

Marine Drive, Valley and Canal Community Council
June 22, 2011

TO: Chair and Members of Marine Drive, Valley and Canal Community Council



SUBMITTED BY: _____
For Paul Dunphy, Director, Community Development

DATE: June 2, 2011

SUBJECT: Case 16620: Telecommunication Tower, Leslie Road, Lawrencetown

ORIGIN

Application by Bragg Communications Inc. (Eastlink), for lands of David and Dorit Swan for a proposed 76.2 metre (250 feet) self supporting telecommunication tower and associated equipment shelters at 185 Leslie Road, Lawrencetown.

RECOMMENDATION

It is recommended that Marine Drive, Valley and Canal Community Council forward a **negative recommendation** to Industry Canada in relation to the proposal by Bragg Communications Inc. for a proposed 76.2 metre self supporting telecommunication tower and associated equipment shelters at 185 Leslie Road, Lawrencetown.

BACKGROUND

Eastlink has applied to erect a new 76.2 metre (250 feet) high self supporting type telecommunication tower on a portion of the lands located at 185 Leslie Road (Map 1) in Lawrencetown. The subject property is undeveloped and the tower is proposed to be located approximately 175 metres (575 feet) from Leslie Road within a small leased portion of the subject property (Attachment A). Access to the site will be via a new road driveway to be constructed by Eastlink on the property.

The proposed tower will complete coverage in the East Lawrencetown vicinity in an area approximately bounded by Middle Porter's Lake, Grand Desert, Lower Three Fathom Harbour to West Lawrencetown.

The Tower, Antennas and Equipment

The tower:

- will be self supporting and 76.2 metres (250 feet) in height;
- will be constructed of steel lattice and will be site specific engineered;
- is not required by Transport Canada to have lighting and painting at this location;
- is approximately 175 metres (575 feet) from Leslie Road;
- will have an equipment shelter located at the base of the tower;
- will be enclosed with 6-8 feet high steel wire fencing at the base and be equipped with anti climb apparatus; and
- will support six antennas mounted at a height of 75 metres.

Subject Property Location, Designation, Zoning and Surrounding Land Use

The subject property is:

- located on the east side of Leslie Road approximately midway between Bastian Point Road and Lawrencetown Road;
- designated Lawrencetown along both sides of Leslie Road (see Map 1) under the Lawrencetown Municipal Planning Strategy. This designation is intended to support and protect the semi-rural environment with a mixture of residential, home businesses, agricultural uses and small scale resource uses;
- zoned RR-1 (Rural Residential) as well as both sides of Leslie Road (see Map 2) under the Lawrencetown Land Use By-law. The RR-1 zone permits low density residential uses, non-intensive agricultural uses, forestry uses, fishing uses, day care facility and bed and breakfast establishments; and
- located nearby the Special Area Designation (see Map 1) that is intended to protect unique biological and physical characteristics of certain lands. The lands include a significant diversity of land types such as woodlands, cobble beaches, sand beaches, dunes, salt marshes, bedrock shores and barrier ponds. This designation supports a Regional Park (see Map 2) zone that permits non-intensive park uses at Lawrencetown Beach such as picnicking and beaching while permitting bicycling, hiking, wildlife observation and other interpretive activities on the Atlantic View Trail (Attachment F).

Municipal Process

Under the *Constitution Act, 1867*, the areas of telecommunication and radiocommunication are exclusively within federal jurisdiction. Industry Canada is the federal agency that licenses and

regulates communication towers, including authorizing the location and installation of antenna systems. In exercising its mandate Industry Canada believes it is important that communication towers be deployed in a manner that considers the local surroundings. Proponents of new telecommunications facilities are therefore required to consult with the local municipality.

To ensure that telecommunication facilities are built with reasonable regard for the needs and concerns of the local community a public consultation policy has been established that requires that a proponent notify the applicable municipalities of its intentions. The municipality is then given an opportunity to review the proposed antenna system and site and provide comments on the aesthetic and visual qualities of the facility and site. If any reasonable or relevant concerns arise the municipality may provide written notice to the local Industry Canada office. The submissions are reviewed by Industry Canada, who will then determine whether or not a license is to be granted and upon what conditions, if any, such license may be granted.

Following municipal amalgamation, HRM adopted a specific consultation process in accordance with Industry Canada's procedures and jurisdiction to address the siting of a tower on a parcel of land. The consultation process ensures that HRM, including residents, are aware of proposed new structures and allows HRM to request certain actions from applicants that will minimize the impact that such structures will have on the surrounding community. This process focuses the Municipality's comments to the:

- visual impact;
- aesthetics; and
- compatibility with the local community.

DISCUSSION

The Lawrencetown Municipal Planning Strategy (MPS) does not contain policy in regards to locating telecommunication towers or any policy criteria to be used in evaluating such a proposal. The MPS also does not establish a protocol or procedures for dealing with locating of such systems.

Visual Impact

Often the introduction of a proposed land use may have related adverse effects to the surrounding landscape. Visual impact is considered one of these adverse effects generally associated with the location of a telecommunication tower. Adequate horizontal separation distance is often the only effective buffer for mitigating the visual impact of telecommunication towers. Within a built environment, where the concern is primarily visual, distances of 300 feet are regarded as sufficient separation distances. When considering key tourism, recreational areas and activities the separation distance for mitigating significant adverse effects is often 1000 metres or greater because the adverse effect is on the visual amenity of the users and the scenic resources that are visually and aesthetically valued.

The three closest dwellings on Leslie Road to the proposed tower are all located more than 300 feet (Attachment B) distant from the tower, which is 163 metres (534 feet) from Leslie Road, and the visual impact is moderate. Once construction is complete and the tower is erected, it is anticipated that the visual impact should have a moderate impact on people working, or

travelling through Leslie Road due to the separation distance. The greater impact in this case is on the integrity of the whole unique landscape that, even without benefit of a visual impact assessment or special resources inventory, may be considered visually sensitive.

Local residents spoke about this visual sensitivity at the public meeting held in the community on February 3, 2011 and also about the economic, biophysical, ecological and social values that the community's scenic resources embodies. Concerns were expressed that the use of such a tall tower would be inappropriate within this unique landscape because the visual prominence would be too great on scenic views into and from Lawrencetown Beach and would negatively effect tourism and recreation areas such as the Beach and Atlantic View Trail (Attachment F). The importance of the coastal salt marshes to migrating birds, the views from the local trail system and the visual quality of the extensive sand beach were stressed by participants as important aspects of their community that would be diminished by the presence of the proposed telecommunication tower.

The tower's proposed location is 1600 metres (5249.34 feet) from the western entrance of the parking lot at the beach and 1510 metres (4954.07 feet) from the canteen and change facilities at the beach (see Attachment C). These distances and those of views toward the tower along the Atlantic View Trail and Highway 207 are greater than 1000 metres but adverse visual effects may include reasonably foreseeable effects, caused by the tower location, that may be further removed in distance than may be mitigated by separation distances. Staff believe that the location of the proposed telecommunication tower creates a demonstrable adverse effect by diminishing the existing visual aesthetics through:

- introduction of a visual element that is out of scale, in great contrast and out of character with the surrounding area and the unique landscape aesthetic;
- intruding physically into scenic views from the trail; and
- providing a visual element whose prominence detracts from scenic views.

Aesthetics

The most preferred landscape image is one where the mid to foreground is a fairly open area having low ground cover, vegetated with trees and shrubs, with a water body or feature. Landscapes that contain buildings or structures are preferred less, with a few exceptions, but structures in the mid to foreground do not hold the viewers focus or cause the same affective response as the preferred scenic landscape. The location of a visual element, such as the proposed tower, within or near the preferred landscape image in the foreground, is likely to significantly alter existing perceptions or perceived beauty of the landscape by impairing the character or integrity of the aesthetic landscape which are adverse aesthetic effects. This diminishment of the visual enjoyment and appreciation of the landscape is a significant adverse aesthetic effect for this case.

Community Compatibility

When a new land use is proposed for an area, compatibility concerns related to the nature of the land use, height/bulk/lot coverage, traffic generation, open storage or signs inevitably arise. Visual impact, discussed above, is often included as a compatibility concern. The compatibility of the proposed telecommunication tower is important to the character of the surrounding area. The character of the existing landscape should be the basis of determining appropriate

characteristics of the proposed project. The proposed tower is not compatible because of its 76.2 metre (250 feet) height. Sometimes it is necessary that a tower's height extend beyond that of the surrounding buildings and other features within the view. It is important that the height of the tower does not cause the line of sight to move so far up that the surrounding features are out of view, thereby detracting from the original view.

In the short term there will be some localized impacts on the community compatibility relating to site development that are temporary effects and are not considered relevant in the visual mitigation of the proposal. After erection of the tower future traffic entering the site will be minimal with perhaps one vehicle trip per month. Further, there will be no open storage as equipment shelters are to be installed within the fenced site.

Health and Safety

Aside from land use issues there are often concerns about potential health risks from the placement of telecommunication towers. Industry Canada requires that such systems are operated in accordance with the safety guidelines established by Health Canada in their document entitled *Limits of Human Exposure to Radiofrequency Electromagnetic fields in the Frequency Range from 3kHz to 300GHz*, commonly referred to as *Safety Code 6*. This document specifies the maximum recommended human exposure levels to radiofrequency energy from radiation emitting devices. The safety of wireless communication devices such as Wi-Fi equipment, cell phones, smart phones and their infrastructures, including base stations, is an area of ongoing study for Health Canada. Prior to receiving a licence from Industry Canada the operator must submit the calculations on the intensity of the radiofrequency fields to ensure that this installation does not exceed the maximum levels contained in *Safety Code 6* requirements. Information submitted in support of this proposal indicates no concerns in relation to *Safety Code 6* (Attachment C).

BUDGET IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a public information meeting held on February 3, 2011. For the public information meeting, notices were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on Map 2. Attachment D contains a copy of the minutes from the meeting.

A public hearing is not included in the telecommunication application process; Community Council simply forwards a recommendation to Industry Canada.

ALTERNATIVES

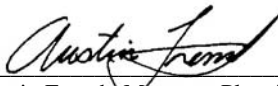
1. Inform Industry Canada that Marine Drive, Valley and Canal Community Council objects to the proposal by Bragg Communications Inc. to erect a 76.2 metre tower (250 feet) telecommunication tower at 185 Leslie Road. This is the recommended due to the reasons outlined in this report.
2. Inform Industry Canada that Marine Drive, Valley and Canal Community Council has issues/concerns with respect to the proposed tower. In this event, staff will notify the local office of Industry Canada of Council's concerns.
3. Inform Industry Canada that Marine Drive, Valley and Canal Community Council does not object to the proposal by Bragg Communications Inc. to erect a 76.2 metre tower (250 feet) telecommunication tower at 185 Leslie Road.

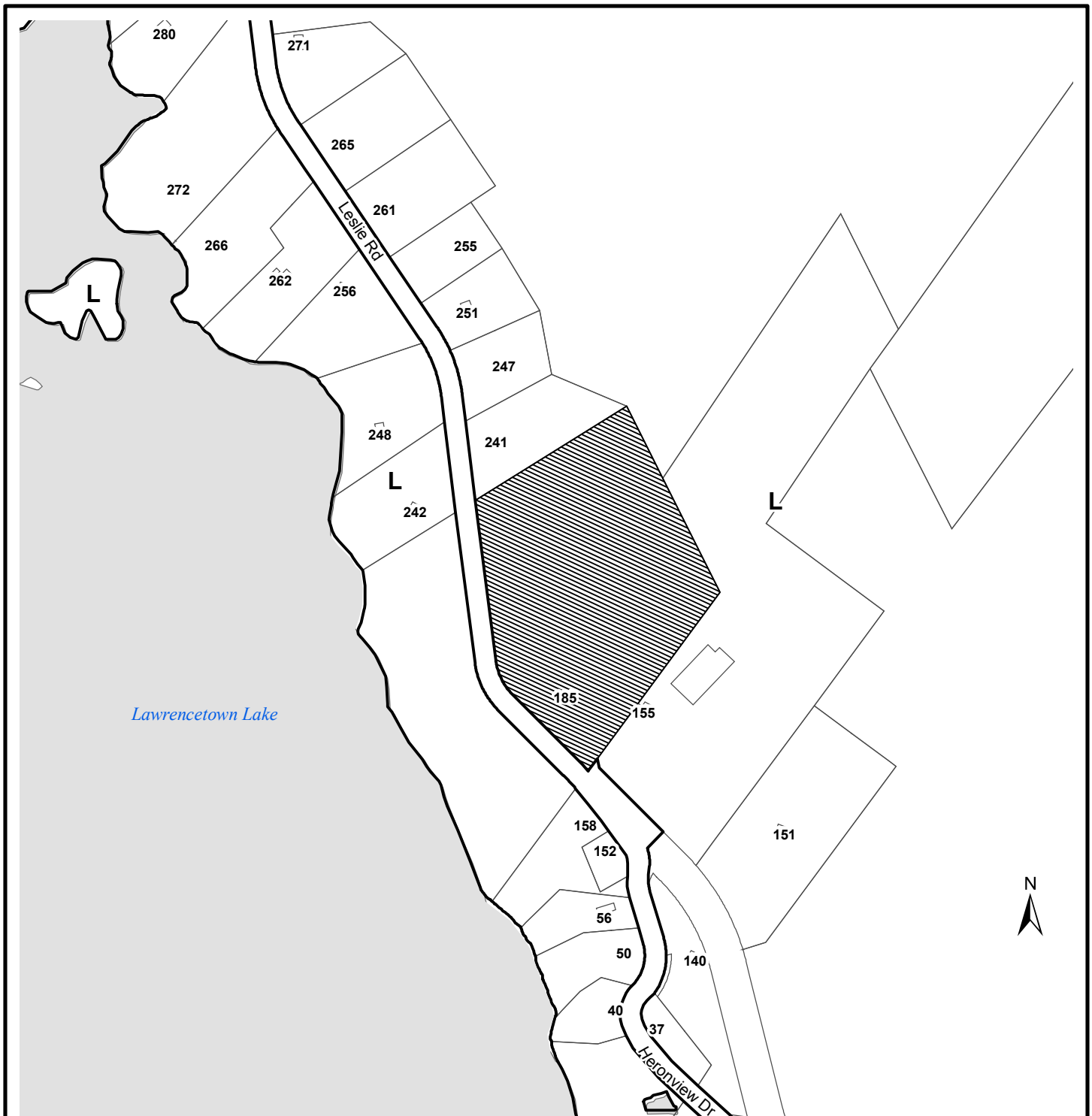
ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Land Use By-law Zoning and Notification
Attachment A	Site Plan
Attachment B	Proximity of Tower to Dwellings
Attachment C	Proximity of Tower to Lawrencetown Beach
Attachment D	Safety Code 6 Attestation
Attachment E	Minutes from Public Information Meeting
Attachment F	Comments Received from Public and Agencies
Attachment G	Atlantic View Trail

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.


Report Prepared by : Darrell Joudrey, Planner 1, 490-4181

Report Approved by: 
Austin French, Manager, Planning Services, 490-6717



Map 1- Generalized Future Land Use

Pid 00597393

 Subject Property

Designation

L Lawrencetown

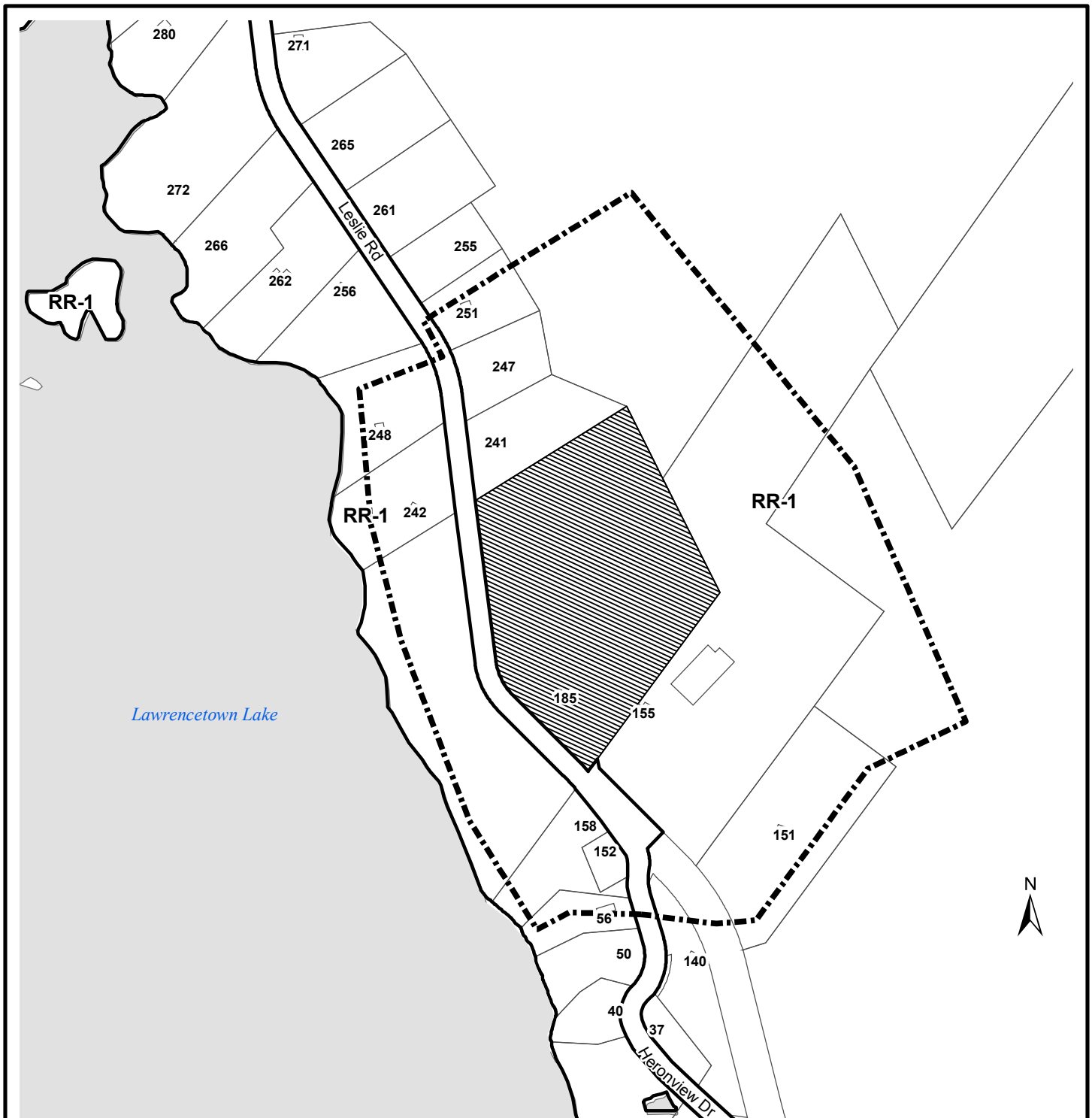
Lawrencetown Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 125 250 500 750 Feet

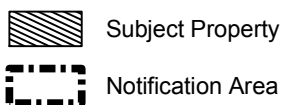
This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Lawrencetown Plan Area.

