CAPE COD
COMMISSION

Brick Kiln Monopole DRI Subcommittee Meeting

CCC Project #24007

Approved Minutes | August 7, 2024 at 5:00p.m.

Via Zoom

APPROVED 08/16/2024

Roll Call/Attendance

Thomas Wilson, Chair	Present
John Druly	Present
Kevin Grunwald	Present
John D. Harris	Present
Stephen Mealy	Present

Summary of Actions Taken/Votes at Meeting

- Vote to instruct staff to prepare a draft decision

Minutes

Thomas Wilson, as Chair, called the meeting to order at 5:00pm. He read opening statements and then asked Jeffrey Ribeiro, Cape Cod Commission (CCC) Regulatory Planner, to call roll. In attendance were Thomas Wilson, John Druly, Kevin Grunwald, John D. Harris, and Stephen Mealy.

The Chair then asked Mr. Ribeiro to present staff comments, and he did so with the assistance of a PowerPoint presentation. Mr. Ribeiro explained that the meeting was to discuss the Verizon coverage maps requested at the July 2, 2024 public hearing which were submitted by the Applicant too late to be reviewed in time for the planned July 30, 2024 continued public hearing, which was cancelled. He then discussed the contents of the staff report by reviewing certain review criteria from the Regional Policy Plan (RPP) technical bulletins as well as the CCC's technical bulletin for wireless communication towers. He stated that the subcommittee should discuss whether to require the tower height to be lowered to 110', which would be the minimum height to fill Verizon's coverage gap, or to allow the tower at the proposed 130', which would provide greater opportunity to future colocators as well as further improvements to Verizon's coverage. He then showed photosimulations from the application to help the subcommittee consider the visual impact at different heights.

Mr. Ribeiro then discussed the issue of Open Space. He said that staff needs clear direction as to the request by the Applicant for a determination that the RPP issue area of Open Space is not applicable and material to the Project. He noted that the subcommittee members who spoke on the issue at the July 2, 2024 hearing were not in favor of such a determination, but he wanted to clarify that is the consensus view.

Mr. Ribeiro then asked for brief comments from the CCC's wireless consultant, Michael Lawton of Isotrope Wireless.

Mr. Lawton stated the issue was the height of the tower versus the visual impacts. He noted that the photosimulations shown include antennas for four carriers, but with only one carrier committed the visual impacts would be less. He said that based on his analysis, Verizon's coverage gap would be filled with an antenna height of 105', but a tower this short may result in additional towers in the vicinity should other carriers seek to fill coverage gaps in this area. He said he would be happy to go over the additional coverage maps in more detail if desired by the subcommittee and that he was available for any questions.

Mr. Ribeiro then provided a brief overview of the format for the rest of the hearing and handed the floor back to the Chair for comments from the Applicant.

The Chair then asked for a response from the Applicant, represented by Atty. Francis Parisi.

Atty. Parisi said that he sought to balance coverage needs with visual impacts when designing the project, and that as an infrastructure developer they always seek multiple carriers. He said that the proposed 130' tower was the minimum height necessary to accommodate multiple telecommunications facilities, consistent with the CCC's colocation goals.

Atty. Parisi then said that he would again like the subcommittee to consider his request for a determination that the issue area of Open Space is not applicable to the Project. He said that the application fee is based on height and the regulations require towers to be taller to allow for colocation. He said colocation also means a bigger compound is required. He then added that the compound has been reduced to only roughly 2,500 sf. He said it was incongruous to require a tower be built that can accommodate multiple carriers while paying open space and application fees based on that.

He said that the Project was located on a good site when considering requirements for setbacks, distance to residential areas, and limited visual impacts. He said the open space requirements are a fee paid to the CCC. He said that the land was already heavily developed with utility infrastructure and that the project would not take away open space from the public. He said the requirement did not serve any purpose and only added expense to the project.

He said that the radiofrequency engineer, Martin Lavin, was on the call and able to answer any questions from the members. He said he would not go over the coverage maps again because he agrees with the staff recommendation.

The Chair then asked for questions from the subcommittee.

Mr. Grunwald said he supports the tower at the proposed height due to the increased colocation opportunities. He said the additional impacts of the taller tower would be minimal. He said that the

Open Space requirements should be met through the cash contribution. He said subject to the requirement of the cash contribution he feels this is a good project that should proceed.

The Chair asked for further comments from the subcommittee.

Mr. Mealy asked about the status of correspondence from the Massachusetts Historical Commission (MHC). Mr. Ribeiro replied that for a Project Notification Form (PNF) MHC has 30 days to respond, and it is not unusual for them to not issue any formal signoff aside from not replying. Mr. Ribeiro said that he also had called MHC to confirm the form was received and hoped to hear back soon. Atty. Parisi stated that the regulations are clear that no response by MHC is a routine form of approval, and he said it was prudent for CCC staff to verify.

Mr. Mealy said that based on the materials provided by the Applicant and the analysis by the CCC's consultant he supports the tower at a height of 130' with Verizon's antennas at 125' for both the benefits to Verizon customers as well as to potential future colocators. He said the additional visual impacts would be minimal.

