

Elisabeth Rutkowski Site Development Manager direct dial: 401.533.1679 LRutkowski@clinellc.com

October 4, 2021

Town of Essex Planning Board Essex Town Hall 30 Martin Street Essex, MA 01929

RE: Special Permit Application of TowerNorth Development, LLC ("TowerNorth")
Proposed Free Standing Monopole Tower to be located at 73 Eastern Avenue and 65
Eastern Avenue (the "Site").

Dear Members of the Planning Board:

In support of TowerNorth Development, LLC ("TowerNorth") with respect to the above-referenced application (the "Application") filed with the Town of Essex Planning Board (the "Board"), we wanted to further detail the site selection process and additional sites assessed. This statement includes coverage information from C Squared Radio Frequency Engineer Keith Vellante and engineering assessment from Scott Adams P.E. with Advanced Engineering Group.

First, as in our normal practice and industry standard, we review potential locations in and around the target area to assess the viability ("Viability Analysis") of the location from several different perspectives. In conducting the Viability Analysis, we first look at identifying potential parcels of land in the given search area from the following perspectives: (a) determining if there are any existing buildings and/or structures that are at a height and/or structural capacity to meet the service coverage objectives; (b) the size, shape and dimensions of the parcels in the area; (c) compliance with local zoning requirements, especially any specific wireless communications services regulations; (d) compliance with any applicable State regulations, such as Wetlands and/or Waterways Protection, Historic, etc.; (e) compliance with any applicable Federal regulations, such as NEPA and those promulgated by the FAA, FCC, etc.; (f) proximity to major roadways, residential districts, commercial buildings, schools, downtown centers and other densely populated or travel areas where existing or potential wireless end users are; and (g) a variety of site specific observations that may affect the proper siting of a wireless communications facility in a specific target area.

TowerNorth has been aware of the lack of service in the general area of Route 133 between Essex and Gloucester and has been assessing the area since 2014. I or other Site Acquisition Specialists with whom I work (and have personal knowledge of the work they may have completed), reviewed many locations. The ones determined to be viable under our Viability Analysis, were stated in the Application. However, even though a location is determined to be viable, it must also be available.

The following locations were also considered, but ultimately rejected as feasible alternatives:

SHIFT EASTERLY - 73 EASTERN AVENUE | Exhibit 1a, 1b, 2

A more easterly location at the proposed site was considered. Specifically, a 129' shift easterly as depicted in the attached Exhibit 1a, Site Plan (Concept). This shift would meet the 500' Residential Setback but push closer to the wetlands and closer to the riverfront area, which in our opinion would make it more visible. At this location, there would be at least double the amount of area disturbance 16,500 square feet vs current design of 8,810 square feet and the actual disturbance would likely be greater once fully designed. There would be roughly 9' of fill to create the compound area. It is recommended by Mr. Adams that the existing retaining wall be removed, and the area be graded out manually. The elevation would drop by 8' at the base of the tower and a 150' AGL tower would be required (see Exhibit 1b). Even though variance relief for the 500' Residential setback may not be needed, it is TowerNorth's assessment that the concerns of the residents would only be exacerbated by the proposed relocation. Visibility and proximity to wetlands as voiced at the June 16, 2021 the Essex Zoning Board of Appeals ("ZBA") public meeting (TowerNorth's variance application for the same proposed Site) and stated in letters submitted by the residents of Essex to the Federal Communications Commission ("FCC") with respect to TowerNorth's application for Antenna Structure Registration ("ASR"). Our ASR was ultimately granted 14 months later pursuant to the FCC findings (see Exhibit 2).

While a shift easterly is feasible, TowerNorth following a thorough assessment and careful consideration made the decision to shift the location west to the proposed Site which in our professional opinion is a more desirable location.

OFF GROVE STREET (Lot 139-6) | Exhibit 4a, 4b

There is adequate space to meet the property line and 500' residence setback. However, we noted significant wetlands and flood zone issues obstructing access to the buildable portion of the parcel. In addition, we determined from the letter submitted to the FCC dated May 2, 2020 by the owner, Deirdre Nadai and residing at 68 Grove Street (the abutting parcel), there is no interest in leasing the property and therefore it is not available.

Based on our review, TowerNorth does not consider this to be a feasible alternative to the proposed Site.

CONOMO POINT TOWN LOTS

We also reviewed two Town owned lots at the request of the ZBA following the June 16, 2021 public meeting. Both lots are approximately 1.5 miles east of the coverage objective and both would meet the 2-mile tower setback. Shifting the tower toward west Gloucester would serve another coverage gap in that area, but at the expense of providing improved coverage to targeted area of Route 133 in Essex (Main/Eastern/Essex Ave) and Downtown that would be served by the proposed Site that is currently in front of the Board.

TOWN LOT 123-008 | **Exhibit 5:** There is a NHESP Certified Vernal Pool identified on the west of the parcel close to property line. The telecommunications tower installation would need to stay to the southwest side of the parcel to meet the 500' residence setback and therefore the property line setback could not be met (187.5' for

150' tower). Variance(s) would be needed also at this location for property line setback and possibly the 500' residence setback (depending on location). Furthermore, to our knowledge the property is not available. The Town of Essex has not issued a request for proposal to lease the land for development and operation of a wireless communication facility.

TOWN LOT 123-002 | Exhibit 6: Wetlands are noted in approximate center of parcel along an NHESP Certified Vernal Pool identified in the northwest. The northwest property line also abuts Beach/Dune marked wetlands. Due to the unique shape of parcel and wetlands located in the center of the parcel we broke this down and assessed from a north and south location perspective: 1) A tower placed on the south side of the parcel (below wetlands in middle of parcel) would meet the 500' residential setback but fail the property line setback; 2) Looking at the north side of the parcel, from a high-level analysis, there is only one area on this 17 acre lot that would potentially satisfy all setbacks applicable (150' wetland buffer, 500' residential and property line).

Regarding both lots 123-008 and 123-002, to our knowledge neither of these properties are available. The Town of Essex has not issued a request for proposal ("RFP") to lease for development and operation of wireless communication facility. Furthermore, the lots are also in close proximity to a dense residential area, Conomo Point and visibility will clearly be an issue. TowerNorth anticipates significant opposition from a different group of abutters and neighbors.

Based on diminished coverage at the targeted area and the unavailability by lack of RFP, we do not consider Town Lot 123-008 to be a feasible alternative. **Exhibit 5a RF Coverage Maps**

Likewise, for Town Lot 123-002, based on diminished coverage at the targeted area and the unavailability by lack of RFP, we do not consider this location to be a feasible alternative either to the proposed Site. **Exhibit 6a RF Coverage Maps**

32 HASKELL COURT (LOT 137-025, 159 EASTERN AVE (LOT 138-019), 0 HASKELL COURT (LOT 137-024)

Abutting property under common ownership of Daniel Quinn Mills Trustee (the "Mills property"). Multiple locations were identified on these large parcels. We had initial interest from Elizabeth Mills back in 2017 and again a couple months back during the ZBA application process but all of the locations were ultimately ruled out by RF for not meeting the coverage objective.

32 HASKELL COURT (LOT 137-025):

This parcel was part of our original Application (Exhibit 11) as an alternative location we attempted to pursue but deemed this location not feasible for lack of owner interest. This lot contains approximately 29+/- acres has a residential dwelling and abuts Ebben Creek to the west. Wetlands, rivers/streams, flood zones and NHESP Natural Communities are noted mostly on the west running with Ebben Creek and also through center of the parcel to the east property line. We identified two possible locations on this lot. We also note, access to parcel is from Haskell Court. A portion of Haskell Court appears to be a private road. It is unclear at this time if relief would be needed for frontage.

Mills-E | Exhibit Mills-E1: Approximately ½ mile east of proposed Site. A tower at this location can meet the wetland and property line setback if placed at or near location shown. However, a variance would still be needed for the 2 miles tower and 500' residence setbacks. The closest residence, 29 Haskell Court would be approximately 345'. Being in close proximity to the riverfront, we anticipate the same issues of visibility. We would also anticipate a more rigorous NEPA (National Environmental Policy Act) review for the tower being located on a parcel that has identified NHESP Natural Communities to ensure compliance and finding of no adverse effects of any natural resources under federal protection were identified.

Mills-F | Exhibit Mills-F1: Approximately 0.39 miles east of the proposed Site. A tower at this location can meet the wetland and property line setback if placed at or near location shown. However, a variance would still be needed for the miles tower and 500' residence setbacks. The closest residence, (70 Grove Street) would be approximately 330'. A more rigorous NEPA (National Environmental Policy Act) review would be anticipated at this location too because of the identified NHESP Natural Communities needing to confirm no adverse effects of any federally protected natural resources. Because of the location of the wetlands on the parcel, tower access and utilities would need to cross the existing river/stream. Wetland disturbance is allowed up to 5,000 sq ft provided that the impacted wetlands is replicated somewhere else on the property.

159 EASTERN AVENUE (LOT 138-019) | Exhibit Mills-A1:

Undeveloped lot consisting of 6.9 acres with an existing trail that runs from Eastern Avenue back to abutting lot 137-024 in common ownership. Approximately 0.56 mile east of proposed site and 0.11 miles from the Gloucester town line. Wetlands are noted on the east half of parcel and along the south property line along with a stream/river also running along the south property line. Variances will be needed for the 2 mile tower setback, 500' residence setback, 125% tower height property line setback. The 150' wetland setback can be met if tower was at or in close proximity to coordinates of 42.6287, -70.75306. This is also in the approximate location of existing trail and would have to relocate. Closest residence would be approximately 217' (153 Eastern Ave.) and about 100' to closest property line (also 153 Eastern Ave). Any shift of the tower location toward the south on the property would require an application and approval from the Conservation Commission for work within 200' of stream/river.

0 HASKELL COURT (LOT 137-024):

This location was ruled out for property being not available to lease. This is an undeveloped lot and contains approximately 50+/- acres. Wetlands, rivers/streams and flood zones are noted in various locations, but we did identify three locations that could possibly accommodate the tower and fenced equipment area. The portion of Haskell Court running with this lot that is used for access appears to be a private road and it is unclear at this time if relief would be needed for frontage.

Mills-B | Exhibit Mills-B1: Approximately 0.58 miles east of the proposed Site and 0.07 miles from the Gloucester town line. A tower at this location can meet

wetland, property line and residence setbacks but will require a variance for the 2- mile tower setback. We can make use of the existing trail (possible improvements may be needed) through 159 Eastern Avenue in common ownership for access and utilities. This would require crossing the existing river/stream identified above. Wetland disturbance is allowed up to 5,000 sq ft provided that the impacted wetlands is replicated somewhere else on the property.

Mills-C | Exhibit Mills-C1: Approximately 0.5 miles east of the proposed Site and 0.15 miles from the Gloucester line. A tower at this location would be the same as Mills-B directly above, variance for the 2 miles tower setback would be required, all other zoning setbacks could be met. We would also use the existing trail for access and utilities. Again, crossing the existing river/stream and would require replication of impacted wetlands at another location on the property for any wetland disturbance up to 5,000 sq ft.

Mills-D | Exhibit Mills-D1: Approximately 0.39 miles east of the proposed Site and 0.24 miles from the Gloucester line. A variance would be needed for the 2 mile tower setback here too. The tower would need to be at or near the location identified to meet the 500' residential setback to the Mills residence at 32 Haskell Court and maintain a 200' distance from the stream/river to avoid needing an application and approval from the Conservation Commission.

LOCATIONS IN WEST GLOUCESTER | EXHIBIT 7

As stated in the beginning, TowerNorth has been aware of the lack of wireless service in the general vicinity of Route 133 between Essex and Gloucester. Our search for suitable locations did include the portion of Route 133 that crossed into west Gloucester. This area being highly residential, we were not able to identify any parcels that were available, of sufficient size, and not in close proximity to residents that would allow a location to constitute a feasible alternative to the proposed location. Included as Exhibit 7 is a map of this area of west Gloucester to help illustrate those challenges.

CONCLUSION

The proposed Site is on the edge of a hill abutting Ebben Creek and has unique topographical characteristics. As you move east, the elevation drops. Moving the tower to a location west of Ebben Creek will not meet Verizon's primary coverage of objective, downtown Essex. This will be further detailed in the attached statement from Keith Vellante (Exhibit 8) and presented to the Board at the upcoming public meeting.

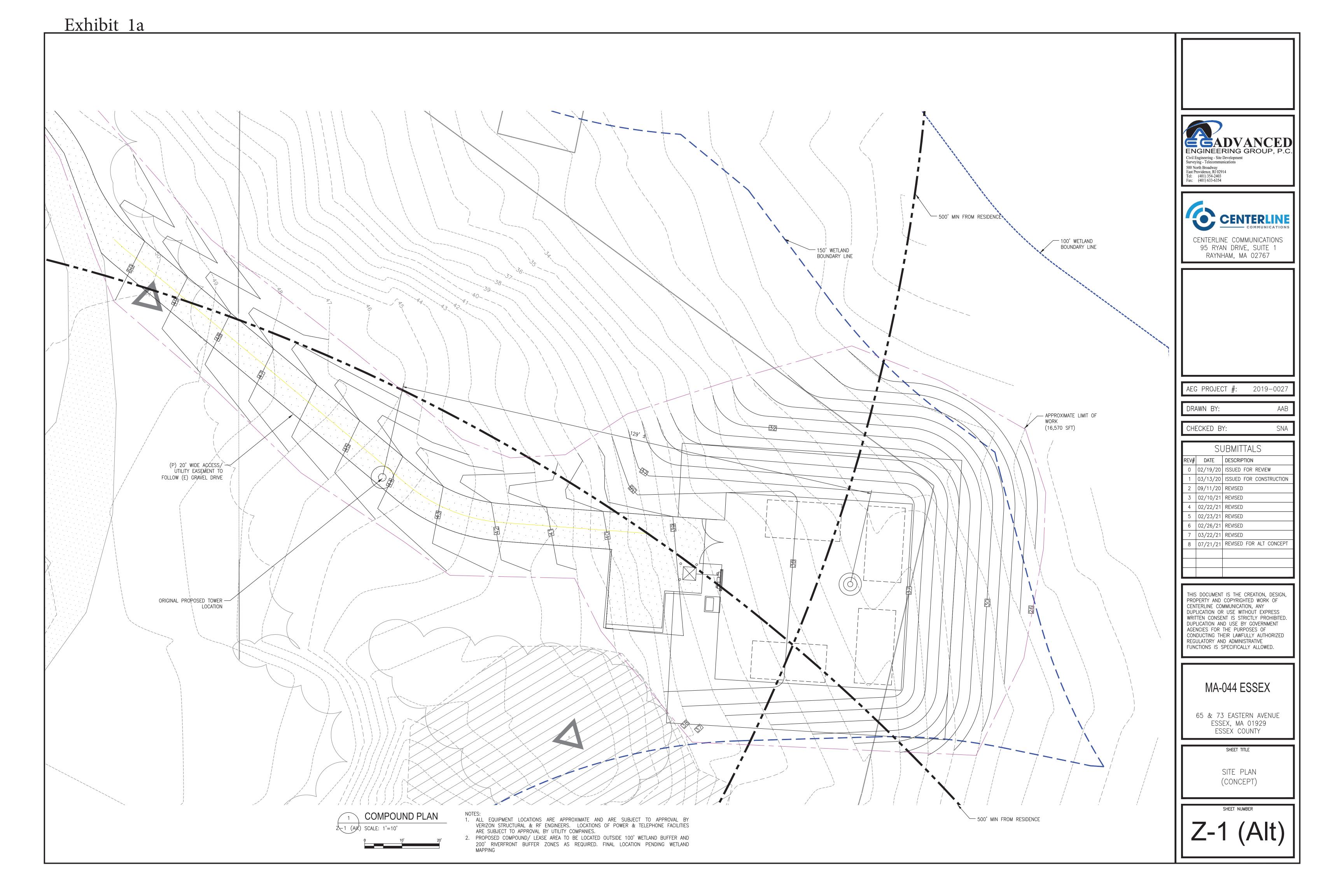
As we have illustrated to Board, there is an abundance of time, effort, due diligence and coordination before we move forward at a specific location. Verizon Wireless identified a need and TowerNorth provided the Site meeting those needs.