HRM does not guarantee the accuracy of any representation on this plan.



Map 2 - Zoning and Location

Pid 00597393



Zoning

RR-1 Rural Residential

Lawrencetown Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 125 250 500 750 Feet

This map is an unofficial reproduction of a portion of the Zoning Map for the Lawrencetown Plan Area.

HRM does not guarantee the accuracy of any representation on this plan.



REVISIONS

NO.	DATE:	DESCRIPTION



LEGEND

- PID # 00597393
- Property Boundary
- Roadway
- Building
- Leased Area
- New Road
- Existing Road
- Access & Power Routing
- ▲ Proposed Tower
- Trees
- ⊙ New Pole

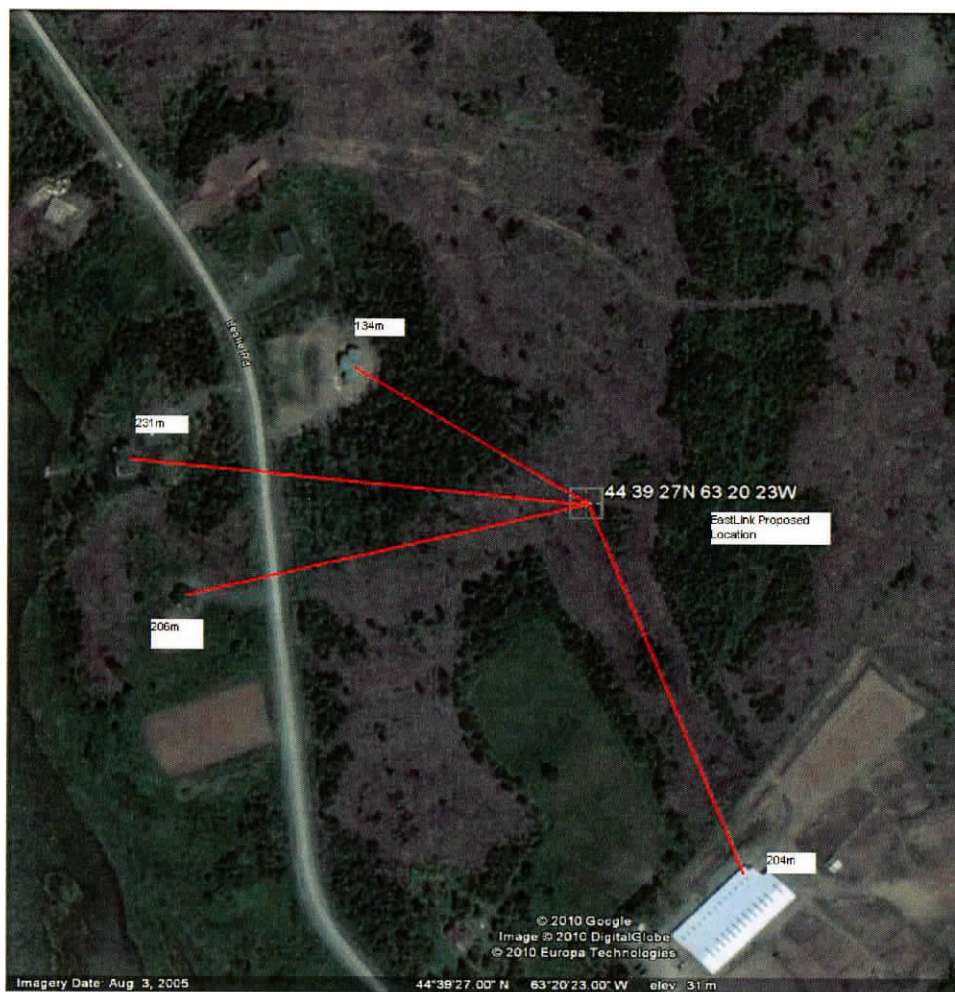
PROJECT INFORMATION

TITLE:	SITE PLAN
SITE NAME:	EAST LAWRENCETOWN
SITE ID:	NSA224
DRAWING ID:	NSA224-SA-SP-001
DATE:	MAY 2010
CHECK BY:	J. PIPER
DRAWN BY:	A. PINTO

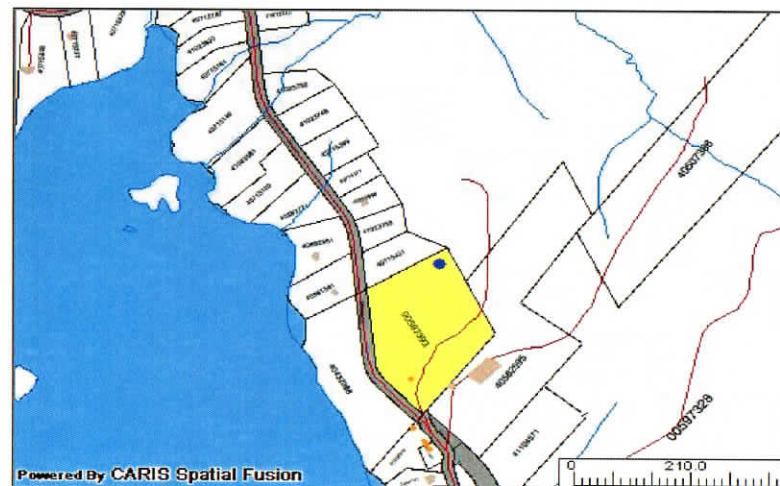


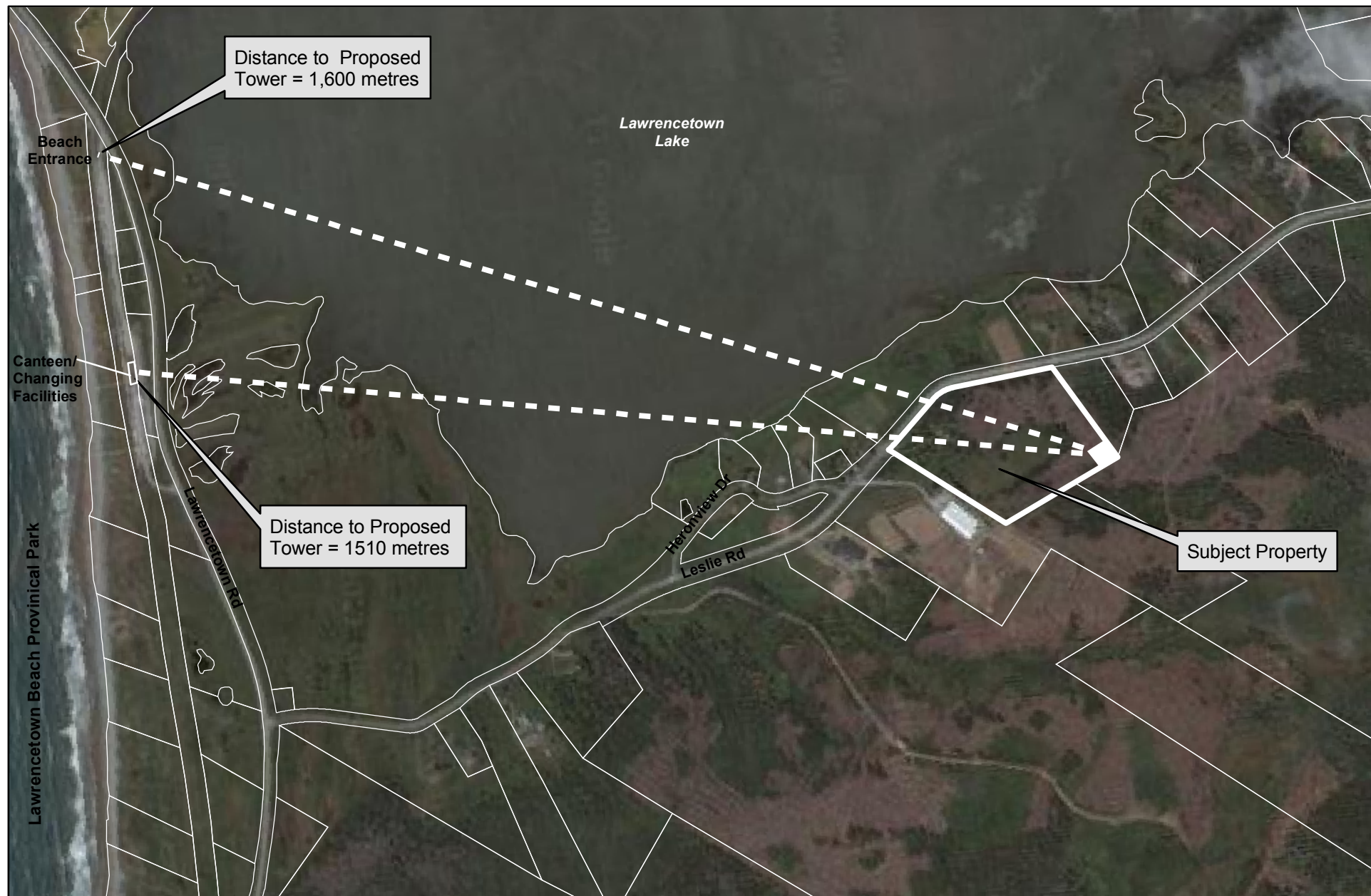
0 20 40 Metres

NSA224 EAST LAWRENCETOWN, SITE LOCATIO/PROXIMITY TO RESIDENCES



EastLink proposes to build a 76.2m Self Support Tower in East Lawrencetown at the above mentioned coordinates on diagram. This location is on a portion of PID# 00597393 (indicated below by a blue dot). We have determined that there are no other possible structures to co-locate on. The closest home to the tower is 134 meters or 439 feet away. Tower centre is set back approximately 163 meters or 534 feet from Leslie Road





Attachment C : Proximity of Tower to Lawrencetown Beach

HRM does not guarantee the accuracy of any base information.

COMMUNITY DEVELOPMENT
PLANNING SERVICES



Safety Code 6 Attestation

Summary

The below explanations and accompanying calculations are intended to demonstrate that Eastlink's radio installation at site **NSA224** complies with the radio emission limits as described in Health Canada's Safety Code 6.

Equipment

Eastlink's installation consists of the following equipment:

Item	Equipment Name	Max Power /Gain	Quantity
1	UMTS Remote Radio Head (RRU's)	46dBm (40Watt)	6
2	Kathrein 80010504 Panel Antenna (1710 - 2200MHz)	15.73 dBd (17.87 dBi)	6

Near Field vs Far Field

When calculating the level of emissions from a given radio installation, it is first required to identify whether the area under test is in the Near or Far Field of the antennas in question. In the case of Eastlink's UMTS-AWS Band installations, small antennas are being used, antenna considered to be small if the antenna length is less than the wavelength. (Please note that the installed Antenna is composed of array of small antenna elements). The following equation determined the Near-field limit for emissions from the site (small antenna):

$$R_s = \frac{\lambda}{2\pi} = \frac{0.143}{6.283} = 0.0227 \text{ [Meters]}$$

Where:

R_s = extent of the reactive near-field region [meters]

λ = wavelength [meters] (BS-TX of the AWS band (2100MHz))

Therefore, the area under test (ground level, **70m** from the antennas bottom) can be considered to be in the Far Field region of the transmitting antennas.

Power Density

Per Safety Code 6, exposure limits are set based on Power Density (W_{\max}) of emissions at a given location relative to the transmitting antenna. Generally, in the case of tower mounted antennas, Power Density on the ground where the General Public might be exposed can be estimated as:

$$W_{\max} = \frac{EiRP_{\max}}{4\pi \cdot r^2} \text{ [Watts / meter}^2\text{]} \text{ (Far Field Power Density)}$$

Where:

W_{\max} = Maximum Power Density [Watts / meters²]

$EiRP_{\max}$ = Maximum Effective isotropic Radiated Power [Watts]

(total maximum radiated power from all the antennas installed at the site arriving at the ground)

r = antenna height off the ground [meters]

Eastlink's installation consists of direction antennas meaning that the level at which the radiated signal reaches the ground is greatly reduced from the main beam radiated power. The antennas being deployed radiate downwards to the ground (90 degrees from the main beam) with a gain of 36.2dB less than maximum. Therefore, for Eastlink's installation on site **NSA224**, a total maximum EiRP directed at the ground, including all UMTS RRU's (**6@46dBm[40W]**). Assuming antennas bottom will be at the tower mounting height of **70m**, the maximum possible Power Density at the ground is:

$$W_{\max} = \frac{6 * (46\text{dBm} + (17.87\text{dBi} - 36.2\text{dB}))}{4\pi(70)^2} = \frac{6 * 0.585}{61575.2} = 0.000057 \text{ [Watts / meter}^2\text{]}$$

Conclusion

Within the operating transmit frequency range for AWS Band the maximum allowed Power Density for exposure to the General Public is 10 Watts/meter². Therefore, Eastlink's installation at site **NSA224** falls well below the acceptable Radio Frequency emission limits set forth by Safety Code 6 (**actually more than 175,000 times less than allowed**).

Attachment E: Minutes from Public Information Meeting

HALIFAX REGIONAL MUNICIPALITY

PUBLIC INFORMATION MEETING

CASE NO. 16620 – Telecommunication Tower - 185 Leslie Road, East Lawrencetown

7:00 p.m.

February 3, 2011

**Lawrencetown Community Centre
3657 Lawrencetown Road, Lawrencetown**

STAFF IN

ATTENDANCE: Darrell Joudrey, Planner, HRM Planning Services
Holly Kent, Planning Technician, HRM Planning Services
Jennifer Weagle, Planning Controller, HRM Planning Services

ALSO IN

ATTENDANCE: Councillor David Hendsbee, District 3 – Preston-Lawrencetown-Chezzetcook
Carolyn Weaver, Eastlink representative
Alex Forrest, Eastlink representative

PUBLIC IN

ATTENDANCE: Approximately 70

The meeting commenced at approximately 7:00 p.m.

1. Opening Remarks/Introduction/Purpose of Meeting

Mr. Darrell Joudrey, Planner, HRM Planning Services, called the meeting to order at approximately 7:00 p.m. in the Lawrencetown Community Centre, 3657 Lawrencetown Road, Lawrencetown. Mr. Joudrey introduced himself as the Planner working with this application through the planning process. He also introduced Councillor David Hendsbee, District 3, Carolyn Weaver, Eastlink representative, and Alex Forrest, Eastlink representative. Mr. Joudrey introduced HRM staff present: Holly Kent, Planning Technician and Jennifer Weagle, Planning Controller.

Mr. Joudrey advised that this application by Bragg Communications (Eastlink) is to construct a new 76.2 metre self-supporting telecommunication tower and one to three equipment cabinets at 185 Leslie Road, East Lawrencetown.

Mr. Joudrey reviewed the application process, noting that the public information meeting is an initial step, whereby HRM reviews and identifies the scope of the application and seeks input from the neighbourhood. The application will then be brought forward to Marine Drive, Valley, & Canal Community Council with a staff recommendation, for consideration by Community Council. Community Council will then make a recommendation to Industry Canada.