Mr. Mealy said that the Project should be required to provide the $11,993 in Open Space mitigation.

Hearing no other comments from the subcommittee, the Chair asked for comments from the public. There were none.

The Chair asked for any further discussion from the subcommittee. He said that the proposed tower height of 130' makes sense, and that the Open Space payment should be provided.

Hearing no further comment from members, the Chair asked for a motion to instruct staff to draft a decision approving the Project consistent with the subcommittee's discussion. Mr. Harris made the motion, and Mr. Mealy seconded. The Chair asked Mr. Ribeiro to take roll, with the Mr. Wilson, Mr. Druly, Mr. Harris, Mr. Grunwald, and Mr. Mealy in favor.

The Chair then asked for a motion to adjourn. Mr. Harris made the motion, and Mr. Mealy seconded. The Chair asked Mr. Ribeiro to take roll, with the Mr. Wilson, Mr. Druly, Mr. Harris, Mr. Grunwald, and Mr. Mealy in favor. The meeting was adjourned at 5:31pm.

List of Materials Used/Presented

- Staff Memorandum, dated July 31, 2024
- PowerPoint Presentation by Staff

CAPE COD COMMISSION SUBCOMMITTEE MEETING

Brick Kiln Monopole

CCC No. 24007

DATE: Wednesday, August 7, 2024

TIME: 5:00 P.M

This hearing is being held virtually, pursuant to Chapter 20 of the Acts of 2021, as amended by Chapter 2 of the Acts of 2023.

CAPE COD COMMISSION

HEARING AGENDA

- **Announcements**
- Attendance – Roll Call
- Staff Presentation
- Applicant's Comments
- Subcommittee Discussion
- Public Comment
- Further Subcommittee Discussion
- Adjourn

OPENING ANNOUNCEMENTS

- This meeting is being held virtually, pursuant to Chapter 20 of the Acts of 2021, as amended by Chapter 2 of the Acts of 2023.
- Because there are members remotely participating, we will be taking a roll call vote on any action.
- **This meeting is being recorded for the purposes of creating minutes. If anyone else is recording please announce yourself now.**

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ATTENDANCE:

- Thomas Wilson, Chair
- John Druly
- Kevin Grunwald
- John D. Harris
- Stephen Mealy

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PRESENTATION FROM COMMISSION STAFF

- Staff Comments (Jeffrey Ribeiro)

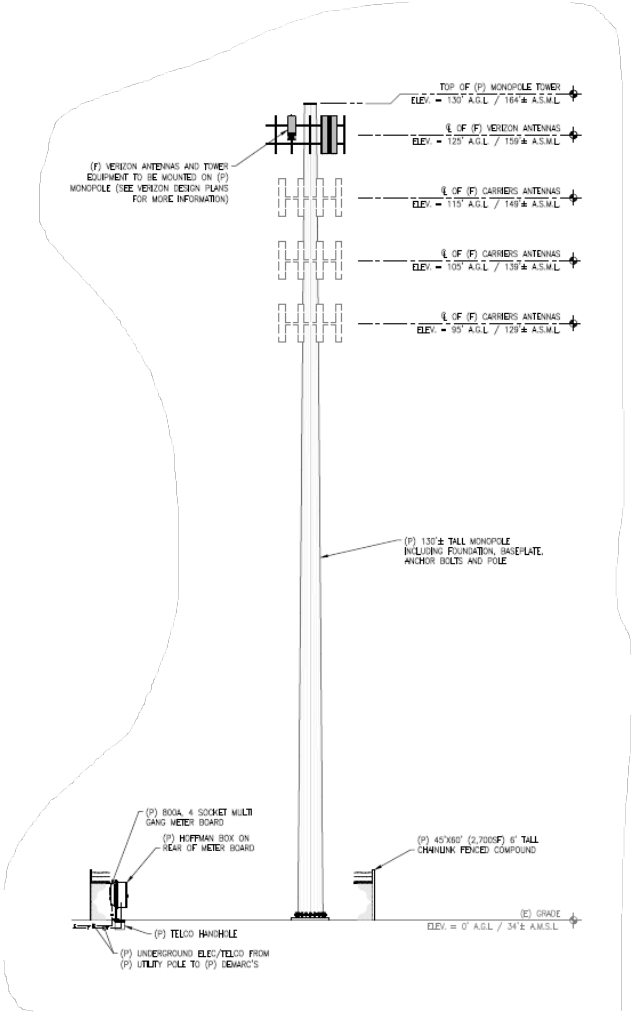
Regional Policy Plan

- Capital Facilities and Infrastructure Objective CAP2
  - Coordinate the siting of capital facilities and infrastructure to enhance the efficient provision of services and facilities that respond to the needs of the region.

    - Single carrier proposed, with room for co-locators.

Technical Bulletin 97-001

"Licensed carriers should share personal wireless service facilities and sites **where feasible and appropriate**, thereby reducing the number of personal wireless service facilities that are stand-alone facilities."



Regional Policy Plan

- Community Design Objective CD3
  - Avoid adverse visual impacts from infrastructure on scenic resources.
    - Proposed height should be evaluated with only one carrier committed to locating on the tower.
    - Consistency subject to the determination that the visual impacts are the minimum necessary to provide needed wireless services.



