

# York Water District signs off on AT&T cell antenna proposal, despite objections

By Dan Bancroft

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YORK, Maine — With a 4-1 vote on Wednesday, Aug. 18, the York Water District Board of Trustees advanced an AT&T proposal to place an array of cell antennas on top of a water tower in the York Heights neighborhood.

The proposal, which still needs approval from the town, has been the subject of several YWD board meetings dating back to September.

Over the past year, the board heard presentations from SmartLink, AT&T's representative, and its consultants, who spoke in support of the proposal, followed by presentations by several experts, including Professor Kent Chamberlin, who opposed the proposal. The final presentation was made by Isotrope LLC, a consultant selected by the board to provide expert opinion, which was paid for but not controlled by AT&T. Isotrope concluded the proposal meets established safety standards.



Prior to taking their vote Wednesday, the trustees again heard from members of the public, most of whom reside in the York Heights neighborhood where

the cell antennas would be located and almost all of whom strenuously objected to the project.

As they had in the past meetings, the residents cited previously submitted and referenced reports and testimony, and they cited a new decision in a federal court case questioning the Federal Communications Commissions regulations.

## **Opponents cite new decision in dispute over FCC regulations**

Donna Bakke, a York Heights resident, was the first to speak during the public comment section of the meeting. She said a recent federal court decision calls into question the existing FCC regulations relevant to the proposal.

The lawsuit, filed against FCC by the Environmental Health Trust and others in January 2020, questioned the adequacy of the FCC's guidelines for exposure to radiofrequency radiation. The U.S. Court of Appeals for the District of Columbia issued its decision last week, remanding the issue to the FCC, so the agency can provide a reasoned explanation for its determination that its guidelines for communications, including wireless and 5G, adequately protect against harmful effects of exposure to radiofrequency radiation unrelated to cancer.

Although the court did not determine the FCC regulations are flawed, the court required the FCC to justify its guidelines, so the York Heights neighbors cited that decision to bolster their argument that established safety standards may be insufficient to assess the potential health and safety concerns of the cell project proposal.

Bakke urged the trustees to deny AT&T's proposal.

"You are fellow citizens, you are family members, and in light of these developments and the move by the Board of Selectmen (to table the proposed amendments to the town's wireless communications facilities ordinance to further study the 5G issue, among others), as well as this court finding, I submit to you that your most ethical decision today is to cease and desist any further pursuit of this ill-advised project," Bakke said.

Kathleen Sturtevant, who was born and raised on Avon Avenue in York Heights, commented on the amount of information the residents who are concerned about the dangers posed by the proposed cell antenna array have digested.

Paraphrasing poet Maya Angelou, Sturtevant said, "Do the best you can until you know better, and then when you know better, do better."

"We now know better of all the dangers" of radiofrequency radiation, Sturtevant said. "Let's do better by not putting them there" on the York Heights water tower.

## **Board majority cites proposal as worthwhile**

Not all of the public comment was in opposition.

Barry Davis, a York resident who does not live in York Heights, said cell tower radiation "falls right between the microwave and the TV" on the electromagnetic spectrum.

"Until we have scientific evidence saying specifically that cell tower radiation is harmful, I see no reason why we should not have this tower, this antenna," Davis said.

After the close of the public comment section of the meeting, each of the trustees stated their positions regarding the AT&T proposal to lease space on the top of the York Heights water tower for a cell antenna array.

Russ Peterson, the board's treasurer, moved to approve the proposal, after summarizing the process that the trustees had followed in conducting what he described as a diligent review of the issues.

Peterson said his conclusion after hearing all the information is that the non-ionized radiation that is emitted by the cell antennas is not a material risk.

"I won't say it's no risk, but I don't believe it's material," he said.

Although the trustees have heard the concerns expressed by the neighborhood residents, Peterson said, "we have also received positive support from the

town and from our safety administrators in the community, and I'm thinking that the value of enhancing communications is more important in light of the perceived risk."

Peterson said he also takes some comfort knowing the town has to review the proposal before it receives final approval, either from the town's code enforcement officer or the Planning Board.

YWD Board Chair Richard Leigh said he, too, believes the proposal is good for the community.

Rick Boston, the former board president, who announced his opposition early on in the process, reaffirmed his position at Wednesday's meeting.

"I would like to state for the record that any danger, whether real or perceived, is a reason for me to vote against this," he said.

The final vote was 4-1 in favor of the proposal, which will now proceed to the town for approval.

Seacostonline Link:

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