

APPENDIX L

COMMENT LETTERS

RECEIVED NOV 18 2005

November 17, 2005

Ms. Joan Jurkowich
Tompkins County Planning Department
112 East Court Street
Ithaca, NY 14850

Subject: Comments on the Tompkins County Public Safety Communications System DEIS

Dear Ms. Jurkowich,

We are writing to reinforce our deep concern about the effect that the proposed Danby North tower, as described in this DEIS, will have on us and our home. We have already provided feedback to the county in two formal venues, a letter sent to you August 24, 2005 (attached here as Appendix A) and spoken comments at the public comment session on November 3rd. We request that the county respond to each concern raised in these communications, as well as to the new concerns and comments we make here in this letter.

The DEIS confirms the assertion that we have made previously, that across the entire county, among uncompensated home-owners, we are uniquely impacted. The Danby North tower receives the highest visual impact score and the second highest noise impact score. Our house is closer than any other residence in the county to any new towers being constructed for this project. The DEIS does not examine the impact of the access road to our home. This road will have a significant visual impact from our home. Also the road and any mitigating landscaping designed to minimize visual impact will likely increase our already costly problem with drifting snow. Furthermore, the DEIS is critically flawed because it does not examine the increased visual and acoustic impact on residents like us for the many months each year when the trees do not have their leaves. Impact scores would be much higher and noise scores would likely pass recognized thresholds under these conditions. These issues merit examination in the final EIS and, by themselves suggest the county has not examined alternatives sufficiently.

Here are a list of specific concerns.

Section 3.2.4, Page 3-16: The DEIS states that proposed tower locations were picked, among other reasons, based on discussions with adjacent property owners. Contrary to this, we who are legal abutters and clearly heavily impacted by the choice of the Danby North site, were not contacted by anyone until the August balloon test was less than a week away. By this time the land was already cleared for the test and repeated surveys had been made. Even then, we were not approached by the county or its agents but by our neighbor. Only after we contacted the county did Mr. Lee Shurtleff speak with us. At this time he told us that the location of the tower was already pretty much a forgone conclusion. After this, one of us (Marc) spoke at a county legislature. After this, Mr. Steve Whicher, the county administrator, told us that he personally had recognized and pointed out to the planning group that our home was uniquely impacted and that the tower site was extremely obtrusive to our home. He had suggested that they consider other locations and contact us, but this was not done. Because we were not contacted earlier for comment, our objections meet with the stiffer resistance that momentum affords this location. No other locations in the area that might equally fulfill the signal needs of the project were modeled in any way, nor were any even given systematic consideration. No other landowners in our immediate area were approached to see if they would lease land for this purpose. There has been no analysis of nearby alternative locations with lower proximity to residences. Our interpretation of the facts is that a willing landowner was found for the Danby North lease and no other serious effort was made to notify abutting landowners, solicit input, or identify lower impact alternatives. The county should conduct this systematic analysis of other

possible locations now to see if impacts could be minimized further without critically endangering the integrity of the communication system.

Figure 3-1-1A shows that our home is twice as close to the Danby North location as any other uncompensated residence. We are the only nearby home whose primary view shed includes the towers location. This satellite image is out of date. Our home is now substantially larger with more rooms and windows facing the proposed tower location. We submit that the lack of an accurate overhead representation of our home dilutes decision maker understanding of the severity of the impact. The county should obtain a more recent image or provide an accurate overhead survey in addition to the photographs.

Section 5.1.2.2, Page 5-8: states that the effect on the county's tax revenue will be minimal, with the private landholders remaining responsible for all current taxes except those on the 100 ft square section leased. This implies that homeowners like us, whose house value will decrease markedly will not see a concomitant drop in our tax liability. If true, this represents an undue burden. The county should describe how landowners uniquely impacted by loss of property value are compensated by the community for their loss.

Section 5.2.3.2, Page 5-25: states clearly that the extremely high impact score of Danby North should force the county to locate towers farther from the road. The Danby North tower is the only one which gets such a recommendation. We understand from Mr. Surtleff and others that the county is considering moving the location a few hundred feet further from the road, in line with this recommendation. This is a minimal response that we do not consider to be sufficient to a problem so clearly demonstrated in the county's own DEIS. We have been told by Mr. Shurtleff and others that no systematic search has or will be made for alternative site on any other landowner's property. This effort could minimize the impact on our home and the net impact on the residents of this area of Danby. It is not enough to simply move the tower a bit farther from the road. The county should be required to systematically search for alternative locations that might drastically reduce the visual impact but not the signal strength. We have shown Mr. Shurtleff, using publicly available topographic maps, where such sites exist. When we did this, he was not aware that other high spots existed within a mile which were farther from the road and any homes. He has instead rejected these without any investigation. We submit that the county has an obligation to examine those sites systematically for effectiveness and relative impact.

Appendix E, Figure 4 Sheet 2: Site 19 of the view shed analysis is our front yard and site 20 is at the far end of our driveway. The impact scores of these sites are the highest of any in the entire study. The study does not include a site from our backyard or our upstairs windows. Our entire southern view from the many windows of our home will be dominated by the tower which will appear to loom over us. No study from outside or public property could accurately represent the impact this tower will have on our home.

Appendix E, Figure 7 Sheet 3: This image is taken from just west of our driveway. This is the most shocking simulation in this section. If the photo had been taken from 50 feet east, it would show our newly renovated home crouched at the base of this huge eyesore. As shown, instead it looks like no homes are anywhere around. Worse yet, should the county have constructed such an image from our upstairs windows, our living room, or our backyard, the image would engender even greater understanding from our fellow county homeowners. Our home contains a third floor overlook tower at its West end that looks out nearly over the treetops precisely in the direction of the proposed tower. By not including any simulations from our home, the county under represents the negative impacts of this proposed tower location. We attach here (our Appendix B) a number of such photographs to illustrate our point. Worse, the photographic study was done in summer and neither we, nor the county have images showing how much more disturbing this location will be in fall, winter, and early spring.

Appendix E has its own Appendix B (Danby North Photo Log) showing a photograph from Viewpoint 20, our front yard. This image is over exposed such that it hides the balloon and does not reveal itself to be the profound impact of unparalleled intrusiveness that it would be. Given that this is a critical photo in the analysis, we cannot help but wonder whether this was done with some amount of conscious neglect, or worse, intent. We attach here, as part of Appendix B, our own version of this photograph, which clearly shows the balloon looming over our home from a similar vantage point. We request that the final EIS include an accurate representation of the visual impact from this angle.