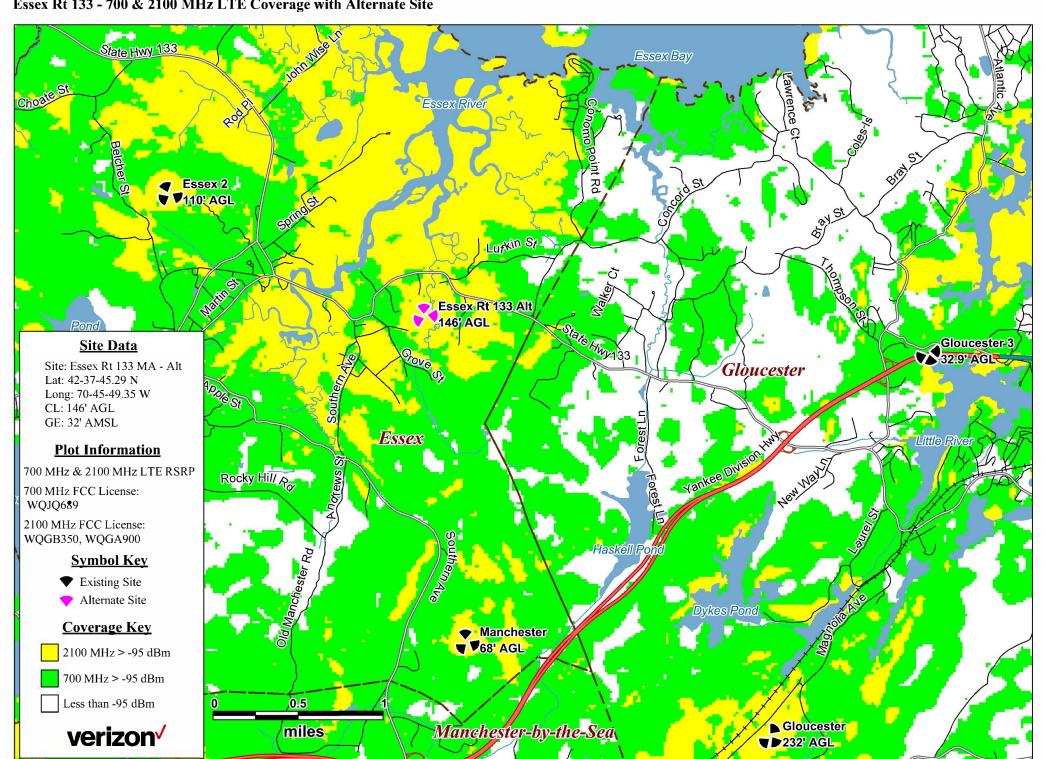
We do not consider any of the above location's feasible alternatives to the proposed Site. Based on best siting practices, we believe a 150' monopole style tower at the proposed Site is the best solution to address gaps in coverage and capacity in this area of Essex. We look forward to presenting and discussing this information at the upcoming public meeting on October 6, 2021. Of course, we remain willing to work with the Board to address any remaining suggestions, concerns or questions.

Very truly yours,

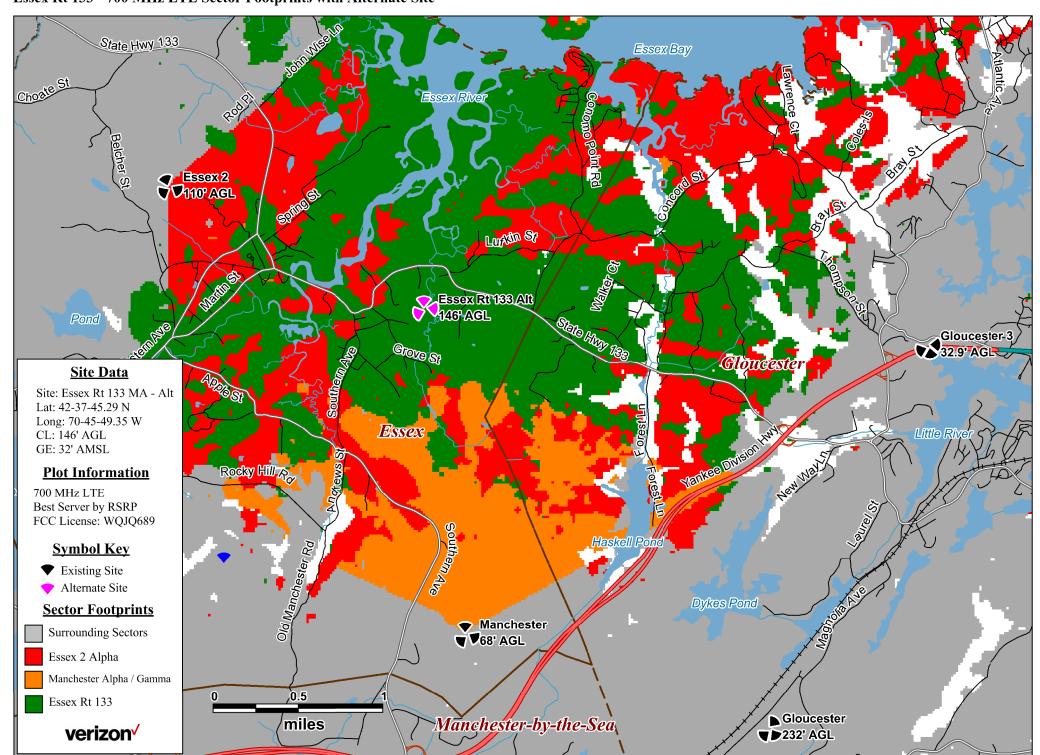
TowerNorth Development, LLC

Elisabeth Rutkowski





Attachment X:
Essex Rt 133 - 700 MHz LTE Sector Footprints with Alternate Site





UNITED STATES OF AMERICA FEDERAL COMMUNICATIONS COMMISSION ANTENNA STRUCTURE REGISTRATION



OWNER: TowerNorth Development, LLC

FCC Registration Number (FF	RN): 0023077357		
ATTN: Bert Stern TowerNorth Development, LLC 95 Ryan Drive Suite 1 Raynham, MA 02767 Location of Antenna Structure 3 Eastern Avenue			Antenna Structure Registration Number 1319653
			Issue Date 06/14/2021
			Ground Elevation (AMSL)
Essex, MA 01929 County: ESSEX			Overall Height Above Ground (AGL) 46.9 meters
Latitude 42- 37- 45.4 N	Longitude 070- 45- 51.2 W	NAD83	Overall Height Above Mean Sea Level (AMSL) 60.9 meters
Cente	er of Array Coordinates N/A	3	Type of Structure MTOWER Monopole
Painting and Lighting Requi	irements:		
FAA Chapters NONE Conditions:			

This registration is effective upon completion of the described antenna structure and notification to the Commission. YOU MUST NOTIFY THE COMMISSION WITHIN 24 HOURS OF COMPLETION OF CONSTRUCTION OR CANCELLATION OF YOUR PROJECT, please file FCC Form 854. To file electronically, connect to the antenna structure registration system by pointing your web browser to http://wireless.fcc.gov/antenna. Electronic filing is recommended. You may also file manually by submitting a paper copy of FCC Form 854. Use purpose code "NT" for notification of completion of construction; use purpose code "CA" to cancel your registration.

The Antenna Structure Registration is not an authorization to construct radio facilities or transmit radio signals. It is necessary that all radio equipment on this structure be covered by a valid FCC license or construction permit.

You must immediately provide a copy of this Registration to all tenant licensees and permittees sited on the structure described on this Registration (although not required, you may want to use Certified Mail to obtain proof of receipt), and *display* your Registration Number at the site. See reverse for important information about the Commission's Antenna Structure Registration rules.

Page 1 of 2 FCC 854R

You must comply with all applicable FCC obstruction marking and lighting requirements, as set forth in Part 17 of the Commission's Rules (47 C.F.R. Part 17). These rules include, but are not limited to:

Posting the Registration Number: The Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Materials used to display the Registration Number must be weather-resistant and of sufficient size to be easily seen at the base of the antenna structure. Exceptions exist for certain historic structures. See 47 C.F.R. 17.4(g)-(h).

Inspecting lights and equipment: The obstruction lighting must be observed at least every 24 hours in order to detect any outages or malfunctions. Lighting equipment, indicators, and associated devices must be inspected at least once every three months.

Reporting outages and malfunctions: When any top steady-burning light or a flashing light (in any position) burns out or malfunctions, the outage must be reported to the nearest FAA Flight Service Station, unless corrected within 30 minutes. The FAA must again be notified when the light is restored. The owner must also maintain a log of these outages and malfunctions.

Maintaining assigned painting: The antenna structure must be repainted as often as necessary to maintain good visibility.

Complying with environmental rules: If you certified that grant of this registration would not have a significant environmental impact, you must nevertheless maintain all pertinent records and be ready to provide documentation supporting this certification and compliance with the rules, in the event that such information is requested by the Commission pursuant to 47 C.F.R. 1.1307(d).

Updating information: The owner must notify the FCC of proposed modifications to this structure; of any change in ownership; or, within 30 days of dismantlement of the structure.

You can find additional information at [insert link] or by calling (877) 480-3201 (TTY 717-338-2824).

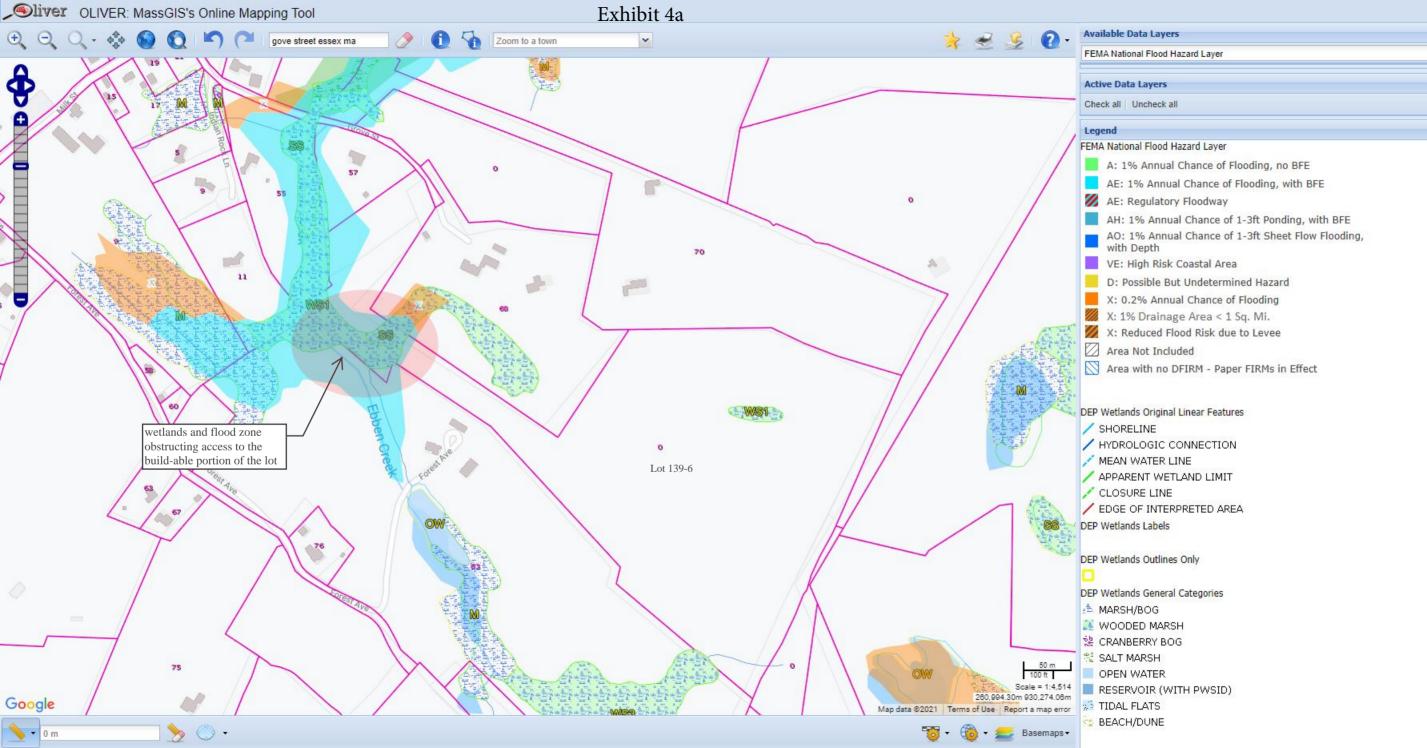


Exhibit 4b

Letter to the FCC regarding A1161960: Proposed cell tower in Essex, MA

May 2, 2020

I am a fourth-generation owner of property on Grove Street, off Eastern Ave, where the proposed cell tower will be located. My family, which includes my husband, a 93-year-old mother, and three children live here. For 80 years, we have kept our land free from development as a sanctuary for wildlife. It is bordered by Ebben Creek and the Essex River. We carefully restored our house, a salt box, which was built in 1690 and is one of the oldest houses in Essex. This large tower will be in plain sight, a half mile from our house, and will severely lower our property values. We also have concerns about our neighborhood and putting a cell tower near so many people. Our family will have to consider relocating if this tower is built due to concerns for our health and wellbeing.

I refer you to an article in Science Daily (12/3/2019) which notes that putting a cell tower in close proximity to people is a bad idea. This tower would do just that: https://www.sciencedaily.com/releases/2019/12/191203162553.htm That article references one from Science Research Volume 181, February 2020, 108845 titled:

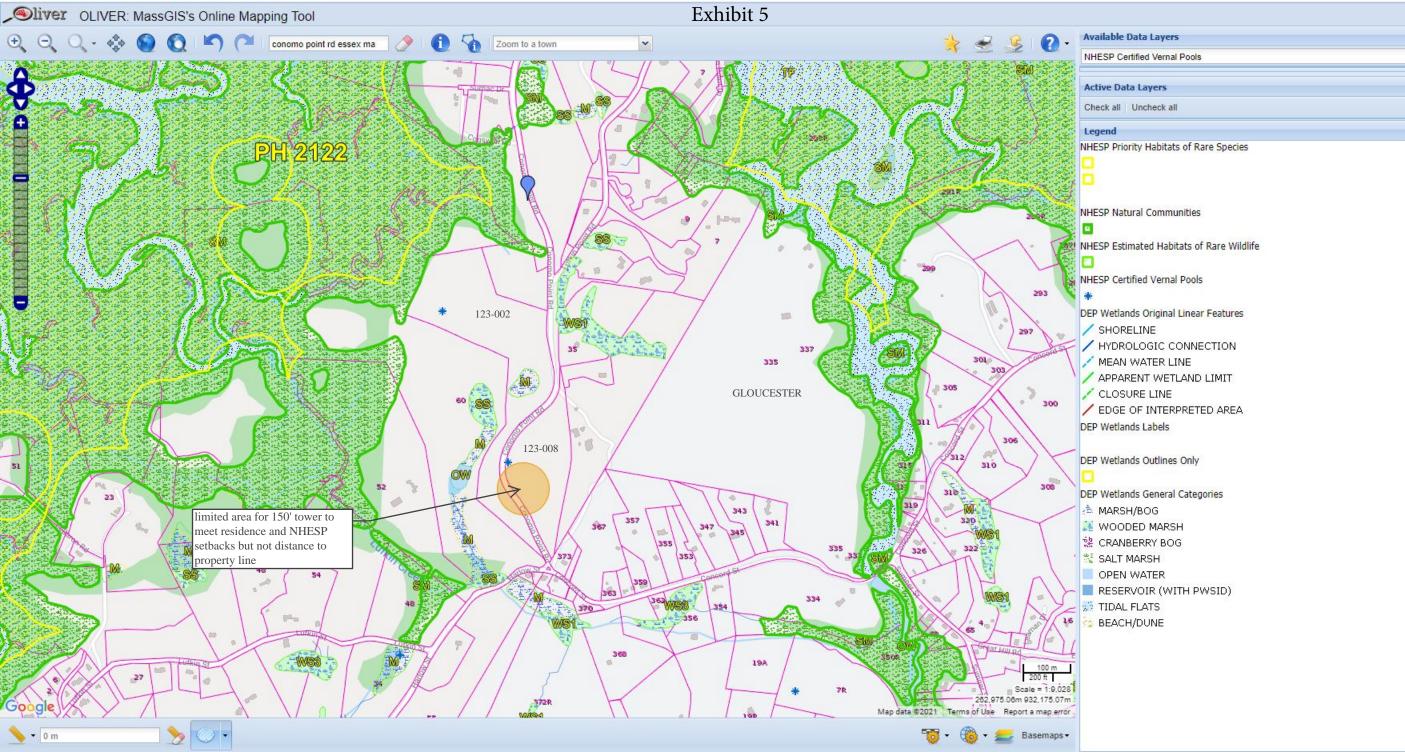
Limiting liability with positioning to minimize negative health effects of cellular phone towers. The abstract of the article states:

"Abstract: The use of cellular phones is now ubiquitous through most of the adult global population and is increasingly common among even young children in many countries (e.g. Finland, where the market for smart phones is nearly saturated). The basic operation of cellular phone networks demands widespread human exposure to radio-frequency radiation (RFR) with cellular phone base stations providing cellular coverage in most areas. As the data needs of the population increase from the major shift in the source of Internet use from personal computers to smart phones, this coverage is widely predicted to increase. Thus, both the density of base stations and their power output is expected to increase the global human RFR exposure. Although direct causation of negative human health effects from RFR from cellular phone base stations has not been finalized, there is already enough medical and scientific evidence to warrant long-term liability concerns for companies deploying cellular phone towers. In order to protect cell phone tower firms from the ramifications of the failed paths of other industries that have caused unintended human harm (e.g. tobacco) this Current Issue summarizes the peer-reviewed literature on the effects of RFR from cellular phone base stations. Specifically, the impacts of siting base stations are closely examined, and recommendations are made for companies that deploy them to minimize their potential future liability."

