

Technical Review Committee Meeting
May 17, 2023 – (DATE RESCHEDULED FROM May 10, 2023)
1:00 PM
First Floor, Town Hall - Small Conference Room
93 Narragansett Avenue, Jamestown

I. New Business

1. 90 Carr Lane, Plat 4 Lot 17. Jamestown, RI – Proposal by Navigator Properties LLC/Carr Homestead Foundation for a 160’ monopole wireless communication tower and related ground infrastructure, Development Plan Review per Article 8, “within RR-200 zoning district. Special Use Permit by Zoning Board of Review. Recommendation to Jamestown Planning Commission per Zoning Ordinance Article 8 – Regulations for RR-200 Zoning District and Table 3-1 v.12 Special Uses Permit for transmission lines, towers or substations in RR-200 district - review, discussion and/or action and/or vote.

The meeting was called to order at 1:00pm and the following members were present: Lisa Bryer, Town Planner; Peter Medeiros, Building & ZEO; Jean Lambert, PE - Public Works; Michael Glier, IT; Michael Swistak, Planning Commission; Rosemary Enright, Planning Commission; Brian Grossman, Esq., Bowditch & Dewey LLP; Joseph Duquette, Esq., Bowditch & Dewey LLP; Louis Vitali, Navigator Properties, LLC (DBA Mariner Tower); Nancy Auman, Navigator Properties, LLC Also present: Carrie Kolb, Planning Assistant

Swistak stated that this is an informal meeting. The meeting is meant to be free flowing and not a hearing. Bryer said that it is useful to the applicant to have the three department heads that deal with development in the same room reviewing the application and hashing issues out before it goes to the Planning Commission.

Brian Grossman, Esq., Bowditch & Dewey, LLP said that the proposal is to build a 160-foot monopole at 90 Carr Lane for up to 4 carriers, and they have an expectation of who the anchor tenant will be. They have received a FAA determination of no hazard to air navigation and the marking/lighting of the tower is not required. The Town completed an analysis of existing of RF coverage and there is a need for more coverage in the north part of Jamestown. Mariner Tower talked with some people in Town Hall about the need and potential properties where the tower could go, and they narrowed it down to 90 Carr Lane. Setbacks were discussed. There will be a short road to access the equipment. The carriers remotely monitor the equipment and a SUV type vehicle, not heavy machinery, would be dispatched to perform maintenance as needed.

From a security standpoint, communications towers get left alone and the site is heavily vegetated. The only thing visible will be the access road and a little bit of the 75x75 foot compound. The compound will be made out of concrete and crushed stone. The concrete parts will be 10x20 foot equipment pad for the carriers and the foundation for the tower. Stormwater will be infiltrated onsite and a stormwater report was provided. Mariner is constrained by the land owner as to where the tower can be located. The lease of the land from the Carr Homestead Foundation will be in 5-year increments between 30-50 years. The will require a Special Use Permit.

Discussion of the plans ensued. Lambert questioned if the driveway would be crushed stone or permeable pavement? Grossman said that it will be permeable pavement and the plans will be corrected. Bryer said that the permeable pavement will need an operations and maintenance plan submitted.

The proposed culvert off of North Road is not required and can be taken off the plans. There will be a bike path that runs in front of it.

A stonewall will have to be disturbed, but it will be made wide enough for a fire truck to get through. The applicant will minimize the impact to preserve the wall as much as possible.

Some trees and vegetation will need to be removed for the access road, compound and clearance around fencing. It will be kept to a minimum and allowed to re-vegetate naturally.

There are no wetlands on the property.

Discussion of simulation photos ensued. Enright let the applicant know that there is a historic windmill and windmill district just over the highway on the next hill. A simulation photo of the proposed tower from the vantage point of North Road and the windmill site was requested.

Discussion of historic easement ensued. The Carr Homestead is one of the oldest structures on the island and it is not on the National Register of Historic Places but is listed as potentially eligible. Enright said that Preserve Rhode Island can help to provide a historic preservation easement. Grossman said that he will communicate this information to the property owner. Bryer said that Town can help as much as possible along with the State.

Discussion of fuel and battery back-up ensued. Glier asked the type generator that the tenants/carriers will use, propane versus diesel. Grossman said that the type of generator to be used can be a requirement. Glier said that propane is an easier fuel to deal with and if diesel fuel is used that would require a change to the stormwater management plan. Grossman said that the primary back up is a battery backup with a gel seal. Bryer noted the use of propane fuel will be a condition of approval due to location in watershed district. The carrier is responsible for the batteries and the fuel source.

