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April 23, 2018

VIA EMAIL AND OVERNIGHT DELIVERY

Chairman William Rice and
Members of the Zoning Board of Appeals
Village of Nelsonville
258 Main Street
Nelsonville, NY 10516
Phone: (845) 265-2500

RE: Homeland Towers, LLC New York SMSA Limited Partnership d/b/a/ Verizon
Wireless and New Cingular Wireless PCS, LLC d/b/a AT&T
Proposed Public Utility Personal Wireless Telecommunications Facility

Dear Chairman Rice and Members of the Zoning Board of Appeals:

This letter is respectfully submitted on behalf of New Cingular Wireless PCS, LLC ("AT&T") regarding the above captioned matter and in support of the proposed facility.

April 16, 2018 Philipstown Cell Solution ("PCS") Submission Must Not Be Included in the Record As It Was Both Untimely and Beyond the Scope of the Reopened Hearing

On April 4, 2018 the Village of Nelsonville Zoning Board of Appeals and Planning Board agreed to a reopened hearing for the specific and limited purpose of reviewing variance applications and the related visual impact mitigation aspects of the proposed alternative tower designs. The hearing on the application was previously closed and both the time for decision under the Federal Shot Clock and New York State Law Village Law 7-725-A were mutually extended to provide for follow up submissions and a continued hearing limited to review of proposed visual impact mitigation. At the April 4, 2018 meeting the joint hearing was closed but the record was left open for submission of written comments addressing visual impact mitigation until April 16, 2018. The record was not reopened *in toto* and interested parties were directed to limit comments to the proposals for visual impact mitigation.



Representatives for PCS made a submission after business hours on April 16, 2018 and the submission should not be understood as being made timely. Critically the PCS submission also ranged well beyond scope that was at the heart of the mutually agreed upon extensions of state and federal time constraints for a decision. PCS seeks instead to insert into the record information about an alternate site that is entirely beyond the scope of visual mitigation of the proposal.

PCS made no objection to the limits of the reopened hearing and there was no indication that the record should be to reopened in its entirety. This submission is prejudicial to Homeland Towers, Verizon and AT&T, counter to the productive schedule that was agreed upon and should be stricken from the record. We concur with the objection lodged by Attorney Robert Gaudio in his April 16, 2018, 8:37pm email to the board members as well as the April 19, 2018 submission by Homeland and Verizon and agree this information should not be included in the administrative record.

PCS Contention Flawed

As we are without confirmation that the April 16, 2018 PCS submission will be affirmatively excluded from the administrative record given the foregoing, we must clearly state for the record that the contention by PCS that any potential site at Butterfield Hospital would be equivalent to and substitute for the proposed site is wholly flawed. As this question was raised previously at the joint hearing on February 27, 2018 AT&T's radio frequency consultant did re-review the Butterfield Hospital site at my request. That review memorandum is attached and should be entered into the administrative record if the April 16, 2018 PCS Submission is also allowed to stand against the noted objections.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Daniel M. Laub', written over a horizontal line.

Daniel M. Laub
Enclosure

cc: Village of Nelsonville Planning Board (7 copies)
Ronald J. Gainer, P.E., Consultant for the Village
Robert D. Gaudio, Esq.

