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CAPE COD
COMMISSION

Minutes

Meeting of
Cape Cod Commission

December 16, 2010

The meeting was convened at 3:00 p.m., and the Roll Call was recorded as follows:

Town	Member	Present
Barnstable	Royden Richardson	√
Bourne	Michael Blanton	Absent
Brewster	Elizabeth Taylor	√
Chatham	Lynne Pleffner	Absent
Dennis	Richard Roy	√
Eastham	Joy Brookshire	√
Falmouth	Mario DiGregorio	√
Harwich	Robert Bradley	√
Mashpee	Ernest Virgilio	Absent
Orleans	Peter Monger	√
Provincetown	Austin Knight	√
Sandwich	Joanne O'Keefe	Absent
Truro	Peter Graham	√
Wellfleet	Roger Putnam	√
Yarmouth	John McCormack, Jr.	√
County Commissioner	Sheila Lyons	√
Minority Representative	John Harris	Absent
Native American Rep.	Mark Harding	Absent
Governor's Appointee	Herb Olsen	√

COUNTY OF BARNSTABLE MASSACHUSETTS

The meeting of the Cape Cod Commission was called to order on Thursday, December 16, 2010 at 3:00 p.m. at the Cape Cod Commission Office in Barnstable, MA. Roll was called and a quorum established.

■ EXECUTIVE DIRECTOR'S REPORT

Paul Niedzwiecki said the watershed tours have ceased for the calendar year. He said the Commission covered a lot of ground and staff will be meeting over the next week or so to talk about reformatting the watershed presentation. He said they hope to begin the watershed tours again in January. Mr. Niedzwiecki said yesterday the Assembly of Delegates had a further discussion about wind standards. He said the Commission's joint Planning and Regulatory Committees would be reconvening to discuss the Assembly's input and consider thresholds. He said they would also outline the wind technical bulletin process and they may consider organizing a Cape-wide citizen advisory committee to participate in putting together the technical bulletin. He said the wind standards were put forward because the Commission had projects under review and said he is still bothered that there are no standards in place. He said the Assembly wants to review wind standards again in February and the Commission is committed to work quickly on this and said the Commission is headed in a good direction. Mr. Niedzwiecki said the joint Planning and Regulatory Committees would be working hard to have something ready for the Assembly in February. Mr. Niedzwiecki reminded Commission members that the holiday party would be held this evening at 5:00 p.m.

Roger Putnam said he was asked by the Wellfleet Board of Selectmen to inform the Commission that they would strongly support a Cape-wide land based wind DCPC that would provide more time to develop wind standards on the Cape.

Paul Niedzwiecki said in January the Commission would begin meeting with Boards of Selectmen and said they would start in the Town of Wellfleet.

■ MINUTES

The minutes of the October 28, 2010 Commission meeting were reviewed. Roger Putnam moved to approve the minutes. Jack McCormack seconded the motion. The motion passed with two abstentions.

■ CHATHAM PARK CELLULAR TOWER EXTENSION

Chair Roy Richardson noted that this is a continued hearing from December 2, 2010. The hearing opened at 3:10 p.m.

The subcommittee reviewed the minutes of the December 2, 2010 subcommittee meeting. Jack McCormack moved to approve the minutes of December 2, 2010. Roger Putnam seconded the motion. The motion passed with a unanimous vote of the subcommittee.

Page Czepiga, regulatory officer at the Commission, using PowerPoint slides showed an aerial view of the existing site consisting of 0.38 acres of land at 146 Commerce Park in South Chatham situated within an industrial park. She said the project consists of a 35-foot extension to an existing 80-foot telecommunications unipole tower and associated equipment resulting in a total tower height of 115 feet. She said in connection with this expansion, the existing compound area would be increased by approximately 1,437 square feet for a total compound area of 2,737 square feet that would accommodate three new equipment shelters enclosed by a six foot wooden stockade fence. Ms. Czepiga provided a procedural history on the project and said the Hardship Exemption application was received on April 14, 2010, deemed complete on August 12, 2010, public hearings were held and on December 2, 2010 the draft decision was reviewed by the subcommittee and voted unanimously to forward the draft decision to the full Commission. She said the project was reviewed subject to the 2009 Regional Policy Plan (RPP), as amended in May 2010, and the requirements of Technical Bulletin 97-001: Guidelines for Development of Regional Impact Review of Wireless Communication Towers. She explained requirements of the Technical Bulletin regarding tower height, setbacks and fall zones. She said the

subcommittee found that the project was consistent with the Technical Bulletin in regard to tower height, setbacks and fall zones. She said the Commission received a letter on August 5, 2010 from Eliza Cox, on behalf of the applicant, requesting financial hardship relief from these requirements. She said the subcommittee found that the applicant did invest $50,000 at the time of construction and finds that the applicant has met the burden of proof for a financial hardship. Ms. Czepiga reviewed design standards in regard to heritage preservation and community character. She said the applicant requested financial hardship relief for the expense of conducting a crane/balloon test and said the subcommittee found that the applicant met the burden of proof that financial and other hardships exist as a crane test was conducted at the time of the original permit in 2006. Ms. Czepiga reviewed the findings and conditions in the draft decision and said the subcommittee recommends, with conditions, that the project is consistent with Minimum Performance Standards (MPSs) of the RPP. She said Terry Whalen, the Chatham Town Planner, is not in attendance today but correspondence received from Mr. Whalen indicates the proposed tower is consistent with the RPP, is consistent with local zoning bylaws, and is consistent with the certified Local Comprehensive Plan. Ms. Czepiga said the subcommittee found that the probable benefits do outweigh the probable detriments and they voted unanimously to approve the project.

