

## NORTH BERWICK, MAINE 03906

### MINUTES OF PLANNING BOARD MARCH 26, 2009

**Present:** Chairman Todd R. Hoffman, Julie Fernee, Shaun DeWolf, Barry Chase, Mark Cahoon and Lawrence Huntley, CEO.

**Also Present:** Emily Thornton, Jeff Thornton, Jeanne Emerson, Christopher Mende, C. H. Merrithew, Heather Donahue, Leo Donahue, Susan LeClaire, Oscar C. Stone, Arthur Hall Jr., Francis. Hall, Betty M. Hall, Jeff Fournier, Amber Fournier, Alan Shepard, Art Allaire, Margaret Allaire, T. Sheely, Charles Hartford, Tammy Baron, Rachel Smith, Ronald Smith, Dan Goulet (US Cellular), Richard Trafton (US Cellular), Bob Gashlin (US Cellular), Robert Pelletier, Judith Connelly, Patricia M. Boston, Robert C Boston and Charles Gray.

#### **1. Call to Order:**

Chairman Todd R. Hoffman opened the Planning Board Meeting at 6:37 p.m.

Chairman Todd R. Hoffman informed the Public that this meeting is not a Public Hearing.

#### **2. Current Business:**

**A. Evelyn Stevens---**Applicant proposes to update an existing Subdivision (Map 3, Lot 120 & 120-5)

Christopher Mende from Civil Consultants explained that I 'am here on behave of Evelyn Stevens. Evelyn Stevens owns a parcel of land located at 5 corners and in 1979 this office came before the Board on behalf of Evelyn and her husband to subdivide a piece of property that they owned at 5 corners. Prior to coming to us the property had been family property for quite a number of years, belonging to Evelyn's mother and she had sold off a number of lots, none of which cost to subdivide in the 5 year separation between all the parcels, with the exception of one lot that had been sold within a 5 year period prior to Evelyn and George acquiring the larger piece. When they wanted to divide the piece in half that constituted a subdivision including the last and most recent sale that had been made by Evelyn's mother and father and at that time the plan was approved and recorded. Subsequent to that they never did divide the property, they held both parcels over that entire period with a house on one of them and never did sell the second parcel. However in 1986 they did convey a portion of one of the lots to an abutter with out getting subdivision approval and that why I'm here. At the time they were not aware that was a violation of the subdivision law. It is a small piece adjacent to an existing lot that the adjacent owner wanted to buy. The two original parcels are the two large parcels on the Plan. The piece that they sold without approval is a small L shape parcel in the corner, which was appended to the Bean property. What has brought this forward is that I was approached by Mrs. Stevens's sister Shirley Patstone who lives at 5 corners on lot 116. Evelyn has recently moved from her house to Dover and has no more interest in the property and wants to convey the remaining land to her sister. When her sister came to ask me about it I looked into the history and I found that

there was this outstanding issue that was never addressed and this is probably going to be a title issue for you and you probably want us to take care of this to get approval for subdivision revision to the fact and to make the record clean so you won't have any title issues here. The only issue here is that we are asking the Board to after the fact approve that modification to lot 114.

Chairman Todd R. Hoffman asked why does she has two titles, why not make it one lot.

Christopher Mende answered that the sister is only going to get Map 3, Lot 120 and Evelyn is going to sell to someone else Map 3, Lot 120-5, that is the lot with the house on it. The intention is I think is for Mrs. Patstone and her husband are to sell their house on the corner and build a house on the other odd shaped lot. They have no intention of merging the title to those two lots.

Lawrence Huntley, CEO spoke that Christopher Mende had approached him about this issue and the CEO asked for more detail to discuss with the Town Attorney and he also asked me to bring it to the Planning Board to see if the Board had any objections and what you would be requiring if you thought that you should review it completely. The intention tonight and I don't know that Chris was along with this because he is saying he thought you might sign that tonight. I have not sent out registered letters for a Public Hearing and legally I have to send out registered letters to make this legal.

Lawrence Huntley, CEO will place Christopher Mende on the next agenda.

**B. Arthur & Gladora Hall---Proposed Telecommunication Facility, Schoolhouse Road  
(Map 5, Lot 37A)**

Chairman Todd R. Hoffman spoke for the record the Barry Chase Planning Board member receive a letter dated March 9<sup>th</sup> from Alan Shepard an Attorney that has been retained by Jeff and Amber Fournier and Art Allaire and Margaret Allaire on certain issues and evidence and also a return letter and essentially its discussions about everything and the evidence before us so far.