PREPARED FOR:

ATLANTIC TOWER
2 COMMERCIAL STREET
SHARON, MA 02067

PREPARED BY:

ADVANCED ENGINEERING GROUP, P.C.
Civil Engineering - Site Development
Surveying - Telecommunications
500 NORTH BROADWAY
EAST PROVIDENCE, 02914
PH: (401) 354-2403
FAX: (401) 633-6354

SITE NUMBER: VT-MA-0433

SITE NAME: FALMOUTH_MA

ADDRESS: 737 BRICK KILN ROAD
FALMOUTH, MA 02540

VIEW #14

PROPOSED VIEW FROM THE NORTH, AT
POWER TRANSMISSION LINES ON
BRICK KILN ROAD

PAGE: V-14P

DATE: 04/26/2024

DRAWN BY: MR

REVISION: 0



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FALMOUTH, MA 02540

VIEW #5
PROPOSED VIEW FROM THE
SOUTHWEST, ON GIFFORD STREET

PAGE: V-5P

DATE: 04/26/2024

DRAWN BY: MR

REVISION: 0



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FALMOUTH, MA 02540

VIEW #2
PROPOSED VIEW FROM
SOUTH, ON GIFFORD STREET

PAGE: V-2P

DATE: 04/26/2024

DRAWN BY: MR

REVISION: 0



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VIEW #6

PROPOSED VIEW FROM THE NORTHWEST, IN PARKING LOT AT FALMOUTH HIGH SCHOOL

PAGE: V-6P

DATE: 04/26/2024

DRAWN BY: MR

REVISION: 0

Regional Policy Plan

- Open Space Objective OS3
  - Protect or provide open space appropriate to context

    - Applicant has requested determination not applicable, material, and regionally significant
    - Staff recommends payment in lieu of $11,993

