 affect the county. It's going to affect the
6 Municipality. And it's going to affect the
7 school district.

8 And that industrial park is a very
9 tight industrial park. I mean, you guys all
10 know that. It was a -- it was an industrial
11 park -- and they built that, Docci (phonetic)
12 and Lento, so many years ago. The lots are
13 100 feet. So the buildings are very close.
14 You can't even really get a tractor-trailer in
15 there without driving on someone else's
16 property.

17 So, you know, it's really not -- when
18 you have these buildings this close, plus
19 where this tower is going to go, if that
20 building that's on that property, that 5409,
21 that -- that --

22 MR. RYAN POWELL: We're 5409.

23 MR. ZERVOS: I'm sorry. The one --
24 what's the proposed address? 50- 54- --

25 AUDIENCE MEMBER: 5412.

1 MR. ZERVOS: I'm sorry. 5412, that
2 tower is going to go on that property. If
3 that structure stays on there, it's going to
4 be right -- you know, right next to that
5 structure, to begin with.

6 So, there's just a lot of concerns.
7 And we have a lot of concerns of property
8 values. And we would just hope that you would
9 oppose construction of this tower for all
10 those reasons.

11 Thank you.

12 PRESIDENT MOURY: Thank you very
13 much.

14 Bill Welman?

15 MR. WELMAN: Good evening. Thank you
16 for hearing us tonight, Council. So --

17 PRESIDENT MOURY: Can you just state
18 your name and address, please?

19 MR. WELMAN: Yes. I'm sorry. My
20 name is Bill Welman, 5519 Clarene Drive.

21 PRESIDENT MOURY: Thank you.

22 MR. WELMAN: You're welcome.

23 So, if any of you would like to stand
24 at the intersection of Enterprise and
25 Progress, you're going to find that a monopole

1 is not going to accentuate a junkyard, boom
2 cranes pointed towards the sky, trash around
3 the perimeter of our neighborhood, or noise
4 from the industrial vehicles that happen
5 within 300 yards of our property.

6 This property, this neighborhood was
7 here decades before that industrial park
8 expanded right to our property lines. Now we
9 have a monopole that's going to go in. That's
10 not going to help anything. Things have
11 already deteriorated for this neighborhood for
12 years.

13 I use the services and businesses
14 that are within the industrial park. And
15 they're good players in that industrial park.

16 This monopole is not going to make
17 anything better. The junkyards and the trash
18 that's around that area is just going to make
19 everything look worse.

20 And we oppose it. So please consider
21 those comments. And thank you.

22 PRESIDENT MOURY: Thank you very
23 much.

24 Are there any other opponents? If
25 you'd like to come to the microphone and state

1 your name and address for the record, please.

2 MR. BOCK: Hi. My name is Mike Bock.
3 I'm working at Raco. We're basically across
4 from that site.

5 I would like to have a couple points
6 which you should consider. One thing is that
7 the origin of the industrial park is basically
8 a mining -- was a mining company. So it's
9 really underneath of that property is not very
10 known.

11 We have the construction of the new
12 building, which is going up at Industrial
13 Boulevard. And (coughing/inaudible word) into
14 some of the mine shaft, and had to basically
15 fill that up. So, what's underneath of that
16 property is something which nobody knows at
17 this point of time.

18 The other issue is that a couple
19 weeks -- or months ago, new antennas went up
20 on the electrical poles. And so I'm not quite
21 sure what -- how much effort or how much you
22 basically have spent to put antennas on these
23 electrical poles. They're spread out
24 throughout the whole Boulevard.

25 And, yes, there are antennas on them.

1 And they put new antennas on them a couple
2 months ago. And there's -- there's enough
3 space up there on other poles. We are -- we
4 have a pole, basically, just next to our
5 building.

6 And so I'm not quite sure why we need
7 a 120 foot pole, which is 40 foot down on --
8 on -- in the hole to -- to do that. It
9 doesn't -- doesn't seem right.

10 PRESIDENT MOURY: Thank you.

11 Are there any other opponents?

12 (No response.)

13 PRESIDENT Moury: Hearing none; I
14 would like to open it up to Council for any
15 comments.

16 Lori? Ms. Gibbons?

17 MS. GIBBONS: Yes. I had a question.

18 In your paperwork, you have the --
19 the coverage of the proposed site at 100 feet,
20 120 feet, and 140 feet. I had a -- I had a
21 real hard time differentiating between these
22 three pieces of paper because the streets
23 aren't very clear. It -- it doesn't mean a
24 whole lot to me.

25 So, I'm getting to the question of,

1 how high does it need to be?