Appendix E has its own Appendix C as well (Tompkins County Wireless Visual Assessment) which contains three observers' subjective rating of the visual impact from position 19, the end of our driveway. Reading these shows a few things. First, these three reports are unanimous in their conclusion that the impact here is incredibly high. No other location has reports that read like these. But these reports have problems that underestimate the visual impact for those who live in the shadow of the proposed tower. The average citizen activity at our home may be 2-3, but OUR activity is 5. We live here. This is also true for our land use. So the average citizen might rank our site as these reviewers did with a 3.0, 4.25, or 3.75. But if you correct their raw data so these impacts reflect on those who live right here, we get an average score of 4.33 which is even farther off the chart. The county must respond to this difference between average citizen visual impact, and immediate homeowner visual impact. In addition, the county must examine the fact that the visual impact study is inherently limited by the time of year when it was conducted. The full leaf out period of summer lasts less than half of Ithaca's year, yet this is when the county did its impact study. Reviewer KAC says location 19 has, "no sense of adjacent residences or businesses." From this angle 400 feet from our ~3,000 square foot home, it is possible that the reviewer did not see our house hidden behind the single row of deciduous trees that lines our driveway. However from early fall until middle spring each year we are naked to this site on the road and nearly as naked to the proposed tower location. It is misleading for the county to do this analysis in midsummer. The county should reanalyze any high impact sites like Danby North now or this winter when scores and results are would certainly be even much higher.

Appendix F, Health Risks: The science in this section is skewed. Materials criticize methodologies or potential type II (false positive) statistical errors for every study that shows a potential health risk, but cite no methodological problems or risks of type I (false negative) errors in supporting studies. The bias of the authors of these studies is apparent. Also, models do not include specific source/receiver geometry to the locations we live and sleep. It is possible that the transmission loss functions of these specific paths might exceed known levels of health concern. Clearly enough data do not exist to assure adjacent homeowners that we will experience no ill effects to us or children we plan to raise in this home. The lack of data and perceived bias of the authors contribute directly to public perception of human health risks associated with large communication towers. This perception of risk effects property values. This economic cost of perceived health risk is not examined in the DEIS at all. One of us (Heather Clark Dantzker) is a health risk scientist and we find this document woefully inadequate.

Appendix G, section 3.2, page 28 contains the only mention of our home in this report. "... and a recently constructed house approximately 100m (328 ft) to the northeast." No discussion is given to the impact on our home. Given the profound and disproportionate impact that this project will have on our home, this impact should appear explicitly in the DEIS so that the county knows to consider other locations. Figures 3.3 & 3.4 (pages 31 & 32) confirm the map we have previously submitted. The satellite image is out of date.

Appendix H, Noise Impact Assessment: It is not possible from the description to know precisely where ML-DN and R-DN are located. We interpret ML-DN to be the base of our driveway and R-

DN to be the leaser's (Farrell's) residence. One of us (Marc Dantzker) has extensive graduate training as a bio-acoustician with a special research emphasis on the physics of sound propagation in air. There are fundamental flaws in both the measurement and modeling in this section. First, regarding the measurements: The background noise measurements are not done at the times of day or times of year which have the lowest background noise. For a variety of reasons, nighttime is quieter than mid day, and winter is quieter than summer. The report acknowledges two of these reasons. Leaf noise was loud at the time of recordings (Enclosure 2, page 47) but would not be as loud in winter or the still of night. Traffic noise (Appendix H, page 4-5) was significant at the times of measurements but is substantially lower in the evening and night. Therefore, the background sound measurements are skewed toward noisy times and do not accurately reflect the impact on our property. Realistic estimates suggest that at other times and dates, background noise levels might be as much as 4-10 dB lower, resulting in a prediction of seriously intrusive noise. Second, regarding the modeling: The acoustic model (Appendix H, page 9, described only verbally) used is woefully inadequate and actual results for resulting noise will vary widely from their derived numbers. Missing from their work are ground effects which are different under different ground conditions (dry ground vs. snow), realistic meteorological conditions such as daily temperature inversions that can cause upward facing sounds to bend back and contribute to receiver SPL at a distance, as well as potential directional effect of wind. Also transmission loss is extremely sensitive to source/receiver geometry. These numbers do not represent what it will sound like on the second floor balcony of our home, or even inside our second floor bedroom. At the very least, a Monte Carlo simulation should be included drawing from a range of source/receiver geometries to find the maximum potential sustained effect on real residences. This section is inadequate and both measurements and models should be redone.

Clearly, the DEIS is long. This suggests to the casual observer that the county has done a thorough job investigating the potential impacts. We feel strongly that we have shown that they have not. As homeowners who both work full time, having to scour this massive DEIS to find every point of relevance to our property and concerns is nearly impossible. If we have missed other specific impacts to us and our property that would cause a reasonable person additional concern, we request that we be notified in writing at this time and be allowed to provide further response.

In summary, we request that the Danby North location be moved significantly to an area of lower impact. Multiple alternative locations for this tower and its access road must be thoroughly considered. We request that we be allowed to provide review and comment on these assessments. Moving the tower a few hundred feet is not sufficient. Any new location must have a thorough treatment and evaluation in summer and winter. We anticipate that moving the tower farther back at the same location, as has been suggested, could worsen the impact on portions of our view shed, specifically the south-facing windows of our upstairs living space.

If the county does not offer a plan that addresses these concerns adequately and to our satisfaction at this stage, we will vigorously pursue our rights as legal abutters.

Sincerely,



Heather C. Dantzker



Marc S. Dantzker

587 East Miller Road
Ithaca, NY 14850
607-277-7305

Appendix A: Letter August 24th, 2005

August 24, 2005

Ms. Joan Jurkowich
Tompkins County Planning Department
112 East Court Street
Ithaca, NY 14850

Mr. Lee Shurtleff
Tompkins County Department of Emergency Response
92 Brown Rd.
Ithaca, NY 14850

Subject: Concern over Location of Proposed Communications Tower in Danby

Dear Ms. Jurkowich and Mr. Shurtleff,

In the past week we have been made aware of the communications tower proposed to be built on property owned by Mr. and Mrs. Bill and Cheri Farrell (581 E. Miller Rd., see Figure 1) immediately adjacent to our property at 587 E. Miller Rd. in Danby. We are writing to express our deep concern over the proposed location of this tower. We would like to request that alternative locations for this tower be thoroughly considered and that we receive, in writing: 1) the results of investigations considering all reasonable alternatives, and 2) a report detailing the impacts to our property.

From our conversations with Mr. and Mrs. Farrell and with you, Mr. Shurtleff, we have learned that the proposed tower would be approximately 185 feet high, would be free-standing, and would include outwardly facing panels in addition to its lattice-structured tower frame. We are the closest residents to the proposed tower, which would be situated only a few hundred feet from our home. In addition, an access road to the tower would be built just over our property line, less than 50 feet from the large, westward-facing living room windows of our home. The proposed tower, if built, would place disproportionate impacts on us and confer no additional benefit. At this time, we do not have complete information on the proposed tower or its potential impacts. However, from the information we do have, we feel certain that the tower will have direct, adverse impacts to our home, our property value, and possibly our health and well-being, including the following:

- The tower will loom over our home and backyard.
- The viewshed from our yard and home, which has large banks of windows facing south and west, will be heavily impacted.
- When the deciduous trees are without leaves, the fences and buildings at the tower's base will be plainly visible from inside our house and from our backyard.
- Electrical transformers may hum continuously and backup power generators will create a noise nuisance during outages.
- The planned access road will come within 50 feet of our home and cross our most scenic view.
- The planned access road and its required winter plowing would likely increase our already costly and troublesome snow drifting problem.
- Possible health effects that have been linked in other similar cases around the country to a variety of conditions ranging from headaches to cancer.