As a society, how can we condone the crowding of huge cell towers amongst our populace? As is evident in the above article there are yet unknown unintended effects on humans. This enormous transmitter of radio-frequency radiation (RFR) does not belong within any neighborhood!

Sincerely,

Deirdre Nadai 68 Grove Street Essex, MA



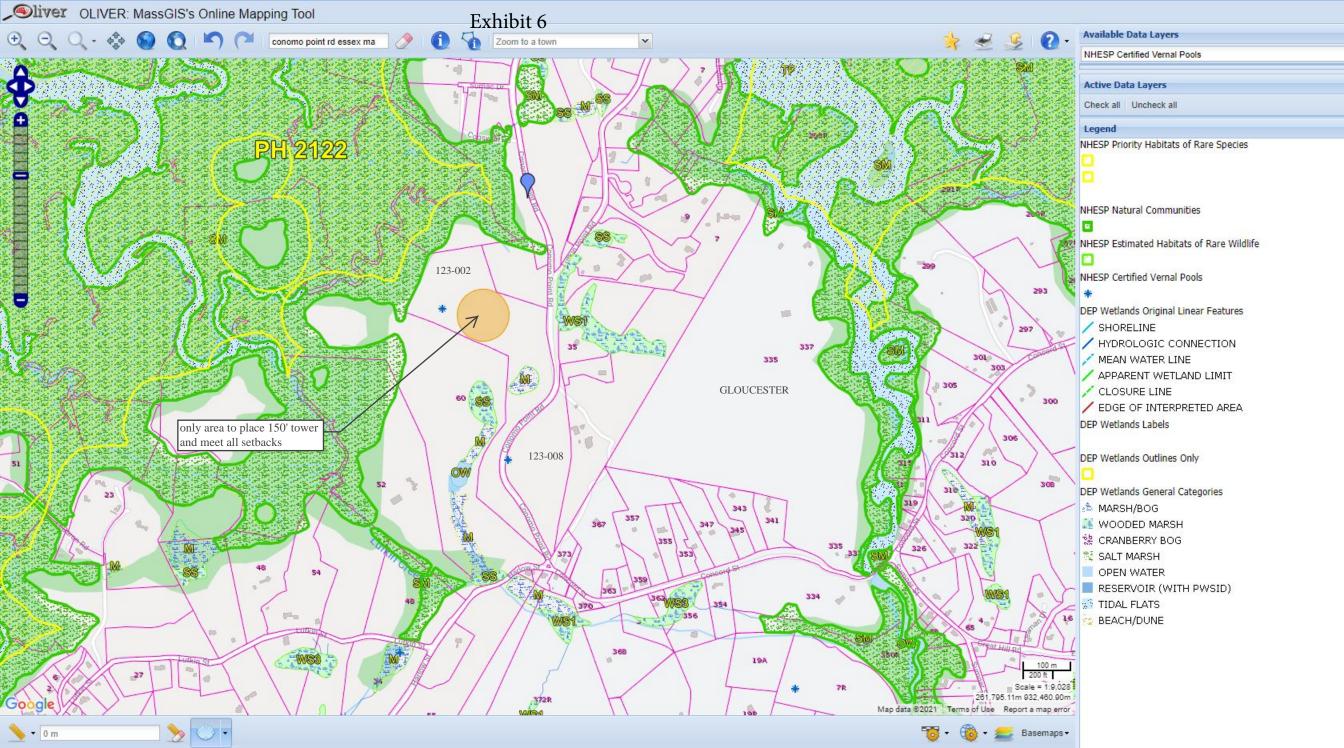
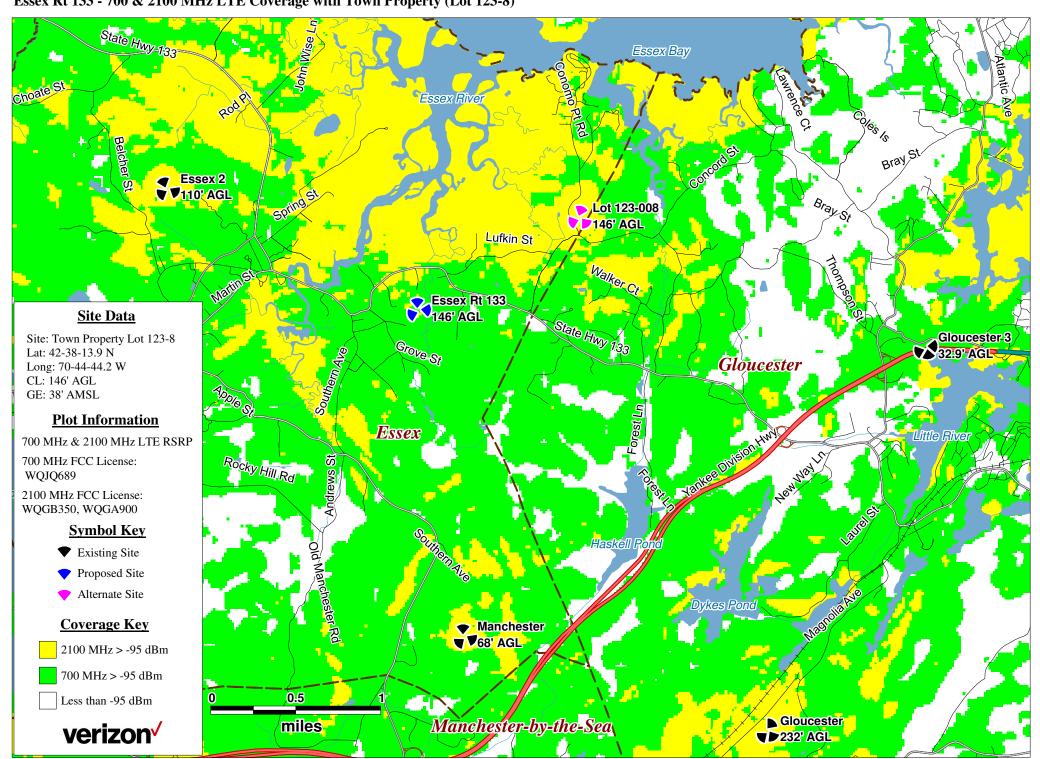


EXHIBIT 5a

700 MHz & 2100 MHz LTE Coverage parcel 123-8 700 MHz LTE Sector Footprints parcel 123-8

Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Town Property (Lot 123-8)



Attachment X:

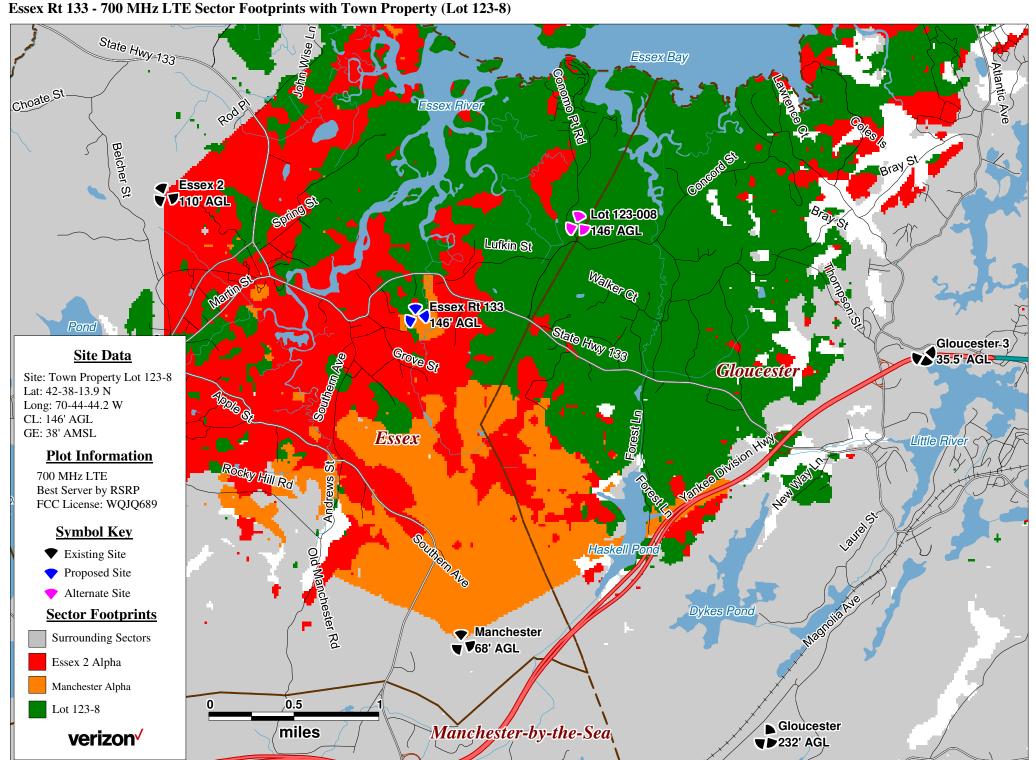
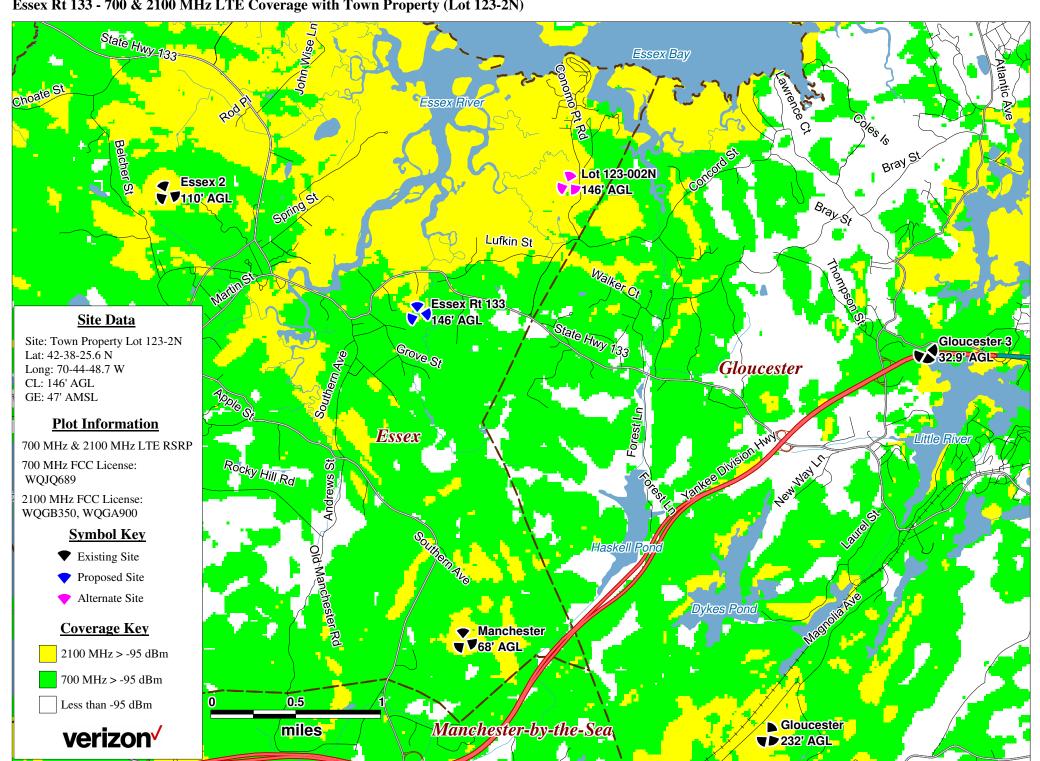


EXHIBIT 6a

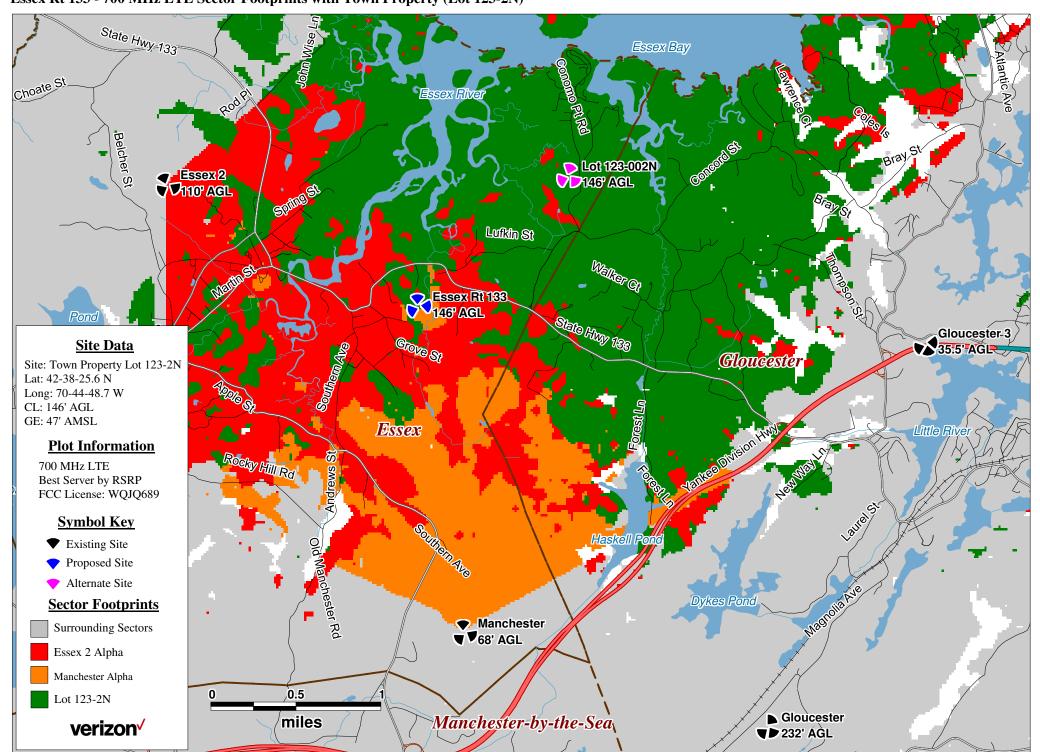
700 MHz & 2100 MHz LTE Coverage north side of parcel 123-2
700 MHz LTE Sector Footprints north side of parcel 123-2
700 MHz & 2100 MHz LTE Coverage south side of parcel 123-2
700 MHz LTE Sector Footprints south side of parcel 123-2

Attachment X:

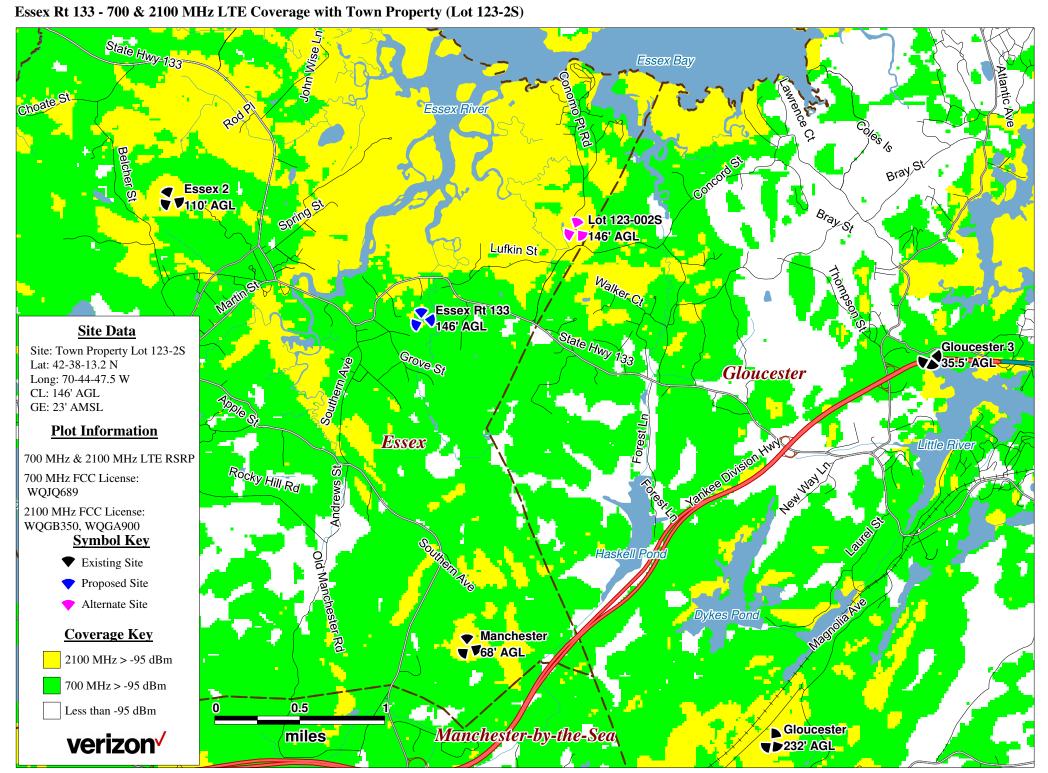
Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Town Property (Lot 123-2N)



