

**Town of Otisfield
Planning Board
Public Hearing Minutes
Community Hall
March 23, 2021
7:00 PM**

ZOOM LINK: Topic: Town of Otisfield Public Hearing

Time: Mar 23, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting <https://us02web.zoom.us/j/81821424177?pwd=RFRvalpwM1VMZ3FEcm5yN3JoQkpmQT09>

Meeting ID: 818 2142 4177 Passcode: 549279

Telephone Access: +1 929 205 6099

US Meeting ID: 818 2142 4177 Passcode: 549279

1. The meeting was called to order at 6:05 PM by Chair – Karen Turino.
2. **Attendance:** Members present were Chair – Karen Turino, Vice Chair – Rick Jackson, Stan Brett, Herb Olsen, Otis Brown & Pauline Flagg – Alternate & Recording Secretary

Code Enforcement Officer: Fred Collins, Jr. - Absent

Secretary: Tanya Snow – via Zoom

3. Discussion on the Following item: Ronald Balistreri, represented by Scott D. Anderson of Verrill Law Office. Map R09 /Lot 14. Cell Tower located at 264 Bell Hill Rd.

KT opened the meeting saying she wanted to have as many people speak as possible and asked people to try and not be repetitive and to keep comments to a minimum. She stated that if anyone had anything to share that would take longer than a few minutes, they could submit it in writing to the Board, and it would be entered into the record. She then introduced Scott Anderson and asked him to give an overview of the cell tower.

Preliminary meeting for possible Cell Tower located at 264 Bell Hill Rd. took place on 11.10.2020. Balloon Photo simulation took place on Saturday - November 21, 2020 between 9 am and 12 noon. (Pictures submitted into public record) KT: Stated at a prior meeting the Wireless telecommunications facilities Ordinance will stand alone. No other ordinance need be applied. TS posted notice of application in the newspaper on January 11, 2021. The tower will be 110' tall.

PUBLIC DISCUSSION:

Virginia Arsenault: How long till tower is up and functional? **Scott Anderson:** Since we put it out to contractors, a few months of a bid process. About a 6-8 month time period.

Kristen Roy: I question the time frame for tonight's Public Hearing. I question the (1) hour time limit and request that you reconsider that and post or reschedule the meeting for after so everyone has a chance to be heard. Kristen read out loud the Wireless Telecommunications Ordinance section stating that everyone had a right to be heard. **KT:** We want everyone to be heard and will start the regular meeting whenever this one ends as originally planned. We'll see how it goes.

Tony Everett: Asked if the tower is visible from the hill between Bell Hill and Powhattan? **Scott Anderson:** it is below the steeple. Resident gave some insight saying that it was no where to be seen. It's down over the hill. You can't see it from Powhattan. **Tony:** At the top of Nuttinghill can you look across? **Resident:** It's below it.

Peaco Hill Road resident: What are the limitations placing the tower in the steeple of Bell Hill Meeting House? **Scott Anderson:** Map provided with coverage gap that they are trying to fill. Shooting for green and yellow area in the map. The 110' pole where proposed is actually higher than the Steeple. Some areas will not get covered no matter what we do. (All Planning Board documentation is available for viewing in the CEO office, anyone can call to make an appointment)

Becca Mann: The tower is going to be my neighbor, I saw the balloon, and it affects my property. Significant vegetation from my location to your property. How much clearing is going to take place or is it going to be a field? I know we need the tower, I'm just wondering if this is the best spot. **Scott Anderson:** we use much smaller equipment than in the past. The site will only be 35x35, and the only clearing will be an access road, and just enough around to get in, but they don't go beyond. We want better coverage, but we want it in a better way and we are following the Ordinance and we are hoping that 110' will do what we need. **Becca:** Will it impact my property value? **Scott Anderson:** We haven't seen that happen. A lot of people like it because it's better cell coverage, some people don't like that. It's difficult to tell. **Becca:** Is it possible to walk with neighbors to see where they might be clearing? **Scott Anderson:** That is up to the PB.

Jim Archen: Half my property is in Otisfield and the house is in Casco, may I have permission to speak? **KT:** yes, we want to hear from everyone. **Jim:** I think this is very important to the town and to the people who don't have cell service and I think it's a safety issue. Can the pictures be posted on line so we can be more knowledgeable about what's taking place. **KT:** All Planning Board documentation, including displays presented tonight, will be available for viewing in the CEO office, anyone can call to make an appointment.

Virginia Arsenault: I had a lease agreement on September 25, 2014 with Verizon that has since expired to put cell tower on my land, I told everyone that would listen, and yet when Verizon came back to Town, all of a sudden it's going to be near the church, I'm about the natural beauty of Otisfield. Why does it have to go on Bell Hill? I have 200 acres and no one would see it and people would get service in a lot more areas. **Scott Anderson:** According to Verizon engineers, this proposed tower at a 110' is going to provide better service than it would at your location at 190'. In theory there are multiple lots that can host the tower, but it's not the PB's job to decide that, all the PB can do is review what is in front of them. It is not up to the PB to determine whether one property is better than another to meet the engineering needs of Verizon. They just need to know if there are existing towers on which Verizon could co-locate, and there are not.