Appendix A: Letter August 24th, 2005

- Significantly decreased property value and possible increased difficulty selling our home, if and when we need to, due to the compromised viewshed and commonly held negative public perception associated with large communications towers.

In our initial discussions with you, Mr. Shurtleff, you agreed that we had just cause for concern and that the effects of the proposed tower on our lives and property were potentially significant and disproportionate. You could cite no precedent for such a strong impact on any one homeowner. We understand and appreciate that you are now looking into alternative sites. Our request is that this process be formal, comprehensive, and that its results be provided to us in writing, including any justification for exclusion of alternative sites.

Specifically, we request that in addition to or as part of the Environmental Impact Statement (EIS) that the county is preparing, a complete analysis of this issue be undertaken and a report for our mutual examination be prepared on the tower's impact to us and our property. As part of this work, we request that the county conduct a complete viewshed analysis from our home (including 2nd and 3rd floor windows and balconies) and front, back and side yards. This analysis should include photographs with renderings of the proposed tower in both summer and winter. This report should also include a snow drift analysis that estimates the added plowing effort we will require due to addition of an access road and the plowing mounds which its maintenance will generate. As research staff of the Cornell Lab of Ornithology (M. Dantzker) and the Cornell Sprecher Institute for Comparative Cancer Research (Dr. H. C. Dantzker), we are naturally concerned about the potential effects to environmental and human health. We request that this report address any potential effects of the proposed tower on local and migratory bird populations as well as potential and perceived human health risks associated with large communication towers. To be complete, this risk analysis should include descriptions of the uncertainty associated with any conclusions.

In summary, should the tower be built in the currently proposed location, we will be disproportionately affected. While we certainly are supportive of the need to create a comprehensive 911 emergency response system, we are opposed to the construction of the tower in its proposed location. We look forward to receiving a complete report from the county detailing all potential alternative locations. We also look forward to receiving results of our requested analysis of the effects of the proposed tower on our property value, viewshed, health and well-being, and other incremental costs and associated uncertainties. We look forward to working cooperatively with all parties involved to find a mutually agreeable location for this important piece of public infrastructure.

Sincerely,

Heather C. Dantzker

Marc S. Dantzker

587 East Miller Road
Ithaca, NY 14850
607-277-7305

cc: Barbara Lifton, State Representative; Frank Proto, Tompkins County Legislator; Edward C. Marx, Tompkins County Commissioner of Planning; Susan Beaner, Danby Town Code Enforcement; Danby Town Board & Danby Planning Board c/o Carol Sczepanski, Danby Town Clerk; William & Cheri Farrell

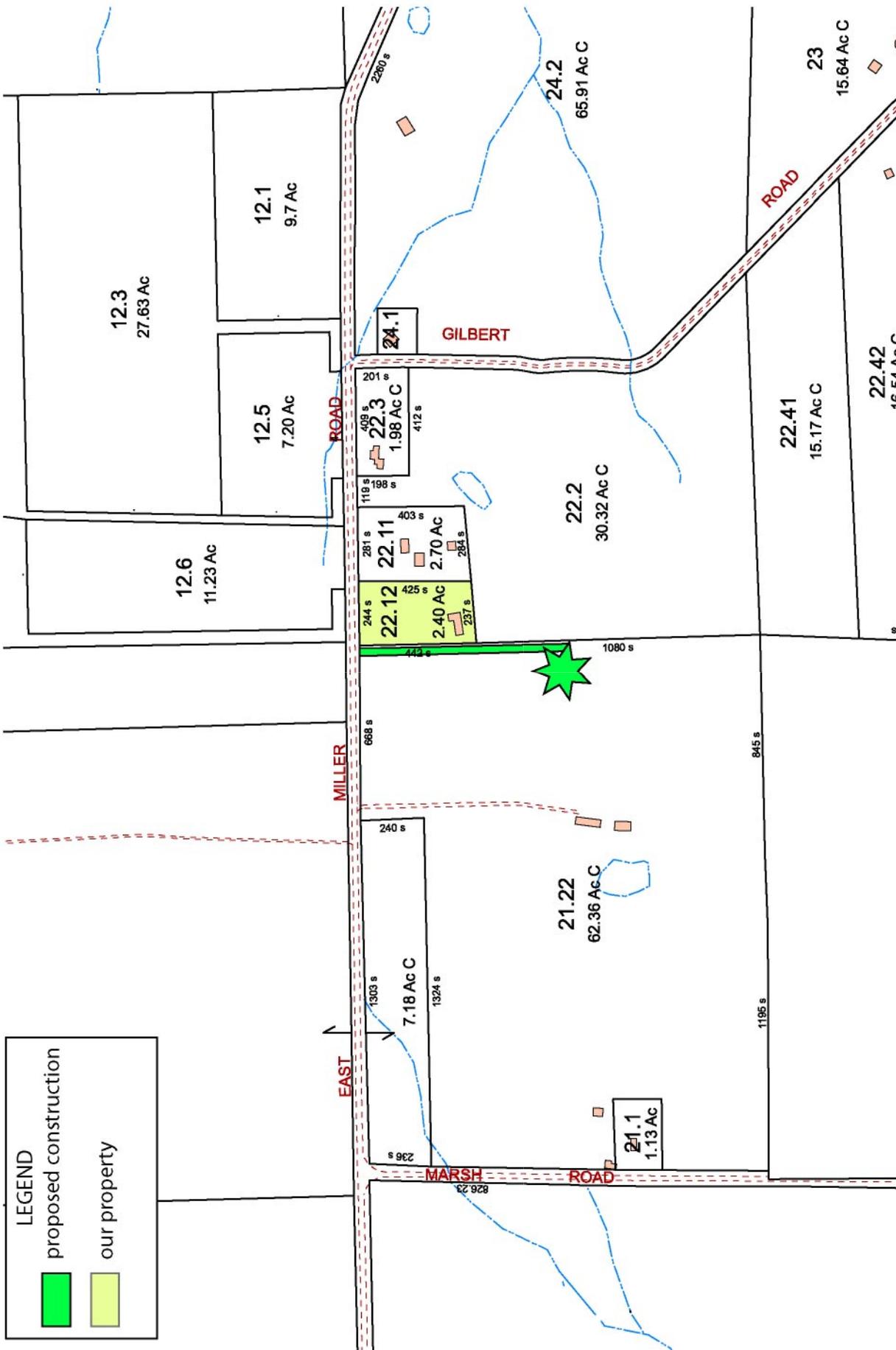


Figure 1: Area map shows proposed tower location and access road (**green**), our adjacent property (**yellow**), as well as those of our close neighbors. The map is derived from Tompkins County Tax Map #6, to which we've added these details and our home which that map does not show.



