



Fwd: Correspondence to the Board: Rockledge Cell Tower

1 message

Mindy Jesek <villageclerk@nelsonvilleny.gov>
Reply-To: villageclerk@nelsonvilleny.gov
To: Village Board of Trustees <villageboard@nelsonvilleny.gov>

Tue, Jan 21, 2020 at 9:49 AM

----- Forwarded message -----

From: **Chris Marrison**
Date: Tue, Jan 21, 2020 at 9:37 AM
Subject: Correspondence to the Board: Rockledge Cell Tower
To: <villageclerk@nelsonvilleny.gov>

Dear Board,

I am writing to ask you to not accept the settlement proposed by SMSA Limited Partnership and Homeland Towers.

I urge you to take this case to summary judgement. My understanding is that we have a solid case, and as a community we have already raised \$30,000 in the last week to help fight the case.

The concessions that the tower company has offered are minimal, and unless they win summary judgement (which is unlikely) they will make better concessions in future.

A delay in this decision is wise for at least four reasons:

- a. Not all the effected residents are aware of the tower, e.g., those on Billy's Way and Moffet. We want time to inform them and have their involvement.
- b. The national legal situation on cell towers is uncertain. The FCC 2018 ruling has not won a single legal challenge, is unlikely to succeed, and will likely be resolved in the next three to four months.
- c. Delay may allow the tower to never happen because it becomes even more un-necessary due to technology changes such as improved cell phone reception, the requirements of 5G, or the widening use of satellite internet. Once the site becomes industrial, even if the cell tower is taken down, other industry will likely go to the site.
- d. Delay may even be good for the tower company if there is an economic downturn and the tower becomes an unwise investment

As we have seen from the new tower on Route 9, it only takes a week to erect a tower, so if the Board does fold, we can expect the tower will be up in a very short time and the decision will be irreversible.

Please do not vote to accept the bargaining position of SMSA Limited Partnership and Homeland Towers.

Best regards,

Chris Marrison