PINE BARRENS COMMISSION AGENDA

ROCKWELL COLLINS CORE HARDSHIP/
CONSTRUCTION OF TWO 45 FEET TALL
WIRELESS COMMUNICATION TOWERS/1370
QUOGUE-RIVERHEAD ROAD (County
Route)FLANDERS/SCTM#900-145-3-2/
(MS. HARGRAVE)

RIVERHEAD TOWN HALL
200 HOWELL AVENUE

RIVERHEAD, NEW YORK

Wednesday, July 15, 2015

The above-entitled matter came on for hearing at 3:15 p.m.

B E F O R E: JOHN PAVACIC

Executor of the Pine Barrens Commission

A P P E A R A N C E S:

AMATO LAW GROUP, PLLC.
Attorneys for Rockwell Collins Hardship Waiver Application, a subsidiary of Aeronautical Radio, Inc.
666 Old Country Road, 9th Floor
Garden City, New York 11530
BY: GREGORY R. ALVAREZ, ESQ.

CENTRAL PINE BARRENS
Joint Planning & Policy Commission
624 Old Riverhead Road
Westhampton Beach, New York 11978
BY: JOHN PAVACIC, Executive Director.

ALSO PRESENT:
BRENDA PROSIVIOSK
EDWARD P. ROMAINE,
KYLE COLLINS
DAN McCORMICK
JANET LONG
ANNA THRONE-HOLST
JOHN MILAZZO, Counsel to the Commission.

P R O C E E D I N G S

EXECUTOR DIRECTOR PAVACIC: Good morning.

We have a notice of Public Hearing regarding this application pursuant to the Environmental Conservation Law.

My name is John Pavacic, Executor Director of the Pine Barrens Commission and I am the Acting Chair of the Central Pine Barrens Commission. A public notice was published in a local paper which states pursuant to the Environmental Conservation Law Article 57, Section 57-0121 on paragraph 10.

Notice is hereby given that a Public Hearing will be held by the Central Pine Barrens Joint Planning and Policy Commission on July 15, 2015 on the matter of an application for Core Preservation Area Hardship Exception.

The subject of the hearing is the Rockwell Collins Core Hardship Waiver Application. The applicant's representative is Greg Alvarez, attorney. The project site location is 1370 Quogue Riverhead Road, Flanders in the Town of Southampton Map number District 900 Section 195 Block 3, Lot 2.

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The project description is that the applicant's requests a Core Preservation Hardship Permit to construct two45 foot tall communications towers on a 42.816 acre project site in the CR200 zoning district. The site consists 23 existing communications towers, a driveway, equipment building and fenced compound, existing natural pine barrens vegetation.

Each tower mass will be supported by four guide wires. Disturbance will occur in an area of approximately four foot by four foot footings. The proposal is classified as non-listed action pursuant secret. No core review has been performed.

I would just like to ask the Commission Members to identify themselves for the record, please. Starting with down to the right

BRENDA PRUSINOWSKI: Designated alternate representative for Brookhaven Town Supervisor Edward Romaine.

KYLE COLLINS: Designated representative for Supervisor Anna Throne-Holst.

Dale McCormick: On behalf of the Town of Riverhead as designated supervisor, Sean Walter.

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JANET LONGO: Representing Suffolk County Refuge.

ANNA THRONE-HOLST: Town Supervisor Commissioner.

JOHN PAVACIC: Executive Director of the Commission and Acting Chair.

I would like to ask Ms. Hargrave to make a presentation with regard to the application followed by the applicant himself.

Thank you.

MS. HARGRAVE: Good afternoon. I'm going to read through the list of exhibits and go briefly over the project and the applicant is here to answer any questions. I have a few other questions that were in the staff report, if we could review those.

The staff exhibits include A as the aerial of the project site. That's the 2013 aerial. There is an overview of the site. It's general location in this region, north of Route 27 and East of County Road 104 and also a closer view of the site itself and to the existing disturbance limits on the site.

B is the site plan that the applicant provided. It's cover sheet and labeled as T1 and

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three sheets C1 through 3. They show the existing development on the site. The proposed towers and the existing towers and other infrastructure on the site. Also, a cross-section of one of the proposed towers and the guide wires.

