



norman a. glavas a.i.a.
A R C H I T E C T
162 boulder road manhasset ny 11030
516.365.5111 516.365.5197 fax

May 7, 2019

Mr. Robert McNamara
Mayor Village of Flower Hill
1 Bonnie Heights Road
Manhasset, New York 11030

RE: EXTERNET
DAS NODES Application

Dear Mayor McNamara:

I attended the Externet presentation on Monday May 6, 2019.

Due to time restrictions, I was unable to ask further questions. I would appreciate responses to the following questions.

QUESTION #1:

Based on the presentation, the DAS NODES will address upgrading 4G areas within the designated areas by placing equipment on existing poles (2-3), replacement of existing poles (5-6) and new poles/lamps (9-10). All correspondence from the Village, mailed post card, F.A.Q. on the Village Web Site, referenced 5G installation. How was this misunderstood?

Answer: ExteNet representatives are unsure from where the misperception derived. As it relates to the technology being proposed, ExteNet has not referred to the generation of wireless technology (either 4G or 5G) within its applications or during prior meetings with Village officials.

QUESTION #2:

There are 18 planned locations of the DAS NODES in a limited area of the NW section of Manhasset Flower Hill. What is the projected total amount of DAS NODES for the entire Village of Flower Hill under different applications.

Answer: ExteNet has only 1 application with the Village and is not aware of any other companies making application for small cell instations within Flower Hill. ExteNet's single application consists of only the 18 nodes.

QUESTION #3:

Based on the F.A.Q regarding 5G on the Villages website, Externet states "that 5G will not negatively effect real estate values". What study are they referencing for this statement? Can we obtain a copy of this study? Was a study done in our area?

A real estate impact study in the communities of Rye and Pelham, New York confirmed no property value impacts from existing small cell installations on new or existing utility poles in residential areas. Published studies by National Real Estate Investor and a study commissioned by Joint Venture Silicon Valley Network (see Housing Values attachments) have concludes that property values, both for sale and rental, are becoming more widely affected by the lack of quality telecommunications service available. Housing prices and office rental value are driven downwards by poor connectivity but wireless infrastructure including towers have no demonstrable negative effect on property values. In addition, studies conducted by MAI licensed appraisers, recognized by the courts as experts, have not found a correlation between property values and small wireless facilities on utility poles.

QUESTION #4:

Based on my research of 5G, I came across a statement that "...5G will improve Health Data distribution...". What additional impact to the amount of Cell Nodes will be attributed to having St. Francis Hospital within the Villages boundaries?

Answer: The question is multilayered, thus the answer will be segmented into brief answers pertaining to 1) 5G applications 2) benefits in expanding 4G coverage and capacity and 3) impacts of concentrated wireless use.

5G Applications

Healthcare applications, such as critical care mobile monitoring and Virtual reality (VR) and augmented reality (AR) surgery, require low latency mobile networks to be effective. 5G is projected to provide the low latency and high bandwidth required for these types of applications.

Benefits of Expanding 4G Coverage and Capacity

The DAS network proposed by ExteNet is a 4G network and has little correlation to the provision of low latency and high bandwidth healthcare applications envisioned with a 5G network. The DAS network will create additional capacity and coverage within the existing macro network that services St. Francis Hospital and the surrounding neighborhoods. With this additional capacity and coverage, mobile users will experience improved wireless performance, in general, for applications designed to utilize the existing 4G network.

Impacts of Concentrated Wireless Use

Any concentrated wireless use, like that originating from a school, hospital, church, recreation area, or other place where mobile users concentrate in groups create greater demands on a wireless network than areas with less concentrated wireless use. The greater the wireless demand, the greater need for small cells nodes. This impact is not limited to political boundaries. For example, the concentrated mobile use by wireless customers at St. Francis Hospital impacts the wireless coverage within Munsey Park, Roslyn Estates, and Port Washington, in addition to Flower Hill.

QUESTION #5:

Where will the power come from to run the various equipment on the poles? Will it be overhead wires or buried electrical lines.

Answer: Both. If overhead wires currently exist, the DAS node will tap into those existing wires. If overhead wires are not present, electrical will be run underground from the most proximate electrical line to the DAS node.

QUESTION #6:

I appreciate the Village negotiating with Externet for recommending that new poles be multi use as light poles with equipment attachments. Normal street lamps are usually 15 -20 tall. Externet is recommending that their new poles will reach a height of 30'-0". Wouldn't that be an eyesore to the Village which does not have any light poles?