2. Presentation of Application

Mr. Joudrey advised that this application by Bragg Communications (Eastlink) is to construct a new 76.2 metre self-supporting telecommunication tower and one to three equipment cabinets on a portion of PID 00597393 northeast of 185 Leslie Road in East Lawrencetown. The Plan Area and Land Use Designation are Lawrencetown and the current zoning is RR-1 (Rural Residential).

Mr. Joudrey explained that the proposed tower will be set back approximately 175 metres from Leslie Road and will be accessed from 185 Leslie Road. The base of the tower and equipment will be enclosed with steel wire fencing and the tower will be equipped with anti-climb apparatus. The tower will be steel lattice construction and site specific engineered. Transport Canada does not require painting and lighting of the tower for this location.

Mr. Joudrey also explained that Eastlink had advised in their application that there are no opportunities to co-locate their equipment as they are required to investigate first under Industry Canada protocol.

Mr. Joudrey explained that there is no existing policy or protocol in the Lawrencetown MPS regarding the telecommunication process. The policy followed is from a report approved by Regional Council in 2006 so that planning areas without evaluative policy would have a consistent approach to evaluating these applications. Staff comment is limited to visual impact, aesthetics and community compatibility.

Mr. Joudrey noted that there is no public hearing associated with this process, so it is important for comments to be received early. Comments can be forwarded to staff or Councillor Hendsbee and contact information will be reviewed later in the meeting.

Carolyn Weaver and Alex Forrest, Eastlink representatives

Ms. Carolyn Weaver, Eastlink representative, thanked everyone for coming to the meeting and gave a brief overview of Eastlink as a company.

Ms. Weaver introduced Mr. Alex Forrest, Eastlink representative, who reviewed the proposed network coverage for the East Lawrencetown Site. Mr. Forrest reviewed the proposed tower location, noting that it was chosen because it has a great elevation, it is set back from the beach, and the land is available. A separate access road would be put in, and there is a substantial tree buffer in place. The tower would be 130 metres from the nearest property.

Ms. Weaver reviewed photo renderings of what the tower would look like in relation to Lawrencetown Beach, from various angles including the entrance to the parking lot and from the beach (20 metres back from the stairs).

Mr. Forrest reviewed safety and security of the site, noting that the gates would be locked to deter access, and safety codes will be followed.

Ms. Weaver reviewed the approval process, which typically takes 180 days to 6 months.

3. Questions/Comments/Answers

Mr. Joudrey opened the floor for comments.

Cal Mofford, Moss Close, inquired what constitutes community acceptability. Surrounding property values will be adversely affected. Radio waves will have adverse affects on migration of birds in the area. What is the threshold of opposition from the community?

Mr. Joudrey described the approval process, noting that after this public meeting he will review submissions from residents to review concerns, in order to determine community compatibility. Staff will then make a recommendation to Community Council, and Community Council will then make a final recommendation to Industry Canada.

Mr. Mofford inquired to Councillor Hendsbee how much concern is needed to be voiced by the community for Community Council to forward a negative recommendation. Councillor Hendsbee advised that he is attending this meeting to hear the presentations from staff and Eastlink and hear concerns from residents. He will review the staff report and resident's submissions that come to Community Council and will make a decision at that time. He noted that there presently is an adjudication process going on in Halifax relating to a telecommunication tower and he has to remain un-prejudiced in the decision making process.

Caren Mofford, Moss Close, noted concern with the height of the tower. Guidelines are being set across Canada and internationally to prohibit windmills near parks or in conservation areas or on scenic routes, and they are typically only 25 feet high. She inquired whether Council had considered setting guidelines for future telecommunication tower applications.

Mr. Joudrey advised that guidelines will be coming forward in the future. Staff use a list of principles when evaluating telecommunication tower applications, which consider whether co-location of towers is possible and also finding a building to put the tower on, which is possible in more urban areas where tall buildings exist.

Ms. Mofford inquired whether there were height limits on telecommunication towers, to which Mr. Joudrey replied no.

Linda Thieu, Leslie Road, noted that there is a vacant lot next to the proposed site where the owner was planning to build a house. What affects would the tower would have on these plans? Were alternate locations considered?

Carolyn Weaver responded that Eastlink determined this site to be the best location for the proposed tower. Other locations on Leslie Road would have higher elevations and would be more difficult with access.

Ms. Thieu inquired whether there would be any lights or noise coming from the tower. Ms. Weaver clarified that lights are not required for this tower, and there will be no sounds coming from the tower such as buzzing, etc.

Ms. Thieu inquired whether there had been any research conducted on the affects of these towers on local wildlife. Ms. Weaver advised that Eastlink would be following Natural Resources guidelines. With respect to the photo renderings from the beach shown earlier, Ms. Thieu added that the beach is constantly changing.

Responding to questions from Ms. Thieu regarding rezoning the property, Mr. Joudrey clarified that the property does not have to be re-zoned. Zoning has no impact on Industry Canada.

Ms. Weaver introduced Ian Grant from Genivar who prepared the photo renderings of what the tower would look like from the beach. Mr. Grant clarified the location he stood when the photo from the beach was taken.

Martin Girard, Leslie Road, noted concern with no lights being required on the tower since there are regular search and rescue flights and fire planes in the area. He also noted that the area is regularly foggy. Ms. Weaver advised that they take direction from Transport Canada, who determine if lights are required.

Mr. Girard commented on cases of property devaluation in other areas of Canada where telecom towers were installed. The aesthetics of the towers, and the stigma associated with concerns with unknown health affects of radiation have negative affects on property values and will create hassles for future sales of properties in the area. Ms. Weaver advised that she doesn't have the expertise to speak to property values, but residents could contact the municipal tax assessment office.

Mr. Forrest indicated that telecommunication tower sites are regulated by Health Canada and any EMF emissions are well below allowable limits.

Krista Taverner, Leslie Road, commented that they have a tight knit community and residents of Leslie Road are very upset about the tower. There will be a lot of opposition to this application. She noted there is a petition against the tower with over 600 names so far. Leslie Road receives no services from HRM. The maximum height of buildings in the area are 35 feet. There are protective covenants on the properties on Leslie Road that regulate size of houses, fences, sheds, landscaping, pets, clotheslines, and prohibiting signs and car repairs. TV aerials are not permitted without written consent. Ms. Taverner has printed topographic maps of the area which show other hills in the area that are further in-land and still have easy access.

Marion Foote, Leslie Road, advised that she owns a horse farm within the notification area that is for sale right now. She cannot sell the property with changed zoning. Mr. Joudrey clarified that the zoning of the property is not being changed. Ms. Foote requested that he put this in writing for her.

John Austin, Leslie Road, commented that there is sufficient literature on EMF emissions that show they have the same effects as windmills. What about the health of residents? Will an environmental assessment be required? Will any harmful chemicals or pollutants be stored on site?

Ms. Weaver advised that Eastlink has been in communication with the Department of Environment about this application. An environmental assessment will be completed if required. She also advised that there will be no chemicals or pollutants stored on site. Mr. Forrest commented that there will be batteries used, however these will be gel cell batteries and don't off-gas or leech.

Mr. Austin inquired what assurances can be obtained from Eastlink that they will follow regulations. Mr. Joudrey noted that they will have to follow the building permit process and the safety code. The Department of Environment is consulted by staff through this process, along with the Provincial wetland policy. He clarified that if there were to be a negative recommendation, Industry Canada would then facilitate with Eastlink and staff to reach a resolution. A second public information meeting would be organized with a revised application, and the revised application would again be brought before Community Council.

Ms. Weaver noted that this is only a proposed location, and Eastlink will be reviewing feedback and making a decision.

David Amos, Leslie Road, noted that he has lived on Leslie Road for 20 years and he will have to look at the tower from his back door. He feels that the property owner is an absentee landlord since they don't live on the street. This is not the best choice for the location of this tower. He commented on the property tax revenue generated from all of the houses on the street, but that they don't receive any services in return.

Peter Woodward, Bastian Point Road, stated that the tower will be an eyesore in this country setting, and will have negative affects on nature and wildlife in the area. This is a close knit community and the proposed tower will deteriorate property values. There being no requirement for lights on the tower is dangerous as this is a very foggy area. Mr. Woodward commented on the use of "boosters" that can be added to telephone poles and inquired whether this could be an option.

Mr. Forrest advised that "boosters" relate to an older type of technology. Since this is a rural area they need the height to have the transmission above the trees and hills. Ms. Weaver advised that the Department of Natural Resources and Parks Canada have been contacted regarding this application. All of the information filed with the application is on the HRM website.

Patty Austin, Leslie Road, inquired if the tower will be tested for wind, noting concern with the potential of it falling down. Mr. Forrest advised that there will be no guide wires, but there are CSA standards on how strong the tower has to be. It will be required to meet wind requirements for the area. Ms. Weaver clarified that the road would wind approx. 100 metres from Leslie Road. An access road needs to be constructed to get to the site. The tower will be monitored remotely, and the site will be inspected quarterly. The tower and site will take 12 – 14 weeks to construct.

Ms. Austin noted concerns with traffic during construction.

Susan Logan, Leslie Road, commented on the proximity of the tower to homes on Leslie Road, along with one future home next to the tower site. She advised that she was told by HRM Planning staff that the tower would not be allowed with the current zoning. Mr. Joudrey clarified that the municipal zoning is very clear in that it does not impair Industry Canada placing towers.

Councillor Hendsbee commented that the zoning does not exclude this use. Krista Taverner pointed out that the zoning does not include it either. Susan Logan noted that it is misleading when purchasing property if it is not listed in the zoning as a permitted use. She commented that the petition should have weight on the final decision since there are over 600 names on the petition. Mr. Joudrey clarified that staff comment is limited to visual impact, aesthetics and community compatibility.

Cal Mofford, Moss Close, inquired whether residents should be directing their efforts to the Federal level, since Municipal laws don't apply to the placement of telecommunication towers. Mr. Joudrey clarified that Industry Canada want to work with the communities, and Council wants to be involved, so Industry Canada follows the local public participation program.

Mr. Mofford inquired what is Industry Canada's track record for listening to communities concerns when it comes to the placement of towers. Mr. Joudrey advised Mr. Mofford to go to the Industry Canada website where they have studies and protocols posted.

Krista Taverner, Leslie Road, recommended some other government agencies/associations that should be consulted with regard to the tower, including:

- Trans Canada Trail Assoc.
- Atlantic Trails Association
- Department of Tourism
- Canadian Wildlife Services (Environment Canada) (with regard to protection of the piping plovers);
- Department of Tourism, Culture & Heritage (with regard to the former Mi'kmaq settlement in the area).

Ms. Taverner noted that now that Eastlink has heard the opposition from the community, she hopes they will reconsider and choose a site further inland. She hopes Industry Canada hears their concerns, and encouraged residents to send emails. She also hopes the property owners will reconsider leasing their property for this use.

David Swan advised that he is the owner of the subject site, which he has owned for 30 years. He was approached by Eastlink and signed a lease for the property in 2009. He didn't imagine there would be such opposition, and thought it would be a good thing to bring services to the area. If it can't be resolved, he doesn't want the tower there either, although since the lease is signed it is out of his hands.

Pauline Woodward, Bastian Point Road, suggested that the iconic view from and of Lawrencetown Beach is more important than the installation of this tower. There is currently a salt-water marsh project going on in the area, and she understands that cell phone towers cause fatalities in birds and bats. The City of Edmonton has a policy that discourages towers in rural residential areas, natural areas and heritage areas.

Debra Manning, Leslie Road, noted that although studies are inconclusive with regard to the harm cell phone towers have on humans, there should be precautionary measures taken and policies put in place. Protections for children and wildlife need to be put in place since we don't yet know the potential dangers to their health. Area residents pay their taxes and purchased their properties with certain understandings.

Morgan Chitty, Bastian Point Road, inquired why Industry Canada is not present at this meeting. Mr. Joudrey explained how Industry Canada leaves the public consultation process to the municipalities and does not become involved unless an impasse is reached.

Mr. Chitty commented that he spoke with a Realtor who indicated that telecommunication towers decrease surrounding property values. He inquired whether residents would be getting any compensation. Mr. Joudrey clarified that staff comment is limited to visual impact, aesthetics and community compatibility, and does not take into account property values.

Mr. Chitty commented that Eastlink should compensate property owners. He inquired what good the zoning is if it doesn't apply. Mr. Joudrey advised that the Municipality has no power over Federal legislation. He also clarified that HRM is not bound by the covenants of any deed.

Responding to questions about the tree buffer, Ms. Weaver advised that the tree buffer at the tower site should not be affected by any road construction. She advised that she could clarify the location of the buffer with residents after the meeting.

Responding to questions about set-backs, Ms. Weaver advised that the tower is required to be set back one time the height of the tower from the nearest house, which would be the proposed 76 metres.

An unidentified resident pointed out that if a house were constructed on the adjacent vacant lot like it was planned, it would be within the set back requirement of the tower. Ms. Weaver clarified that their location choices are based on what is there now, not what could be there potentially. She would have to check the mapping to confirm the specifics with this lot.

Debra Manning, Leslie Road, inquired as to Eastlink's future plans in HRM? Mr. Forrest advised that there are telecommunication tower applications planned for a number of sites in HRM. These applications are a mix of existing and new infrastructure. The closest locations to this one would be Cow Bay, and Cherry Brook. They are planning to co-locate towers along 107 existing sites. Some of these applications are being worked on at the same time.

Don Rix, Murphy Road, inquired whether all efforts by Eastlink have been exhausted to co-locate with Rogers or Aliant's existing towers for this application. Mr. Forrest responded yes, and that Eastlink are already using some of their towers. Mr. Rix asked whether Eastlink would allow other service providers to share this tower, and Mr. Forrest replied yes. Noting that this is a lattice work tower, Mr. Rix asked whether a mono-pole tower could be built instead. Mr. Forrest advised that he wasn't sure a mono-pole tower could be built to this height.

Morgan Chitty, Bastian Point Road, inquired whether the existence of the tower would interfere with the adjacent property owner obtaining a building permit in the future. Mr. Joudrey advised that he doesn't see how the tower would affect the property owner obtaining a building permit, but this question would best be answered by a building official.

Krista Taverner, Leslie Road, advised that the adjacent property owner of the vacant lot was not able to attend the meeting this evening.

Ms. Weaver added that she believes the set back is 50 feet from the lot line.

Danielle Chitty, Bastian Point Road, commented that she believes if the owners of the adjacent vacant lot were to build a house on that lot, it would be within the set back limit from the tower.

Marion Foote, Leslie Road, asked for clarification on the notification area. Mr. Joudrey advised that the notification area for rural and semi-rural areas is 500 feet from the property boundaries.

Mark Girard, Leslie Road, read to the audience a letter from Peter Stoffer, MP regarding telecommunication towers.

Jimmie Inch, Leslie Road, indicated opposition to the tower at this location. He inquired to Eastlink what if HRM makes a negative recommendation. Ms. Weaver advised that a negative recommendation would be taken into consideration by Eastlink.

Linda Thieu, Leslie Road, advised that the wetlands are going through a restoration with the Department of Environment. She noted that there are studies currently underway on the effects of EMF emissions, and that there is not enough information yet. The Department of Tourism is promoting this area, and has a promotional video of Lawrencetown Beach that does not show the tower.

Robby Beaver noted that one quarter of the lake has no residential development and a lot of hills. He questioned how far away from the tower residents want to be, given that everyone wants good cell phone reception.

Tylor Wood, Leslie Road, inquired whether there are any policies or procedures within the Lawrencetown MPS. Mr. Joudrey advised that there are currently no policies, procedures or guidelines that address telecommunication towers in the MPS. The Council report that staff use for the process use the three evaluative criteria described earlier in the meeting: visual impact, aesthetics and community compatibility.

Debra Heaney, Leslie Road, suggested that the tower be placed as far away from existing homes as possible so that future homes have a choice of locating in the area.

Shane Sutherland commented that he has good cell phone reception through Aliant now.

Mr. Forrest explained that with the existing towers that are owned by Aliant or Rogers, other service providers that wish to co-locate on these towers are forced to put their equipment lower on the tower, which doesn't give as good reception as the top. This necessitates new towers to be constructed. Mr. Forrest also clarified that this tower is to provide high speed wireless data and voice service. Eastlink cable, phone and internet services are separate.

Dennis Rushton, Heron View Drive, noted concern with destruction of the tree buffer during construction of the access road and the tower.

John Austin, inquired what services are included in the wireless network for this tower. Mr. Forrest advised that the advanced wireless network includes voice (cellular) and data (for iPhone, Blackberry, etc.).

Pauline Woodward, Bastian Point Road, asked what the arbitration process is like. Mr. Joudrey commented that there is an arbitration process currently going on in Halifax. He noted that Industry Canada is present for the arbitration, and they review all materials submitted, and review the public feedback and suggestions. Industry Canada has the final say.

Morgan Chitty, Bastian Point Road, inquired how long the lease on the property is for. Ms. Weaver advised that the lease is for 10 years, and there are 8 years left remaining.

Shane Sutherland, Leslie Road, encouraged residents to voice their opposition to the tower.

