

From: [dana kadey](#)
To: [Bolstridge, Karen](#)
Subject: Maine RSA, #4, Inc. d/b/a (USCC) - Telecommunication Facility
Date: Tuesday, February 17, 2015 8:27:22 AM

Dear Land Use Planning Commission :

Regarding the revised application of USCC there are a number of issues of concern. First of all the application as written is unclear, making rebuttal difficult if not impossible.

For example: On the second page of the cover letter, the third dot from the top. " Revised RF coverage maps of Big Lake Township area with proposed 190' tower. Attachment provides (3) new coverage maps showing (1) network area coverage without 190' tower, (2) network area coverage with 190' tower, and (3) area coverage of Princeton area with 190' tower only."

What does that say? One can only guess. The attachments found later in the revised application lead to more confusion. Does the first map mean as it is today? What does tower only have to do with map 3 ? What does "tower only mean" ? The maps show four colors, blue, green, yellow and white. The maps display no legends. One can only guess what the colors mean.

Secondly, the 190' tower is proposed for the same location as the first proposed 250' tower. This location is in the center of Big Lake's population. All those who wanted the tower, with the exception of one person, wanted a 250' tower to provide the best coverage possible. To them location was irrelevant. Those who opposed the first application for a 250' tower opposed the location, not the tower. We still oppose the location. The tower should be 250' and built 1/2 +/- mile to the west/southwest. There are at least 13 private lots in that area which could have been vetted. If I remember correctly, Mr. Hebert testified that he never considered them.

The construction of a 250' tower is more necessary today than it was a year ago. A recent article in the Bangor Daily News explained that the land line provider, Fairpoint, is experiencing many difficulties. Service problems are not being corrected in a timely manner, and the problems are multiplying. Workers are on strike. The company is under capitalized. The subscriber pool is shrinking. Fairpoint appears to be in a death spiral which could leave the area without land phone service.

Mr. Hebert testified at the public hearing that a 250' tower was necessary to achieve optimal phone service.

Thirdly, The "Revised Predictive Viewshed" Map 5 for 190' tower. Please consider: 1. The balloon was never at the 250' level. That was evident at the demonstration for the Commission. 2. The new map view, I assume, was done at a desk in Portland. There is no mention of the 90+% softwood clear cut which has been recently completed on the Cochran wood lot and the clear cut on the lot to the immediate west of the Cochran lot. The view change is DRAMATIC ! This must be observed by the Commission or its representatives.

I have attempted to secure answers to these and other questions from Mr. Herbert. I have been rebuffed. The staff for the Commission recently asked some similar questions. He did not respond. I can not understand why the 250' tower, at an acceptable location, was not pursued to provide the best possible phone service for this area. The first application, if I remember correctly, spoke to the fact that USCC would receive in excess of 1/2 million dollars from the government if a tower was built, in the Princeton area, within a certain time frame. One man can never know what motivates another, but I suspect 1/2 a million dollars might play a role.

Thank you for your consideration of the above. Yours, dana
kadey

From: [Alise DeMaris](#)
To: [Bolstridge, Karen](#)
Subject: letter in regard to DP 4944
Date: Wednesday, February 18, 2015 4:18:06 PM

Dear Ms. Bolstridge and the Land Use Planning Committee,

I am writing in response to U.S. Cellular's revised proposal for a communications tower in Big Lake Township, ME. I have serious legal and ethical concerns about the proposed tower. It appears to neither meet the community's needs nor LUPC's guidelines for approval. In addition, it would likely have significant negative effects on the economy and environment of the area. Furthermore, U.S. Cellular and the entities it has employed in relation to this tower have not been forthright, consistent, or reliable in their communication or dealings with the community or LUPC.

