

Planning Board

Public Hearing Minutes of June 12, 2014

Present:

Planning Board Members: Michael Fitzgerald – Chair (MF), Judy Haupt (JH), Ken Miller (KM), Lauren Preston-Wells (LPW), Alan Rice (AR)

Scribe/Asst. Municipal Clerk: Lynn Taylor

*Applicants: John Champ (Industrial Tower & Wireless, LLC), Kevin Delaney (Engineering & Regulatory Compliance Officer, Industrial Communications)

Approximately thirty members of the public are in attendance.

***Industrial Tower and Wireless, LLC is seeking a special permit for the construction of an unmanned telecommunications facility at the following described premises: Map 13, Lot 34, located at 1450 Spruce Corner Road, owned by Leonard H. Roberts.**

-Planning Board Meeting is called to order by Chair @ 7:02pm.

-Public Hearing is called to order by Chair @ 7:05pm.

-**MF** advises that the Planning Board is hiring a consultant who could not be at the hearing tonight; therefore a decision will not be made at tonight's meeting. The hearing will be reopened in approximately one month.

-**Kevin Delaney**, Engineer for Industrial Communications, gives a power point presentation regarding the construction of a one hundred fifty foot (150') height monopole cell tower. The presentation is an overview of the proposed project that includes the display of site maps, photographs, and cellular coverage maps. The proposed project will replace an existing one hundred ten foot (110') height tower on the property. Industrial Communications is a thirty-year old company based in Marshfield, MA. All of the work on the project will be done internally, except for land clearing of the site. The property in question is 91.9 acres. The proposed cell tower site, to be enclosed by an eight-foot (8') high chain link fence, measures eighty feet square (80'x 80'), with a crushed stone base around the concrete pad where the monopole will sit. Where utility poles end, the power line to the tower will be underground. Antennas will have a ten-foot separation on the pole.

Questions/Statements

-There is a question regarding the balloon that was flown, as required. Some residents feel the balloon was not up and floating at the required time. **Kevin Delaney** of Industrial Communications responded that the balloon came down unintentionally on Saturday afternoon (June 7); it was repaired and put back up on Monday (June 9), at the same required height as before.

-**Delaney** shows two photo simulations of the balloon/tower during the presentation. **AR** asks for – and receives from Delaney – hard copies of the photo simulations.

-**Delta Kearney** wants to know if there are any contracts yet with any carriers? In addition, is the tower exclusively a cellular tower? **Delaney**: There are no contracts yet for the proposed tower, and the tower will be for cellular and PCS (personal communications services). **Kearney** wants to know if a survey has been done, with local homeowners asking if they even want cellular service. **Delaney**: no such survey was conducted.

-**Richard Todd** asks if the company had contracts for any other cell towers in the area, and wanted clarification on whether this service would include areas on Rte. 112 and Rte. 116. **Delaney**: No contracts and, yes, the areas in question would have coverage.

-**Tristan Romer** asks if the proposed tower will have branches on it, to look like a tree. Also, he states that the area is historical in nature, with the presence of old farmhouses and an old schoolhouse. **Delaney**: It will be a monopole tower, without branches; he displays a power point photograph of what the tower will look like. **JH** states that the balloon cannot be seen from the schoolhouse this time of year; however, with leaves off the trees it may be visible.

-**Bill Perlman** asks if there will be generators on site and if the noise from them would be an issue with the neighbors? Also, he states that this project would generate tax dollars for the Town. **Delaney**: Yes, there will be generators that are very quiet, as they would be enclosed within the carrier service boxes, on the site.

-**Sheila Dennis** states she thinks we are all in agreement that we need cellular coverage; it's just a case of the appropriate place to put cell towers. She wants to know if the Planning Board has a plan for the Town regarding cellular coverage. How many more towers will be needed to fill the coverage gaps? And who has the Planning Board hired as a consultant? **MF**: There is no cell coverage plan for the Town regarding future towers; it is the decision of a landowner on whether to have one installed on his/her property. The Planning Board is considering hiring Bruce Beliveau, from the Keene NH area.

-**Ann Madocks** asks what criteria will be used to make a decision on the cell tower. **MF**: Section VI.F and Section VII.H of the Ashfield Zoning Bylaws. **Madocks** asks what the consultant will do.

MF: He will verify the applicant's coverage maps, help educate the Board on cell towers, and create sample coverage maps for the Town, to assist with planning.

-Richard Todd states that this location is in an unpopulated area of town; there are other areas perhaps more suitable.

-Doug Mollison states that, currently, all postal carriers are required to carry a cell phone, but it is useless with no service. He states also that he is legally blind and would love to be able to walk around Ashfield Lake and know that, if he falls and is hurt, he would be able to call for help from his cell phone.

-Harry Dodson wants to know how the Planning Board is going to deal with the 80-foot height restriction in the telecommunications facilities bylaw. **MF:** Section VI.F.I is the paragraph that describes the granting of a variance. **Dodson** wants to know if the Board is setting a precedent if they allow this tower at the proposed height. **MF:** No, each application would be reviewed on an individual basis. After reading Section VI.F.I Dodson states that he disagrees.

-LPW asks if there is a rationale for the 150-foot tower height. **KD:** For PCS to be effective, the antennas need to be at least 20 feet above the top of the tree line, with room for multiple carriers.

-Sheila Dennis asks if the Town has a cell tower plan in place now. **MF:** No. **Dennis** states that she thinks there should be one in place, before the tower is installed.

