

**TOWN OF FALMOUTH PLANNING BOARD
NOTICE OF DECISION**

July 13, 2017

Scott D. Anderson
Verrill Dana LLP
One Portland Square
Portland, ME 04112-0586

Dear Mr. Anderson:

This is to inform you that the Falmouth Planning Board has acted upon your application as follows:

Request: Advisory review and recommendation to the Town Council on a conditional rezoning request for a proposed Tier III Personal Wireless Service Facility off Falmouth Road. Map-lot R04-022, Zoned FF, RCZO.

Action: Recommended with the condition that the Town Council consider requiring buffering of the project and open space set asides particularly with respect to creating contiguous open space areas.



Ethan J. Croce
Senior Planner

An appeal from a decision rendered by the Planning Board under this Ordinance shall be taken directly to Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure and no appeal shall lie from a decision of the Planning Board to the Board of Zoning Appeals.

EXCERPT OF DRAFT PLANNING BOARD MEETING MINUTES – JULY 11, 2017

Item 4 Verizon Wireless – Falmouth Road – Request for an advisory opinion on a conditional rezoning request for a proposed Tier III Personal Wireless Service Facility. Map-lot R04-022, Zoned FF, RCZO.

Staff explained the options to be considered with respect to this application: Recommend, Recommend with Conditions/Changes, or Not Recommend.

Scott Anderson, attorney with Verrill & Dana, gave an overview of the application for the benefit of the new Board members. Chip Fredette and Keith Valente are also in attendance representing the applicant.

Mr. Anderson stated that the tower would be located off Falmouth Road on an 82-acre site and outlined the reasons for why the new tower is being requested. He outlined the equipment that would be on the site as well as the two additional sites the Town asked them to explore for a possible tower collocation and reasons why those sites are not appropriate.

Mr. Anderson outlined Verizon's responses to Staff comments that include vegetative screening and the difficulty with screening from various angles and distances, flush mounting panels as it relates to the Town's Ordinance, conservation land set aside feasibility, and the Spectrum Act, which limits municipal authority on permitting collocations.

PUBLIC COMMENTS:

Walt Allen, 153 Falmouth Road, questioned the necessity of the tower location in light of the fact that there are no residences in most of the area where the coverage gap is located.

PUBLIC COMMENTS CLOSED.

Mr. Kaplan asked if the Board had a choice of monopine or monopole. Mr. Anderson answered the Board did have a choice and added that although the monopole would have minimal visual impact, they are open to using either.

Mr. Jordan asked Mr. Anderson if there were plans for other development on the property before this project was proposed. Mr. Anderson was not certain, but indicated there might have been a subdivision proposed at some point. Chair McKeon stated there was a proposal for a subdivision, but it was withdrawn. Mr. Anderson stated that their opinion was that the tower would discourage future development on the property.

Mr. Jordan asked if there was a vernal pool report, and asked if they were doing any DEP permitting. Mr. Anderson stated they would be complying with the State DEP rules. Chip Fredette then stated there would be no direct impact on or filling in of wetlands. Mr. Jordan asked about stormwater. Mr. Anderson stated there have been no changes in the stormwater report and a closer level of detail would be reviewed with future Planning Board permitting.

Chair McKeon asked if there has been any analysis of visibility of the tower to abutters. Mr. Anderson stated there has been no analysis as they do not have permission to access private property. Chair McKeon confirmed with him that their current plan was to do another balloon test. Mr. Anderson stated that when they come back in front of the Planning Board, the Board has the right to request another test. Chair McKeon asked about the Spectrum Act and increasing the height of the tower. Mr. Anderson explained the limitations of municipalities to review design components of colocations that qualify under the Spectrum Act.

