

April 16, 2018

Zoning Board of Appeals
Planning Board
Village of Nelsonville

Dear Chairmen Rice, Marino and all the Members of the Boards,

Since today appears to be the last of the last deadlines for public comment on Homeland Towers' application to erect a 110', 120' or 125' cell tower on Rockledge Road above our historic cemetery, I wanted to write you to express for the record my own personal concerns as a member of the public. This letter is my opinion only and does not represent the membership of Philipstown Cell Solutions (although I have donated my time to work alongside the dedicated members of that citizen group).

Though I am a native Kansan, I have been a resident of Cold Spring/Philipstown for the past 11 years and, like many of you, this community is one I care about very much. I volunteer as much as I can here, and my volunteer experience is not unique. I've been inspired by countless others like you—strangers and friends alike—who I see working out there on my behalf and on behalf of the common good.

All of you on the Nelsonville Boards who are going above and beyond the usual requirements of volunteerism with this application continue to have my deepest thanks for the countless hours you have donated to this ordeal. Believe me when I say that I know this work is mostly quiet, unseen and thankless at best—and highly criticized at worst. I believe you are seeing the best and the worst all at once with this one! I know that you have the full detailed scope of the application and public hearing process in front of you, and that no member of the public, including me, will appreciate how difficult and thorny and incredibly complex this decision is for you each to make.

In my opinion—through the fraction of the weeds I've waded through on this—I strongly believe you have an incredible amount of evidence before you that supports a judgment that this application does not meet the intent or the letter of the law contained in Nelsonville Zoning Code. The aesthetic impact of the proposed tower on our historic and scenic cemetery—a National Register listed property no less—is clearly significant (or rather does not achieve the level of "insignificance"). I strongly feel that a tower of that height should not be allowed to be located on that specific key ridgeline because it impacts too-greatly how the community understands and uses and feels about the cemetery. That is the truth of it, for me and for so many members of the public who have written you. The tower will represent a dominant feature there—whichever design you prefer. The emphasis should rightfully be on the actual true and honest gravesites and on the peacefully designed landscape. It is within that landscape that people in our community mourn the death of loved ones and contemplate what it means to remain a member of the living. The landscape was purposefully designed with that key open ridge as a character-defining part of the historic cemetery, as has been attested by numerous experts on the record—including Liz Campbell Kelly, ASLA, Erin Muir, RA, and Dr. Hoffman and Mr. Neville of SUNY. Please, I beg you to give true consideration to these careful professional opinions and assessments. The open skyline above the ridge is not just a minor side-note. It is a point of focus that forms the backdrop to the entryway and the area where we gather for Memorial Day. The open skyline stretches out above the northern portion of the cemetery and above many graves of both regular folks and key figures in our community history. It is no place for a cell tower.

I have no family buried in the Cold Spring Cemetery, but I do visit regularly to remember those who have made this community what it is and to mourn my own personal losses, interned in far away places. For me the cemetery is a refuge from the day-to-day trivialities in our community that can sometimes be so close-knit and sometimes so divided. Visiting there reminds me of that which we all have in common: family, love, loss, mortality. It is a reassuring place for the living as much as it is a

place where our history is etched in stone. It has been a place of solace for me personally in difficult times, and I suppose that is why I care about this so much.

When I first heard about the proposed tower near the cemetery, I thought to myself—“Well, if these towers must go somewhere it might as well be near those residents who cannot see it.” Honestly, I did not want to be involved in this application at all. The site is quite far away from my own house. I am a supporter of the future of 5G and want very much to bring the latest and best technologies to our community. My own small business depends on this. It would have been easy to look the other way and let other people who are more impacted by this application stand alone against it. But then I saw the rendering of the original proposed monopine and the location on that beautiful open ridge above the Butterfield tomb. I saw the tower company put in simultaneous applications for other towers in our community close together and I saw a pattern emerging. I did some research. I read as much as I could. I can see clearly that these towers are coming regardless of how we feel about them. More and more will come, because the 5G network build out requires more infrastructure closer together. I feel that if they must come, we need to take the bull by the horns and force them to be built on *our* terms—according to *our* local laws. We need to be proactive—to work with those tower companies that want to truly partner with our municipality and to reject those ideas do not show substantial concern for our most important landmarks and for the feedback of the local people who will live with this infrastructure in our midst. We must encourage these towers to be built in places and with conditions placed on their developers that protect the things we hold dear.

Of course developers will naturally push to get the tallest and the best locations for towers or facilities that meet or exceed their long term goals and their profits. That is entirely their right, and I certainly don't hold it against these large business owners. But our laws exist to protect us from those long term goals and profit motives that would irrevocably ruin the things we as a community hold sacred. Our monuments to the past. Our history. Our scenic landscape. Our special village character. Our laws place reasonable limits on development of this kind with the goal of encouraging development that fits in, and discouraging development that doesn't.

But the only way that the law works is if you, as the governing body, truly exercise it (even and especially when threatened by lawsuits as I am sorry to witness appears to be the case here). I beg you to follow the law and your conscience and not allow this proposal to proceed any further. If you say no, backed by the reasonable evidence before you, the courts will back you up and the tower company will be required to return with a new proposal for a new location with a much better design. They will be forced to think more creatively to make any number of the available alternative sites, lower heights, or alternative plans that truly would minimize impacts to insignificant levels work for them. I saw clearly how when they sensed your board was not entirely convinced of their proposal in the 11th hour of this process the tower attorney came back to you finally with new design ideas and new solutions. The single flagpole idea that previously was purportedly “impossible” and did not meet their objectives now is being presented as possible. The shot clock that was held up as expiring imminently is now extended out more readily. What else that has been sketchily and without substantial evidence presented as “impossible” is ACTUALLY possible? Only a denial, according to and backed by a reasonable interpretation of the law, will produce an honest answer to that. Your denial will set the stage for the many other negotiations and many other applications that are coming to our wider community. The other boards and other officials who will hear other applications are looking to you all for guidance. No one else has waded through as many pages on this as you. Please don't give up hope that other solutions to the future of cellular technology are possible and reasonable to require here.

We—speaking of our wide community—only get this one shot to stand up to the status quo and to get this right. I can only hope you will agree with me that protecting a treasure like our cemetery is worth all this trouble and headache.

Thank you for hearing me out and for the time you have given to this whole thing.

With kind regards,

Jennifer Zwarich
Resident of Cold Spring