C is a photographs of the project site that were taken by the staff on June 25, 2015 and you can see that the site. From the aerial view it appears that the site may be cleared but it has low vegetation in the interior portion where the existing towers are developed and where the proposed towers are located. So you can see some of the vegetation and the existing towers.

D includes historic aerial of the site from 1984 where you can see generally the same disturbance limits from 1994, 2004 and 2010. An area of clearing in the northern portion sometimes around 1994 that wasn't in the 1984 aerial. These are just the aerials we have access to.

So maybe the applicant can speak to the evolution of development on this site. That would clear that up.

E is a list, a summary of the application that the Commission has reviewed in the past of

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other wireless, private and public organizations that have proposed antennas or new towers, new infrastructure on sites in the Central Pine Barrens in the core.

F is a copy of the applicant's hardship petitioner for our review and a copy of the view of the site from the intersection of County Road 31 and 104. And you can faintly see the height of the existing towers which the applicant described were 100 to 150 feet of the tower that exist on the site presently.

So you can see those above the treeline. They're taller than the proposed towers which are 45 feet. So just to go over the staff report briefly. The site is 42.8 acres and it's in the five acre residential zoning district. Again, it's been used for this for aeronautical communications for decades. Maybe, the applicant's can explain when it was developed for that purpose. But, it is in use for that purpose now. And, the applicant's request a core hardship under the Compelling Public Needs Criteria. This is a private company where subscribers pay to use a service that the company provides. They have the only HF high frequency

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radio spectrum emergency service dedicated spectrum and use as far as the application explains. If they are the only one or will ever exist or if they are the only ones now that provide that service, I'm not clear on that. But, that is a very specific service they provide now and, again, this is a private company where subscribers can access a system to benefit the service that they provide; Fire Departments, Police, Emergency Operations subscribe to this urgent in order to be provide this service.

They also have a site on Edge of Woods Road in Southampton and the proposed towers are two towers 45-feet tall. The guide wires also act as antennas and they can receive, I think, receive information frequencies over 1000 miles. So they can speak more to that technology. And, also, perhaps why they need Southampton Edge of Woods site and, also, this site if the antennas transmit data over 1000 miles.

They have other sites in Texas, Iowa and California. They have explained they need this site to work in tandem with the other Southampton site. So they will need -- you will need to do the secretive determination for this action. It's been

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classified as an unlisted action. The State Preservation Office -- we did just receive the response and they had no concerns about ecological or cultural resources. And, the applicant has a pending Town of Southampton Planning Board Site Plan and Special Application.

Again, the site is vegetative. It's 42 acres. There are about 23 existing towers and a chain link fence surrounds the entire site. There is an equipment basin concrete area where there is an existing lattice pole. And, there are a total of 23 existing towers on the site already.

There is obviously no waste water generated on this site. It is in the hydro-geologic Zone 3, not in a mapped flood zone or coastal area boundary. And, again, the application or the exhibit contain a list of the past applications. We've have had applications on this site as well where other wireless carriers have proposed antennas on existing towers co-locations. But, this is, I think, the only one for a proposed for new tower. At least from memory. I have to look at that summary closely. But, these are the only new towers in recent past.

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And, if we can go down to the questions on page 6. Again, just to review these questions and if the applicant can address them. If there is a master plan for the site. If they have any other pending projects they foresee for now. To review the criteria in the law and discussing the history of development on the site and how they maintain that low vegetation area where the existing towers are located. How regularly do they mow it or how that's maintained to protect the towers where there is no obstructions.

Some other questions are I just wanted to ask if, again, they are the only emergency -- if the HF radio spectrum is the dedicated spectrum how does the private company have the license like this for emergency service or will there be more licenses available in the future that offer that service.

Again, organizations must subscribe to and pay for the system and what the cost of that subscription. The main operation center is in Maryland. Other receiving sites are in Iowa, Texas and California and is this the only site in the region and is it the only alternative. Have they looked at other sites and they explained they did

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but there was no information to show that analysis. And this site is surrounded by David Sarnoff Bird Conservation area. State DEC property that's designated as a bird conservation area if they had done any monitoring of bird mortality related to the guide wires. There is a lot of research on bird mortality as it relates to the construction of towers with guide wires. So those are the questions that we have.

MR. PAVACIC: Thank you.

Just before we proceed I want to point out for the record we have been joined on the dais by Brookhaven Town supervisor, Ed Romaine for the Commission.

