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TOWN OF WASHINGTON PLANNING BOARD

REGULAR MONTHLY MEETING

Tuesday, September 10, 2013

Town Office Meeting Room

Commencing at 7:05 p.m.

Washington, Maine

Re: Preapplication hearing of J.D. Hunter, Inc.  
for a Wireless telecommunication tower on  
147 Liberty Road, Washington, Maine.

MEMBERS OF THE BOARD:

FOR THE PETITIONER:

- Mitchell Garnett, Chairman
- Henry Alto
- James Bowers
- David Williams
- David Studer, absent
- Robert Temple, Code Enforcement Officer

Blake Haskell

GALUCKI REPORTING

207-242-2076

pgalucki@gmail.com

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(7:05 p.m.)

CHAIRMAN: Now, we'll go to new business. We have a preapplication presentation by J.D. Hunter for a Wireless telecommunication tower on 147 Liberty Road in Washington. And this must be --

MR. TEMPLE: This is Mr. Haskell.

THE CHAIRMAN: You're Mr. Haskell?

MR. HASKELL: Yes.

THE CHAIRMAN: So this would be, for the Board, this is a preapplication hearing?

MR. TEMPLE: Yeah. They are supposed to make a presentation of what they want to do. We'll ask questions. No decisions are made. It's just a preapplication.

MR. HASKELL: Good evening. My name is Blake Haskell and I'm with J.D. Hunter, Incorporated out of Lowell, Massachusetts. And with me is Dirk Poole, who owns Midcoast Tower out of Nobleboro. And we are here tonight to talk about the proposed 190-foot Wireless tower at Dirk's property at 147 Liberty Road, Street.

What I'm passing out here is an aerial photo from Sebago Technics, who we retained to do the engineering for us. Do you want me to stand or sit?

MR. TEMPLE: Whatever is comfortable for you. I would ask that when anybody asks a question of the

1 applicants that they state their name for the minutes  
2 so whoever transcribes the minutes gets that correct.

3 MR. HASKELL: I manage Dirk's tower in Nobleboro.  
4 Thirteen years ago we built a 190-foot tower along on  
5 Route One right by Tidewater Telecom, and Dirk has  
6 rented the space out to various carriers.

7 In addition, one of our prime tenants is the  
8 Lincoln County Sheriff's Office for the 911 system and  
9 the sheriff's communication system in Lincoln County.  
10 Dirk has owned this property on Liberty Road for seven  
11 or eight years, and we are before you tonight to build  
12 a 190-foot lattice tower.

13 And as we've been working with Mr. Temple, we've  
14 taken your Wireless ordinance into account. And  
15 originally, if you look at the drawing, these two  
16 barns here are storage for Mr. Poole's business. And  
17 our intent was to put a site behind the barn. But  
18 when we took into account your ordinance we realized  
19 the thousand foot rule came into affect, so we had to  
20 go further back on the property. And we retained  
21 Sebago Technics out of South Portland to do the  
22 engineering for the site. And Rob McSorley was going  
23 to be here tonight but he has the touch of something  
24 and couldn't make it.

25 But basically with the thousand foot rule, we've

1 had to move the site back down into the rear of the  
2 property. And the site, the property up here where we  
3 were originally going to go was four hundred and  
4 something feet, and back here we are down into, we are  
5 down 70 feet. And we had proposed a 190-foot tower to  
6 accommodate as many Wireless carriers as we can. We  
7 are also on this site Northeast Wireless had expressed  
8 an interest, and we are in the final throes of  
9 executing a contract with them on this site similar to  
10 our contract with them and Horizon at the Nobleboro  
11 site.

12 So as we dug into this and met out at the site,  
13 Mr. Temple and Rob McSorly, we realized coming back  
14 here the ground elevation is lower, but your ordinance  
15 has 190-foot maximum tower height. So we would come  
16 back here. And we have not done any engineering yet  
17 because we wanted to get familiar with you folks  
18 before we did that.

19 And what we would do is bring the site inland up  
20 towards Liberty enough to meet your 125 percent fall  
21 line, so that if the tower were to come down, it would  
22 come down on Dirk's property and not on someone  
23 else's.

24 So it's a 190-foot lattice tower. We've talked  
25 with the folks at Lincoln County and Knox County and

1           Jefferson County about housing microwave equipment for  
2           them so that they can have a back-up to their systems.  
3           And, ideally, if there was a problem, they would like  
4           to flip a switch and vacate Wiscasset and come up to  
5           Rockland, where they could continue operation. The  
6           same thing in Jefferson. So we would make that space  
7           available to them at the top of the tower.