Discussion of carriers ensued. The carriers do not come before the Town. It was clarified that the applicant must handle the carriers. Grossman said that carriers have backup minimum of 12

to 24 hours. Glier said that it is in the carrier's interest to run as long as possible on backup. Medeiros said that carriers must have non-lithium batteries. There are four licenses approved for national carriers: AT&T, Verizon, T-Mobile and Dish. Grossman said it is highly unlikely to need another tower because adding another carrier doesn't add additional coverage for example Cricket buys their coverage from Verizon. The carriers have multiple networks that they layer on top of each other.

Discussion of customer experience ensued. Right now there is very little coverage on the very north part of the island. RF information shows some level of coverage on the western side of 138. At the very northern tip, topography is still an issue. There will be much more significant coverage with the addition of the tower. There will also be significantly more "through put" coverage for those using streaming services.

Discussion of technology ensued. Swistak asked if cell phone tower technology will go away in the future? Grossman said that he has been asked that question since 1999 and the answer is no. Right now, there are not enough satellites to handle all the cell phone users. There can be capacity issues in bigger cities, but probably not Jamestown. Swistak asked if telephone pole-based booster can be applied, especially at the tip of the island? Grossman said that distributing antenna nodes can be applied and are good for a limited range. Jamestown has low telephone poles and tall trees, which can limit range. Swistak asked about the life expectancy of a tower? Grossman said it is around 100 years, and that they still have a tower from 1924. The towers are built to withstand ice and wind. As carriers are added to the tower, a structural analysis is done so any issues can be identified.

Discussion of company history ensued. The legal name of the company is Navigator Properties, LLC with a DBA of Mariner Tower. Mariner started in broadcasting and is a well-known name. The applicant, over the years, has done business as: Mariner Tower; Mariner Tower, LP; and Mariner Tower, LLC. Navigator Properties, LLC has built or acquired over 100 towers in over 20 years. Some towers are sold to larger portfolios. Right now, Navigator Properties, LLC has a portfolio of 11 towers. Swistak asked what the long-term plans are? Vitali said that he does not plan on leaving in the next 10 years. Vitali described a tower project in North Kingstown, where they moved the carriers from the water tank, to a tower that they built across the street at the NK Safety Complex. Navigator Properties, LLC will file as a foreign corporation with Rhode Island Secretary of State.

Discussion of lighting plan ensued. Grossman said that motion activated lights or a short timer would be used for lighting. Swistak said that there needs to be a lighting plan to show the light will not bleed onto neighboring properties.

Discussion of financial surety ensued. Bryer asked what happens if the company goes out of business? Vitali said that many towns require a removal bond that is renewed annually. Grossman said that the bond is typically \$20,000, and that is a real cost.

Discussion of permitting process and zoning issues after completion ensued. A question was raised if the applicant needed a permit for the utility from the Town? The answer was no, that

the applicant goes through Planning and Zoning. Grossman said that carriers all have FCC licenses. Bryer asked how the applicant contacts the neighbors? Vitali said they work within the permitting approval process. If there is a zoning issue after completion, the Zoning Enforcement Officer would enforce the ordinance.

Discussion of the fencing ensued. The applicant proposes an 8-ft high fence with privacy slats so the public cannot look in that would be topped with barbed wire. It was pointed out that our proposed zoning permits an 8 foot fence for this use.

Discussion over space on the tower ensued. Glier asked if the applicant would offer space to others on the tower? Grossman said that they would if there was a need. Vitali said that he does not want to take away from the primary reason for the tower, 4 carriers on a single tower in the north part of the island.

Discussion on length of time to build ensued. Vitali believes that from the date of approval, depending on the time of year, that it should take 6 months to build. The first step of walking the site with the construction manager has been completed. The next step is geo tech, to do core samples to design the foundation of the tower. Then bids for steel are sent out, the foundation is designed and order the steel. Tower companies are running 10-12 weeks out. Contractors are 15 weeks out. The actual build at the site will take 15 weeks, building the foundation, bringing in the monopole, fencing, and crushed stone, but not all 15 weeks will be heavy construction.

A motion to make a recommendation to move the plan forward to the Planning Commission for the June 21 meeting was moved by Swistak and seconded by Lambert. All in favor.

II. Adjournment

A motion to adjourn at 2:15pm was moved by Bryer and seconded by Enright. All in favor