Front Yard: Equivalent to DEIS Appendix B, Danby Photo Log View-point 20 but the exposure allows you to see the balloon clearly.



Living Room 1. Our backyard view which will be heavily impacted, especially when leaves are not on the trees.



Living Room 2: The whole tower would be visible here in winter.



Third floor viewpoint : All of these photos were taken with a wide angle lens to make sure you can see the interior of the window. With a "normal" lens, the tower is far more intrusive.



Second floor study: All trees between here and tower are deciduous.



Third floor view: No trees will block this in fall and winter.



Master Bedroom View: 1



Master Bedroom View 2: The tree that partially obscures the tower location here, has no leaves for 6 months/yr. There's a second floor deck out this door that has the same view.

18 November 2005

RECEIVED NOV 18 2005

Joan Jurkovich, Deputy Commissioner of Planning
Tompkins County Planning Department
121 East Court Street
Ithaca, NY 14850

in re DEIS for the Tompkins County (TC) Public
Safety Communications System

Dear Joan,

In conformance with the DEIS public-comment schedule, here are my comments.

VOLUME 1

1) **DEIS Summary**

a) The summary section ends with a useful chart, but in the first row refers to "proposed 9 site system". According to §3.2.3 (pp. 3-15-16), the proposed project is really a 10-tower system. The summary chart should be modified for consistency – perhaps by a footnote explaining that the DEIS addresses 9 of the 10 sites, with the South Hill site already being modified for existing as well as future use with this system (and environmental review having already been handled?).

b) p.1 last para., last full sentence – Is the Tompkins County 800-MHz system also designed to transition to 700 Mhz once those frequencies are available? (If not, this should be discussed in the alternatives section.)

2) **§3.2.2 County RFP**

p. 3-13: Last paragraph should be revised to more accurately reflect the actual history of the project. E.g., "There were two responses to the RFP, one from MA-COM and one from Motorola. MA-COM pointed out their interest in TC's RFP but noted that the RFP for New York State's SWN project had a later response date, and they did not want to 'tip their hand' to their SWN competition. MA-COM suggested that TC adjust its reply date accordingly. The CommCap Committee decided not to extend the response date, and to go forward without having a choice of vendors. [New York subsequently chose MA-COM over Motorola for the SWN project.]"

3) **§4 Natural Resources**

I recognize that the DEIS Table of Contents follows the Scoping Document, but seeing all in context now, it would be appropriate to add a "Section 4.6 Air Resources", and to move the description of the additional microwave radiation there, since the air is where the project's EMR is added to the existing radiation soup we all live in. This would still leave the discussion of EMF effects on humans (and other fauna plus flora) to be described and discussed elsewhere.

4) **§5 Human Resources:**

a) The Visual Resources section (5.2) is well done. I only take issue with the dismissal of the "tall pine" disguise concept; if used where there are naturally occurring evergreen trees on

wooded hills (as in New York's Greene-Bainbridge corridor) it is appropriate and effective -- and almost totemic!

b) §5.3 Public Health, §3.3.2 Long-term (Operations phase), p. 5-28, last paragraph: "periodically checked" - Once every three years? Weekly? - Please include some clue as to what is intended.

c) §5.3.1.1 Summary of scientific knowledge - I appreciate the inclusion of the statement "The question that remains is whether time-varying electric and magnetic fields can cause health effects"; that question still remains. Studies are inconclusive. It is perfectly understandable that some persons are anxious.

I appreciate the inclusion mention of the stricter European standards.

I had hoped the appendix would include research results more recent than the 1998 *Health Physics* article [submitted in 1997], reproduced as Appendix F3.

Please correct p.5-26 reference to Appendix G to be to Appendix F.

d) §5.3.4 Unavoidable impacts - Please add a sentence repeating the fact that studies are inconclusive to date, so no guarantee of safety can be given.

VOLUME 2: Appendix F

App. F.2, p. 36, para. 3 - For the TC PSCS towers near other towers, have calculations been made to analyze the total contributions to field strength/power density from other RF sources to ensure that such variables as reflection and re-radiation have been considered?

* * * *

This is one of the "best" DEISs I have gone through.

I still hope there can be some site-location adjustment for the nearest-neighbor's well being.

I appreciate the opportunity to comment.



Dooley Kiefer
629 Highland Rd.
Ithaca, NY 14850

11/18/05

Questions for Tompkins County regarding the DEIS report:

My name is Lois Rich; I live on Taft Rd in Caroline Center. You are proposing a tower on this road and I have questions that I feel should be answered. These questions are the same questions that we have been asking since the start of this project. I find it very difficult that our County and our local government have not taken the time to answer these questions in the past. I have listed below my questions with some text from the DEIS report.

My Question:

This only talks about workers. What about people who live close to the towers?

Options for a Public Safety Wireless Radio Communication System:
Synthesis and Evaluation Report
Tompkins County Radio System Project
102

NYS

occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply, provided he or she is made aware of the potential for exposure.

NOTE 2: General population/uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure.

My Question:

Why wasn't any viewpoints done from Taft/Buffalo Rd or Buffalo/Seventy Six? Or from front locations such as Brooktondale instead of Speedsville? They all see from the side or behind the tower location? I did see where it's mentioned about visual impact – but why are the photos from so far away?

17

documented during the growing season. The locations and primary reasons for selection of these

viewpoints are described below:

Caroline:

Viewpoint 3 – View from intersection of Speed Hill Road and Buffalo Road, looking southeast.

Typical rural/ agricultural setting found in Tompkins County.

Viewpoint 11 – View from Blackman Hill Road adjacent to Potato Hill State Forest, looking southwest. At Finger Lakes Trail crossing from the Potato Hill State Forest.

Viewpoint 15 – View from Old Seventy-Six Road near Yapple Road, looking northwest.

Typical forestland setting with residential properties tucked into vegetation.

My Questions:

What about the noise to homes that are close to these towers?

What about the waves to homes that are close or below the tower?

What about our property value?

Will my taxes be adjusted to reflect the lower property value?

Who is going to help me when I can't sell my home because of this tower? I do not want to live in front of it!

What about all the excess traffic and damage to our road?

Who does the town of Caroline benefit financially from this?

And finally, I find this part very interesting:

3.2.4 Specific Site Alternatives for New Towers

Alternative configurations included a combination of existing tower sites and areas where new towers were required. After the preferred configuration was identified, the County and its consultants used a number of factors including those listed below to identify specific parcels:

- Discussions with property owners – Consideration of willing and cooperating property owners as well as adjacent property owners to account for their concerns.

My Question:

Why wasn't I contacted about my concerns? I live in Taft Rd and no one has ever talked to me regarding this. Not even the town of Caroline! Is it because I have been against this from the beginning? We need a communication system; we just do not want it in our back yard.

