

**Letter to the Kensington Zoning Board of Adjustment  
& Planning Board**

Submitted on behalf of a group of concerned citizens  
in support of our appeal of the ZBA Decision of March 15, 2023

April 12, 2023

## Are You Aware?

- A NH legislative commission produced a [groundbreaking 2020 report](#) that documents the adverse effects of wireless radiation on human, animal and plant life. The *increasing proximity* of cell phone towers and antennas to one another, and to homes and businesses, reflects the technical requirements associated with the *increasing* frequency (intensity) of the radiation they emit. Operating via the *millimeter wavelengths of the electromagnetic spectrum*, exposure to 5G radiation poses serious health risks, including cancer, DNA damage, infertility, dementia, sleep disruptions, dizziness, migraines, and other neurological disorders
- Thousands of peer-reviewed studies have documented the adverse health effects of wireless radiation, even at the lower intensities associated with 2G and 3G telecommunications. A compilation of peer-reviewed research on these effects [can be found here](#). The impacts are not limited to humans; trees deteriorate and eventually die when exposed to high-frequency radiation. Given these shorter wavelengths, birds' and pollinators' navigation and other vital functions are also disrupted
- [A Federal Judge has ruled](#) that the FCC must update its exposure limits in light of current research, calling maintenance of outdated 1996 standards, "arbitrary and capricious." The court held that the FCC failed to respond to "record evidence that exposure to RF radiation at levels below the Commission's current limits may cause negative health effects unrelated to cancer" and demonstrated "a complete failure to respond to comments concerning environmental harm caused by RF radiation."
- Radio communications are no longer considered advanced telecommunications technology. Fiber-optic networks are both faster and safer. There are also readily available and cost-effective satellite options. Public-access wifi networks can be installed throughout the town – at the town hall, school, library, fire station and Sawyer Park – to facilitate emergency calling and greater convenience
- Towns' obligations to their citizens in the provision of wireless telecommunications extend only to one's ability to effect a phone call – not to provide high-speed downloads or otherwise support the commercial objectives of the telecom industry
- The NH Commission on 5G recommends – and the House's Science and Technology Committee is now considering – a minimum 1,640' setback for cell towers from any residential or public locations. Several abutters are within or near that radius, including the owner of the host property
- Towns in Michigan, California and elsewhere have succeeded in having towers removed from approved sites when residents began falling ill from the effects of high-frequency radiation. The citizens of Pittsfield MA and their Board of Health are suing town officials for failing to uphold the Board's emergency order that the cell tower located in a residential neighborhood be removed after more than a dozen town residents fell ill
- The [California Firefighters](#) association won the right to refuse installation of 5G antennas on their stations, given demonstrated adverse health effects that interfered with their work
- [Vertex Towers is suing the town of York, ME](#) over the Board of Appeals' refusal to grant a waiver that would allow the placement of a cell tower in the downtown area, which is expressly prohibited by the voter-approved Ordinance. Nevertheless, towns in NH and elsewhere have established regulations and procedures for effectively regulating wireless/cell tower companies based on a [set of best practices](#). One of these towns is Bedford, NH

## Our Outstanding Questions

- Is this tower part of a “package deal” with the one at 184 South Road? If so, why? What other towers are envisaged as part of the ‘grid’ described in the first paragraph of the Vertex project description?
- Does approval of this tower grant wireless carriers the right to install 5G (small cell) antennas on this facility, the one at 184 South Rd, or elsewhere in the town? What is the approval process for location of radio antennas on utility poles or other non-tower locations?
- What radio antennas are or will be located on public rights-of-way in proximity to community spaces and residents’ homes? What are the required minimum setbacks from these locations?
- How many antennas have already been approved or are pending (but not yet installed) in Kensington? What are the intended purposes of the antenna approvals requested by Unitil?
- What authority does the town have over the quantity and type of new radio technologies (i.e., 5G, 6G...10G) that can be installed via this or other towers and antennas in town?
- What monitoring and regulatory practices has the town adopted to ensure that emissions & exposure of these towers does not exceed FCC (or more recent and relevant) safety standards?
- If safety in emergencies is the goal, why hasn’t the town installed wireless guest networks and access points at the town hall, library, fire house, school and other public areas, including Sawyer Park? Has the town explored fiber optic telecommunications or satellite networks that would meet its safety objectives?
- Given the recent approval of another cell tower at 184 South Road, why is the town not first evaluating the impact of that facility on coverage issues & dropped calls?
- How is it that several abutters did not receive proper notification of the project prior to the February 15<sup>th</sup> meeting? A notice received on the day of or before the hearing, without inclusion of a hard copy of the application, is insufficient to prepare for a discussion of the issues at hand. Why did town officials expedite these hearings during wintertime, knowing that many of the town’s residents were away and likely unaware of these proceedings? Why was no public notice posted at the town hall or on the town’s website?
- What evidence establishes that the Zoning Board of Adjustment has fulfilled its duty to the residents of Kensington, under the Ordinance, to protect sensitive environmental areas and promote the health and safety of its citizens? Given evolving radio technologies, is the ZBA comfortable that it fully understands the potential ramifications of this decision?
- Is the ZBA comfortable *mandating* exposure of its citizens to a set of wireless technologies that pose significant potential health risks, and which residents (a) cannot opt out of; (b) cannot insure themselves against (either in terms of their property values and/or health risks); and (c) cannot hold telecom operators liable for any damages that may result? Given the above, do town officials recognize that liability for any damage to health and property will fall squarely on the town and its residents?