Any questions for Julie?

MR. McCORMICK: Julie, the photo depicted in Exhibit C, was that taken by Commission Staff?

MS. HARGRAVE: I took all the photos.

MR. McCORMICK: With regard to the height of pre-existing towers on the site, are they equal or greater than the proposed towers on the site?

MS. HARGRAVE: Greater than.

MR. McCORMICK: The existing ones are greater?

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MS. HARGRAVE: Existing ones.

MR. McCORMICK: Are greater than the proposed?

MS. HARGRAVE: Yes.

MR. PAVACIC: Any other questions from any other Commission Members?

Okay, at this point I would like to ask the applicant to just discuss the application and identify yourself please for the record.

MR. ALVAREZ: Absolutely. My name is Greg Alvarez from the Amato Law Group, 666 Old Country Road, Garden City, New York, here on behalf of the applicant Rockwell Collins.

So to get started, I think, Ms. Hargrave I will supplement with some of the questions that were raised during that review. First off, we are seeking a Core Hardship Waiver on 57-21 of the Environmental Law. Specifically, what we're seeking that under is the compiling public need standards set forth therein. And, the reason we say that and the reason we have put that forward is because of the nature of the used that we're proposing. So let me talk a little more about that. First, some background history of the site. I know there's some

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question about that. My understanding the site dates back quite a number of decades back in terms of it being used for wireless communication used.

As Ms. Hargrave mentioned, we're surrounded by the David Sarnoff Reserve which certainly leads me to believe that this site was at some time -- one time -- did go part and parcel together since with RCA actually had operated at this site many decades ago. Since that time, it has evolved but has been used primarily for the same type of use. So since our understanding is late '70s or so the site has been used primarily for air traffic control.

The wireless system that's involved there. So the towers that you see out there today are exclusively used and pretty sure they're exclusively used for air traffic control service that services over the Atlantic Ocean. What it does is provide communication between land base and the flights that head over the Atlantic Ocean. What it does it serve this side of the Ocean while before the communications are picked up from the other side. So that's primarily what those towers are out there today are used for. The purpose of other

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application and the reason for the new tower is because we want to install a different type of technology that will serve different needs of the public. And, as Ms. Hargrave eluded to it has to do with disaster response. So prompted from mostly or at least initially prompted from the Katrina experience. The experience was that communications obviously became very difficult in those times of extreme need and there was a need to maintain a communication system that would be a fail safe in those situations of extreme difficulty and extreme calamity, there would be a fail safe to allow public entities to allow first responders to allow emergency personal to be able to continue to communicate in those times of need when the local systems goes as we're all so familiar with Sandy experience we know that is a real possibility as well.

So the purpose of urgent link system is to provide in the event that anything does happen that there will be an infrastructure in place they can use. As Ms. Hargrave eluded to the way it works, is that it is a subscriber service but it is exclusively for those types of emergency and public

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entities. It would be municipalities, hospitals, police and fire services, anyone in need or who would be need those type currently those type of systems. As Ms. Hargrave mentioned there are a few facilities that have been installed to this point in other parts of the country.

The purpose of this particular location would to be serve the eastern seaboard. It does have a range of approximately 1000 miles and the way the technology works is that you have two facilities, as Ms. Hargrave mentioned, you have our existing facility in Southampton and this facility here in Flanders. They would work hand-in-hand. The Southampton location is the transmission station, and then -- I'm sorry, it's reversed. I always do that. The Southampton system is the receiving system station and the proposed is the transmission station. So they work hand-in-hand together and need to be located relatively close to each other so they work effectively. They can't be too close and they can't be too far.

The way we have it right now between these two sites actually about 13 miles apart and that's the ideal situation between these two

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facilities to make these systems work at its best. That's primarily why that was the chosen way to set up this particular facility or these two facilities and that's largely why we believe this is the best location for it to be located. And, there are other reasons but that's from a technological site. In that, the facility itself offers this critical public service. That's why we believe and why we're seeking -- just to backup a little bit and talk a little bit about an talk a little bit about some of the other questions why we need both. Work together the two different things. The distance, again, is critical to make this work properly. In terms of pending projects on the site itself. Nothing beyond this is planned because the air traffic control will operate as it has been and do and this facility with the two proposed that would be installed, if there were any need for further capacity in the future it's actually been designed so that no further towers would be required. Instead, to add capacity we can do that in the existing equipment station that's already located onsite. In which both the equipment for the air traffic control system and for this system are located. Any increase in need --

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all of that additional component -- all those additional components can be installed within that facility. So there would be no need for additional.