First and foremost, according to the the Maine legislation governing land use (§685-B), "The commission may not approve an application, unless... adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to ensure there will be no undue adverse effect on existing uses, scenic character and natural and historic resources in the area likely to be affected by the proposal." Regardless of community support for the tower or potential benefits of the tower, I urge LUPC to refer back to this legislation and deny U.S. Cellular's application because they have consistently failed to meet these criteria. Even at the reduced height of 190 feet, a communications tower would not "fit... harmoniously into the existing natural environment" of the area, which is residential yet largely undeveloped. There are no comparable structures in the area, and the tower would be visible for quite a distance as it is well over 100 feet above the average tree height in the area. In addition, since photographs of the area were taken and the visual assessment completed, the Cochran's have done significant logging (in some areas, a near clear cut) on their property around the proposed site, reducing the natural cover of the tower and related structures. Another important consideration regarding the existing use of the area is the proximity of the Princeton Airport and the flightpath of planes taking off from and landing at the airport. When the next nearest airport (a short turf runway as opposed to a long asphalt runway) is nearly 30 miles away, it would appear to make sense to locate the tower further from air traffic for both convenience and safety. In addition, the area within a mile of the proposed tower site is home to multiple historic farms, the Big Lake Campground (an area full of small lakeside cottages, most of which were built many years ago), and the 100 year-old Big Lake Campground Tabernacle.

While U.S. Cellular classifies Big Lake Township as a "sparsely populated area," by Washington County standards, the area with the proposed tower is more densely populated than most. The tower would also likely be visible from the lake, one of the area's greatest natural resources and attractions for the tourism on which the local economy relies. Although previous reports from Black Diamond Consultants suggest that it would not be so, I have seen photographs that show the balloon marker clearly visible from the lake in windy conditions (which likely reduced the balloon's height to approximately 190-200 feet). In contrast to proposals for smaller structures such as the construction of homes and other buildings, this tower would have a significant visual impact on a large area due to its height. The tower has an undeniably industrial aesthetic which does not blend well with the natural country beauty of the area. When I go out on Big Lake, I currently see largely undeveloped shores, occasionally dotted with picturesque camps and docks. It is a quiet country lake full of wildlife and enjoyed by many people who simply want to escape the world for a little while and enjoy solitude. There are fewer and fewer places where that is possible, and I urge LUPC to preserve

this one. While U.S. Cellular and Black Diamond Consultants have tried to downplay the significance and visual importance of Big Lake, the Land Use Districts and Standards lists Big Lake as Outstanding (its highest level of significance) on four out of seven Resource Ratings, including the Fisheries, Wildlife, Botanic, and Cultural categories. It also received a positive comment for the Scenic category. Looking at the other lakes in Maine, I see few that compare to Big Lake in the significance. In fact, it is listed as Resource Class 1A, again the highest ranking, used to denote lakes of statewide significance with two or more outstanding values. In addition, it was found to be Relatively Accessible and Relatively Developed, which reinforces my assessment of Big Lake as an important factor in the local economy and a valuable natural resource which would be negatively impacted by the erection of the proposed tower.

Furthermore, the Maine legislation governing land use (§685-B), goes on to say that "the burden is upon the applicant to demonstrate by substantial evidence that the criteria for approval are satisfied, and that the public's health, safety and general welfare will be adequately protected. The commission shall permit the applicant and other parties to provide evidence on the economic benefits of the proposal..." U.S. Cellular has repeatedly failed to provide this evidence, despite direct requests for information from residents and LUPC. To my knowledge, U.S. Cellular did not respond to LUPC's direct questions about the tower in October 2014 by the deadline. Rather, they waited until February 2015, requested that the official record be reopened, and submitted a revised plan for a 190 foot tower without addressing LUPC's concerns. Despite community members raising questions about the tower's impact on the economy, U.S. Cellular has provided no evidence that it would have any economic benefit. I assert that the community's general welfare, particularly its economy, is indeed seriously threatened through reduced property values (especially as the tower is in Big Lake Township's population center) and reduced tourism in the area due to the visual impact of the tower.