Discussion ensued relative to providing public open space connectivity and the ability of the Town Council to require the applicant to set aside open space. Chair McKeon asked if there was any reason why they would not preserve open space. Mr. Anderson stated that Verizon currently does not have the legal right to do anything outside of the leased area. Chair McKeon stated if the property owner agrees to it, then they would be better positioned when they appear before the Council. Chair McKeon asked what amount of clearing would be done on the property. Mr. Anderson stated they would be clearing the roadway area and the 100' by 100' fenced in area around the tower.

Chair McKeon explained to the Board what the choices were for the Board with respect to this application. Chair McKeon asked how the tower compares to the tower off I-295. Mr. Fredette stated that the I-295 tower is 100 feet tall.

Mr. Kaplan moved to recommend approval to the Town Council with no conditions. Motion failed for lack of a second.

Chair McKeon moved to recommend approval with the condition that the Town Council consider buffering issues and an open space set aside. Mr. Kaplan seconded. Approved 5-0.

EXCERPT OF PLANNING BOARD MEETING MINUTES – OCTOBER 4, 2016

Item 6 Verizon Wireless – Falmouth Road – Request for an advisory opinion on a conditional rezoning request for a proposed Tier III Wireless Service Facility. Tax Sheet 390, Map-lot R04-022, Zoned RB.

Mr. McKeon asked Mr. Croce to review what is expected from the Board this evening. Mr. Croce stated that the applicant is seeking a recommendation from the Planning Board on whether or not to recommend the requested conditional zoning change to the Town Council. Mr. Croce stated the Planning Board's review this evening would be much broader than a typical Planning Board review of this type of application because the Board is reviewing criteria for rezoning that the Board would not otherwise review. Mr. McKeon stated his belief that the Planning Board would likely not be voting on this item this evening due to the need for more information to be provided.

Scott Anderson, attorney with Verrill Dana, represents the applicant and gave an overview of the project and stated they did not expect any formal recommendation from the Board this evening. He explained the differences between Tier 1, 2, and 3 towers and why they are coming before the Board for the Tier 3 tower request. He introduced Chip Fredette, also representing Verizon, and went over what their roles were with respect to this project.

Mr. Anderson explained the reasons for choosing the proposed site for the tower, which include provision of optimal coverage and proximity to other existing towers. The tower will be 110' tall and anything over 200' needs to be lit for FAA purposes. Tree canopies run between 45-60 feet high and the tower's height of 110' will minimize the visual impact. The only site lighting will be a motion activated down-lit light by the concrete pad. The only items making sound will be a generator and a fan that keeps the cabinet cool in the summer. He stated there would be no sound heard from abutting properties due to the distance from property lines several hundred feet away.

They did an extensive assessment of vernal pools on the site. They have situated the driveway to avoid the vernal pools and wetlands. The road/bridge crossing will be the only item affecting the wetland. They are applying for a Permit By Rule from DEP. No Army Corps approval is required because they are spanning the wetland with a bridge. They did a joint site walk with DEP to identify the vernal pools on-site and are going to include those pools mapped by the Town that they don't have on their maps.

Mr. Anderson showed the Board visuals of the balloon test conducted on 9/24/16. They will provide a full copy of this report for the Planning Board with the next submission. The results show that the tower is difficult to see from all but a few discrete areas of Falmouth. He showed photosimulations of the tower from the various vantage points where the tower would be visible. He showed the tower designed as both a monopole and a monopine.

Mr. Anderson stated that staff have pointed out that the applicant's submission does not include an analysis of other co-location options in lieu of a new tower, such as the towers at the DPW building and at Town Hall. He stated that the DPW site is a US Cellular site and it is located too closely to the existing

I-295 tower where Verizon is planning to co-locate an antenna and that this would result in too much overlap in coverage areas. Also, the US Cellular tower may not be able to handle the load of additional antennas which means they would have to construct a new tower.

Mr. Anderson stated that the Town Hall tower was originally going to be built by AT&T but was subsequently leased instead to another entity. He stated that the Town Hall tower would not provide enough offloading capacity related to other towers and has a smaller capacity than they need.