Rod Petrie, Oceanic Drive, commented that he had no idea about this proposed tower when he purchased his property, and it will be an eyesore.

Morgan Chitty, Bastian Point Road, inquired whether it was part of Eastlink's business plan to sell space on the tower to other providers. Mr. Forrest advised that the height of the tower was chosen for Eastlink's needs, not to accommodate other providers.

Mr. Chitty commented that if there are 8 years left on the less, minus 6 months for this process, that leaves 7 ½ years for the tower. Does Eastlink intend to keep the tower for longer than that? Ms. Weaver advised that there is one option to renew on the lease.

An unidentified resident commented that they live in a very close community, which is very opposed to the tower. Eastlink should reconsider the proposed location.

Mr. Joudrey reviewed the next steps in this process. After this meeting, and a review by staff, a staff report is forwarded with a recommendation to Marine Drive, Valley and Canal Community Council, with the minutes from this meeting attached. Community Council then forwards a recommendation to Industry Canada. The application process for telecommunication towers does not include a public hearing. Residents will be notified of the Community Council meeting.

At the request of attendees, Mr. Joudrey clarified that if residents wish to make a presentation at the Community Council meeting, to contact the Clerk's Office or the Chair of the Community Council to arrange. He encouraged residents to forward comments to him if they want them included in the staff report. Mr. Joudrey provided his contact information.

Also at the request of attendees, Mr. Joudrey indicated that a notice of the decision could be placed in a newspaper and/or put on the HRM website.

5. Closing Comments

Councillor Hendsbee spoke of correspondence he has seen on this proposal so far. He indicated that when the report is ready, he will ask that the Community Council meeting he held in Lawrencetown. He noted that when there was a proposed cell tower in Fletcher's Lake, one person showed up to the meeting and that the attendance today shows support for the community. Councillor Hendsbee thanked everyone for attending.

Mr. Joudrey thanked everyone for attending and encouraged them to forward their comments to him or contact him with any questions.

6. Adjournment

The meeting adjourned at approximately 9:00 p.m.

Attachment F: Comments Received from Public and Agencies

Darrell

I was looking for some information on the proposed cell tower for Leslie Road in East Lawrencetown (Case 16620).

I was hoping to get copies of the submission drawings so our neighbourhood can have a look at them before the meeting on Feb 3rd. We have copies of the public meeting notice that you sent out, but that shows only the site plan but no detailed information other than the written description.

I assume that Eastlink (Bragg Communications) would have been required to submit a detailed location plan that shows elevations and setbacks, as well as some elevation drawings showing the proposed tower, fencing, services, etc. I'm not sure if 3D renderings were required. Any information you have would be appreciated.

I would like to get copies of any submission docs that are available so our neighbourhood can be adequately prepared for the meeting.

If only paper copies were submitted, could give me the contact person at Eastlink so I can contact them to get pdf copies of the submission drawings.

Thanks in advance.

Jimmie

J.M. (Jimmie) Inch, P.Eng.

To: Jill Laing, Public and Media Relations, EastLink

Hi Jill

I was looking for a contact person in your engineering/technical department who could give me some detailed information on the proposed cell tower for Leslie Road in East Lawrencetown (HRM Case #16620). I live on the street and I am acting on behalf of the neighbourhood in gathering information.

I have the single page notice that HRM sent out (attached), but there is no detailed information on the proposed construction. I would like to get copies of the drawings for the proposed project (site plan, topo, setbacks, tower details, fencing, etc.). I'm sure all of this is in the submission package, but we would like to review it as a neighbourhood prior to the public meeting on Feb 3rd.

If you could point me in the right direction, that would be great.

Thanks

Jimmie
J.M. (Jimmie) Inch, P.Eng.

I got this contact email from the Eastlink website.

I am looking for a contact person in the Eastlink engineering/technical department who could give me some detailed information on the proposed cell tower for Leslie Road in East Lawrencetown (HRM Case #16620). I live on the street and I am acting on behalf of the neighbourhood in gathering information.

I have the single page notice that HRM sent out (attached), but there is no detailed information on the proposed construction. I would like to get copies of the drawings for the proposed project (site plan, topo, setbacks, tower details, fencing, etc.). I'm sure all of this is in the submission package, but we would like to review it as a neighbourhood prior to the public meeting on Feb 3rd.

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

To: Industry Canada, Atlantic Region
Hello

I am looking for the contact information for someone in Industry Canada to discuss a proposed antenna to be built in our neighbourhood (East Lawrencetown). We have a public meeting on Feb 3, but I was hoping to gain more insight into the approval process prior to the meeting.

If you could have someone contact me, that would be appreciated.

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Hi Darrell

Quick question:
In regards to the application process, the information document you sent out has the following information:

"A consultation policy has been put in place to allow municipalities to review the proposed antenna structure and site and to comment on the applicant's proposal. HRM will provide written recommendation to Industry

Canada who will then determine whether or not a license is to be granted and upon what conditions, if any, such license is granted."

As I understand it, the final written recommendation will be coming from HRM and will be submitted to Industry Canada. Will that recommendation document be made available to the residents prior to being issued to Industry Canada? After it is issued?

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Hi Darrell :
How much information does HRM put out with its notification packages ? is it just a letter or is more information available upon request. please clarify. Thank you > David H

>>> Carolyn Weaver 1/18/2011 2:06 PM >>>
David,

I will contact the resident. HRM does not send out site plans, tower drawings, letter provided by EastLink (addressing IC requirements, etc to residents as part of the notification package?

Cheers,
Carolyn Weaver | Manager, Site Acquisition | Wireless | EastLink

Darrell,

NAVCAN worked with DND, originally we were proposing a tower with a height of 50m and NAVCAN(based on DND conversations) restricted the total height to 39m. See attached documentation.

Cheers,
CW
Carolyn Weaver | Manager, Site Acquisition | Wireless | EastLink
Carolyn.Weaver@corp.eastlink.ca | T: 902.406.4324 | F: 902.406.4325

-----Original Message-----

From: Darrell Joudrey [<mailto:joudred@halifax.ca>]
Sent: January 18, 2011 3:19 PM
To: Carolyn Weaver
Subject: painting and lighting of telecommunication towers

Hi Carolyn,

I noticed that in the submissions you made Transport Canada commented on whether painting or lighting of towers was required. Because the Caldwell Road Tower is proximate to Shearwater does DND have to comment on any tower requirements?

Thank you.
Darrell

-----Original Message-----

From: Darrell Joudrey [<mailto:joudred@halifax.ca>]
Sent: January 18, 2011 2:58 PM
To: Jimmie Inch
Subject: RE: Leslie Road Cell Tower

Hi Jimmie,

I will try to respond to all your emails in this one.

I have sent submitted information to be posted on our detailed information web page under planning at halifax.ca
<http://www.halifax.ca/planning/PlanningAppsDetailedInfo.html>

Hopefully this will be available later today. We have just had a bit of a delay as our technician has been out of the office.

The information to be posted will include: site plan, tower and equipment cabinet plans, proximity to residences map, Safety Code 6 Attestation. I don't know if this will answer all your questions.

The recommendation document going forward from Community Council to Industry Canada will be made available on-line as soon as it is made available to the Councillors. I will prepare the report after the PIM and internal review of the application. Council will discuss the recommendation and either forward it or send it back to me for revision.

Hope this helps you. If not please let me know how I may be of assistance.

Darrell

Hi Darrell

Quick question:

In regards to the application process, the information document you sent out has the following information:

"A consultation policy has been put in place to allow municipalities to review the proposed antenna structure and site and to comment on the applicant's proposal. HRM will provide written recommendation to Industry Canada who will then determine whether or not a license is to be granted and upon what conditions, if any, such license is granted."

As I understand it, the final written recommendation will be coming from HRM and will be submitted to Industry Canada. Will that recommendation document be made available to the residents prior to being issued to Industry Canada? After it is issued?

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Hi Darrell

Do you know when the electronic documents will be posted? We have a neighbourhood meeting this week and we don't have a lot of time to prepare for the meeting as it is. In order to adequately put something together, we will need the documents.

If I go to the planning office, will they make copies of the documents there?

Any information would be appreciated.

Thanks
Jimmie

CC: The Honourable Charlie Parker, Minister of Natural Resources
Industry Canada

Alicia

As discussed on the phone, I've attached the information package that we have received on the proposed 250ft high cell tower to be built on Leslie Road, across the street from Lawrencetown Beach. I live on Leslie Road and I am representing our community group on this matter.

As you can imagine, we are strongly opposed to this proposed structure being built on Leslie Road. Our personal concerns about the neighbourhood aside, we feel that building a structure of this size so close to one of the top beaches in Atlantic Canada is completely unacceptable. Lawrencetown Beach is marketed as a tourism destination across North America and erecting a 250ft tower in the area seems to go against how the government values its natural resources.

From the beach website:

"Lawrencetown Beach is a provincial park and was one of the first beaches in the province to be supervised by the Nova Scotia Lifeguard Service who have been on duty there since 1973. Lawrencetown Beach, a south-facing stretch of sand that unfurls for nearly 1.5 km (1 mi), is renowned as a prime destination for local and international surfers. From your first breath-taking view of the beach and the sea as you drive along Route 207 from the hustle and cosmopolitan bustle of downtown Halifax just twenty-five minutes away, you'll fall under the spell of Lawrencetown. This beach is a local favourite. Families, couples, hikers, mountain-bikers (loving that great trail system near the beach), and body-boarders share the beach life with the dedicated surf crowd. For nature enthusiasts, Lawrencetown Beach area is home to lots of watchable wildlife.

We are not sure how a 250ft cell tower, that would be visible from the approach to the beach as well as on the beach itself, would fit in to the provinces tourism plans. It seems so completely off the mark with how this area is marketed.

Detailed drawings and documents have not yet been made available to us, but we are preparing a Community Impact Assessment Report on this proposed construction. Preliminary work has shown that this tower will be highly visible in the area of the beach.

We are looking to speak with someone in the Department of Natural Resources about our concerns. Also, there is a public meeting on February 3rd, at the Lawrencetown Community Center and we are respectfully requesting that a representative of the department be in attendance.

It would be greatly appreciated if you could get back to me with the name of a person in the department we could talk with to voice our concerns. Given the short notice of the meeting, your quickest response would be appreciated.

Regards
Jimmie
J.M. (Jimmie) Inch, P.Eng.

CC: The Honourable Charlie Parker, Minister of Natural Resources
Industry Canada

Alicia

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Thanks Darrell

I opened them no problem.

I've been cc'ing you on the emails I'm sending to the various departments just so you can take it into consideration in your review. As I'm sure you can tell, the neighbourhood is pretty upset. I think one of the main issues is that Eastlink doesn't even offer us service on this road. We called them for years to get TV and Broadband, but we weren't a large enough market. Now they want to build the tower here.

Anyway, I'm preparing a Community Impact Assessment that will be tabled at the meeting so you will have a copy.

I've been on the other side of the table at many of these meetings, so I know the position you are in.

Thanks again for the information.

Jimmie

Darrell,

Just wondering the best email address where people can send their concerns about the proposed cell tower. I'm getting a lot of calls from surfers and beachgoers wondering who to contact and I don't want to give them the wrong contact information.

From the initial response I'm getting, it's likely to be a lot of emails.

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Darrell

Quick question: What is the minimum permitted distance between an antenna like this proposed one and a dwelling?

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Mr. Joudrey,

In reference to your request to obtain information on "Telecommunication Towers Painting and Lighting" this comes under Transport Canada.

For your convenience Mr. "Stafford Cripps is Regional Director", Mr. Steve McDonough is the inspector (506) 851-3342 or 1 800 387-4999.

It is our department who has the final say on if or if not a tower gets approval (only if there is an impasse between the LUA and the Telco Proponent).

For your information, we have been dealing with your counterpart Mr. Miles Agar on the Purcell's Cove impasse between the HRM and Rogers.

I suggest you may wish to speak to him that may be advantageous to you for your upcoming February 3rd meeting.

To get a better understanding of the tower / antenna process, I refer you to the following IC web site.

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf06136.html

Please select the document titled " Radiocommunication and Broadcasting Antenna System " CPC -2 -0 -03.

Once you have had an opportunity to read over the document and should you require further help, please let me know.

Richard Arnold
District Manager Nova Scotia
Spectrum Management
Industry Canada

Dear Mr Joudrey,

I live at 251 Leslie Road, East Lawrencetown, Nova Scotia. I have been advised by neighbours that there is a proposal to build a tower at 185 Leslie Road, East Lawrencetown. I have also been informed that the only people that had to be advised are those within the "Notification Area". I live within the notification area. Can you please let me know when you were planning to advise me of this tower?

I do not plan to allow a tower to be built within my area without a fight. I have no wish to live in an area that will be destroyed by such a tower. The value of my property will be decreased, my health and the health of my family will be harmed, and it will be an eyesore that I do not wish to look at. When I chose my property, I chose it because of the view and for the healthy area. I look upon a lake and a beach and breathe clean air. I have no desire to look upon a tower or be harmed by the side affects of such a tower.

Please let me know all information about this tower and how you plan to inform the community, and I do not mean Leslie Road. I mean all the people who use Lawrencetown Beach as an area for swimming and surfing. I am sure they would also like to know how a huge tourist area is being affected.

Yours truly,

Debra Heaney

I am a resident living off Leslie Rd in East Lawrencetown. I noticed that Eastlink has requested to construct a telecommunication tower on Leslie Rd. I am trying to educate myself as to the definition of RR-1. As I understand it RR1 is residential with only those businesses in Appendix B and C of the land use agreement being allowed. If this is the case, why is this application even being considered. If I am mistaken in my interpretation - please let me know as I would like to ensure that I have the proper

information before I attend the public meeting to voice my concerns.

I am also interested in knowing how such a tower can even be considered in a wetland area with migratory birds not to mention the eyesore it would be to tourists coming to the Lawrencetown Beach area.

Thank you for any information you can give me.

Judie Woodward

Hi Carolyn

Quick question. The information sheet from HRM says that Transport Canada does not require this tower to be lit.

After talking with some of our friends who pilot search and rescue helicopters, they seem to think it does need to be lit, especially given that this is a high traffic training location for the search and rescue helicopters as well as the high amount of fog in this area. I know we frequently get helicopters near our house that appear to be fairly low.

They are looking into it, but I just wanted to check with you as well.

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Hi Carolyn

What services will the new tower provide to our street? TV, Internet, Cell?

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Hi Guys :

Can someone please give a "procedural outline" of how a PIM works ? Especially with regards to a telecommunication tower application.

If this a only forum for the applicant (Eastlink) to make their project public, then when can the public have an opportunity to respond formally ? The residents can express their views to the applicant at the PIM but how can the public make their opposition more formally known to the

Councillor / Community Council / Regional Council or the municipality as a whole ? I have been getting a number of e-mails sent to me personally but I have not responded nor acknowledged any of them yet.

And how broadly afoot can anyone express their views ? Is it like an open public hearing where any body from the area can speak out or is it more like a minor variance appeal whereby only the immediate residents abutting can respond.

And what exactly is the municipal role here ? Are we just a facilitator for the Federal govt ? Does Industry Canada have the authority to bypass municipal process and zoning ? Some in the area are asking how can this project be permitted in a rural residential RR1 zone ?

Does a report / recommendation go to Community Council for a vote ? Can the residents make a presentation there ? What recourse do the residents have for an appeal ? Is it to Regional Council, or NSUARB, or CRTC or some other federal board.

Also I am being asked to speak up and speak out about this project. I am trying to refrain from making any public comment in order not to prejudice the process.

Please clarify this for me and others that are asking what is the course of action from here on in. ok ? And I am sure this information will be helpful for a lot of other councillors that are dealing with cell tower applications elsewhere in HRM .

Thanks > David

David Andrew Hendsbee
HRM Councillor District 3 :
Preston - Lawrencetown – Chezzetcook

Hi David,
Yes, just did a quick interview to explain the process with any cell tower application and said we are holding a public meeting on the 3rd regarding the Lawrencetown application, that we will then come up with a recommendation to go to Industry Canada along with the minutes from the meeting, but ultimately it is an IC decision. Thanks.
Shaune

Hi DJ :
SO what if the Community Council votes against the application; does that really hold any weight with Industry Canada ? Can they still decide to proceed regardless of the local Community Council decision. ? Please clarify ... thanks > David

>>> Darrell Joudrey 1/25/2011 4:23 PM >>>
Hi Councillor,

There is a standardized approach to organizing PIMs across HRM but there is not a specific format for a telecommunications PIM. In the attached report to Council the application Process is outlined under the Background and Discussion.

If the residents make a presentation at the PIM then only one Councillor will be present - at Community Council all the Councillors would hear the presentation. A presentation at Community Council would probably be up to the discretion of that Council. Please check with Randy.

At a PIM any member of the public may express their concerns or relevant comments as it is not limited to the notification area or abutting properties like a variance hearing.