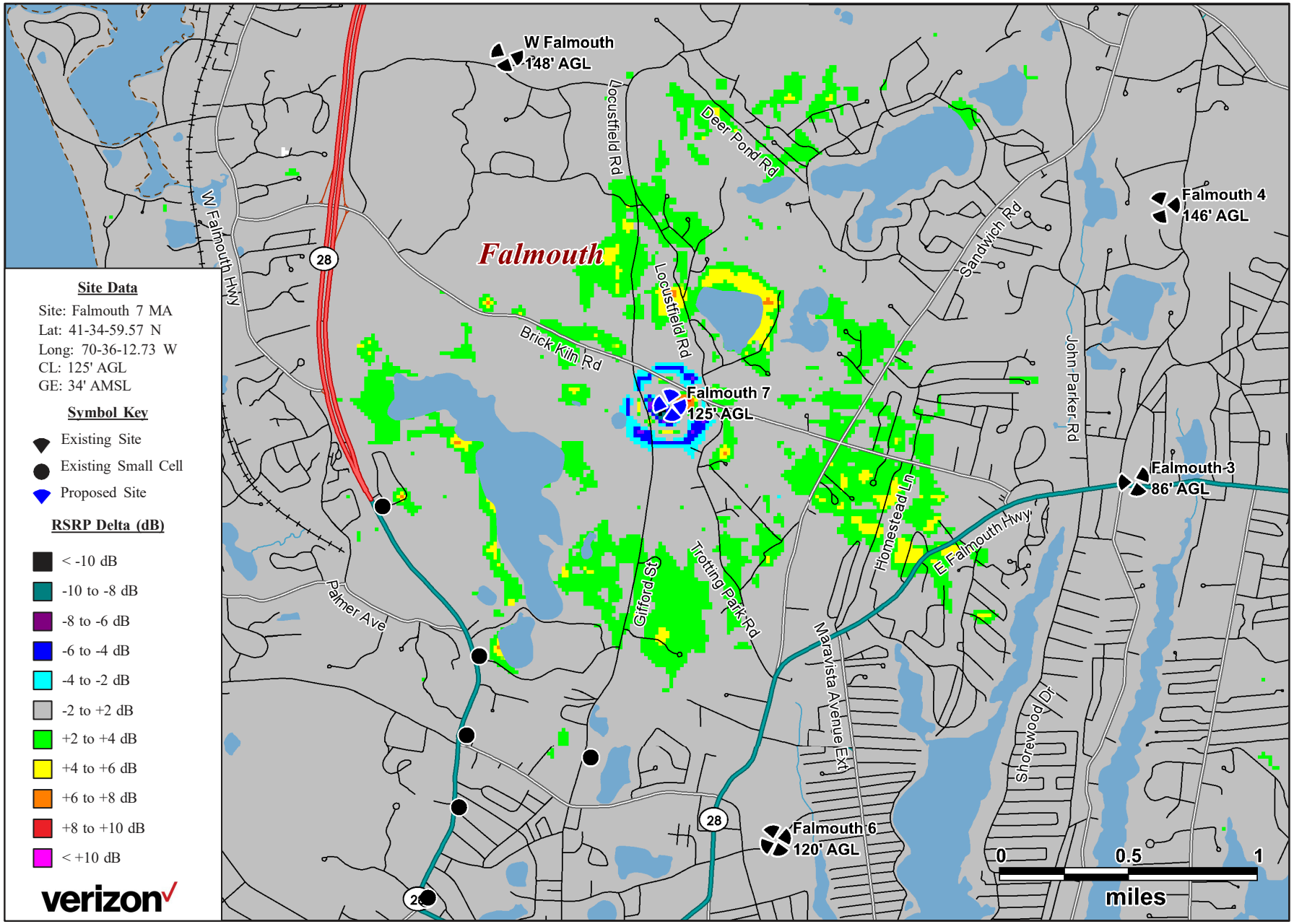
Michael Lawton

Isotrope Wireless

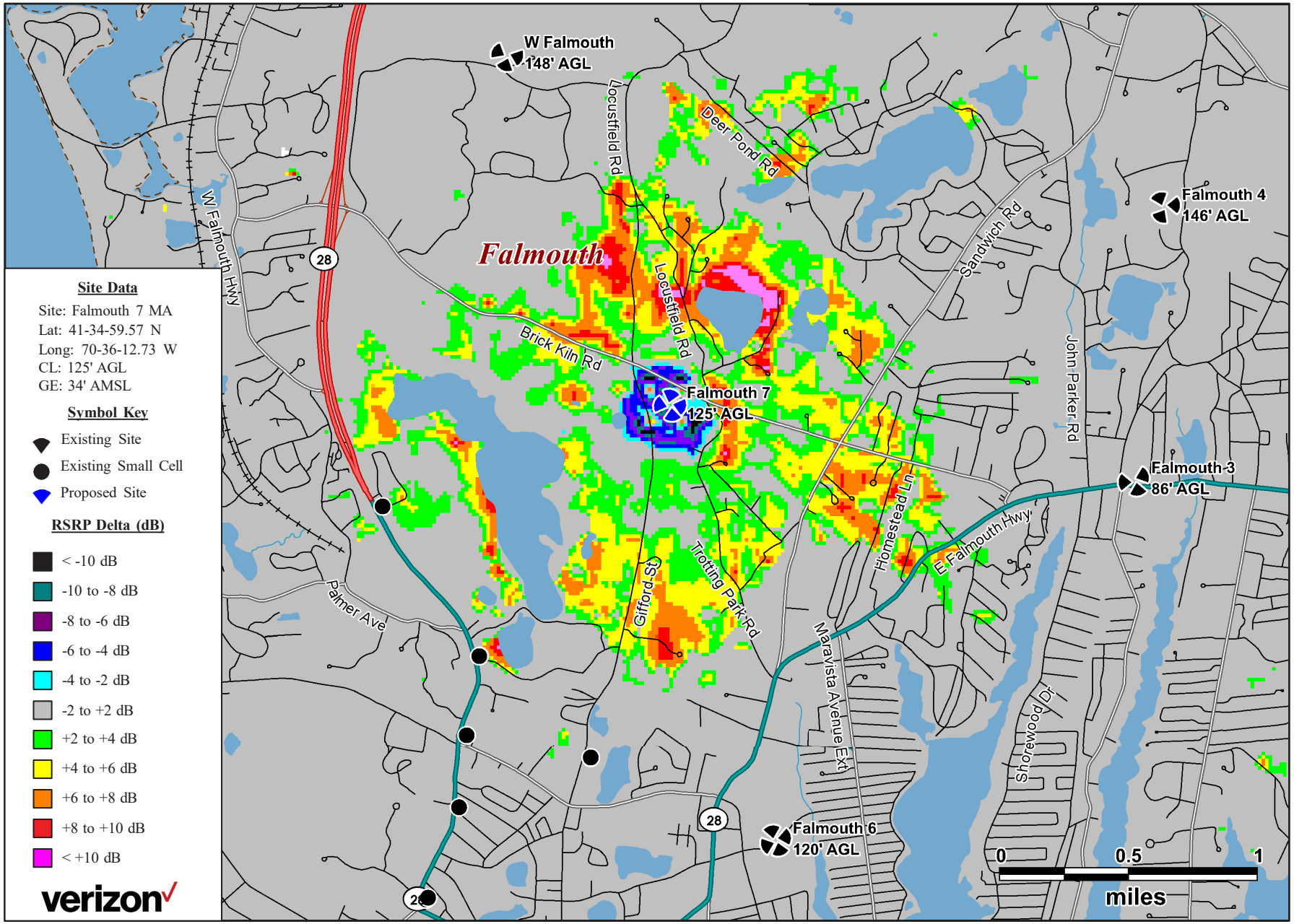
August 7, 2024