Mr. Kaplan asked if the view analysis would be different in the winter. Mr. Anderson stated there would be a slight difference due to leaf drop but not significant.

Mr. Cole asked what the photographic response was on the Turnpike Spur. Mr. Anderson explained how the visibility test was done and showed a map of all public roads in the vicinity of the tower. Green road segments on the map represent areas where the balloon could not be seen and red roads are areas where the balloon could be seen. All roads driven were green roads. There were only a few discrete vantage points where the balloon could be seen.

Mr. Cole asked about foundation requirements for the tower and if the soils would support that type of construction. Mr. Anderson stated that the bidding contractors have to do an assessment on the soils, ground, bedrock and propose as part of the bid package how the foundation is required to be designed to comply with the tower standards. Mr. Cole asked how the utilities were routed. Mr. Anderson stated they would be all underground under the proposed road. Mr. Cole stated there are other areas near the Spur that may work for siting a tower. Mr. Anderson stated the applicant would have to explain to the Board why any alternative sites won't work to meet the coverage objectives. He explained that the site chosen provided the least adverse impacts to the abutters and community.

Mr. Hickey asked who sets the coverage objectives. Mr. Anderson stated each individual carrier has a desired coverage objective. Mr. Hickey stated that one of the requirements is for the proposal to be consistent with the Comprehensive Plan and wondered about using numerous Tier 1 solutions (e.g. utility poles) vs. one Tier 3 solution.

Mr. Anderson explained the alternative discrete ways Verizon can provide coverage in densely populated areas such as downtowns in response to Mr. Hickey's comments.

Mr. Israel asked about the analysis with respect to the DPW site and the proposed site. Mr. Anderson explained why the DPW site won't work and why it will require more detail. Under the ordinance, they have to look at existing sites.

Mr. Cole asked if changing the design of the "Falmouth 4 site", referenced earlier, in conjunction with DPW and the Town Hall tower could achieve their current objectives and whether those options have been evaluated. Mr. Anderson stated that was exactly the question the applicant needs to answer. They will talk about the global design of the overall regional network in the next submission.

Mr. Croce clarified that the existing tower at Town Hall is currently much shorter than the tower anticipated by AT&T. Mr. Israel asked where the Town Council is in selecting a peer reviewer. Mr. Croce

stated they have identified a firm out of Massachusetts and they will be reviewing the applicant's revised submission when it comes in.

Mr. McKeon commented that the RF study map makes it appear as if there is very little Verizon wireless coverage in Falmouth even though there is. He then asked what control they had over the remaining portion of the property owner's lot they are leasing a portion of to make sure it stays wooded and if the road was going to be used for future development by the owner. Mr. Anderson stated that they would look at the answer to that question. He stated they would probably have a hard time getting the owner to put the remaining property in a no cut zone and stated they need to give this issue more thought. They are proposing a 12' wide gravel driveway.

Mr. McKeon asked what the size of the right of way is. Mr. Anderson stated it was a 20' easement area. He stated that staff correctly pointed out that the applicant is proposing site improvements outside of the 20' easement area and that they need the written permission of the landlord for that. They are leasing the tower space and have a non-exclusive easement for the access road.

PUBLIC COMMENTS: Kurt Klebe, 165 Falmouth Road, stated he had submitted written testimony to the Board which he will not repeat. He is concerned about the tower and propane tank and the location in the middle of a deer yard which is heavily hunted. He is concerned about fire danger if a stray bullet hits the tank and requires fire response access. He stated he is not sure the road is sufficient for safety vehicles. He is also concerned that this is the last unprotected, undeveloped habitat block on the east side of Falmouth. He is generally opposed to this location for a cell tower.

Didi Stockley owns parcels to the west of the Klebes. She requested that the Board keep this site in its current undeveloped state.

No further public comments. Public comment session closed.

Mr. McKeon stated they will close their deliberations until the next submission is received. He suggested that it is helpful when public comments are backed up with actual evidence instead of anecdotal evidence to help the Board with their decision.

