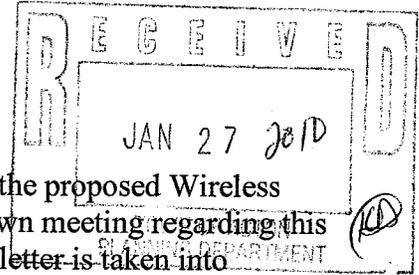


Dear Planning Board,



I am writing as a concerned resident on School St. with regards to the proposed Wireless Communication Facility at 5 Craig Rd. I am unable to be at the town meeting regarding this subject as I am quite over due with my third child and request this letter is taken into consideration by you, the Town of Acton Planning Board, when deciding weather or not to grant a Special Permit for this proposed facility. My largest area of concern rests in the health issues correlated with cell towers though I know The Federal Telecommunications Act of 1996 prohibits local municipalities from interfering with telecommunications services, including placement of towers based on health concerns. If the FCC is allowed to give categorical exclusion from environmental review for communications towers because towers “are deemed individually and cumulatively to have no significant effect on the quality of the human environment,” then I feel that we have the distinct right and responsibility to bring to light the current scientific evidence refuting their “opinion.” I am also concerned with the loss of property value our residential neighborhood will surely suffer and the methodology SBA Tower II and their team used in determining the location for the proposed tower.

T-Mobile’s RF Engineer, Don Nguyen, has stated that the facility proposed for 5 Craig Rd. has radio frequency emissions which are “substantially below the maximum allowable health and safety standards established by the FCC.” To be honest, I would not be happy if the radiation was substantially below the minimum allowable health and safety standard established by the FCC. As well informed advocates for our town, I am sure you are aware that the current US standard for cell tower radiation is among the least protective in the world with a rate of 580-1000 microwatts per square centimeter (mW/cm²), while many countries have set their microwatt per square centimeter hundreds or thousands of times lower. Australia has set their rate of radiation by cell tower allowed at 200 mW/cm², Russia, Italy, and, Canada set their allowable radiation rate at 10 mW/cm², China at 6 mW/cm², and Switzerland at 4 mW/cm². In Austria the level is .1 microwatts (pulsed), which is 10,000 times less than the United States FCC regulations allow. New Zealand has proposed the most stringent and protective radiation levels from cell towers at .02 mW/cm²- and astounding 50,000 times more protective than the U.S. Standard! Interestingly, our own US federal health agencies disagree that safe levels of exposure have been identified, much less built into the FCC standard, and that the current safety standard is a general guess meant to appease both the cell phone companies and the cell phone demands made by the citizens of our country. The Environmental Protection Agency does not in any way agree with the FCC standards, and their own scientific analysts have recommended that the EMR from cell towers be classified as an “apparent human carcinogen.” So, for Mr. Nguyen to state that the levels are lower than the maximum allowed FCC “safety radiation standards” does not in any make me feel safe or protected in my own neighborhood should this tower be allowed to go up. The levels of radiation and what issues it may cause to my family and neighbors are of major concern. In fact, several scientific studies show distinct and major adverse health effects reported in the .01 to 100 mW/cm² range at levels thousands of times *lower than the U.S. standards* (and those mentioned by Mr. Nguyen.) These harmful, extremely low levels of radiation can affect those as far as a mile away from the cell tower location.

No one really knows what level of cell tower radiation is “safe.” In the United States, our current radiation limits have been influenced more by the almighty dollar and political

imperatives than by research into the health and safety of the citizens of our country. The safety of cell phone towers is the subject of extensive scientific debate and there is a growing body of scientific evidence that the electromagnetic radiation they emit, even at very low levels, is dangerous to human (and animal) health. Especially important when one considers that there are currently over two million cell phone towers in the United States and that number is expected to increase ten-fold over the next five years. The cell phone industry has set what they say are "safe levels" of radiation exposure, but there are a growing number of doctors, physicists, and health officials who strongly disagree, and foresee a public health crisis. In fact, over 100 physicians and scientists at Harvard University and Boston University Schools of Public Health have called cellular towers a radiation hazard. Furthermore, cell phone towers have been declared a "public health emergency" by the World Health Organization (including thirty-three delegate physicians from seven countries) and National radiation advisory authorities have recommended measures to minimize exposure to citizens.

