

Verrill Dana^{LLP}

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January 3, 2019

Via U.S. Mail

Falmouth Town Council c/o Caleb Hemphill, Chair
Town of Falmouth
271 Falmouth Rd.
Falmouth, ME 04105

RE: Conditional Rezoning/Proposed Verizon Wireless Tier III Facility
175 Falmouth Rd., Falmouth, ME

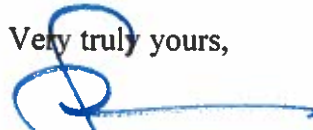
Dear Members of the Town Council:

On July 19, 2018, on behalf of Verizon Wireless, I submitted a request for the Town Council to rescind Town of Falmouth Ordinance No. 82-2018, *An Ordinance for an amendment under Sections 8-352 and 19-17 of the Code of Ordinances to establish a Tier III Personal Wireless Facility in the Farm and Forest District* (the "Conditional Rezoning Ordinance"). On the same day, I notified the Falmouth Planning Board of Verizon's decision to abandon the proposed project and its withdrawal of its partially complete application.

Although based on the language in Section 19-17.4(c) of the Ordinance we understood that notice of a request to rescind, coupled with the failure to submit a complete application to the Planning Board within 180 days of enactment of the Conditional Rezoning Ordinance, meant that the Conditional Rezoning Ordinance would terminate, we have been advised by Staff that Council action is necessary. As such, I have included copies of our original July, 2019 correspondence, along with an application fee in the amount of \$575, and ask that the Council place us on the first available agenda to act on our request. I have also included confirmation from the property owner that Verizon has the authority to rescind the Conditional Rezoning Ordinance.

Thank you again for your time in reviewing our original proposal and for your time in response to this request. Thank you.

Very truly yours,



Scott D. Anderson

SDA/mtt
Enclosures
cc: Ethan Croce (via electronic mail)

Verrill Dana^{LLP}

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July 19, 2018

Via Electronic and U.S. Mail

Falmouth Town Council
c/o Caleb Hemphill, Chair
Town of Falmouth
271 Falmouth Rd.
Falmouth, ME 04105

RE: Conditional Rezoning/Proposed Verizon Wireless Tier III Facility
175 Falmouth Rd., Falmouth, ME

Dear Members of the Town Council:

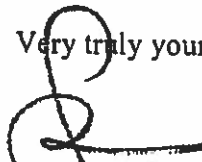
As you know, effective January 22, 2018, the Town Council approved Town of Falmouth Ordinance No. 82-2018, *An Ordinance for an amendment under Sections 8-352 and 19-17 of the Code of Ordinances to establish a Tier III Personal Wireless Facility in the Farm and Forest District* (the "Conditional Rezoning Ordinance"). Subsequent to the Council's approval of the Conditional Rezoning Ordinance, Verizon Wireless submitted an application to the Planning Board for the proposed wireless facility on February 7, 2018.

As the applicant and developer of the proposed facility, Verizon Wireless has elected to abandon this project. On behalf of Verizon Wireless and the property owner, and pursuant to Section 19-17.4(c) of the Zoning and Site Plan Review Ordinance, I ask that the Council rescind the Conditional Rezoning Ordinance.

Thank you again for your time in reviewing our original proposal and for your time in response to this request.

Thank you.

Very truly yours,



Scott D. Anderson

SDA/mtt

cc: Town of Falmouth Planning Board
c/o Ethan Croce

Verrill Dana LLP

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July 19, 2018

VIA Email and U.S. Mail

Falmouth Planning Board
c/o Ethan Croce, Town Planner
Town of Falmouth
271 Falmouth Rd.
Falmouth, ME 04105

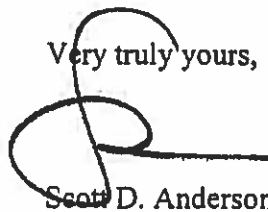
RE: Tier III Wireless Service Facility Application
175 Falmouth Rd., Falmouth, ME

Dear Ethan:

On February 7, 2018, Verizon submitted an application to the Planning Board for a Tier III Wireless Service Facility at 175 Falmouth Road. Verizon has elected not to pursue this site, and we have notified the Town Council to rescind the conditional rezoning ordinance enacted to permit this project to move forward (copy attached). As such, Verizon hereby withdraws its February 7th application.

Thank you to you, the rest of the town staff, and the Board, for your time and consideration.

Very truly yours,



Scott D. Anderson

SDA/mtt
Enclosure
cc: Charles Fredette

Anderson, Scott

Subject:

FW: Falmouth 3 ME - Project Status Update

Scott D. Anderson, Partner
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Bio: verrilldana.com/sanderson

Verrill Dana_{LLP}
Attorneys at Law

From: Eduard Van Loenen [mailto:evanloenen@usa.net]

Sent: Thursday, July 19, 2018 3:15 PM

To: Chip Fredette <Chip.Fredette@SAI-Comm.com>

Cc: Eduard van Loenen <evl@firstportland.com>; Eric Campbell <Eric.Campbell@SAI-Comm.com>; Anderson, Scott <sanderson@verrilldana.com>

Subject: Re: Falmouth 3 ME - Project Status Update

Thanks for your patience Chip. Regrettably, none of the cell tower leads we were pursuing have panned out. So please consider this an official request to Verizon to have Falmouth vacate, or otherwise zone the property back to its original residential position.

Thank you.

Eduard van Loenen
Amsterdam Property Corp.

Sent from my iPad