Mr. Hickey asked if the applicant explored access from the Turnpike Spur instead of Falmouth Road. Mr. Fredette explained why this would likely not be an acceptable option for the Turnpike Authority. Mr. Anderson stated he didn't believe they could get access off the Turnpike but they would look into it. Mr. Cole pointed out that a very tall light pole was installed near Bucknam Road and asked if Verizon looked into that as an alternative. Mr. Anderson stated they would look into that.

Mr. McKeon asked about how visible the tower would be from the adjacent Falmouth trails system. Mr. Fredette stated they would have to do another balloon float to find out. Mr. Anderson stated it would likely not be visible given the close proximity of the trails to the site.

Ethan Croce

From: John Adelman <jadelman@cprcgroup.com>
Sent: Friday, July 07, 2017 7:05 AM
To: Ethan Croce; Nathan Poore
Subject: Fwd: Verizon/Falmouth Road Proposal

Dear Ethan and Nathan,

In addition to completely supporting the comments of Kurt Klebe and Sean Mahoney below, we would like to add that we question why the Town is not requiring that a third party assessment be completed determining the actual need for such a tower, and should it be shown to be necessary, we question why the Town isn't requiring that any provider utilize the existing infrastructure within the town. Given the ecologically sensitive nature of this particular area we strongly feel that such an assessment is prudent and imperative.

In addition, given that the Town has existing potential sites to house a tower, we question why the Town would allow the negative impact, both environmental and economic, on a residential area which this tower would cause, while allowing one land owner to receive lease income instead of the Town getting such a benefit. Some 10 to 12 years ago, the Town paid for a comprehensive study of its vernal pools, recognizing their environmental significance, and this area was found to house numerous Tier 1, or highly prolific, pools which should be protected. We urge the Town to honor the findings of this study and the concerns of all those who stand to be impacted by the development of a tower in this area by requiring Verizon, or any other provider, to work with the Town in finding an alternate location which is a more appropriate location.

Thank you for your consideration of our concerns.

Respectfully,

Judy and John Adelman

Sent from my iPad

Begin forwarded message:

From: Sean Mahoney <smahoney@clf.org>
Date: July 7, 2017 at 8:20:19 AM GMT+3
To: Ann Allan <ann.p.allan@gmail.com>, Doris Stockly <hstockly@maine.rr.com>
Cc: Kurt Klebe <kklebe@gmail.com>, Elizabeth Klebe <Ebsklebe@gmail.com>, "John Adelman" <Jadelman@cprcgroup.com>, Jeffrey Carlisle <jcarlisle@vigilantcap.com>, Sean & Jen Mahoney <donut@maine.rr.com>, "hoagbster@gmail.com" <hoagbster@gmail.com>, "mabinette22@gmail.com" <mabinette22@gmail.com>
Subject: RE: Verizon/Falmouth Road Proposal

Good morning Ethan and Nathan – I'm writing to you today to second the comments that you received below from Kurt Klebe. Jenn and I are out of the country on vacation and will not be able to attend the Planning Board meeting on the Verizon proposal and I would appreciate you letting the Planning Board know that we oppose the project for the reasons Kurt puts forth below. I would like to emphasize two points that Kurt made – the impact on vernal pools of great significance that the proposed construction will have and the impact on traffic. The former needs no further support. The latter needs emphasis – that corner is one of the worst in Falmouth for sitelines (says someone who not only drives it but bikes

and runs along it) not only of traffic on Falmouth road but also for traffic coming on to Falmouth road from Falls Road. Additionally, as a practical matter, it is unrealistic in this day and age to believe that any access road to this much developable property in Falmouth is not going to lead to further development, whether that be further collocation of telecommunications equipment or more likely, residential development. I would also emphasize that several years ago, a proposal for a telecommunications tower on Field Road was withdrawn because it was determined that the communications tower at the Town Hall could provide the same service. This project should be subject to the same strict scrutiny, both in terms of fairness and in terms of benefit to the Town, financially and well-planned development. Thank you for considering these comments and for sharing them with the Planning Board.