Attachment X:
Essex Rt 133 - 700 MHz LTE Sector Footprints with Town Property (Lot 123-2N)

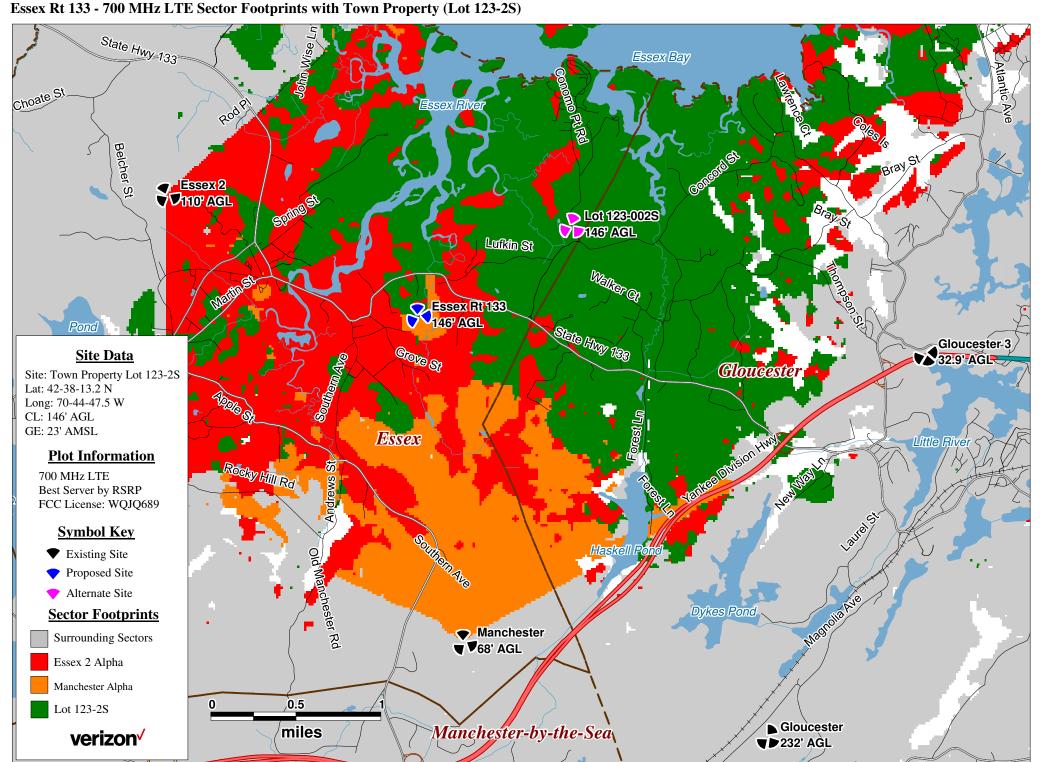


Attachment X:



Attachment X:

Essay Dt 122 700 MHz LTE Sector Footprints with Town Property (Let 12)

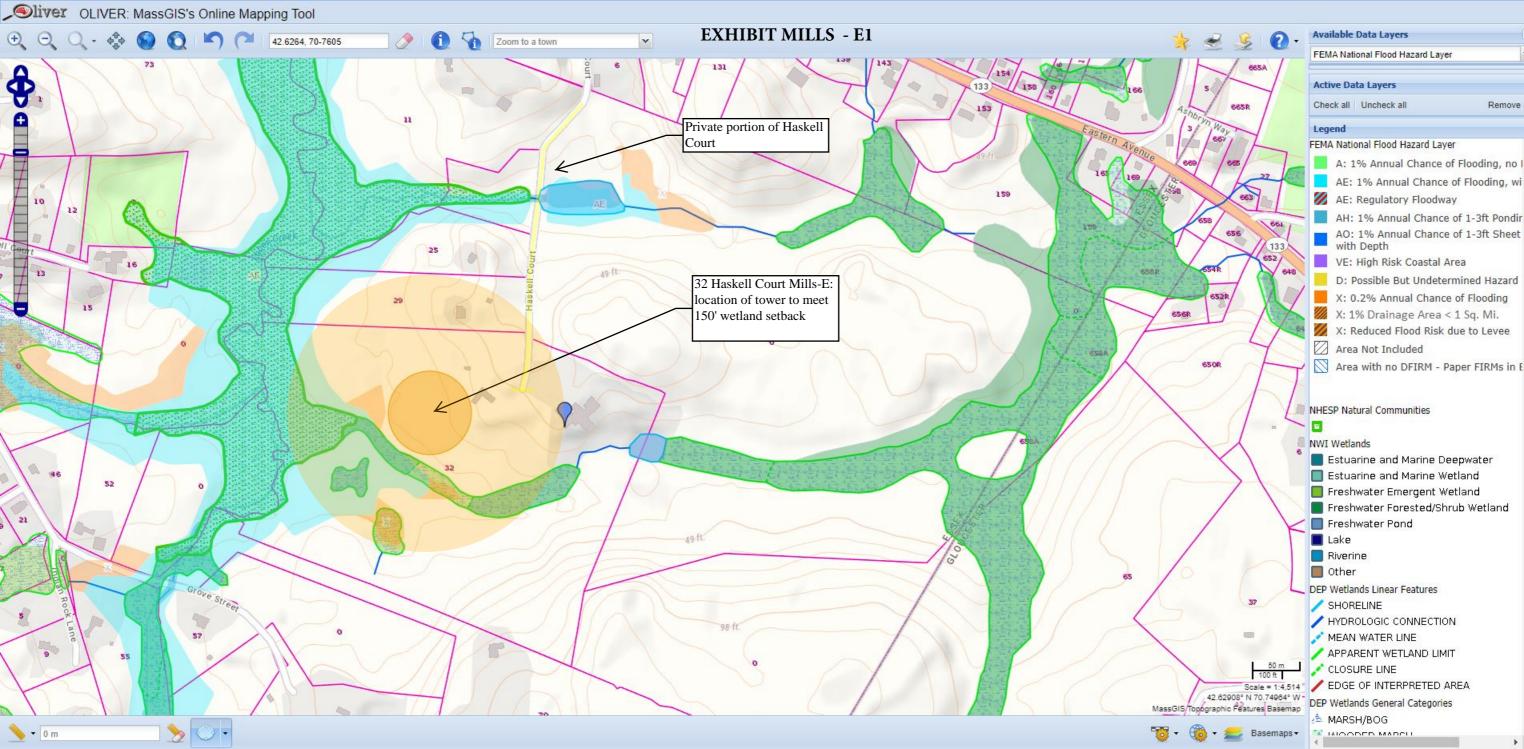


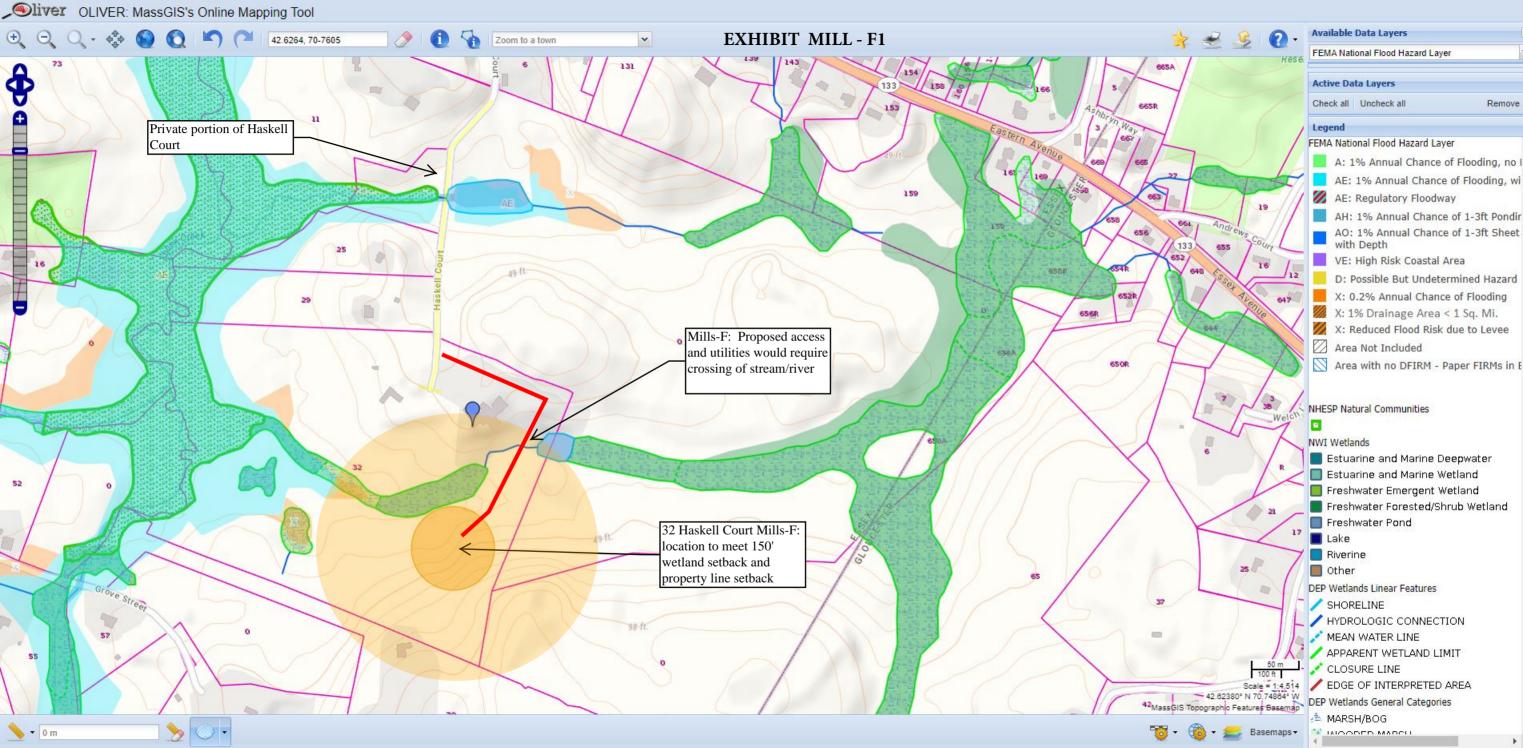
CAI Property Card Town of Essex, MA





GENERAL PROPERTY INFORMATION	BUILDING EXTERIOR
LOCATION: 32 HASKELL CT	BUILDING STYLE: CONTEMPORARY
ACRES: 2900 AC	YEAR BUILT: 1968
PARCEL ID: 137-25	BUILDING INTERIOR
LAND USE CODE: 017	# OF ROOMS: 0
OWNER: MILLS, DANIEL QUINN TR	# OF STORIES: 1
MAILING ADDRESS: P O BOX 927	
ESSEX, MA 01929	
PATRIOT ACCOUNT #: 501	
ZONING:	
SALE INFORMATION	
SALE DATE: 20140528	
BOOK & PAGE: 33299-472	
SALE PRICE: \$1	
PRINCIPAL BUILDING AREAS	
BLD AREA: 9,638	
RES AREA: 9,638	
# OF PRINCIPAL BUILDINGS: 1	
ASSESSED VALUES	
BUILDING: \$1,124,700	
LAND: \$423,915	
OTHER: \$0	
TOTAL: \$1,548,615	



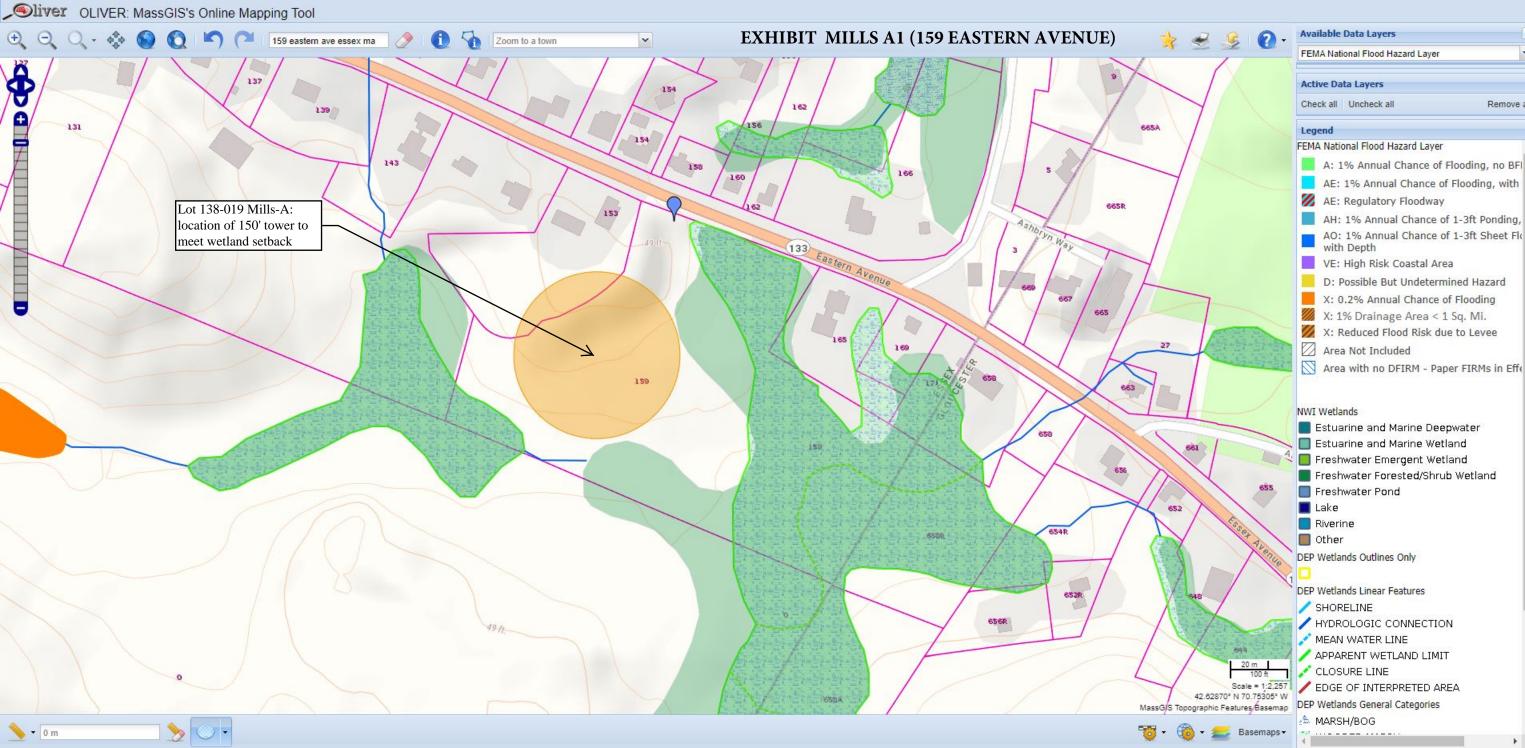


CAI Property Card Town of Essex, MA





GENERAL PROPERTY INFORMATION	BUILDING EXTERIOR
LOCATION: 159 EASTERN AVE	BUILDING STYLE:
ACRES: 690 AC	YEAR BUILT:
PARCEL ID: 138-19	BUILDING INTERIOR
LAND USE CODE: 017	# OF ROOMS:
OWNER: MILLS DANIEL QUINN TR	# OF STORIES:
MAILING ADDRESS: 32 HASKELL CT - PO BOX 927	
ESSEX, MA 01929	
PATRIOT ACCOUNT #: 597	
ZONING: RS2	
SALE INFORMATION	
SALE DATE: 20140528	
BOOK & PAGE: 33299-472	
SALE PRICE: \$1	
PRINCIPAL BUILDING AREAS	
BLD AREA: 0	
RES AREA: 0	
# OF PRINCIPAL BUILDINGS:	
ASSESSED VALUES	
BUILDING: \$0	
LAND: \$16,598	
OTHER: \$0	
TOTAL: \$16,598	

