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Dear Town Board and Planning Board -

I am writing in opposition to the cell tower that Homeland Towers, LLC (hereinafter “the applicant”) proposes to build at 62 Granite Springs Road. I believe the Town Board **must** deny the applicant the necessary permits as they have not submitted sufficient evidence to support the necessary findings under our Town Code.

In accordance with Section 178-12B, in order to be granted a Wetlands permit, the applicant must demonstrate “that the proposed regulated activity is consistent with the policy of this chapter to preserve, protect and conserve wetland functions and the benefits they provide, as set forth in § 178-3 of this chapter, by preventing the despoliation and destruction of wetlands and regulating the development of such wetlands consistent with the **general welfare** and development of the town” and “that the proposed regulated activity is compatible with the **public health and welfare**.”

In a letter to the Town Board dated July 2, 2025, KSCJ Consulting, on behalf of the applicant, argues that the applicant meets the above-referenced requirements because the proposed action will improve “the general welfare of the public by filling a gap in cellular coverage” and that “the proposed action will have a positive effect on the public health and welfare as its purpose is to fill a gap in wireless service coverage.”

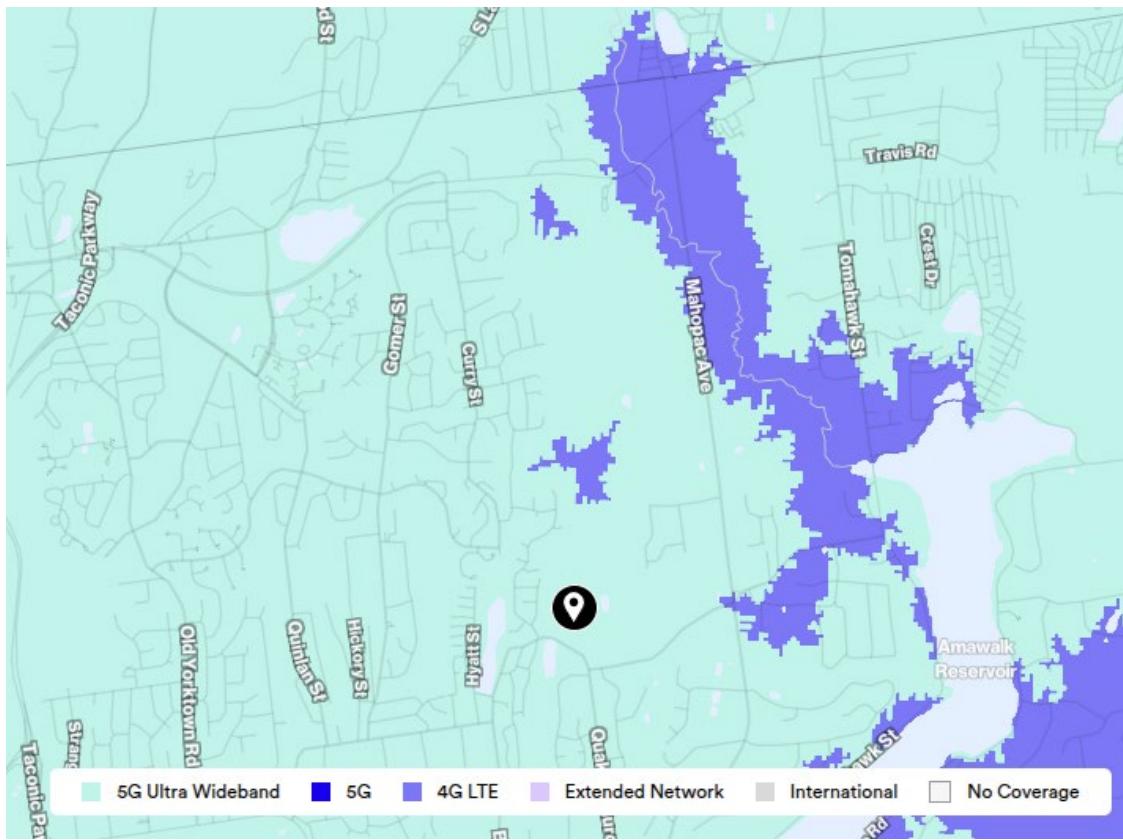
However, the applicant has not established that there is a gap in wireless service coverage, nor have they established that their proposed tower would remedy any such gap.

Both the applicant, and the Town Board (Footnote 1), have repeatedly referenced the Northern Westchester County Cooperative Wireless Communications Master Plan dated June 23, 2023 prepared by Cityscapes Consultants Inc. (hereinafter “Cityscape Report”) as evidence that there is a cellular coverage gap in the area of the proposed site. This is befuddling to me for two reasons. The first is that the Cityscape Report was developed using population census data from 2020, community survey data from 2021, and an infrastructure inventory from 2022. To rely on this outdated data in considering the utility of this project is illogical, particularly when the earliest possible time this project would be completed is Spring of 2027 (Footnote 2).