MR. ROMAINE: Do you anticipate further clearing of the site to accommodate this system?

MR. ALVAREZ: The only clearing, as Ms. Hargrave mentioned, we actually designed it to try to minimize it to the fullest extent. So we limit it to the anchor bolts or the anchoring that would be required for each of the two mass. You would have four anchors at the four corners. You have the anchor for the -- so it would be a total of ten, five mass. They're about four feet by four feet in size. And, as we discussed with Ms. Hargrave we can actually see the anchoring. We can accommodate below ground, below grade and re-vegetate actually you see on top. Only thing you actually see on top are the anchors. The goal is to minimize the disturbance to the greatest degree.

With that, we also designed the mass that was just discussed as low as possible to make sure they will not cause any visual changes to the existing environment. As can be seen in those

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existing photos these 100, 150 foot towers that are currently onsite they do extend over the trees. But, if I may, point you to a picture that we had provided it's the last page within the report.

If you look at that photo there -- if you -- you can barely make it out, but there's actually a dash antenna up right above the treeline sort of toward the left side of the picture. And, that distance right there is actually about 120. So that will give you a kind of gauge how high we are because we're going at 45 feet. So we're about a third of what that height is. We're going to be well below the trees. And, therefore, stream from view as well. So that was all put in as part of the calculation to make sure the design is minimally intrusive as possible.

MR. KELLY: In association with the anchors that are proposed, is that in the existing area associated with the towers?

MR. ALVAREZ: Absolutely. The two areas located within the property are actually within the existing clearing area within and surrounded by the existing towers. So we found two spots in between the towers today and that's actually where we're

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going to locate. Again, try to minimize any disturbance to every extent we can. The cleared area where those two masses would go.

MS. THRONE-HOLST: Do you have any information on what Ms. Hargrave brought up about the impact of bird life and things to that sort.

MR. ALVAREZ: I don't know if there were any formal studies. I know there has been anecdotal information based on the folks who actually managed the site. I think in their experience, I think, Ms. Hargrave during the site visit we talked about this based on their experience they did not experience any issues with any disturbances with bird pattern and bird flight that may be passing through the area.

I think it is the nature of the towers that are up there. I think a lot of them are lattice nature and based on anecdotal evidence they haven't experienced any evidence with issues of disruption.

MS. THRONE-HOLST: These towers are within the footprints of the existing ones.

MR. ALVAREZ: Yes, that's correct. Just to make sure we answer some of the other questions

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here --

MS. THRONE-HOLST: Can I ask you another question?

MR. ALVAREZ: Sure.

MS. THRONE-HOLST: When you say they're used primarily in a state of emergency, basically does that mean they're dormant, sort of speak, on a day-to-day or is it just they provide further robustness until emergency.

MR. ALVAREZ: They would come into, I guess, the full effect when there were any instances where subscribers would need them. But, they're always at the ready. They're always maintained and always monitored to make sure they're in good working order. We do have the principal engineer on the project here as well and he can talk or speak better than I can. But, that essentially how it works. They're always by in operation and at the ready.

MS. THRONE-HOLST: It is something that a municipality would be able to tap into that service. Then, are you saying that essentially for lack of a better word "full proof" in terms of if everything else goes down, that would be up and

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running?

MR. ALAVAREZ: Yes, that would be it. Let me have our engineer come up and give you a little bit more technical background. He can describe exactly how the system is going to function.

Please introduce yourself.

MR. JOHN: Dave John; Rockwell Collins. Lead Engineer for this project.

To your question, yes. It's the last lines of communication when everything else is down. The network itself is designed so the site from New York will cover the majority, if not all the eastern seaboard depending on the time of day. Someone in Florida could use it, if necessary. But, then there will be other sites throughout the U.S. if they couldn't reach New York, for whatever reason, they could reach somewhere else. Everything else is built around the technology we're bringing all the sites are connected together and we have software that monitors them and routes all the calls as necessary.

MR. McCORMICK: On an approximate percentage basis, how much of the anticipated would

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serve the interests of personnel versus private interest?