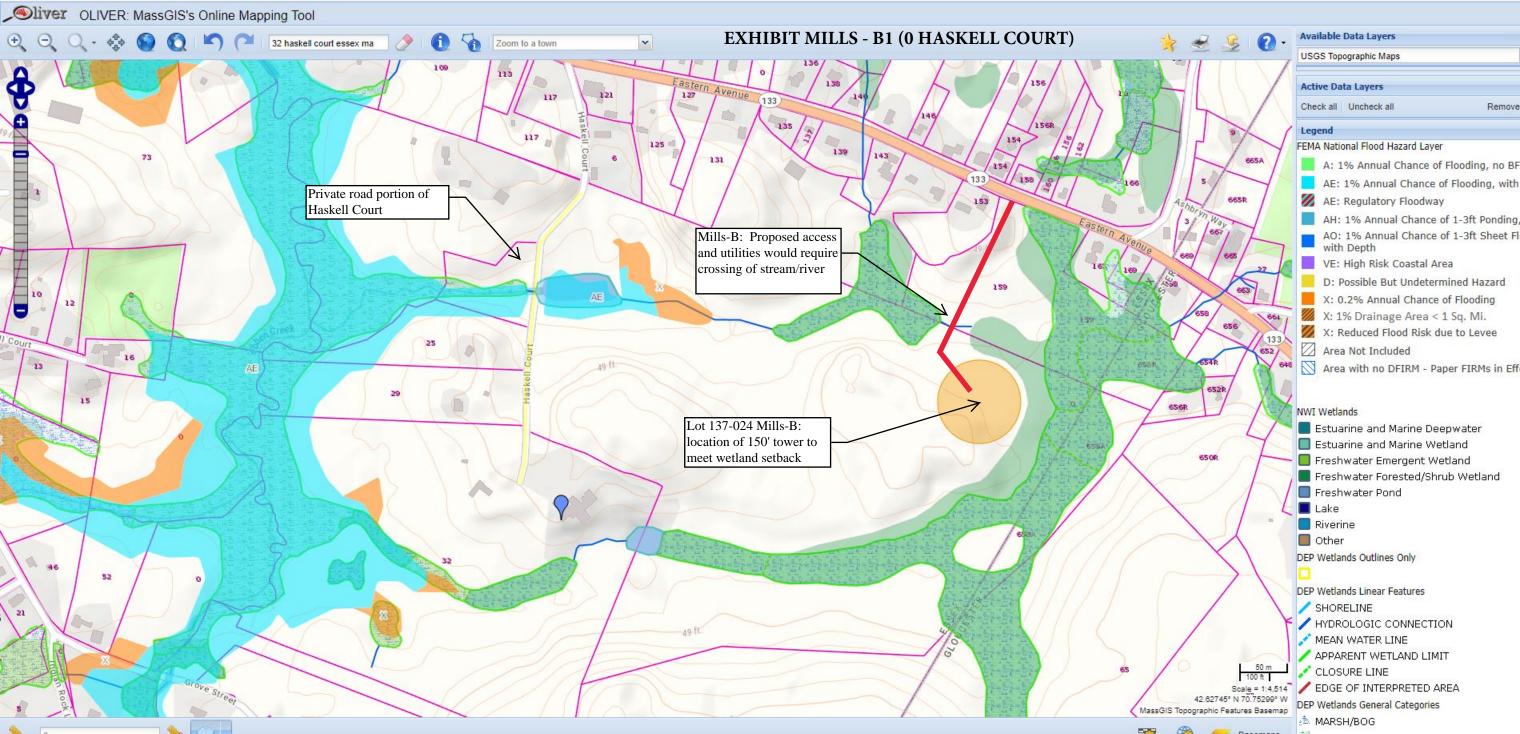


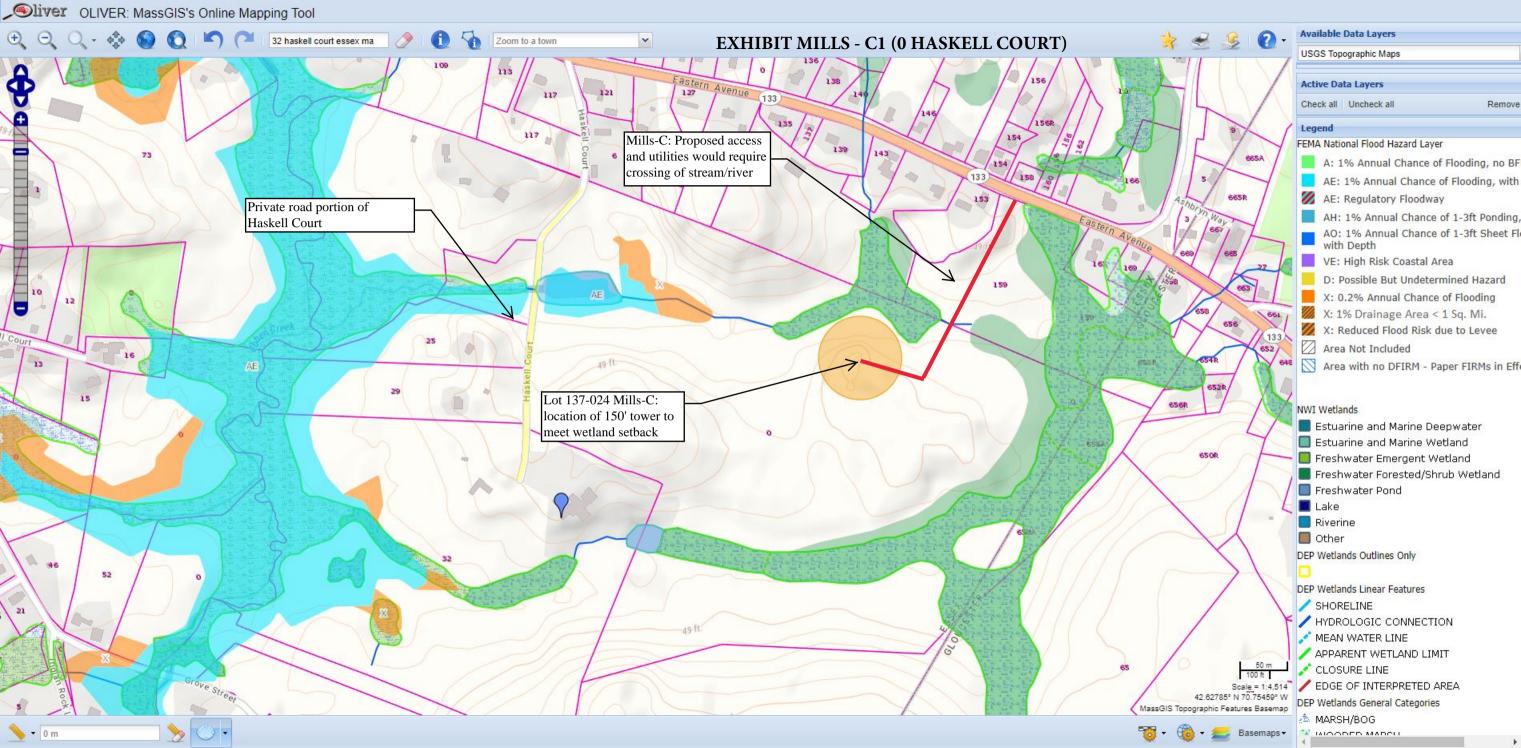
CAI Property Card Town of Essex, MA

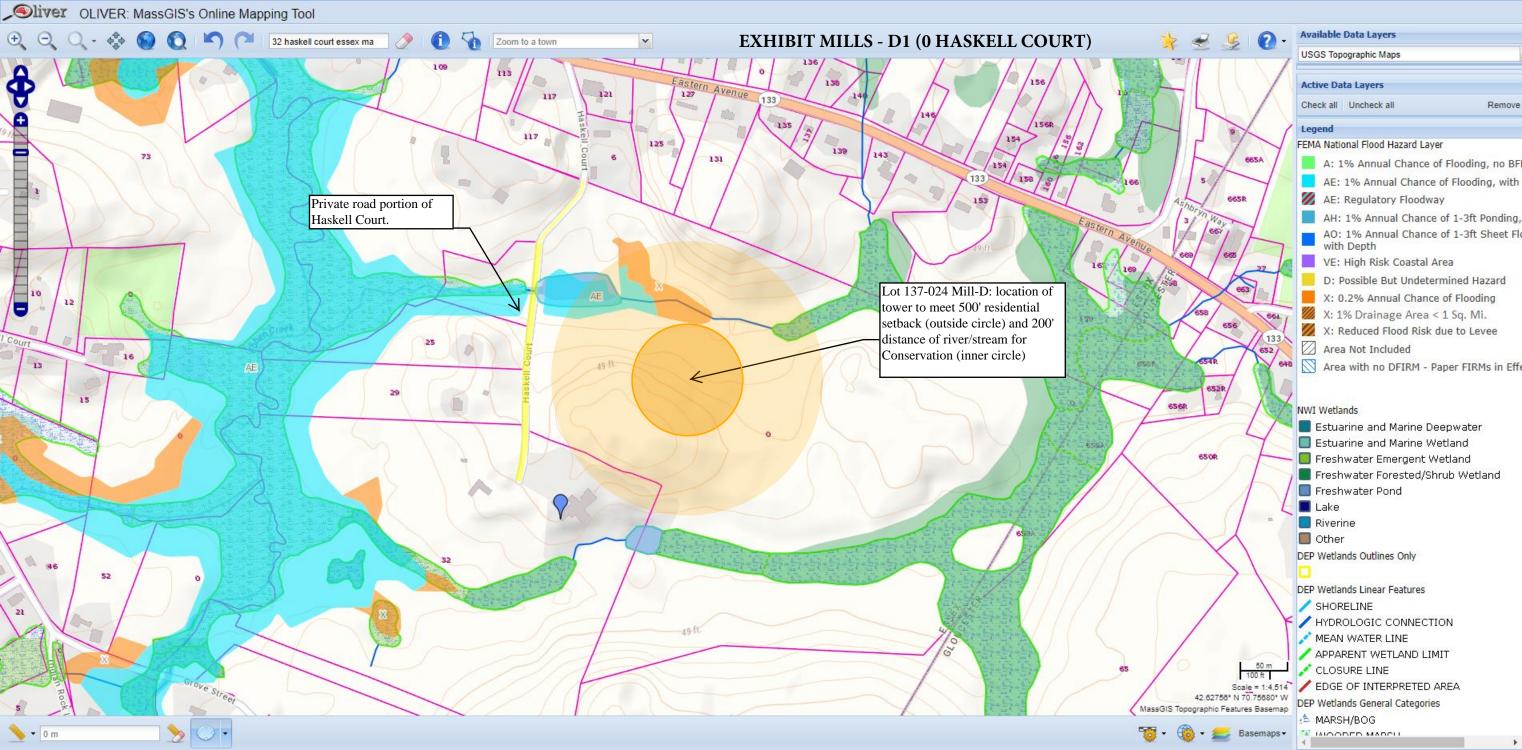




GENERAL PROPERTY INFORMATION	BUILDING EXTERIOR
LOCATION: 0 HASKELL CT	BUILDING STYLE:
ACRES: 5240 AC	YEAR BUILT:
PARCEL ID: 137-24	BUILDING INTERIOR
LAND USE CODE: 717	# OF ROOMS:
OWNER: MILLS, DANIEL QUINN TR	# OF STORIES:
MAILING ADDRESS: 32 HASKELL CT - PO BOX 927	
ESSEX, MA 01929	
PATRIOT ACCOUNT #: 502	
ZONING: SFR	
SALE INFORMATION	
SALE DATE : 20140529	
BOOK & PAGE: 33299-472	
SALE PRICE: \$1	
PRINCIPAL BUILDING AREAS	
BLD AREA: 0	
RES AREA: 0	
# OF PRINCIPAL BUILDINGS:	
ASSESSED VALUES	
BUILDING: \$0	
LAND: \$5,135	
OTHER: \$0	
TOTAL: \$5,135	









Elisabeth Rutkowski Site Development Manager direct dial: 401.533.1679 LRutkowski@clinellc.com

August 24, 2021

Daniel Quinn Mills Trustee c/o Elizabeth Mills 32 Haskell Court – PO Box 927 Essex, MA 01929

SENT VIA USPS OVERNIGHT AND ELECTRONIC MAIL TO ELIZABETHHMILLS@GMAIL.COM

RE: Proposal for Wireless Telecommunications Lease – Haskell Court

Dear Ms. Mills:

This letter is a follow up in trying to connect with you to further discuss the siting of a tower on your property. I am enclosing our business terms and narrative of our proposal. If you are interested in discussing the specific terms of the proposal, please feel free to reach out to me directly at 401-533-1679.

Thank you in advance for your time and I look forward to hearing from you.

Very truly yours,

Liz Rutkowski Site Development Manager

401-533-1679

LRutkowski@clinellc.com

TowerNorth

Elisabeth Rutkowski Site Development Manager direct dial: 401.533.1679 LRutkowski@clinellc.com

Business Terms and Narrative of Proposed Facility

business Terms and Narrative of Proposed Facility
For the right to install a facility at your property, TowerNorth proposes the following terms:
Premises: 75'x75' area in a location to be mutually agreed upon.
Project Costs: TowerNorth shall be responsible for all project costs.
Design: Height and design to be determined and shall be subject to owner's review and approval.
The tower would be accessed with a proposed road and will generate an average of two trips per month by a service technician for routine maintenance. The facility will be served by standard electric and telephone service and requires no water, septic or other services.
If the above terms are acceptable, please acknowledge below and return. Upon receipt, a draft lease will be issued for your review and approval. This letter is non-binding.
AGREED AND ACCEPTED:

NAME: DATE

Elisabeth Rutkowski

From: Elisabeth Rutkowski

Sent: Tuesday, August 24, 2021 5:16 PM **To:** Elizabethhmills@gmail.com

Cc: Dan Klasnick

Subject: RE: TowerNorth Proposal // Essex, MA - Haskell CT - Follow up

Attachments: Essex_Proposal letter - Mills Property_8.24.21.pdf

Ms. Mills:

Attached is our proposal of the business terms. I will also be send out via USPS overnight mail to the 32 Haskell Court Address and the PO Box referenced in the attached.

Thanks again!

Liz Rutkowski 40-533-1679

From: Elisabeth Rutkowski

Sent: Tuesday, August 24, 2021 3:38 PM

To: Elizabethhmills@gmail.com

Cc: Elisabeth Rutkowski < lrutkowski@clinellc.com>; Dan Klasnick < dklasnick@dkt-legal.com>

Subject: RE: TowerNorth Proposal // Essex, MA - Haskell CT - Follow up

Importance: High

Hello Ms. Mills:

This email is a follow up to my voicemail. We are trying to connect with you to further discuss placement of a cell tower on your property. If you could please get back to me at your earliest convenience. I can be reached at 401-533-1679. We can discuss preliminary terms and I am also looking to set up a time toward the end of the week (Thursday 8/26 or Friday 8/27) for myself and my engineer to meet you on site and walk to property.

Thank you in advance and I look forward to hearing from you!

Liz



Liz Rutkowski | Site Development Manager

750 W Center St, Floor 3 | West Bridgewater, MA 02379

Cell: 401.533.1679 | Fax: 508-819-3017

<u>Irutkowski@clinellc.com</u> | <u>www.centerlinecommunications.com</u>

From: David Ford < dford@clinellc.com Sent: Monday, June 14, 2021 3:00 PM To: Bert Stern < bstern@clinellc.com >

Subject: FW: TowerNorth Proposal // Essex, MA - Haskell CT

Thanks

David Ford Centerline Communications 508.821.6509

From: dford <dford@centerlinecommunications.com>

Sent: Wednesday, January 4, 2017 1:06 PM

To: elizabethhmills@gmail.com

Cc: dford < <u>dford@centerlinecommunications.com</u> > **Subject:** TowerNorth Proposal // Essex, MA - Haskell CT

Elizabeth,

Thanks for the time today. As discussed, we're interested in leasing space on your Essex property for a proposed cell tower, location subject to your preference.

Attached please find a proposal and a copy of our template lease for review. Please take a look and let me know your thoughts.

