

From: [Justin Wilcox](#)
To: [APA Regulatory Programs Comments](#)
Cc: [Justin Wilcox](#)
Subject: APA Project 2020-0224 Public Comments
Date: Thursday, November 4, 2021 11:11:04 AM

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Please copy "2020-0224, Justin Wilcox, Justin Wilcox <justin.wilcox@upstateunited.com>" into your message for our reference.

Attn: Virginia Yamrick
Comments from: Justin Wilcox
Email from: Justin Wilcox <justin.wilcox@upstateunited.com>
Address: 150 State Street Suite 400 Rochester NY 14614
Re: Agency Project 2020-0224, New Cingular Wireless PCS, LLC (AT&T)

My Comments:

11/3/2021
Virginia Yamrick
Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977

RE: APA Project ID: 2020-0224, New Cingular Wireless PCS, LLC (AT&T)

Dear Ms. Yamrick;

We respectfully submit this memorandum in support of the application by New Cingular Wireless PCS, LLC (AT&T) to construct a new 101-foot-tall monopine telecommunications tower on Military Road in the Town of Edinburg, NY. This proposed tower will enable AT&T and other collocating carriers to provide reliable wireless services to the public who are lacking adequate coverage in the Town of Edinburg.

General Facility Description

This tower will be concealed as a 106-foot-tall simulated tree, to support cellular antennas at a Centerline mounting height of 97 feet above ground level. An equipment platform and generator are also proposed at the tower's base and will be served by the existing access road and a new 122-foot-long access drive to the tower site. This particular part of the town is a known dead spot and a site search reveals there simply are no existing towers at higher elevations or proximate to the Town of Edinburg.

Statement of Public Need

The Coronavirus pandemic has laid bare the realities of maintaining connectivity as a basic need – like electricity and water, wireless communications has proven essential for public safety, tourism, and economic development. Using a smart device with a mobile connection, we can: video chat with friends or family, check our bank accounts, receive real-time alerts and updates from news sources, send and receive email, shop online, manage health, access online education resources and much more. And, businesses large and small across almost every industry

increasingly depend on internet-based technology and mobile connections.

Wireless access has also provided a newfound form of safety. Today, approximately 80% of all 9-1-1 calls made each year come from a wireless device. Wireless carriers in the U.S. also support Text-to-911, a program that allows users to send text messages to emergency services as an alternative to placing a phone call.

FirstNet Communications Platform

In addition to providing reliable wireless coverage for Town of Edinburg residents, this tower will also serve as a FirstNet site. FirstNet is a nationwide, interoperable platform and ecosystem dedicated to public safety that gives first responders access to better communicate and collaborate across agencies and jurisdictions.

Prior to FirstNet, public safety encountered difficulty when trying to communicate across agencies due to lack of interoperable communications between existing land mobile radio (LMR) systems. And when a significant public safety crisis occurred, heavy public use often caused traditional wireless communications networks to become congested, making it difficult for first responders to communicate on those networks.

In response to a recommendation from the 9/11 Commission following the communications failures that occurred during the terrorist attacks of September 11, 2001, Congress, in 2012, set aside a band of spectrum and created the federal First Responder Network Authority (FirstNet Authority). AT&T was later selected as the private partner in this 25-year public-private partnership, following a competitive Request for Proposal process. In partnership with the FirstNet Authority, AT&T is building, operating and evolving the nationwide public safety broadband network. As a result of FirstNet, coverage is being expanded in rural areas; and more densely populated areas are experiencing a much-needed boost in capacity. FirstNet infrastructure serves not only public safety, but also expands access to high-speed, wireless broadband for the larger community. When there is surplus capacity on FirstNet's Band 14 spectrum, that additional capacity can be used to support consumer voice and data on the AT&T commercial network. This means rural healthcare, rural learning, and rural businesses stand to benefit from FirstNet coverage.

It is vital that public safety agencies stay ahead of the curve by modernizing their communications. The FirstNet platform represents a giant leap in communications capabilities for public safety that benefits the communities they serve

Conclusion

Expanding telecommunication infrastructure to rural areas is vital to job creation, civic engagement, education, health care, tourism and public safety. We respectfully ask that you consider this application, which will provide reliable wireless service to the residents of the Town of Edinburg in Saratoga County.