2 And the -- the three maps you
3 provided, I'm just not feeling real
4 comfortable that I understand the -- what --
5 what you're gaining by the 100, the 120, and
6 the 140.

7 MR. PEROTTI: Sure. So originally,
8 when this application was submitted, the
9 property issue maps that you just referenced,
10 they were only something like six or seven
11 pages long, which is typical.

12 Once the Municipality's expert, The
13 Center For Municipal Solutions, reviewed the
14 application, what they asked for was greater
15 detail as to, what about 100 feet, what about
16 other areas and so forth.

17 And so what Mr. Patel's department,
18 the radio frequency department, at Verizon did
19 was address each of the concerns and questions
20 that the Municipality's expert had.

21 And so, do you know what page number
22 specifically you're referencing so --

23 MS. GIBBONS: They don't have -- they
24 don't have page numbers.

25 MR. PEROTTI: Do you mind if I come

1 up and take a look? And then I can have
2 Mr. Patel flip to that page.

3 MS. GIBBONS: Sure.

4 MR. PEROTTI: Okay. Mr. Patel,
5 Ms. Gibbons' comments -- and I'll hold this up
6 for the Board.

7 This page is titled Coverage of
8 Proposed Site at 100 feet.

9 As you know, Mr. Patel, what we're
10 proposing is 125 feet with Verizon's antennas
11 at a center line of 120.

12 So, addressing the Councilwoman's
13 concerns about 100 feet, can you please
14 describe what that page represents --

15 MR. PATEL: Yeah.

16 MR. PEROTTI: -- in a 100 foot
17 marker?

18 MR. PATEL: Yes.

19 This 100 foot marker, as I speak
20 earlier, they show three different colors,
21 like green, yellow, and another, like, grayish
22 color. The yellow color means (inaudible
23 word) coverage. Gray color means outdoor
24 coverage, when you are on your on street. And
25 the green means you're indoor, inside the

1 building.

2 So -- so, it may not be exactly easy.
3 But to you it is -- there is a different
4 changes in color scheme. You will see that
5 that is two -- two page. But (inaudible word)
6 those two and compared those two. There's a
7 significant in the areas where he had the
8 coverage improved indoor as well. Not just
9 the outdoor. We are improving the indoor
10 coverage.

11 As well, if you -- if you look at
12 this 140 feet high, we are definitely
13 improving more area with the indoor coverage.
14 No doubt about that.

15 But as I say (inaudible word), I
16 don't need to work thousands feet high or 500
17 feet high. We do a detailed study, including
18 all the existing building, all the maximum
19 possible foliage in the area, try to come up
20 with the best scenario that we can get, what
21 best solutions we can get at the minimum
22 height, and for our (inaudible word), and
23 indicate we can do all those things. We -- we
24 feel somewhat comfortable, like, okay, going
25 120 feet will justify our need in this area.

1 MS. GIBBONS: Yeah, I -- I don't
2 doubt -- doubt that you did all the study.
3 But I'm telling you that I'm looking at this
4 map --

5 MR. PATEL: Yeah.

6 MS. GIBBONS: -- and I can't see a
7 whole lot of difference. To me, it would have
8 made sense to have like an overlay, 100, 120,
9 140, just to understand the difference in the
10 height as to how that affects the coverage.
11 So I --

12 MR. PATEL: We can definitely submit
13 and provide what is required from the board
14 member. But I thought that providing this
15 way, and it was the -- asked by the -- the
16 expert of the township so it can be provided
17 this way.

18 MS. GIBBONS: No.

19 MR. PATEL: But we are happy to
20 provide --

21 MS. GIBBONS: I'm -- I'm just telling
22 you --

23 MR. PATEL: -- the board member --

24 MS. GIBBONS: -- it's not helpful.

25 (CROSS-TALK/INAUDIBLE)

1 MR. PATEL: -- likes us to through.

2 MS. GIBBONS: Yeah, it's just not
3 helpful to me, so...

4 MR. PATEL: But I think we -- we --
5 you know, all the study, and if you just flip
6 the pages, you may be able to see some
7 changes, though.

8 MS. GIBBONS: I've been trying all
9 day to do that --

10 MR. PATEL: Okay.

11 MS. GIBBONS: -- looking back and
12 forth.

13 MR. PATEL: Thank you.

14 MS. GIBBONS: And that's why I'm --
15 I'm raising the question that it's really hard
16 to do any kind of judgment of this based on
17 this.