The Planning Board held a Workshop with Bill Plouffe on March 18, 2009 in trying to facilitate how to go forward. One of the issues questioned between the two opposing Attorneys, and I think we should be clear on this issue. We have accepted the Conditional Use Permit for this cell tower telecommunications facility. One of the first steps in accepting this is the question whether this is an essential service. There are three other telecommunication facilities in North Berwick; there is the water tower with T-Mobile, there is a Verizon facility on Morrells Mill Road, AT&T on Oakwoods Road and just granted a Conditional Use Permit to T-Mobile on Route 4.

I want to discuss how the Town has gone about these approvals in the past. There was another facility that was being proposed but never came before the Planning Board. However the local safety network; both police, fire and rescue that came before the Selectmen with a proposed communications tower on Bauneg Beg Hill on the site that is owned by the Town and Great Works owns Two Hills a third is privately owned. There is a rise to the North East of the Great Works property and we had a Public Hearing on the proposed facility before the Selectmen and because of its location, the value of the land, the impact it would have on the surrounding area it

did not even come to application. The Town said that this is not something that they were interested in at all. This is the fifth point in our history in dealing with these cell towers.

The 1994 FCC Telecommunication Act that was a revision from 1933 essential services because of phone lines and electrical services.

When discussing with the Town Attorney issues about essential services we ought to make sure there is a consensus among us whether this is or not. That has added barring but I don't know if it is the final line.

Is there a strong feeling that this would not be an essential service? Two members said yes.

Julie Fernie spoke that I would be very interested on how bad the reception is in that area.

Mark Cahoon asked that a study be done by our own Radio Frequency Engineer.

Chairman Todd R. Hoffman spoke to whether it is essential or not.

Lawrence Huntley, CEO spoke that doesn't mean it's not an essential service.

Julie Fernie spoke it doesn't and I understand what essential service means but how essential. Could they move it to another place and still be adequate.

Chairman Todd R. Hoffman spoke that this telecommunications carrier is considered by the FCC an essential service.

Lawrence Huntley, CEO spoke that I think you need to look at your ordinance and look at the definition of essential service and that is what is going on here. The Planning Board needs to make a decision whether it meets your ordinance or not as an essential service. The definition we have.

Chairman Todd R. Hoffman replied I think many of us have looked at that ordinance a lot and unfortunately like Bill Plouffe there is no it is this or that. These ordinances aren't really up to date so it does not mention telecommunications for wireless services.

Alan Shepard spoke that I was the one that raised the issue of essential services. And I think the sense I'm getting is the Board is not invest on rendering a decision today on the application. I would suggest that the Board doesn't need to make the threshold decision about an essential service today out of initial review. I had an additional letter I submitted to the Board and I'm not sure people have had a chance to read that and after Town Attorney Plouffe make comments. I think that there are some additional factual things that might be able to fill in the gap. I'm not making an argument one way or the other all. I'm saying is procedurally it might be better when you get to the point of view subedit review certainly that is going to be an issue but I think it could be an issue that could be addressed at that point rather than dealing with it as a threshold issue today, given that you are not going to make a final decision on the application. I'm was just going to suggest that you make it part of your final decision and also give the Board members the

opportunity to actually see my letter and I think there is additional information on that that we would like to present when we have an opportunity to present it before the Board.

Lawrence Huntley, CEO spoke that my take on that would be if it is not an essential service we should not be reviewing it under this application.

Julie Ferner read into the record: Page 3-5

**Essential Services:** the construction, alteration or maintenance of gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cable, fire alarms and police call boxes, traffic signal, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

Chairman Todd R. Hoffman spoke that to just keep in mind that is says: but shall not include service drops or buildings which are necessary for the furnishing of such service. We could argue that sheds are not necessarily covered under this application.

Lawrence Huntley, CEO replied that they are allowed in that zone.

Chairman Todd R. Hoffman replied not under essential service.

There are pertinent ordinances;

Page 1-1 **Article 1 - General**

**1.2 Purposes** (c, d, e, f, g, h,)

Page 3-5 **Article 3 .2 Definitions**

**Essential Services**

Page 4-6 **Article 4 - District Requirements**

**4.1.10 Farm and Forest District**

Page 6-13 **Article 6 - Administration**

**6.9.6 Factors Applicable to Conditional Uses** (1, 2, 3)

The Board agrees 1994 FCC Telecommunications Act they attended that these kinds of communication facilities or communication carriers are essential services, let us know why.

