

ZONING COMMISSION
NOANK FIRE DISTRICT
10 WARD AVE NOANK, CT 06340

Minutes of the Special Meeting

Date: June 1, 2023

A link to the recording of the meeting:

https://1drv.ms/u/s!ApV_BVCbHuQwvFVCzSKPKG3Md62E?e=n7wIEi

[Times shown correspond to recording]

I. Call to Order: Chairman Rick Smith called the meeting to order at 7:00 PM.

Members Present: Dana Oviatt, Blake Powell, Beth Steele (Vice Chairman), Rick Smith and Peter Drakos. Others: Janet Sutherland, Clerk.

Chairman's remarks: Smith detailed the purpose of the Special Meeting to receive feedback from the public to consolidate views for the Commission to be sent to the Connecticut Siting Council who has ultimate authority in the decision. Tarpon Towers had not yet submitted a proposal. Smith urged the public to work with each other to strengthen views and comments for the Siting Council. Smith commented that Noank hired a technical expert. Smith noted two main objectives of the Commission within a 90-day period after the initial meeting with Tarpon Towers, one being a list of alternative sites required within 30 days. The other to have a formal public information meeting with a Tarpon Towers representative where the public could comment on the cell tower. Smith encouraged emails from public sent to Siting Council and not Zoning Commission. Smith then read the Agenda.

II. Public Meeting to Obtain Informal Comment on the Tarpon Towers III LLC Letter of Intent to Construct a Telecommunications Facility (Cell Tower) at 70 Marsh Road

[7:38] Tom Olson, 188 Crosswinds Drive - stated he's a member of the Groton Conservation Committee that issued a letter to the Siting Council, which Olson read out. The Conservation Commission review detailed seven issues with the Technical Report submitted by Tarpon Towers, including failure to identify how the proposed facility's location within the Connecticut Natural Diversity Database could affect native wildlife.

[10:05] Marie Wiley, 18 Hillside Ave - read her correspondence from the Siting Council and encouraged the public to submit comments and speak at the public hearing for their evidentiary record. Wiley referenced the Zoning Regulations Section 23.2.6 regarding telecommunications facilities. Issues with the tower include a fall zone that could harm other facilities, suggested Tarpon should be responsible. Wiley's alternative sites include the Noank Baptist Church steeple and the Groton Police Station. Noank defeated Amtraks proposal siting the

Wildlife Act, Wiley suggested using this again and offered help to the Commission.

Kip Wiley, 18 Hillside Ave - wanted the Commission to consider that the tower would be obsolete in 10 years or less as satellites become preferred method to provide cell service. Wiley asked who would take it down when obsolete.

Steve Pendery, 83 High St - Gave statements against the tower, first being potential environmental hazards due to past land use as an industrial site. He added tower construction could release contaminants and a soil assessment should be required. Secondly Pendery referenced the earlier point regarding aviation safety concerns. Pendery suggested Plum Island as an alternative site to help a New York problem with cell service on Fisher's Island. Pendery concluded by questioning the need for a tower that would be obsolete in a decade, and how Noankers would benefit from this.

[17:44] Elisa Pendery, 83 High St - addressed concerns regarding safety and the lack of need for the cell tower. Pendery elaborated on FAA flight safety for a tower so close to Groton's airport, and noted lightning hazards. Pendery commented on the tower's threat to wildlife and referenced the Coastal Act which prohibited a previous tower. The tower would be out of character for this historic town.

Liz Lanza, 12 Westview Ave - chose to move to Noank for historic aesthetic and coastal views which would be affected by the tower. Lanza quoted the regulations and expressed concerns about her property investment potentially having a 21% decrease in value if tower is constructed. Lanza referenced the Siting Council's objectives to protect the environment and ecology.

Bob Peterson, 37 Prospect Hill Rd - stated similar concerns regarding the blight issue and necessity. Peterson questioned how long before the cell tower's technology is obsolete. An alternative site was suggested being the Poquonnock Bridge industrial site.

[27:14] Stan White, 87 Front St - showed photos of the Block Island cell tower which measures 224 ft tall. White requested the applicant have a public meeting, and a balloon test to accurately depict the tower's height.

Catherine Pratt, 75 Front St - stated an independent analysis of the cell tower suggests it would have a negative impact on property values and quality of life. Pratt referenced Groton Planning and Zoning comments submitted to the Siting Council, Fiftal noted 11 existing cell towers in same radius where transmitters could be attached, and emphasized that Fishers Island is target client. Hudecek noted a cell tower violated Noank Zoning Regulations regarding telecommunications facilities. Sutherland noted the tower would violate Groton's Plan of Conservation and Development, and additionally expressed concerns over the lack of an environmental assessment study.