Justin Wilcox

Executive Director, Upstate United

From: melvin.norris@bcnys.org
To: [APA Regulatory Programs Comments](#)
Cc: melvin.norris@bcnys.org
Subject: APA Project 2020-0224 Public Comments
Date: Thursday, November 4, 2021 2:55:40 PM

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Please copy "2020-0224, Melvin Norris, melvin.norris@bcnys.org" into your message for our reference.

Attn: Virginia Yamrick
Comments from: Melvin Norris
Email from: melvin.norris@bcnys.org
Address: 111 Washington Avenue, Suite 400 Albany New York 12210
Re: Agency Project 2020-0224, New Cingular Wireless PCS, LLC (AT&T)

My Comments:

Dear Ms. Yamrick,

The need for a sound telecommunications infrastructure is greater today than ever. This includes the importance of having a reliable way to utilize our 911 system especially with many those calls coming from wireless devices. Additionally, mobile phones allow businesses to communicate and share information through emails, video conferencing, and text messaging. In consideration of these factors, the Business Council of New York State supports the application by New Cingular Wireless PCS, LLC (AT&T) to construct a new 101-foot-tall telecommunications tower on Military Road in the Town of Edinburg, NY.

The tower will enable AT&T and other collocating carriers to provide reliable wireless services to the public who are lacking adequate coverage in the Town of Edinburg. This project would enable the area to have a high-frequency radio communication tower that would allow the town to upgrade from a reality where poor signal strength impacts timely emergency services. Connectivity through mobile devices is tremendously important to the residents and first responders there. More and more individuals rely on cell phones and other mobile devices for communication and having appropriate coverage and signal strength by using the appropriate technologies at the disposal of businesses like AT&T can be the difference between life and death in some circumstances.

The Coronavirus pandemic has laid bare the realities of maintaining connectivity as a basic need – like electricity and water, wireless communication has proven essential for public safety, tourism, and economic development. Using a smart device with a mobile connection allows users to perform a myriad of tasks including video chats with friends or family, checking on our bank accounts, sending and receiving email, shopping online, managing our health, accessing online educational resources and much more. Businesses large and small from across every industry, increasingly depend on internet-based technology and mobile connections.

The tower would also enable reliable wireless coverage for the Town of Edinburg through its use as a FirstNet site. FirstNet is a nationwide, interoperable platform and ecosystem dedicated to public safety that gives first responders the ability to better communicate and collaborate across agencies and jurisdictions. In response to a recommendation from the 9/11 Commission following the communications failures that occurred during the terrorist

attacks of September 11, 2001, Congress in 2012 set aside a band of spectrum and created the federal First Responder Network Authority (FirstNet Authority). AT&T was selected as the private partner in this 25-year public-private partnership and in partnership with the FirstNet Authority, is building, operating, and evolving the nationwide public safety network.

FirstNet coverage is being expanded in rural areas and more densely populated areas are experiencing a boost in capacity. FirstNet infrastructure serves not only public safety, but also expands access to high-speed, wireless broadband for the larger community. When there is surplus capacity on FirstNet's Band 14 spectrum, that additional capacity can be used to support consumer voice and data on the AT&T commercial network. This means rural healthcare, rural learning, and rural businesses stand to benefit from FirstNet coverage.

It is vital that public safety agencies stay ahead of the curve by modernizing their communications and businesses have a network that is reliable. The FirstNet platform represents a giant leap in communications capabilities and we respectfully ask that you consider this application, which will provide reliable wireless service to the residents of the Town of Edinburg in Saratoga County.

From: James.Sullivan571@gmail.com
To: [APA Regulatory Programs Comments](#)
Cc: James.Sullivan571@gmail.com
Subject: APA Project 2020-0224 Public Comments
Date: Monday, October 25, 2021 3:48:08 PM

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Please copy "2020-0224, James R Sullivan, James.Sullivan571@gmail.com" into your message for our reference.