Thanks



David Ford | Site Acquisition Lead

Mobile: 508.821.6509 | Fax: 508.819.3017

 $\underline{\text{dford@clinellc.com}} \mid \underline{\text{www.centerlinecommunications.com}}$

EXHIBIT 3 AFFIDAVIT OF DAVID FORD

AFFIDAVIT OF DAVID FORD

- I, <u>David Ford</u>, made under the penalties of perjury do hereby testify and depose and make this affidavit based upon personal knowledge and, if called, could testify as follows:
 - 1) I am a Site Acquisition Specialist for Centerline Communications, LLC, responsible for determining and acquiring appropriate locations of sites in New England to be used in the development of wireless communications facilities; including but limited to identifying, researching, analyzing, negotiating lease contracts for, and zoning/permitting.
 - I have worked in the wireless telecommunications industry for more than nine years. I
 have been employed by Centerline Communications, LLC since 2012. I have worked in
 markets across Massachusetts and all other New England states.
 - 3) I was fully familiar with and personally involved with the Essex, Massachusetts project identified by Centerline as MA-044 Essex from approximately 2016 2018. During that time, I personally reviewed the area for suitable locations to install a telecommunications tower to address network coverage and capacity objects. The search area is topographically challenging, including numerous wetlands, resource areas with varying densities of residential properties interspersed throughout. I conducted an exhaustive analysis of the search area to identify potential locations that would satisfy network requirements.
 - 4) After a thorough review of the targeted area, I identified five parcels as possible locations for a cell tower. A letter was mailed to each candidate property owner inquiring about interest in leasing for the installation of a cell tower to the address identified per the Town of Essex Tax Assessor records.
 - 5) One of the identified possible locations was 32 Haskell Court. I have personal knowledge of the facts and circumstances concerning the efforts to lease a portion of that property. In a follow up to the mailed letter of interest, I also drove to the property at 32 Haskell Court and attempted to have a discussion with the property owner concerning the proposal to lease a portion of the property for the installation of a cell tower. While unsuccessful, I left a copy of the letter inquiring about leasing a portion of the property.
 - 6) In the month of January 2017, I received a phone call from Elizabeth Mills inquiring about the letter and provided her with additional details of the leasing proposal. Following the phone call, I sent a subsequent email to Ms. Mills providing business term proposal and template lease for review.

7) I attempted numerous times thereafter to contact Ms. Mills by phone over the next several of weeks but never received a reply. Following those efforts and in the absence of any response, Centerline undertook to pursue other candidates with proposals to enter into a lease for the installation of a telecommunications tower.

Signed under the penalties of perjury this 27th day of August 2021.

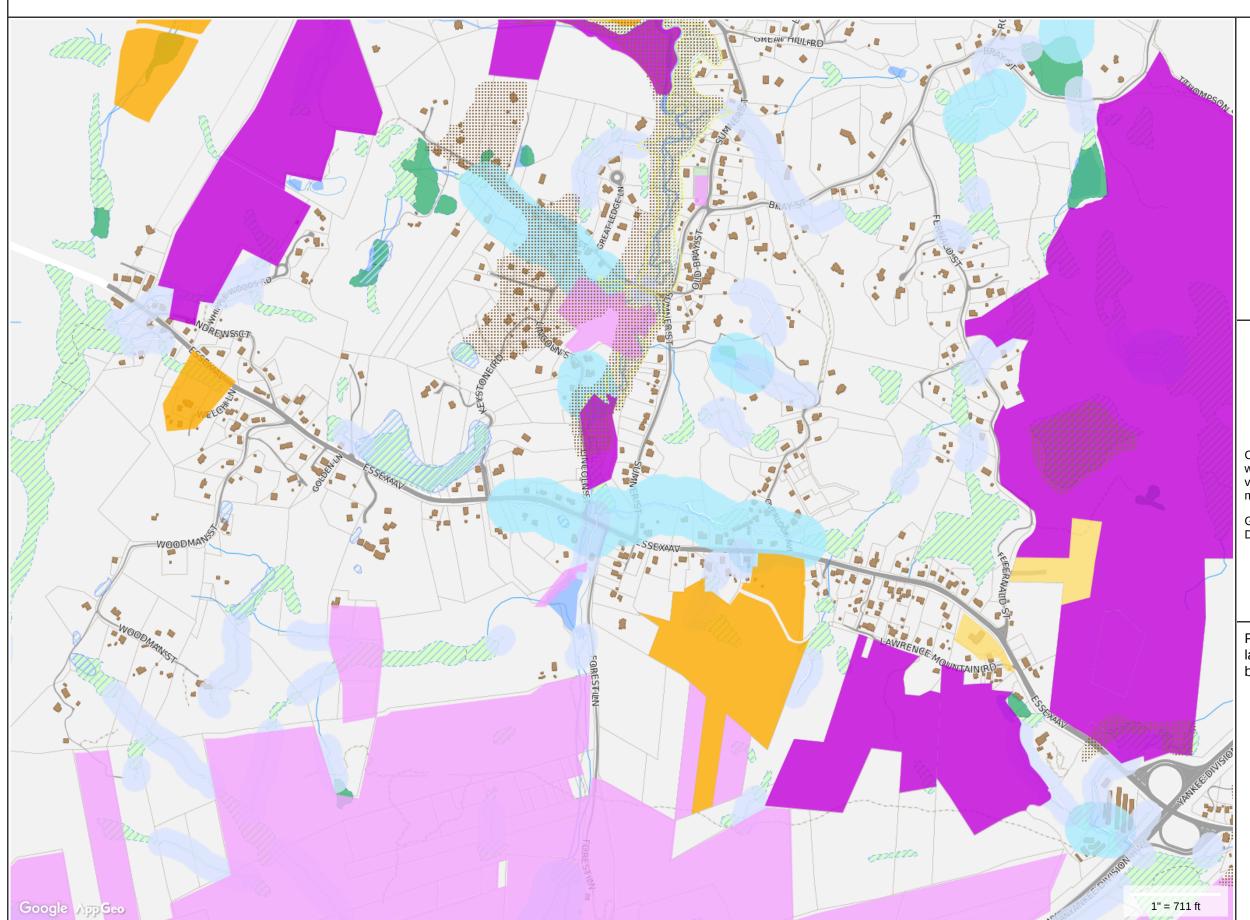
David Ford

Site Acquisition Agent Centerline Communications

THE COMMONWEALTH OF MASSACHUSETTS

County of Plymouth_ss. On this 27th day of August, 2021	
public, personally appeared the above named	before me, the undersigned notary ion, which were
preceding instructent, and acknowledged to me that he/sl	rson whose name is signed on the he signed it voluntarily for its stated
purpose.	Notary Public My commission expires: 4/2/2028
Sullingue L. Mass	My commission expires: Q

Gloucester





City of Gloucester, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this

Geometry updated 6/7/2021 Data updated 6/7/2021

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Map Theme Legends

DEP Wetlands and City Protection Buffers

/ Shoreline Hydrologic Connection
Mean Low Water Line Wetland Limit ___ Closure Line Reservoir (with PWSID) Marsh/Bog Wooded Marsh Cranberry Bog ss Salt Marsh 🔤 Tidal Flats Beach/Dune DEP Coastal Wetlands Resource Area **USGS Streams** Intermittent Streams Perennial Streams 100FT Wetland Buffer 100FT Intermittent Stream Buffer 200FT Perennial Streams Buffer Additional Surveyed Wetlands

MassDEP Wetlands, City of Gloucester - Planning Department

Land Conservation



EOEEA: MassGIS, USDA: NRCS, MA Dept of Agricultural Resources



EXHIBIT 8 RADIO FREQUENCY ENGINEER SITE ASSESSMENT



August 31, 2021

Town of Essex, MA Zoning Board of Appeals 30 Martin Street Essex, MA 01929

SUBJECT: 73 EASTERN AVENUE TELECOMMUNICATIONS TOWER

RF ASSESSMENT OF THE MILLS PROPERTY

Members of the Zoning Board of Appeals:

During the August 4, 2021 public meeting, the Board had requested that the applicant provide additional information related to alternative sites that have been investigated, in particular the Mills Property. To address this alternative property from a radio frequency standpoint, Centerline provided a table of six locations on the Mills Property for review with respect to Verizon's network needs. The table below reflects the information provided along with a column of RF comments to summarize the assessment of each location. Also attached is a set of corresponding maps for comparison of these alternate locations with the proposed facility at 73 Eastern Avenue.

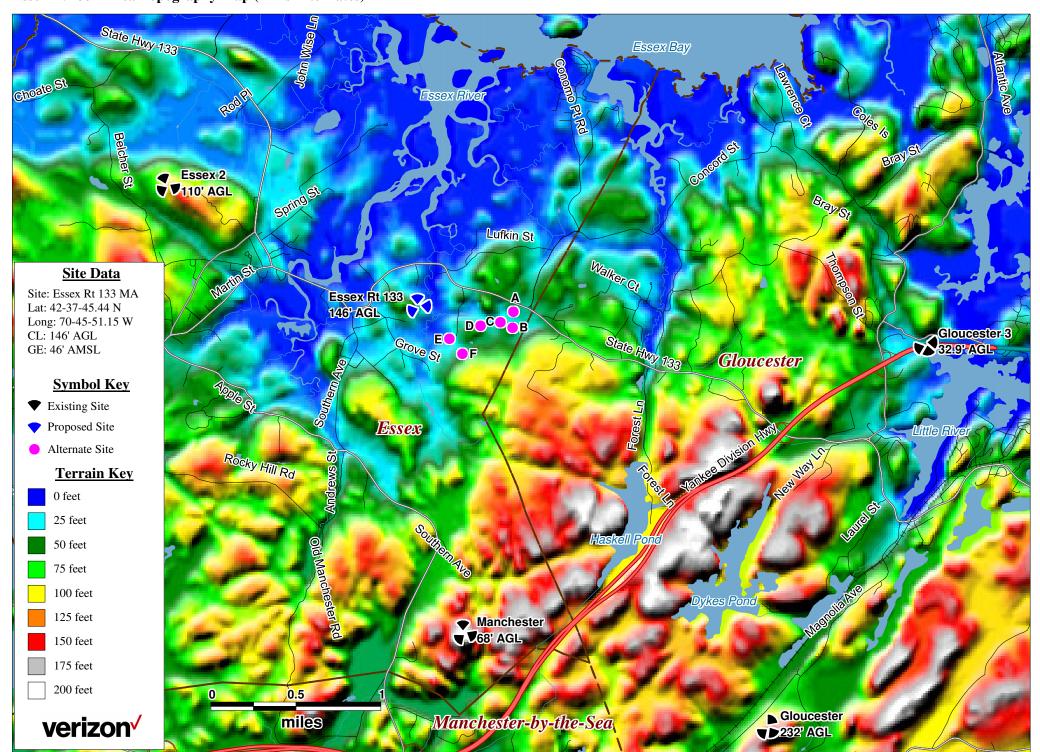
Candidate	Lat	Long	Height Assessed	Elevation	RF Comments
Mills-A	42.6287	-70.7531	150'	27'	located 0.56 mi E of proposed site, would be shadowed by hill that the proposed site is on preventing it from covering the busy stretch of Rt. 133 near the Essex River which is Verizon's primary objective. Coverage from this alternate location would benefit extreme eastern Essex and west Gloucester.
Mills-B	42.6273	-70.7532	150'	32'	located 0.58 mi E of proposed site, would be shadowed by hill that the proposed site is on preventing it from covering the busy stretch of Rt. 133 near the Essex River which is Verizon's primary objective. Coverage from this alternate location would benefit extreme eastern Essex and west Gloucester.
Mills-C	42.6278	-70.7546	150'	41'	located 0.5 mi E of proposed site, would be shadowed by hill that the proposed site is on preventing it from covering the busy stretch of Rt. 133 near the Essex River which is Verizon's primary objective. Coverage from this alternate location would benefit extreme eastern Essex and west Gloucester.
Mills-D	42.6275	-70.7569	150'	35'	located 0.39 mi E of proposed site, would be shadowed by hill that the proposed site is on preventing it from covering the busy stretch of Rt. 133 near the Essex River which is Verizon's primary objective. Coverage from this alternate location would benefit extreme eastern Essex and west Gloucester.
Mills-E	42.6264	-70.7605	150'	13'	located 0.28 mi E of proposed site, would be shadowed by hill that the proposed site is on preventing it from covering the busy stretch of Rt. 133 near the Essex River which is Verizon's primary objective. Coverage from this alternate location would benefit extreme eastern Essex and west Gloucester.
Mills-F	42.6251	-70.759	150'	24'	located 0.39 mi E of proposed site, would be shadowed by hill that the proposed site is on preventing it from covering the busy stretch of Rt. 133 near the Essex River which is Verizon's primary objective. Coverage from this alternate location would benefit extreme eastern Essex and west Gloucester.

Sincerely,

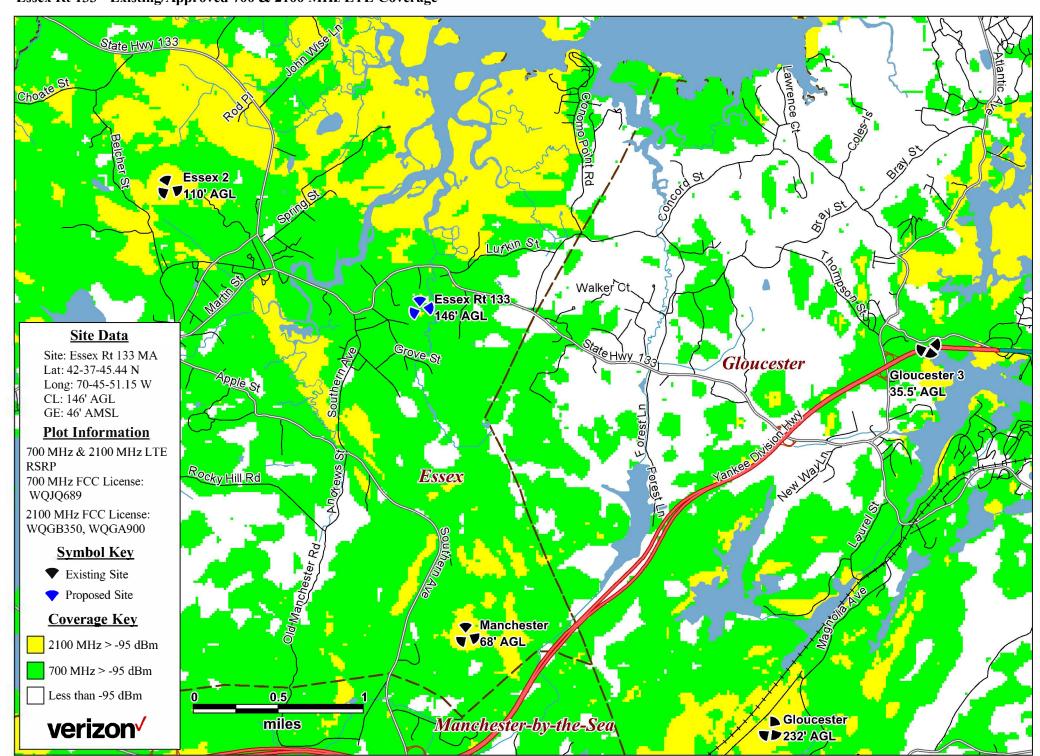
Keth Wellante

Keith Vellante RF Engineer C Squared Systems, LLC Contractor to Verizon Wireless

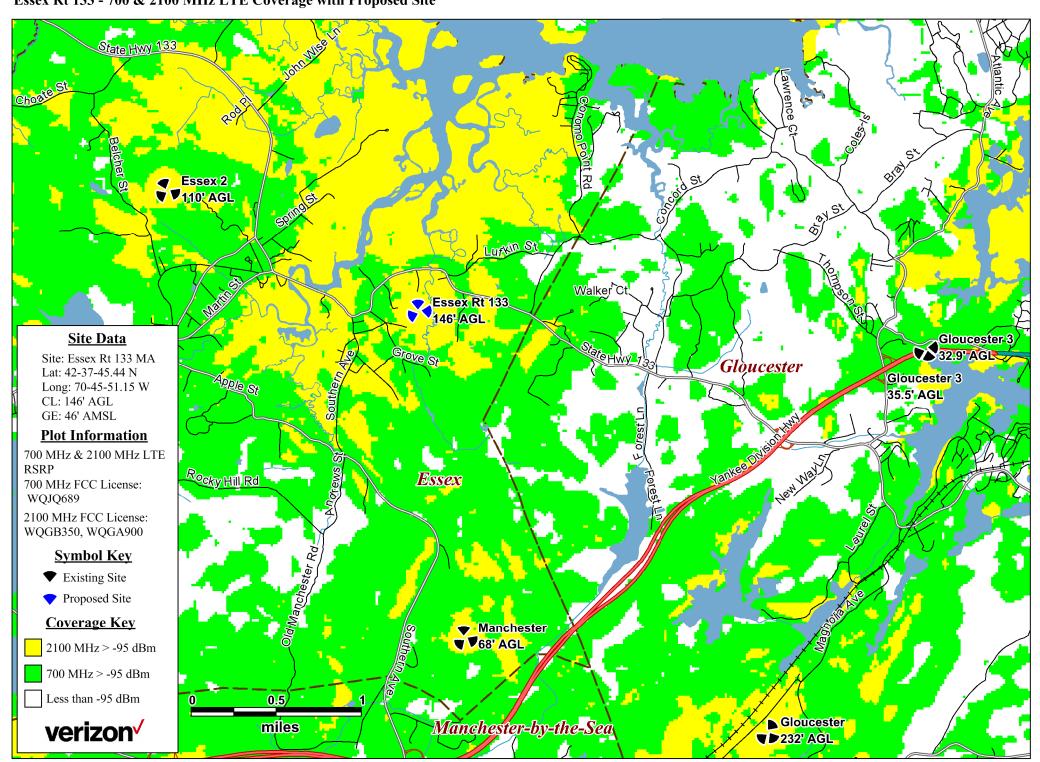
Attachment X: Essex Rt 133 - Area Topography Map (Mills Alternates)