Mark Cahoon spoke that putting the cell tower in the exiting environment with the existing houses around. I think we should know whether it is going to drop the property value or not before we make a decision. This is a new structure in these peoples area, and from the photo that they provided the Board of where the tower is going to be. I think we really need to get some non bias options on whether it is going to drop the property value and that should be presented to us.

Chairman Todd R. Hoffman spoke that the question is not to grant a permit or not at this juncture but where does this fall within the notion and the application. It is an application for an essential service? Do you except that as to as much as you understand. We are not experts.

Mark Cahoon stated that by our definition, are definitions were made back in cave man time; they did not include cell phone towers. So how can we honestly say that this is an essential service, just because the FCC says that it is? The FDA isn't always right; all of a sudden they approve food and 5 years latter it causes cancer. Government isn't always right.

Chairman Todd R. Hoffman spoke the Act of 1994 when this first happened; things have changed and we don't have a lot of case law in Maine. There is case law and there have been legitimate challenges to the placements and the types.

When I voted for the Morrells Mill cell tower communications facility and it was presented as an essential service. We went through this and we had somewhat a kind of consensus that it probably was. That did not deter us from applying these ordinances and making a decision to grant or not grant a Conditional Use Permit and it had to do with; preserve the peaceful surroundings, local protection from particular nuisances and all the is contained in the ordinances. We essentially went through most of these exact same ordinances I mentioned.

Julie Fernie asked that if we vote that it is an essential service.

Chairman Todd R. Hoffman answered I don't even know if we have to vote that it is.

Julie Fernie spoke that if we agree that it is an essential service, is it not going to be the end.

Barry Chase replied that it doesn't change anything.

Chairman Todd R. Hoffman spoke that there was an essential service that was to go up in the back yard of the Primary school near the wildlife track. It may have been an essential service but we didn't think that location.

We recently did a Conditional Use Permit for a wind tower; it was the same thing it was not mentioned in our ordinance on page 3-5 but it certainly looked like it, it had a pole, it was tied into the grid.

What I'm trying to do is check some of these things off so we don't trip over it and then have to come back to them.

We have had a presentation of the Radio Frequency signal need in this area; the pink, red and the white and knowing that the white area id a dead area. However we do not know what a dead area means; drop calls, is there away of measuring signal strength and all those technical questions. I would like to ask somebody that we know and ask some of these technical questions.

Richard Trafton explained that we do have our Radio Frequency Engineer Dan Goulet here tonight not necessarily to lobby this application that why he is here. But to answer any Radio Frequency questions that the Board may have, if it desires to hire its own expert that fine but what the Radio Frequency report shows and what you might look for addition information Mr. Goulet is here to answer any questions.

Chairman Todd R. Hoffman asked if the Board if it was important for us to have Town Council in the Radio Frequency domain.

To do this we would have to ask for a bond or escrow account as to what the Town Manager would want.

Chairman Todd R. Hoffman asked for a raise of hand on hiring for the Town a Radio Frequency Engineer Consultant. Unanimous, 5-0

Richard Trafton spoke that we understand that your application requires that the applicant pay for that cost and we are prepared to pay, if you would like to go forward.

Mr. Chairman remember that our initial application asked for a tower of 195 feet in height, we have reduced the height to 150 feet. The RF plots and the RF information that you initially reviewed and heard about dealt with the higher tower not the lower tower. Mr. Goulet is here and perhaps could respond to any questions regarding the Radio Frequency aspects of the lower tower.

Chairman Todd R. Hoffman stated that my question to the Board still stands. Does the Board want to ask technical questions?

Julie Fernee asked that every one has a different cell phone provider your services given by different people. When you say it is a dead area is it dead for everybody or just for your company.

Dan Goulet answered it is a dead area for US Cellular.

Julie Fernee replied US Cellular.

Dan Goulet stated because the Government. What the FCC did was these carriers bought licenses for billions of dollars. And the FCC said ok that money goes into the General Fund and that is suppose to go back to the tax payers, so therefore, the idea of that is you have multiple carriers and that is what keeps your cost down. If there was only one carrier, they could charge you what ever they wanted per minute. But all the carriers are competing because this is America, so poor US Cellular, there is no coverage in the greater part of North Berwick and there is no connectivity. It isn't that their gong to worry about dropped calls because you can't make a call. If you were in trouble or if there were an emergency, like 911 or any disaster were the public land line is down or if I were to break down in my car at 2:00 a.m. and I want to call somebody, I couldn't do it on Route 9 right now there is no service.

