# CITY OF CONCORD



# Community Development Department

Engineering Services Division

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## CITY OF CONCORD POLES AND WIRES COMMITTEE

### MEETING MINUTES

DECEMBER 13, 2013 - 2:00 PM  $2^{ND}$  FLOOR CONFERENCE ROOM, CITY HALL

## **ATTENDEES**

Ed Roberge, City Engineer Steve Henninger, Acting City Planner Paul Gendron, City Surveyor

#### CALL TO ORDER

Ed Roberge called the meeting to order and stated that Steve Henninger will serve on the committee as Acting City Planner, due to the resignation of Gloria McPherson. He stated that although Chip Chesley is not here, there is still a quorum.

### APPROVAL OF 9/20/13 MEETING MINUTES

Mr. Roberge opened the item. Mr. Henninger moved to approve the 9/20/13 Poles and Wires Committee meeting minutes. Seconded by Mr. Roberge. The motion to approve the minutes was unanimously approved.

Mr. Roberge asked Paul Gendron to briefly outline the agenda. Mr. Gendron stated that Jay Dunn of Waveguide had submitted two applications, one for Ferry Street and one for Pembroke Road, but that the Pembroke Road application had been inadvertently left off the agenda. He also stated that Mr. Dunn had submitted a letter requesting that the City transfer several licenses from New Hampshire Optical Systems to 186 Communications, LLC. He asked the Committee to take up this item under new business.

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## PRELIMINARY / FINAL APPLICATIONS

## FINAL APPLICATIONS

 1. 186 Communications, LLC, Request for Licensure of three (3) pole on Ferry Street, within a City Right-of-Way. Ferry Street.

Mr. Gendron explained that the application is for an aerial installation from a pole on the westerly side of North Main Street, north of Washington Street and opposite Ferry Street, commencing at existing Waveguide plant, then crossing North Main Street to a pole at the southeast intersection of North Main Street and Ferry Street, then along two more poles and then to the Concord Center building. Mr. Gendron recommended that the application be approved with the following condition:

• That the (Company name) shall make an annual report to the Poles and Wires Committee informing it of the progress of its infrastructure as of April 1, 2014, and every April thereafter until the infrastructure subject to this petition is completed, at which time (Company name) shall notify the Committee of its completion of the project.

Mr. Roberge asked if the existing service connections from the last pole at the end of Ferry Street are aerial or underground. Mr. Gendron stated that he did not know. Mr. Roberge made a motion to accept Mr. Gendron's recommendation and condition, subject to the condition that:

 The proposed connection be of the same nature as the existing connections, for example, if the building is currently serviced by aerial or conduit, then the proposed connection shall be serviced in the same manner.

Seconded by Mr. Henninger and all concurred.

2. <u>186 Communications, LLC, Request for Licensure of one (1) pole on Pembroke Road, within a City Right-of-Way.</u>
Pembroke Road.

Mr. Gendron explained that the application is for an aerial installation from a pole on the southerly side of Pembroke Road, commencing at existing Waveguide plant, then extending to another pole on the south side of Pembroke Road, then across private property to 3 and 4 Barrell Court. Mr. Gendron recommended that the application be approved with the following condition:

• That the (Company name) shall make an annual report to the Poles and Wires Committee informing it of the progress of its infrastructure as of April 1, 2014, and every April thereafter until the infrastructure subject to this petition is completed,

at which time (Company name) shall notify the Committee of its completion of the project.

A brief discussion ensued regarding the existing pole lines along Pembroke Road, the abandoned pole line that travels southerly from Pembroke Road to Regional Drive, and whether the existing service connections to the Barrell Court building are aerial or underground. Mr. Roberge made a motion to accept Mr. Gendron's recommendation and condition, subject to the following condition:

- That 186 Communications, LLC, demonstrate to the Committee that it has the right or easement to utilize the proposed pole as it appears to be on private property, and that
- The proposed connection to the Barrell Court building be underground.

Seconded by Mr. Henninger and all concurred. Mr. Henninger volunteered to visit both the Ferry Street and Pembroke Road locations to confirm site conditions, in particular, the existing service connections to determine whether they are overhead or underground.

### OLD BUSINESS

1. <u>Unitil Energy Systems, Inc. and Fairpoint New England, Inc., Request for Licensure of one (1) new pole on Little Pond Road, within a City Right-of-Way.</u> Little Pond Road.

Mr. Gendron briefly explained the project and its relation to the Samuel Drive subdivision. He indicated that the Committee asked him to review the subdivision and utility plans approved by the Planning Board to ascertain the proposed service connection, and report back to the Committee at the next meeting. Mr. Gendron showed the Committee the roadway as-built and pointed out that the subject property is not adjacent to an underground pedestal and it appears that the house was to be served with aerial connections. He pointed out that the house across the street was also served by aerial connections from a pole on Little Pond Road.

A brief discussion ensued regarding the existing pole line along Little Pond Road and whether the project was approved so that the first two houses on Samuel Drive would have service connections from those poles. The Committee determined that a Certificate of Occupancy had already been issued by the Engineering Services Division. Mr. Gendron reminded the Committee that the pole had already been replaced in the same location and that a license was not necessary.

Mr. Roberge closed the item as there was no further action necessary.

2. <u>segTEL</u>, <u>Inc.</u>, <u>request for licensure of attachments to and utilization of an existing pole within North State Street</u>, all within a City right-of-way. North State Street.

Mr. Gendron briefly explained the project. He indicated that the Committee asked him to follow up with segTEL and to conduct a site visit to view whether other aerial utilities cross the site and connect to the tower. He asked Mr. Gendron to report back to the Committee at the next meeting. Mr. Gendron explained that he had spoken with segTEL and had made a site visit. He read from an email from Edward Novak explaining the project. Mr. Gendron recommended that the application be approved with the following condition:

That the (Company name) shall make an annual report to the Poles and Wires Committee informing it of the progress of its infrastructure as of April 1, 2014, and every April thereafter until the infrastructure subject to this petition is completed, at which time (Company name) shall notify the Committee of its completion of the project.

Mr. Roberge made a motion to accept Mr. Gendron's recommendation that the application be approved with the condition.

Seconded by Mr. Henninger and all concurred.

## **NEW BUSINESS**

1. New Hampshire Optical Systems, Request to Transfer Existing Licenses to 186 Communications, LLC.

Clinton Street, South Fruit Street, Holt Street, North Main Street, Pine Street, Fisherville Road, North State Street, Village Street, School Street, South Street, Warren Street, Washington Street, and Horseshoe Pond Lane..

Mr. Gendron explained that Jay Dunn of New Hampshire Optical Systems has requested that existing licenses be transferred to 186 Communications, LLC. He then read from an email in which Mr. Dunn explains the purpose and reasons for the requests.

Mr. Roberge asked Mr. Gendron if all of the licenses had to be re-written or would a letter from the Committee be sufficient to transfer the licenses. Mr. Gendron stated that he had just received the request and hadn't researched the request yet. Mr. Roberge asked Mr. Gendron to ask the City Solicitor whether the Committee has the jurisdiction to transfer the licenses or would we have to rewrite the licenses with the new entity name.

#### **NEXT MEETING**

Mr. Gendron noted that the meetings for 2014 have been scheduled on March 21, June 20, September 19, and December 12. Mr. Roberge stated that he had a conflict with the March meeting and asked if it could be rescheduled for March 28. Mr. Henninger

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stated that he might also have a conflict for the March 28 meeting but would know better at the beginning of that month.

## **ADJOURNMENT**

There being no further items to discuss, Mr. Henninger made a motion to adjourn and was seconded by Mr. Roberge.