

**Planning Board
Public Hearing Minutes
July 16, 2014**

Present:

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

Scribe: Assistant Municipal Clerk Lynn Taylor

***Applicants:** John Champ (JC), Industrial Tower & Wireless, LLC (ITW); Kevin Delaney (KD), Engineering & Regulatory Compliance Officer, Industrial Communications; Rick Coci (RC), Industrial Communications

Consultant: Bruce Beliveau (BB), Beliveau Communications & Consulting

Approximately forty-five members of the public were present.

The meeting is called to order at 7:11pm, by the Chair (MF)

MF begins by introducing Planning Board members, as well as Applicants from Industrial Tower & Wireless, LLC; and Industrial Communications.

BB reviews the question and answer sheet (Document #2) with the Board. **BB** advises that the site has good coverage, albeit with a few gaps. He states there will need to be more towers located around Town in order to receive full coverage.

The Public Hearing that opened on June 12, 2014 is continued at 7:30pm.

MF gives an overview of the first hearing on June 12, 2014, and refers all present to two posters displayed in the room that outline the Special Permitting criteria.

***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, in the Town of Ashfield, and owned by Leonard H. Roberts.**

KD recently sent the Board coverage maps; the Board discusses these with **KD**. **LPW** asks why the Applicant used PCS (personal communications system), instead of cellular coverage. **KD**: All carriers use PCS. Cellular has better coverage; PCS has a more constant and consistent ERP (effective radiated power). **BB** states that he has reviewed all of the documentation asked for, from Industrial Tower & Wireless.

MF feels that before the Board can make a decision on the proposed height variance, a NEPA (National Environmental Policy Act) impact study needs be done. **JC**: Many of the requirements of the NEPA study have been addressed, but ITW will complete the study, once the Board decides on the height of the tower.

-John Madocks questions whether anyone has looked into using the high-tension lines for cellular service, as they are a facility already in place and thus would do away with the need for a cell tower at the proposed location? **BB** explains that this site in question is very important to build a network covering Rte. 116, and Rte, 112 that also connects with coverage in adjacent towns (Goshen and Cummington). **MF**: The power company has a program for allowing single carriers on high-tension power lines.

-Sheila Dennis wants to know if BB is being paid by ITW. **MF**: Yes, he is being paid by the Applicant. Also, she asks about coverage from neighboring towns. (She was shown a map previously submitted of cell coverage from adjacent towns.)

-Tony Jillson wants to know how this site was picked and is this the only site available? **MF**: Anyone owning property can put in an application for a cellular tower; an application was filed for this site. Jillson: Feels there may be a more optimal site, which would mean less towers for the Town.

-John Madocks wants to know if Industrial Communications has worked with any power company previously. **KD**: Yes, Industrial has worked with power companies, however high tension lines do not meet their objective of creating a continuity of coverage with Goshen and Cummington.

-Ken Kippen reads portions of a study from Germany, 1994-2004, regarding health concerns and cell towers, and wants to know BB's thoughts. **BB**: You get more radiation from the cell phone in your pocket than you would from the tower antennas, which are high above.

-Matthew Norris wants to know if the Town has a master plan regarding cell towers. **MF**: No, the Town has never been funded for a master plan. Norris asks if a committee be formed to investigate health concerns. **MF**: The Town does not have jurisdiction over RF (radio frequency) health issues. **BB**: The levels are relatively low – 167 watts ERP – and you need to sit right in front of it, in order to experience any ill effects.

-Helene Uprichard expresses concern about surging emissions every time there is a signal from a cell phone. **BB**: Not so; the emissions are always constant.

-George Basbas would like to see the coverage maps. **MF**: Copies can be obtained at Town Hall.

-Susan Kaminski states she has plenty of data service now, and does not need any more.

-Sheila Dennis wants to know the cost of a cellular coverage plan. **MF**: Thinks it could range anywhere from \$20,000 to \$50,000, for a Town-wide study.

-John Madocks questions why cellular antennas on power lines in the Watson Road area are considered too far away, if one can pick up a signal from the Goshen tower that is more distant. **KD**: Anything over a mile away could be spotty and unreliable.

-Padraic Doyle states that his job relies on cell service. Wants to see this move forward, get the tower installed.

-**Tristan Romer** thinks a cell tower rising 75' above the tree line is very out of character for the area. He states it seems the FCC (Federal Communications Commission) is not interested in health issues, or in how cell towers reduce property values. He further states there is an historic structure in this area (school house), but this seems a moot point. Also, he thinks there has been little awareness about these meetings. **MF**: Acknowledges Tristan was not aware of the proceedings. The Board is working as best as it can with the existing laws.

-**Anne Madocks** wants to know what weight neighborhood character has on this project. If the entire neighborhood is against the tower, can FCC be overruled? **MF**: You cannot overrule the FCC, however we can ask for conditions, such as camouflaging the tower, or asking it to be moved slightly.

-**Nicole Romer** states that Spruce Corner is not very populated and feels the neighborhood does not have a say in this decision. How do we stop this from happening? **MF**: You do have a voice; you are here at the meeting. **LPW**: There are a number of factors in play. Neighborhood concerns are very important, but the Board is constrained by federal law.

-**KM** wants to know why Industrial Communications does not like the idea of camouflaging the tower. **KD**: The pine tree idea is ridiculous, as it only draws more attention to the tower. The tower could be painted a different color, to blend in more with the surroundings. The idea of a flagpole idea for the tower would not work at this site, either. **BB** asks, if the tower is painted, will the carriers paint their antennas as well? **KD**: Yes.