18 I mean, I have -- I have the -- I
19 have this (indicating). And I -- I tried to
20 read this. And I sort of understood. But
21 it's --

22 MR. PEROTTI: Well, yeah, I mean, if
23 there's -- if there's anything we can
24 address --

25 MR. PATEL: Yeah.

1 MR. PEROTTI: -- you know, Mr.
2 Patel's -- you know, we'll make him available.

3 I think that's why, even before went
4 in front of the Planning Commission the second
5 time for their recommendation, the
6 Municipality put the brakes on and said,
7 "Let's have The Center For Municipal Solutions
8 look at it."

9 And so what we were trying to do is
10 -- is address their questions and concerns.
11 But -- but, again, Mr. Patel's here for any
12 other questions or comments.

13 PRESIDENT MOURY: Mr. O'Brien?

14 MR. O'BRIEN: I guess I have a
15 comment -- I have a comment and a question.

16 First of all, it's nice that you
17 bring your people from out of town because
18 this is an application that you want. Just --
19 just --

20 Excuse me.

21 MR. HARRISON: No, I -- I can't hear
22 you when you're talking.

23 MR. O'BRIEN: And my comment is is
24 that you have to understand that you come in
25 here and you -- you apply for this tower and

1 then you leave. All these people here
2 tonight, they live here, they work here. They
3 get in their cars today, just like you came
4 here, they drive down here, and they're just
5 as represented as you.

6 So, have a little consideration on
7 that when you come on and you say, "Well, we
8 brought somebody in from New Jersey." You
9 brought them in from New Jersey for your
10 benefit, not for ours, okay?

11 Second of all, you brought up the
12 lease tonight. And you sent the lease to us.
13 So, you brought the lease up as a question.

14 I guess I have the questions for the
15 lease. Is your lease being paid a monthly fee
16 towards the property owner, or are you being
17 -- or are you paying them based on a
18 percentage of the leases off the tower?

19 MR. PEROTTI: Mr. Councilman, I mean,
20 you know I can't answer that question. That's
21 confidential. You know that.

22 MR. O'BRIEN: Okay. I'm allowed to
23 ask it. Thank you.

24 MR. PEROTTI: Sure.

25 PRESIDENT MOURY: And Mr. Campbell?

1 MR. CAMPBELL: I understand the
2 aesthetics aside. We've heard property value
3 from some of the public comments tonight.
4 We've heard about visual appeal or lack
5 thereof too.

6 As a doc and as a ham radio operator
7 myself, I got a little bit of understanding as
8 far as the radio frequency. I don't claim a
9 lot, but I have enough.

10 I'm not aware of a lot of health
11 hazards. And we've heard that a couple times,
12 not only in the written comments to Council,
13 but, also, we've heard a couple tonight as
14 well from the -- from the -- from the
15 microphone.

16 Health consequences of a 4G network.
17 And from my understanding, we're covered with
18 it across the nation. 5G has a different
19 frequency, a much different frequency, and
20 much higher risk across the board.

21 Can you comment about health
22 consequences, please?

23 MR. PEROTTI: We're -- we're
24 precluded by the law by the Telecommunications
25 Act from commenting on health concerns in

1 zoning hearings. That's applicable to quasi
2 judicial proceedings like this as well as in a
3 court of law.

4 But one thing that I -- I can state
5 is that 4G towers, they're not going away.
6 That technology is going away -- is not going
7 away. What will compliment it is 5G.

8 And one of the critical applications
9 of 5G, which is in development right now, is
10 that if you're an individual with a pacemaker,
11 your 5G network will keep your pacemaker in
12 rhythm.

13 And so the World Health Organization
14 has looked at this. The American Cancer
15 Society has looked at this. There's just no
16 evidence to suggest that there's any health
17 concerns relating to radio frequency exposure.

18 MR. CAMPBELL: Thank you.

19 MR. PEROTTI: Sure.

20 PRESIDENT MOURY: I just -- I have
21 probably not a lot of questions, but a lot of
22 comments here.

23 I guess number one is, I'm not
24 convinced at this point. I mean, you've shown
25 us some information tonight of an email you

1 got that, did you look at really other areas?

2 I'm not comfortable that you really
3 did exploration other than, based on the
4 comment we had at the last meeting, you
5 supplied us an email chain, which
6 unfortunately you have tonight, and not all of
7 us are going to get a chance to review it. So
8 I don't take a lot of credit in that report.

9 MR. PEROTTI: I think it's tantamount
10 to proving a negative. We -- if -- if there's
11 not a tall structure in the area, how can we
12 say that there's not a tall structure in the
13 area other than --

14 PRESIDENT MOURY: You've -- you've
15 created your own demand. You haven't -- I
16 mean, you give us these maps with all these
17 colors, 100, 125 feet. That's going to be 30,
18 40 feet bigger than anything else in the area.
19 So you --

20 MR. PEROTTI: Yeah.

21 PRESIDENT MOURY: -- have to
22 understand --

23 I'm commenting. I'm --

24 MR. PEROTTI: Sure.

25 PRESIDENT MOURY: -- not here to

1 listen to you.