CAPE COD
COMMISSION

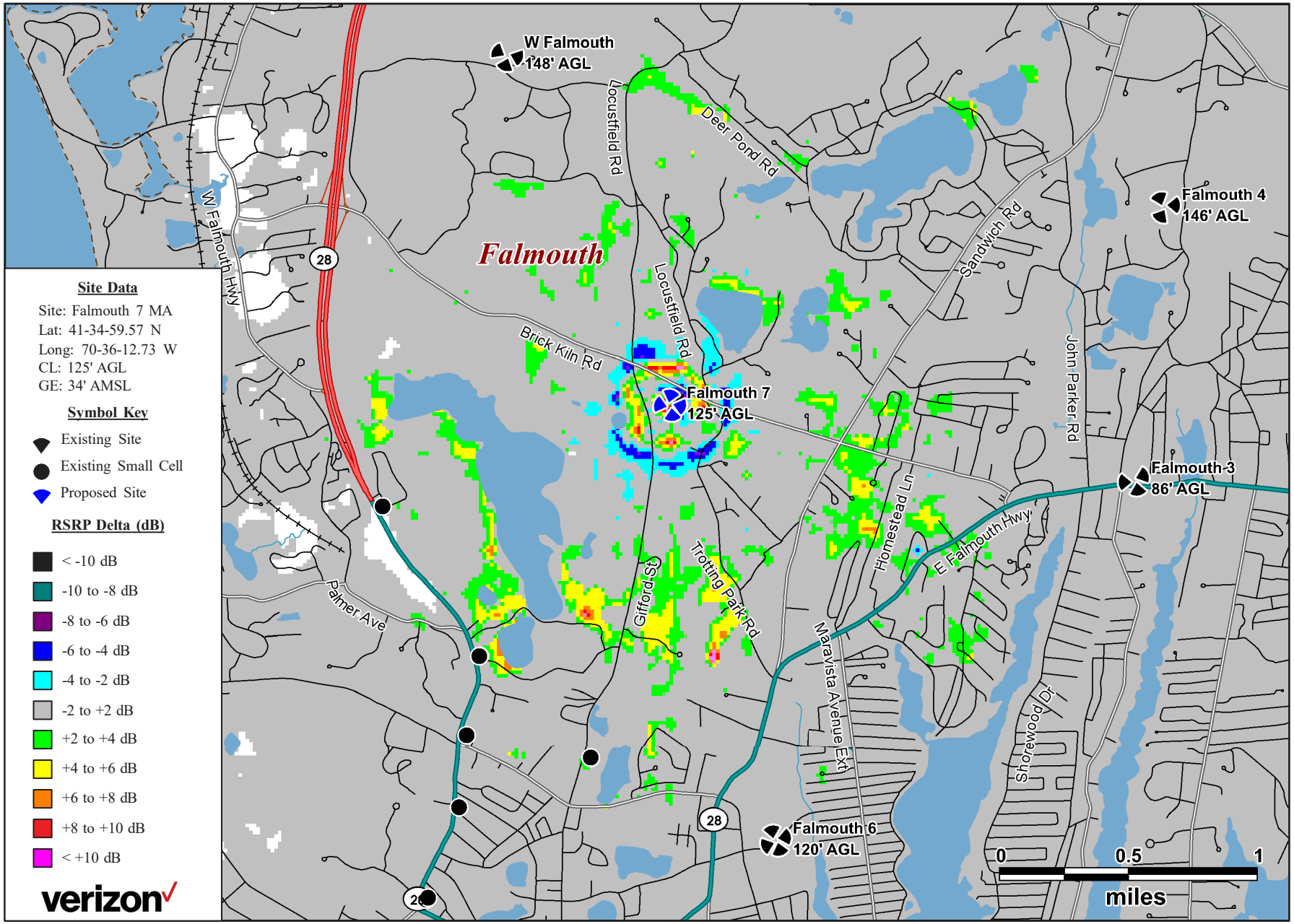
Attachment :
Falmouth 7 MA - 700 MHz LTE RSRP Delta (125' - 105')