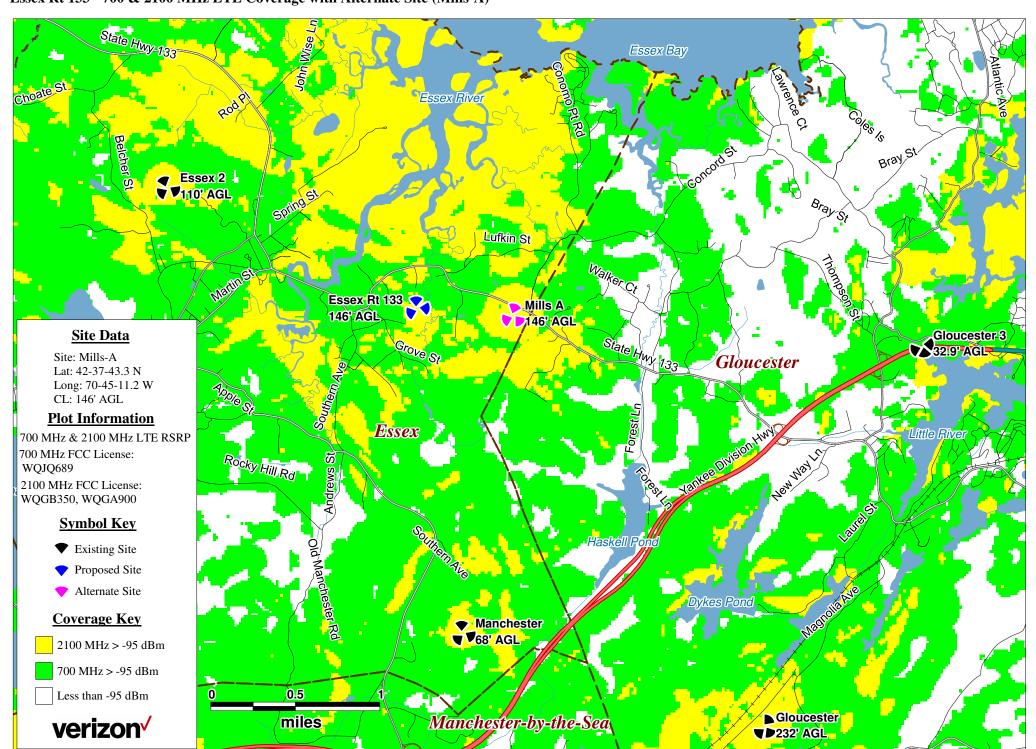
Attachment A: Essex Rt 133 - Existing/Approved 700 & 2100 MHz LTE Coverage



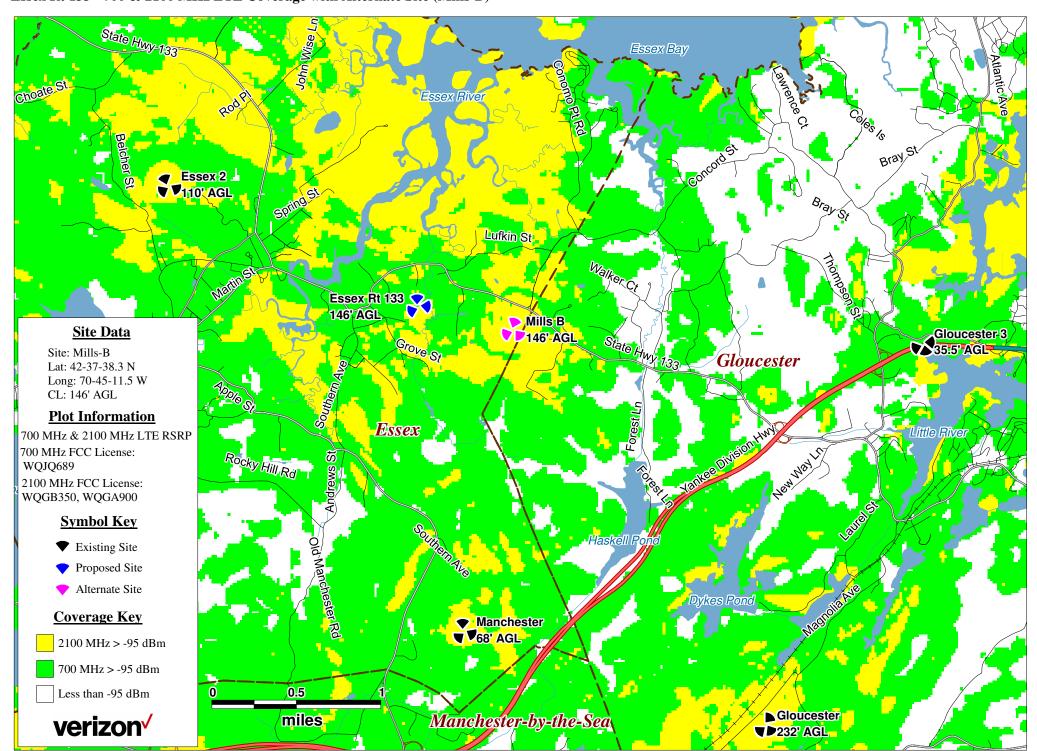
Attachment B: Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Proposed Site



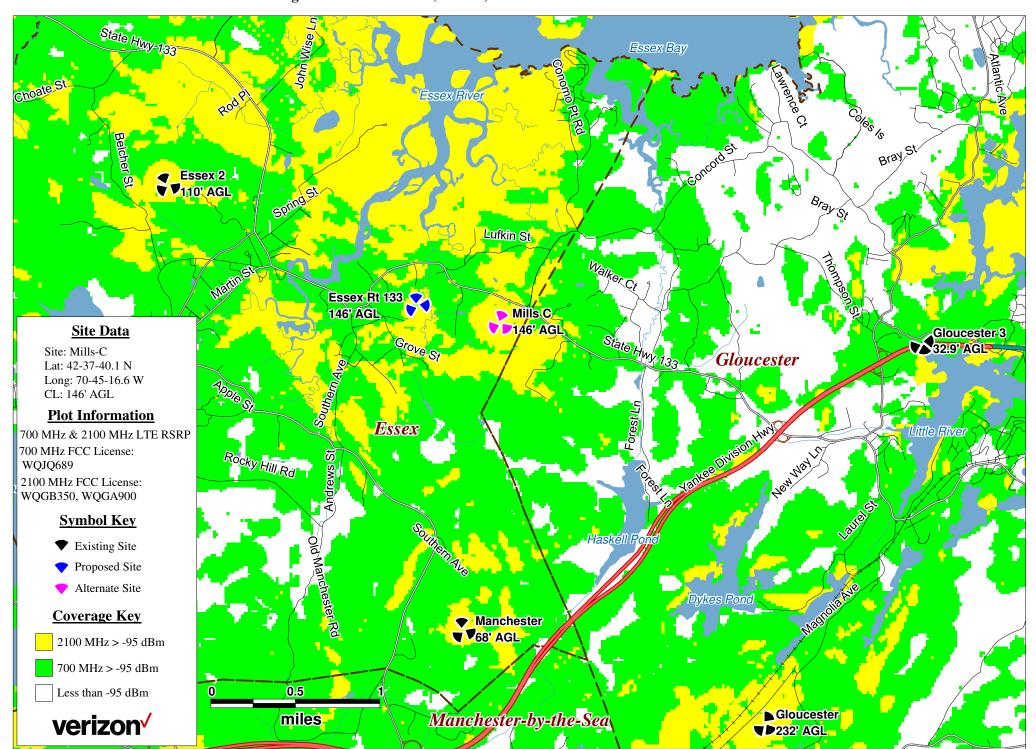
Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Alternate Site (Mills-A)



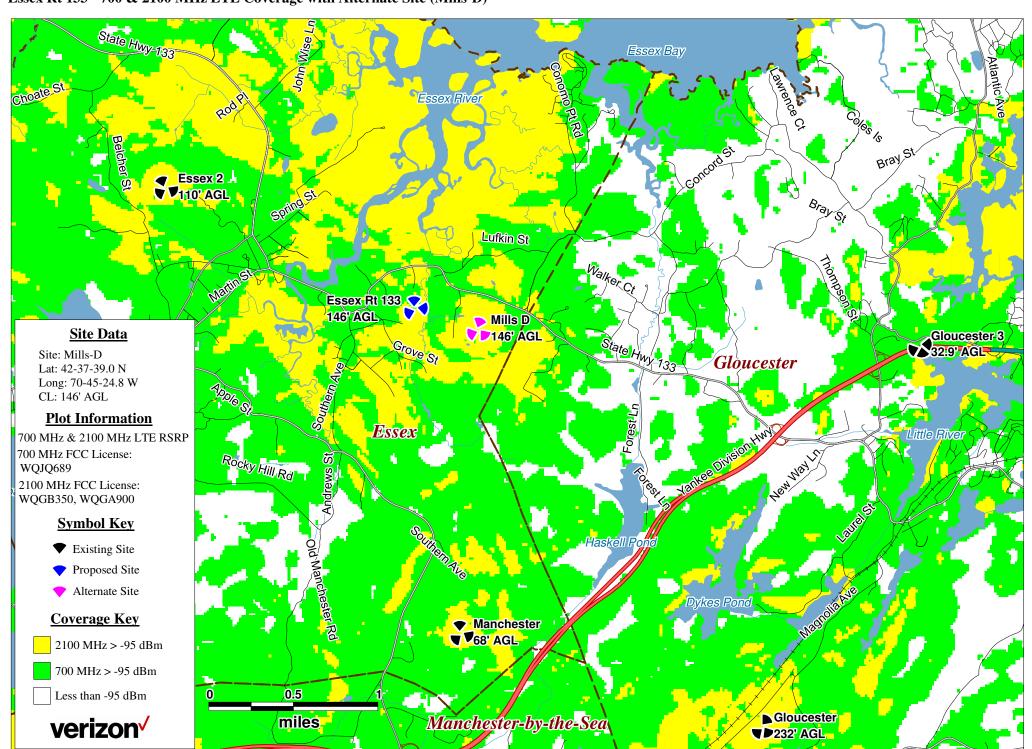
Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Alternate Site (Mills-B)



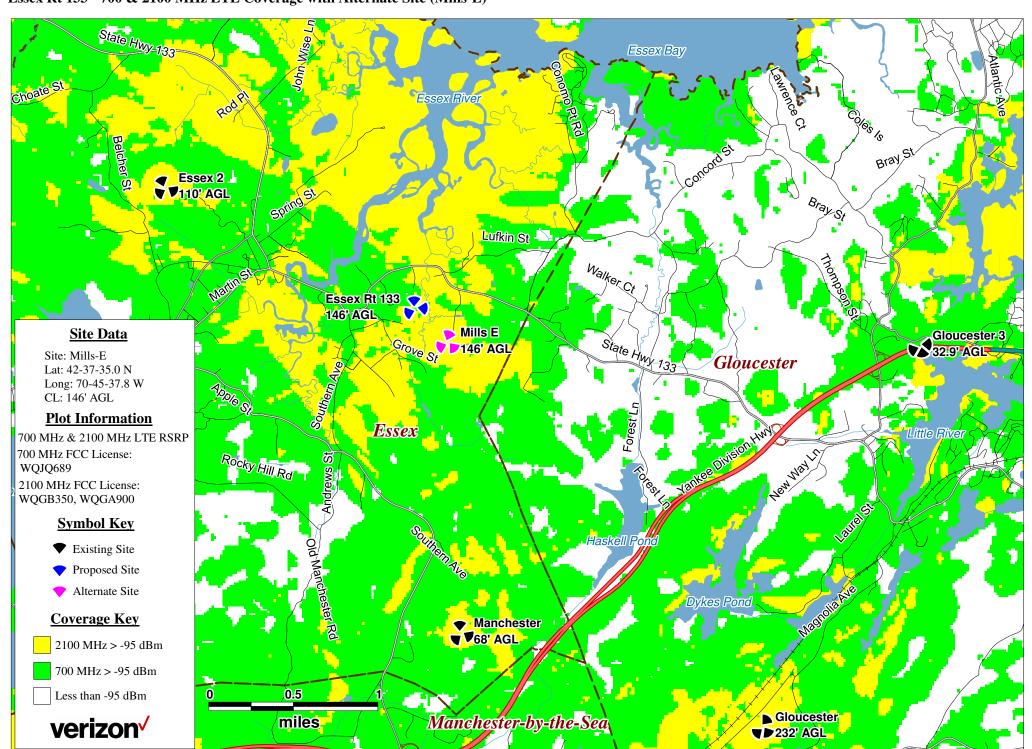
Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Alternate Site (Mills-C)



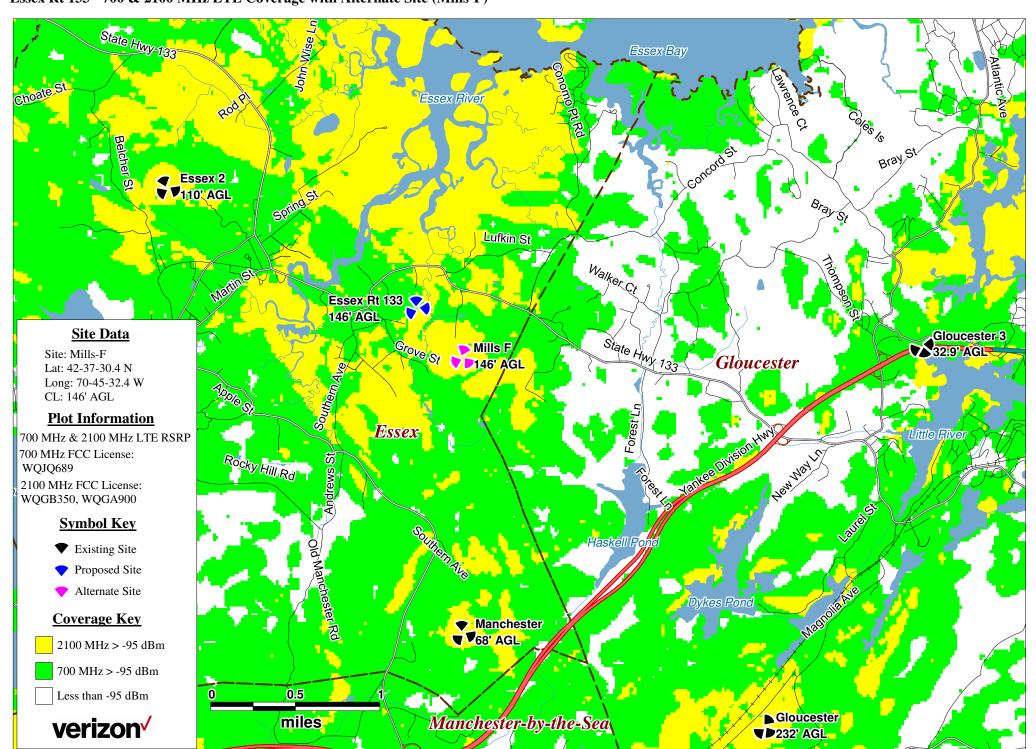
Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Alternate Site (Mills-D)



Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Alternate Site (Mills-E)