Studies both in the United States and around the world have concluded that even at low levels of cell tower radiation, there is significant and compelling evidence of damage to cell tissue and DNA. The results of cell tower radiation have been linked to issues including, but certainly not limited to: brain tumors, cancer, suppressed immune function, depression, miscarriage, Alzheimer's disease, and numerous other serious illnesses. It has also been shown that children are at a much greater risk of damage due to this radiation because of their thinner skulls and rapid growth rate. Furthermore, the elderly and pregnant women are at a far greater risk to damage from this radiation. On School Street alone, within a six-home distance from the proposed cell tower location live the following: three unborn children, eight children under the age of four, and eight children between the ages of five and fifteen. For a town which appears to focus a great deal of its efforts and finances on the safety and education of children, it would seem highly counterintuitive for Acton to allow yet another radiation emitting tower to be erected in such close proximity to a residential area. Considering the closer ones lives to such radiation emitting towers, the stronger and more obvious the negative effects are, would you want you children or grandchildren to live in a neighborhood in which one of these towers was erected, especially knowing the dangers have a stronger negative effect on the young?

With regards to the current FCC "safe radiation standards," which are based on old 1985 research*, scientists and advocacy groups say the FCC fails to consider more recent research that found brain cancer, memory impairment, DNA breakdown, and neurological problems with cell tower radiation at much lower levels than the FCC deems safe. **(Early studies of cell tower radiation focused only on the "thermal" effects of radiation. In other words, the level at which the radiation would heat ones tissue in the same manner a microwaves work. Findings from these 1985 studies may ensure our tissues are not "cooked", but they fail to address long-term chronic exposure ("non-thermal effects) at low levels.)*

I have concerns pertaining to the structure should the Special Permit and waivers request go through and the cell tower is installed. Once a cell tower is in place it has proved very difficult to verify the radiation which it emits is within "legal limits" specified by the FCC. There are currently no safety measures or legal ramifications in place to ensure that the towers are not emitting higher radiation levels than legally allowed. Also, who will pay for the removal of the tower if or when the cell phone industry goes to satellites? If SBA Tower II is unfortunately

allowed to place a cell tower at Craig Rd, there should be a stipulation that they be required to purchase a bond to finance the removal of the tower once they are finished using it.

Regarding the plan showing the proposed cell tower and a 1 mile diameter around the site, I would like to point out that several residences of School St. appear to have been conveniently “left off” the map. This map was professionally prepared by Peter Jernigan on Oct. 2, 2009 and is stamped, sealed, and allegedly certified. The five homes (303 School St, 307 School St, 309 School St, 311 School St, and 312 School St.) which were not shown on the map would be directly and negatively impacted by the cell tower. Each of these homes will have a clear and pervasive view of the cell tower should it be erected. The applicants proposed use of twenty four Eastern Red Cedars, which have a mature height of approximately twenty five feet, will in no way “cover” or hinder the view of the 170’ cell tower (see Figure 1). Furthermore, the site map identifies the nearest residence from the proposed tower as located approximately 625 feet away, completely ignoring 316 School St, which is a home for several handicapped residents of Acton. This omission concerns me as it appears to show a blatant disregard to disabled citizens of our town, which, as you know, is against the by-laws of the town. (*M.G.L. Ch. 40A, section 3, 3rd paragraph “by-laws and decisions of a city or town shall not discriminate against a disabled person. Imposition of health and safety laws or land-use requirements on congregate living arrangements among non-related persons with disabilities that are not imposed on families and groups of similar size or other unrelated persons shall constitute discrimination.”*)

