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July 24, 2020

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By Email

Chairperson Peter Galotti and
Members of the Zoning Board of Appeals
20 Middlebush Road
Wappingers Falls, NY 12590

RE: Tarpon Towers II, LLC
Proposed Wireless Telecommunications Facility at 110 Chelsea Road
Parcel # 6056-03-339420

Dear Chairperson Galotti and Members of the Zoning Board of Appeals:

This letter is respectfully submitted on behalf of our client, Tarpon Towers II, LLC (the "Applicant") in furtherance of its application for site plan, special permit, wetlands permit, and area variance approvals to install a new wireless telecommunications facility (the "Facility") at 110 Chelsea Road in the Town of Wappinger, New York (the "Property").

In particular, the Applicant respectfully submits the following additional information in response to questions that arose during the June 23, 2020 public hearing, in anticipation of the continued public hearing on July 28, 2020, and in the expectation that the Zoning Board of Appeals will take favorable action on this application for variances under the public necessity standard on July 28, 2020.

First, please find attached a duplicate copy of the May 29, 2020 Supplemental Submission to the Planning Board, which addresses the fact that the proposed wireless facility will not result in the diminution of property values or reduce the marketability of properties in the immediate area.

Second the Applicant has enclosed for your convenience copies of the most recently revised zoning drawings by Tectonic Engineering that were submitted to the Planning Board on July 3, 2020.

In reference to the inquiries surrounding the Fall Zone or Safe Zone of the proposed monopole, please note that in the event of a failure resulting in a tower collapse, the maximum distance



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the tower could fall in any direction would be the height of the tower, which is 150 feet. The proposed facility is located such that it is a minimum of 520 feet to the nearest property line (west side), which provides ample clearance to a full tower height fall zone of 150 feet. If desired by the Town, the Applicant is willing to design the tower to have a failure hinge point near the mid-point of the tower (i.e., at approximately 75 feet) which would reduce the fall zone by half. In this scenario, the top half of the tower would collapse on itself, and in the unlikely event there is also a failure at the base of the tower, the fall distance therefore becomes half the height of the tower, or approximately 75 feet.

Additionally, questions have arisen as to tower-related fires. Fires on telecommunications towers of any kind are extremely rare occurrences. There are many reasons for this fact, fortunately. First and foremost, it is due to the nature of the materials used to construct towers. All towers are constructed of steel which is non-combustible. Antenna mounts are also steel, and therefore not combustible. Antennas, cables, and related equipment are generally not constructed of fire-resistant material, however with no nearby sources of ignition there is no concern of these elements catching on fire. The only two potential sources of ignition are lightning and construction (welding). Ignition from lightning is mitigated by a lightning protection system that is designed and installed in accordance with NEC/NFPA 780 and ANSI/TIA-222-H. Welding will likely never occur over the lifespan of the tower since welding will only be required in the event structural reinforcements are required. The tower here is designed at the outset to support several telecommunications carriers along with reserve loading on top of that. In the unlikely event welding is required, it will be performed by competent/certified personnel using best management practices to protect and cover materials that are not fire-resistant materials, and upon advance notice to the local fire department.

It is also worth noting in response to Exhibit I of Attorney Campenelli's submission of general physics equations for determining ice fall distance and his assertion that "...wind conditions can cause these fragments to fall as much as 100 feet from a 150-foot tower...", Tectonic has researched resources on this topic. There are no national, state, or local codes or standards in place documenting the proper procedure and equations to use to calculate ice fall distance. Tectonic has identified a US Army Corps of Engineers "Fact Sheet" from April 2006 on the topic. Using the more conservative equations in that ACOE fact sheet results in the finding that the maximum ice fall distance from a 150-foot tower would not exceed 200 feet. Here, there are no homes within this 200-foot zone. Moreover, the maximum ice fall distance from the proposed tower would be contained wholly on the parcel where the facility is proposed since the closest property line to the tower is 520 feet away.



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Third, on June 24, 2020, the New York State Department of State completed its review and issued the attached Concurrence with Consistency Certification under the New York Coastal Management Program.

Fourth, the FAA has concluded that the proposed wireless facility would not be a hazard to air navigation, and that neither marking nor lighting are necessary per the attached June 26, 2019 determination.

Fifth, Tectonic Engineering notes that it previously submitted materials as to: (i) *Noise* in the form of a March 3, 2020 study concluding in that noise analysis for the proposed Verizon Wireless emergency backup power 30kW outdoor propane fueled AC generator with a sound-attenuating enclosure that the average sound pressure level is 57.0 dBA at a reference distance of 23.0 feet and 31.0 dBA at the nearest property line 510 feet-away compared to 60 dBA for a normal conversation, and which absent exigent circumstances will run once a week during daytime hours for approximately 45 minutes for routing testing purposes, and that the Applicant is willing to stipulate to cycling midday/mid-week; (ii) *Lighting* on the 20th sheet of the aforementioned, most recently submitted zoning drawings as to the D-Series 1 LED Flood Luminaire Model DSXF1 LED, including its specifications, color temperature, voltage, lumen output, and photometric diagrams; and (iii) *Structural Design* of the monopole tower, foundation and antenna supports, noting the deployment of the most stringent criteria of the 2020 New York State Building Code and ANSI/TIA-222-H-2017 “Structural Standard for Antenna Supporting Structures and Antennas and Small Wind Turbine Support Structures” (i.e., 115 MPH in this region) with the tower designed to accommodate antenna arrays for three (3) future carriers in addition to the proposed Verizon Wireless installation and those future carrier’s design loading equal to that of the proposed Verizon Wireless loading.

Conclusion

The Applicant respectfully submits that approval of the instant application is warranted based on the materials submitted as the proposed wireless facility is required to render safe and adequate service, constitutes the least intrusive means available for doing so, and intrudes minimally on the community. The Applicant looks forward to its July 28, 2020 continued public hearing. Should the Zoning Board of Appeals, its Consultants, or Town Staff have any questions or comments in the interim, please feel free to contact me.



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Thank you for your time and consideration in this matter.

Very truly yours,

A handwritten signature in blue ink, reading "Neil J. Alexander". The signature is fluid and cursive, with the first name "Neil" and last name "Alexander" clearly legible.

Neil J. Alexander

Enclosures

cc: Chairperson Bruce Flower and Members of the Planning Board
Barbara Roberti, ZEO
Beatrice Ogunti, Secretary to the Planning Board and to the ZBA
James Horan, Esq., Town Attorney
Lisa Cobb, Esq., Town Zoning Board of Appeals Attorney
Paul Ackerman, Town Planning Board Attorney
David Stolman, AICP & Sarah Brown, AICP, Town Planning Consultants
Peter Setaro, PE, Town Consulting Engineer