Thank you.

Lois Rich
53 Taft Rd
Brooktondale, (Caroline Center)



TOWN OF DRYDEN ★ DRYDEN, NEW YORK

65 EAST MAIN STREET DRYDEN, NEW YORK 13053

In the Heart of the Finger Lakes Region

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Office of Town Supervisor

607-844-8619

November 16, 2005

RECEIVED

NOV 17 2005

Tompkins County Legislature
C/O Joan Jurkowich
Tompkins County Planning Department
320 North Tioga Street
Ithaca, New York 14850

TOMPKINS COUNTY LEGISLATURE

Re: DEIS Tompkins County, New York Public Safety Communications System (PSCS)

Dear Ms. Jurkowich,

The Town of Dryden has reviewed the PSCS DEIS as provided. We generally find the report in order, but have the following comments and suggestions.

Compliance with Local Laws

Telecommunications Tower Siting Law for the Town of Dryden

The Town of Dryden has in effect a local law with the express purpose of regulating telecommunication towers within the Town. In Section 5.1.1.2 the DEIS states that "...the County's Project is not subject to local laws..." This statement is only partially true. The Town of Dryden's Local Law No. 2 (1998) exempts from regulation under such local law telecommunication towers used exclusively for fire, police and other dispatch telecommunications. The proposed project is therefore exempt from compliance with such local law by definition. However, the use of such tower by a commercial or other enterprise to comply with the requirements of the Town's special use permit process.

Stormwater Regulations

In Section 3.1.9 Permits and Approvals, the applicant states that it will comply with the DEC's Stormwater Regulations. Under state law municipalities are authorized to issue their own stormwater regulations which may be more stringent than the state's. This section should be revised to state that the county will comply with local stormwater regulations, if applicable.

Sincerely,

Steven Trumbull
Dryden Town Supervisor

cc: Dryden Town Board Members
Dryden Town Conservation Board
Dryden Town Planning Board
Bambi Hollenbeck, Dryden Town Clerk
Henry Slater, Dryden Town Building & Zoning Dept.
Dan Kwasnowski, Town of Dryden Environmental Planner
Mahlon Perkins, Dryden Town Attorney

Tompkins County
DEPARTMENT OF PLANNING

RECEIVED NOV 18 2005

Edward C. Marx, AICP
Commissioner of Planning
and Public Works

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Memorandum

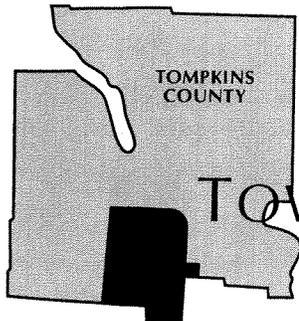
To: Tompkins County Legislature
From: Edward C. Marx, Commissioner of Planning and Public Works *E.C.M.*
Subject: Comment on Draft EIS for Public Safety Communication System
Date: November 18, 2005

The Tompkins County Planning Department has reviewed the DEIS for the Public Safety Communication System project in accordance with the County SEQR policy (Administrative Policy # 01-33.) We find the draft to be comprehensive and complete. With the exception of the one inadvertent omission mentioned below we have not identified any deficiencies in the draft.

Page 5-2 of the DEIS references Table 5.1-2 as a listing of the municipal zoning around the respective tower sites. Table 5.1-2 on page 5-49 actually addresses community demographics. (This table is listed as 5.1-3 in the table of contents.) We recommend that the referenced zoning table be added to the final EIS.

On page 5-5 the DEIS discusses the Tompkins County Comprehensive Plan. The DEIS specifically references the Natural Features Focus Areas delineated in the plan. We have reviewed the tower locations and found that three of the tower sites are located within the generalized boundaries of the Natural Features Focus Areas (NFFAs): Newfield South (Wildlife NFFA), Danby South (Forest Lands NFFA), and Dryden West (Forest Lands NFFA). Of these sites, Newfield South and Dryden West involve redevelopment of existing tower sites. The Newfield South and Danby South sites are very near the edges of the NFFA boundaries. It is important to recognize that the NFFA boundaries are generalized to be inclusive of the resources warranting protection. The Comprehensive Plan calls for development of a program to protect the natural and recreational resources within the NFFAs using tools appropriate to the functions of those resources. A review of the specific tower sites indicates that, based on our analysis to date, these tower locations would not be expected to adversely impact the functions of the natural and recreational resources that led to the designation of the relevant Natural Features Focus Areas in the Tompkins County Comprehensive Plan.

As is also stated on page 5-5 of the DEIS, the Tompkins County Comprehensive Plan calls for implementation of the Public Safety Communications System project. The DEIS is a positive step toward completion of this project.



TOWN OF DANBY - TOMPKINS COUNTY

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November 15, 2005

To: Wendy Skinner
Public Information Coordinator
Tompkins County Dept. of Administration

From: Susan Beeners *Susan Beeners*
Code Enforcement Officer

Re: DEIS, Tompkins County Public Safety Communications System

On behalf of the Town Board, the following are a few comments related to the DEIS:

1. 5.2.3 Visual Impact:

This section notes that 'the high impact score received by the Danby North tower at Viewpoint 19, suggests that it is preferable to site new towers further away from public roads and residences.' This site clearly adversely influences the Dansker property and others in the vicinity. We look forward to finding out if alternative sites will be explored. Our earlier conversations with Lee Shurtleff indicated that the County is amenable to moving the tower site several hundred yards to the south.

2. 5.6 Transportation:

At the Danby South tower site, please be reminded that special consideration will be needed related to adequate access for both the construction phase and long term project operation. As was indicated in my August 25, 2005 letter to Lee Shurtleff, the proposed access drive to this site is around 890 feet south of the end of the year-round portion of Curtis Road. This 890-foot section of Curtis Road is classified as a Minimum Maintenance (seasonal) road, and is a natural soil road, 10-12 feet in width. The relevant laws are Danby Local Laws No. 2 of 2002 and 2 of 2003 related to Minimum Maintenance Roads. Both of them were provided to Mr. Shurtleff. Local Law No. 2 of 2002, Section 8, provides a manner for persons to petition the Town Board to discontinue the minimum maintenance designation.

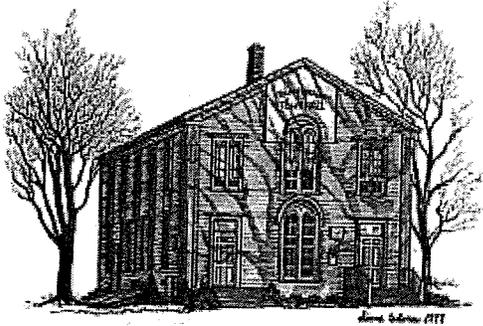
3. SEQR Full Environmental Assessment Form, p. 21-C, Para. 10:

This paragraph recommends several actions to help mitigate fiscal impacts on local communities using the County system, such as identifying and obtaining alternative sources of financing. We look forward to understanding specifically what actions are planned.