MEMORANDUM

To: Daniel Laub, Esq., Cuddy & Feder

From: Daniel Penesso, AT&T RF Engineer

Date: April 4, 2018

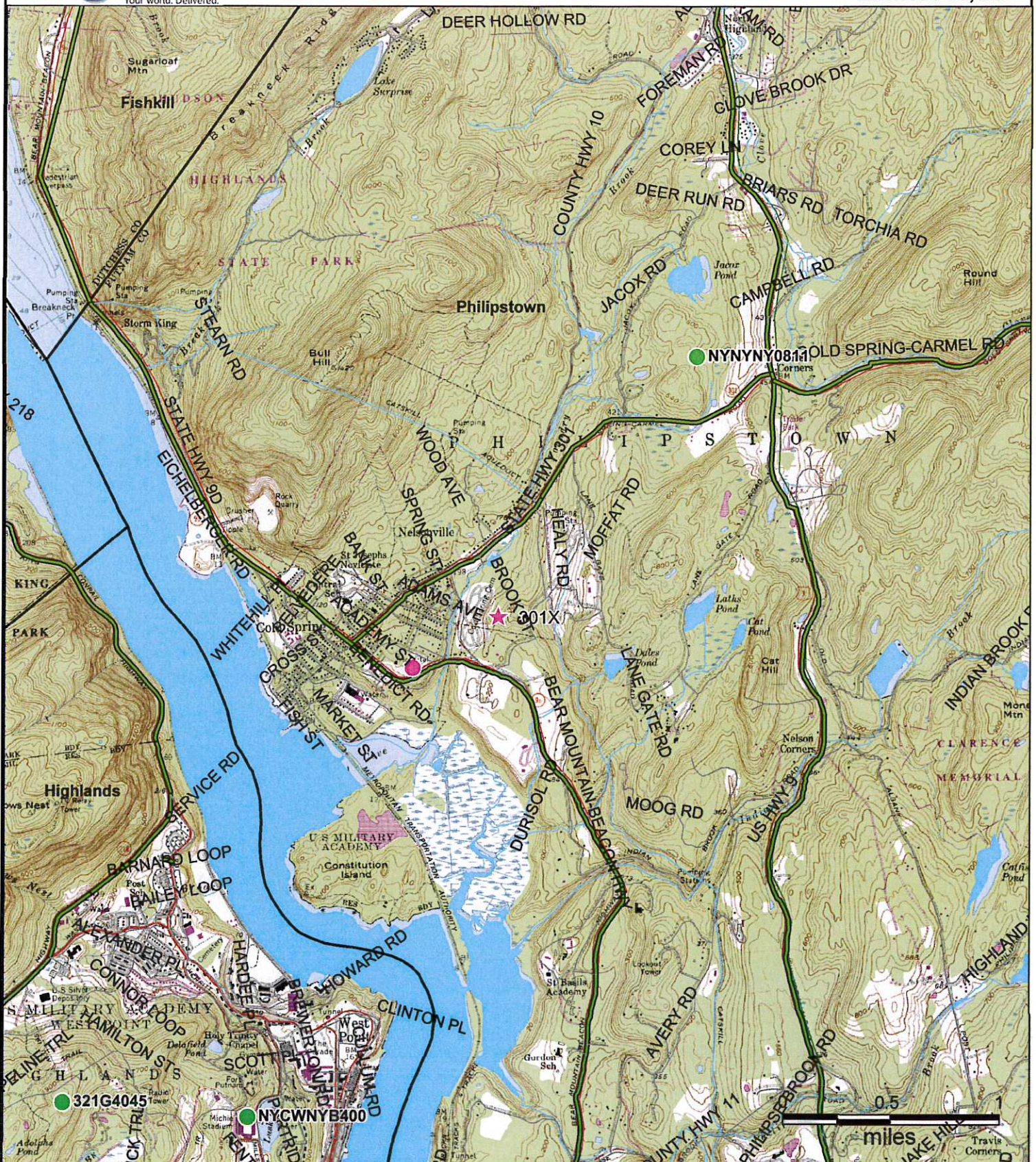
RE: AT&T 301X and Review of Former Butterfield Hospital Location

As requested I performed an assessment of the coverage that AT&T may be able to achieve from the new development at the old Butterfield Hospital site. For this analysis I assumed the height available for AT&T's antennas would be 40 feet as recent discussions and news reports indicate that the owner of the site is potentially interested in hosting wireless facilities in a stealth cupola on the rooftop of new development at the site.

An AT&T facility at this location should perform similarly to AT&T's prior facility which largely served the Village of Cold Spring along with a southern portion of the Village of Nelsonville. This coverage would not reach north due to the low height of the rooftop design and higher elevation of the area to the north. The radio frequency signals are essentially blocked by terrain going north. With the proposed Homeland tower AT&T will be able to achieve coverage in southern Nelsonville and Cold Spring as well as reach over the terrain to the north. This is particularly important for providing service to the north along Route 301 and filling the gap in coverage that exists up to the coverage from the site at McKeel's Corner. Attached for reference are coverage maps depicting the coverage from the old hospital site alone and another in context with existing coverage. I've also included a topographic map that shows the elevation change to the north that limits signal propagation. Even if AT&T was able to build a facility at the former hospital site the coverage from that site would not eliminate the need for a facility to provide coverage to the north.

Please note that the plots are a best-case scenario and assume good performance from the old hospital site, but there are factors that limit the effectiveness of such a rooftop site. At 40 feet, signal propagation can be limited by trees particularly in leaf-on condition. Also, rooftop sites in general need to be designed in a manner that allows the signal to propagate beyond the building without interference or shadowing from the host building. AT&T's antennas on the old hospital building were elevated to avoid such shadowing. It's not clear that the cupola design allows for unobstructed propagation.