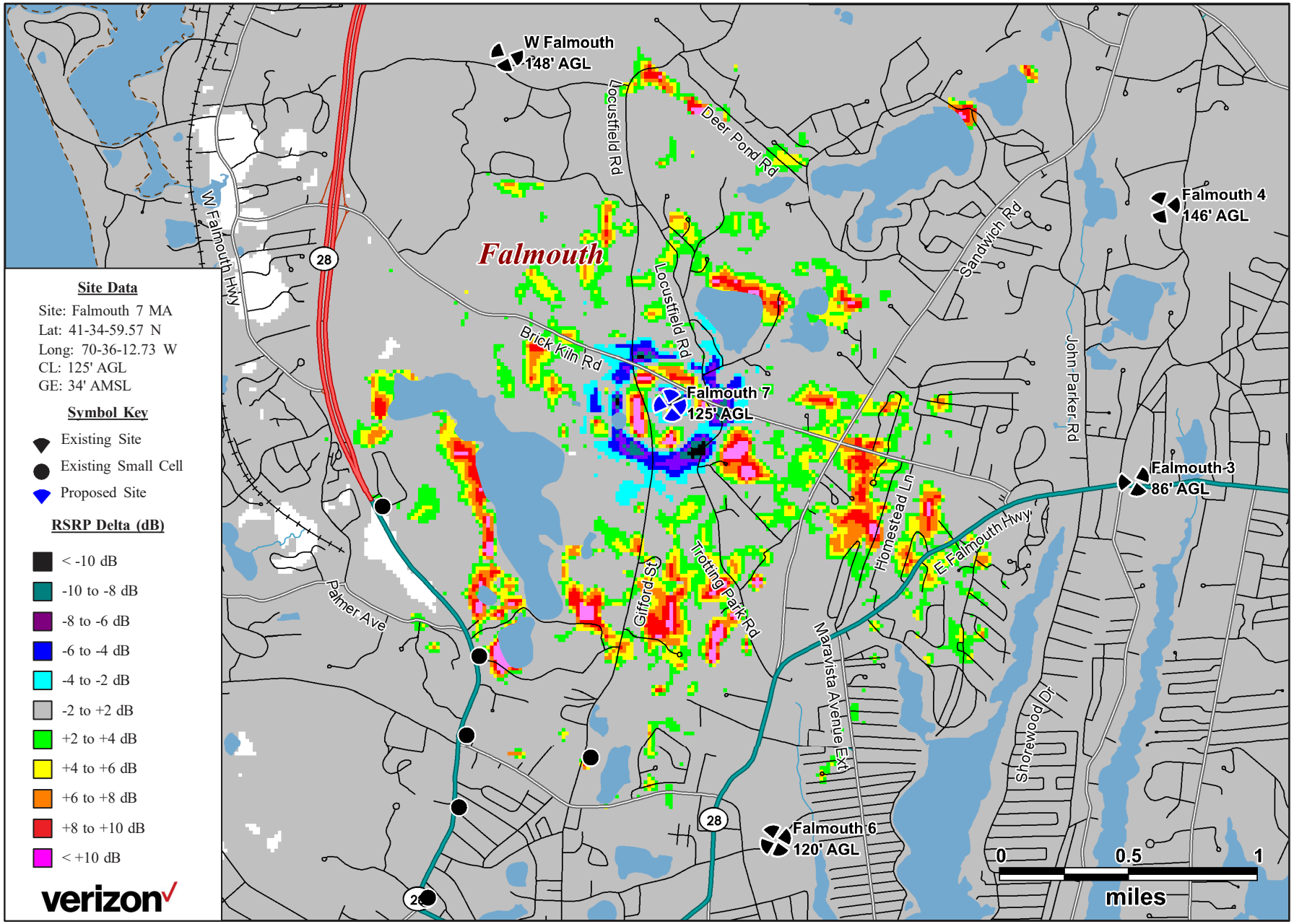
Attachment :
Falmouth 7 MA - 700 MHz LTE RSRP Delta (125' - 85')



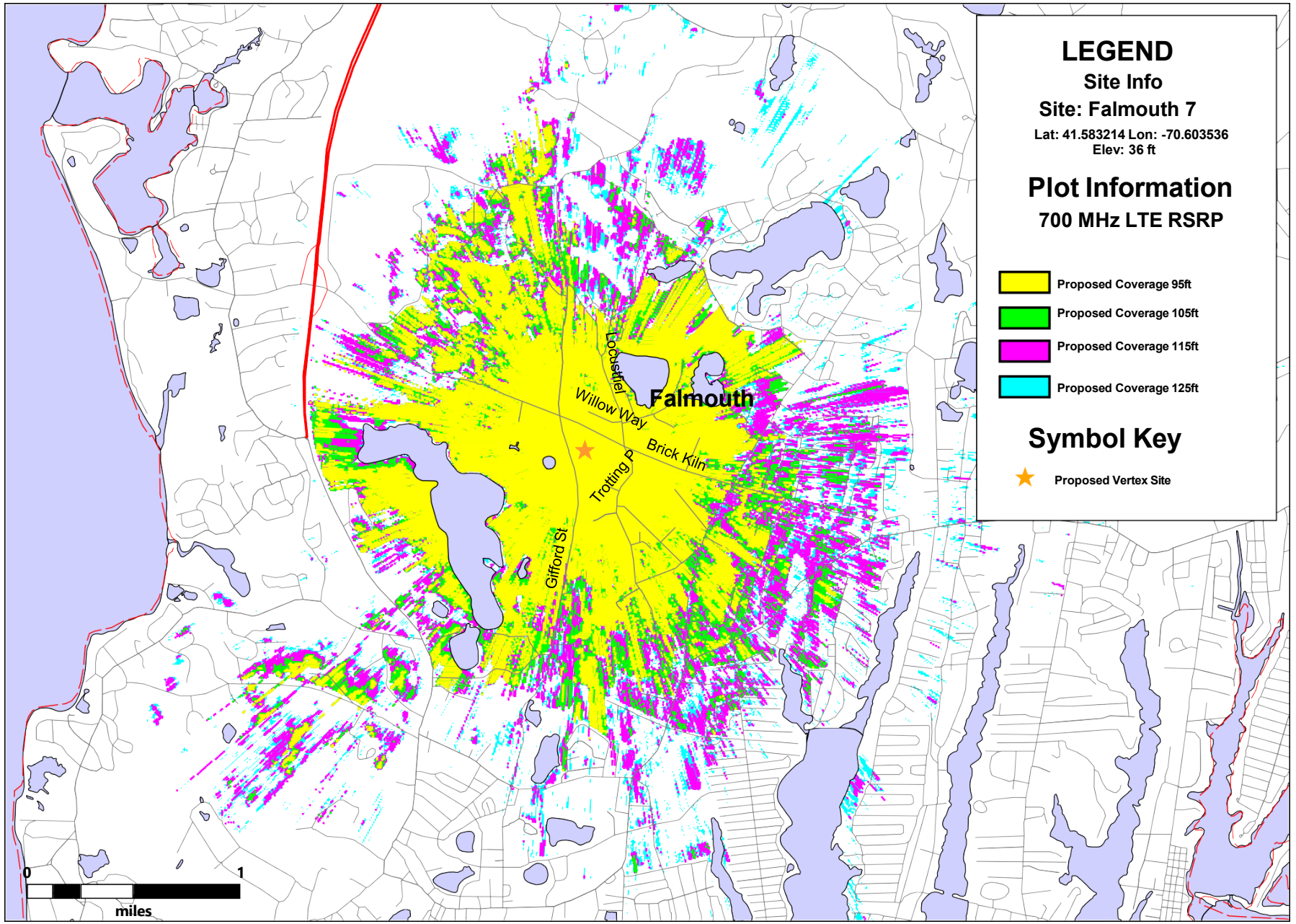
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Falmouth 7 MA - 2100 MHz LTE RSRP Delta (125' - 105')