With respect to making efforts to comply with existing zoning and municipal ordinances, please be reminded that if the tower sites are ever used for commercial purposes, an application to the Danby Planning Board for a Special Permit will be required.

Xc: Lee Shurtleff
Frank Proto
Town Board
Planning Board
Richard Stumbar, Town Attorney
William Hall, Highway Superintendent

RECEIVED NOV 9 2005



TOWN OF CAROLINE
P O Box 136
Slaterville Springs, NY 14881

Don Barber, Supervisor
(607) 539-3395

November 07, 2005

Tompkins County Legislature
320 North Tioga Street
Ithaca, New York 14850

RE: DEIS for Tompkins County Public Safety Communications System

I want to start my comments by stating my support for the objectives of this project. I recognize the need for this project as Caroline has some of the roughest terrain in the County and getting a signal throughout the Town is of vital importance. The data purported in this DEIS suggests that this system will meet the communication objectives. I also recognize the immediacy of this project.

Before I make comments on the DEIS, I want to express my concern that in spite of all the deliberation on this project by the County team, the public has been out of the loop. I think that a longer period for the public to be able to digest and understand the system being proposed would have been a better approach. In others words the November 9, 2005 deadline was too short. The following are comments on the DEIS.

1. I am concerned that technology innovations will make this system obsolete before it is paid for. I realize that doing nothing is not an option, but a discussion of this potential chain of events should be recognized and discussed.
2. I am concerned about the compatibility of this system with the State Wireless Network (SWN). The DEIS mentions a Memorandum of Understanding (MOU) with the State. I received a copy of the MOU from Ms. Jurkovich. I have read it. It states that a Partnership Development Team would be convened within 60 days which would have been in May 2005. No mention of this team nor the results/status of their deliberations was mentioned. I recommend that the County request reimbursement from the State for any structures or apparatus that the SWN uses. I believe a discussion of this situation with the SWN is appropriate and important to the taxpayers of Tompkins County.
3. Fall zone: The County should own or lease any property where their tower could fall. By not doing so, neighbors to the tower sites are may not develop their land for fear of a potential loss if the tower were to fall on it. This is impact should have been discussed in the DEIS.

4. Security: Towers present a challenging apparatus for brave youths. How will the tower sites be secured to prevent or at least deter entry by unwanted intruders? This impact should be addressed in the DEIS.

5. Tower removal: At some point in time the tower will become unneeded, due to new technologies or the SWN or old age. This project is not over until the tower is removed. This part of the project should have been considered and discussed in the DEIS. What happens to the land after removal?

Similarly, will there be annual inspections of the towers and maintenance?

As always, thank you for considering my opinions.

Sincerely,



Don Barber
Supervisor

November 7, 2005
24 Gilbert Rd
Ithaca, NY 14850

Joan Jurkowich
Deputy Commissioner of Planning
121 East Court Street
Ithaca, NY 14850

Dear Ms. Jurkowich,

I am writing regarding the proposed cell towers for the public safety communication system. My property abuts the land that is the location of one of the towers to be placed in Danby. My concerns are:

I would like to know if there is any profit making advantages for the landowners whose land is being used for this purpose.

Will the towers be used as co-locations for other private companies? If so, who benefits?

What types of deals have been made in advance with cell tower companies for these towers?

How will a cell tower on, or next to someone's private property effect land values and assessments?

If land values are lowered as a result of the towers, will it be reflected in tax assessments?

What research has been conducted regarding health issues for those living under or near cell towers of this sort? What was the outcome of that research?

As far as I know the Draft EIS does not address these issues.

Sincerely,
Laurene Gilbert

Cc: Danby Town Clerk, Danby Town Board, Danby Town Planning Board

Below you will find questions for the County that have been developed by concerned residents of Caroline Center regarding the Communication Tower and its proposed site location.

First of all, how can Tompkins County take care of ~~the~~ more towers when they can't maintain the ~~the~~ they already have? There are no long-term exposure studies on these towers because the technology is new. How do you know that our health isn't at risk? Is Tompkins County going to buy the property and homes of the residents that don't want to live next to the tower? We would like these questions addressed, as well as the questions below.

1. Why are you only looking at Taft Rd in Caroline Center? Why can't you look at a less populated area such as Bald Hill, Blackman Hill, or South Road?
2. Why has there only been 1 meeting in the town of Caroline regarding this tower?
3. Why not state land? Is it true that it's easier to take people's land, than get the State to give land?
4. What about the petition? Where is the original petition that was given to the individual in charge of the meeting held back in early 2000, when the news of the tower locations first came out? How does Town of Caroline benefit from this tower?
5. Will the tower be able to add cell phone companies to lease on the tower?
6. What are the prolonged health risks?
7. What happens when our health declines, who's going to help us?
8. What will our property be worth? Will our taxes be adjusted for worthless property?
9. Is it going to be commercial property in Caroline Center now?
10. How come the web pages are not kept up to date? Why haven't people's comments been addressed?
11. I live on Taft Rd and no one has ever come to talk to me about this tower.
12. What about the family with 5 children that live just in front of the tower?

13. What about Taft Rd – will it withstand the construction equipment and constant travel? Who's going to pay for the damage to the road?
14. How often will the tower need to be painted and who is going to do that, how much will it cost?
15. What about the farmland – crops and animals?
16. Where are the electrical lines going to be run for the tower?



CITY OF ITHACA

108 East Green Street — 3rd Floor Ithaca, New York 14850-5690

RECEIVED 11/10 2005

DEPARTMENT OF PLANNING AND DEVELOPMENT

H. MATTHYS VAN CORT, DIRECTOR OF PLANNING AND DEVELOPMENT

JOANN CORNISH, DEPUTY DIRECTOR OF PLANNING & DEVELOPMENT

Telephone: Planning & Development - 607-274-6550

Community Development/IURA - 607-274-6559

Email: planning@cityofithaca.org

Email: iura@cityofithaca.org

Fax: 607-274-6558

Fax: 607-274-6558

November 4, 2005

Ms. Joan Jurkowich
Tompkins County Planning Department
320 North Tioga Street
Ithaca, NY 14850

Dear Ms. Jurkowich:

Thank you for giving the City of Ithaca the opportunity to review the Draft Environmental Impact Statement (DEIS) for the proposed Tompkins County Public Safety Communications System. After reviewing the information and the findings of the DEIS, it does not appear that this project will result in any negative environmental impacts to the City.

Please keep us informed as plans for the communication system move forward.

