

3/14/05 - (5)

Don Johnson

From: Dore' Hunter
Sent: Tuesday, March 08, 2005 10:05 PM
To: Manager Department; Board of Selectmen; Stephen Anderson
Cc: Mark Hald
Subject: Planning Board Session re Ham Antennas

Don,

The part of the Planning Board's meeting re Ham Antenna By-Laws went about as I expected. I told them that the BOS was being respectful by coming back to them when it was not in favor of their work product, and that both Warrant Articles would be in the Warrant, theirs first. Gregg seemed a little hostile about the whole thing, the other members were polite, Lauren exceedingly so as is her custom, but the Board was quite uninterested in embracing Steve's by-law version, now draft Warrant Article 25B.

The Ham Operators present functioned as a complimentary support group and rehashed the arguments that have been made in the email. Not surprisingly several are contemplating higher antennas. One Ham kept saying that there was no real opinion from Town Counsel, I can only assume he was speaking of a formal brief. Great emphasis was placed on the assumption that a Ham aspiring to put up a tall tower would be "required" by the circumstances to hire an attorney and perhaps an expert witness to pursue a ZBA special permit by the Ham group. They also seemed to bridle at the idea that a group of laymen would be potentially dealing with a technical signal propagation issue. And Mr. Hopengarten repeated his arguments that the municipality can regulate nothing, despite others concession that the town could deal at least to some degree with esthetics. The one non-Ham who commented was quite confused by the whole thing.

Once it was more than crystal clear that the Planning Board wanted and wants nothing to do with any Ham Radio Antenna regulation, even though they understand that the general body of residents knows nothing of this ("where is the problem was their attitude), I softly suggested that at least the issue of tower removal and child climbing protection might be addressed in their version, now draft Warrant Article 25A, since no one seemed to be objecting to those provisions. They agreed to that. One resident present made a reasonable argument about extending the time for tower removal after license lapse from Steve's 60 days to a year, the Planning Board adopted the language of Steve's Article 25B paragraph 3.8.3.6 (b) but substituted "one year" for "60 days". They then adopted Steve's Article 25B paragraph 3.8.3.6 (f) as written into 25A. as well. We should get draft Article 25A changed accordingly.

There was a discussion as to whether another 25A amendment should be made to allow antenna placement in a front yard when there are unusual yard configurations but they rejected taking any action by a divided vote. Prohibition of antenna signage was mentioned but there was seemed to be a hardly articulated feeling that the general signage regulations were adequate.

It sounds as if the height limit originally mentioned in the earlier Planning Board hearing, 80 feet, was really a little tight in some parts of town if one is to get antennas above existing tree tops. There was also some discussion of the "long wire" antennas which are strung between two objects more or less horizontally for some types of signal propagation or reception.

The Board of Selectmen is not meeting again before the Warrant goes to the printer on Monday and my memory is that Board voted not to recommend the Planning Board's Article 25A. I am pleased that, at least, the removal concept is now included in 25A. Against the possibility that 25B and not 25A should be adopted I would now personally suggest a couple minor changes in Steve's 25B for the Town Meeting motion. Accordingly, unless any Selectman objects I will ask the Manager to put "deferred" down in the BOS comments under 25B and will discuss my thoughts re 25B at our next meeting. Don, please put on an Agenda item for that. I suspect the Board may see some Hams before it before Town Meeting.

Regards,
Dore' Hunter

3/11/2005