8           There would be an eight-foot fence, a chain-link  
9           fence around the site. There is quite a bit of  
10          natural growth already there, so I don't think we have  
11          to get into any additional vegetative screening. The  
12          utilities would come down an access road from the  
13          Liberty Road and they would be overhead until the last  
14          thirty or forty feet, and then they would go  
15          underground into the site and into the equipment  
16          shelter.

17          The equipment shelter would be a several story  
18          unmanned, unplumbed building. Nobody would be in  
19          there, other than periodic visits. Usually with the  
20          leases the carriers they have to have the right to  
21          have access 24/7 in case of a technical problem. But  
22          in reality they would go out to a site once a month,  
23          once every other month, fine tune it, tweak buttons.  
24          So there is nobody there. There is parking usually  
25          for one or two service vehicles. There would be a

1 chain-link fence. There would be a gate so that  
2 people couldn't come down the road. A pretty  
3 innocuous piece, the use of the rear piece of Dirk's  
4 property.

5 We are here tonight to present this to you to get  
6 your thoughts and input to go forward with development  
7 of an application to come back formally before you  
8 folks.

9 So that in a nutshell is what we are doing. We  
10 know that Northeast Wireless is interested. We are  
11 hoping that other carriers will be interested. Our  
12 experience is similar to the Kevin Cosner movie, the  
13 baseball movie - we will build it and they will come.  
14 And we think other carriers, would be interested in  
15 joining us.

16 We - in your ordinance you do have language in  
17 there regarding co-location. And we welcome  
18 co-location in this case. And we would have enough  
19 property to put up individual shelters, or a lot of  
20 times carriers now like to put equipment on steel  
21 racks and just have small cabinets; similar to a new  
22 residential development that may have underground  
23 utility. They may have a little cabinet right out in  
24 the front gate, that sort of thing.

25 We would come back, coming back down 70 feet

1 from Liberty Road is fairly high ground up there.  
2 It's a good location. Northeast has done their  
3 homework, and they don't have anything nearby that  
4 would serve their coverage needs up and down 220 and  
5 105 and up in that area.

6 MR. WILLIAMS: Is this a residential area right  
7 here?

8 THE CHAIRMAN: Dave, would you just state your  
9 name?

10 MR. WILLIAMS: David Williams.

11 MR. HASKELL: No. It's farm and forest district.

12 MR. WILLIAMS: No. There's a house back here. It  
13 shows on the picture.

14 MR. HASKELL: No. That's a barn.

15 MR. WILLIAMS: It's a barn?

16 MR. HASKELL: Yes.

17 THE CHAIRMAN: You didn't feel - Mitch Garnett -  
18 you didn't feel that it was - you were able to obtain  
19 the signatures of landowners of property, because that  
20 thousand foot rule says that you just have to obtain  
21 signatures from abutters or people within a thousand.  
22 You didn't think that you would be able to secure them  
23 that so that you could keep it back up to the  
24 elevation you wanted?

25 MR. HASKELL: Well, we weren't sure. And we felt

1 discretion was a better part of valor in this case.  
2 And moving it back does have a staff flow with the  
3 lower elevation. Ideally, I would like to come in and  
4 ask for a 250-foot tower to make up the difference;  
5 but your ordinance clearly states 190 as your maximum.  
6 So we went to the back of the property, and we felt  
7 that would be smoother and easier for both the  
8 residents and for you folks.

9 We would like to move it closer. We would like to  
10 be higher in here. It would lower our costs. And  
11 steel costs are crazy. Our tower vendor told us that  
12 at a recent site similar to this 190-foot he had to  
13 spend \$25,000 on rebar. And that's just an absurd  
14 number these days, but that's the cost of doing  
15 business. So the less steel we have to put in the air  
16 the happier we would be.

17 MR. WILLIAMS: How high would it normally be?

18 MR. HASKELL: Well, the height of the tower is  
19 based on the need. And in this case Northeast  
20 Wireless has indicated they would like to be at 180  
21 feet. That was when we were closer to the barn. They  
22 are not real thrilled about losing 70 feet; but it's  
23 something they'll take into account with their system  
24 engineering and live with what we can do.