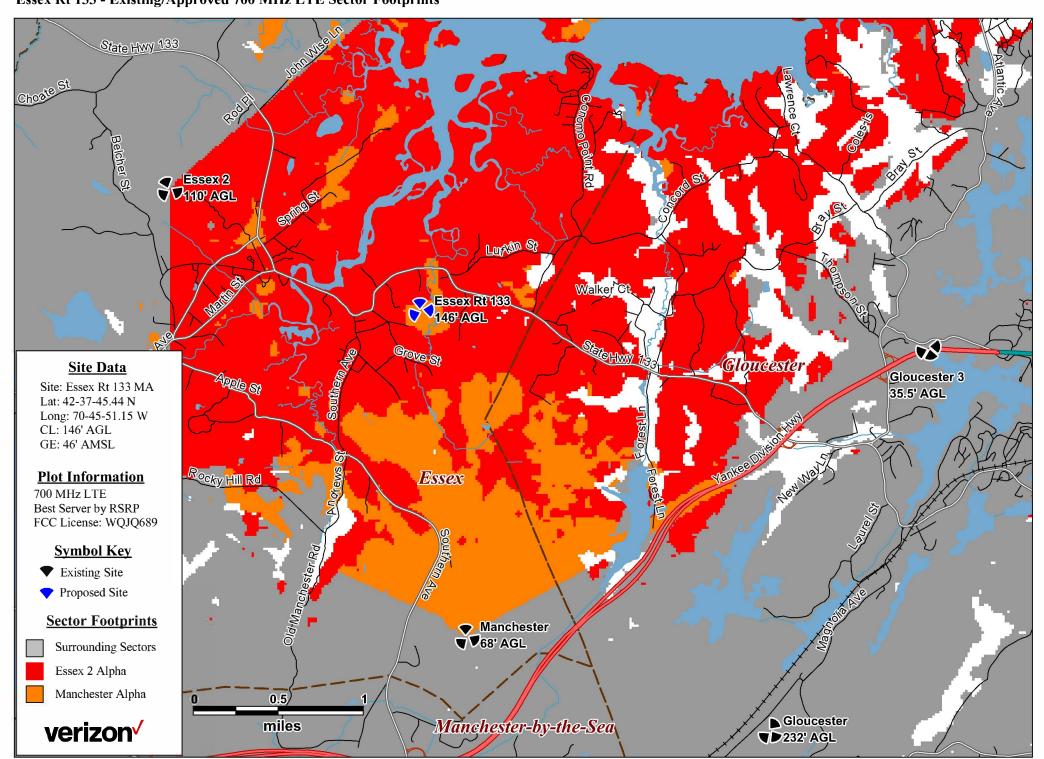


Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Coverage with Alternate Site (Mills-F)

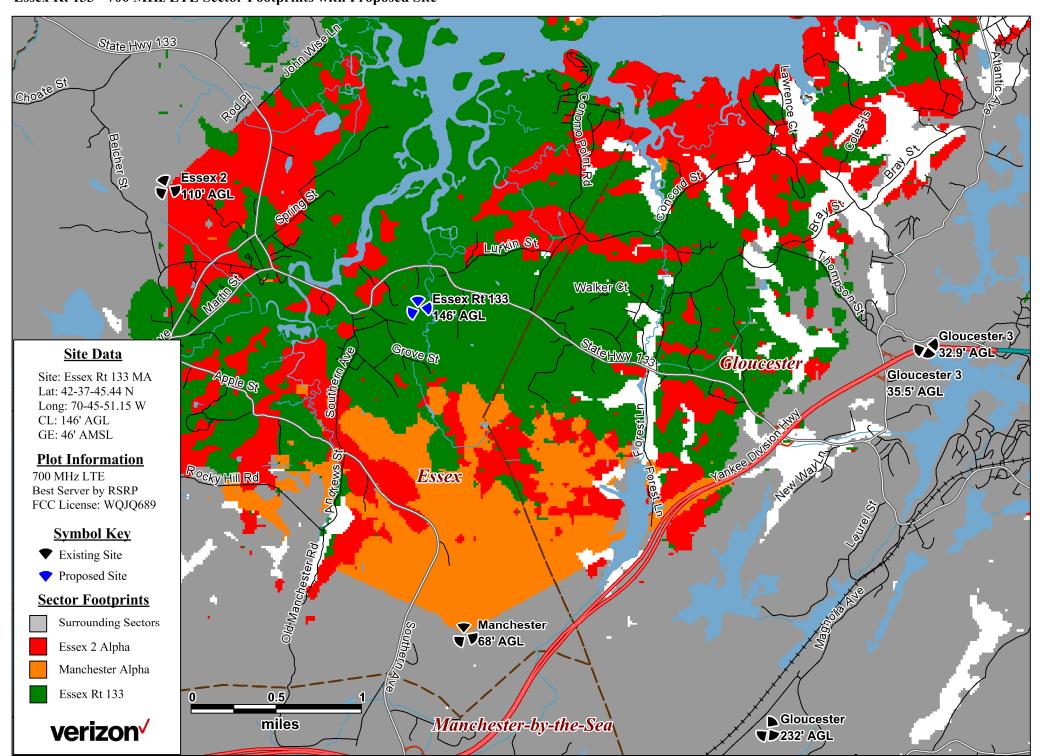


Attachment C:

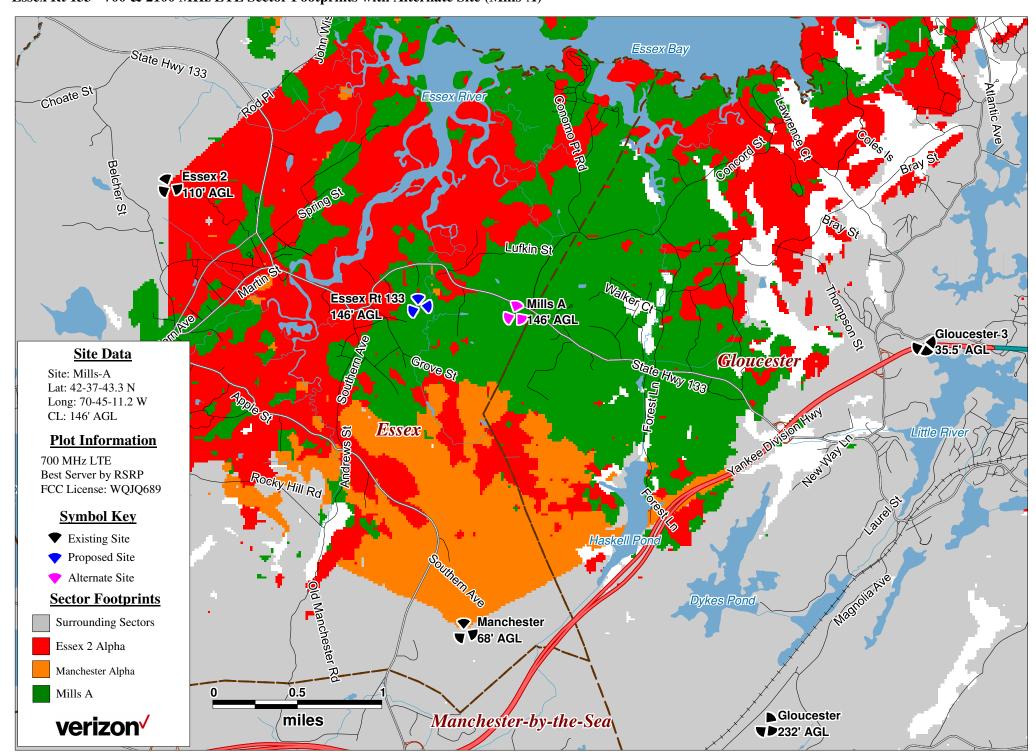
Essex Rt 133 - Existing/Approved 700 MHz LTE Sector Footprints



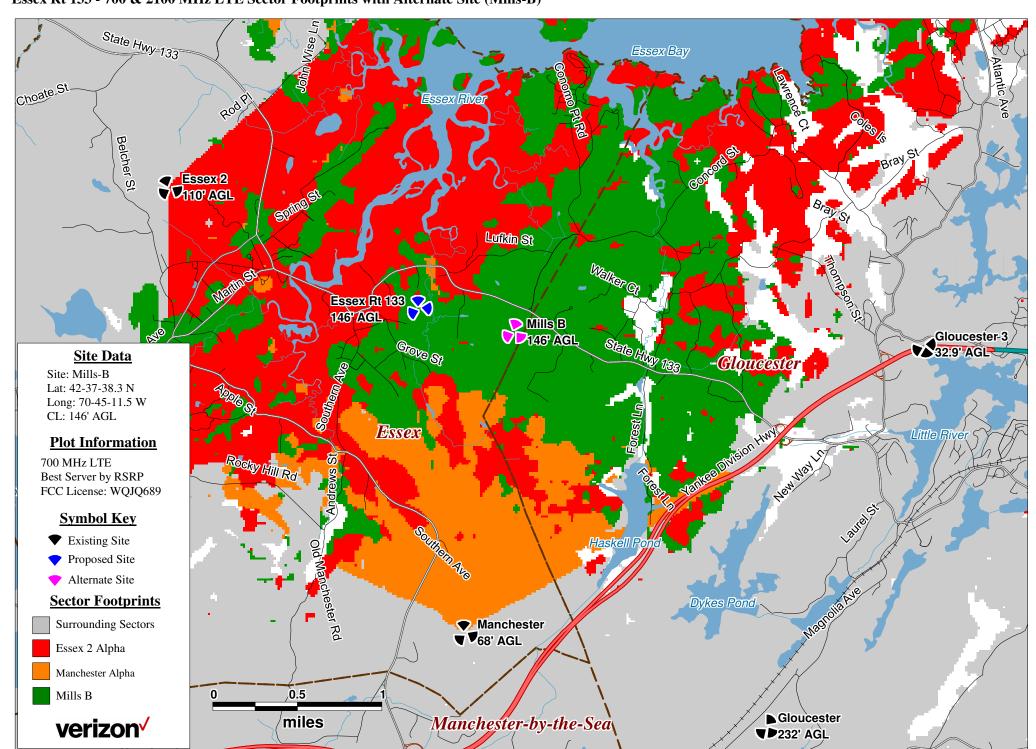
Attachment D: Essex Rt 133 - 700 MHz LTE Sector Footprints with Proposed Site



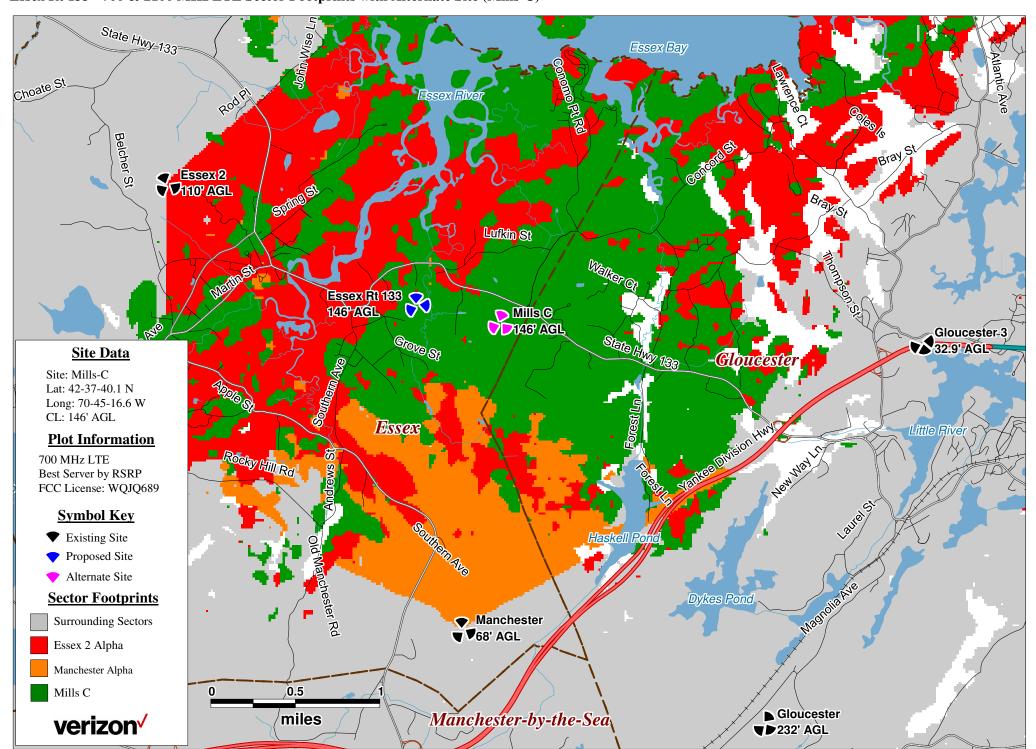
Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Sector Footprints with Alternate Site (Mills-A)



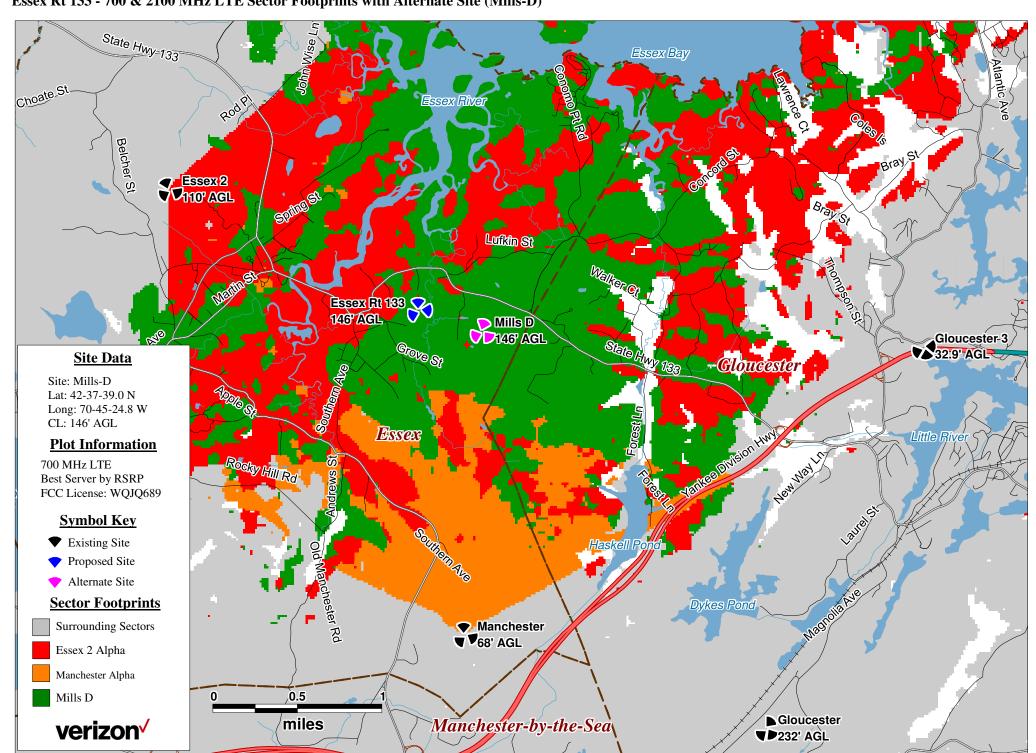
Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Sector Footprints with Alternate Site (Mills-B)



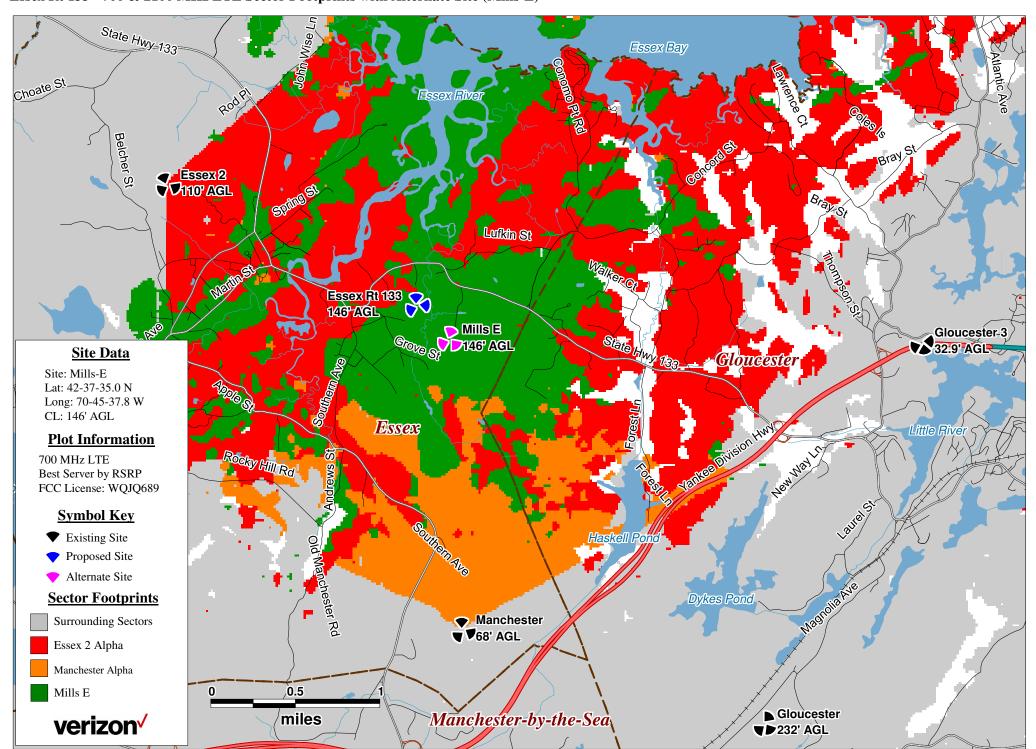
Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Sector Footprints with Alternate Site (Mills-C)



Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Sector Footprints with Alternate Site (Mills-D)



Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Sector Footprints with Alternate Site (Mills-E)



Attachment X: Essex Rt 133 - 700 & 2100 MHz LTE Sector Footprints with Alternate Site (Mills-F)