The second reason the applicant’s reliance on the Cityscape Report is misplaced is that **the Cityscape Report does not recommend a macro cell tower at this location**. The Yorktown appendix of the Cityscape Report is not on the Town’s webpage for this project, although I strongly believe it should be, as it has been repeatedly used to justify the construction of this tower. Page 121 of the Cityscape Report includes the recommendations for the proposed site. The location where the applicant wants to build a macro cell tower is identified in Figure Y11 on page 121 as Site Y-NP12 (Footnote 3). The Cityscape Report states that “ten small wireless facilities are suggested on existing Cons Ed utility poles or new 50’ utility poles in the same areas as Sites Y-NP9, Y-NP10, Y-NP11, YNP12, Y-NP13, Y-NP14, Y-NP15, Y-NP16, Y-NP17 and Y-NP21.” The Cityscape Report goes on to state that “small wireless Sites Y-NP9, Y-NP10, Y-NP11, YNP12, Y-NP16 and Y-NP17 are needed to provide capacity densification east of Crompton Road because the significant number of people residing per square mile in those census blocks.” Further, the Cityscape Report recommends only one macro cell facility in the northern part of town, to be placed in the vicinity of the Taconic State Parkway and Crompton Road, on the site represented as potential Site Y-NT5 in Figure Y11 on Page 121.

If the applicant wants the Town Board to credit the Cityscape Report to demonstrate that there is a gap in cellular service coverage, the Town Board should also credit the recommendations of the Cityscape Report which unequivocally recommend small cell wireless facilities by the proposed location; not a macro tower. The applicant can not meet their burden under Section 178-12B by making conclusory statements about a purported lack of cellular service coverage. The applicant must demonstrate that there is a true lack of cellular service, otherwise the proposed plan is not consistent with, and does not promote, the **public health and welfare** of this town.

As a reminder, the only wireless company who has confirmed that they would use this tower is Verizon. I live approximately a thousand feet from the location of this proposed tower. Verizon is my cellular service provider. I can personally attest to the fact that there is no gap in cellular service there. The figure below is a screenshot from Verizon’s website of coverage at the proposed site with the proposed site being represented by the black circled pin (Footnote 4). As you can plainly see, the areas lacking coverage are in the Town of Somers.



The figure below is a screenshot from AT & T's website of coverage at the proposed site with the proposed site being represented by the white circled pin (Footnote 5). You can plainly see there is no lack of cellular coverage.



The figure below is a screenshot from T-Mobile's website of coverage at the proposed site with the proposed site being represented by the black dot (Footnote 6). Again, you can plainly see there is no lack of cellular coverage.



I have consulted with an independent wireless infrastructure expert who reviewed the applicant's most recent Site Plan revised December 19, 2025, as well as the applicant's submission to the Town Board in July 2022 which purports to contain the Radio Frequency report and visual shed map associated with the proposed plan. Again, this document that the applicant relies on and references in multiple letters to the Town Board is not on the Town's website for this project and I strongly believe it should be. The expert opined that the applicant's RF report and visual shed map are deficient and his firm is preparing a letter detailing those deficiencies which I will forward to the Town Board once received. The expert also opined that the proposed location was to address a cellular service gap in the Town of Somers, not the Town of Yorktown. This assessment is consistent with my personal observation of having reliable service in the area of the proposed site, as well as with the cellular coverage maps I have included in this letter from the three major cellular providers in this area. The expert explained that many towns have not updated their laws surrounding the installation of cellular towers to be protective of citizens. Therefore, according to the expert, sometimes a wireless technology firm will go to a neighboring town with less protective laws to fill cellular service gaps in a town that has updated laws that are more protective of their citizens.

I do not think this tower is necessary and I am strongly opposed to the Town Board granting final lease approval, as well as the applicable permits, to the applicant. I respectfully request that, pursuant to Section 300-59C, the Town Board direct the applicant to a) pay for an independent wireless infrastructure expert to assess the necessity of this tower at the proposed location, b) pay for an independent Radio Frequency expert to prepare a Radio Frequency report as the report contained in the July 2022 submission is deficient, c) pay for an independent firm to conduct a balloon test and prepare a visual shed report as the report contained in the July 2022 submission is deficient, and d) pay for an independent expert to conduct a wildlife survey of the proposed site. I would also encourage the Town Board to compare the relevant statutes in our town code with that of the Town of Somers and consider directing the applicant to pay for an independent wireless infrastructure consultant to review our applicable town laws and make recommendations on changes that would benefit the Town and its residents. Lastly, I encourage the Planning Board and Town Board to each do a site visit to the proposed location, especially in late Spring-early Fall, when vegetation is present. Bring your cell phone, which will surely have adequate service, to take pictures of the

numerous animals that have either made this parcel of land their home, or that transverse it every day.

Thank you for your time and consideration,

Justin Waytowich

Footnotes

1-<https://www.yorktownny.gov/media/w5qppgou/proposed-granite-springs-road-cell-tower-facility.pdf>

2-This is the earliest estimated date that the construction of the cell tower could be complete given a) the applicant's estimate, included in their permit applications, that construction would take three months and b) the fact that tree removal and ground disturbance of previously undisturbed land should occur only between October 31 and March 31 to mitigate potential impacts on bog turtles as stated in the EBI Consulting letter dated 11-5-25. This estimate does not include the additional time needed post-construction before the tower would be operational. As stated by the applicant to the Town Board on October 12, 2021, it would take an additional few months to get the utilities in place once construction is in place. As such, it is unlikely that the proposed tower will be operational prior to May 1, 2027.

3- If that is unclear from Figure Y11 on page 121 because blue shading is used, you can verify this by looking at any of the other figures within the Cityscape Plan. For example, you can compare Figure Y1 on Page 5 to Figure Y11 on page 121 and clearly see that the site of the proposed tower is represented by Site Y-NP12 on Page 121.

4-<https://gismaps.verizon.com/ui/coverage-map/>

5- <https://www.att.com/coverage/>

6- <https://www.t-mobile.com/coverage/coverage-map>