

PLANNING BOARD

Town of Waterboro

PISCATAQUA CELLULAR

PUBLIC HEARING

OCTOBER 26, 1995

Hearing was called to order by Cindy Allen Chairman of the Waterboro Planning Board at 7:18 p.m. with one member of the public present. Dwayne Woodsome, Roland Denby, Everett Whitten and Judi Carll were also present from the Planning Board. Code Enforcement Officer, Town Planner and Clerk for the Planning Board were also in attendance. During the meeting more people were in attendance from the general public.

Mr. Hobbins, Charles Brown and Jim Wilson were present on behalf of Piscataqua Cellular. Mr. Hobbins gave an overview regarding previous meetings and approvals. The Zoning Board of Appeals granted a variance for a 180 ft. tower. A Site Walk was held by the Planning Board on August 18, 1995. It was asked why the particular location for the tower. There is a knoll that site higher in elevation? The real estate consultant indicated concern with the impact to the land currently in tree growth. There were be a minimal impact if the chosen site were utilized since less clearing would be needed and the location is also closer to the intersection at Chadbourne Ridge. The tower will not be lighted. Tim Nelson went to visit the site with D.E.P. to review the wetland area and Mr. Hobbins also indicated the wetland report that was presented with the application.

The Town has received one questions from a citizen that could be in attendance tonight. What impact will the signal have to animals, birds and other wildlife. The signal is higher than animals can hear.

Roland Denby asked if the license from the state is for a certain zone or can more than one company be licensed for each zone. There are currently two companies licensed in the geographic area Star Cellular and Maine Cellular. You can co-locate however the current policies do not address this. Due to competition it isn't always feasible. Cellular One has not adopted this as a policy. Durham NH may be the first area to be utilized by competitors. The tower at the top of Ossipee Mountain was investigated but there is not much space for expansion. This summer two million cellular calls were processed and the market is only 2% penetration.

Plowing - setbacks - turn around- and parking were discussed. Piscataqua Cellular has addressed these concerns in other communities in a satisfactory manner. There are two options they could plow to and around the site or they could park and snowmobile in to the site. If they were to plow the entrance way they would consider hiring the same contractor that the town has to plow the roads. This is a first class company and if the Board were to condition the permit they would be receptive to upgrading the road.

It was noted that the Board was in receipt of the Road Review Committee's Report concerning the seasonal status of the road.

Frank Allen

Mr. Allen asked if the ratio setback can be met? Or has this been compromised? If so Why? Due to the visual aspect of this project the full setback should be met. If elevation is an issue, by using the knoll would this make a difference? Mr. Hobbins indicated that a variance would need to be acquired if they met the front ratio setback since the land drops off very quickly and 180 ft. would not allow the tower to operate correctly. They are currently leasing the land closest to the existing road and believe they are using the best site of the parcel available.

Mr. Allen indicated the visual aspect is being taken away if the setback has not been met. Mr. What other towers in the area and setbacks they had to meet? Other than Mr. Allen who met the setbacks at the time of installation no other towers in this area. Mr. Allen indicated his feelings that the contribution from Piscataqua Cellular was small in comparison to what is being taken away. Mr. Allen did not feel the setback should be compromised.

Charlie Brown indicated that a 257 ft. sideline setback with a 300 ft. wide lot would not allow one sideline setback to be met. A 514 ft. front yard setback would drop the elevation of the tower and would not meet the needs of Cellular One.

What is the status of Lewis Road in reference to the project if ratio setbacks were met? Approximately 500 ft. from the road and the setback would place the tower down over the hill towards Starrett Property.

It was stated that Section 8.01 has permissive language regarding the ratio setbacks. The Zoning Board of Appeals dealt with the stricter criteria from the stand point of the process.

The Zoning Board of Appeals deals with non-permissive issues in the ordinance allowing the Planning Board to deal with the portions of the ordinance that are permissive in nature. The ordinance and the comprehensive plan were written to allow for permissiveness.

Mr. Hobbins indicated that Mr. Allen had a 90 ft. tower. Mr. Allen felt this was different since he was a resident of the town and he does not take away from the scenic beauty of Waterboro. Mr. Allen felt that this was the first tower and the Planning Board would be setting precedence for future requests for towers. Mr. Hobbins explained as in previous meeting that cellular service is more of an essential service now than when it first started. Mr. Allen disagreed with Mr. Hobbins because the service provided is not totally for Waterboro. Mr. Allen would rather not have them in town. This will be a visual impact. The location of the tower as presented would allow for less impact since it would be 40 ft. shorter than in another location. Mr. Allen again indicated that the Planning Board should not be permissive on the first tower. This was the first of many that would be proposed and the town should make the developer toe the line. Mr. Allen felt if the use doesn't fit the lot than you could try somewhere else. It was noted that the people from the neighborhood did not want this they would be present at this hearing. Mr. Allen indicated that his two concerns were setback compliance and the road.

The color of the tower was discussed it will be metal gray in color. The tower doesn't cost for education it is a passive use with no health problems - no impact on town functions Mr. Hobbins also indicated that the Board could check with other communities where towers have been installed and he was sure they would attest to Cellular One's compliance with requests made of them during approval process. This site is the optimum site other than Ossipee Mountain. Mr. Carroll was not in agreement with sharing the site.

Dale Witman indicated that he has traveled extensively and he feels a tower would be better at a shorter height and he was not able to share in Mr. Allen's view of the placement of the tower. He indicated that he had a great deal of respect for Mr. Allen however they were at opposite ends regarding concerns.

Meeting was closed at 8:05 p.m. by Cindy Allen, Chairperson.

Respectfully submitted,

Dwayne Woodsome
Secretary/Treasurer