

Paul Foley

From: Alan Temple [alan.temple@dolbear.com]
Sent: Tuesday, January 22, 2013 5:29 PM
To: foley@mvcommission.org
Cc: zba@westtisbury-ma.gov
Subject: Letter of Objection to Verizon cell tower.

Dear Commissioners:

We have visited the Vineyard annually since 1966 and have owned our home in West Tisbury since 1979. Our home is directly across Town Cove from the Doane property. Verizon has made Application to the Commission for a DRI to erect a cell tower on that property.

- Three alternative locations are proposed by Verizon, all within a 200 foot radius of each other on the same property. Two alternative designs of 70 or 80 foot towers are proposed; an artificial pine tree called a monopine, and a straight pole called a monopole. Verizon's stated preference is the location closest to the waters of Tisbury Great Pond, together with an 80 foot high monopine.

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- Verizon has requested that the final design is left for ZBA approval. The Application is not complete as presented to the Commission because the design and location are not firm. However the definitive choice of location and design is critical in the context of the Commission's deliberations. Two of the locations, with either design, contravene the Commission's requirements for the designated Coastal District and would establish Island-wide precedents. The remaining location, with either design, contravenes West Tisbury zoning regulations. The Commission is urged to deny Verizon's request and not to consider the Application without being presented a definitive design.

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- We object to the visual pollution that will be caused by any of the sites and designs offered for the proposed cell tower. We object to the precedent-setting variances from existing Commission and Town regulations that are required by Verizon to accomplish what has not yet been demonstrated to be either essential or appropriate to the Town, or to the Island. We object to the lack of consideration of alternatives that more meaningfully will maintain the character of the Vineyard.

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- In our view Verizon has made a proposal that is misleadingly skewed to their interest over the consideration of the character of the Island and existing regulations. Some of the variances embedded in the Applications to both the Commission and to ZBA include the points below.

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- • *Development in the Coastal District* - Two of the three proposed locations (A and B) are in the Coastal District of Critical Planning Concern of Martha's Vineyard, so designated by the Martha's Vineyard Commission with the fundamental objective of the preservation of landscape and views, with the observation that "scenic views are easily altered by incompatible developments". This is such a development.
- • *West Tisbury objective ignored* - The Coastal District bylaw of the Town of West Tisbury has the objective "to ensure that structures do not rise above the tree canopy and break the skyline when observed from a public road or water body". The photosimulations of the towers demonstrate that this objective is ignored.
- • *Height above tree canopy* - Location C is outside the Coastal District and West Tisbury regulations specify that wireless structures can't project more than 15 feet above the tree line. This provision is ignored by Verizon. Determinations of tree canopy height have not been presented. Verizon promised to measure the height of the

tree canopy – but later they requested a waiver from that requirement. Verizon does say that **IF** the tree canopy height is 65 feet then a structure of 80 feet does conform. However driving through the Doane property it is hard to escape the conclusion that the trees are more likely to be not much more than 40 feet in height. The Verizon photosimulations show a balloon purportedly flying at 80 feet above the ground. It is obvious that the balloons for both A and B locations are more than 15 feet above the tree line – there were no photosimulations of Location C. Verizon cannot specify the height of the proposed structure without first considering the height of the tree canopy. The omission of the reporting of tree height measurement at the time of the balloon photosimulations, together with continued references to the 80 foot tower height, strongly suggests that Verizon may be deliberately gaming an attempt not to conform to the 15 foot requirement. The Application is incomplete without the determination and reporting of the height of the tree canopy. Conformance with the 15 foot requirement is critical, particularly in such a visually-exposed area

- • *Visual impact selection* – The West Tisbury regulations specify a design of cell tower in which the silhouette should be reduced to the minimum visual impact. Verizon has considered a monopine and a “stealth” monopole. Based on the square feet of structure visible above tree line, the monopine has up to 8 times greater visual impact than the monopole. Verizon prefer the monopine.
- • *Claim of no impact* - In their Applications to both the Commission and the ZBA Verizon reiterate statements to the effect that these high structures will have no impact whatsoever on the environment, on the neighbors and on the Great Pond, and that views will be minimal. Again this is refuted by the photosimulations prepared both by Verizon and by the Opponents to the Application. Based on the visibility of the West Tisbury church steeple from as far away as the beach it is apparent that the proposed cell tower will be readily visible from long distances including plane traffic to the airport.
- • *Deficient Value assertion* - Verizon commissioned a study of real estate transactions to support their assertion that cell towers do not affect real estate values. Apart from being biased in its methodology the study should be completely disregarded because it did not consider properties with a view of a monopine structure, properties with water views, or the unique character of the Vineyard compared to other areas. Comparison with the West Tisbury fire tower is not pertinent because that is a structure of “Opportunity” that has been there for over 50 years. The 60 foot monopine on Old Courthouse Road is almost invisible. The photographs of the before and after views of our (Temple) property gives the reader some idea of the more-than-likely strong negative impact of the proposed tower on value.
- • *No consideration for properties on the west side of Town Cove* - Verizon indicates that alternative location C has been given low priority, even though sited physically on higher ground and without Coastal District restrictions, because the neighbors on the east side of the Doane property have objected to the cell tower (which objection in itself is a reflection of value). Verizon accordingly moved to a location on the western pond-facing slope of the property, probably hoping the summer folk would not notice until too late. It is indicative that our house is only 530 feet from the Doane property and is one of the houses closest to the tower location. Verizon, under West Tisbury regulations, were required to make a photosimulation from our house. However there was not a photosimulation from our house in the Application package. This is another completion and gaming issue.
- • *No meaningful alternatives offered* - Verizon has not presented alternatives beyond a tall tower on a single property which they argue as being in conformance with regulations. Verizon say that the reason for the proposed cell tower is “to close significant gaps in its wireless network that **currently** exist in West Tisbury” (emphasis added). The gap is shown on the Existing Coverage plan of Verizon dated July 2012. The Abutters Plan of Verizon, originally dated September 2010, shows an “Existing Verizon_Wireless Temporary Tower” on the Doane property a few hundred feet from location C. Coverage from that location was mounted on less conspicuous equipment. Coverage from that location had conveniently ceased prior to the date of Verizon’s

affidavit of current coverage. Service from a temporary and low visual-impact installation suggests that alternatives beyond a tall structure on the one property do exist and should be considered by Verizon, with the objective of a lower visual impact and consideration of advances in technology that hopefully will render cell towers obsolete – and not leave the Vineyard littered with decaying eye-sores. Chilmark and Aquinnah restrict wireless installations to utility poles!!

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- In sum we submit that allowing this development in the Coastal District will set a precedent of concern for the whole Island; that allowing contravention of the West Tisbury 15-foot height restriction will create visual pollution over a wide area; and that Verizon has not considered less intrusive means of accomplishing its business without impinging so blatantly on the character of the Island.

We respectfully ask the Commissioners to deny the Application for a Development of Regional Impact for the reasons contained in the Statement in Opposition by Opponents Cooper et al. and in this letter. Suggested conditions of resubmission for the consideration of the Commission are given in Section VIII of that Statement.

Yours truly

Alan and Margaret Temple,

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