Regardless, a facility at the old hospital site does not meet AT&T's coverage objectives for the area. Even with a facility at the old hospital site another facility would need to be constructed in the vicinity of the proposed Homeland site at the height proposed due to the existing tree clutter and topography.



Map 15
USGS TOPO Map
Site Number: 301X

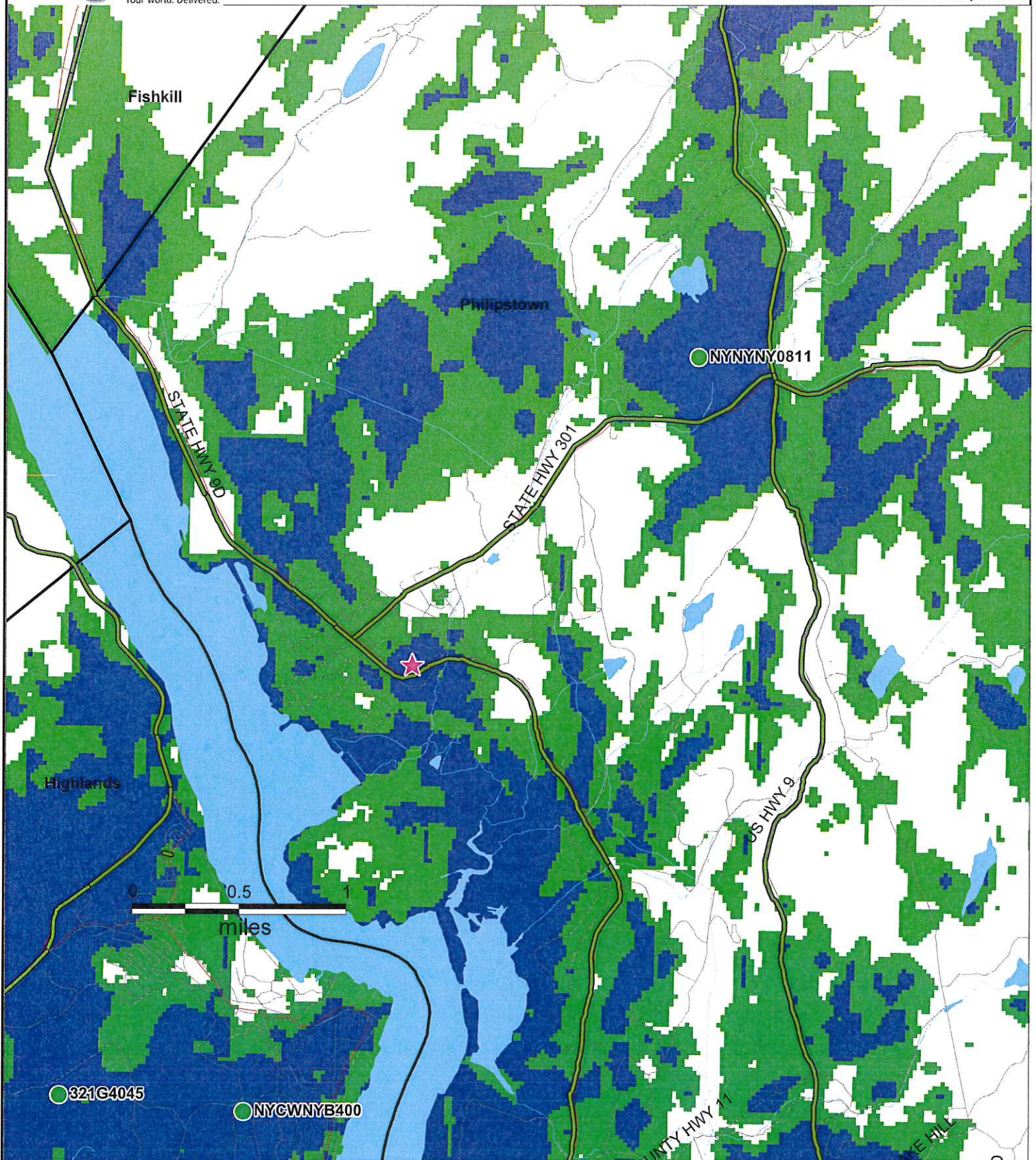
-  State Rd
-  Highway
-  Municipal Border

