

INCORPORATED VILLAGE OF LAUREL HOLLOW
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October 2, 2018

Re: Application of Crown Castle for Installation of 25 Wireless Antennas

Dear Neighbor:

In January and September, I informed you of the application by a company called Crown Castle (apparently on behalf of Verizon), which has applied to the Village for permission under our ordinance to install 25 wireless telecommunications antennas or "nodes" as part of a new "distributive antenna system" (DAS) to be installed on various streets south of Route 25A in our Village. As I stated, the proposal calls for the installation of the antennas and attendant equipment on either pre-existing utility poles or new to be installed utility poles. According to Crown Castle, the purpose of this system concerns the delivery of increased data capacity for cellular services--not improved cell phone service.

In response to a number of questions that have arisen among our residents and to place some basic information about this application before our residents, we have prepared the accompanying informational handout in the form of "Frequently Asked Questions," which will serve as a primer on the topic. Of course, the hearings we scheduled will give our Board of Trustees and our residents the ability to ask Crown Castle representatives questions directly.

As you know, we will be holding 5 separate hearings with each hearing covering 5 specific proposed locations. We are still awaiting corrective information that we requested from Crown Castle on September 18th that caused us to reschedule the first meeting. Because we have yet to receive the information, we are adjourning the second scheduled hearing to a date to be agreed upon. When they occur, the hearings will be broken down as follows (the "N" and 3 digit number refer to the node number in the application):

Hearing No. 1 Tuesday, 9/25/2018, 7:00 pm

ADJOURNED UNTIL NEW DATE SET

N653 - 363 Cold Spring Road

N676 - 416 Cold Spring Road

N679 - 285 Laurel Lane

N683 - 315 Stillwell Lane

N685 - 180 Laurel Lane

Hearing No. 2 Tuesday, 10/16/2018, 7:00 pm

ADJOURNED UNTIL NEW DATE SET

N682 - 15 Shady Lane

N686 - 28 Shady Lane

N697 - 22 Elizabeth Drive

N698 - behind 65 Wildwood Drive

N699 - 520 Cold Spring Road

Hearing No. 3 Tuesday, 10/30/2018, 7:00 pm

N684 - 235 Laurel Lane
N691 - 3 Picardy Lane
N693 - across from 1 Glen Lane
N695 - 140 Laurel Lane
N696 - 25 Picardy Lane

Hearing No.4 Wednesday, 11/28/2018, 7:00 pm

N657 – across from 83 Cherry Lane
N669 -40 White Oak Tree Road
N670 - 40 Woodvale Drive
N671 - 80 White Oak Tree Road
N700 - 15 Waylor Lane

Hearing No.5 Tuesday, 12/4/2018, 7:00 pm

N655 – across from 103 Cherry Lane
N677 - 17 Woodvale Drive
N687 - 259 Stillwell Lane
N692 - 471 Cold Spring Road
N701– 171 Stillwell Lane

All hearings will be held at the Cold Spring Harbor Lab's Hawkins Conference Room at 7:00 pm. Reminders and directions will be sent via Swiftreach before each hearing. Also, as required by our ordinance, Crown Castle will send written notices by certified mail to all property owners surrounding each proposed node installation at least 10 days prior to each hearing.

Thank you for your interest and concern. I hope to see you there.

Respectfully yours,



Daniel F. DeVita
Mayor

FREQUENTLY ASKED QUESTIONS ABOUT CROWN CASTLE APPLICATION

What is this about and why should I care?

Crown Castle, apparently on behalf of Verizon, is attempting to set up a network of small cells, which are low-powered radio access nodes that boost wireless internet service. They want to place 25 of them on streets in the Village south of 25A. These will not improve cell service anywhere in our Village. There are many concerns with a network of this kind, including aesthetics, health, safety, and preserving the character and property values of our neighborhood.

Where is the benefit to our community? Isn't it really more important to have cell phones that work in our Village?

The wireless carrier's (in this case apparently Verizon's) burden is to show there is a real need for our residents to acquire greater amounts of data at greater speeds. Up until now, Crown Castle has not revealed much about this service. Hopefully they will at the hearing.

What do these things look like?

The nodes or cells are not like traditional cell telephone towers that can reach over 100 feet into the air. Rather, the delivery of this service only works over shorter distances and relies on placing these cells or nodes on utility poles in the municipal right-of-way. The mock-ups that are posted on our website (while we await corrected ones from Crown Castle) give an idea of what these nodes and their accompanying equipment look like on utility poles. The antennas are about 4 feet tall and the equipment boxes are about 4 feet tall and 2 feet wide. Of the 25, 19 nodes and equipment will be placed on either new wood utility poles or what Crown Castle calls "stealth poles," and only 6 on existing poles.

Why aren't all of them put on existing utility poles? Who wants our village cluttered with more utility poles?

In its pole justification report, Crown Castle says they need new poles because existing electrical equipment on some existing poles, such as a transformer, does not allow its use. On others, they have simply said that the pole belongs to LIPA, and therefore that it is not economically feasible. This will be pursued at the hearings.

I have heard that the Federal Government regulates this area. Do we have any rights left?

Yes, we do. The Federal Telecommunications Act of 1996 regulates wireless providers proposing to build wireless facilities in rights-of-way, and limits the power of local governments to regulate siting of wireless facilities in rights-of-way. It bars local policies that prohibit or have the effect of prohibiting wireless service. On the other hand, the Act does preserve local zoning authority and permits fair and reasonable compensation from telecom providers. Siting decisions in rights-of-way are the prerogatives of local governments, which can enforce public safety and aesthetic concerns and impose reasonable application, access, and rental fees.

What kind of aesthetics can we require?

The Village can require design standards that include camouflaging requirements, undergrounding requirements, minimum space requirements, and safety requirements.

Does Laurel Hollow have an ordinance to regulate wireless services applications?

Yes. In 2004 then Mayor Denise DeVita and the Board of Trustees passed Laurel Hollow's Wireless Telecommunications Facilities law. The law sets forth the Village's authority to regulate in this area and implements an application process for a special use permit. The permitting process is comprehensive and designed to give an applicant appropriate due process while preserving the Village's ability to preserve the health, safety, and welfare of our residents. The law has a number of requirements during the pre-application and application process, which must be imposed in a reasonable manner.

What about the next carrier that comes along and wants to do the same thing? Are we going to have even more poles and boxes?

The Laurel Hollow law requires co-location on existing facilities for future wireless service provider applicants. A future applicant must "demonstrate conclusively" why an existing wireless telecommunications facility or other suitable structure cannot be used.

Can we ask questions or make comments at the public hearing?

Yes. The public hearing is an important part of our information gathering. The questions that the Board and the residents ask, and the answers Crown Castle gives, are all part of evidence gathering. Our Village law specifically states that the Village, at any time prior to issuing a special use permit, may require such additional information it deems necessary. This all goes into the decision whether to grant or deny a permit.

Has the Federal Government completely prohibited our ability to ask about the safety of the radio frequency waves emitted by the nodes and their equipment?

The Federal Government has set what it considers to be "safe" radio frequency emissions and prohibits local governments from requiring stricter ones. However, a carrier must prove it meets those requirements during the application process and, if approved, after installation. However, these Federal Requirements relate to a single node. We have asked but not received a response to our question as to the cumulative effect of this many nodes (25) in this compressed area?