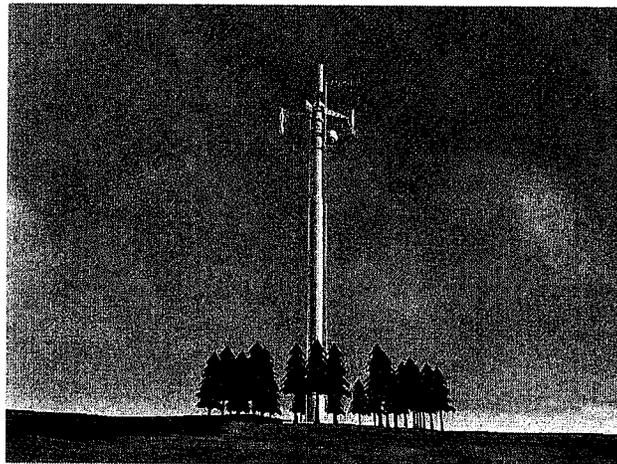


Figure 1. To-Scale 3-D Monopole-Tree Model

The fact that engineer, Peter Jernigan, provided conveniently incomplete maps which leave off five very close residences which would be quite adversely affected by this tower, gives one reason to assume that more information is known by SBA Tower II and perhaps is being hidden. As the neighborhood most directly affected if this tower were to be installed, we ought to have full disclosure of all information, not just bits and pieces of suitable information, given to us. These five homes do exist and the families who live in them deserve to be protected from the relief sought by SBA Tower II, LCC because, according to the lawyer in correspondence to the Planning Committee, such relief would be “*detriment(al) to the neighborhood and. . .(would) denigrat(e) from the intent and purpose of this Bylaw (3.10.6.18.b)*”. In other words—our

neighbor hood is not industrial, but rather very residential and a tower like this simply does not belong regardless of one abutting road being classified as "light industrial."

I would also like to point out that the abutting land is beautiful and rightfully is often photographed and shown in local publications. Having a lovely view and protected land around our neighborhood surely protects our property values in some capacity. Should a 170' cell tower "enter the picture" at nearly the beginning of Craig St, our property values are sure to fall. The impact would be most obvious to those homes which were conveniently left off the map prepared by Peter Jernigan. Not only is the tower unsightly, but the public's general view of possible health issues related to such a structure will damage resale values of our homes. While cell phone companies contend that towers do not show an impact on property values, several real estate companies have shown a decrease in property value of between 2 and 10 percent, depending on the residential area. Furthermore, consumers point out that those who use the cell-phones are engaging in voluntary exposures, even though handset safety issues remain unresolved, according to the FDA. However, those who live near cell towers or proposed cell towers are being forced into *involuntary* exposures, and often are forced to incur great legal expenses in trying to stop the installations. These expenses which my neighbors and I may incur to stop the Special Permit and waivers requested by SBA Tower II compounded with the loss of property value are not acceptable, especially given the current economic climate in our country.

In regards to the methods used in determining the best location for the cell towers proposed location, I believe a lot of important information was misconstrued or simply left out. Kevin Eriksen of SBA Tower II, LCC has requested waivers to Acton Bylaw: Section 3.10.6.4 stating the following: "The tower as proposed is a Monopole tower with external standard Antenna mounting frames. *Given the industrial nature of the area*, and for other practical and technical reasons, a CAM tower is not ideal." However, the Site Acquisition Specialist for Mr. Eriksen's own company refers to our neighborhood not as industrial in nature, but rather as "largely residential". A few small businesses including a tea shop, a coffee business, printer, computer business, a small furniture store, and a few other businesses are not enough to consider the area as "industrial"- it is considered rightly so as a "light industrial" area inside a residential neighborhood.

Now, let's keep in mind this cell tower is meant to bridge the gap to an allegedly inadequate network service area nearly 2 miles from the proposed Craig St. location. The existing cell towers (as provided by the Planning Department) at 211, 533 and 982-988 Main St. are closer to Rt. 111, the alleged coverage gap, than 5 Craig Rd. According to Site Acquisition Specialist John-Markus Pinard, "(i)n this instance, the illustrated area is located in the residential areas of Acton and has approximately .5 mile radius contingent on terrain and tree coverage in a given location." I would like to point out that the beginning of Rt. 111 is nearly 2 miles from the proposed tower location on Craig Rd., and therefore the gap area identified by the engineer in his affidavit is more than .5 miles away from the proposed monopole tower. Again, I would remind you of the conflicting statements of Kevin Eriksen (of SBA Tower II), who considers this location largely industrial, and Mr. Pinard (also of SBA Tower II), who rightfully deems our neighborhood to be "largely residential". Furthermore, I would like to point out that the entire area behind the proposed tower on Craig Rd, facing Rt. 2, is land used for farming, the Town of Acton Water Department, the prison, and the Acton Transfer Station, none of which will be