MR. JOHN: It's all for I guess, our waiver that we have to used the frequencies with the FCC is a strong providing service to public safety and critical infrastructure; health care, police, fire. Also, some utilities we had discussions with as well. There was a question about the use and how often is it on. In Southampton it's just constantly. So there is really not much activity there unless a customer call comes in.

At Riverhead, would be once an hour sends the transmitter would send out a signal. They're listening. They're giving them the most up-to-date information on which frequency is the best one to call.

MS. THRONE-HOLST: So would be a subscriber, this municipality if we wanted to tap into this service or something we access in an event?

MR. JOHN: If you subscribe to the service like your Police Department or Emergency Service Center, something like that was a subscriber and then should they need to use the service -- the

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way it's configured behind basically you push a single button and contact our operations.

MS. THRONE-HOLST: So subscription fee, I assume?

MR. JOHN: Yes.

Mr. PAVACIC: I have a couple of questions. Is there a Federal mandate behind this -- behind this system that's been set up? Your application post Hurricaine Katrina -- that aftermath?

MR. JOHN: There is no Federal mandate. So but it's intended we've seen a number of disasters over the past few years in Katrina. One o them back in 2005 when this whole concept started. The coast guard used HF to the impact zone in order to coordinate response in those first 48, 72 hours after the initial event.

MR. PAVACIC: So the local police forces use what is it 700 band or 800 megahertz. So how is that different from HF? Why would 700 or 800 megahertz go down? Why is this more reliable?

A. Let's say if there was a hurricane of some kind that 7 or UHF whatever the mobile land radio bands are used those are designed for shorter

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range communication. That's why their frequencies are most optimal. So counties would provide coverage to the first responders; police, fire, EMS, what have you. HF is designed for longer range communications. Hundreds to up to a thousand or more in certain cases. We have in our facility in Annapolis we have a radio on the roof there and from time to time we were able to communicate with our site out in California. So the core principal behind the system is you can add the impact zone you're able to get the responses you need initially in the first hour 24, 48 hours after the initial event.

MR. McCORMICK: Just to clarify for me. In terms of sending and receiving I thought I hear the gentleman say this site would be used for transmission purposes. That is sending as opposed to receiving which is done in Southampton; correct?

MR. JOHN: Yes.

MR. McCORMICK: Would the nature of that be primary as a backup or a combination of both?

MR. JOHN: Could you define primary versus secondary. The system will always be on but only used in an event of emergency. It's not a

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daily use by LMR Systems; if that answers your question.

MR. McCORMICK: It does.

MR. PAVACIC: Basically, municipalities, emergency response entities would enter into a subscription with your firm and you provide them with a certain number of HF radios?

MR. JOHN: Yes.

MR. PAVACIC: That's not available on the current equipment they have?

MR. JOHN: Yes. We provide the radios as part of the service, yes. We keep track of them if there is a problem and address it as needed. And, as part of our agreement with FCC we're allowed for monthly testing with those radios so we can keep it fresh in the users minds in times of calamities and usually of various high stress situations as easy as possible to give communications.

MR. PAVACIC: Do you have subscribers now for this new proposed facility?

MR. JOHN: Not on the east coast. On the west coast we've got some pilot subscribers. We have three with the Los Angeles County Sheriff's Department and one at Burbank Airport we will roll

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out. Our official launch is next month were targeting.

MR. McCORMICK: You mentioned optimal range of 13 miles between sender and receiver working in conjunction with each facility. Have you evaluated if there are any other feasible alternative sites outside the core you mentioned?

MR. JOHN: The main reason we chose services at the east coast facility were there -- was already existing services there, air traffic control. At the receive site all we have to add is equipment inside the equipment room. No additional antenna or shelter or anything associated with the network. At the transmit site we chose the antennas for most of the reasons we mentioned before. When we looked at the site we tried to minimize everything, avoid any divorce situation, any sort of ground disturbance to minimize to the maximum extent as possible and get the most capacity with the fewest antennas possible. The existing towers out there for those that are familiar with it have a lot more guide wires, much taller. And, in our case which is a little bit different than that case the existing guide wires are particular of the antenna

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system itself which is not something going on with the other one which is the reason for more ground disturbance there. In terms of looking outside of it, there would be a lot longer lead time to develop that and build that infrastructure and it was already here and would be determined it would be minimally intrusive to provide the conductivities to describe.

