

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: November 17, 2020
SUBJECT: Town of Cape Elizabeth Communications Tower

Introduction

The Town of Cape Elizabeth is requesting Site Plan Review of a new 180' tall public safety telecommunications tower and 16' x 11.5' support building to be located at 8 Dennison Drive (R05-10). The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations, and Sec. 19-8-12, Tower and Antenna Performance Standards.

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 resume discussion.
- 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. The comments of Acting Town Engineer Todd Gammon are attached.

1. Utilization of the Site

The proposed tower site is located on a high elevation of the parcel and close to the existing developed portion used for solid waste collection for the community. A portion of an existing gravel area will be partially repurposed as the access drive to the site. The proposed support building will be located within the fenced base of the site and two additional pads for additional buildings are proposed for potential co-location of communication providers.

2. Traffic Access and Parking

- a. Adequacy of Road System- The site has access from Dennison Drive and then Spurwink Ave. Both roads have significant excess capacity to handle the very small amount of traffic generated from tower site.
- b. Access into the Site- Access will be provided on a 12' gravel drive located on a portion of an existing gravel parking area located off Dennison Dr.

- c. Internal Vehicular Circulation- The access drive includes 12' turnarounds on both sides of the access drive.
- d. Parking Layout and Design- Because the only traffic on the site will be maintenance, the 12' wide turnarounds will also provide space for parking.

3. Pedestrian Circulation

The Gull Crest site includes 3+ miles of greenbelt trails managed by the Cape Elizabeth Conservation Committee. A portion of one trail is located in the tower site and will be relocated around the tower in an existing wooded area.

4. Stormwater Management

Less than 10,000 sq. ft. of impervious area will be created by the project. The design relies on sheet flow of stormwater into the adjacent wooded area.

5. Erosion Control

An erosion control plan has been submitted, which includes typical elements such as a filter barrier and an erosion control mix berm around the disturbed areas of the site.

6. Utilities

No water or public sewer is needed on the site. Electrical service will be provided from an existing pole on Dennison Drive and overland along the access drive.

7. Shoreland Relationship

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

8. Landscaping and Buffering

No additional landscaping is proposed. The site is wooded and much of the woodland will remain after construction to buffer the site.

9. Exterior Lighting

Lighting will be installed above the door to the utility building. With the nearest property line at least 225' away from the site, lighting will not exceed 0.5 footcandles at the property line.

10. Signs

Three signs are proposed to be mounted to the fence, which are required safety signage by the FCC.

11. Noise

Installed on the site will be a generator to provide emergency power during periods of power loss. The generator will not produce in excess of 45 decibels at the property line.

12. Storage of Materials

No outside storage of materials is proposed.

13. Technical and Financial Capacity

The Town Manager has provided evidence that the project has been funded by the Town Council. The Town and its consultants have experience in satisfactory project construction.

Tower and Antenna Performance Standards, Sec. 19-8-12

Below is a summary of the project's compliance with the Tower and Antenna Performance Standards.

a. Colocation

The applicant has provided a statement demonstrating a need for the new tower to support public health and safety by securing communications for police, fire and public works departments. The applicant has also committed to offering colocation opportunities and included pad sites on the site plan in the event communication providers wish to locate on the tower.

b. Color.

The tower is intended to be a standard metal color which will be less visible.

c. Buffers

Existing wooded areas will be preserved to buffer the base of the tower.

d. Lighting.

No lighting is proposed to be added to the tower. Lighting is limited to entry lighting for the utility building.

e. Structural.

Sheet 4 includes a note that the tower shall be constructed to the current ANSI /EIA /TIA 222 Revision F standard.

f. Security.

The plan includes installation of an 8' high fence, topped with 3 strands of barbed wire, around the base of the tower and also enclosing utility panels and support structure.

g. Advertising.

No signage is proposed.

h. Non-interference.

The applicant has submitted a letter from Dirigo Wireless that the equipment will meet all FCC regulations regarding interference.

i. Abandonment.

The tower site is located on land owned by the Town of Cape Elizabeth and which includes substantial municipal facilities which are kept in good maintenance.

j. Performance Guarantee.

The town requirements for inspection will apply to the project. The provision of a performance guarantee from the town to the town provides no additional certification that the project will be constructed as approved.

Motion for the Board to Consider

Findings of Fact

1. The Town of Cape Elizabeth is requesting Site Plan Review of a new 180' tall public safety telecommunications tower and 16' x 11.5' support building to be located at 8 Dennison Drive (R05-10), which requires review under Sec. 19-9, Site Plan Regulations and Sec. 19-8-12, Tower and Antenna Performance Standards.
2. The Planning Board deemed the application complete on October 20, 2020, conducted a site visit on October 27, 2020 at 5:15 p.m., and held a public hearing on November 17, 2020.
3. The plan for the development (reflects/ does not reflect) the natural capabilities of the site to support development.

4. 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. Parking (will/will not) be provided in accordance with Sec. 19-7-8, Off-Street Parking.
5. The plan (preserves/ does not preserve) an existing system of pedestrian ways within the development.
6. The plan (does/ does not) provide for adequate collection and discharge of stormwater.
7. The development (will/will not) cause soil erosion, based on the erosion plan submitted.
8. The development (does/ does not) require an adequate quantity and quality of potable water or sanitary waste 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 development (will/will not) provide for adequate disposal of solid wastes at the adjacent recycling center.
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. No storage of exterior materials on the site are proposed.
18. The proposed tower (is/is not) needed by the police, fire and public works departments to provide for public health and safety and (will/will not) provide colocation opportunities.
19. The proposed tower (will/will not) be constructed in a color intended to blend into the surrounding environment.

