

TOWN OF HIGHGATE

Planning Commission

December 16, 2014 @ 6pm

Approved Minutes

NOTE: All actions taken are unanimous unless otherwise stated.

I. CALL TO ORDER

Rick Trombley opened up the meeting @ 6:04pm .

Present were: Planning Commission Board Members; Rick Trombley, Woody Rouse, Julie Rice, Bruce Ryan, Luc Dupuis, Larry Simmons.

Absent: *Tim Reynolds.*

Also present were: Heidi Britch-Valenta – Planning & Zoning Administrator; Wendi Dusablon – Clerk; Highgate Selectboard Members – Jeff Towle, Chris Yates, Andy King & Diana O'Hara; Denise Sledge – abutting land owner; Ty Choiniere – Parks & Recreation Committee.

II. OTHER BUSINESS

The board proceeded with other business items, as the presenter for the cell tower discussion had not arrived yet.

- Motion by Rick Trombley to accept the minutes from November 18, 2014 as corrected. Motion was seconded by Bruce Ryan – **APPROVED.**
- None of the board members saw any issues with the draft meeting schedule for 2015.
- Rick was not able to attend the Town of Sheldon bylaw revision public hearing on December 9th. He did read through the material and did not have any concerns.
- As an FYI to the board, the town received a notice from the State of Vermont that Daniel & Lise Brosseau have submitted a request for an individual wetland permit # 2014-115 with regard to a proposed residential subdivision off Darlene Drive in Highgate.
- The legal matter concerning the City of St. Albans appeal of insignificant waste management event will not be discussed in open session.
- Heidi noted a training session will be available for the PC and DRB on January 21st. Wendi will provide more information in their January packets.
- Larry noted a typo on the first chapter for review with regard to the town plan.
- Heidi gave a quick update on the capital budget. Amanda from NRPC was here recently and met with most department heads to get the ball rolling. If the PC has any long term goals they would like to be considered in the capital plan, now is the time to talk about it. Amanda did not meet with the school, as they have their own budgets and goals. For our plan, we need to know if they have any major projects coming up (expansions / renovations) that would put a big strain on the tax base.
- After the cell tower presentation if the PC is in support of the project, a letter of support would be instrumental in moving this forward. Bruce's only concern is if more companies come forward and want to install more towers, he does not want to see them all over town.

This proposed tower will support up to five carriers. There would not be five separate towers.

III. PUBLIC INFORMATION SESSION AND PRESENTATION REGARDING THE PROPOSED TELECOMMUNICATION FACILITY @ 243 GORE ROAD

Mr. Springer arrived @ 6:10pm. He gave an overview of the project, how it will work, what they do, the state approval process and was here to answer any questions or concerns. Mr. Springer is an attorney that works with SBA Telecommunications and has been doing this type of work for a long time. The first step is getting a certificate of public good after the 45-day advanced notice period. At the end of the 45 days (which began on 11/25/14), they will file an application with the public service board of Vermont. SBA has entered into a lease with the Town of Highgate for the location @ 243 Gore Road, the Highgate Arena parcel. He always tries to visit the site, but did not tonight, as he just got in from Portsmouth NH for this meeting. The balloon test was done on December 7th, which is a visual study. A report will be produced from that. The balloon floats at tower height of 140' for purposes of the study. The parcel SBA will be leasing is 80' x 125' and within that will be a 75' x 75' fenced in area for the tower and associated equipment. The proposed monopole is 140' tall, which is a single shaft self-supporting tower with no guy wires. The tower will be located in the center of the compound. On the maps provided, the ground equipment will be housed in the dotted rectangular and square areas noted. T-Mobile is the first carrier to be on board, the tower can accommodate up to five carriers in all. Other potential carriers could be AT&T, Verizon, Sprint, US Cellular, and possibly V-Tel. There needs to be 10 feet of separation from center line to center line on each carrier antenna located on the pole. Below the carriers is a location for town emergency antennas and emergency responder antennas on the pole. Those would be located at about 70-80' high on the pole. On the right side of the compound are spaces reserved for ground equipment, such as equipment cabinets or equipment shelters. T-Mobile will be using equipment cabinets which are 10' x 20' in size. Heidi asked what an ice bridge is. Mr. Springer answered that they are a cable run or tray that goes from the base of the tower to the equipment sheds or shelters, so the cables aren't laying on the ground. There will likely be one ice bridge per carrier, although it is possible that they could share. The tower will not be lit. The only noise generated is from the cooling equipment in the equipment cabinets, which is similar to the noise generated by a residential air conditioner. An emergency generator is not being proposed for this site. No smoke or fumes are associated with these towers. The only traffic associated with this tower will be the one or two trips per month, per carrier, to check on their equipment. Rick asked why there will not a light on the tower. Mr. Springer responded that the FAA has jurisdiction over these towers and the general rule is that anything under 200' does not have to be lit. Mr. Springer explained how the technology works. The signal goes from your hand held device, to the antennas, down the cables and into the equipment cabinet which is tied to a land line. This is a popular service because it gives immediacy. The increased coverage will provide an increase safety factor and there is the popularity factor as well with hand held devices, which is why the demand for these towers is growing. The downside to the technology is that these have a very limited footprint. If you are driving down the highway, in the best case scenario the radio frequency footprint is about 3 miles in any one direction. The range of one of these sites is limited. That is why you see a tower every few miles. The compound area will be fenced and secured with 6' high fencing with 2' of barbed wire on top. This site is perfect, because there is already active use there with the arena. The only utilities needed with this tower are electrical and telephone. The FCC has jurisdiction over the radio frequency emissions. These facilities are very safe. People that oppose