-Kerry Masse wants to know if the tower would need to be lighted? **Delaney:** No, the tower will not have any lights on it.

-Bill Perlman states that there are a lot of people in Town who run their own business and need cell coverage and internet services for these endeavors. Franklin County is very short on these kinds of services. Some modern necessities are inevitable. This location seems to be a good place for a cell tower.

-MF asks if there is any historical review (Section 106 of FCC rules) in progress. **Delaney:** They are working on it.

-Helene Uprichard wants to know if the proposed tower needs to be 150 feet in height if there is overlap of coverage from other towers? **Delaney:** Yes, the overlap is a very important component.

-AR asks about maintenance at the facility. **Delaney:** We take care of all maintenance at the site, except the carriers will maintain their own antennas on the tower.

-Sally Yates questions why we even need cell service when one should not be driving around while on the phone anyway. Also, she wants to know the maintenance schedule for the tower? **Delaney:** Maintenance will occur during regular business hours every couple of months, unless

there is an emergency. The site will be equipped with an alarm system and will have surveillance cameras.

-**JH** questions if the height of the tower can be shortened, once built? **Delaney**: The tower cannot be shortened, but the height can be increased, if planned ahead. **JH** questions how it is determined which carriers are located higher up on the pole. **Delaney**: It is on a first come, first serve basis.

-**JH** reads a statement from resident **Shepard Forman** who could not be at the meeting: "Please keep it [the tower] as unobtrusive as possible. The view over Ford Pond with the old buggy whip factory is one of Ashfield's most pristine and precious."

-**Walt Cudnohufsky** asks what is the company's tallest tower. **Delaney**: They have installed a 1,050-foot height tower, in Miami. **Cudnohufsky** asks how tall the tower would have to be to get full coverage for the Town. **Delaney**: Cell phones put out a very small amount of wattage, so towers actually need to be lower, to accommodate the lesser signal. The range of coverage is not greatly increased for a higher tower, except for the carrier's antenna that is lower on the pole (and thus would be higher, if the tower was taller). **Cudnohufsky**: Can coverage for a 200-foot height tower be looked at, as a means of eliminating the need for other towers? **Delaney**: Yes. **Cudnohufsky** requests that coverage be looked at for a 199-foot height tower.

-**Harry Dodson** notes that 80-foot height towers have been installed near state or national forests, and that towers of lower height may be more appropriate in other parts of Town, such as in the southeast, where the topography is more pronounced. It is not a black/white issue.

-**MF** states it will be a condition that emergency services for the Town have a place on the tower. He states that the Planning Board would like to see the report from the National Historical Commission, when it is available.

-**Tom McCrumm** asks what are the heights of other towers in nearby towns. **Delaney**: Goshen tower is 150'; George Propane tower is 190'; Cummington lattice tower is 190'.

-**Betty Stewart** states she keeps hearing about a 12-year old [telecommunications facilities] bylaw and the need to progress and move forward, as we all need service. The Water district has property on Peter Hill that would be a great place for a tower. **MF**: wants to know if the water district still had interest in a cell tower. **Stewart**: will raise that question at their next meeting. **MF** notes that it may not be possible, as a conservation restriction would need to be removed.

-**Tristan Romer** asks if the location is considered an historic site? He notes that this historic schoolhouse is the only unoccupied one in Town. **MF**: FCC will require an historical review. If there is specific testimony about a historic structure, the Planning Board needs to consider it.

The decision to restrict development based on the historic nature of a neighborhood would mean it would need to be more historic in than in other places.

-Jude Elbaum wants to know how much the property owner is being paid. **Delaney:** Not going to disclose that information, as it is an agreement with the landowner. **Elbaum** states also that Rte. 116 is not even plowed correctly or on time, and why should the Spruce Corner neighborhood be a stepping-stone for cell tower projects in Town?

-Nicole Romer states she is totally against this tower going up, as it is right in her back yard. She feels there has not been enough research pertaining to health issues, as related to cell towers. What power do Spruce Corner residents have in this decision? **MF:** You may come to the next public hearing scheduled for July 16, 2014 @ 7:30pm, at Town Hall. You have the power to testify. The federal government does not allow us to make a decision based on health effects. We can talk about health, but can't legally make a decision in regards to health impacts from radio waves.

-AR requests a scaled version of full-sized sheet 1A – Topographic Plan (as current map is not to scale). Maps will be emailed to the Planning Board, as well as hard copies brought to a future meeting.

-Ken Kipen questions the elevation of the proposed tower site. **Delaney:** Ground elevation is 1,454'; the proposed monopole has a height of 150 feet.

-Doug Mollison questions if approval were, given how long would it take for the project to be completed? Depending on the time of year approval is granted (weather/season being a factor for construction) it should only take 2½ to 3 months to complete. Also, there is a 21-day appeal period after a decision is made on the special permit application.

The Planning Board requests coverage studies for 100' and 170.' **Delaney:** It is important to know the requested tower heights, for work on Section 106 of FCC rules.

-Andy Smith poses question about decommissioning and/or if the company goes out of business. What happens? **MF:** The project will be fully bonded.

After discussion about scheduling **MF** announces the public hearing will continue on July 16, 2014 @ 7:30pm, in Town Hall.

The Public Hearing is adjourned @ 8:45pm.

The Planning Board meeting is adjourned @ 8:55pm, by unanimous vote.