MR. PAVACIC: Are there any other questions from any of the other Committee Members?

Okay, at this point I would like to open up to the public. Anybody from the public who would like to speak.

Please swear in the witness.

R I C H A R D A M P E R , called as a witness, having been duly sworn by a Notary Public, was examined and testified as follows:

THE COURT REPORTER: Please state your name.

THE WITNESS: Richard Amper. Executor Director of the Long Island Pine Barrens Society.

THE COURT REPORTER: Thank you.

MR. AMPER: I think these three items were covered but I want to make sure they are on the

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record and we all know how to find it. This is a private company and it is your client that represents government agencies or emergency responders that deal with Public Health and Safety; is that correct?

MR. ALVAREZ: My corporation.

MR. MILAZZO: Technically, this is a Public Hearing so make a comment and if the Commission wants the wetness to address a comment, they may or may not. It's not at a point to depose the Commission.

MR. AMPER: I'm not sure if I can get the answer if I can't ask them. As you know the provision of the act and plan and provide for Public Health and Safety Hardship. Principally, to government and utilities providing public service and not exclusively to private organizations; if these people were building the tower so people could watch ESPN. That would probably meet that requirement they're applying under. But, if I'm correct, it had been described for disaster response that would be public agencies, either government agencies or authorized agencies or provide for Public Health and Safety. I would just ask the

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Commission to satisfy itself that that is what it is because it makes the application conform to the compelling public need component. Whereas, that would not be the case if they were just providing service to some other commercial operator.

I would ask the Commission to satisfy itself about that and wonder if you can satisfy the necessity it be built. I think Mr. McCormick raised it, generally, the need, the requirement it be built in the Core Preservation Area. It may be convenient is that essentially were there alternatives. That's also going to the issue of the compelling public needs.

Those are our concerns. If we're genuinely protecting public agent to communicate in disasters, that's what we intended when we wrote the statutes. That's all I want to get established.

MR. PAVACIC: The Commission would like the applicant to respond?

MR. ALVAREZ: Yes, of course.

MR. PAVACIC: I think you brought testimony with reference to your license to the FCC you were limited on what type of service you could provided; is that correct.

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MR. ALVAREZ: Yes, that's correct. Mr. John can address that as well.

MR. JOHN: The terms of the waiver are emergency use only. When other communications are rendered inoperable, we're the last line, if you will. It's not day-to-day stuff.

MR. PAVACIC: It would only be entities you mentioned so public agencies involved with Public Health Safety and also hospitals and medical facilities.

MR. JOHN: Yes, sir. We had meetings with hospitals down in Florida. One particular group has a hospital in Key West and also in the northern part of the Keys. Some of these examples they provided said what if we had to evacuate the hospital in the Keys after the event, how do we get in contact with other hospitals? How many beds are available? How do we transport these patients as needed? Yes, it's the last line.

MR. PAVACIC: Just site selection, the site selection within the Core Pine Barrens, you selected it besides being convenient it was necessary and maybe you can address that.

MR. JOHN: We need to provide coverage

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along the eastern seaboard, if you will. Particularly, in the northeast and there will be other sites throughout the United States that will also provide coverage into New York, New Jersey metropolitan area.

MR. PAVACIC: I guess one of the questions you said the distance between the transmitter and receiving station is 13 miles. If you require a 13-mile radius around your Southampton facility, were there other sites you looked at outside of the Central Pine Barrens that you didn't find any other sites? Is that also part of your finding?

MR. JOHN: We were focused on our existing infrastructure. It already has connectivity back to our operating system back in Annapolis. It would be minimally invasive from our perspective. Otherwise, to build out a receive site we have to put shelter, antenna and other things associated with that and get communication between the receiver and transmit site and back to Annapolis. As well as all the antennas, generators, provide the backup power. That infrastructure is already there and has the capacity to handle

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additional radios we add to our system. And, it's property already owned by the company. So we would didn't have to enter into any other terms.

MR. ALVAREZ: Of course, the third thing we spoke with regarding the suitability of the site in terms of all the other factors to make sure it can fit into the existing use and surroundings here because the site does have the perimeter trees onsite. As well as the other towers that are already in place. So we believe that's the best place to locate it where no one is going to see it basically.