Chairman Todd R. Hoffman asked about the coverage plot, would that map looked differently if it was for an application for a tower of 150 feet.

Dan Goulet answered yes we do.

Chairman Todd R. Hoffman spoke that we will need to see that.

Dan Goulet explained that we ran it originally at 195 foot tower. I ran it at a reduced height 150 feet and reduced it even further. I did 125 and I did 105. The 150 is the bottom line that is the lowest I can go right now that is function of your terrain in this area.

This is topography of the area and this just shows terrain without the trees. What these models do here if you're looking at one of these just so you know what this represents. These are computer generated; pretty high end models. What we use is; we have terrain and on top of that we have clutter, we have disguise trees, conifers trees, and commercial property, buildings, wetlands, open areas and paved roads, every 30 meters which is a block 90 feet by 90 feet, this is what these bind sizes are. We get this data by driving the roads; we get the crane and put up a temporary antenna and send out a signal on it and we actually drive the roads. This is our measured data and this is our model and then we tune these models so for this area; Maine, New Hampshire, Vermont and Connecticut and there pretty accurate, is my point.

When you're in your office or in your home or where ever you are you can use wireless service; not just cell phones but data and everyone wants laptops, everyone wants everything wireless. What happen now is if your anywhere near the white area, you have no service on US Cellular. If you are in the areas where the orange are that is in vehicle levels. And what that means is because in vehicle the signal can be a little weaker because your moving, you're driving through fades, so that is the current in North Berwick.

Chairman Todd R. Hoffman asked how about just walking outside the building.

Dan Goulet answered outside the building, you would be fine.

But if you are in here you would not have reliable service in here, maybe if you walked over to a window you might have service.

This represents the fill in that you get at 150 feet. These are existing US cell sites; this one is actually in North Berwick and then we have one on Route 9, one in Berwick.

Chairman Todd R. Hoffman asked are you on the Oak woods Road tower.

Dan Goulet answered yes this one here, so were already on that.

Chairman Todd R. Hoffman asked are you in Lebanon.

Dan Goulet answered yes we have one in Lebanon and we need another one in Lebanon.

We have one in North Lebanon and we do need a site further up in Lebanon which will hopefully fill in what ever we can't get from this 150 foot tower.

This is the aver gate coverage plot of the proposed location at 150 feet and you can see that this isn't perfect. This area where you do not see green and brown that is the gap that you have in North Berwick which by Cellular standard ridiculous.

The people in North Berwick cannot get US Cellular.

I would not by US Cellular if I lived in this town.

The problem is you have people coming into your town to do business that do have US Cellular, you have people driving through from these neighboring communities that do have US Cellular service, so they come through your town and they can't use this service.

Chairman Todd R. Hoffman spoke they can if they roam.

Dan Goulet replied if they happen to have a roaming agreement with someone who has coverage and who has the same technology phone. For example if I have CDM phone I can't roam on T-Mobile, US Cellular can roam on maybe Verizon but they can't roam on those other carriers.

Mark Cahoon spoke that you made a statement that you are on the tower on Oak woods tower. I go that way every Sunday and I see the tower over to Oak woods from that spot; how come there isn't enough power to cover that area from that tower that you guys are on.

Dan Goulet replied it's the license, way back when in the day when mobile radios came about we were down to 150 mega hertz and 450 that was a lot of your public safety, police and DPW uses that. The State Police have now moved up to 800 mega hertz which is what US Cellular has in New Hampshire in this market its 1900. The higher up you go in frequency and we don't have a choice that's what spectrum was available from the FCC during the lotteries, so T-Mobile, AT&T, US Cellular in this market are 1900 mega hertz.

This is the foot print of the coverage from just the proposed site of 145 feet because that is where the antennas be, there not going to be above the tower.

If this was 800 mega hertz, this foot print would likely be twice this size but unfortunately at 1900 mega hertz, you have tall pines, the pine needles, and the oak leaves approximate the wave length at 1900 mega hertz. They are absorbing that frequency and so there is a lot of attenuation and you don't get the overall foot print and you only have so much power coming out of the cell site, they are very low power, your phone is low power. The phone is only 6<sup>th</sup> tenths of a watt, and the idea is you have a small phone and you want your battery to last you don't want to be charging it every hour, so theses go out low power for regulated. We can only go out what they tell us we can and it is the function of the equipment, and so you only get this for a foot print.