In addition to threatening the community's economic welfare and scenic character, this tower may threaten the environment of the area. Raptors, such as ospreys and bald eagles, prefer to nest in tall structures near lakes that provide good visibility of the area around them. However, manmade communications towers are neither a natural nor an ideal place for birds to nest. There are many bald eagles living and nesting in the Big Lake area. These birds are protected under the federal Bald and Golden Eagle Protection Act. The U.S. Fish and Wildlife Service acknowledges that bald eagles are drawn to nesting in man-made structures (specifically noting cell phone towers) and asserts that this is detrimental for both the eagles and the cellular service providers because the presence of eagle nests may put the safety of the eagles in jeopardy or interfere with the cell tower's operation or maintenance. Due to the Bald and Golden Eagle Protection Act, the ability to work on a tower with a nest, particularly during nesting season, would be compromised. Also, a scientific study by Jeremy Gunn (2013) found that bald eagles who are raised in manmade structures are more likely to raise their own young in similar structures, therefore increasing the difficulty for service providers and the safety of the bald eagle population, which has been slowly gaining over recent years. If there is a possible site for this tower further away from the lake and preferred bald eagle habitat, it would be far preferable to the currently proposed site.

I am very concerned by U.S. Cellular's lack of forthright communication consistency of information in the material they presented throughout the course of this project proposal. Their distinct bias combined with their unreliability to date makes me hesitant to trust the data concerning their current proposal. I suspect that the estimated cell phone service coverage may be worse and the visual impact is much more significant. They have disregarded LUPC's deadlines, failed to notify abutting landowners of the proposed tower, and have provided conflicting reports regarding the tower. Whether

intentionally or not, they have misrepresented important information. Why was a 190 foot tower determined to be wholly inadequate in August 2014 but fully acceptable now?

I have reviewed U.S. Cellular's revised proposal, and I have found multiple issues with it. Based on the coverage maps, it appears that the entire area of Big Lake Township, Passamaquoddy Indian Township, Princeton, and Grand Lake Stream already has in-vehicle coverage (and therefore the addition of this tower would have virtually no impact on the safety of individuals in this area, who, by U.S. Cellular's own admission, would already be able to make a call in case of emergency). I am also puzzled as to why it appears that a significant portion (1/2-2/3) of Big Lake's shoreline, a high impact area, is shown to have in-building coverage, but this coverage does not extend very far beyond the shore? Why in some instances is the coverage worse on the near shore than the far shore? Also, there is the significant question of coverage on the water, which is not addressed by these maps. Furthermore, this tower does not provide in-building coverage to even the end of West Street. In-building coverage provided by this tower is limited to a very small radius around the tower and a few scattered spots beyond; it does not reach Grand Lake Stream, the town of Princeton, Passamaquoddy Indian Township, or Route 1 (a high-traffic, well-populated area). The businesses in the area will not have in-building coverage as a result of this tower. I would imagine that the FCC would prefer that good quality cellular coverage be provided to the population and businesses in Princeton and along Route 1 rather than the areas indicated by U.S. Cellular's coverage maps for the proposed tower.

It appears that the main reason that U.S. Cellular is pursuing erecting a communications tower in this particular location is federal funding available through the Federal Communications Commission (FCC)'s Auction 901. In 2012, the FCC implemented the Mobility Fund Phase I Auction to provide millions of dollars in incentives for cellular service providers to erect communications towers to provide service in areas where service is currently unavailable. If the providers cover at least 75% of qualifying road miles in a given area by the deadline (in this tower's case, June 2016), they are given a certain amount of money per qualifying road mile covered. This suggests that U.S. Cellular may have been hasty in the process in order to meet the deadline and may be making decisions about tower placement based more on the amount of money they would receive rather than benefit to the community. If that is the case, U.S. Cellular would not be operating its business ethically. This (and the potential economic ramifications) is in direct contrast to the FCC's intention to provide maximum benefit (especially economic) to the community.