25 Now, we can discuss this with the neighbors. We



1 didn't want to get that far down the road until we met  
2 with you folks, got your concerns and do everything at  
3 once type of process. But if we can build it closer  
4 to the road with less steel, that would be our  
5 preferred option. And as we did it in Nobleboro, we  
6 would certainly welcome the town to use the facility  
7 if there was a need for the local Emergency Services  
8 to put their antennas on it, we would be happy to a  
9 accommodate them.

10 MR. BOUCHARD: I have a question - Richard  
11 Bouchard. You were saying something about a utility  
12 road. Where would that be?

13 MR. HASSELL: If you -- these are the two barns  
14 that are used now. There is a road that comes in and  
15 goes between the two barns. We would continue that  
16 down along the property line and over to the proposed  
17 site. And it would be - I forget what your ordinance  
18 calls for - but it would be the minimum necessary to  
19 satisfy your ordinance and the utility company's.  
20 They like generally 12 feet. It would not be paved.  
21 It would be just cleared and filled in as necessary to  
22 prevent erosion, that sort of thing. There would be a  
23 gate near the road up near the barn that would go  
24 back.

25 THE CHAIRMAN: Thank you.

1           MR. TEMPLE: I would like to say something. We  
2 gave him that same submission list and findings of  
3 facts so that he can make sure that he addresses  
4 everything the same way, so that when he makes his  
5 application I'm going to use that submission list to  
6 determine if it's complete. I'm going to sit down  
7 with him and make sure that it's all there. I'm not  
8 going to ask him to come back here until that's all  
9 done.

10           MR. HASKELL: I have built towers all over the  
11 country, and I've never run across such a friendly and  
12 efficient Code Enforcement Officer. Incredibly  
13 helpful. And there is, you know, a process that you  
14 folks have that makes a lot of sense if you follow it,  
15 and it does. And Bob McSorley, the engineer from  
16 Sebago, kind of raised his eyebrows when we showed it  
17 to him. In the usual course, this is good.

18           THE CHAIRMAN: Are there any other questions from  
19 the Board?

20           MR. BOWERS: So there is nothing back this way  
21 within a thousand feet?

22           MR. HASKELL: No.

23           MR. WILLIAMS: It's quite a ways down into the  
24 woods.

25           MR. BOWERS: Right.

1 THE CHAIRMAN: Did you have any other questions of  
2 the Board regarding the application process now?

3 MR. HASKELL: No. It's pretty straightforward.  
4 Will's not here tonight. Hopefully we'll come out of  
5 here tonight with a consensus which way we are going.  
6 Rob will begin his engineering work, and I don't know  
7 what the lead time is with him; it's either two or  
8 four weeks. So we'll get with Mr. Temple and get  
9 everything lined up and begin the process, and then  
10 let you know when we are ready to come back with a  
11 formal application.

12 THE CHAIRMAN: I think that's the next step.  
13 I mean I don't know if there is any real -- it's  
14 pretty straightforward.

15 MR. BOWERS: So if -- you might still be - you'll  
16 probably be talking to these people and see if you  
17 could get permission to get them to sign off, so this  
18 could very well come up further up the hill. But I  
19 don't see any big issues.

20 MR. HASKELL: Dirk's property is eighty acres.  
21 When you are in the front of the property, it is open.  
22 So it would be a little more visible from the road on  
23 the western side. But it is a tower that will acquire  
24 a nice bettina, and it will be shiny forever. Trees  
25 are not flanked because ultimately they are - no

1 matter what you do to make it blend in, it has to be  
2 above the tree line so you have a view stake, then you  
3 have a pole sticking out of the tree in the top.

4 We also are proposing a lattice style tower,  
5 which is a lot stronger. It has three legs anchored  
6 into the bedrock and whatnot. And it also proves to  
7 be helpful for the Public Safety folks, because if the  
8 counties did want to come in on here and put their  
9 point-to-point system, when you have a monopole  
10 structure you get a lot of bend in the wind and  
11 movement, and that throws off the point-to-point  
12 signal. A lattice tower is much more rigid, so that  
13 they can aim their signal at the tower from the town  
14 hall, the county sheriff's office, wherever the piece  
15 happened to be, and the microwave is then solid. So  
16 that's why we go to the expense ahead of time planning  
17 it that way.

18 THE CHAIRMAN: I think it's pretty  
19 straightforward. Unless you had any other questions  
20 of us. Does the Board have any questions?