Industry Canada has the ultimate authority over the placement of, and guidelines with respect to, telecommunications towers. The municipality's role is to review the proposed facility and provide comment. These comments will be considered by Industry Canada who will then determine if a license may be issued and will stipulate any conditions. In HRM where installation of a proposed telecommunications tower is not anticipated by the land use by-law or not excluded under Industry Canada's Client Procedures a Telecommunications Application must be submitted to HRM. It is through this process that HRM carries out its public consultation, review of proposal and recommendation to Council, which provides comment on the proposal to Industry Canada. Because radiocommunications are federally regulated and licenced a land use by-law amendment or rezoning is not required.

Where the LUB contemplates installation of a telecommunication tower , i.e., the zoning provides for it, then the proposal is reviewed through the Development Permit process.

A staff report with recommendation goes to Community Council. I assume it would be up to the individual Council to decide if the public could make a presentation - they are your meetings and are not public hearings. You might want to check this with the Clerk's office or Randy. There is no appeal procedure as these facilities are federally regulated and licenced.

I hope this helps.

Darrell

Subject: FW: Cell Phone Tower East Lawrencetown Nova Scotia
From: Paul Logan
Sent: January-25-11 6:29 PM
To: 'Minister.Industry@ic.gc.ca'
Subject: Cell Phone Tower East Lawrencetown Nova Scotia

Mr. Minister,

I have faith that this email will find its way to your desk.

I trust you have knowledge of a proposed cell tower to be erected adjacent to Leslie Road in East Lawrencetown, N.S. It is truly reprehensible that a tower of this magnitude would be build inside a residential area. The residents of this area (my neighbours and I) have all chosen to move to this beautiful location to get away from city buildings and man-made infrastructure. This tower will be a blight on the eastern horizon. Lawrencetown is considered a coastal jewel internationally. Thousands of tourists and surfers come from all over the world to spend time here. They ride the waves, explore the coastline, hike the Trans-Canada Trail system, and leave knowing they have been truly blessed to experience such a natural and amazing location.

The Lawrencetown coastal region of Nova Scotia is a key migratory zone for millions of birds. A tower of this magnitude disrupts migratory patterns and poses a deadly navigational threat to large flocks of migratory birds. There are volumes of scientific evidence showing the hazards these structures cause for all birds.

We are told this tower is to be constructed because some people have complained about their cell phone reception. Simply put, our cell phones work just fine here and so do the cell phones of all people I know. It seems that the world of technology is once again dictating the rules of the game without regard to more important things like common sense and the value of leaving beautiful natural environments intact.

As a community we are gathering to fight this. As an individual I implore you and your department to look at this situation and consider it carefully. Surely there has to be other locations for this tower where it is not planted amidst homes, destroying a natural skyline, and away from the coastal migratory zone.

If this email is being read by a Member of the minister's staff, my simple request to you is to please make sure the Minister personally reads this.

A response would be appreciated.

Sincerely
Paul Logan

Hi Darrell

Just wondering about the public meeting agenda.

We are preparing an community impact assessment report and were planning on presenting it at the public meeting. Will there be a screen available for a power point presentation available? It won't be a long presentation, just a summary of what the report contains. We will be submitting full copies of the report for your records as well.

Thanks
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Thanks so much Darrell for responding to my inquiry. I do have another question - Does HRM have an inventory of environmentally sensitive and significant natural areas? Is there any information available on the ecosystem surrounding Lawrencetown Beach and Lawrencetown Lake? I am sure you are very busy but would appreciate your response.

Judie
-----Original Message-----
From: Darrell Joudrey [<mailto:joudred@halifax.ca>]
Sent: Monday, January 24, 2011 2:27 PM
To: Judie Woodward
Subject: Re: Proposal Info Case 16620

Good Morning Judie,

The RR-1 zoning permits residential, resource, community and commercial/industrial use Part 6 of the Lawrencetown Land Use By-law. The commercial/industrial uses permitted are existing ones and identified in Appendix B and C of the Land Use By-law as you say below.

The application is being considered because telecommunications towers may be proposed for any zone as they are provided for by federal statute, like aerodromes, and local land use zoning is given little or no regard when it comes to locating towers. Before 2006 there was no consultation process required although some companies did voluntarily go through municipal processes. With a municipal consultation process in place Community Council has been afforded the opportunity to hear input from residents and forward a position in a recommendation to Industry Canada to either approve, require modification or reject the proposal.

Please visit our link at [halifax.ca](http://www.halifax.ca/planning/Telecom/Index.html) where you can find some more info about Industry Canada, Safety Code 6 and a FAQ re: Telecommunication towers.
<http://www.halifax.ca/planning/Telecom/Index.html>

I am not sure what wetlands you are referring to as our zoning shows none in the locale where the tower is proposed.

If you have any further questions please do not hesitate to contact me. I suspect I will meet you at the meeting on Wednesday 3.

Darrell

>>> "Judie Woodward" 21/01/2011 9:42 pm >>>

I am a resident living off Leslie Rd in East Lawrencetown. I noticed that Eastlink has requested to construct a telecommunication tower on Leslie Rd. I am trying to educate myself as to the definition of RR-1. As I understand it RR1 is residential with only those businesses in Appendix B and C of the land use agreement being allowed. If this is the case, why is this application even being considered. If I am mistaken in my interpretation - please let me know as I would like to ensure that I have the proper information before I attend the public meeting to voice my concerns.

I am also interested in knowing how such a tower can even be considered in a wetland area with migratory birds not to mention the eyesore it would be to tourists coming to the Lawrencetown Beach area.

Thank you for any information you can give me.

Judie Woodward

Hello Judie :

I am not aware of any HRM database except for our GISS mapping for wetlands.

It is y understanding that the NS Dept of Environment are doing an inventory and assessment of our provincial wetlands as a part of their Wetland Conservation policy.

<http://gov.ns.ca/nse/wetland/conservation.policy.asp>

or you can refer to a Guide about addressing wildlife Species and habitat :

<http://gov.ns.ca/nse/ea/docs/EA.Guide-AddressingWildSpecies.pdf>

But I don't think an EA - Environment Assessment is required in this situation.

Or you may want to check to see if any of the NS Department of Natural Resources Legislation and regulations may apply or not. Such as the following :

Beaches Act

Conservation Easements Act

Endangered Species Act
Provincial Parks Act
Wildlife Act (also under Agriculture and Office of Fisheries and Aquaculture)

For more information, go to : <http://www.gov.ns.ca/just/regulations/actsxdep.htm#NRES>

There is also the DNR Habitats Program overview section that has more information about
• Species & Habitats Database • Wetland Inventory • Sanctuaries & Management Areas •
Wildlife Habitats and Watercourses Protection Regulation • Special Management Practices • and
other links ...This can be found at :
<http://www.gov.ns.ca/natr/wildlife/habitats/> .

Be sure to zoom in on this site that has some mapping and habitat details :
<http://gis4.natr.gov.ns.ca/website/nssighabnew/viewer.htm>

I trust you will find this information helpful with your quest for more data.

best regards :
David Andrew Hendsbee
HRM Councillor District 3 :
Preston - Lawrencetown - Chezzetcook

>>> "Judie Woodward" <pwoodwar@dal.ca> 26/01/2011 11:13 am >>>
Dear Councillor Hendsbee - I sent an email on the weekend to which I have
not had a response re the building of a communication tower by Eastlink on
Leslie Rd.
Further to my previous inquiry does HRM have an inventory of
environmentally sensitive and significant natural areas? Is there any
information available on the ecosystem surrounding Lawrencetown Beach and
Lawrencetown Lake?.

Judie Woodward, BMgt, MLIS

ALLNOVASCOTIA.COM - Thurs. Jan. 27/11
FEDS WILL HAVE FINAL SAY ON CELLPHONE TOWERS
By Caroline Wood

HRM is holding public meetings to consider Bragg Communications' application for four
cellphone towers around metro, but Industry Canada will have the final say.~

Eastlink is giving out very few details about its new wireless network leading up to a launch date
later this year.

Within the last few weeks, the company has had to make applications to HRM for towers on
private, leased land at Fletcher's Lake, Cow Bay, Eastern Passage and Lawrencetown.

In a process that could take up to four months, HRM planners will consider public input and come up with a recommendation for council.

Council will vote, but the final tower decisions are made by Industry Canada, the federal agency responsible for the airwaves.

Industry Canada prefers for municipalities, the public and business interests to agree, but sometimes that doesn't happen.

"Under rare circumstances where an agreeable solution for a site is not possible, Industry Canada may need to make a determination based on the facts presented," said an agency spokesperson.

Industry Canada gave Bragg and a number of other cellphone newcomers a chance to get into the cellphone business in 2008 by making changes to a wireless spectrum auction.

The federal government wanted to encourage competition because Canadians pay some of the highest cellphone rates in the world, something seen as a potential hurdle to growth.

Industry Canada has been so set on paving the way for cellphone newcomers, minister Tony Clement even went so far as to bend foreign ownership requirements for Egyptian-controlled Wind Mobile.

Industry Canada also tries to encourage cellphone competitors to co-locate on towers to protect the landscape.

Eastlink says it will co-locate where it can, although the company can't name the any joint towers until deals with the owners are done.

Eastlink told a city planner it cannot co-locate on a Rogers tower in Eastern Passage because it is not high enough.

Eastlink does not necessarily need to consult with the public for all towers. In urban areas, it can simply apply for a building permit if the municipal plan already allows for tower construction.

New cell towers going up at Scotia Speedworld near the airport, and another at Garden Crest Apartments on Spring Garden Road, but there is no indication who owns them.

Property owners are only too happy to lease roof space for cell towers at \$500 to \$1,000 a month because it is incremental income.

Caroline Wood

Thanks Mr. Hendsbee. This article may be a little misleading. Darrell, please correct me if I am wrong but it is my understanding that if Eastlink

has several sites they are considering for the cell tower then yes Industry Canada would have the final decision on which site is approved. However if one of the sites under consideration requires rezoning and does NOT get approval for rezoning from HRM then it will no longer be a site that Industry Canada can consider as an option.

Therefore as residents of Lawrencetown Estates, we are truly hoping that HRM Planning and ultimately HRM Councillors will say no to rezoning this RR-1 lot located in the middle of our beautiful landscape.

Sincerely
Krista Taverner, P.Eng

Dear Mr. Joudrey,

I am a resident of 38 Bastian Point Rd, a small cul de sac located just off of Leslie Rd in East Lawrencetown, in very close proximity to Lawrencetown Beach. We are very concerned and upset over a proposal made by Eastlink to erect a 25 story cel phone tower at 185 Leslie Rd, zoned RR1 residential. This would mean that they are making an application for rezoning and we are not in favour of this. We would like it noted at this time that we are strongly opposed to this proposal, and are outraged and deeply saddened that this could impact our community in this way.

We are a wonderful and amazing community, one of which we've never encountered before, and we've lived many places. Through the fire a few years back we banded together in support of one another, and made it through that terrible time having made lasting relationships and connections. This residential area has many children, families, farms, as well as an abundance of wildlife. There are some very high end homes in the area, of high market value, that will be greatly affected by this tower as the value of our homes will drop 20%. We pay very high taxes, and personally it costs us 9\$ a day in taxes to live here (3500 per year) yet we have no amenities. We have no pavement, sidewalks, streetlighting, transit, firehydrants, water, sewer or cable to name a few. Yet we do not complain because the privledge of living in such a fulfilling community makes up for all those things. To bring in a cel tower of this proportion in to our residentially zoned neighbourhood is appalling. We are located right next to world renowned Lawrencetown Beach, recently featured on the television show Land and Sea. Would it have had the same beauty with a 25 story cel phone tower in the background? This tower will not be something you just see in the distance from the beach. It is in close proximity and will be a definite eyesore to not just the residents but to the tourists that visit our area from all over the world. Lawrencetown Beach is growing steadily as a destination for travellers, and it makes absolutely no sense for Eastlink to locate their tower here.

We are not opposed to development, and yes we carry a cel phone in our back pocket every day and our reception is fine here on Leslie Rd. But development of cel towers have a place, and a neighbourhood with children, wildlife, community and unsurpassed beauty is not it.

The purpose of this email is to have it noted that Morgan and Danielle Chitty of 38 Bastian Point Rd are strongly opposed to the Cellular Tower for 185 Leslie Rd. I thank you for all your time regarding this matter.

Yours truly,
Morgan and Danielle Chitty

Mr. Hendsbee

Thank you for the information, it is appreciated. I am fortunate to have designed and personally installed a telecommunications tower on a high-rise hotel in Halifax. I worked with Industry Canada on the project and found them to be extremely supportive in the planning, permitting, installation and testing phases of the project. I have read, and am familiar with Industry Canada's CPC-2-0-03 "Radiocommunication and Broadcasting Antenna Systems".

Having worked with Industry Canada in the past, I understand that they have the final say in the matter of new tower installations. In almost all cases, however, land use by-law matters are left to the municipalities to finalize prior to approvals. In cases where proper zoning is not granted by governing municipalities, Industry Canada rarely intervenes. Essentially, if HRM council does not approve the re-zoning for Leslie Road, the tower will likely be relocated.

The issue is not the lack of available land options or adequate elevation/site distance, rather it is the accessibility and the increased cost to Eastlink to construct roads and utilities to more remote sites away from HRM's waterfront areas. Therefore, I understand why Eastlink would propose constructing a tower in an existing neighbourhood: the decreased capital costs. However, re-zoning an existing neighbourhood solely to alleviate construction costs for Eastlink is not in the best interest of our community.

I have been fortunate to have been involved in numerous projects on the Halifax Waterfront in co-operation with all three levels of government, which is why I am confident that we will be able to bring to light many concerns that may have gone unnoticed in Eastlink's preliminary site planning stages for this tower location.

I look forward to presenting our Community Impact Assessment Report at the public meeting on Feb 3. We are confident that when all issues are presented to HRM and Eastlink, an alternative site will, clearly, be the most feasible option for not only the residents of Lawrencetown and HRM, but for all tourists and visitors to this region.

Regards
Jimmie Inch
J.M. (Jimmie) Inch, P.Eng.

Dear Ms. Taverner, David, et.al.,

Thank you for your message about this important issue. I appreciate the concerns and have attached the report that came to Chebucto Community Council in response to a cell tower application in my district. Chebucto Community Council unanimously sent a negative recommendation to Industry Canada. However, we have no legislative authority: HRM is asked to review and comment on the siting/aesthetic aspect. As per federal legislation, the decision with the Purcell's Cove application now remains with Industry Canada.

Given that the federal government has exclusive jurisdiction over radiocommunication and telecommunications, including the installation of communication towers and sites we need federal influence. In this case I contacted my elected Member of Parliament, Megan Leslie, and asked her to contact the new Minister of Industry and as well bring this matter to the House. We need the concerns to be articulated to the federal politicians and agencies. Megan did contact the Minister on more than one occasion on our behalf. I see that MP Peter Stoffer is cc'd, which is great!

In addition, anyone who wishes to express their views directly to the Minister should contact The Honourable Tony Clement, Minister of Industry, 235 Queen Street, Ottawa, ON, K1A 0H5., and/or Mr. Henry Klain, Acting Manager of Industry Canada's Nova Scotia District.; email: Henry.Klain@ic.gc.ca or 426-3978.

Hope this helps. It is odd and frustrating that we hold these public meetings and HRM staff have to generate a recommendation report to Council and the application is voted upon BUT if we refuse the application we do not have the final say....

Sincerely,
Linda
Linda Mosher
Councillor - District 17

Mr Joudred

Prior to the scheduled community meeting to be held on February 3, 2011, I wish to formally file my objection to Bragg Communcitation's (East Link) application to have the area rezoned from rural residential to industrial.

I have several reason for my objection and these are as follows;

The properties on Lelsie Rd. are surrounded by Environmentally sensitive lands, water and animal and marine habitats and to the best of my knowledge no Environmental Assessment has been conducted by any party to assess the impact of building this tower.

The location is also a prime tourist destination the placement of this tower on the lot chosen will make for visually polluting sight as it will be visible from Lawrencetown beach, and for miles beyond. No one wants to look at a cell tower when they are at the beach.

As a resident of Leslie Rd. I am not prepared to see my property devalued by rezoning from rural residential to industrial, I need HRM to be aware that if they support this rezoning application then I will be expecting a significant reduction in my taxes and significant improvements in the services I and others receive here on Leslie Rd. I would ask that either yourself or another person from HRM be prepared to specifically address the question of the impact on property values at the meeting on February 3, 2011.

I am by profession an Environmental Health and Safety expert with over 40 years hands on experience in the field, I am aware of the research which indicates that Electro Magnetic Fields/Energy (EMF) emitted by cell towers can be harmful to human and animal health. I am also aware of the other side of the story which states this finding is nonsense. My purpose for raising it with you now is to make sure that HRM council is aware of this controversy and the conflicting information both for and against the location of these towers near residential areas. I would like to make sure that Regional Council is reminded of the medical concerns which have now been verified regarding the locating of Windmills near homes. As a professional who has had to deal with the impact of radiation emitted by cellphones and the EMF equipment I can assure you that where there is smoke there is fire, one needs to go no further than to look at the changes local police forces made throughout Canada to the use and operation of hand held Radar guns (same/similar technology as cell phones). I am also aware that Canada has significantly safer limits than the USA for example but as a safety professional my mantra has always been prevention, and consequently I would not build or buy a home in the vicinity of any cell tower. It just is not worth the risk. Is HRM prepared to be a party to dealing with any action that might arise from someone becoming ill?