Some community members have cited safety as a reason to erect this tower as fast as possible. However, I don't think they realize how little coverage the proposed tower would provide; it doesn't even reach the end of West Street with in-building coverage. If this tower is built to current specifications, it will do little to benefit the community, but it will make it less likely that other short towers will be built to supplement the coverage and fill the gaps that U.S. Cellular identified on their coverage maps. I also think that members of the community are being too shortsighted and not considering the long-term effects of the tower on our economy and environment. In addition, they appear to be failing to consider that the community's safety and economy would be increased through the construction of a taller tower in a different, lower impact area (away from Big Lake and relatively high population areas). For example, there is a power corridor which crosses Route 1 in Princeton; that area has already been visually and environmentally compromised, so a tower there would have much less impact. In addition, a taller tower could be constructed there and likely provide better coverage for the area. I believe that it is possible that U.S. Cellular selected the current location for their tower because it is an unorganized territory without a town government to impose any restrictions on their proposed plans. They have stated that they have not even

considered alternative locations, which seems irresponsible.

While the elimination of tower lighting and the reduction of the tower height by 60 feet is helpful, I am still not convinced that the tower as proposed is in the community's best interests. I would like to know why we have never had the opportunity to discuss the pros and cons of alternative tower sites (especially after LUPC's direct question to U.S. Cellular in October 2014). In light of the economic, legal, environmental, and ethical considerations discussed in this letter, I request that LUPC deny U.S. Cellular's proposal for a tower at its current location in Big Lake Township and invite a discussion between interested community members, LUPC, U.S. Cellular, and possibly even a representative of the FCC to determine an alternative tower site (and possibly design) which would provide maximum benefits to all concerned. Even if this site does meet the minimum requirements (which I do not think it does, based on the Maine legislation previously noted), that does not mean that there are not sites that would be better and more responsible.

Best Regards,

Alise DeMaris

Former Resident of Big Lake Township

Resources

<http://www.fws.gov/midwest/eagle/conservation/baea-moreconserve.html>

<http://www.mainelegislature.org/legis/statutes/12/title12sec685-B.html>

http://www.berrymaninstitute.org/files/uploads/pdf/journal/spring2013/hwi_7.1_pp69-76_small.pdf

http://wireless.fcc.gov/auctions/default.htm?job=auction_factsheet&id=901

http://www.maine.gov/dacf/lupc/laws_rules/rule_chapters/Ch10_ver2013_September1.pdf

From: [Wesla Ranalli](#)
To: [Bolstridge, Karen](#)
Subject: Big Lake cell tower
Date: Wednesday, February 18, 2015 11:37:26 PM

Mark and Wesla Ranalli
55 True North Lane
Big Lake Twp, ME 04668

Land Use Planning Commission
State House Station
Augusta, ME 04333

February 18, 2015

Dear Commissioners,

We have reviewed the revised application from USCC for a communications tower in Big Lake Twp. and have several comments. First, in regard to alternative locations, by their own admission USCC found a location that met FCC auction 901 RF coverage requirements and a willing landowner and did not pursue any alternative sites. It would appear that they did not take LUPC chapter 10 requirements to mitigate visual impact into consideration. If they had, they would not have chosen the proposed location which is in our population center and in close proximity to Big Lake. USCC has a responsibility to find and secure a suitable location that will minimize the negative visual impact to the existing natural scenic environment found in Big Lake Twp. We do not believe that the proposed site meets the criteria.

Secondly, the original full application refers to "site photographs" in attachment seven. Why aren't current photographs included that show the current tree cover on the property after the significant logging that has occurred there in the past two months?

Based on the high value assigned to Big Lake in fisheries, wildlife, scenic, botanic, and cultural categories (chapter 10 page 310), we ask that LUPC deny this permit application and allow USCC to pursue placement of a tower in a more appropriate location that does not diminish our outstanding natural resource.

Thank you for your continued interest in our township.

Sincerely,

Mark and Wesla Ranalli