Attn: Virginia Yamrick
Comments from: James R Sullivan
Email from: James.Sullivan571@gmail.com
Address: 1016 State Route 52, Morgan Duke Conservation Society Walden NY 12586
Re: Agency Project 2020-0224, New Cingular Wireless PCS, LLC (AT&T)

My Comments:

Dear APA,
I am writing this letter to inform you i support this project %100.



ADIRONDACK COUNCIL

PRESERVING WATER,
AIR AND WILDLANDS



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William C. Janeway



November 3, 2021

Virginia Yamrick
Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977
(Via electronic submission)

Re: Council Does Not Support Proposed AT&T Cell Tower in the Town of Edinburg, Application No. 2020-0224

Dear Virginia,

On behalf of the Adirondack Council, I would like to thank you for the opportunity to provide comments on the *proposed AT&T Cell Tower in the Town of Edinburg, Application No. 2020-0224*. The Adirondack Council believes that the natural beauty of the Adirondack Park can be preserved while expanding cellular service, which is essential in promoting the quality of life and economy of the region. The Adirondack Park Agency’s (APA) Policy on Telecommunications Towers and Other Tall Structures (Towers Policy) has been a model for the entire nation by allowing rapid expansion of cell phone and broadband service while preserving the wild character and scenic beauty of the Adirondack Park. The APA has generally done an excellent job in applying the Towers Policy and ensuring that new towers fit in with the surrounding landscape and are “substantially invisible”.

The applicant proposes to construct a new 101-foot tall monopine cellphone tower, concealed as a 106-foot-tall simulated tree, in Rural Use lands in the Town of Edinburg. The location for the proposed cell tower is on top of mountainous terrain on Fraker Mountain, overlooking Great Sacandaga Lake. The Adirondack Council applauds the APA for urging the applicant to explore tower height reductions and other alternatives. However, ultimately, only one alternative was considered by the applicant: co-location on the proximate Saratoga County monopole tower that was deemed infeasible. The Council does not support the proposed cell tower because, as it is currently proposed, it does not satisfy the “substantially invisible” directive of the APA’s Towers Policy.

From the visual analysis provided, the tower will be skylit from nearly all angles that one might view it from. In a Notice of Incomplete Permit Application (NIPA) issued July 12, 2021 for P2020-0224, the APA stated, “In its proposed location, the 101-foot-tall monopole and the 106-foot-tall monopine tower simulations reveal significant adverse changes in the overall visibility of the tower site as seen from public viewing points and is skylit along the ridgeline”. Although the applicant states in an earlier NIPA response that they cannot reduce the height of the proposed tower because it would negatively impact transmissions and service coverage area, the fact remains that the proposed tower at its current height does not meet the “significantly invisible” standard of the Towers Policy.

The visual analysis shows that the proposed tower would protrude around 10 feet above the treeline. The Saratoga County tower stands about 20 feet above treeline. The existing tower is already quite visually intrusive and adding a second tower that is also so distinctly above treeline is cumulatively adding to the erosion of the scenic quality of the landscape. In addition, the act of concealing a tower as a plastic pine tree seems daunting on a ridgeline devoid of other evergreens. The visual simulations seem to confirm that -- from November through April each year -- it would stand apart visually from the surrounding forest. Therefore, the Council does not support this tower as proposed and we ask that the APA uphold the Towers Policy by continuing to work with the applicant to find a way to ensure that the proposed tower does not create adverse impacts to the surrounding viewshed.

Additionally, the Council supports the findings of the report released by the Empire State Development Corp. and the Upstate Cellular Coverage Task Force. We cheer the recommendation for a comprehensive coverage plan, as it is essential for moving forward with increasing cellular service in the Adirondack Park and beyond. The report confirms that there is significant potential for small-cell coverage expansions, which are important in expanding coverage while maintaining the natural beauty of the Adirondack Park. The existing infrastructure in this valley lends itself very well to this purpose. The entire lake/reservoir is encircled by county highways with existing utility poles, power and hard-wired broadband via Spectrum Cable. A small cell system could overcome the gaps in coverage that would still remain, even if this proposed tower were to be built. We urge the APA to consider the cumulative impacts of traditional cell towers in the Adirondacks and how advancing technology can fill coverage gaps.