-**KM**: Can photo simulations of a camouflaged tower be provided? **KD**: Yes, can provide. He will also provide photos of existing camouflaged towers in the region. **LPW** asks **BB** if he knows of any towers in the region that are camouflaged well? **BB**: There are some towers in Vermont that are well camouflaged.

-**Helen Hodges** feels residents are not concerned about the color of the monopole as much as the health issues. She thinks the FCC rules are outdated.

-**Sharon Wells** asks if there are other options besides monopoles. She has researched alternatives and submits a photo of a cell tower disguised as a barn. Also, she states that existing power transmission lines should be used as a location for cell towers. There should be an effort made for creative solutions that are more in line with neighborhood character.

-**MF** asks a series of questions of the public, to gauge opinion, including what is greatest concern (health issues, followed by location and appearance).

-**Rachel Chasse** states that she has no service at her house in Spruce Corner and has no objection to the tower or its placement at the proposed location.

-**John Madocks** asks why the need for a 150-foot high tower. **MF**: A lower height might bring the risk of a request for another tower next to this one, to accommodate more carriers.

-**LPW**: Asks about how many carriers are on existing towers in Goshen and Cummington. **KD**: Two on each tower, so far.

-**Sharon Wells** feels that service for one carrier is all that is needed for Ashfield. **BB:** FCC requires collocation, and disallows discrimination (you cannot allow for one specific carrier, but not another). She wants to know if there are any contracts yet for the tower. **KD:** No.

-**Chris Gray** states that he had contacted WMECO and was told the tower was too small for them to work with; however, it would work with carriers directly if it were approached. It is not WMECO's preference, but it would allow it. However, collocation is difficult on transmission lines, for logistical reasons. **KD:** Has worked with power companies in the past; can't get more than a couple of antennas on any given transmission line tower. **RC:** Some carriers will upgrade, if necessary. **MF:** There will likely be a request for more coverage maps, along transmission lines.

-**MF** asks the applicant to describe the NEPA process. **KD** explains the various agencies/groups involved: FAA, Fish & Wildlife (endangered species), Native Americans (sacred places/burial grounds), historic structures requirement by FCC (Section 106). They have looked at these issues already, except Section 106. If there were any issues, they would not be able to move forward with the project, even if approved.

MF asks Industrial Communications to provide a coverage map for the Watson Area, a simulation photo of the tower in a camouflaged state, and to conduct the NEPA study – understanding from the Applicant that about sixty (60) days will be needed for the study. All of this is required before the Board can make a final decision.

-**Tony Jillson** mentions the Water District. Also, what can be done to convince the Board of the importance of neighborhood character? **MF:** The Water District is interested in investigating putting a tower on the Peter Hill property it owns. Board is considering impacts to neighborhood character.

-**LPW** asks if Industrial has looked at other locations. **KD:** Yes, other locations were looked at.

-**Tristan Romer** feels that there are other sites up the hill and further south of the proposed site that will keep the tower further away from homes. **MF** asks if the tower can be moved further up the hill. **KD:** Would involve the removal of many trees on the hillside; plus, there are wetlands further up that would be in the way. During the balloon test only two or three homes were able to see the balloon.

-**JH** asks for clarification on coverage of a 150-foot high tower versus a 170-foot high tower. She is shown coverage maps.

-**Rick Intres** comments about prior outages affecting power and phone. What can we expect if the tower goes down? Will it be out for a week or more? **KD:** The tower, with its back-up generator, would never be out for a week; he is doubtful it would be even two or three days.

-**LPW** asks about the legality of the height variance. **MF:** Town Counsel should review it.

-**MF** asks applicant about a typical bond amount. **KD:** Usually about \$12,500. **MF** asks the applicant to consider 10% of the construction value (about \$20,000).

-**MF** states at 9:30pm that the Public Hearing will continue on Wednesday, October 1st, 2014 at 7:30pm, in Town Hall.

The Board continues discussion during its regular meeting time of the proposed 150-foot tower height (as proposed by the Applicant). The Applicant needs to have an approved height, so it can proceed with the required NEPA study. **LPW** questions the need for such a high tower, citing the two 190-foot high towers in Goshen and Cummington with only two carriers on each. She is concerned about a 150-foot height tower ending up with only one or two carriers on it and wonders if a 120-foot tower height might be more appropriate. The Board acknowledges this observation, but is not sure what demand will be at the proposed Spruce Corner location. **BB**: It is a good location for coverage and is only a matter of time before the tower is filled up.

MOTION: by **KM**, to grant the request for a monopole tower height of one hundred fifty (150) feet, as originally proposed, so the Applicant can complete its requirements (NEPA study, photo simulations, and any other pertinent requirements). Seconded by **MF**. **VOTE** is **4-1-0** (for: **MF, JH, KM, AR**; against: **LPW**; no abstentions)

Per a request by **LPW**, the Board discusses a small correction to the June 12, 2014 Public Hearing minutes. **MOTION:** by **LPW**, to amend the previously approved minutes of June 12, 2014. Seconded by **KM**. **VOTE** is **5-0** (unanimous). **AR** will amend the minutes and re-post amended minutes in Town Hall, as well as on Town website.

MOTION: by **JH**, to adjourn the meeting. Seconded by **KM**. **VOTE** is **5-0** (unanimous)

Document List

1. Agenda for Planning Board meeting
2. Question and Answer sheet from Consultant