A similar concern as above exist for the horses stable near the proposed tower. I am sure you are aware that there is a riding and boarding stable next to this site. Animals are affected just as much as humans by EMF.

I would also like to know the number and type of all Hazardous Materials to be located at this site whether they be permanent or temporary and what plans are in place to ensure their safe use, disposal and response should they leak into the environment, I am particularly concerned with the storage of any PCB material in transformers or other electrical equipment on site.

Thank you for your time
John Austin

John -

I can not "assist in opposing" this proposal because that could be deemed as unfair procedural prejudice. I am required to be neutral and unbiased towards this application. I must hear all of the facts and be cognizant of the various opinions being expressed from all sides.

For myself I had to seek out information on how these telecommunication tower applications are made through HRM but Industry Canada as ultimate authority. The municipality acts more as a procedural facilitator.

I have been "assisting" by way of advising residents as to where they can seek information for their queries.

I'm sorry that I can not do play the role you wish of an "opposition politician" because I must weigh all of the true facts and then make a real decision to its fate. Having that responsibility has its own weight that I must carry. If I was to publicly oppose to any application from the outset, then I would be failing my fiduciary duty. And that would not bode very well with any regulatory review or appeal if preconceived biases can be substantiated.

The process must unfold without obstruction. I trust you can understand my predicament.

Regards, David H

Thanks for the clarification Darrell. We were thinking that if HRM did not approve the rezoning then Eastlink would have to reconsider one of the other sites and therefore this site wouldn't be under consideration for Industry Canada any longer (I assume they found several sites in the area that are suitable however this one is the cheapest as it does not require an access road). We didn't realize they are immune to rezoning. The level of stress for our neighbourhood just went way up! Wow, this is scary. Linda Mosher also responded with info from a similar situation in her area.

We really do appreciate everyone's assistance.

Thanks

Krista

On 2011-01-27, at 3:23 PM, Darrell Joudrey wrote:

> Hello John,

>

> I did forget to mention in my response to you that this is not an application to rezone the lands as you say in your opening paragraph. The lands do not have to be rezoned. This application is part of a public consultation process to allow local land use authorities - the municipality - to comment on the locating of telecommunication towers. Community Council will make a recommendation to Industry Canada concerning the location but they do not make the final decision.

>

> Darrell

>

>>>> John Austin <jraustin@bellaliant.net> 27/01/2011 10:56 am >>>

> Mr Joudred

> >

> Prior to the scheduled community meeting to be held on February 3, 2011, I wish to formally file my objection to Bragg Communcitation's (East Link) application to have the area rezoned from rural residential to industrial.

> I have several reason for my objection and these are as follows;

> The properties on Lelsie Rd. are surrounded by Environmentally sensitive lands, water and animal and marine habitats and to the best of my knowledge no Environmental Assessment has been conducted by any party to assess the impact of building this tower.

> The location is also a prime tourist destination the placement of this tower on the lot chosen will make for visually polluting sight as it will be visible from Lawrencetown beach, and for miles beyond. No one wants to look at a cell tower when they are at the beach.

> As a resident of Leslie Rd. I am not prepared to see my property devalued by rezoning from rural residential to industrial, I need HRM to be aware that if they support this rezoning application then I will be expecting a significant reduction in my taxes and significant improvements in the services I and others receive here on Leslie Rd. I would ask that either yourself or another person from HRM be prepared to specifically address the question of the impact on property values at the meeting on February 3, 2011.

> I am by profession an Environmental Health and Safety expert with over 40 years hands on experience in the field, I am aware of the research which indicates that Electro Magnetic Fields/Energy (EMF) emitted by cell towers can be harmful to human and animal health. I am also aware of the other side of the story which states this finding is nonsense. My purpose for raising it with you now is to make sure that HRM council is aware of this controversy and the conflicting information both for and against the location of these towers near residential areas. I would like to make sure that Regional Council is reminded of the medical concerns which have now been verified regarding the locating of Windmills near homes. As a professional who has had to deal with the impact of radiation emitted by cellphones and the EMF equipment I can assure you that where there is smoke there is fire, one needs to go no further than to look at the changes local police forces made throughout Canada to the use and operation of hand held Radar guns (same/similar technology as cell phones). I am also aware that Canada has significantly safer limits than the USA for example but as a safety professional my mantra has always been prevention, and consequently I would not build or buy a home in the vicinity of any cell tower. It just is not worth the risk. Is HRM prepared to be a party to dealing with any action that might arise from someone becoming ill?

> A similar concern as above exist for the horses stable near the proposed tower. I am sure you are are that there is a riding and boarding stable next to this site. Animals are affected just as much as humans by EMF.

> I would also like to know the number and type of all Hazardous Materials to be located at this site whether they be permanent or temporary and what plans are in place to ensure their safe use, disposal and response should they leak into the environment, I am particularly concerned with the storage of any PCB material in transformers or other electrical equipment on site.

> >

> Thank you for your time

> John Austin

Darrell/David

Just wanted to say thanks for clarifying the whole "zoning" issue with the tower. I think we are clear on the process now.

I'm sure we will have more questions as we go forward.

Regards
Jimmie
J.M. (Jimmie) Inch, P.Eng.

Darrell,

In response to Mr. Austin's question around hazardous material:

EastLink will not have any hazardous materials on site, neither as part of the site nor as part of the equipment.

Cheers,
Carolyn Weaver | Manager, Site Acquisition | Wireless | EastLink

**Evelyn Riggs, EA to
PETER STOFFER, MP
Sackville-Eastern Shore
(902)861-2311
CEP 232**

Peter has asked me to forward the attached letter he sent to Minister of Industry Tony Clement concerning the proposed tower on Leslie Road.

From: Jimmie Inch
Sent: Thursday, January 27, 2011 10:09 AM
To: 'David Hendsbee'; 'Darrell Joudrey'; 'Jennifer Little'; 'Shaune MacKinlay'; 'Kurt Pyle'
Cc: 'Jackie Barkhouse'; 'Barry Dalrymple'; 'Lorelei Nicoll'; 'Linda Mosher'; Stoffer, Peter - Riding 1;
Subject: RE: FYI - ALLNOVASCOTIA.COM article about cell towers- Thurs. Jan. 27/11

Mr. Hendsbee

Thank you for the information, it is appreciated. I am fortunate to have designed and personally installed a telecommunications tower on a high-rise hotel in Halifax. I worked with Industry Canada on the project and found them to be extremely supportive in the planning, permitting, installation and testing phases of the project. I have read, and am familiar with Industry Canada's CPC-2-0-03 "Radiocommunication and Broadcasting Antenna Systems".

Having worked with Industry Canada in the past, I understand that they have the final say in the matter of new tower installations. In almost all cases, however, land use by-law matters are left to the municipalities to finalize prior to approvals. In cases where proper zoning is not granted by governing municipalities, Industry Canada rarely intervenes. Essentially, if HRM council does not approve the re-zoning for Leslie Road, the tower will likely be relocated.

The issue is not the lack of available land options or adequate elevation/site distance, rather it is the accessibility and the increased cost to Eastlink to construct roads and utilities to more remote sites away from HRM's waterfront areas. Therefore, I understand why Eastlink would propose constructing a tower in an existing neighbourhood: the decreased capital costs. However, re-zoning an existing neighbourhood solely to alleviate construction costs for Eastlink is not in the best interest of our community.

I have been fortunate to have been involved in numerous projects on the Halifax Waterfront in co-operation with all three levels of government, which is why I am confident that we will be able to bring to light many concerns that may have gone unnoticed in Eastlink's preliminary site planning stages for this tower location.

I look forward to presenting our Community Impact Assessment Report at the public meeting on Feb 3. We are confident that when all issues are presented to HRM and Eastlink, an alternative site will, clearly, be the most feasible option for not only the residents of Lawrencetown and HRM, but for all tourists and visitors to this region.

Regards

Jimmie Inch

J.M. (Jimmie) Inch, P.Eng.

Dear Darrell,

I am writing this email in regard to the proposed cell phone tower on Leslie Road in East Lawrencetown.

I am sure you are aware of the many reasons why the tower should not be constructed in this location so I won't take up your time going through them. I have voiced those concerns to the Minister of Industry.

What I want say is that my wife and I moved to East Lawrencetown six years ago to get away from the city and all of the man-made infrastructure. We had visited the area dozens of times prior to our move and when the opportunity came up for us to buy a property it took us all of 5 minutes to decide it was the right thing to do. The idea of moving to such a beautiful and quiet place was a no-brainer. As we went through the process of buying, our lawyer and we looked at the zoning for the area to be sure it was strictly residential. Indeed, it was. You can imagine our shock and disappointment, six years later, when we discovered that a cell tower is proposed for the lot directly across the road from our home.

This is not a reasonable location for a cell tower. The wisdom of having designated this location as rural residential should not be ignored. That zoning decision and all of the people who live in the area should be respected.

Surely there are other locations amidst the thousands of acres of scrub pine where a cell tower could be far removed from a beautiful residential and tourist area.

We thank you for your time and consideration given to this matter.

Sincerely,
Paul and Susan Logan

Mr. Joudrey,

I am writing with regards to the 76.2 metre telecommunication tower proposed for 185 Leslie Road in East Lawrencetown, Nova Scotia. As my home is located 134 metres to the northwest of the proposed telecommunication tower site, my wife and I are fearful that this project will be realized. Our fear results from the magnitude of the proposed tower and its close proximity to our home. Some of our concerns include the following:

- Our home and neighbourhood is regularly shaken by hurricane force winds. Wind gusts associated with Hurricane Juan were estimated at 185 km per hour, which was a category 2, of 5, on the Saffir–Simpson Hurricane Scale. The close proximity of the proposed tower to my family's home is of great concern given the high wind potential of this area.
- My young family has invested and grown in a beautiful residential area. Rezoning a neighbouring lot to facilitate the development of a telecommunication tower will reduce the market value of our home and the equity we have worked hard to build over the past six years. I myself did not and would not purchase a home adjacent to a 76.2 metre telecommunication tower, and I believe many potential homebuyers would share this view.
- Literature indicates a lack of consensus on the long term effects associated with living next to telecommunication towers. As my wife is seven months pregnant and our first child is currently two years of age, this lack of consensus is of utmost concern. A similar lack of consensus in the research could be found 50 years ago in the effects of smoking cigarettes, which we now know with certainty to have serious health effects.

Lawrencetown Beach Provincial Park is representative of the beauty of Nova Scotia's eastern shore. This Provincial Park is enjoyed recreationally by many Nova Scotians and visitors to this province. Adding to the beauty of this area are the many migratory water fowl populations. These species rely on the Lawrencetown Lake Estuary and local salt marshes. Erecting a telecommunication tower on Leslie Road will hinder tourism and compromise water fowl populations.

The residents of this area invested in a beautiful residential area. Rezoning property within this neighbourhood to support the development of a telecommunication tower is an inappropriate use of residential land. The eastern shore of Nova Scotia is not a densely populated area and there are numerous local sites outside of rural residential areas that could support advancement of Eastlink's telecommunication network. Development of a telecommunication tower in a more isolated area would come with higher capital costs to Eastlink, however these capital costs

should not justify disturbing residential neighbourhoods and widely used tourism locations within HRM.

This tower is of utmost concern to residents of our community, which I trust will be taken seriously during the decision-making process. I appreciate your consideration.

Sincerely

Tylor Wood

Hello Joann :

First of all, thank you for your e-mail.

I am obliged by process and therefore can not assist in any active overt opposition to this proposal because that could be deemed as unfair procedural prejudice. I am required to be neutral and appear to be unbiased towards this application as it goes through the process. I must hear all of the facts and be cognizant of the various opinions being expressed from all sides before I, and the other two Councillors of the Marine Drive alley & Canal Community Council (MDV&CCC), can render a decision.

For myself, I had to seek out information on how these telecommunication tower applications are made through HRM but Industry Canada as ultimate authority. The municipality acts more as a procedural facilitator.

I have been "assisting requests" by way of advising residents as to where they can seek information for their queries.

I'm sorry that I can not do play the role you wish of an "opposition politician" because I and my colleagues on MDV&CCC must weigh all of the true facts and then make a real decision to its fate. Having that responsibility has its own weight that I must carry. If I was to publicly oppose to any application from the outset, then I would be failing my fiduciary duty. And that would not bode very well with any regulatory review or appeal if preconceived biases can be substantiated.

The process must unfold without obstruction. I trust you can understand my predicament.

Regards, David H

Dear Mr. Hendsbee,

We are writing to you to express our concern of the proposed cell tower being put in our neighborhood. Our neighborhood is different from most, in the way that we all get together on many occasions to enjoy what our little piece of the world has to offer. We have Canada celebrations, Halloween, and Christmas celebrations and gatherings in the winter and summer where the festivities are posted on the mailbox for all in our neighborhood to join in, and most do! They are filled with potlucks, games and music until the wee hours - WE enjoy our neighborhood and all that it has to offer. The idea of the cell tower being put in here, with

residential homes and where we play with our children - sickens us! We have heard others refer to our neighborhood as an already ugly road - to us it is a beautiful place that we call home. Maybe they also don't realize the amount that we already pay in taxes and that this purported tower will lower our property values but certainly won't lower our taxes!

Aside from the above, we also have wonderful wildlife in the area, some of which are protected.

Lastly, Putting a huge tower overlooking beautiful Lawrencetown Beach is an injustice!

Putting your constituents first is your motto; does this mean we can expect your support on this when the time comes?

Sincerely,
The Lockes

Hello

My name is Keile Green . I am originally from Halifax where i lived all my life until 4 years ago when i moved to Lawrencetown. Even though Halifax by city standards is a small city it is overcrowded and over developed therefore when the opportunity arose for me to move to Lawrencetown I jumped at the opportunity. I grew up in the very south end of Robie Street back when it was a neighbourhood and before St. Mary's built high rises and started buying up as much property as it could. I remember a sparsely populated neighbourhood where all the children played outside and Stanfield's huge backyard was available for any and all children to play on. Those days are gone in Halifax but not out here in Lawrencetown.

The Leslie Road is a prime example of undeveloped rural neighbourhood. There is land for sale on the Leslie Road and people will move out of the city to buy lots here and build nice homes and have families. Until this cell tower issue developed I was interested in purchasing land on that road to build a home on. However at the mere mention of the proposed tower my interest evaporated. I do not want to be in sight of a huge cell tower nor in range of its radio waves. It is ridiculous to think that Eastlink says this is the prime and only location for this tower. The Leslie Road is a beautiful road and deserves to be allowed to develop into a suburban neighbourhood of the future. Why destroy its possibilities. I don't see any cell towers being erected in south end Halifax. That would ruin the neighbourhoods and drive people out. So why is this allowed to happen on the Leslie Road? Especially when the landowner does not live in Lawrencetown. If he were living on his land on the Leslie Road he would not want a cell tower in his backyard either. I am a big proponent of all things technological but a more isolated location could be found for the tower. Eastlink should not be permitted to build there.

Your constituent,
Keile Green

- 1/ property values will plummet
- 2/ people will move off that road
- 3/ aesthetically it ruins the landscape
- 4/ its a terrible thing to plant in the middle of Lawrencetown

Darrell,

I attended the community consultation meeting yesterday concerning the proposed communications tower on Leslie Road in Lawrencetown and would like further information.

I have just finished reviewing the Industry Canada circular on the matter and note in Section 4 that relevant and reasonable considerations should be considered by the Land Use Authority. If I understood you correctly you indicated that the only factors that are to be evaluated in your staff recommendation are:

Community compatability

Aesthetics

Impact

However, there was no discussion on the criteria that would be used for these factors. What criteria will you use?

In addition, I believe that the proposed developers did not address why an alternate site was not possible. I believe that this is especially important given that the community had identified several other sites within a mile of the proposed site that had similar elevations. Nor did the proponent indicate how they were trying to integrate the site into the local community. Given that the tower is very tall and dwarfs the surrounding trees - what level of integration is required - have you established any criteria?

The following is an excerpt from the Industry Canada circular section 4 which allows these latter factors to be considered reasonable and relevant.

Public Reply Comments

.... The factors that will determine whether a concern is reasonable or relevant according to this process will

vary but will generally be considered if they relate to the requirements of this document and to the

particular amenities or important characteristics of the area surrounding the proposed antenna system.

Examples of concerns that proponents are to address may include:

- Why is the use of an existing antenna system or structure not possible?
- ***Why is an alternate site not possible?***
- What is the proponent doing to ensure that the antenna system is not accessible to the general public?
- ***How is the proponent trying to integrate the antenna into the local surroundings?***
- What options are available to satisfy aeronautical obstruction marking requirements at this site?
- What are the steps the proponent took to ensure compliance with the general requirements of this document including the *Canadian Environmental Assessment Act* (CEAA), Safety Code 6, etc.?

