



---

## Fwd: Draft settlement with Homeland Towers

---

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

Tue, Jan 21, 2020 at 6:34 PM

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

From: **William Rice**  
Date: Tue, Jan 21, 2020, 5:40 PM  
Subject: Draft settlement with Homeland Towers  
To: Mindy Jesek <villageclerk@nelsonvilleny.gov>

To the Nelsonville Village Board,

The Village Board has been able to mitigate the impact of the cell tower by negotiating an additional reduction in tower height from 120 feet to 95 feet; increased the adjacent neighbor's landscape screening dollar value from \$20,000. to \$30,000.; obtained, in writing, a specification for a monopine with high-density branches while also having the Village's reimbursable expenses of over \$35,000. covered by Homeland Towers/Verizon/ATT.

- It is also important to understand that SHPO, the New State public advocate for historic preservation recommended to the FCC that a monopine "tree", a single 110-foot or a single 120-foot pole would have **No Adverse Effect** on the historic resources within the project's area of potential effect ("APE").

Once SHPO offered this opinion in writing the chances of winning the Village of Nelsonville cell tower case in Federal District Court became extremely small.

The settlement of this case will ensure that the Village can impose the cell tower restrictions it has negotiated whereas further litigation will almost surely result in a ruling against the Village and limit the Village's control over the project.

- Please note this is my view and does not represent the views of other members of the Village of Nelsonville Zoning Board.

William Graham Rice AIA

Chairman

Village of Nelsonville Zoning Board of Appeals

Nelsonville, NY