- If radio communications are a critical public convenience, why is the town not placing the tower on town land, and receiving thereby the lease payments that would defray the above liabilities and costs? If needed, has the town sought a waiver from conservation organizations to permit such location?
- If conservation organizations would withhold approval for a facility on town land, should not the ZBA also be concerned about the potential environmental and health risks associated with these towers?

### **What We Are Seeking**

- We support the town's commitment to enhancing the telecommunications infrastructure in Kensington. However, we believe there are better & safer ways to achieve our mutual safety and convenience goals than the placement of an additional cell tower at Moulton Ridge
- We believe Kensington's Zoning Ordinance contains several provisions that support the Board's authority in safely regulating telecommunications in this town, specifically the following provisions:
  - Section 5.1.5.2 which expressly prohibits the location of telecommunications towers in residential/agricultural zones
  - Section 5.1.3.b which establishes as a goal to "reduce adverse impacts such facilities may create, including, but not limited to: impacts on aesthetics, environmentally sensitive areas, historically significant locations, flight corridors, health and safety by injurious accidents to person and property and prosperity through protection of property values"
  - Section 5.1.3.d which "permit[s] the construction of new towers only where all other reasonable opportunities have been exhausted"
- We respectfully request that the approval process for the cell tower at 70 Moulton Ridge Rd be deferred so that:
  - Abutters can secure appraisals of the impact of this tower on their property values (see attached letter)
  - The town can assess the impact of the facility at 184 South Rd on coverage areas, dropped calls, and the intensity of radiation emitted from that tower
  - Citizens can participate in a public "learning session" on how to use wireless technology safely, including ways to manage their exposures inside and outside the home
  - Local medical and emergency personnel can be trained how to recognize the signs of radiation sickness, given the proximity of the tower at 184 South Road to business and residences
  - The ZBA, PB and other town officials are fully informed and have properly weighed the implications of this decision
- Given the late arrival and incomplete content of the abutter notices, the insufficient time allowed for public comment at both the February 15 and March 15 ZBA/PB meetings, and the consequences of this issue for all residents of the town, we respectfully request that the Zoning and Planning Boards continue this matter so that we can exercise our right to have the benefit of counsel before a decision is made.

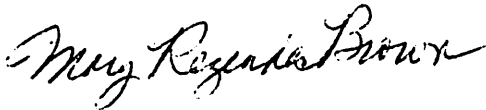
April 12, 2023

To the Kensington Zoning Board of Adjustment.

We are writing to let you know that we are in the process of identifying a qualified appraiser who can help us assess the potential impact on our property values of the proposed installation of a cell tower and high-frequency radio antennas at 70 Moulton Ridge Road.

Given the nature of the project in question, it will take time to complete the appraisals, although by working together and with a single qualified individual, we hope to expedite the process. In that connection, we reiterate our prior appeal and request a deferral of reconsideration of the March 15 ZBA decision.

Yours sincerely,



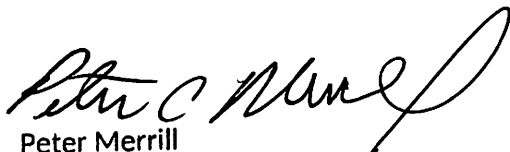
Mary Rezendes Brown  
66 Moulton Ridge Rd



Ann Smith  
63 Moulton Ridge Rd



Linda Bennett  
52 Moulton Ridge Rd



Peter Merrill  
275 N. Haverhill Rd

April 12, 2023

Ms. Kathleen Felch, Town Administrator  
Kensington, New Hampshire  
[assessor@kensingtontown.com](mailto:assessor@kensingtontown.com)

**Re: Input from New Hampshire Commission Relating to Proposed Cell Tower at 70 Ridge to Moulton Road**

Dear Ms. Felch:

I am writing as a former member of a New Hampshire Commission that was convened to answer questions regarding the safety of wireless radiation both in terms of human health and the environment. The Commission was formed through [bipartisan legislation](#) that was passed by both houses of the legislature and was signed by the Governor. The primary question posed to the Commission was whether wireless radiation is harmful, which is a somewhat contentious question because the telecom industry claims that the radiation posed no harm while many people claim that they are being significantly harmed by exposure. To ensure that the findings of the Commission would be credible, its membership was comprised of independent experts in fields relating to wireless radiation and health. I was asked to serve on the Commission because of my background in Biomedical and Radiofrequency Engineering.