Best Regards,

Lisa Nicholas, Planner
City of Ithaca

Cc: Mayor Carolyn Peterson
Common Council
Conservation Advisory Council
Planning and Development Board
H. Matthys Van Cort, Director of Planning and Development





TOMPKINS COUNTY
ENVIRONMENTAL MANAGEMENT COUNCIL

121 East Court Street Ithaca, New York 14850
Telephone (607) 274-5560 Fax (607) 274-5578



November 18, 2005

RECEIVED NOV 18 2005

Joan Jurkowich, Deputy Commissioner of Planning
Tompkins County Department of Planning
121 E. Court Street
Ithaca, New York 14850

Re: DEIS – Tompkins County Public Safety Communication System

Dear Joan:

The Environmental Review Committee (ERC) of the Tompkins County Environmental Management Council is pleased to have the opportunity to comment on the DEIS for the Tompkins County Public Safety Communication System project. We do not have any comments specific to the DEIS. It has very thoroughly covered the environmental impacts of the proposed action.

In our capacity as an advisory body to the County Legislature, the ERC members appreciate the efforts of Mikel Shakarjian and Lee Shurtleff to keep us informed throughout this process.

Thank you again for the opportunity to comment on this project.

Sincerely,

Steven J. Uzmann
Chairperson, Environmental Review Committee,
Tompkins County Environmental Management Council

RECEIVED: November 3, 2005, at Public Hearing

We, the People undersigned, would like to propose a petition of the Communication Tower being placed in the Town of Caroline, situated on Taft Road. We ask that you reconsider the location of the Tower. Thank you.

PRINT NAME	SIGNATURE	ADDRESS	PHONE NUMBER
DONNA WESTON	Donna Weston	(Speedsville) 20 mile Rd Berkshire ny 13736	657-2568
GERALD WESTON	Gerald Weston	"	"
BERNIE JORDAN	Bernie Jordan	28 MILL RD Berkshire NY 13736 Speedsville	657-8443
Art JORDAN	Art Jordan	"	"
Ruthann Oliver	Ruthann Oliver	1103 76 Rd Berkshire NY (SPEEDSVILLE)	657-2675
SHAWN JORDAN	Shawn Jordan	8 MILL Rd.	657-4401
Brenda Daniels	B. Daniels	8 Mill Rd.	657-4401
Don Barber	Don Barber	103 Linda Rd	571-6286
Kurt & Beth	Kurt Daniels	8 Mill Rd	657-4401
Randy Zerkowski	Randy Zerkowski	1502 Berkshire NY	657-8377
Carl Schaefer	Carl Schaefer	792-76 RD. RD#1 BERKSHIRE	539-7498
Low Rich	Low Rich	53 Taft Rd Berkshire NY	539-7683
Kim Whittaker	Kim Whittaker	326-76 Rd Brooktondale NY 14817	539-7438
Dorla Whittaker	D. Whittaker	326 76 Rd. Brooktondale, NY 14817	539-7438
LENNY WHITTAKER	Lenny Whittaker	329 76 Rd Brooktondale NY	539-7048

We, the People undersigned, would like to propose a petition of the Communication Tower being placed in the Town of Caroline, situated on Taft Road. We ask that you reconsider the location of the Tower. Thank you.

PRINT NAME	SIGNATURE	ADDRESS	PHONE NUMBER
Gordon Nash	Gordon Nash	2164 Slaterville Rd	539-6388
Kelly Parker	K. Parker	346-74 Rd Brookton	539-7985
Katy Park	Katy Park	2719 Slaterville Rd	539-7421
Darleen Turk	Darleen Turk	393 Brooktondal Rd	539-6352
CAROL ARSANT	Carol A. Arsan	Cremona Rd	539-7748
Amela Austin	Amela Austin	3168 Slaterville Rd	539-7820
Quane Austin	Quane Austin	3168 Slaterville Rd	539-7564
David Tavelli	David Tavelli	758 Berkshire NY	539-7663
Tena Tavelli	Tena Tavelli	" "	539-7643
Janet Lattin	Janet Lattin	43 South Rd	539-3075
LORI DAY	Lori Day	43 South Rd	539-3236
Charlotte Barnhart	Charlotte Barnhart	430 Dunes Rd State	539-6107
MATT DAY	Matt Day	43 SOUTH RD	539-3236
LARRY LATTIN	Larry Lattin	43 South Rd	539-3075
Calvin C. Snow	CALVIN C. SNOW	665 Buffalo Rd. Brooktondal, NY	539-6328

We, the People undersigned, would like to propose a petition of the Communication Tower being placed in the Town of Caroline, situated on Taft Road. We ask that you reconsider the location of the Tower. Thank you.

PRINT NAME	SIGNATURE	ADDRESS	PHONE NUMBER
Florence Starr	<i>Florence Starr</i>	111 Buffalo Rd. Brooktondale N.Y. 14817	539-7462
W. Harvey Starr	<i>W. Harvey Starr</i>	111 Buffalo Rd. Brooktondale N.Y.	539-7462
Fredric Rosoff	<i>Fredric Rosoff</i>	37 Buffalo Rd. Saratoga N.Y. 14881	539-7312
Robin Rosoff	<i>Robin Rosoff</i>	37 Buffalo Rd 14881 Slaterville Springs, NY	539-7312
Nathan D. Slaughter	<i>Nathan D. Slaughter</i>	P.O. Box 56 B-Dale N.Y. 14817	
Tim Gregrow	<i>Tim Gregrow</i>	5295 Halseville Rd Tremont N.Y.	387-3554
Kimberly Nash	<i>Kimberly Nash</i>	P.O. Box 4 Slaterville Springs N.Y. 14881	
Andy Leigh	<i>Andy Leigh</i>	P.O. Box 68 Glen Road S-ville 13736	
Ed Morse	<i>Ed Morse</i>	18 Creamery Rd	539-7561
Edward Cleveland	<i>Edward Cleveland</i>	9-old 76rd Brooktondale	539-7311
Marty Ferris	<i>Marty Ferris</i>	59 Ekness Rd Ben 3 shir N.Y.	539-3206
Jeremy Blake	<i>Jeremy Blake</i>	2522 S. Slaterville Rd	539-7037
Kim Dahl	<i>Kim Dahl</i>	30 Creamery Rd. Slaterville NY	539-6550
Jane L. Bain	<i>Jane L. Bain</i>	137 Creamery Rd. Brooktondale NY	539-7722
Elma Canfield	<i>Elma Canfield</i>	364 Central Chapel Rd. Brooktondale NY 14817	539-6427

We, the People undersigned, would like to propose a petition of the Communication Tower being placed in the Town of Caroline, situated on Taft Road. We ask that you reconsider the location of the Tower. Thank you.

