

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: September 19, 2017
SUBJECT: Strout Tower Consolidation Site Plan

Introduction

Tower Specialists Inc. are proposing to construct a new 180' tall telecommunications tower located at 14 Strout Rd. The project will also include the removal of a 180' tall tower and 4 shorter towers. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations. The comments of the Town Engineer are attached.

Procedure

- The Board should begin by having the applicant summarize changes made to the plans since the last meeting.
- The Board should then open the public hearing scheduled for this evening.
- At the close of the public hearing, the Board may then begin review of the application.
- When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

Site Plan Review Standards

Below is a summary of application compliance with the Site Plan standards, Sec. 19-9-5.

1. Utilization of the Site

The proposed 180' tower will be constructed in a developed portion of the site, and in close proximity to an existing 180' tower.

2. Traffic Access and Parking

- a. Adequacy of Road System- The applicant estimates the new tower will generate an average of 10 trips per week. This small level of traffic will not lower the level of service on Spurwink Ave.
- b. Access into the Site- Access into the site will continue to be via Strout Rd.

- c. Internal Vehicular Circulation-The existing circulation pattern will not be changed. Delivery vehicles will access the site during construction of the tower.

The Fire Chief has provided comments regarding access and circulation in the site for emergency vehicles (see attached). He is recommending that the entire length of the driveway be a minimum of 14' wide and adequately constructed to support emergency vehicles. He would also like a driveway maintenance agreement that guarantees full emergency vehicle access for the turnaround, including provisions for snow plowing.

- d. Parking Layout and Design- No designated parking spaces are shown on the plan, however, there are gravel pull-off areas where a technician may park when servicing equipment on the site.

3. Pedestrian Circulation

No pedestrian circulation facilities are provided, due to the nature of the site. Fencing is provided at the base of the site to restrict pedestrian access to the tower and support equipment.

4. Stormwater Management

An additional 7,380 sq. ft. of impervious area will be added with the construction of the new tower. This amount of impervious surface increase does not require stormwater calculations but does require an LID feature. The applicant is installing a rain garden down gradient of the tower and support equipment area.

5. Erosion Control

The proposal includes an erosion control plan that will utilize silt fencing, wood chip berms and a stone check dam to minimize erosion during and after construction.

6. Utilities

The proposed use does not require a water supply or wastewater facilities and none is proposed. The applicant has provided a letter from Central Maine Power that it has the ability to meet the power needs of the site. Any solid waste generated at the site will be immediately carried out for disposal.

7. Shoreland Relationship

The property is not located in the Shoreland Performance Overlay District.

8. Landscaping and Buffering

The perimeter of the site is wooded and the plans show depict a wooded buffer remaining after the installation of the new tower.

9. Exterior Lighting

The applicant is proposing downward facing utility lighting for the equipment support area. The equipment support area is 200'± from the property line, at least 1/2 of which is wooded.

10. Signs

No signs, other than those required by the FCC, are proposed.

11. Noise

The principle noise generation on the site will be the "exercise" and use during power loss of generators. The applicant has committed that one generator will not exceed 45 dba at the property line. As additional generators are installed, some combination of sound blocking fencing will be installed to keep dba levels at no higher than 45 dba at the property line and a staggered schedule for "exercising" the generators will be used. The applicant has requested that a condition be imposed on the approval that provides for flexibility in the type of sound blocking to be used.

12. Storage of Materials

Exterior storage shall be limited to the support equipment areas.

13. Technical and Financial Capacity

The Town Manager has recommended that the applicant has the financial capacity to complete the project. The applicant is operating similar establishments currently and no exterior changes are proposed.

Tower and Antenna Performance Standards (Sec. 19-8-12)

- a. Co-location. The applicant has committed to allowing all providers on the proposed tower, subject to capacity.
- b. Color. The tower is proposed to be an unpainted metal.
- c. Buffers. The plans show a continuous, wooded buffer of at least 100' in depth from all property lines.
- d. Lighting. The project will include only down directed utility lighting installed in the equipment support area.
- e. Structural. The plans reference applicable building codes and structural standards.
- f. Security. The tower and equipment support area will be contained with a security fence of at least 8' in height.
- g. Advertising. The project will include no signage except as required by the FCC regulations.
- h. Non-interference. The applicant has provided a statement confirming the tower will interfere with existing transmissions.
- i. Abandonment. The applicant has committed to removing the tower and related facilities if operations cease.
- j. Performance Guarantee. A performance guarantee is required under Site Plan review and recommended as a condition of approval.

Motion for the Board to Consider

Findings of Fact

1. Tower Specialists Inc. are proposing to construct a new 180' tall telecommunications tower located at 14 Strout Rd, which requires review under Sec. 19-9, Site Plan Regulations.
2. The plan for the development (is/is not) consistent with the natural capabilities of the site to support development.
3. Access to the development (will/will not) be on roads with adequate capacity to support the traffic generated by the development. Access into and within the site (will/will not) be safe. Adequate provision for parking

(will/will not) be provided in accordance with Sec. 19-7-8, Off-Street Parking.

4. The telecommunication infrastructure and operations on the site are incompatible with pedestrian access, therefore, no facilities for pedestrians are provided.
5. The plan (does/does not) provide for adequate collection and discharge of stormwater.
6. The development (will/will not) cause soil erosion, based on the erosion plan submitted.
7. The telecommunications infrastructure and operations on the site do not require access to potable water.
8. The telecommunications infrastructure and operations on the site do not require sewage disposal.
9. The development (will/will not) be provided with access to utilities.
10. The development (will/will not) locate, store or discharge materials harmful to surface or ground waters.
11. The telecommunications infrastructure and operations on the site do not require disposal of solid wastes.
12. The development (will/will not) adversely affect the water quality or shoreline of any adjacent water body.
13. The applicant (has/has not) demonstrated adequate technical and financial capability to complete the project.
14. The development (will/will not) provide for adequate exterior lighting without excessive illumination.
15. The development (will/will not) provide a vegetative buffer throughout and around the site and screening as needed.
16. The development (will/will not) substantially increase noise levels and cause human discomfort.

17. Storage of exterior materials on the site that may be visible to the public (will/will not) be screened by fencing or landscaping.
18. The application substantially complies with Sec. 19-9, Site Plan Regulations and Sec. 19-8-12, Tower and Antenna Performance Standards.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Tower Specialists Inc. to construct a new 180' tall telecommunications tower located at 14 Strout Rd. and remove of a 180' tall tower and 4 shorter towers be approved, subject to the following conditions:

1. That the plans be revised as recommended in the Town Engineer's letter dated September 13, 2017.
2. That the entire length of the driveway have a minimum traveled way of 14' wide and be constructed with sufficient gravel base to support town emergency vehicles.
3. That a road maintenance agreement be provided in a form acceptable to the Town Attorney, Town Fire Chief and Town Manager and signed by the applicant that requires a turnaround be maintained of adequate size and radius to accommodate town emergency vehicles.
4. That the applicant must provide, after the installation of 1 generator, projected dba levels (not to exceed 45 dba) at the property line with each additional generator for the total dba level at the property line for all generators associated with the proposed 180' tower. Sound blocking fencing, staggered scheduling for "exercising" generators, and other methods shall be employed to limit dba levels at the property line to no more than 45 dba.
5. That there be no alteration of the site nor issuance of a building permit until a performance guarantee has been submitted in an amount acceptable to the Town Engineer, in a form acceptable to the Town Attorney and all acceptable to the Town Manager.
6. That there be no alteration of the site nor issuance of a building permit until the above conditions have been satisfied by submission of plans and materials to the town planner and notification by the town planner that all conditions have been met.