And, like we said, in terms of disturbance, we've done everything we can to pretty much get it down to essentially zero. So that was the goal here and we believe that was the calculus in terms of locating the site.

MR. JOHN: One other thing regarding site selection, the site out in California, our California site is the sister site to her. Those sites provide coverage over the Pacific. That was another reason. If we were using our existing site. We already have our existing sites Texas site as well as out Iowa site is an exiting site.

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MS. THRONE-HOLST: You're saying the 13-mile distance between your receiving and sending site is kind of your ideal distance between the two of them?

MR. JOHN: Yes.

MS. THRONE-HOLST: What is your outer most distance?

MR. JOHN: Probably around 15, 20 miles. The issue becomes two different points that the customer has to reach and the transmit has to get to them and it has to go to the receive site. We want them to be close together so the frequency they're using basically has the same performance regardless of which direction it's going in.

The more separated they are; then, the frequency can change. You may not get the optimal frequency then.

MS. THRONE-HOLST: You don't want to go any further than 15 miles?

MR. JOHN: Sure.

MS. THRONE-HOLST: Is there a minimal distance?

MR. JOHN: I would say probably eight miles. Maybe, we could get it down to six the issue

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becomes that when the transmit site transmits we don't want that to interfere with the receive site. So we want the receive site away from the transmit and get better performance. That's why they are not co-located there.

MS. THRONE-HOLST: We have a pretty tricky code in Southampton for cell towers. So that would be my question if we looked quickly, any other possibility. But, I would also like to understand what are alternatives serving the municipality. That's obviously my number one priority or responsibility here to understand what other alternatives in the event because we spend quite a bit of time worrying about what happens in the event of a major disaster and communications. One of the things particularly tricky in all of this. So I would like to understand what other alternatives are and perhaps there Are none but that would be important to know.

MR. JOHN: In terms of alternatives, are you talking about local sited or are you talking about events of disasters or other emergency, how people would communicate out of this area?

MS. THRONE-HOLST: Yes.

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MR. JOHN: Currently, we have coverage in our Iowa site and we're looking at property in North Carolina. We're evaluating Louisiana.

MS. THRONE-HOLST: I'm asking if you're the sole provider for this.

MR. JOHN: Yes, we have the waiver to provide only in emergencies HF communications and Public Safety Agency in the event of disasters or when other communications are rendered inoperable.

MR. PAVACIC: I think the question may be what alternatives exist to using HF frequencies. If the communications system that public agencies or others here are using, is it safe to say the megahertz systems and there are other alternatives besides HF that those entities could avail themselves of.

MR. JOHN: In terms of the distance and size of the area, if you will, depending if there was a hurricane, how large is the area that's rendered inoperable. If it is a mile, probably the local system is probably still intact. In some instance or another our system is not used if it is on the order over 50 square miles and everything is wiped out; then, you're not going to find much else

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other than HF. It's the nature of the way signals travel.

MR. COLLINS: You said minimum is 6 miles probably takes you to Shinnecock Canal and this is pretty much your outside limit. Between there, is there another location that you could have. We know we have a large portion of the Pine Barren area. Is there another area outside of that basic 8-mile swap that would meet those standards?

MR. ROMAINE: That would be residential.

MR. JOHN: One of the things with the existing antennas, particularly at Southampton, the reason we were able to go with this antenna because of the antenna at Southampton that's 100-foot antenna and it takes up, I think, around 250 by 250 with more guide anchors and whatnot. So that antenna is already there and we're able to reuse that. There is also existing, I believe, it's around 100-foot self-support tower there that has the communication between the two sites. That would probably be at minimum that would be required. So that was all taken into account as well.

MR. PAVACIC: Do we have any other speakers?

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MS. HARGRAVE: I have one question. It sounds like you chose this site because of its suitability and you own it. Do you own any other property other than the Edge of Woods site in this region.

MR. JOHN: No.

MR. PAVACIC: Any other questions from Commission Members or the audience?

MR. McCORMICK: I make a motion to close the Public Hearing.

MR. PAVACIC: I second the motion.

MR. KELLY: I second the motion

MR. PAVACIC: The hearing is closed.

(Time noted: 4:15 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, ANGELA BITJONIDES, a Stenotype Reporter and Notary Public in and for the State of New York, do hereby certify that the foregoing is a true and accurate transcript of the within proceeding.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of July, 2015.

Angela Bitjonides