Chair Roy Richardson inquired about the results of the 2006 crane/balloon test.

Page Czepiga deferred to Eliza Cox.

Attorney Eliza Cox, with the firm Nutter McClennen & Fish representing the applicant, thanked Ms. Czepiga for her professionalism and said it was wonderful to work with her from the start. She said coverage will be provided to areas in the gap and said a representative from Verizon Wireless is here today to discuss this if necessary. She said the project will improve cell coverage in town and will provide an economic benefit as well as a safety benefit. She said another benefit is that the project maximizes co-locators with up to six carriers. She said the project would provide one 115-foot tower instead of having two 80-foot towers. She said she would suggest that this is the right location for the project as it's in an industrial park and away from residential zoning districts. She said the tower is minimally visible in town as will the extended tower. She said they have received letters from abutters indicating no opposition for the project. She referred to Mr. Richardson's question regarding the 2006 crane test and said Verizon is here to answer questions.

David Maxson, Commission consultant with Broadcast Signal Lab, said this was a fairly simple project to review. He asked Luis Teves, Verizon Wireless Engineer, if 700 megahertz would require a redesign of the pole.

Luis Teves said a 30-40 foot in diameter pole would accommodate that and said that is the case with this project.

Elizabeth Taylor moved to close the hearing and the record. Jack McCormack seconded the motion. The motion passed with a unanimous vote.

Elizabeth Taylor moved to approve, with conditions, the Hardship Exemption application of Seacoast Tower Development LLC. Peter Monger seconded the motion. The motion passed with a unanimous vote.

■ BALANCED ECONOMY BENCHMARKS PRESENTATION

Leslie Richardson, economic development officer at the Commission, gave a presentation on the Stats Cape Cod project. She said data is readily available on the web. She said the information used in the Stats Cape Cod project comes from the U.S. Bureau of Labor Statistics, CEW. She said she wanted to enhance the information by designing benchmarks using four principles of economic development—

balanced economy, regional income growth, efficiency and building on existing assets. She said of the four principles only two have been worked on—balanced economy and regional income growth. Using the Commission's Smart Board Ms. Richardson referred to informational charts showing statistics on employment trends, seasonality measured by unemployment, share of employment, average wages relative to the U.S., arts and leisure sector employment, establishments by employee size, households by income, population diversity, regional growth income, resident earnings, sources of income, and commuter income. Ms. Richardson entertained questions from Commission members.

Elizabeth Taylor asked how the statistics define numbers on the Cape.

Leslie Richardson said none of the data sets were designed to tell how Cape Cod is doing.

Peter Graham asked who built Stats Cape Cod.

Leslie Richardson said the economic development department at the Commission through a grant.

Joy Brookshire asked if the statistics take into consideration the cost of living on the Cape.

Sheila Lyons asked if there was a way of separating out people who are retired.

Leslie Richardson said it doesn't separate average income that way.

Elizabeth Taylor asked where unemployment fits in.

Leslie Richardson said they didn't look at straight unemployment and said it depends on the month you're in.

Austin Knight inquired about seasonal population and said Provincetown has dramatic differences. He said when October comes the town sees a dramatic change.

Roy Richardson inquired about personal care industry and hospitality.

Jack McCormack talked about inflation.

Joy Brookshire talked about people traveling from their towns to hold jobs in other towns.

Austin Knight said a lot of people are working off Cape because their type job is not available on Cape.

Elizabeth Taylor said the key is education and questioned whether there was the possibility of turning two Cape vocational schools into continuing educational institutions that would provide students with certificates.

Jack McCormack said he was on the school committee at the Harwich Technical School and students received certificates upon graduation.

Leslie Richardson said the information is available online at Stats Cape Cod.

■ OTHER BUSINESS

Paul Niedzwiecki gave a PowerPoint slide presentation on the map-based Cape Watershed Tour that had been previously presented to towns in watershed areas. He said the Commission would be reformatting the presentation and would begin presenting the Watershed Tour again in January.

A motion was made to adjourn at 4:30 p.m. The motion was seconded and voted unanimously.

Respectfully submitted,

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Michael Blanton, Secretary

LIST OF DOCUMENTS PRESENTED AT THE DECEMBER 16, 2010 COMMISSION MEETING

- PowerPoint slide presentation on the Chatham Park Cellular Tower Extension project prepared by the Cape Cod Commission.
- PowerPoint slide presentation on Balanced Economy Benchmarks prepared by the Cape Cod Commission.
- Handout material: December 16, 2010 meeting agenda.
- Handout material: Draft Decision for the Chatham Park Cellular Tower Extension project.