In conclusion, the Council believes that the proposed tower does not comply with the APA’s successful Tower Policy. The Agency should continue to work with the applicant to ensure that the substantially invisible directive of the Towers Policy is satisfied. We believe it is possible to expand cellular service while still preserving the integrity of the Towers Policy and the scenic beauty of the Adirondack Park. We echo the Empire State Development Corp. and the Upstate Cellular Coverage Task Force’s finding that there is potential for small-cell coverage expansion as part of a comprehensive coverage plan for the Adirondack and Catskill Parks. The Adirondack Council will continue to monitor and provide public input on future similar projects. Thank you for reviewing our comments.

Sincerely,



Jackie Bowen
Associate Conservation Director



Charlotte Staats
Conservation Associate



SARATOGA COUNTY ATTORNEY

Saratoga County Municipal Center
40 McMaster Street
Ballston Spa, New York 12020

Telephone: 518-884-4770
Fax: 518-884-4720 (Not for Service)

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JENNY R. MARCOTTE

November 8, 2021

Virginia Yamrick
Adirondack Park Agency
1133 NYS Rt. 86
Ray Brook, NY 12977
Virginia.yamrick@apa.ny.gov

SUBMITTED VIA EMAIL

RE: APA Project No.: **2020-0224**
Fraker Mountain – AT&T Proposed Tower

Dear Ms. Yamrick:

Please consider this correspondence on behalf of the County of Saratoga and the Saratoga County Office of Emergency Services, relative to Project Number 2020-0224.

As for background, please note that Saratoga County and the Office of Emergency Services did not receive notification of this project until very recently. In fact, the first known notification came via a courtesy through officials at the Edinburg Town Offices when they received notification of the permit application. Representatives from AT&T did not reach out to consult with the County prior to submitting the application¹. In that vein, we appreciate your consideration of this comment submission.

As you may know, Saratoga County maintains the roadway access to the proposed project site pursuant to a 2008 agreement with the landowner of the site, Roger Scott. Additionally, Saratoga County and the Office of Emergency Services owns and maintains equipment and infrastructure on the County-owned tower, located on the summit of Fraker Mountain which consists of Land Mobile Radio (“LMR”) equipment related to 800mhz radio transmitters that are used by public safety agencies, including the Sheriff’s Office, Office of Emergency Services (fire, EMS and emergency responders), and the County Department of Public Works. Verizon also has commercial equipment co-located on the county tower at the summit of Fraker Mountain.

¹ Representatives from AT&T likewise did not notify County officials regarding the companion Lakeview Site in the Town of Hadley, which is currently under construction.

On behalf of Saratoga County and the Office of Emergency Services, we would ask your agency to consider the potential impacts of an additional tower would have on the coverage area of the county operated LMR systems before issuing an approval permit. It is the concern of Saratoga County that the construction of the additional tower, depending on height and equipment utilization, could attenuate or negatively impact the coverage are of the current LMR system. If the LMR system is negatively impacted, public safety could be affected through a reduction in coverage of emergency radio communications that the current LMR provides between police, fire, EMS and the highway department. It should also be noted that if coverage area of the LMR is negatively impacted, that impact could affect operations of the Adirondack Radio Consortium who utilize the LMR system.

The County acknowledges that the concerns related to potential negative impact to the coverage area of the LMR is currently an unknown, and that an engineering study would be required to determine the scope of any impact. However, in light of the potential significant adverse impacts to public safety, the County requests that the engineering study related to attenuation effects of an additional tower on the LMR system; be completed prior to the issuance of a permit.

Thank you for your time and attention and should there be any questions or concerns, please do not hesitate to contact me.

Regards,



MICHAEL J. HARTNETT
County Attorney

cc.: Elizabeth Phillips, Esq., *APA Counsel*
Hon. Jean Raymond, *Supervisor – Town of Edinburg*
Steven Bulger, County Administrator
Carl Zeilman, Commissioner of Emergency Services
Chad Cooke, Commissioner of Public Works
Michael Naughton, Esq., *Assistant County Attorney*