

# Warren County Board of Supervisors

## RESOLUTION NO. 206 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, HOGAN, LEGGETT, BRAYMER, DIAMOND, DICKINSON, MAGOWAN, MCDEVITT AND SEEBER**

### **REQUESTING THE ADIRONDACK PARK AGENCY REVIEW AND MODIFY CURRENT CELL TOWER REGULATIONS**

WHEREAS, currently in the Adirondack Park broadband and cellular phone service are unavailable in many areas due to the Adirondack Park Agency's (hereinafter "APA") Policy on Agency Review of Proposals for New Telecommunications Towers and Other Tall Structures in the Adirondack Park (hereinafter "Policy"), and

WHEREAS, cellular telephone service and emergency telecommunication systems are increasingly critical to the health, safety, and welfare of the residents of the Adirondack Park, visitors, and emergency response personnel, and

WHEREAS, the current Pandemic has exposed how badly broadband and cellular phone service is needed in some areas of the Adirondack Park due to circumstances which include but are not limited to distance learning and telemedicine, and

WHEREAS, life threatening incidents have occurred in the Adirondack Park during which the lack of cell phone and emergency radio service have led to delays in response, and

WHEREAS, radio communication is based on the "line of sight" transmission of radio waves from transmission antennas to receivers, including cell phones, and emergency radio receivers, and

WHEREAS, radio transmissions can only be received within a limited range of the transmitter, and the range depends on the transmitter power, antenna radiation pattern, receiver sensitivity, noise level, and presence of obstructions between transmitter and receiver, including trees, buildings, mountains, and other obstructing topography, and

WHEREAS, it is believed that the unavailability of cell and emergency radio service in the

**RESOLUTION NO. 206 OF 2020**

**PAGE 2 OF 2**

Adirondack Park is the foreseeable result of the APA policy which requires the towers supporting the antennas to be “substantially invisible” which puts the antennas at or near the height of obstructing tree canopies and below the height of surrounding topography which reduces the range of the radio waves, and

WHEREAS, the APA’s current Policy is negatively affecting public safety, education, and the economy, NOW THEREFORE, BE IT

RESOLVED, that the Warren County Board of Supervisors respectfully requests the APA review and modify their current cell tower regulations, and be it further

RESOLVED, that the APA consider the following changes when reviewing the criteria of “substantially invisible” as contained in the current APA Policy:

- Change the policy to “not readily discernible”.
- The APA claims to prefer vertical co-location of carriers on one tower, but does not offer any incentive. The result is multiple horizontally collocated towers on sites close to each other, which detracts from, rather than enhances the view. The APA could change its policy to encourage the vertical collocation it says that it prefers by offering a height incentive of 10 to 15 feet above the tree height to encourage vertical collocation and reduce the proliferation of towers horizontally collocated with other towers. That would have the added benefit of reducing carrier’s costs.
- The policy could be changed to include general permits for cell carrier antennas on existing tall structures such as water towers, hotel ski lift towers, inside church steeples, government buildings, etc.
- The policy could be changed to allow cell carrier antennas of some height, such as 20 feet above existing structures within the APA Hamlet classification.
- The policy could be changed to offer a height bonus of 10 to 20 feet above the tree canopy for new towers serving currently unserved areas in recognition of the pressing need illustrated by Covid-19 restrictions.
- Suggest adding a requirement that staff and commissioners ask cell tower applicants for information, including a map, showing how a higher tower would expand coverage and benefit residents and travelers. That would enable commissioners to weigh the visibility cost against the public benefit.