PRINT NAME	SIGNATURE	ADDRESS	PHONE NUMBER
Kari A. Cornell	Kari A. Cornell	883 Bailor rd. Brooktondale	539-6657
Carl Cornell	Carl E Cornell	476 Buffalo rd Brooktondale	---
James Cornell	James Cornell	888 Bailor Road Brooktondale NY	539-6657
Trane Cornell	Trane Cornell	383 Bailor rd. Brooktondale NY	"
James Cornell Jr	James Cornell	383 Bailor Rd Brooktondale NY	539-7958
Jerry Cornell	Jerry Cornell	305 Buffalo Rd. Bdale, NY 14817	539-6001
F. Shaw	Francis Shaw	" "	" "
E. L. Monroe	Edward L. Monroe	304 Buffalo Road Brooktondale	539-7864
Martha P. Monroe	Martha P. Monroe	304 Buffalo Rd Brooktondale, NY	539-7864
Susan R. Deely	Susan R. Deely	185 Buffalo Rd. Brooktondale N.Y.	539-7572
Kim Cleveland	Kim Cleveland	184 Buffalo Rd. Brooktondale, NY	539-6257
Jamie Cleveland	Jamie Cleveland	184 Buffalo Rd. Brooktondale N.Y.	539-6257
Delmer Cleveland	Delmer Cleveland	184 Buffalo Brooktondale	539-6257
Anthony J. Pouty	Anthony J. Pouty	125 Buffalo rd Bdale	539-7849
Edward A. Pouty	Edward A. Pouty	48 Buffalo Rd.	539-7114

We, the People undersigned, would like to propose a petition of the Communication Tower being placed in the Town of Caroline, situated on Taft Road. We ask that you reconsider the location of the Tower. Thank you.

PRINT NAME	SIGNATURE	ADDRESS	PHONE NUMBER
Claudia Whittaker	Claudia Whittaker	329 Old 76 Rd Brooktondale	539-7048
Cheryl Lippincott	Cheryl Lippincott	28 Buffalo Rd Brooktondale	539-7287
BOB JAMES	Bob James	2694 STATE MILL RD SLATERVILLE SPIDIS	539-7825
Becky James	Becky James	2694 Slaterville Rd. Slaterville NY	539-7825
Beth Hollier	Beth Hollier	2692 Slaterville, NY	539-6593
Russ Hollier	Russ Hollier	2627 Slaterville Rd	539-6593
Bessie French	Bessie French	2688 Slaterville Rd	539-7313
Charlie French	Charles French	1668 Stabwell Rd	539-7313
Kim Case	Kim Case	2685 Slaterville Rd	539-6755
William Case	William Case	2685 Slaterville Rd	539-6755
Victoria Muse	Victoria Muse	48 Buffalo Rd.	539-7114
Edward Moe	Edward Moe	506 Hartford Rd	539-7887
CRISTAGGS	Christy Aggs	500 Hartford Rd	539-7887
DAVID PARKER	David Parker	279 Slaterville Rd	539-7425
Janet Nash	Janet Nash	2745 Slaterville Rd	539-6308

*to
reconsider*

We, the People undersigned, would like to propose a petition of the Communication Tower being placed in the Town of Caroline, situated on Taft Road. We ask that you reconsider the location of the Tower. Thank you.

PRINT NAME	SIGNATURE	ADDRESS	PHONE NUMBER
David Conrad David	David E. Conrad	362 Downey Rd. Brooktondale, NY	539-6096
Mike Wood	Michael Tabor	326 76 Rd. " "	539-7478
Raymond Thayer	Raymond Thayer	382 Downey Rd	539-7268
JAMES Townsend	James C. Townsend	392 Downey Rd	539-6170
JAMES R. BURGESS	James R. Burgess ¹⁴	598 Old 76 Rd	539-7411
Lucy B. Burgess Lucy Burgess	Lucy Burgess	598 Old 76 Rd	53-7417
Renny + Don Rumsey	Renny Don Rumsey	613 Old 76 Rd.	539-6147
Lillian Tavelli	Lillian Tavelli	833 Old 76 Rd	539-7467
Andy Starzelli	Andy D. Tavelli	833 Old 76 Rd	539-7467
Tom Birkmeyer	Thomas R. Birkmeyer	835 Old 76 Rd.	539-6716
Lori Birkmeyer	Lori Birkmeyer	835 Old 76 Rd	539-6716
PAT BAKER	Pat Baker	940 Old 76 Road	539-7402
JACK CAMPBELL	Jack Campbell	962 Old 76 Rd.	539-6453
Jack Campbell	Jacoubi Tavelli	41 Smith Rd	539-6512
Gary Tavelli	Gary Pauli	41 Smith Rd	539-6512

We, the People undersigned, would like to propose a petition of the Communication Tower being placed in the Town of Caroline, situated on Taft Road. We ask that you reconsider the location of the Tower. Thank you.

PRINT NAME	SIGNATURE	ADDRESS	PHONE NUMBER
David Rosemalt	PAVE ARSENAL	17 Burns Rd Brooktondale	539-6821
Gary Burgess	Gary Burgess	P.O. Box 87	539-6224
John Lowery	JOHN LOWERY	127 N. VIEW RD FRANCIS	273 1104
Tony Tawali	JOE JAWALI	813 76 RD Berkshire NY 13732	539-6717
Michelle Tawali	Michelle Tawali	"	"
DARYL DAYHART	Paul Dayhart	1598 CORDING TOWN RD BROOKTONDALE	607-273 8007
DAVID DERR	David Derr	97 Goodrich	
Charles White	Charles White	995 Snyder Hill	539-7418
Donna Den	Donna Den	2697 Stateville Rd	539-7004
Sheila Brooks	Sheila Brooks	115 OLD 76 Rd	539-3344
Daniel R Beckman	Daniel R Beckman	196 Buffalo	11
Charles Monroe	Charles Monroe	304 Buffalo Rd	539-7804
Jan Westfall	Jan Westfall	1123 76 Rd	539-3202
FRANK MAY	Frank May	2 SOUTH ROAD	539 7959
Robert M. Compton	Robert M. Compton	76 - Road	539-7469

We, the People undersigned, would like to propose a petition of the Communication Tower being placed in the Town of Caroline, situated on Taft Road. We ask that you reconsider the location of the Tower. Thank you.

PRINT NAME	SIGNATURE	ADDRESS	PHONE NUMBER
Pat Tohey	Pat Tohey	1143 76 Rd	539-3020
Michelle M. Rice	Michelle M. Rice	215 Speed Hill Rd	539-6857
Shawna Short	Shawna Short	300 Buffalo Rd.	539-6449
John Allen		461 OLD 76 RD	539 4319
Jack Dallen	Jack Dallen	539-6857	
Cindy Oline	Cindy Oline	279 Lower Fairfield Newark Valley	687-5910
Gerald Morris	Gerald Morris	"	"
JACKIE CLARK	Jackie Clark	Dwego Rd Carleton	
Brian Brown	Brian Brown	" "	
THOMAS WEBER	Thomas Weber	445 OLD 76 RD BACHARDALE	539-7844
ABI BIXBY	Abi Bixby	445 OLD 76 RD BIDALE	539-7844
John Wilki	John Wilki	488 OLD 76 RD BIDALE	534-6619
JANEA WRIGHT	Janea Wright	488 OLD 76 RD Brookdale Tn	539-6619
Danny Austin	Danny Austin	336 Downey RD Brookton Dale	539-7090
Ed Gilbreth	Ed Gilbreth	312 Downey Rd Brooktondale, N.Y.	539-7221