-  301X
-  Butterfield Cupola
-  Existing On Air Sites

Prepared By:
Daniel Penesso
RF Engineer for AT&T
March 10, 2018



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Map 14
AT&T Butterfield Cupola Composite Coverage
700 MHz LTE RSRP
Antenna Centerline 45ft.
Site Number: 301X

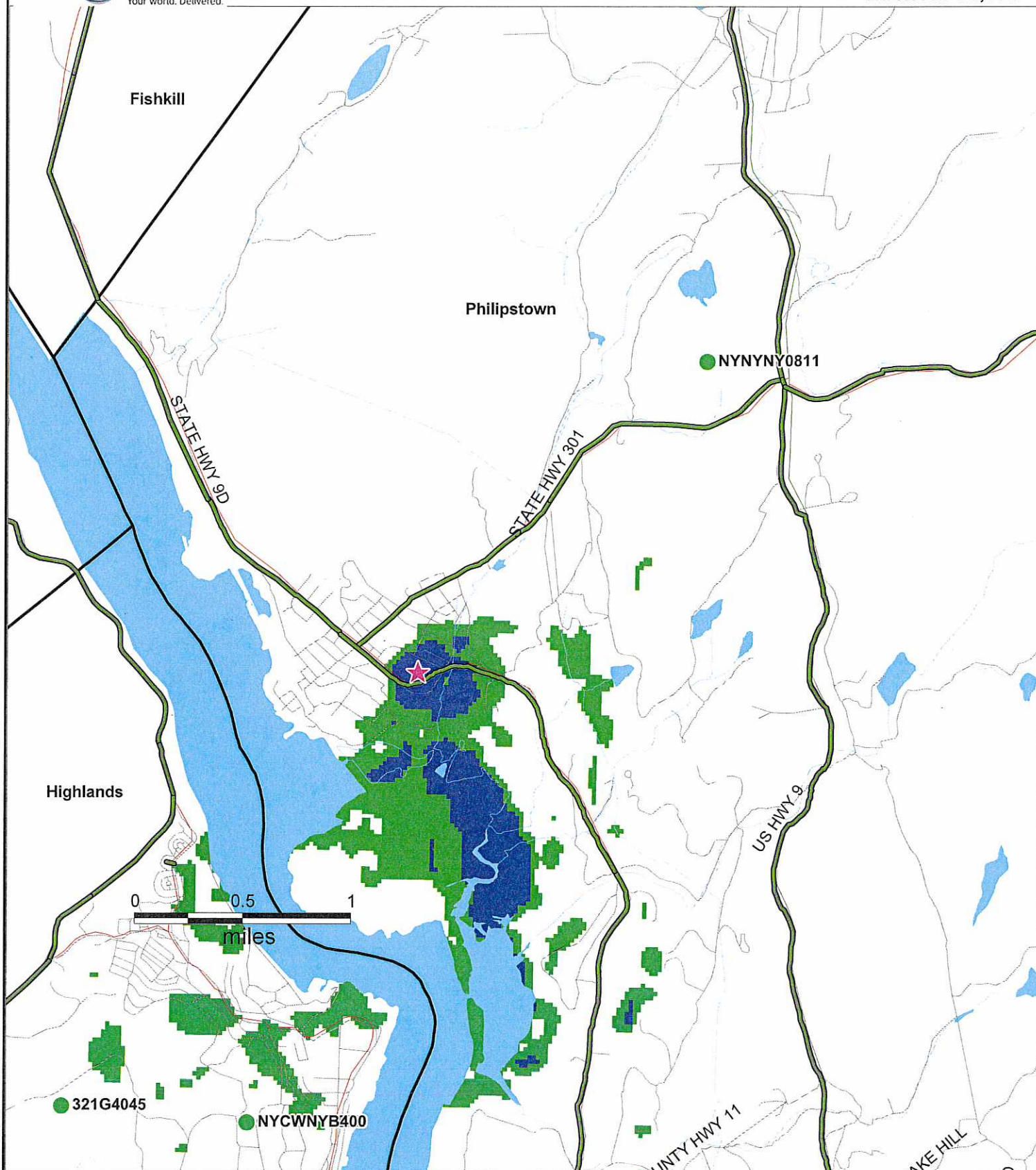
— State Rd
— Highway
— Municipal Border

★ Butterfield Cupola
● Existing On Air Sites

Prepared By:
Daniel Penesso
RF Engineer for AT&T
March 10, 2018



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Map 13
AT&T Butterfield Cupola Coverage
700 MHz LTE RSRP
Antenna Centerline 45ft.
Site Number: 301X

— State Rd
— Highway
— Municipal Border

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