Mike Washburn via Zoom: I am planning to build a retirement home on my property that abuts the tower, so looking for basic site plan, how far back from road is it going. It's 137' from the road. How wide is this going to be? Will it be a huge fake tree or steel tower? **Scott Anderson:** The site plan is available to view at the CEO office. The branches add a bunch of mass, as opposed to a much smaller tower construction. So that's the way we are going.

Barb Glover: The height of 110', is that as high as it will ever be? The max will never go higher? **Scott Anderson:** According to the Town of Otisfield Ordinance the 125% includes the fall down area, so the tower will not be any bigger. It was originally higher, but dropped to 110' because it can't be higher than the fall down area. **Barb:** So if trees grow, will it affect the coverage? **Scott Anderson:** You don't get a lot of vegetation that will grow at that height, usually around 55', but we don't have the right to cut anything out of the project area. The radio frequency can penetrate the new growth mass.

Mike Washburn via Zoom: Follow up question: why can't the balloon posts be posted as part of the minutes? **KT:** We have a lot of public information that has been submitted into public record. The displays

presented here tonight will be available for viewing in the CEO office rather than a reduced version in the minutes, anyone can call to make an appointment.

Kristen Roy: Submitted a document that will be part of the record titled, "CONFLICTS AND SEVERABILITY COMPLAINT" which she asked to read. Her concern is that a statement in Section 3 of the Wireless Ordinance is in "...conflict and inconsistent with the goals set forth by the legislature under the provisions of the Planning and Land Use Regulation Act, Title 30-A M.R.S.A. sub-section 4312 et. Seq. from which this Ordinance derives its authority." This document is available at the Town Office for review. **Hal Ferguson and KT:** The Ordinance was reviewed by the Town's lawyers, as well as the Maine Municipal Association and AVCOG, before it was placed on the warrant for the Annual Town Meeting. It was passed by the Townspeople.

Virginia Arsenault: Verizon offered me \$2,000 to use my land and is offering these people \$1,200.00, I think Verizon is taking us for a ride. **Scott Anderson:** Verizon is a huge company and I can assure you that \$800.00 is not a reason to switch land owners.

George Chianis: The CEO said I had 3 minutes to speak, I want to state, I'm not against the application or the Tower, but I have a submittal. (submitted into public record). Repeated, he is not against the cell tower.

Jeni Jordan: I have been an EMT and FF for over 5 years and I appreciate all the work Scott Anderson has done to bring the tower to Otisfield. I've been on an emergency scene, and have needed cell service. It was a car accident that involved a juvenile and I needed to get a hold of a parent. After 20 minutes of trying, I was able to get a hold of that parent, but then not able to contact one of my own first responders to allow that parent to get through the scene. This is a safety issue and our residents are suffering. So again, I thank you Verizon for all of the legwork you have done.

Lenny Adler: I've been a FF in this town for 66 years. What we have today is good, but far from perfect. I've been at the scene of an accident and have needed more cell coverage and not being able to use the cell tower. I think this will be a great asset for the town, I'd also like to comment I was on the Otisfield Ordinance Policy Review Committee when this Wireless Telecommunications Ordinance was formulated and we worked on it for 2 years. A lot of time went into this and the Town people approved it.

Kristen Roy: Submitted a document (accepted into public record) titled: "Request for independent review"). She asked if she could read it, and KT agreed, asking her to please be brief and summarize as much as possible. **Kristen:** I'm on the MSAD 17 School Board, and the Town voted me in. I'm not speaking for the board, but I'm speaking of the importance of our community members who do not have service in our town. MSAD 17 has worked hard to overcome the struggle in our area. We have come up with computers and other materials needed for the children. In the era of covid 19, these are our services. Home is the new classroom.

Kyle Jordan: Speaking as an Otisfield resident: We need a point of order. You have been talking for over 15 minutes. Can you please get to your point? **Kristen:** My point is, the PB needs to hire an independent contractor to find a better location so that more children and parents can have access to the internet. And you can't deny me my right to speak. **KT:** We have heard you. We can only look at the application we have in front of us, we don't look to see if there are other places for a tower and that's why we asked Scott to explain if there were any others looked at currently. We either approve the application that is before us or we don't. If there is another place that's better, then someone can bring that application to the PB.

Kristen continued to read from her document. **KT:** asked her to please make her point or she would have to cut her off. The PB and the audience asked for Kristen to sit down.


Hal Ferguson: Repeated that the Ordinance had gone through a rigorous review process, including the Town's lawyers and other municipal agencies. The proposal will either meet the requirements of the Ordinance and be approved or; if it doesn't meet the requirements, it will not be approved.

Diana Olson via Zoom: Kristen Roy is not speaking or representing on behalf of the MSAD 17 School Board. There was no meeting on this and she was not given any authority to speak on their behalf.

Kristen Roy: I didn't say I was speaking on behalf of MSAD 17 School Board, only that I am a board member. Would like in the minutes that no one gave me my time to speak.

4. Adjournment: With no further business, the meeting was adjourned at 7:22 PM. RJ/SB - Unanimous.

Respectfully submitted,
Tanya Snow, Secretary


Approved by: Karen Turino, Chair
Otisfield Planning Board
Approved on: April 13, 2021.