



Raymond Planning Board
Wednesday, September 8, 2010
MINUTES

Attendance: Chairman Patrick Clark; Greg Foster; Robert O'Neill; William Priest; Bruce Sanford and Sam Gifford.

Absent: None

Staff Attendance: Town Planner, Hugh Coxe; Chris Hanson, Code Enforcement Officer; and Recording Secretary, Danielle Loring.

Other: Dick Trafton, Lawyer for RSA#1 (USC); Bob Gashlin, KJK (site locator); Keith Valente, C-squared Systems (RF report); David and Deborah Baker.

1. Call to order: Meeting was called to order at 7:04 pm by Chairman Patrick Clark. A quorum was declared. Agenda was read stating the purpose of the meeting was to be presented information, regarding the request for conditional rezoning of property off of Farm Road to allow for a wireless communication facility, in order to make a recommendation to the Board of Selectmen about moving this issue forward to a Special Town Meeting.

2. Approval of August 11, 2010 minutes: Robert O'Neill motioned to accept the minutes as were distributed for the August 11, 2010 meeting. Seconded by Sam Gifford.
VOTE: Unanimous approval: 4/0/2 (Abstain)

3. Tabled Item:

Map 13, Lot 51

Maine RSA (a.k.a. US Cellular) has, in the past, requested for conditional rezoning of a location off of Farm Road in order to construct a wireless communication facility. This meeting was only to present information to the Planning Board so that they could make a recommendation to the Board of Selectmen as to whether there was sufficient information for this issue to move to a public hearing and be voted on.

DISCUSSION:

Mr. Clark started the meeting off by introducing the project as a tabled application. At this time, the application is not valid under current Raymond's current zoning ordinance, which

does not allow for a wireless tower at the proposed location. He stated that this process was just like any other ordinance change where there would be a public hearing and testimony. The purpose of the presentation was to inform the Planning Board so they can make their recommendation for a public hearing.

Mr. Coxe gave the background, starting back in December of 2009, and the events leading to the presentation being made. He pointed out that the tower was above the height requirement and that US Cellular (USC) provided a justification as to why this location had to be used. He read the reasoning that allowed for Conditional Rezoning from the Landuse Ordinance, but he pointed out that the Telecommunications Act preempts local zoning ordinances if they restrict USC from meeting their service objectives. The need is that each tower is tall and close enough that they can communicate with one another without degraded signal.

Dick Trafton, lawyer for USC (RSA#1), stated that the purpose of their presentation was to secure a recommendation from the Planning Board. He explained that their commitment to this location was because their FCC license gives them the right/obligation to provide service to all of their customers. There was no standard, in terms of values or percentages, that the FCC mandates for USC to meet in terms of coverage because there was a lot of variation from place to place. He found that the height requirement that Raymond had of 75 feet (125 feet with additional carriers) was strict in comparison to other towns that he had worked with, especially considering the local topography.

Bob Gashlin, KJK site locator, explained that the reason behind choosing this parcel of land to work with was due to the fact that it is large so that the tower could be moved around to reduce visual impact to neighbors and the public. He explained that an access road would be installed, 400 feet down Valley Road, to allow access to the site. He estimated that the need to access the site would be about once a month and that it would not be plowed in the winter because snowmobiles would be used to access it in the winter months. He said that public access was not permitted and that gates would be installed to limit access.

Mr. Clark was concerned about how to handle the driveway because there were no 1500 foot driveways and the length exceeds that used for a deadend roadway.

Mr. Gashlin said that they would meet any standards for compliance on the roadway issue. He continued that the roadway ran along side the property line to the wireless communication facility that was located on a 75'x75' leased parcel that was enclosed by a 8' high chain-link fence with barbwire along the top.

The tower itself was a 125' monopole that they had chosen because it had less visual impact. There would be a prefabricated equipment shelter that that would be brought in and a backup propane power generator, which they are required to have under the Katrina Act. They would also have appropriate wiring for above ground telephone and electrical utilities, which would have meters to allow for the possibility of others hooking up for utilities.

A survey of the tree line showed that it was 69-78', Based on this information, the FAA study indicates that the tower does not need a light at the top, but they would be installing a 100

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watt light with a motion sensor for servicemen coming in after dark.

Mr. O'Neill pointed out that Raymond uses below ground utilities and wanted to know if USC would have a problem complying with that. Mr. Gashlin responded that it was just protocol for USC to use above ground but he was sure that it could be discussed.

Keith Valente, RF report, went through the submitted exhibits and explained how the topography and the placement of current towers were not as conducive or non-redundant as the proposed spot for a new tower off of Farm Road. It was explained that competing providers are encouraged to share towers and that the proposed tower would have two open spaces, in addition to USC and the Raymond Public Safety transmitter, available to interested companies. It was also clarified by Mr. Coxe that once the tower was built, alterations could be made without the Planning Board's approval.

Mr. O'Neill wanted to know why they were not looking into the tower on Blackcap Mountain. Mr. Valente explained that it did not work with their current PCS frequency of 1900 MHz, which is about a 1 mile range. Mr. Sanford pointed out that maps showing coverage for that site were not provided and he wanted to know why. Mr. Valente explained that they assumed that it would not work. The Planning Board agreed that they would need to see service plans for all existing towers. Mr. Trafton wanted it made clear that it was very expensive to construct and operate a new tower and that it was much more cost effective to locate onto an existing tower. This meant that they had thoroughly looked into all possibilities before deciding to build on Farm Road.

Mr. Coxe points out that he feels that a variance in both the location and height requirement may not be necessary. The RF report did not indicate whether there might be an appropriately zoned area that can be served by a tower higher than 75'. Mr. Valente stated that this request based strictly on coverage needs because they needed to be at least 10-15' above the treeline and this location worked with the topography to reduce redundant coverage. Mr. Trafton confirmed this reasoning and stated that the FCC's requirements have created this condition, but the addition of other carriers does help to pay for the costs associated with the tower.

Mr. Foster wanted to know what would happen if the tower became obsolete. Mr. Trafton explained that it was USC obligation to remove it and they would provide bonds to the Town for such removal and selling it to the Town may be an option because it would still be needed for Raymond's Public Safety transmission. Mr. Clark wanted a performance guarantee and conditions for removal to be included in the application when it is submitted, along with maintenance agreement for the tower's roadway.

Deborah Baker, 23 Valley Road, spoke and pointed out that she was a USC customer and a resident near the proposed spot and she felt that for the past 6 years that she has used their service that it was adequate enough that the tower was not necessary. She was in favor of preserving Raymond's landscape.

The Planning Board recommended that the Board of Selectmen schedule a special Town Meeting to vote on the conditional rezoning proposal. The Planning Board is going to wait to

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give a recommendation for or against conditional rezoning for the tower until after Raymond holds a public hearing. For the public hearing the Planning Board said they wanted new RF maps to be submitted, showing signal coverage for all existing and proposed sites; visual depiction of what the actual tower would look like in its proposed setting; and a simplified RF report for the public.

4. Other Business:

a) Ordinance Changes

DISCUSSION:

It was decided that they would plan on revising ordinances at the regularly scheduled meeting because there were no planned applications at this time.

5. Adjournment:

MOTION: Robert O'Neill motioned to adjourn. Seconded by Sam Gifford.

VOTE: 6/0 Unanimous approval

Patrick Clark Adjourned the meeting at 9:07pm.

Danielle Loring
Recording Secretary