these facilities feel they are not safe and have adverse health effects. The RF emissions are less than 1% of what the FCC considers to be unsafe. And even then you have to be very close to the antennas. Mr. Springer referred to the Portsmouth Regional Hospital and the VA Hospital in Manchester. Both have towers attached right to the buildings. That would not be the case if there were health concerns. Radio frequency footprints are limited, even in the best of conditions. They can be blocked by topography, mountains, hills, buildings, trees and other structures. Pine needles are bad for signals because they contain a certain amount of water content and the length of the needles match the wavelength of radio frequencies. All trees can block a signal, which is why you need the height. The challenge in New England is the topography to a large degree. In dense urban settings you have to deal with tall buildings. This site at 243 Gore Road is relatively open and is flat. Mr. Springer referred us to the maps in the packet with regard to coverage in our area as it is now and how it is proposed with this cell tower up and running with T-Mobile to start with. Under federal law, every federally licensed carrier has to be given a reasonable opportunity to provide coverage. This tower will provide great coverage in our village area, Route 78 and down to I-89. The mapping shows coverage zones from the top carrier slot at 140'. Woody Rouse asked how much wind it would take to bring down a tower like this. Mr. Springer stated that it would take substantial winds and if we have a storm event that takes down the tower, the tower would likely be the least of our issues in town. In a storm event with high winds the tower assumes a bent position. He is not aware of a storm event bringing down a monopole anywhere in his domain of New Hampshire, Maine and Vermont. In his opinion, this is not a safety risk. Some town ordinances require a fall zone or a setback where monopoles are the only structures with these requirements. Mr. Springer questions this, for example churches don't require a fall zone for steeples and Fenway Park doesn't require a fall zone for the lights in center field which are surrounded by people. Ty Choiniere asked how far down in the ground do they go to support the tower. The foundation goes down approximately 6-8' and is a concrete foundation. The foundation will not be designed until they have approval. Andy King asked if the pole is made of steel and what is the life expectancy. Generally, the life expectancy is for the life of the lease, which for us is 25 years, and they are made of steel. Chris Yates asked about the access easement that runs through the arena lot. There are lots of cars that park there, does that mean people can't park there? Mr. Springer does not see a problem as long as they have deeded access to know they can always get in there. Standard access is 15' wide. As a practical matter if that is a flat parking lot, which it is, if cars are parked there and the technician needed to drive around to get in, they would not care. It would only be an issue if the tech could not enter the compound area. Heidi asked if in the winter they continually remove snow. For this site they probably will remove snow to access the compound. Many sites are not as easily accessible as this one is. Some they have to access via snowmobile. This one is easily accessible on foot and the parking lot area is already always plowed. Once the compound is built, vehicles won't be accessing the inside of it. They will not be driving into the compound area. He again reiterated that the compound area will be 6' of chain link fence topped with 2' of barbed wire and is not lit at night. The equipment shelters and cabinets generally have lights on the door, which would be turned on and off by the technicians when they are there. There were some questions regarding the turnaround area on the maps. It was noticed that the turnaround area had been flipped around on the latest revision dated 12/8/14. The newest revision seems to work better. Rick asked about approval time. Mr. Springer said it could be as little as 60 days, and could be many months if there are objections. For someone to contest the project, it would be based on the content of the regulations. Certain criteria needs to be met to obtain a certificate of public good. That criteria includes; impact on the environment, town

services, aesthetics and various criteria about RF emissions. Presumably, if anyone would object it would be because they felt criteria was not being met. There was a recently contested project in the town of Richmond which involved a deer wintering area. We will not have that issue here. Any objections would be presented to the state, not the town. Construction will take 30-60 days. SBA gets the steel in the air as quickly as they can, that is their business. There is no typical time frame for filling the tower with all five carriers. For our site, he would be very surprised if other carriers did not come on board soon. It is all a matter of demand. Ty asked if SBA pursues the other carriers. Yes, they do, and yes, they will. Mr. Springer noted that a letter of support from the Highgate Planning Commission would be very helpful and would move things along more quickly. Once the 45 day notice period is up, the application will be ready shortly after that. The application packet is quite extensive. The 45 days began on November 25, 2014 and will be complete in early-mid January 2015. There were no further questions, comments or concerns. The board thanked Mr. Springer for making the trip and being here tonight. The public information session ended @ 7:25pm.

Rick thanked Tim Reynolds (not present) for his time on the Planning Commission over the past year and welcomed Larry Simmons as a new member to the board.

IV. UPCOMING EVENTS

Dec. 18	7pm	Selectboard Mtg.
Dec. 25 & 26		OFFICES CLOSED
Jan. 1		OFFICES CLOSED
Jan. 8	7pm	Selectboard Mtg.
Jan. 15	6pm	DRB Mtg.

V. DELIBERATIVE SESSION

Motion by Rick Trombley to enter into deliberative session @ 7:26pm for an update on the issue with the City of St. Albans. Motion was seconded by Woody Rouse – **APPROVED**.
 Motion by Rick Trombley to exit deliberative session @ 7:35pm. Motion was seconded by Julie Rice – **APPROVED**.

VI. ADJOURNMENT

Motion by Rick Trombley to adjourn the meeting @ 7:37pm. Motion was seconded by Woody Rouse – **APPROVED**.

Minutes respectfully submitted by:

_____, Planning & Zoning Clerk
 Wendi Dusablon _____ Date

Minutes approved by:

_____, DRB, Chair
 Richard Trombley _____ Date