Sincerely,
Calvin Mofford

February 7th, 2011

Dear Mr. Clement,

We recently had a public meeting to hear a proposal by Eastlink to put a 76.2 meter Telecommunication tower on the property known as 185 Leslie Road, East Lawrencetown, Nova Scotia. Please allow me to list a few facts regarding the placement of this tower in this residential area:

1. This tower would be 1 kilometer from Lawrencetown Beach which is a very popular tourist attraction 12 months a year. This tower will be seen from the Beach as well as from the parking lot, boardwalks, and all approaches to the Beach.
2. This tower is not needed by anyone in the area. All residences have reported perfectly good cell phone reception from Rogers and Bell Aliant phones. Bell Aliant has made high speed internet available on Leslie Road and all residents have satellite dishes to access Bell Satellite Television.
3. There are other sites available in this area which are not in the immediate vicinity of residences. One such site is at the end of Leslie Road where there is a logging road to the top of a hill. This hill is higher in elevation than the one chosen by Eastlink. The Eastlink representatives said that the higher the tower, the better.
4. According to Daryl Joudrey, the Planner of Community Development for the Halifax Regional Municipality and the facilitator of the public meeting, the three criteria for the placement of a communications tower are:
 - A. Visual impact
 - B. Aesthetics
 - C. Compatibility with the community

The visual impact: This tower will be seen by anyone walking/biking the trans-Canada trail, by those surfing, swimming, visiting the famous Lawrencetown Beach, and will even be seen by people on the many cruise ships that make their way into Halifax Harbour.

Aesthetics: This is a residential neighbourhood with average one to two-story homes. At one time, there were thousands of trees which may have camouflaged parts of a tower of this size, however, Hurricane Juan and the many storms since, have obliterated most of the larger trees in the area.

Compatibility with the community: The area around the proposed tower site is entirely residential. It is zoned Rural-Residential 1, which restricts the height of any building to 35ft. The rules also state that “no equipment shall be used that is obnoxious or creates a nuisance by virtue of noise, vibration, odour, or glare.” We also consider the amazing wildlife in our area to be a part of our community. There are thousands of migratory birds and water fowl visiting this area. These species rely on the Lawrencetown Lake Estuary and local salt marshes. The presence of a telecommunications tower will compromise the existence of these birds.

In summary, this tower is not needed by anyone in the area. It is only being built to benefit a large corporation. With this tower, they hope to attract more cell phone business in the area and they may be able to make money by offering space to their competitors. We, the residents, have suggested other locations. It should be up to Eastlink to investigate these alternatives as well as to be good, corporate citizens by relinquishing their lease on this property and relocating their tower.

Thanks very much for your time and consideration of this matter. A response in writing or e-mail would be very much appreciated.

Sincerely,
Susan Logan

February 7th, 2011

Dear Mr. Clement,

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Thanks very much for your time and consideration of this matter. A response in writing or e-mail would be very much appreciated.

Sincerely,
John and Patty Austin

Hello Everyone :

This past weekend (Feb. 4th-6th) at the Annual General Meeting of the NS Progressive Conservative Association in Halifax, I took the opportunity to meet and see Federal Minister Tony Clements. I advised him of the recent public information meeting held in Lawrencetown about the proposed Eastlink telecommunication tower on Leslie Road. I told Minister Clements about the overwhelming unfavourable response for this proposal. Even though HRM has not yet made a recommendation nor made a decision on the proposal request, but he should still be expecting to get several letters and e-mails opposed to it.

I trust you would not mind if I conveyed your sentiments. However, I did not convey my personal opinion about this matter because I could not and must not until the report is filed before making any commitment to a decision.

best regards :

David Andrew Hendsbee
HRM Councillor District 3 :
Preston - Lawrencetown – Chezzetcook

Hi Darryl

We appreciate your hard work at the meeting last week, that is a tough position to be in. We have a few questions.

We would like to send you a summary report of all of our concerns so that you take that into consideration when preparing your recommendation to Council. When will you be writing this recommendation and therefore when do you require our report?

Also we would like to get on the agenda for the Community Council so if you know any deadlines for that submission please forward them along.

Also, can you confirm the setback distance required/recommended between the tower and a home? We have been in contact with the owner of PID 40715401, (Roger Gumbrell at 101 Diana Grace Ave in Dartmouth) about the plans for the tower and it limiting the location of his house. It would be prudent of HRM & Eastlink to assume his house will be built at the back right hand side of the property with the required setbacks from the by-law so that the proposed tower location at the very least must be moved further to the right so that it doesn't affect where Mr. Gumbrell can build his house. It is my understanding that he will be submitting a building permit in the near future.

You indicated that you will be contacting all of the relevant government departments to get comments prior to making your recommendation. Who are your contacts at these departments listed below? We are just blindly sending emails to Ministers but that concerns me as it is the staff who send information to HRM/Industry Canada not the Ministers. We would like the staff to understand the extent of our concern as well. We could just send them one email on behalf of our neighbourhood, instead of flooding them. The departments we requested that you contact were:

- 1) The Department of Tourism to be consulted regarding the location of the tower next to the Provincial Park Lawrencetown Beach? We feel that building a structure of this size so close to one of the top beaches in Atlantic Canada is completely unacceptable. Lawrencetown Beach is marketed as a tourism destination across North America and erecting a 250ft tower in the area seems to go against how the government values its natural resources.

From the beach website:

"Lawrencetown Beach is a provincial park and was one of the first beaches in the province to be supervised by the Nova Scotia Lifeguard Service who have been on duty there since 1973. Lawrencetown Beach, a south-facing stretch of sand that unfurls for nearly 1.5 km (1 mi), is renowned as a prime destination for local and international surfers. From your first breath-taking view of the beach and the sea as you drive along Route 207 from the hustle and cosmopolitan bustle of downtown Halifax just twenty-five minutes away, you'll fall under the spell of Lawrencetown. This beach is a local favourite. Families, couples, hikers, mountain-bikers (loving that great trail system near the beach), and body-boarders share the beach life with the dedicated surf crowd. For nature enthusiasts, Lawrencetown Beach area is home to lots of watchable wildlife."

We are not sure how a 250ft cell tower, that would be visible from the approach to the beach as well as on the beach itself, would fit in to the provinces tourism plans. It seems so completely off the mark with how this area is marketed.

2. The Department of Department of Natural Resources to be consulted about environmental concerns with respect to the Lawrencetown Lake estuary and salt marsh that the tower will border and it's Blue Herons who live in Lawrencetown Lake, the Endangered Piping plover (who live at the beach and nest in the lake right next to the beach as well), horse stables in the adjacent property, and other wildlife in the area. The Lawrencetown coastal region of Nova Scotia is a key migratory zone for millions of birds. A tower of this magnitude disrupts migratory patterns and poses a deadly navigational threat to large flocks of migratory birds. There are volumes of scientific evidence showing the hazards these structures cause for all birds. Will they be recommending that an environmental impact assessment be completed to determine the impact of cell tower on items such as birds, other wildlife, pre/post development storm runoff into the lake, etc.
3. The Canadian Wildlife Service, Environment Canada to be consulted about environmental concerns with respect to the Lawrencetown Lake estuary and salt marsh that the tower will border and it's Blue Herons who live in Lawrencetown Lake, the Endangered Piping plover (who live at the beach and nest in the lake right next to the beach as well), horse stables in the adjacent property, and other wildlife in the area. The Lawrencetown coastal region of Nova Scotia is a key migratory zone for millions of birds. A tower of this magnitude disrupts migratory patterns and poses a deadly navigational threat to large flocks of migratory birds. There are volumes of scientific evidence showing the hazards these structures cause for all birds. Will they be recommending that an environmental impact assessment be completed to determine the impact of cell tower on items such as birds, other wildlife, pre/post development storm runoff into the lake, etc.
4. The Department of Communities, Culture, and Heritage to be consulted regarding the location of the tower in an area that is known to have been inhabited by the Mi'kmaq people and later by the French Acadian settlers? There are many books available on the history of East Lawrencetown and Lawrencetown Lake.
5. The NS Department of Transportation, who maintains Leslie Rd, regarding the suitability of heavy construction vehicles travelling over this gravel road for construction of a tower of such magnitude. The gravel road is built on a marsh with a very poor base.
6. The Atlantic Trails Association & TransCanada Trails Association to be consulted regarding the location of the tower with respect to the trails.
7. Industry Canada staff contact name.

Thanks for your time.

Sincerely
Krista
Krista Taverner, P.Eng.

February 8, 2011
Dear Councillor Hendsbee

I fully support the comments from my neighbor below. In addition, I feel strongly that the Lawrencetown Beach area, one of Nova Scotia's iconic locations known for its scenic beauty and year round use must retain its aesthetic value as a tourist location that evokes emotion and awe to all who venture there. During an internet search on Lawrencetown Beach, the very first hit is the Nova Scotia government boasting the following:

Lawrencetown Beach - See what Nova Scotia has to offer!
The Official Site of Nova Scotia.
www.novascotia.com

The Lawrencetown Beach area is 1.5 km in length with a panoramic view towards the proposed location of the communication tower on Leslie Rd. The area is characterized by fog and cold water temperature. Research has shown that avian collisions are a concern at communication towers particularly in cloudy, foggy weather (1). The Bedford Audubon Society states that "cell towers often pose a serious hazard to migrating birds. These journeys are already long and arduous. The increasing number of communication towers is an added, deadly obstacle course (2)." While research has primarily been focused on the attraction of birds to tower lights, and while Eastlink indicated that it does not plan to put lights on the tower, a further concern is the low-level, non-thermal radiation emitted from towers. Research in Valladolid, Spain has shown negative correlations with levels of tower-emitted microwave rations and bird breeding, nesting and roosting resulting in nest and site abandonment, plumage deterioration, locomotion problems and even death for those species close to cellular phone antennas (4, p. 14). In laboratory studies mice treated with radiation similar to those in an antenna park show irreversible infertility. The question that begs answering is what will be the effect of the communication tower's location on the birds in the Lawrencetown Beach area.

The map below represents the number of towers by height in Nova Scotia. The number of cell phone towers in the province has increased by 55 since 1998, particularly in the 300-499 feet tower class (green dots)(3). How many of those are non-lit? Has anyone recorded the effect of the towers on avian fatality or other environmental effects in those areas? As one of my neighbours so eloquently commented at the community meeting – we thought smoking was non-harmful at one point. How many of the towers are located in areas zoned residential?

The Municipal Planning Strategy (MPS) dated November 2006 states that the Lawrencetown Coastal Heritage Park system is a special area designation intended to protect its unique biological and physical characteristics (6, p.35). The designation "is premised on the concept of preserving valued natural environmental areas, while at the same time providing recreation opportunities. The designated recreation areas therefore, have either higher intrinsic natural

environmental qualities, or have both high recreational and environmental value...In fact, the Lawrencetown shoreline is a valued habitat feeding ground and stop-over for a large number of waterfowl, birds of prey and shore birds including the rare piping plover (5, p.35). Visual matters, aesthetics, compatibility within the community along with environmental concerns matter to the residents of Lawrencetown Estates and are duly noted within the MPS as a concern to all residents of Lawrencetown: "The protection of the natural environment and the preservation of the rural character is of utmost importance to the residents of Lawrencetown (5, p. 37).

The Lawrencetown Lake Salt Marsh Restoration Project, a six-year monitoring program was initiated by the NS Department of Transportation and Infrastructure Renewal in 2006 and monitoring is still underway(6). Species richness is being monitored and waterfowl with ducklings and breeding willets, herons and the Great Egret have all been noted in this area. Personally, I have watched Canada Geese, mallards and peewees make Lawrencetown Lake one of their stopovers as they migrate south and north or visit over the summer. One has to ask how the installation of a cell phone tower at this point in time would affect the ecology of the salt water marsh ecosystem as well as skew the results of the ongoing study which Nova Scotian taxpayers are funding.

The area around the proposed tower site is classified as RR-1. The Lawrencetown Land Use Bylaw (LLB, 2010) excludes industrial use within this zoning area (7). Although it was made very clear at the community meeting that a communication tower can be an exemption which would not affect the zoning of the area, one has to question a process whereby the applicant can lease the land for a 10-year period commencing in 2009 (option to renew for 10 years) with the sole intent of erecting a communication tower without prior community involvement. The legal obligations of the lease mean that Eastlink will likely resist any suggestions to relocate the tower to another area given its vested interest in seeking a competitive advantage. It is my perception that the arbitration process, if HRM Council does not support the applicant, would likely result in discussion to modify the tower and not necessarily relocate it as Eastlink undoubtedly would leave the final decision to a higher authority. Other communities within Canada have recognized the need to protect residential areas and have developed policies in this regard and the Halifax Regional Municipality Council must take action and develop similar policies to protect residents. Companies such as Eastlink should not be allowed to lease residential land before community discussion has taken place and all options discussed openly. Right now my perception is that the process is less than transparent with the applicant having the upper hand as they can wait for Industry Canada to make a final decision.

The only decision that will protect the sensitive environment of the area, retain the aesthetic beauty of the area and be compatible with the community would be a relocation of the communication tower outside the Lawrencetown Beach area. HRM must make a strong case, on our behalf, to Industry Canada to reject Eastlink's proposal to locate the tower within the Lawrencetown Beach area.

Let's make sure that when we boast "See what Nova Scotia has to offer" it's not a landscape marred by 250 foot communication tower soaring above the horizon.

Sincerely

Judie Woodward
9 Bastian Pt Rd.
East Lawrencetown, NS
B2Z 1T4

References:

1. US Fish & Wildlife Service: Migratory Bird Program: Avian Collision At Communication Towers - Sources of Information:
<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>
2. Bedford Audubon Society: Cell Towers and Wildlife. Retrieved from:
<http://www.bedfordaudubon.org/conserv/celltowerfacts.pdf>
>>> "Paul Logan" <paul.logan@ns.sympatico.ca> 07/02/2011 6:02 pm >>>
3. Old Bird Inc. Non-profit organization focused on research and education about nocturnal bird migration. Retrieved from <http://towerkill.com/reports/CA/NS.html#start>
4. Manille, A.M. Bird Strikes and Electrocutions at Power Lines, Communication Towers, and Wind Turbines: State of the Art and State of the Science, Next Steps Toward Mitigation.
USDA Forest Service Gen. Tech. Rep. PSW-GTR-191.2005. Retrieved from:
http://www.fs.fed.us/psw/publications/documents/psw_gtr191/Asilomar/pdfs/1051-1064.pdf
5. Halifax Regional Municipality. *Municipal Planning Strategy for Lawrencetown.* December 1990, Amended November 18, 2006. Retrieved from:
http://www.halifax.ca/planning/documents/Lawrencetown_MPS.pdf
6. Nova Scotia Canada. *Restoration of Nova Scotian Salt Marshes.* Website:
<http://www.gov.ns.ca/tran/enviroservices/enviroSaltMarsh.asp>
7. Halifax Regional Municipality. *Municipal Planning Strategy for Lawrencetown* (1990, Amended November 18, 2006). Retrieved from:
http://www.halifax.ca/planning/documents/Lawrencetown_MPS.pdf

February 7th, 2011

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more cell phone business in the area and they may be able to make money by offering space to their competitors. We, the residents, have suggested other locations. It should be up to Eastlink to investigate these alternatives as well as to be good, corporate citizens by relinquishing their lease on this property and relocating their tower.

Thanks very much for your time and consideration of this matter. A response in writing or e-mail would be very much appreciated.

Sincerely,
Susan Logan

Dear Minister Clement,

We write with regards to the subject matter and the recent public meeting that was held pertaining to a proposal by Eastlink to construct a 76.2 metre Telecommunications Tower on a property at 185 Leslie Rd in our Lawrencetown Beach community.

I believe that Mr David Hendsbee, our Representative on Halifax Regional Council, has already advised you of the grave concerns that we, the local residents, have regarding this most undesirable proposal that is being put forward by Eastlink to erect such a tower in our rural community.

With regards to same we advise that we fully endorse the objections to Eastlink's proposal and the important points that were raised by Ms Logan in her most eloquent and reasoned email to yourself, a copy of which, for the avoidance of doubt, is shown below.

Of particular concern is the fact that any consideration might be given by the authorities concerned to, in any way, shape or manner, ignore and thwart the intent of the Rural-Residential 1 zoning that applies to our community's area.

As residents of Leslie Rd for over twenty years we have seen the steady growth of the population along our street and the resultant increases in services that have subsequently occurred. However, any such increase in housing and facilities has been in accordance with the rural zoning regulations for the area and with the preservation of our environment and local flora and fauna in mind.

We therefore wish to register our sincere and most earnest objections to the Eastlink proposal to erect a telecommunications tower at 185 Leslie Road.