developed or in need of in-building coverage for cellular service. However, the T-Mobile existing coverage map identifies above stated area as the main area which will receive new, in-building coverage if the cell tower is built. My husband, Michael Maglothin, designs communications systems for the U.S. border and other security projects. He would be happy to provide the town scientific proof (in SHP or other viewshed format) using propagation and line-of-sight analyses, that the Craig St. location is not ideal compared to other nearby locations currently employing cellular towers.

Acton By-Law 3.10.6.17 e). states that "(t)he applicant shall have the burden of showing what alternative sites and technologies it considered and why such sites and technologies are not practicably available". The Site Acquisition Specialist, Mr. Pinard, states, "every other candidate was a new build in a zone not suitable for a tower location." However, there are no alternative sites have been identified, despite that being a requirement of the Acton By-Law. Furthermore, Mr. Pinard gives no site specific reasons for why any other site is unacceptable as described. As this information is required and yet was not provided, I am concerned that Craig Rd. is a location of opportunity and ease (and perhaps money) over appropriate location and function ability.

It appears that the T-Mobile map provided by SBA Tower II has not fully looked into other more appropriate locations for a cell tower to be installed. For example, from both Craig Rd. and Rt. 2, I am easily able to see multiple cell towers. According to the Concord Planning Board and an article in The Concord Journal on January 14th, 2010, the location of these towers still has existing capacity. There are also other existing facilities with available space and capacity to satisfy the "significant gap in cell coverage" on Rt. 111 nearly 2 miles away. *According to the Acton By-Law 3.10.1.5 "To promote shared use of Facilities to reduce the need for new Facilities",* I'd like to ask the Planning Board to up-hold the by-law and deny the Special Permit and waivers being sought for the development of the cell tower on Craig Rd. based on the availability of suitable cell tower space at Annursnac Hill Rd. Once again, important information (i.e. the location of a very close and available cell tower) has been omitted from the information provided to the Planning Board by SBA Tower II. Perhaps these omissions have been accidental, but there appear to have been several and each omission has been more than opportune for SBA Tower II and their agenda to place a cell tower in a highly residential area.

In summary, my residential neighborhood does, in fact, abut Craig Rd, which has the designation of "light industrial." The majority of the area, however, is residential and the specified coverage "gap" does not seem a major concern considering the area the gap-fix would cover. With regards to our country's current scientific investigation into the safety of cell towers, our President, Barack Obama, has recently said that "Science is about ensuring that facts and evidence are never twisted or obscured by politics or ideology. It is about listening to what our scientists have to say; even when it's inconvenient and I welcome the approach." Though municipal agents like yourselves often feel their hands are tied in this type of situation, this is changing as communities like ours decide to draw the line and stand up to those companies who are trying to impose cell towers on residential communities. Some nearby activists, such as Kati Winchell of Lincoln and Virginia Hines of nearby Concord, in conjunction with the Lincoln-based Alliance for Democracy and the Program on Corporations, Law and Democracy, are forming a national coalition to challenge Section 704 of the Telecommunications Act of 1996

and put the further installation of cell towers on hold until it is scientifically proven to be safe. I hope you are able to listen to and fairly decipher what both SBA Tower II and our neighbors have to say regarding the cell tower, and come to the conclusion not to allow such an abomination in our neighborhood. For the health of our families and the value of our homes and property, I would like to ask that you look closely at the methods and creative data which has been presented to you for your review by SBA Tower II. Has SBA Tower II fulfilled their burden of demonstrating with accurate, un-falsified evidence: the communications gap, alternative sites and technologies and why they may/may not be suitable for suggested facility? Has SBA Tower II identified who will pay for the removal of the tower when the cell phone industry inevitably goes to satellite technology? Has misinformation via certified documents been purposely submitted to you in hopes that nobody will notice the missing five closest homes which will be most impacted? As a well informed Planning Board who looks out for the best interest of their town and its citizens, I am sure you will find it right to deny the request for special waiver to build a cell tower on Craig Rd.