21 MR. ALTO: No.

22 THE CHAIRMAN: You know it's location, location,  
23 location.

24 MR. HASKELL: Yes. It's also location on the  
25 tower. In our discussions with Northeast, they asked

1 for the top of the tower and we said no, that stays  
2 for Public Safety. That's not available.

3 THE CHAIRMAN: So you will have the application  
4 what you will need to move forward with. And we meet  
5 the first, the second Tuesday every month, so it would  
6 be put it on the next month's agenda.

7 MR. HASKELL: I want some leeway on that simply  
8 because I need to talk - I don't mean on the date, I  
9 meant I'm not sure if we'll make it for next month.  
10 Perhaps November just because of the lead time and the  
11 engineering and the letters and all of that. So I  
12 don't want to get locked in.

13 THE CHAIRMAN: That's not a problem.

14 MR. HASKELL: Well, some towns have a stopwatch  
15 and things happen. And I know this is preapplication  
16 and this is actually a very helpful process. So I  
17 guess I do have one question.

18 THE CHAIRMAN: Yes, sir.

19 MR. HASKELL: May I present my oversized drawings  
20 to you or should I take it home?

21 THE CHAIRMAN: Maybe you can leave it with the  
22 town or if you want to present it, you could go ahead  
23 and take it.

24 MR. HASKELL: No. I wouldn't want to do that.

25 THE CHAIRMAN: That's fine.

1 MR. TEMPLE: The location might change.

2 THE CHAIRMAN: That's correct.

3 MR. TEMPLE: The ordinance and some of the  
4 administrative provisions say that if an abutter  
5 wanted information, that we would take it and then you  
6 would get that information so that we could give it to  
7 them. We require ten copies, and the Board has seven  
8 members, I would be eight, the secretary is usually  
9 the ninth, and the tenth application sits in the town  
10 office for anybody that wants to look at it.

11 THE CHAIRMAN: That's just the official  
12 application.

13 MR. HASKELL: You want ten copies of this?

14 THE CHAIRMAN: No.

15 MR. TEMPLE: No. This is a preapplication.

16 MR. HASKELL: No problem in any event. Do you  
17 have any flexibility on the height if we have to move  
18 down the hill?

19 THE CHAIRMAN: I don't think the Planning Board has  
20 the height, but you could take it to the Appeals  
21 Board. That would be the process. To take it to the  
22 Appeals Board and ask that, because I don't know where  
23 190 came from. Maybe it was because of the location  
24 being so near the barn and out of the - you know,  
25 maybe because of the vista of the hill, maybe that

1 would be something that they would allow, but it would  
2 be an Appeals process. You would have to ask for an  
3 exception.

4 MR. TEMPLE: A variance.

5 THE CHAIRMAN: A variance, yeah.

6 MR. BOWERS: You have two (inaudible) to climb it.

7 MR. HASKELL: There is an eight-foot fence around  
8 it.

9 MR. BOWERS: I have a friend in the tower business  
10 in the midwest, so he has a 100 some odd tower.

11 MR. HASKELL: Well, there are no climbing bolts on  
12 the tower below 20 feet. There is language in there  
13 that carriers are not allowed to store a ladder on the  
14 site. The building is alarmed. It's actually very  
15 difficult to alarm a tower structure. It's 20 feet  
16 up, so it would have to be a very determined vandal.  
17 And then we do post it.

18 THE CHAIRMAN: Very good. Unless you have any  
19 other questions, we'll just move on with our agenda  
20 tonight.

21 MR. HASKELL: No. Thank you, gentlemen. Have a  
22 good night.

23 THE CHAIRMAN: Thank you.

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25 (whereupon the hearing concluded at 7:05)

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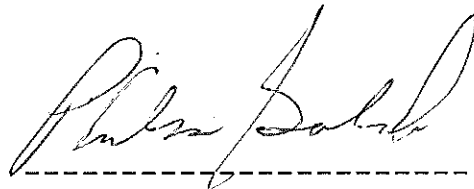
CERTIFICATE

I, Philip M. Galucki, a Notary Public in and for the State of Maine, hereby certify that the Town of Washington Planning Board hearing of September 10, 2013 was electronically recorded by Town of Washington officials and then stenographically taken down by me and later reduced to print through Computer-Aided Transcription, and the foregoing is a true record of the proceedings.

I further certify that I am a disinterested person in the event or outcome of the above-named cause of action.

IN WITNESS THEREOF I subscribe my hand this

20th day of September, 2013



Philip M. Galucki

Notary Public/Court Reporter

My Commission Expires

September 5, 2014