Sean Mahoney

Executive Vice President

Conservation Law Foundation

53 Exchange Street, Suite 200

Portland, ME 04101

P: 207-210-6439 ext 5012

E: smahoney@clf.org

For a thriving New England



I have emailed Ethan supporting Kurt's written objections

Jeffrey F. Carlisle

Principal & Founder

VIGILANT Capital Management, LLC

Two City Center, 4th Floor, Portland, ME 04101

18 Congress Street, Suite 209, Portsmouth, NH 03801

www.vigilantcap.com

Portland: [207-523-1110](tel:207-523-1110)

Cell: [207-415-4141](tel:207-415-4141)

Fax: [207-523-1115](tel:207-523-1115)

----- Forwarded message -----

From: Ethan Croce <ecroce@falmouthme.org>

Date: Thu, Jul 6, 2017 at 10:24 AM

Subject: RE: Verizon/Falmouth Road Proposal

To: Kurt Klebe <kklebe@gmail.com>, Nathan Poore
<npoore@falmouthme.org>

From: Kurt Klebe [mailto:kklebe@gmail.com]

Sent: Thursday, July 06, 2017 10:19 AM

To: Ethan Croce <ecroce@falmouthme.org>; Nathan Poore

<npoore@falmouthme.org>; Nathan Poore <npoore@falmouthme.org>

Subject: Verizon/Falmouth Road Proposal

Dear Nathan and Ethan,

I am on vacation and have not had as much time with the Verizon response as I would like. I do have the following concerns that I would like passed along to the Planning Board in advance of the meeting on Tuesday:

1. There appears to be a significant disagreement between the town vernal pool maps and the wetland designations relied upon by the applicant. I do not recall seeing the applicant's sources in making its wetland determinations. In particular, I am concerned because the wetland in the northwest corner of the property appears to be a mapped vernal pool and is not treated as such. The Stocklys have asked me to check on their property from time to time and I have passed this way many times as a result. That pool is filled with salamander eggs in the springtime, and there are nearby pools that support wood frogs as well. It would certainly meet the definition of a vernal pool of statewide significance. Other pools on this property would meet that definition as well. This tower is being sited in an ecologically sensitive area, and the Planning Board should be given the benefit of the information about this site. I suggest any wetlands studies be peer reviewed as well. This is a vernal pool complex.

2. Although the contention of the applicant's attorney that there is no ordinance provision to force a private landowner to set aside property for conservation in order to allow a permitted project to move forward, the ordinance does allow the Council to require that land be set aside for conservation in order to allow for conditional rezoning, which could then allow the project to be permitted. The landowner and the applicant in this instance are being granted an economic advantage that is not available to others, and may come at the expense of abutting landowners. The Town should receive some public benefit for that, and I hope that the Planning Board will recommend that the Council exercise its authority under Section 19-17.2f and g.

3. The stormwater report appears to be based upon a 90 foot tower--I believe the applicant wants something larger.

4. The applicant's counsel is quite correct that we, as abutters, have significant concerns about the access road proposed in this instance. We live in a notable historic home that has been recognized as a Town resource and historical landmark in the current and several previous Comprehensive Plans. We hope the Planning Board will be sensitive to the impact of the removal of the stone wall and trees adjacent to our house. The stone wall had been a part of the property historically.

5. While counsel for the applicant points out that other permitted uses might be worse than the proposed project, he completely misses the point. All uses are not permitted at all sites in Town. The Planning Board should ensure that access to the road meets sight line requirements. All of the applicant's materials point out that the proposed tower is suitable for additional co-locations, so we can only assume the applicant intends to market these opportunities to other companies, creating traffic, noise and disturbance in the woods and on this blind corner.

Thank you for considering my comments and passing them along to the Planning Board.