Sincerely,

Hilary, Michael, Eleanor, and Atticus Maglothin
288 School St., Acton
hilaryeve@hotmail.com
michael.maglothin@bsec-corp.com

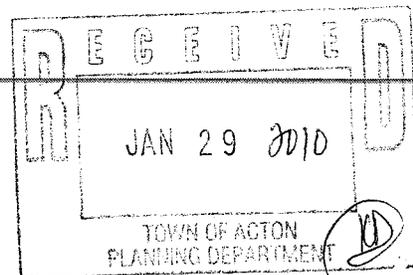
This letter is also signed by the following neighbors who agree with my concerns and observations and request that their names and addresses be noted and counted on this document:

Julie, Justin, Porter, and Fiona Weir
305 School St., Acton
julieannweir@yahoo.com
jweir66@hotmail.com

Scott Rose and Meredith Ward
295 School St., Acton
scottdrose@hotmail.com
meredithnward@hotmail.com

Kim DeNigro

From: Julie Weir [julieannweir@yahoo.com]
Sent: Friday, January 29, 2010 8:26 AM
To: Planning Department
Subject: Proposed monopole at 5 Craig Rd



Dear Acton Town Planning Board,

I am writing to you as a concerned citizen regarding the proposal for a monopole to be built at 5 Craig Road. My husband and I live at 305 School St in Acton with our 2 small children and after witnessing the balloon test of Jan 23rd we believe that the plans for building a monopole on Craig Rd will directly effect our property value and more immediately the daily views from our home and yard (not to mention those of all of our neighbors). We are aware of the plan to plant trees in the area directly surrounding the monopole but are not convinced that the planting of these trees will provide significant coverage for those who live in the vicinity.

Per Acton By-Law 3.10.6.17 *Mandatory Findings - the planning board shall not issue a special permit for a wireless communication facility unless it finds that the Facility:*

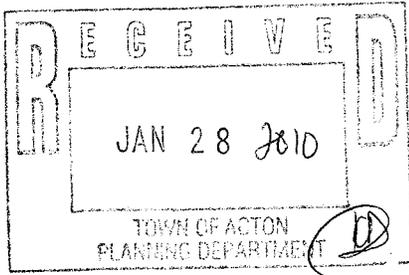
a) is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in M.G. L. Ch. 40A, S. 11 and

f) is sited in such a manner that it is suitably screened we request that, should the monopole construction come to fruition, SBA Tower II, LLC incur the cost of planting mature trees (25 ft or higher) in our front yard so as to help adequately screen the proposed 170ft pole from our views. If the monopole is built it will be a major unappealing feature in our line of sight all year round.

We do understand that disguising the monopole is an option, however it is only fair then that abutters have final say in the design and look of the structure. The picturesque farm lands (often photographed) and tree filled forests surrounding this area of Rt 2 deserve to be protected. A 170 foot monopole, disguised or not, would be the dominating feature in our landscape from all vantage points and according to the by laws it is SBA Tower II's responsibility to minimize the visual impact of their structure on our property.

Thank you for your consideration

Julie and Justin Weir



Maryann & Christopher Shea
303 School Street
Acton, MA 01720
January 28, 2010

Town of Acton Planning Board
Town Hall
472 Main Street
Acton, MA 01720

Re: Proposed wireless communications tower at 5 Craig Road, Acton.

To the Acton Planning Board:

The proposed wireless communications tower to be located at 5 Craig Road will be visible from every room in our home with windows facing the street as well as facing Route 2 (almost every room in our home – 13 large windows). We would therefore request the following:

1. We request that the owner of said tower plant mature trees as a screen on our property. Mature tree plantings on the business property across from us would also help screen the structure which will tower over that building.
2. Further, we would like the owners to ensure that the tower/facility itself is camouflaged and disguised so that it blends more with the rural surroundings.

We continue to be concerned about the location of the tower and its distance from residences on School Street and Russell Rd.

We hope that the planning board will take these requests and concerns into consideration.

Thank you,

Maryann Shea
Christopher Shea