To carry out its mission, the Commission performed a thorough exploration of the relevant peer-reviewed literature and brought in internationally recognized experts familiar with wireless radiation and health effects. At the end of our year-long investigation we published our [final report](#), and what is relevant to the proposed Ridge to Moulton Road cell tower mast is that our Commission found wireless radiation to be harmful to human health, and particularly to the health of children. That harm extends to wildlife and plants, including pollinators. The Commission also identified other issues such as the negative impact of a cell tower on property values. A twenty-minute overview of the Commission and its findings can be found [here](#).

The New Hampshire Commission also discovered why the Federal Communications Commission, the agency that is supposed to protect people against harmful radiation, has not done their job. What we found out is that they are a [captured agency](#) that is controlled by the industry that they are tasked with regulating. Because of this, they maintain radiation guidelines that are beneficial to industry and harmful to people's health and the environment. Those guidelines were set in the 1980s and were based on short-term (around an hour) [animal studies](#) that were only based on the heating effects caused by radiation exposure. Clearly, such studies are inadequate to assess the long-term effects we are exposed to today.

Because of my experience on the New Hampshire Commission, in addition to what I have learned since serving, I strongly encourage you take actions that will protect the people of Kensington from the health risks and property value implications associated with the building of a new cell tower. I am happy to meet with you and/or your staff to discuss the New Hampshire Commission findings as well as to answer questions you might have about wireless technologies and ways to protect people against the harms caused by wireless radiation exposure.

Sincerely,



[Kent Chamberlin, PhD](#)

Professor & Chair Emeritus

Fulbright Distinguished Chair

Vice-Chair, International Commission on the Biological Effects of Electromagnetic Fields

My name is Deb Hodgdon and I have lived in Stratham for over 35 years. As someone whose health is affected by wireless, I am very aware of its impact and at very least can make choices to provide a safe place in my home and on my property because I am informed. However, the vast majority of the public remains unaware. You cannot make choices for how to minimize risk without knowledge, especially if you do not realize that a risk may even exist. It is clear that most think, if there was risk, then "they" would not allow it. However, there is no "they" protecting health and the environment in this industry despite the assurances that there are. That is clear.

My daughter is an elementary school teacher and I can no longer be in the school to help her set up her class every summer as I cannot bear the wireless and that is with NO students in the classroom, no chromebooks on and no whiteboard among other typical technology used in school today. Some of the many effects of wireless technology are: insomnia, pressure headaches, foggy head or inability to think or focus, dizziness, nausea, skin issues, severe dry eyes, blood pressure issues, tinnitus, heart arrhythmias, difficulty breathing (which to some can be mistaken for a panic attack) blood clotting issues, etc. I was really concerned that I actually had early onset dementia at one point as I found myself lost in my home town several times. These are only some of the many effects of wireless technology and I experienced them all. I am sure many of you know those who suffer with these symptoms and some may be told they have "anxiety" or diagnosed with something else which may or may not actually be what is happening. As was the case for me, many people may not even realize their seemingly unrelated symptoms are actually related to wireless exposure. It's the invisible toxin.

When we hardwired our home and ensured all wireless was off by measuring with a meter, the plant in our kitchen window grew at least 15 inches in just two months! If a plant's growth can be that dramatically affected, imagine what is happening to children and those most vulnerable! My health issues resolved as long as I avoid all wireless. In today's world, that can be very difficult and very isolating. However, I can control the environment in my home and yard where I spend most of my time as long as no antenna or tower is built nearby radiating into my property 24x7.

New Hampshire was the first in the nation to do its own independent investigation on the health and environmental impact of today's wireless radiation. (NHHB 522 2019) I am thankful that our Republican State Rep (engineering) and our Democrat State Senator, (medical doctor) joined forces to sponsor that bill. This is not a partisan issue, nor should it be. They listened. The Commission reviewed the data, and acted. Clearly, this will be one of the most important issues of our time and yet many people have no idea it exists!

NH showed that despite its size, it's not afraid to face an issue that is ubiquitous and affects everyone regardless of which state you live in. The NH Commission laid the groundwork in their final report that shows conflicts of interest between industry and our federal agencies, reveals peer reviewed science and recommends hardwiring homes and schools and informing the public and recognizing the need for those who are affected to have a voice. We are the "canaries in the coal mine". We all are aware of the necessity of technology for communication in all of our lives. That is not in question, how to incorporate technology as safely as possible with transparency and information and ability to make the CHOICE if you use it or not, should be without question.

Parents should not have to face the anguish they inevitably may feel years down the road when they realize the harm they inadvertently put their children in while thinking they were keeping them safe, because *they did not know*.



Please ensure that those like me are at very least protected in their homes and on their property, as well as the many more who have yet to realize what may actually be causing or contributing to their health or mental health issues. Please do what New Hampshire does best, protecting everyone's right to health, happiness and liberty and choice. Live free or die!

Respectfully,

Deb Hodgdon  
Stratham, NH