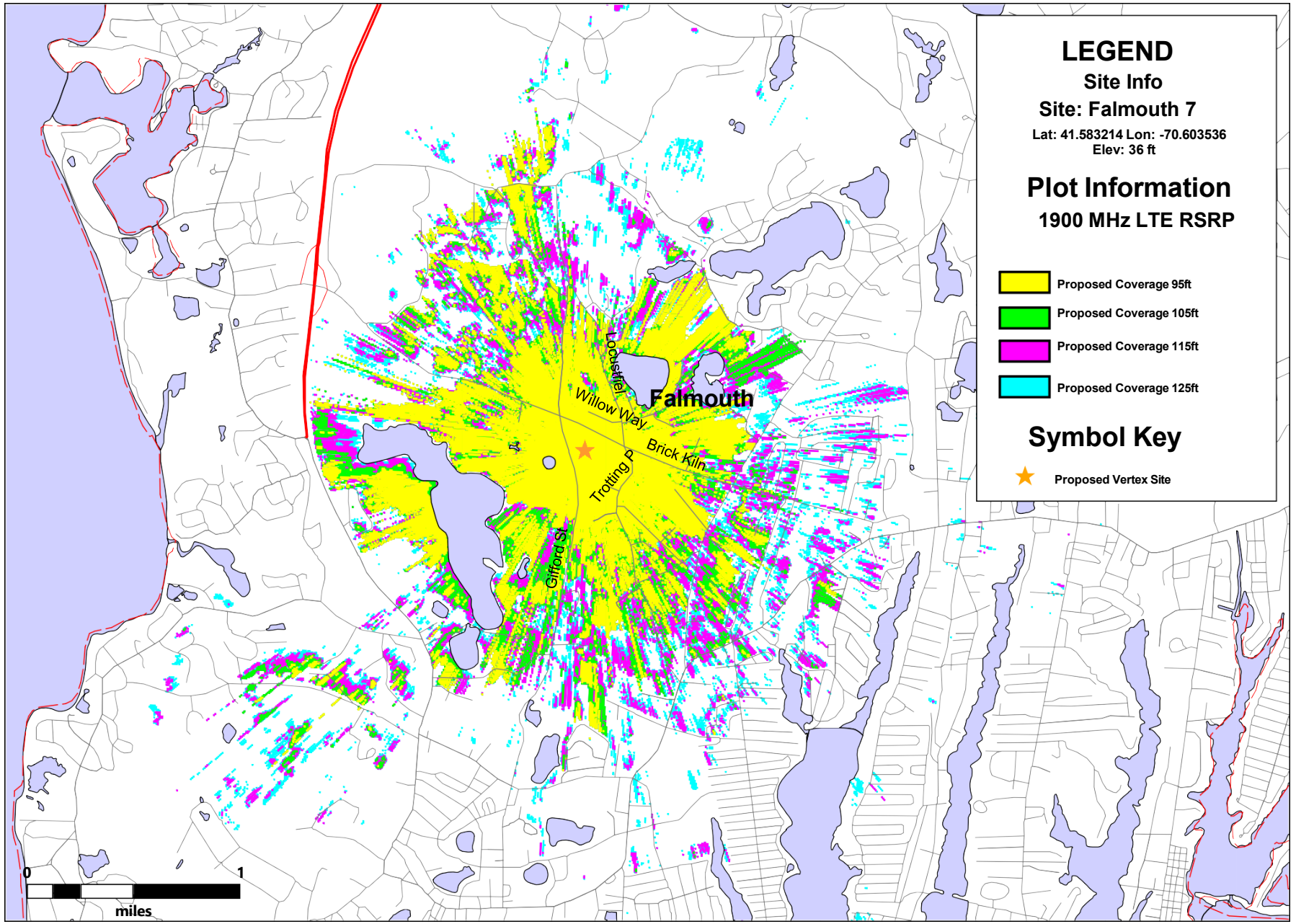
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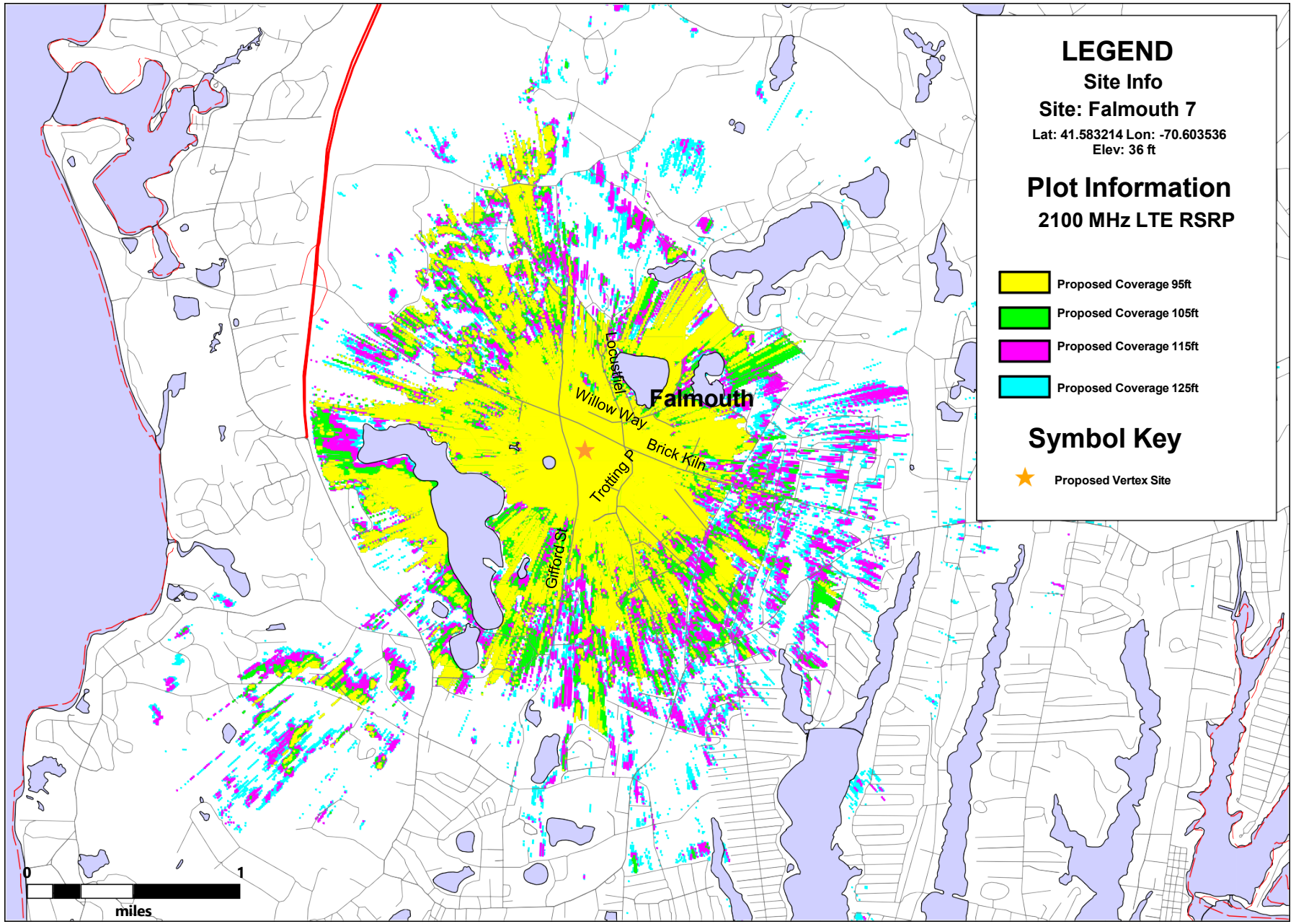
RF Height Analysis For Falmouth 7@-95dBm