Kurt and Elizabeth Klebe

Ethan Croce

From: Walter Allan <wallan@maine.rr.com>
Sent: Friday, July 07, 2017 8:32 AM
To: Ethan Croce; Nathan Poore
Cc: Ann
Subject: Verizon cell tower application

Dear Ethan and Nathan,

I am writing to support the arguments you have received from Kurt Klebe, Holmes Stockley and Sean Mahoney. Their concerns for the environmental impact is also our concern. Also, as our driveway abuts the proposed access road we are well aware of the major traffic at the bend in Falmouth Road and the junction of Falls Road. Adding more access to Falmouth Road at that point seems ill advised. In addition, we wonder if the gap in cell phone coverage for Verizon customers is a sufficient argument to allow an access road which, however lightly used by Verizon's service vehicles, will as Sean points out, eventually lead to use for further development of this property. Ann and I are confident that the planning committee will thoughtfully consider these objections as they evaluate this application.

Regards,
Walt and Ann Allan
153 Falmouth Road

Ethan Croce

From: Jeffrey Carlisle <jcarlisle@vigilantcap.com>
Sent: Thursday, July 06, 2017 1:39 PM
To: Ethan Croce
Subject: Cell Tower

Hi Ethan. I hope you and your family are having a wonderful summer thus far. I write to echo Kurt Klebe's response to the upcoming application. This is no place for such a tower in the absolute but certainly it is inappropriate given the existing alternative(s).

Thank you.

Jeff & Amy Carlisle

Jeffrey F. Carlisle
Principal & Founder

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Ethan Croce

From: Kurt Klebe <kklebe@gmail.com>
Sent: Thursday, July 06, 2017 10:19 AM
To: Ethan Croce; Nathan Poore; Nathan Poore
Subject: Verizon/Falmouth Road Proposal

Dear Nathan and Ethan,

I am on vacation and have not had as much time with the Verizon response as I would like. I do have the following concerns that I would like passed along to the Planning Board in advance of the meeting on Tuesday:

1. There appears to be a significant disagreement between the town vernal pool maps and the wetland designations relied upon by the applicant. I do not recall seeing the applicant's sources in making its wetland determinations. In particular, I am concerned because the wetland in the northwest corner of the property appears to be a mapped vernal pool and is not treated as such. The Stocklys have asked me to check on their property from time to time and I have passed this way many times as a result. That pool is filled with salamander eggs in the springtime, and there are nearby pools that support wood frogs as well. It would certainly meet the definition of a vernal pool of statewide significance. Other pools on this property would meet that definition as well. This tower is being sited in an ecologically sensitive area, and the Planning Board should be given the benefit of the information about this site. I suggest any wetlands studies be peer reviewed as well. This is a vernal pool complex.
2. Although the contention of the applicant's attorney that there is no ordinance provision to force a private landowner to set aside property for conservation in order to allow a permitted project to move forward, the ordinance does allow the Council to require that land be set aside for conservation in order to allow for conditional rezoning, which could then allow the project to be permitted. The landowner and the applicant in this instance are being granted an economic advantage that is not available to others, and may come at the expense of abutting landowners. The Town should receive some public benefit for that, and I hope that the Planning Board will recommend that the Council exercise its authority under Section 19-17.2f and g.
3. The stormwater report appears to be based upon a 90 foot tower--I believe the applicant wants something larger.
4. The applicant's counsel is quite correct that we, as abutters, have significant concerns about the access road proposed in this instance. We live in a notable historic home that has been recognized as a Town resource and historical landmark in the current and several previous Comprehensive Plans. We hope the Planning Board will be sensitive to the impact of the removal of the stone wall and trees adjacent to our house. The stone wall had been a part of the property historically.
5. While counsel for the applicant points out that other permitted uses might be worse than the proposed project, he completely misses the point. All uses are not permitted at all sites in Town. The Planning Board should ensure that access to the road meets sight line requirements. All of the applicant's materials point out that the proposed tower is suitable for additional co-locations, so we can only assume the applicant intends to market these opportunities to other companies, creating traffic, noise and disturbance in the woods and on this blind corner.