Chairman Todd R. Hoffman asked why that white triangle is there.

Dan Goulet answered that white triangle is terrain; see this hill that's the other side of that and you have trees on that hill, so you get all this shadowing. The other problem is 5 corners and you sit down at a low elevation and you leave 5 corners and you start going up Lebanon, up hill, up hill then your going down hill, so consequently the signal does not go that far PCS, so for operators like T-Mobile, AT&T and US Cellular in this market. That is why there are so many towers going up in so many locations and there are a lot of co-location. We co-locate every place we can, we have master lease agreements with all the other carriers, if there were other structures that we could go on to fill the gap, we would go on them.

Chairman Todd R. Hoffman spoke and of course your argument is the reason is the co-location doesn't reach to you is because of you're the frequency.

Dan Goulet replied your right, were already here and I'm sure US Cellular would love to save three quarters of a million dollars and not put a site here unless they had to. What is happening is the carriers use to just focus on this way back when; in 1996 and 86 when cellular first came out it was highways, all they wanted to do is cover the highways everyone just used their phones near cars. The new thing is I want service in my basement, if I have my office in the basement



that's were I want service. There are a lot of people especially young people their moving into houses, their not getting landline phones. They just use their wireless.  
During 9/11, during Katrina there was no landlines service.

Barry Chase spoke that you had to have a landline to get under the 911 system.

Dan Goulet replied that you had a landline switch; all of this connects to a switch some place. The point is if you have telephone poles down and lines down going to houses you need service.

Mark Cahoon spoke that I had still had service during the ice storm.

Dan Goulet explained that what happens at 125; see this Chase Road in here, right here we don't have wonderful coverage but at lease if your in a vehicle or outside, you're going to get coverage through here. And you look at this footprint at 125; we open a huge gap in here, so now you don't have the connectivity that you need.

Mark Cahoon spoke that at 125 you are still above the trees.

Dan Goulet explained that the signal has to go from you 6 foot to the tower antennas  
It has to go through all those trees; you have pines that are easily 85 feet now and 12 to 15 inches in diameter and if they are in fertile soil they can grow 8 to 10 inches a year. The other thing is there are other carriers coming into the market and these other carriers aren't even at 1900 they ran out of spectrum. The government just issued a WS band which is 2130 which has even smaller footprint this which means their going to need do to some filling in.

Chairman Todd R. Hoffman asked where is the TV spectrum that's going to be coming open.

Dan Goulet answered that what their doing is they have already freed up some of that to give to the.

Chairman Todd R. Hoffman spoke higher frequency.

Dan Goulet replied yes, this is 1900 the other one is 2136.

Julie Fernee asked how many carriers do we need, are we going to be saturated with 20 other people that you can choose. I understand competition but are they going to fill up the landscape with cell towers.

Dan Goulet answered but their not all going on towers. I'm working on a project now that there are 565 sites to design a whole network in Connecticut, Western Mass., and Upstate New York but they are using existing structures everywhere they can and there using roof tops. But when you get into rural areas you don't have any tall structures here like you have in the cities. I looked at the water tank and those antennas are already in the trees, they are just barely above the trees. There is more and you can see it on the overlays here, this is actually; Google earth, and I'm overlaid that coverage, this is the 125 and this is the 145 and you can see this here, it becomes this. And you can see what is happening, it is hitting the terrain, it can't make it over

the trees so you have no signal. It is not just a case that customers are complaining because their dropping calls were worried about the people that live of Lebanon and all these roads here, Beech Ridge. They can't have service in their house.

Chairman Todd R. Hoffman spoke that they can have service with any number of other carriers. You can have service, where talking about what kind of service.

Dan Goulet replied you are absolutely right so it is the same thing is why you need more than one drug store in town.

You can have service but then if the government sold US Cellular the license for 2.4 billion they have to be able to allow to deploy network to use the license.

Chairman Todd R. Hoffman spoke that I think you raised a good question for me; we tend to agree that wireless communication services may fall under the FCC mandate of essential service. But you asked a question how many do we need; three, four, five, six and at what level. You are showing us various levels, we have gone from 195, down to 150, then 125, I'm no expert I think we need to....

Dan Goulet replied that what the 125 means is, what's going to happen is that could mean the difference between having one tower or two towers.