Paul Jacey, 26 High St - stated that 4G cellular technology is being replaced by 5G and satellites. Alternatives sites recommended by Jacey were the Groton Water Pollution Control facility and the ACME water tower in Mystic.

[34:02] Ken Steere, 63 MacDonald Ct - expressed concerns with Tarpon Towers process and questioned whether the tower would be fully compliant to federal regulations. Steere noted the lack of details showing visual impacts to historic properties. Steere requested the Executive Committee have a meeting with Tarpon Towers to verify their actions with SHPO (State Historic Preservation Officer), NEPA (National Environmental Policy Act) and coverage designs with site acquisition experts present. Steere questioned what criteria Noank used to select the consultant. Suggested citizens and residents vote on alternative site, preferably as preselected by Tarpon Towers. Steer emphasized the need to take action to preserve the historic nature of Noank.

Brian Walter, 65 Prospect Hill Rd - recommend attorney John Schoenhorn of Farmington whose expertise could help Noank defeat the cell tower. Walter additionally recommended hiring a Radio Frequency Engineer, and requested a small meeting with Commission members to share documentation. Walter suggested three sites in Tarpon Tower's proposal should be voted on. Walter asked the Commission for a Plan and whether it would be shared with the town, and asked how strongly they were willing to fight this cell tower.

Liz Raisbeck, 81 Main St - informed the Commission of the Groton Planning and Zoning letters sent to the Siting Council and recommended forming a working group of experts. Raisbeck suggested if Noank has a plan that questions the need and site location, there was a good chance of beating the cell tower.

[51:14] Bob Occhialini, 49 Prospect Hill Rd - detailed his experiences with the cell tower process and Siting Council. Suggested the community and Executive Committee come together for alternative sites if a need is found for a cell tower. Recommended the municipal facility in GLP as an alternative site.

Amy Kirschner, 10 Morgan Pt - suggested the Commission hold information sessions, and the tower could have negative affects on property value, health and views. Kirschner recommended Noank hire a specialized attorney to gather all relevant information from the day Tarpon Towers files a permit. Commission should take advise from local expertise.

[1:01:12] Julie Saunders, 15 Westview Ave - stated the town would have a lack of revenue from taxes once property values depreciate due to cell tower.

Frank Bernardo, 10 Morgan Pt - suggested Tarpon Towers did not prove a need for a cell tower. Bernardo noted advancements in low orbit satellites that would make the cell tower obsolete and eventually decommissioned, risk of falling would then increase.

Paul Bates, 47 Church St - after extensive reviews, Bates recommended alternative site of Snake Hill Beach to provide revenue for the town.

Genevieve Cerf, 6 Pearl St, Mystic - detailed a recent deal between Dish network and Amazon to provide cell service. Cerf added that low level electromagnetic fields have a negative effect on cells as one of the health risks.

[1:12:14] Ray Johnson, 85 Prospect Hill Rd - noted he was in awe of the work being done by the public, and asked the Commission to listen to the residents showing opposition to the cell tower.

John Stamm, 20 Smith Ct - stated there were glaring errors in the Tarpon Towers proposal, notably incorrect GPS coordinates given for the site. Stamm explained the proposal states the cell tower does not require FAA review as there are no airports within five miles due to incorrect coordinates.

Amy Kirschner returned to encourage the experts who spoke to work together to fight cell tower.

[1:18:40] Brian Walter reiterated the inconsistencies and misstatements throughout the Tarpon Towers proposal. Walter specified contradictions in the Statement of Need regarding Dish Wireless seeking to provide service to Morgan Point, which has seven homes with two full time residents, and service to Enders Island and Esker Point Beach, which has two homes.

Clarification on deadlines was requested by the Commission. Smith stated after the initial meeting to take place in the upcoming weeks, Noank would have 30 days to submit alternative sites, and 60 days to have a public information meeting. Tarpon Towers deadline to submit an application is June 21st.

Sue Petzold, 88 Pearl St - asked the Commission if the municipality owned the tower by the Groton Police Station and whether an alternative site could be up there. Smith responded the expert hired, who is a Radio Frequency Engineer, was looking into these sites as options.

Leslie Spees, 188 Prospect hill Rd - questioned whether Noank needed a cell tower.

Sharon Murphy, 31 Hadley Ct - questioned whether a consultant had been hired to assist in application process, Smith replied yes. Murphy added the knowledge of the experts who spoke tonight should be used by the Commission.

III. Motion to Adjourn carried unanimously at 8:59pm (Steele/Drakos).

Respectfully submitted,

Janet Sutherland
Clerk, Noank Zoning Commission