20. The proposed tower (will/ will not) be adequately buffered by existing woodlands surrounding the site.
21. No lighting of the tower is proposed.
22. The proposed tower (will/ will not) be constructed to the current ANSI /EIA/TIA 222 Revision F standard.
23. The proposed tower base (will/ will not) be enclosed with an 8' high fence, topped with 3 strands of barbed wire.
24. No advertising is proposed on the tower.
25. The proposed tower (will/ will not) interfere with the radio, television, or telecommunication service enjoyed by the community.
26. The proposed tower is located on town property and it will be the responsibility of the town to remove it upon cessation of operations.
27. No performance guarantee is needed because the town is responsible for compliance with town regulations.
28. 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 the Town of Cape Elizabeth for site plan review of a 180' public safety telecommunications tower to be located at 8 Dennison Drive be approved, subject to the following conditions:

1. That the plans be revised to address the comments of the Town Engineer Todd Gammon's letter dated November 10, 2020;
2. That a note be added to the plan as follows:

A final certified statement of non-interference shall be provided by a professional engineer and approved by the Town prior to issuance of a building permit and the engineer shall be licensed to practice in the State.

3. That there be no alteration of the site nor issuance of a building permit until the plans are revised to address the above conditions and submitted to the town planner.



October 14, 2020 BCE File: 20136

Maureen O'Meara, Town Planner Town of Cape Elizabeth
320 Ocean House Road
P.O. Box 6260

Cape Elizabeth, Maine 04107

RE: Town of Cape Elizabeth – Public Safety Communications Tower Site Plan Application – Peer Review

Dear Maureen:

We have received and reviewed a submission package for the subject project. The package included a seven (7) drawing set of plans, dated October 2, 2020, and a 79-page Site Plan Application package submitted by Sebago Technics, Inc. Based on our review of the submitted material and the project's conformance with the technical requirements of Section 19-9-4(C)(2), Site plan review, we offer the following comments:

1. The Town of Cape Elizabeth is proposing to construct a new three-legged, 180-foot tall, self-supporting lattice communications tower adjacent to the Towns' Transfer Station. The project includes the construction of a 60-foot by 60-foot crushed stone surfaced compound area, an 8-foot high chain-link fence, a relocated hiking trail, and a new 12-foot wide gravel access driveway off Dennison Drive.
2. We understand that the Board will be conducting a completeness review for this project at their upcoming meeting. Many of our following comments should be considered beyond the completeness level and have been provided here to facilitate future submissions and reviews of the project. It should be noted that additional submitted information may result in additional review comments.
3. The applicant has asked for a waiver from submitting a boundary survey of the Town owned parcel. We support this waiver request since this survey is on file with the Town.
4. The applicant is in communication with the Maine Department of Environmental Protection to determine if any state permitting will be required for this project. The applicant should obtain permit approval, if required, prior to beginning construction.

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5. The total increase in impervious area is below 10,000 square feet, therefore the applicant does not need to submit pre/post development hydrocad calculations. The applicant is proposing to utilize the void space in the crushed stone surface for rainwater storage in combination with infiltration as a low impact development approach to stormwater attenuation. We agree with this approach and believe that the proposed project will have a minimal stormwater effect on the area due to the small amount of new impervious area and the presence of a surrounding wooded buffer. The same sheet flow patterns will be maintained with this construction of this project.
6. The designer should show the boring location on the Grading and Utility Plan.
7. The designer should gray out the transfer station buildings line work within the drawing set so that it is clear that this is an existing and not proposed improvement.
8. The designer should consider raising the proposed elevation of the tower pad and drive entrance to reduce the potential for ledge removal during construction. The boring log in the geotechnical report noted that ledge was encountered 1.5 feet below the existing 83' contour within the compound.
9. The designer should note the elevation of the vertical benchmark located on the telephone pole on the Grading and Utility Plan.
10. The designer should clarify whether this project will require an additional support building and/or possible co-location pads for future users. The concrete pad locations should be added to the plan set if it is determined that they will be part of the proposed project.
11. The applicant has stated that there will not be any site lighting proposed for this project. Please clarify whether a light will be located above the door for the structure shown.
12. The designer should remove the proposed landscaping symbol from the legend since there is none proposed for the project. The silt barrier symbol should be added to the legend on the Grading and Utility Plan.
13. It appears that a pull box and proposed telephone pole have been located on the Site Plan to the West of the proposed access driveway. These symbols were not located on the Utility Plan. The designer should clarify the need for these symbols.

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14. The designer should add a pull box detail, a transformer pad detail, and a pavement build-up detail associated with the reconstruction of Dennison Drive to the Details sheet.

We trust that the above comments will assist the Board during their review of the project. Please do not hesitate to contact us should there be any questions or comments regarding our review.

Sincerely,
BLAIS CIVIL ENGINEERS

Todd J. Gammon, P.E.

cc: Peter Gleeson, CE Fire Chief
Steve Harding, Sebago Technics, Inc Jay Reynolds, CE Public Works Director

A handwritten signature in black ink that reads "Todd J. Gammon". The signature is written in a cursive style with a large, stylized initial 'T'.