



July 25, 2019

Land Use Planning Commission
c/o Mr. Bill Hinkel, Regional Supervisor
22 State House Station,
Augusta, ME 04333-0022

Re: Rising Tide Towers, LLC, Pending Permit Application DP 5050 – Additional Information Request, dated July 18, 2019

Dear Land Use Planning Commission:

Black Diamond Consultants was request via the reference Request for Additional Information, dated July 18, 2019 to provide additional information in support of Permit Application DP – 5050. The following information is provided in response to this request.

1. Project Scale and Siting

Please provide additional information demonstrating that the proposed tower would be compatible with the existing neighborhood, focusing on scale of the tower relative to the surrounding uses and overall impact to the neighborhood. Please include a description of the other types of commercial uses within this D-RS2 subdistrict and how the land use, noise, and character of these other commercial uses compares to the proposed telecommunications tower.

Additional Information relative to Project Scale and Siting:

As presented in the Black Diamond testimony at the LUPC public hearing on July 10, 2019, Black Diamond was requested by Rising Tide Towers, LLC to provide a telecommunications facility within the “search ring” area provided by AT&T in support of their FirstNet tower network system established for the State of Maine Public Safety Broadband Network system. In addition, Rising Tide Towers have agreed to provide to the Rangeley Fire Department a location on the tower for their equipment to eliminate existing communications dead zones to their two-way communication for first responders. The Application proposes to use a 200’ X 200’ leased area located within a forested area of the D-RS2 Dallas subdistrict.

The telecommunications facility will be located within a 75’ X 75’ fenced-in area within the forested leased area. As noted in our testimony, the fenced-in facility will be completed located within this forested area and as such the facility equipment, tower foundation, lower section of the tower, and fencing will be screened by the trees from the surrounding neighborhood and public roads. Also, nearby neighborhood areas may be screened from the view of the upper tower section because of screening to the observer by nearby trees. The tower section and antennas above the surrounding tree line will be visible to more distant neighboring areas and more remote areas. Because of the small area to be developed for the facility and the forest screening available, the proposed facility design is considered to have minimum impact to surrounding areas.

Other types of commercial uses noted within this D-RS2 subdistrict include a 400' X 250' shale pit area approximately 100' distance from the proposed facility, a 125' X 65' Quonset Storage Building approximately 800' from the site, and an approximately 1800' X 1200' golf course located approximately 2500' from the site. All of these commercial sites are larger in size than the proposed 75' X 75' facility developed area. The proposed facility does not include any mechanical or other equipment that would generate site noise during operation. As such, (1) the facility minor land use of a 75' X 75' area is considered well within the bounds established by the other commercial uses within this D-RS2 subdistrict as noted above; and (2) the facility will not generate any discernable noises during operation and, as such, is well within the bounds of acceptable noises established by the other commercial uses within this D-RS2 subdistrict.

The purpose of the D-RS2 subdistrict is to designate residential areas that can accommodate an appropriate range of low-impact commercial and public uses. The proposed public safety wireless communications facility is considered a low impact commercial use because of limited facility size, infrequent vehicular traffic to site, and lack of noise emanating from facility operation. The facility will provide wireless voice and broadband communication to the area to enhance area wireless communication and public safety.

2. Scenic Impact

Please provide the following information to supplement the Visual Impact Assessment (VIA) included as a component of the pending permit application.

- a. **Appalachian Trail.** Provide viewshed analysis from points within 6 miles of the proposed tower location.

As indicated in the Visual Impact Assessment, Attachment 20 to the Application, viewshed analysis indicated that the lofted balloon located at the facility site was not visible to the naked eye to unobstructed areas beyond a 5 mile radius from the site because of distance. As stated in the report, for distances beyond 3.5 miles from the site, the balloon would not be visible to the naked eye. At these distances, the tower surface texture, detailing, and form of the tower would not be visible. It is expected that at a 6 mile distance from the site, all of these viewshed analysis findings would definitely apply.

- b. Please provide details about locations that were evaluated for this project as part of the requirement: 1) to locate and design structures to reasonably minimize their visual impact on the surrounding area, particularly when viewed from existing roadways or shorelines; and 2) to be placed in a location least likely to block or interrupt scenic views as seen from traveled ways, water bodies, or public property. This analysis should include an explanation of what options, if any, were explored to change the target radius of the tower with the requesting carrier.

Black Diamond reviewed several properties within the assigned AT&T search ring to determine which properties were most favorable for the proposed telecommunications facility design, construction, and operation relative to environmental considerations, owner property size, ease of access to property, and facility screening capabilities. The property selected met all of these considerations favorably in that the size of the owner property is approximately 115 acres and the introduction of the 100' X 100' developed area will have minimal impact on the existing stormwater drainage conditions; use of an existing access road reduces the amount of additional impervious surfaces required for site access; and location of the facility within the extensive forested property provides screening of the facility equipment, tower, and

BLACK DIAMOND CONSULTANTS

fencing, located below the tree lines, to surrounding areas. Of note, the areas within the AT&T search ring are located within the LUPC D-RS2 subdistrict.

Black Diamond conducted a Visual Impact Assessment, Attachment 20 to the Application, to determine the visual impact from the proposed facility to surrounding area scenic views; the Assessment was performed by a State of Maine certified person. The study confirmed that the proposed telecommunications tower would be visible within a 5 mile radius of the facility, however, the views of the tower would be limited and intermittent, with no diminishing of the integrity of the existing viewscapes. The tower would have no adverse visual impact to any significant visual resources. The target radius was provided by AT&T to achieve maximum wireless transmission public safety coverage to the area, considering area topography and the desire to avoid FAA required tower lighting. The Visual Impact Assessment supports this proposed target radius coverage and, as a result, no change to the target radius was explored.

3. Noise


Testimony received at the hearing suggests that the proposed project may generate noise. Please provide anticipated sound pressure levels of the proposed project at the lease boundary lines. The basis for the anticipated noise levels should be discussed. See Chapter 10 § 10.25(F), copy attached.

Anticipated sound pressure levels from operation of the proposed Telecommunications Facility:

Facility operation of the proposed telecommunications facility will not generate any discernable noise levels at the facility including any noise levels at the property lease boundary lines. The facility, as proposed, includes a back-up battery system to power the facility for number of hours if utility electric power to the facility is lost. There are no noise generating mechanical or other systems proposed for the facility and voice or broadband radio frequency generation from the associated electronic equipment transmitters and antennas do not generate any discernable noise.

Please let us know if you require any clarification on the information provide or have a need for additional information.

Respectfully submitted,



Jim Hebert, PE
Black Diamond Consultants, Inc.

BLACK DIAMOND CONSULTANTS

312 WATER STREET/ PO Box 57; GARDINER, ME 04345

PHONE: 207.582.0056 FACSIMILE: 207.582.9098