

From the Desk of Howard Frank

RE: NO CELL PHONE TOWER, Letter #2, Frank Family

Attention: Town Board, Conservation Board, Zoning Board, Planning Board, Town Clerk

As an over 60-year-old resident of this neighborhood and a former member of the Conservation Board, a retired licensed Stationary Engineer and a proud member of Local 891. I would like the town elected officials and committees to review my and other neighbors' concerns and objections regarding the proposed cell tower installation on Town-owned property, and to request that this matter be properly reviewed in accordance with Town Law, zoning requirements, and environmental regulations.

Failure to Consider Alternative Locations

The Town has not adequately evaluated alternative sites or elevations on existing Town property. A more suitable and less environmentally sensitive location exists approximately 200 feet in from the dead end of Popular Street near the Sparkle Lake retention pond. This area encompasses approximately 20 acres and should be formally reviewed. A site visit to this location is strongly recommended.

Existing Infrastructure Demonstrates No Necessity

The sewer pump station already has a flow alarm with a telephone line connected to both the Sewer Department and the Police Department. This system has functioned reliably for over 50 years. In addition, there is an existing cellular alarm at the pump station. These facts demonstrate that adequate communication infrastructure already exists and that a new cell tower is not necessary for public safety.

Notification and Procedural Deficiencies

It is unclear whether the Town of Somers or affected Somers' residents were notified by the Town of Yorktown regarding this proposal. Additionally, this matter does not appear to have been referred to either the Zoning Board or the Planning Board, as required by Town Law. There was also no proper notice or advertising to neighboring residents, particularly those in Somers, which may constitute a violation of zoning and public notice requirements.

Zoning and Land Alienation Concerns

With the alienation of Town land and the generation of revenue from the proposed cell tower, the property would effectively become commercial in nature. Any parcel that generates income is considered commercial and therefore requires zoning review. This raises serious concerns, particularly if the intent is to establish a commercial use within designated wetlands. This matter should be reviewed by the Zoning Board rather than decided solely by the Town Board.

Wetlands, Soil, and Environmental Issues

No soil testing or deep test borings have been conducted to determine the depth of the wetland buffer, soil stability, or the location of bedrock. There is no evidence of a minimum five-foot auger test, which should be required for a structure of approximately 130 to 150 feet in height. Without such testing, the Town should not advance or approve this proposal.

Structural and Foundation Concerns

It is unknown whether concrete and pilings can adequately support a 130-foot tower in swampy wetland conditions. There has been no determination of how deep pilings would need to be driven or whether bedrock exists at a depth capable of supporting a 30-foot tower foundation. There is also no explanation of how the foundation could be constructed without altering natural water flow.

Drainage, Water Flow, and Wetland Impacts

Water currently flows under Granite Springs Road into Crystal Lake. Any construction may alter drainage patterns, impact wetland vegetation, and increase unfiltered runoff into the brook and downstream sewer lift station. The official Town map should be reviewed for elevation, environmental designations, and wetland constraints. There is no indication this review has occurred in any of the documents online by Homeland.

Permits and Compliance

There is no evidence of an excavation permit, foundation plan approval, or soil testing results. Without these, any construction activity would be premature and potentially subject to a stop-work order. The Town should not approve foundation height, pilings, or construction without full compliance.

Requested Actions by the Town Board

- Refer this proposal to the Zoning Board and Planning Board
- Require deep soil and auger testing, wetland and drainage studies, and a review of official Town maps
- Conduct a site visit to the alternative location at the dead end of Popular Street
- Ensure full notification to Somers officials and residents and Stuarts Fruit Farm
- Suspend any approval until all zoning, environmental, and procedural requirements are met

If any members of the town board would like to call me to discuss this matter, I'm available to do so. Again, please make sure this letter is added to the documentation

Sincerely,

Howard Frank, C: 914-325-2796