Chairman Todd R. Hoffman spoke that I don't have a problem with towers; I have a problem with placement of towers.

Barry Chase asked how critical is this location to your coverage and how big of a radius in that area do you want; you could probably move the tower to a different site and get the same coverage.

Julie Fernee spoke that is the criteria here.

Dan Goulet explained that the reason you would have this coverage here, this little spot of coverage because that is the hill, so if you want to fill this in, if we went up here, now we would have all this redundant overlapping coverage where we don't need it, and this hill would block that coverage from getting the rest of this down here. What we are doing is this was the optimal location to get the best footprint we could get at 145 feet, so we chose that location.

Chairman Todd R. Hoffman spoke that you haven't answered Barry's question, how close to that location, to be honest I go out there and I think there are better locations up here as far as height and as far as visibility.

Dan Goulet replied that I would have to defer to Bob.

Chairman Todd R. Hoffman spoke that I would rather you do it; technically.

Dan Goulet replied that you have to have three things; you have to have land that is lease able constructible.

I'm saying technically, if I could have my way; is this the exact property I would pick, if everybody was willing to lease and there was no zoning ordinances, probably not, but neither would all these other sites be there. We are here because we co-located there alright, so we didn't build a site, we went on an existing. Now we have to connect to this site, we have to connect to fill in what isn't filled in, so this was the best location to do that and even then we still have some gaps up here on this road but we are hoping that when we do the Lebanon site that we will meet that coverage.

Chairman Todd R. Hoffman spoke so we say ok build this tower, we want the best coverage, and we want this essential service to give everybody. Are you guaranteeing that everybody will not have dropped calls for US Cellular?

Dan Goulet replied no because I have already showed you.

Chairman Todd R. Hoffman spoke that so you won't be covering it; you are just covering it better.

Dan Goulet replied that these people up here happen to drive through that road.

Chairman Todd R. Hoffman spoke that they will get a drop.

Dan Goulet replied that what percentage looking at the town border would you not agree that we are now covering close to 90% of town.

Chairman Todd R. Hoffman spoke that what I'm getting to technically, is that there isn't complete coverage, it going to be better coverage.

Lawrence Huntley, CEO spoke that I wonder if they are aware that there is another tower going up on Route 4 down by Dennett Road in our town. They were approved about a month ago. They haven't erected the tower yet and I'm wondering how much that will change that outlay right there.

Dan Goulet replied but that's not going to get beyond the hills over here.

Lawrence Huntley, CEO replied no but you might be able to relocate the tower to a different spot so you could cover the backside.

Dan Goulet replied that it is certainly something you're not going to make a decision tonight anyway.

Lawrence Huntley, CEO replied that particular map that you have right there maybe moot because there is another tower coming to town and it may provide coverage to that area that your talking about.

Dan Goulet asked if the other tower was permanent.

Lawrence Huntley, CEO answered yes.

Chairman Todd R. Hoffman replied T-Mobile.

Dan Goulet spoke this is something that we can look at.

Chairman Todd R. Hoffman asked CEO, do we know when they plan to build?

Lawrence Huntley, CEO answered I don't know.

Lawrence Huntley, CEO spoke that there is also another tower in Wells on Route 9, across from Pike Industries. That would provide coverage to the bottom side.

Dan Goulet replied that we are already on that.

Lawrence Huntley, CEO replied that tower isn't even up yet.

Dan Goulet replied were going on that, that's why that sector is that color. That process is included in this plot, it is assumed.

Lawrence Huntley, CEO spoke that the tower on Route 4 is not included.

Dan Goulet replied that I was not aware of that.

Barry Chase spoke that I don't think my question got answered; give me a survey on how close that tower has to be to you're site.

Chairman Todd R. Hoffman replied that were not talking about zoning laws, property lines.

Barry Chase asked what similar coverage can it be; a mile from there?

Dan Goulet explained that this was a search range, we just didn't throw a dart and pick this spot, and this was probably within a polygon that looks something like this, that followed that high area.

You have this ridge here so it probably went, it included this, did not include that low area so it isn't a perfect circle.

This here is the highest peaks; it would have been something like this and followed this ridge.

Chairman Todd R. Hoffman asked for better map.

Dan Goulet answered that I can get you new plots.

Chairman Todd R. Hoffman asked would it make sense for you to check out these other towers.

Dan Goulet answered that I can do that too.

