From:	Town Clerk
To:	Maura Weissleder
Subject:	FW: Additional Opposition to the Proposed Cell Tower at 62 Granite Springs Road
Date:	Tuesday, January 20, 2026 1:11:19 PM
Attachments:	Fishman Report Pleasantville 5-21-22 T-Mobile.pdf

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From: Justin Waytowich <jwaytowich@gmail.com>
Sent: Tuesday, January 20, 2026 12:25 PM
To: Robyn Steinberg <rsteinberg@yorktownny.gov>; Town Clerk <townclerk@yorktownny.gov>
Cc: John Tegeder <jtegeder@yorktownny.gov>; Ian Richey <irichey@yorktownny.gov>; Planning Department <planning@yorktownny.gov>; Ed Lachterman <elachterman@yorktownny.gov>; Patrick Murphy <pmurphy@yorktownny.gov>; Sergio Esposito <sesposito@yorktownny.gov>; Susan Siegel <ssiegel@yorktownny.gov>; Ilan Gilbert <igilbert@yorktownny.gov>
Subject: Additional Opposition to the Proposed Cell Tower at 62 Granite Springs Road

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Please forward my letter in opposition to the Town Board and the Planning Board. Please also confirm receipt of my letter by emailing me back.

I am writing again regarding my opposition to the construction of a 130-foot cell tower at 62 Granite Springs Road.

It continues to concern me that the Town Board seems to be pushing Homeland's agenda instead of advocating for the Town's residents. Not only did the Town Supervisor issue a one-sided press release regarding the 2/3/26 continued public hearing (after not issuing any press release regarding the first date of the hearing on 12/16/25), but in a News12 segment the Town Supervisor appeared on the same zoom call as the resident allegedly in support of the tower (Footnote 6)! How did that come about? Does that not concern the other members of the Town Board?

Then in another News12 segment, when confronted with the fact that the CityScape Report recommends small cells be put on existing utility poles at and around the proposed location, Councilmen Esposito incorrectly states that Con Edison does not allow equipment on their poles (Footnote 7). Pursuant to Federal Law, public utilities are required to permit this (47 CFR section 1.140). It is evident that this option, which the CityScape report states would be the best way to improve coverage in the area, has not been explored. It is absurd to ask the developer to consider this option as that is not their business model. It is up to the Town Board, acting on behalf of the residents, to reject Homeland's proposal and to find a company who can put small cells on existing utility poles.

It is also extremely troubling to me that the Town Board asked the NYS Legislature to

alienate the parkland designation for the parcel of property where the developer wants to build this tower without seemingly understanding why they were doing it. Councilman Esposito **misspoke** at a June 2024 Planning Board meeting, which was after the town Board asked the NYS Legislature to alienate the parkland designation, about how the construction of this proposed cell tower was mandated by the federal government. This is false - which Councilmen Esposito admitted at a subsequent Town Board meeting. Indeed, Homeland first came before the Town Board in March 2018 to discuss building several macro towers in our Town. They are the genesis of this proposal - not the Federal Government, not the State Government, not even the CityScape Report.

Councilman Esposito also stated at the Planning Board meeting that he was not sure if Homeland had settled on this particular location (62 Granite Springs Road) or if they were still considering others. Taken together, Councilman Esposito's comments mean that the Town Board alienated the parkland designation without even knowing or understanding a) if Homeland had settled on that site, and b) what the impetus of this proposal was.

The way the Town Board has operated with regard to this proposal makes any observer question who is driving the proverbial bus. For example, at a Town Board meeting when Homeland first asked the Town Board for a lease in connection with this proposal, the Town Board **asked** Homeland how much they would pay each month. Is the Town Board unaware that they can set the lease terms? Why would you ask the person asking for the lease how much they want to pay? At the December 16, 2025 Town Board meeting, the Town Board was surprised that they could set conditions on the lease such as requiring a report/test each time new equipment was added to the tower.

The lack of due diligence is alarming and frankly, the residents of this Town deserve much better.

On Sunday, an agenda for the Town Board meeting on 1/20/26 was emailed. It indicates that the Town Supervisor intends to retain Douglas Fishman to review Homeland's proposal and to provide his analysis at the Town Board meeting scheduled for February 3, 2026.

I question how someone who worked for AT & T, and who seemingly only writes reports in favor of the developer and/or wireless company, can be considered an "independent radio frequency engineering consultant". His "unique breadth of experience" includes being routinely used by towns to greenlight the construction of macro cell towers and other wireless infrastructure. For example, Mr. Fishman wrote in favor of the wireless company or developer in each of the following instances:

1. Granting Verizon a special use permit to construct a cell tower in Newburgh (Footnote 1)

2. Granting Homeland Towers, LLC a use variance to construct a cell tower in New Paltz (Footnote 2)
3. Granting AT & T a cell tower modification application in Pound Ridge (Footnote 3)
4. Granting Verizon a permit to construct a cell tower in Wappinger (Footnote 4)
5. Granting Dish a permit to construct a cell tower in Pleasantville (Footnote 5)
6. Granting T-Mobile a special use permit to construct a cell tower in Pleasantville (see attachment)

Has Mr. Fishman ever written a report that was not in favor of the developer or wireless company? I was unable to find any evidence of such when searching his name online.

I have serious concerns about the Town using taxpayer money to fund this report. What specifically is Mr. Fishman being asked to evaluate? Is he being asked to evaluate anything beyond whether Homeland's proposal would comply with the outdated FCC guidelines? As Homeland's own attorney stated at a prior Town Board meeting, **any cell tower over 30 feet automatically complies with FCC's guidelines** so it is unclear to me why the Town needs to retain someone for $3,000 to state that.

Where did the Town Supervisor obtain Doug Frishman's name from and/or who suggested the Town retain him? As you can see from the instances cited above, Mr. Fishman has specifically supported Homeland, and other Synder & Synder clients, in the past. Did the Town obtain his name from Homeland and/or from Homeland's attorneys (Snyder & Snyder)?

Were any other individuals considered to write this report? If you had asked for public input, we could have suggested several truly independent radio frequency engineering consultants that the Town Board could have chosen from.

I remain strongly opposed to the construction of a 130-foot cell tower at 62 Granite Springs Road. I would ask the Town Board to consider retaining a truly independent radio frequency engineering consultant to review the proposal and present at the 2/3/26 meeting. I would also suggest that the Town Board retain an independent Wetlands expert to report on the effect the construction and operation of this tower would have on the wetlands, as well as to reconcile the Town's wetland delineation with that of the Ericksons' wetlands expert.

Sincerely,
Justin Waytowich

Footnote 1:
https://www.townofnewburghny.gov/uppages/VERIZON%20WIRELESS%20CRONOMER%20HILL%20%20%2824-22%29.PDF

Footnote 2:
https://www.townofnewpaltzny.gov/sites/g/files/vyhlif3541/f/minutes/zba_minutes_11_21_2022.pdf

Footnote 3:
https://www.townofpoundridge.gov/sites/default/files/fileattachments/planning_board/meeting/40533/09.25.25_pb_minutes.pdf

Footnote 4:
https://www.casemine.com/judgement/us/61fa2762b50db954c829253c

Footnote 5:
https://pleasantville.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=6841&ItemID=4690

Footnote 6: https://longisland.news12.com/proposed-cell-tower-in-yorktown-would-address-coverage-gap-but-plan-has-critics

Footnote 7: https://hudsonvalley.news12.com/proposed-cell-phone-tower-discussed-at-yorktown-planning-board-meeting-residents-say-they-dont-want-it