Answer: ExteNet is willing to reduce the height of light poles to 25ft. Other stealth designs are also available and can be discussed at the next public hearing.

QUESTION #7:

What is the total application fee which Externet will be paying for the 18 DAS NODES locations? Will the Village be able to negotiate additional annual fees for having their new poles on the Village right of way?

Answer: On September 27, 2018 the Federal Communications Commission ("FCC") issued its Declaratory Ruling and Third Report and Order, FCC 18-133, regarding access to the public rights-of-way ("ROW") for deployment of small wireless facilities. The Order establishes a broad set of rules regarding regulation of small wireless facility deployment by state and local governments, including review timelines for access to the ROW, use of public infrastructure for attachment of wireless facilities, and the reasonable fees that may be charged for such access and attachment. Following publication in the Federal Register, the Order became effective on January 14, 2019.

Under the terms of the Order, any fees for access to the public ROW or for attachment to municipal infrastructure must be fair and reasonable, directly attributable to ExteNet's use of the ROW or attachment to infrastructure, and they must approximate the actual cost to the City for administration of ROW access and infrastructure attachment. Absent substantial justification for an alternative, all fees must comply with the fees presumed to be reasonable as determined by the FCC in Paragraph 79 of the Order. Specifically, a) \$500.00 or less for non-recurring fees, including a single application for up to five small wireless facilities, with an additional \$100.00 for each small wireless facility beyond five, or \$1,000.00 or less for non-recurring fees for a new pole intended to support one or more small wireless facilities,

and b) \$270.00 or less per small wireless facility per year for all recurring fees, including any ROW access and/or attachment to Village infrastructure in the ROW

QUESTION #8:

I understand that ExteNet is based in Lisle Illinois and the Engineer is based in Blue Bell Pennsylvania. They will be bidding out to, I assume local contractors, to supply and install the equipment and replaced and install new poles? Is this the first time that group has worked on the North Shore?

Answer: The local contractors used by ExteNet are licensed to work in New York and are local to the regions they work in. The contractors have typically worked with multiple wireless infrastructure providers, not just ExteNet, so they are well versed in the rules, regulations, and any cultural or political norms that may be associated with communities in the North Shore.

Which firms are being asked to bid on the proposed work?

Answer: ExteNet has sent a bid out for quotes from various electrical contractors. The bid process closes on 5/23, at which time the contract will be awarded.

Will ExteNet be setting up a base of operations in the North Shore or will they be overseeing this project remotely from Illinois?

Answer: The project teams out of the ExteNet regional office in Newark, NJ oversee construction projects in New Jersey, Long Island, NYC and surrounding communities of NYC. The Network Operations Center located in Lisle, Illinois monitors the network once it is built and calls upon the regional ExteNet teams and local New York contractors when the need for repairs arise.

QUESTION #9:

Based on Federal Guidelines, Villages cannot "OP OUT" of 5G distribution.

Answer: The Federal Communications Act of 1996, Section 704, prohibits local zoning authorities from denying permits on the basis of radio frequency emissions concerns as long as the emissions comply with current Federal Communications Commission (FCC) regulations.

If in the future, if scientific reports prove of "HARMFULL EFFECTS" due to 5G distribution, will the Village be able to make the contract with ExteNet, Null and Void and have them remove their equipment form the poles?

Answer: Section 5 of the attached Right-of-Way agreement requires ExteNet to comply with all applicable federal and state statutes regulations and orders, which would include the FCC rules for RF Health and Safety (see the FCC web site <https://www.fcc.gov/general/radio-frequency-safety-0> for additional information. Since 1996, the FCC adopted updated guidelines for evaluating hum exposure to RF fields from PCS sites, see <https://www.fcc.gov/consumers/guides/human-exposure-radio-frequency-fields-guidelines-cellular-and-pcs-sites>. In the event that ExteNet fails to comply with the FCC rules and regulations, the Village would have a right to terminate under Section 12 of the attached agreement.

I would recommend that the Village hire a qualified consultant in RF and Mini waves to advise the Village on any new studies or scientific research to assist the Village in their decision process.

Thanking you in advance for your consideration of my concerns.

Very truly yours;

A handwritten signature in black ink, appearing to read "Norman Glavas", with a long horizontal flourish extending to the right.

Norman Glavas R.A., A.I.A.

CC: Ronnie Shatzkamer
FLOWER HILL 5G NODES 5.7.19