Thank you for considering my comments and passing them along to the Planning Board.

Kurt and Elizabeth Klebe

Ethan Croce

From: Dave Libby <dlibby8784@gmail.com>
Sent: Tuesday, July 11, 2017 6:57 AM
To: Ethan Croce; Nathan Poore
Cc: tmckeon@falmouthme.org; rchace@falmouthme.org; jcole@falmouthme.org; bkaplan@falmouthme.org; rjordan@falmouthme.org; ncushman@falmouthme.org; jkelly@falmouthme.org; Ed Vanloenen; Chip Fredette; David Libby
Subject: Verizon Wireless (VZW), Falmouth Rd site

Hi Ethan,

In case my email addresses for the PB members are incorrect, would you please pass these comments onto them.

After reviewing the volumes of documents and comments, I offer mine:

- 1) I live at 107 Woodville Rd where cellular coverage from my primary provider (VZW) is marginal. As most folks these days, we do not have a wireline phone anymore. In the event of a call to 911, I would expect better coverage.
- 2) As you know, the Schools, all located on Woodville Rd also have very marginal cellular coverage within the buildings. In the event of ANY emergency there, better coverage would/could be a big plus, which this tower would help.
- 3) I've been in the wireless communications tower business since 1983 (long before cellular came to Maine), own and managing towers from York to Presque Isle) In this time, I have NEVER seen a BETTER sited tower! It has zero visual impact in the community (as seen in the photo-sims) and will provide much better cellular coverage in this area. Until we eliminate those UGLY telephone poles located every 100' on every road (that carry life threatening HI voltage wires (!), I'd suggest we approve ONE tiny pole to

provide a CRITICAL service to the citizens of Falmouth that harms NO ONE.

3A) We have 120' LIT light poles all over the Buchnam Rd/I-295 interchange, does anyone complain about those?

4) Existing towers will not provide the fill in coverage that VZW is looking for. This includes the DPW and Town Hall sites. I think VZW did a good job showing this.

5) I was on the Town Council this Wireless Ordinance was drafted and approved. This is a PERFECT fit for the Tier 3 intended ordinance.

This should be a home run for the Town and the spirit and intent of the Wireless Ordinance. I urge the Planning Board and the Town Council to pursue this application and expeditiously approve this application.

I will try and make tonight's meeting.

Thanks for all you folks do for the Town.

--

Dave Libby

Email: dlibby8784@gmail.com

dlibby@towers.me

Cell/SMS: 207-615-4646 (24/7)

www.commfac.com

107 Woodville Rd, Falmouth, Maine 04105

Ethan Croce

From: Sean Mahoney <smahoney@clf.org>
Sent: Friday, July 07, 2017 1:19 AM
To: Ethan Croce
Cc: Klebe, Kurt; npoore@falmouthme.org
Subject: FW: Verizon/Falmouth Road Proposal

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Sean & Jennifer Mahoney

186 Falmouth Road

Sean

From: Kurt Klebe [mailto:kklebe@gmail.com]
Sent: Thursday, July 06, 2017 10:19 AM
To: Ethan Croce <ecroce@falmouthme.org>; Nathan Poore <npoore@falmouthme.org>; Nathan Poore <npoore@falmouthme.org>
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3. The stormwater report appears to be based upon a 90 foot tower--I believe the applicant wants something larger.

4. The applicant's counsel is quite correct that we, as abutters, have significant concerns about the access road proposed in this instance. We live in a notable historic home that has been recognized as a Town resource and historical landmark in the current and several previous Comprehensive Plans. We hope the Planning Board will be sensitive to the impact of the removal of the stone wall and trees adjacent to our house. The stone wall had been a part of the property historically.