RF Height Analysis For Falmouth 7@-95dBm



RF Height Analysis For Falmouth 7@-95dBm



Next Steps

- Comments from Applicant
- Subcommittee questions
- Public comment (*at the discretion of the Chair*)
- Subcommittee discussion
  - Community Design
  - Open Space
- Instruct staff to prepare draft decision
  - Subcommittee meeting on August 13th at 3:00pm via Zoom
  - Full Commission hearing on August 22nd at 3:00pm via Zoom

HEARING AGENDA

- Announcements
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COMMENTS FROM APPLICANT

HEARING AGENDA

- Announcements
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- Applicant's Presentation
- **Subcommittee Discussion**
- Public Comment
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SUBCOMMITTEE QUESTIONS

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PUBLIC COMMENT

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FURTHER SUBCOMMITTEE DISCUSSION

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FURTHER SUBCOMMITTEE DISCUSSION

Motion:

- Move to instruct staff to draft a decision approving the Project consistent with Subcommittee discussion.
    - Thomas Wilson
    - John Druly
    - Kevin Grunwald
    - John D. Harris
    - Stephen Mealy

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MOTION TO ADJOURN:

- Thomas Wilson
- John Druly
- Kevin Grunwald
- John D. Harris
- Stephen Mealy

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THANK YOU FOR ATTENDING