

Verizon Wireless: 120 Brackett Road – Dolores and Rodney Lintz
Alternate Site Analysis

In an effort to provide additional detail on Verizon's alternate site analysis, we would like to submit the following summary. It is key to note that in order to fill this gap in coverage, the prospective site candidate needs to be within the area in which Verizon is trying to serve. In this case, northern Rye to improve deficient service areas along Route 1A (Ocean Boulevard/Pioneer Road), Sagamore Road, Brackett Road, Route 1B (Wentworth Road), and the surrounding roads, neighborhoods, and business/retail/community areas in the proximity of the proposed site.

2007-08: Stealth Collocation/Pulpit Rock Lookout Tower – State of NH Fish & Game

At the southern edge of the search area, stands an 86' tall concrete tower built by the Navy in 1943 at the beginning of WWII. This candidate was the one and only existing structure of any height in the search area. Verizon proposed to attach its antennas to a replacement railing encircling the top of the tower. The antennas would have then been covered with a stealth façade, painted to match the tower. A copy of Verizon's plans for this site are attached as Exhibit 1. The attached article from the May 27, 2008, Portsmouth Herald (Exhibit 2) reports that the "Friends of Pulpit Rock Tower," persuaded NH Fish & Game to abandon efforts to lease space on the tower to Verizon in favor of finding an alternative re-use of the abandoned structure.

2009-10: monopine/Odiorne State Park - State of NH DRED

In the Spring of 2009, at the suggestion of the then-Town Administrator, Mike Farrell, Verizon re-approached the State of New Hampshire, this time through the Department of Resources and Economic Development¹, to discuss the possibility of a wireless communications facility at Odiorne State Park. Over the course of more than one year, Verizon devoted considerable efforts in pursuit of this proposal. Negotiations with NH DRED and the NH AG's office proposed a final lease that was executed by Verizon on June 23, 2010. The agreed upon proposal called for a 105' monopine just off the edge of the main parking area. A copy of the Lease Exhibit depicting the proposed facility is attached as Exhibit 3. Verizon began the process of permitting the site with an application to the Rye Zoning Board on July 8, 2010. Verizon's due diligence included: a Phase I Environmental Site Assessment; balloon test; photo simulations; conceptual meeting with the Zoning Board; design reconfiguration to support future expansion of the parking area; winning the support and endorsement of the Executive Director of the Seacoast Science Center; among other things. Over the course of the summer and into the fall, several monthly Zoning Board meetings were skipped for want of a quorum. At the same time, opponents, led by John Stephenson, organized around a now defunct web site: www.saveodiornepoint.org, were bringing political pressure to bear on the State not to sign the lease with Verizon. It is our understanding that the State did not want to incur further public opposition, and also that the agency was not willing to complete the historical research necessary to confirm which prior parcels that make up the park were purchased with federal grants that may have required federal approval for the project. In light of the State's lack of commitment to the project, Verizon withdrew its zoning application. Attached as Exhibit 4 is a copy of the September 11, 2010, Seacoast Online article reporting on the withdrawal.

¹ n/k/a Department of Natural and Cultural Resources.

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2015-17: raw land monopine/Mike Thiel and Gail Richard – 34 Brackett Road

On 3-3-15, Verizon sent a proposal to Mike Thiel and Gail Richard. For the next 2 1/2 years, Verizon attempted to both negotiate a lease and design a site that was satisfactory to the landowner. On 8-11-17, Mr. Thiel sent Verizon an email that opened with: *"I recognize that it is almost always a long time between each baby step we take towards working together and my/our situation is probably most to blame for that..."* Mr. Thiel continued with an explanation as to why they thought it might make more financial sense to encumber their property with a conservation easement and with no guarantees, a decision one way or the other might come by the end of the year. I also note they mentioned a genuine interest in leaving the property in its natural state; a respectable position to take with an especially unique property. Mr. Thiel concluded his note by saying: *"In the meantime, if VZ wants/needs to move on to other prospective lease prospects that meet their needs for coverage in this area, I certainly understand."* And *"I apologize if it seems like we have been stringing you along all this time. It's just that I have a lot of 'balls in the air'."*

2017: raw land monopine/Condon – off Port Way "Oliver's Neck"

Seeing the "writing on the wall" with regard to Thiel, Verizon contacted the Condon family in August of 2017 about the possibility of leasing ground space for a new monopine facility. The Condons alerted Verizon to the fact that they did not have legal access or utilities rights to the property; both necessary elements to any cell site. After walking the property with the owner and reviewing Title, our attorneys agreed that access was described only as "cart path" rights and would not support Verizon's use.