5. While counsel for the applicant points out that other permitted uses might be worse than the proposed project, he completely misses the point. All uses are not permitted at all sites in Town. The Planning Board should ensure that access to the road meets sight line requirements. All of the applicant's materials point out that the proposed tower is suitable for additional co-locations, so we can only assume the applicant intends to market these opportunities to other companies, creating traffic, noise and disturbance in the woods and on this blind corner.

Thank you for considering my comments and passing them along to the Planning Board.

Kurt and Elizabeth Klebe

To: Ethan Croce: & please circulate to all Falmouth Planning Board members:

In regard to the Verizon application for a cell tower at 175 Falmouth Rd.

From: Holmes & Doris Stockly, 31 Casco Terrace, Falmouth

**Owners of two lots adjacent to the subject property:
R 04-014 and R 04-015**

We oppose this needless, intrusive cell tower for the following reasons:

- 1) Verizon already has sites for towers which were previously voted by the Falmouth Town Council - one on Woods Road, and another behind the Town Hall, where it was voted to build a monopole with room for 3 or 4 antennae - and less than a mile from this proposed site,
- 2) the Town and its citizens will thereby get the benefit of annual lease payments from the users, not a private party.
- 3) This intrusive road and tower, if allowed, will impact significant wetlands. This project would also violate the spirit of the Comprehensive Plan which recognizes the rural character of this area.
- 4) Adding another road entrance to this busy intersection is needlessly complicating and adds another traffic problem.

Therefore we very much oppose this application for rezoning. Thank you for your time and interest. We appreciate all the time and talents you give to this town.

6/28/2017

MBLU	Location	Owner Name	Co-Owner Name	Address 1	City, State, Zip
R04/ 14/ / /	FALMOUTH RD	STOCKLY A HOLMES &	STOCKLY DORIS	31 CASCO TERR	FALMOUTH, ME 04105
R04/ 15/ / /	FALMOUTH RD	STOCKLY A HOLMES &	STOCKLY DORIS	31 CASCO TERR	FALMOUTH, ME 04105
R04/ 16/ / /	179 FALMOUTH RD	HOAG BONNIE L & CHARLES S		179 FALMOUTH RD	FALMOUTH, ME 04105
R04/ 17/ / /	173 FALMOUTH RD	BAKER EDWARD T JR &	BAKER STEPHANIE M	173 FALMOUTH RD	FALMOUTH, ME 04105
R04/ 19/ / /	165 FALMOUTH RD	KLEBE ELIZABETH B S		165 FALMOUTH RD	FALMOUTH, ME 04105
R04/ 21/ / /	FALMOUTH RD	ADELMAN JOHN W &	ADELMAN JUDITH L	117 FALMOUTH RD	FALMOUTH, ME 04105
R04/ 21/ A/ /	FALMOUTH RD	RUSSELL RICHARD &	SCAMMAN CHARLES	291 MIDDLE RD	FALMOUTH, ME 04105
R04/ 22/ / /	FALMOUTH RD	AMSTERDAM PROPERTY CORP		1321 WASHINGTON AVE	PORTLAND, ME 04103
R04/ 24/ / /	FALMOUTH RD	LAMB NORTON H JR		119 COBBS BRIDGE RD	NEW GLOUCESTER, ME 04260
U28/ 5/ A/ /	22 ENTWOOD RD	DELIMA JANICE		22 ENTWOOD RD	FALMOUTH, ME 04105
U28/ 5/ C/ /	18 ENTWOOD RD	WELTON LEASING INC		83 BROOKSIDE ROAD	PORTLAND, ME 04103
U28/ 5/ D/ /	FALMOUTH RD	SCAMMAN CHARLES N		2 SCAMMAN CIR	CAPE ELIZABETH, ME 04107
U31/ 1/ / /	153 FALMOUTH RD	ALLAN ANN P &	ALLAN WALTER	153 FALMOUTH RD	FALMOUTH, ME 04105

VERIZON WIRELESS ABUTTERS