2 The last time you came here, the
3 Applicant said they had the best and only
4 location to put the tower. Well, that didn't
5 work out. So now we have another best
6 location to put the tower. I don't
7 necessarily buy that.

8 I think the website coverage, when
9 you look from a sales perspective, everything
10 from Verizon looks good. The coverage is
11 great. There are no holes. Very inconsistent
12 with the map that you're showing us.

13 The fall zone that you brought up is
14 -- let's say hypothetically it's 65 feet. I
15 know the fall zone -- and I'll call it a fall
16 zone. If anything's to happen, it collapses
17 in half. Half of that's going to go in an
18 area. It's going to be on at least one,
19 possibly two buildings. So --

20 MR. PEROTTI: That's not true.

21 PRESIDENT MOURY: -- that's also a
22 concern of mine.

23 MR. PEROTTI: That's not what I said.

24 PRESIDENT MOURY: You -- I'm not here
25 to argue with you.

1 The next is, you supplied a lease
2 agreement, which obviously you said you're not
3 going to share with us.

4 Just for the record, there was
5 redacted information from the lease agreement.
6 So by presenting it, I think it's being
7 disingenuous to us and to the public. You
8 show you have one, but there's redacted
9 information on there. And --

10 MR. PEROTTI: Well, that -- that's
11 privileged information, Mr. Chairman.

12 PRESIDENT MOURY: I said it was
13 redacted. I don't care what it is.

14 You show us a document in good faith.
15 You don't have the -- all the information. It
16 makes me wonder what type of contract it
17 really is.

18 MR. VonREIN: What -- what would you
19 like --

20 PRESIDENT MOURY: I'm just --

21 MR. VonREIN: -- to know, sir?

22 MR. PEROTTI: I'm sorry. Mr.
23 Chairman. Go ahead.

24 PRESIDENT MOURY: I -- I just --
25 overall, I don't agree with, you know, the --

1 your logic with the height of it. I don't
2 think you've provided to me enough
3 information, quite frankly, that you really
4 have done your due diligence.

5 You designed a height of a tower.
6 Then you looked around and said, there's
7 nothing else here. So I'm very concerned
8 about that.

9 Is there any other comments?

10 Mr. Consolmagno?

11 MR. CONSOLMAGNO: Mr. Moury.

12 This letter that you provided us from
13 Horzao Russo (phonetic), is this the first
14 time we've seen this document?

15 MS. GRAF: (Nods head.)

16 MR. CONSOLMAGNO: Okay. I'd like our
17 consultant to review this, because it's
18 probably not worth the ink that's it's printed
19 on.

20 Because I don't see any certification
21 that this individual has the knowledge to say
22 that the towers that we're speaking of, that
23 Mr. -- Mr. Powell and -- brought up about
24 attachments, that there's a tower up there
25 currently now that has five antennas around

1 it.

2 Now, that tower might not be able to
3 support what you're referring to. But there's
4 others there along that line that are probably
5 higher than the elevation that you're
6 proposing.

7 So, I want our consultant to refer to
8 this before we make any recommendation.

9 PRESIDENT MOURY: Okay. Is there any
10 other discussion?

11 (No response.)

12 PRESIDENT MOURY: Hearing none; can I
13 have a motion to adjourn this public hearing?

14 MR. O'BRIEN: So moved.

15 PRESIDENT MOURY: Second?

16 MR. CENCI: Second.

17 PRESIDENT MOURY: All in favor?

18 MR. CAMPBELL: Aye.

19 MR. CENCI: Aye.

20 MR. CONSOLMAGNO: Aye.

21 MS. GIBBONS: Aye.

22 MR. HANNAN: Aye.

23 MR. HARRISON: Aye.

24 PRESIDENT MOURY: Aye.

25 MR. O'BRIEN: Aye.

1 PRESIDENT MOURY: The public meeting
2 will be adjourned.

3 - - -

4 (Whereupon, the hearing was adjourned
5 at 7:06 p.m.)

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I hereby certify that the transcript of the proceedings and evidence contained herein are a true and accurate transcription of my stenographic notes taken by me at the hearing of the within cause, and that the transcription was reduced to printing under my direction, and that this is a true and correct transcript of the same.

Date

Kim Simms Strnisa
Certified Court Reporter

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