Chairman Todd R. Hoffman spoke that Monday I'll come in to talk to Larry and Dwayne to locate a RF Engineer.

Richard Trefton replied that we will be glad to coordinate with Larry about payment and to contact him if he needs anymore information.

Chairman Todd R. Hoffman spoke that's great I'll start that with Larry Monday.

Chairman Todd R. Hoffman asked Mr. Goulet that AT&T 25% of their communication towers are hidden; what are the merit and demerits of a cell tower, whether it be a pine tree or a church steeple.

Dan Goulet answered that we do a number cell modifies; US Cellular has them all over the place. As far as the church steeple goes your limited and you are restricted on where you can aim your antennas.

Chairman Todd R. Hoffman asked about a pine mono pole and do they have technical limitations.

Dan Goulet answered that is not a problem, not RF wise and the mono pines do not have technical limitations.

For example flag poles the antennas are inside and we have tree sectors, the idea is to cover 360 degrees that each sector is different frequencies anyway. We don't have standard sectors up here because of your terrain and where the roads are and were we need to fill in. I may have an antenna here and an antenna here and an antenna facing this way. They are not exactly 120 degrees apart so you can't do that on a mono pole so you are restricted

Chairman Todd R. Hoffman asked about a Victorian industrial chimney.

Dan Goulet asked is it active.

Julie Fernee answered no.

Dan Goulet asked that if you can give me the height, there is someone in the office that I can call that can get me, either drawings or the height on it and the location. There are a number of smoke stacks that the carriers are on. The problem is some of them structurally won't take; it isn't the antennas, its all that coax that goes up to the antennas that is very heavy.

Julie Fernee asked that you were going to say about the lattice as apposed to the mono pole.

Dan Goulet answered that the lattice tower you can see through it. The towns that have demanded that you do a mono pole but as you're driving around the lattice tower there are trees around it and behind it; you can see through a lattice tower, you don't have this solid structure of steel that is blocking, you can't see through a mono pole.

Julie Fernee asked what the circumference is.

Dan Goulet answered it depends on the height.

Bob Gashlin replied that the base would be some where in the neighborhood of 60 inches across and they taper up to some where in the neighborhood of 18 to 20....

Chairman Todd R. Hoffman asked that on the new plan you are starting at 150, and then I see that there are three more tiers for co-locators.

Dan Goulet answered that is just saying that US Cellular is going to put up the up front money to make the foundation and the footings strong enough to support the tower, so that if down the road other applicants come to you and they need to cover, they can co-locate on that tower. I have not read your whole ordinance so I don't know if co-location is; a lot of towns it is part of there ordinance they demand it.

Chairman Todd R. Hoffman spoke that we don't have an ordinance that specifically sites it.

Dan Goulet replied that what were saying that if potential carriers came along the tower is strong enough to support them.

The original drawing was at 199, I believe the new drawing show 150 expendable to....

Bob Gashlin replied that their proposing the tower base to be strong enough to do it to 199.

Chairman Todd R. Hoffman spoke that what I'm curios about is that you have them less than 150; are those worthless or you're putting them in there for someone to use them.

Bob Gashlin replied that like I said earlier; yeah because all the carriers aren't all on the same.

Chairman Todd R. Hoffman spoke that if you had a different frequency, it would work better for some.

Dan Goulet replied not only that but they are in different locations, so our network, where our sites are isn't where everybody's sites are. They may have a small gap somewhere that they want to fill; 140, a 10 foot vertical separation between each carrier, that's the industry standard, 120 wouldn't work for us, might work for some one else.

### **3. Preview next agenda:**

### **4. Other Business:**

### **5. Preview Previous Minutes:**

Mark Cahoon moved to approve the minutes of March 12, 2009, Shaun DeWolf seconded a motion. Vote, 3-0

**6. Adjournment:**

Mark Cahoon moved to adjourn at 8:15 pm, Shaun DeWolf seconded a motion. Vote, 5-0

Lawrence Huntley, CEO  
Planning Coordinator

Respectively Submitted:  
Anita Lambert, Stenographer

Chairman: R. Todd Hoffman

Julie Fernee

Shaun DeWolf

Barry Chase

Mark Cahoon

Copies:  
Chairman R. Todd Hoffman  
Julie Fernee  
Shaun DeWolf  
Barry Chase  
Mark Cahoon  
CEO  
Town Manager  
Selectmen  
Christine Dudley  
ZBA  
File