Yours Most Sincerely,
John and Michelle McStay

Darrell,

I was at the meeting in Lawrencetown last week to find out more information about the proposed Eastlink communication tower. I have been looking online and it seems many municipalities have guidelines that state that communication towers should not be located in residential areas unless there are no other alternatives. Simply saying it is cheaper for a company to build a tower in an existing development is not a valid reason for locating it in an existing residential area. one example:

<http://www.burlingtoniowa.org/development/code/zoning/ch.17.70.2010.pdf>

Applicant must also show evidence that all of the following conditions, where applicable, are met:

1. A proposed antenna and equipment cannot be accommodated and function as required on any existing structure or tower under the control of the applicant.
2. For a permit in a residential district must show that the area cannot be adequately served by a facility placed in a non-residential district for valid technical reasons.
3. Prior to consideration of a permit for location on private property which must be acquired, the applicant must show that available public property sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the tower....

I hope that HRM adopts as our guiding principle that communication towers should not be erected in residential areas, on scenic routes, or in environmentally sensitive areas, such as parks or coastal migratory areas. .

Caren Mofford

Hi DJ and all others :

Following up from the Public Information Meeting (PIM) of Feb. 3/11 about the Eastlink Telecommunication Tower application (Case 16620) for a proposed location on Leslie Road in East Lawrencetown, HRM, there were questions about the array of other towers that this proposal was only a part of a series in the area.

Attached is a ' pdf ' of an aerial photograph provided to me by Eastlink about their series of towers for their telecommunication system. In total, it shows six (6) towers along the Highway # 7, #107, #207 corridor to serve our region of the Eastern Shore. Three (3) of six (6) sites will be co-located on current towers in East Preston, Lake Echo / Porters Lake, and Head Chezzetcook / Gaetz Brook. The other three (3) sites require new towers - Westphal/West Lawrencetown (NSA063), East Lawrencetown (NSA224), and West Chezzetcook (NSA223). This should help clarify how and why a tower in the East Lawrencetown area is needed to fit in as a link of their system. But the main point raised by the public at the PIM was whether or not the exact proposed site at Leslie Road was the only possible site or could there be other locales within the immediate vicinity on other high points in the backlands of the East Lawrencetown area that will provide the same technical coverage.

Below, I have also provided a shortcut to Industry Canada's Spectrum Management and Telecommunications information page about Antenna Structures , Wireless Communication and Health, Industry Canada Department's Client Procedures Circular (CPC) and other FAQ's - Frequently Asked Questions about telecommunication towers :

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf01702.html or a short-cut title www.ic.gc.ca/antenna

Hopefully this information will be helpful for all of us to get a better understanding about the issue at hand.

Best regards : DAH
David Andrew Hendsbee
HRM Councillor District 3 :
Preston - Lawrencetown – Chezzetcook

Dear Sir

Further to Mr Hendsbee's email below could we also request an overlay diagram showing the area covered by the proposed towers and the signal strengths related thereto.

We presume that the same must be readily available as part of the application from Eastlink. Can you also please confirm that the coverage calculations related to same are being independently reviewed.

We much appreciate your assistance with regards to the above and remain,

Yours Sincerely
John and Michelle McStay

Hi Caren :

Thank you for your e-mail. I will forward your thoughts onward to HRM staff for their consideration with the report about this application.

With respect to the PIM, it was held as scheduled on Feb. 3/11. The weather subsided enough not to impact for any delay. The meeting was very well attended.

So who did this (these) person (people) call about the meeting times ? Was it a HRM staff person or the Call Centre ? . They were probably advised about a storm date (Feb. 9th) if it was to be needed.

Anyway, if these people missed the meeting, they can look up more information about this application at : <http://www.halifax.ca/planning/Case16620Details.html>

Ok ? best regards : DAH
David Andrew Hendsbee
HRM Councillor District 3 :
Preston - Lawrencetown – Chezzetcook

Dear David

Many thanks for the information provided.

We will naturally fully check and investigate same.

As copied to yourself I have already requested an overlay from Mr Joudrey to provide an overlay of coverage as proposed by Eastlink.

As pointed out quite correctly by Ms Logan, Leslie Rd has been in an electronic "no mans land" for some unknown reason for many years. Therefore all local residents who desire electronic communication already have alternatives arranged primarily via satellite or Bell Aliant cable connection. As also noted by Ms Logan we no longer experience any major difficulties with any call phone connections be it Bell, Telus, Rogers or others.

Therefore, Eastlink has totally ignored Leslie Rd in the past but now wish to impose upon the community an unwanted and unwarranted blight on our population and area.

You can be assured that the local residents of the Lawrencetown Beach area, of which we are all immensely proud, will endeavor to maintain the environmental balance of our unique community area.

Yours Most Sincerely
John and Michelle McStay

Dear Mr. Joudrey & Mr. Hendsbee,
We are writing with regards to the 76.2 metre telecommunication tower proposed for 185 Leslie Road in East Lawrencetown, Nova Scotia. More specifically this letter is intended to draw your attention to the Municipal Planning Strategy (MPS) for Lawrencetown, and the fact that erection of a telecommunications tower of this magnitude in the proposed location conflicts with the long term goals presented in this MPS.

The MPS for Lawrencetown describes Lawrencetown as a unique location due to its "*rural character, magnificent scenery, tranquillity, and its proximity and relatively easy access to the Halifax-Dartmouth Metropolitan area.*" The MPS also states "*Today Lawrencetown is well known for its unique coastal environment. The large number of environmentally sensitive marsh and lake systems play a vital role in both the ocean's ecosystem, and as a natural habitat for a variety of mammal and bird species, including the rare piping plover. Lawrencetown also boasts some of the nicest recreational beaches within Halifax County.*"

As a result of these characteristics, the provincial government acquired land in Lawrencetown to establish the Cole Harbour – Lawrencetown Regional Park System. The planning strategy indicates that these land acquisitions were intended to provide recreation and enjoyment for local residents and attract tourists to this province. To ensure the unique characteristics of the Lawrencetown area were protected, a Lawrencetown Citizen Committee (LCC) worked with HRM and the Nova Scotia Government to establish long term goals for the area, which follow:

- preservation of the rural character of Lawrencetown,
- protection of the natural environment of Lawrencetown, particularly the beaches, groundwater, salt marshes, and watercourses; and
- effective participation of an elected, representative, and accountable Citizens Committee in a planning process involving Provincial and County officials.

The MPS for Lawrencetown was produced based on these goals and agreed upon by the three main stakeholders: the Government of Nova Scotia, HRM, and the LCC. Although the MPS for Lawrencetown does not speak specifically to telecommunication towers, presumably due to the relative age of this technology, the MPS provides a number of development restrictions that are in direct opposition to the proposed 76.2 metre tower. For example, new development in the Lawrencetown Designation must:

- "be carried out in a manner to reduce visual effects on local environment" - **The magnitude of the proposed tower would have significant visual effects on wide spread surrounding areas and would be visible from many locations within the Cole Harbour – Lawrencetown Regional Park System (most notably Lawrencetown Beach Provincial Park as well as other parks).**
- "ensure architectural design and scale of building(s) are compatible with nearby land uses" - **The proposed 76.2 metre tower would stand equivalent to a 25 story structure amongst one and two story residential homes.**
- "not adversely affect nearby residential development" - **The proposed location at 185 Leslie Rd. is directly adjacent to an undeveloped lot which is zoned for residential use; should this telecommunication tower be realised in the proposed location the adjacent lot will likely be rendered undevelopable.**

We understand that Eastlink requires a telecommunication tower within East Lawrencetown to satisfy their network objectives. Noteworthy from the MPS, Lawrencetown is comprised mostly of “undeveloped forested land.” In fact, a number of potential sites in East Lawrencetown on undeveloped forest land with similar elevation to the proposed site were provided to Eastlink representatives by local resident(s). This leads to speculation as to the motivation for the choice of proposed location within a rural residential area, which is not in the best interests of the community as a whole.

In summary, the Implementation section of the MPS states that “council may not take any action within the scope of this planning strategy which would, in any manner, be inconsistent with the Strategy or at variance with it.” We trust that this letter has outlined the inconsistency between the proposed telecommunication tower location (185 Leslie Rd., East Lawrencetown, NS) and the goals and objectives of our community as outlined in the MPS. We trust that this information will be taken into consideration in the ongoing decision making process.

We appreciate your ongoing attention to this case.

Sincerely,
Lisa & Tylor Wood

Hi Darrell,

Sorry we didnt make that meeting, I was talking to the Chair of Atlantic View Trail Association andhe meant to attend as well. I am a local resident and volunteer for the local trail group, also work as Trail Specialist for HRM, Real Property Planning.

Dougs phone number is 435-4369 and his email will be attached to this email. Please call me anytime to discuss further, thank you!

Dawn Neil, Trail Specialist
HRM Real Property Planning

Dear Mr. Joudrey:

You are already in receipt of a letter I sent to you on February 2, 2011 against the erection of a 275 foot radio tower on the Leslie road in Lawrencetown. I sent the same letter to the Minister of Industry and below is the response I received. The response is ridiculous telling me information I am already well aware of.

Are you aware of the fact that Mr. David Swann (the Leslie Road landowner upon whose land this tower is to be erected) has another current financial arrangement with Bragg for Windtower Electricity Production? This information came to me and maybe you are even aware of it. However, in my opinion that represents “a conflict of interest “ on behalf of both of those parties.

In my opinion this matter needs to be investigated to the full now before there is any go ahead on that tower. Mr. Swann may own 25 acres on the Leslie Road but knowing what an environmentalist he proclaims to be , if he were living on the Leslie Road land he would be opposing any erection of that radio tower on or adjacent to his land or anywhere in eyesight of his home.

As I stated in my original letter to you, I moved from Halifax to the Lawrencetown area BECAUSE it had no discernible industrial development. Although I do not live on the Leslie Road and the tower will not be viewable from my home , its erection will devalue Leslie Road property , discourage a certain kind of landowner and pretty much destroy what those people now have.

Please regard this as a request to dig a little deeper and look into the relationship Mr. Swan has with Bragg (he is a personal friend of the owner of Bragg) and also a request to look for a more isolated location for that tower not in a residential neighbourhood nowhere near children or family homes

Yours Truly
Keile Green

Dear Mr. Joudrey,

My name is James Somers, I reside at 140 Leslie Rd, East Lawrencetown, Nova Scotia. Based on the topic of the e-mail I do not to inform you as to why I am writing you, I will just get right to the point.

I own and operate a small residential construction company here in HRM. We are called Green Energy Home Construction. We handle the framing element of the more respected home builders in Nova Scotia (Sawlor construction, Enermax Homes). We also are expanding into turn-key homebuilding for clients looking for higher end, energy conscious homes in the HRM, something very marketable and equitable.

We have a project on Leslie rd. that we are supposed to be starting very shortly. Due to this cell phone tower application my client has opted to wait to find out if/when the tower is being erected. Should the tower be erected she wants to cancel all construction plans, sell the lot and carry on.

This brings up two points of concern.

1) In the planning document for the eastern shore that came into effect in 1990, it clearly communicates that NO development whatsoever shall hinder the future development of residential dwellings. In other words.....don't mix industrial with residential. Pretty simple. So are we turning leslie rd into an industrial park? One thing is for sure. Any lots that are not yet sold.....will not sell. Anyone looking to sell their home one day (Basic human right)...forget it. You can consider any future development "hindered" at this point, even with the discussion of a cell tower. The topic alone makes people shutter with anxiety. So this document, that is legal binding document basically is being ignored. This same document was marketed to people flocking to the eastern shore of Nova Scotia. People felt secure, protected and welcome. We came, we invested, we payed the ridiculously high property tax year after year with basically NO municipal services. Now we need HRM to PROTECT US!

2) My business is DIRECTLY suffering from this development. In residential construction it is hard enough to deal with weather delays, material delays and bank delays, but when a covert tower operation gets put in place out of no where and we find out the agreement was signed by the land owners 2 years ago.....I feel a little blind sided, as does my client. The absent land owner did not execute proper canvassing of the affected properties. Maybe one or two owners were awkwardly questioned with an non-scheduled "drop-by".

I find that a little insulting coming from a "power-family" who is involved in leading edge wind research and development all over the province. These people execute public meetings regarding industrial development on a monthly basis and somehow forgot to mention this to nearly ALL the neighbours for 2 years. On another note, its not exactly a secret that one of the land owners major investors is wind development is John Bragg CEO of Eastlink. When you look at the scientific facts coupled with this relationship you will see that the site is CONVENIENT, Not best suited for the performance of cellular mobility. If they were looking to expand their network they would seek higher elevation and in doing that they would require a smaller tower

with lower construction costs to offset the cost of the road and preserve public image. Pretty simple.

Looking forward to a reply.

James Somers

Darrell,

Thanks for your response.

Still a little confused as to why the HRM guidelines don't embrace the requirement for the proponent to demonstrate why they selected their proposed site vs other sites that could provide them with similar technical and operational coverage. I'll look forward to your report in due course.

Thanks again.

Cal

> Date: Fri, 18 Feb 2011 10:10:41 -0400
> From: joudred@halifax.ca
> To: cm19170590@live.com
> Subject: Re: FW: Case 16620 - Communications Tower - Leslie Road
>
> Good Morning Cal,
>
> Yes, I did receive two emails, now that I checked, I thought they were
> duplicates and the one I read (from Caren) posed no questions and was
> comments only. I have not responded to the large number of emails I feel
> residents intended as comments to be included as part of the public
> record. However those with specific questions I have been answering. I
> apologize for not getting back to you sooner.
>
> You will note under sec. 4 of the Circular that the land-use authority
> is encouraged to establish reasonable, relevant and predictable
> consultation processes specific to antenna systems. There was a process
> put in place by Regional Council that HRM staff follows in order to have
> a consistent approach across HRM. This report was the one that
> identified the Municipality's comments were to be limited to the visual
> impact of the proposal, the aesthetic of the proposal and the
> compatibility of the proposal with the local community. There are no
> specified criteria and I intend to draw them from the existing MPS
> policy statements (even though there are no specific policies or
> protocols dealing with siting of towers there are statements in regards

- > to community compatibility and aesthetics as they relate to
- > development), comments from the public meeting and best planning
- > practices.
- >
- > The proponents come to us when they have finished their site selection
- > process and have investigated sharing or using existing infrastructure
- > before proposing a new structure. The tower is best sited to reinforce
- > Eastlink's ability to maintain effective network coverage in the area.
- > Addressing relevant local community concerns does not occur until the
- > proposal is taken to the public by the land use authority. At the
- > public meeting Alex Forrest made the Industry Canada argument for
- > location (satisfies Industry Canada's general and technical
- > requirements) but Carolyn Weaver did say that this was a proposal, they
- > were present to listen to concerns and would take them under review. As
- > I was leaving the meeting I spoke to several Eastlink reps who had
- > quickly reviewed the map presented to them by Jimmie Inch that showed
- > several alternative sites. They were going to seriously look at some of
- > them but they asked that I keep the current process going as the
- > municipality may not impair the process by creating an unnecessary or
- > lengthy delay as a time limit (120 days) is in place. If an alternative
- > site is selected Council may direct staff back to a second PIM or make
- > that their recommendation to Industry Canada at the Council meeting.
- >
- > The proponent also did mention at the meeting that the existing trees
- > would help serve to screen the tower. Unfortunately these towers are
- > difficult to screen - you may deal effectively with the associated
- > storage cabinet but a 76 metre structure on a ridge, to be perfectly
- > honest, how would one screen that? Even switching to a monopole type
- > structure (if one could attain that height and still remain
- > slender) would be difficult to screen. Our boreal forest is just not
- > tall enough.
- >
- > The headline "Public Reply Comments" that you cite from sec. 4 of the
- > Circular are concerns that the proponents are to address when conducting
- > the default public consultation process if the local land-use authority
- > does not have a consultation process in place. You will notice it
- > also gives examples of 3 concerns that the proponent should consider not
- > relevant but the public may certainly express to Council. These
- > questions will be answered regardless in the report because it is mostly
- > information provided in the application.
- >
- > The staff report will make a recommendation to Marine Drive, Valley and
- > Canal Community Council. The Council may approve, approve with
- > modifications or not approve the application. This recommendation goes
- > to Industry Canada so that they may make their final decision on the
- > location. Also at this Council meeting , if new information is brought

> forward Council could request a second public meeting be set up. If a
> negative recommendation goes forward to Industry Canada then the
> proponent and HRM come to the table under sec. 5 "Dispute Resolution
> Process" of the Circular.
>
> If you have any other questions or require further information please
> do not hesitate to contact me - I'll be careful to look for questions
> next time.
>
> Darrell
>

> Darrell,
>
> I sent the following email to you 10 working days ago and as of
> yet have not received a response or even an acknowledgement.
>
> Do you intend to respond? If yes, when might I expect a
> response? If no, why not?
>
> Thanks,
> Cal

Hello Darrell :

This past week I had the opportunity to meet with an Eastlink representative to review the issues raised at the Public Information Meeting (PIM) on Feb. 3/11 with respect to Case 16620 for a telecommunication tower on Leslie Road in East Lawrencetown.

It was pleasing to see that Eastlink took the suggestions and information provided by the concerned residents to seek alternative sites very seriously. They provided me with some technical scans showing the wireless coverage of each of the suggested alternative sites. It appears there may be one site that has as 'comparable' coverage as the original site of Leslie Road.

I have asked Eastlink to consider having another PIM to exhibit their technical findings to show the coverage of each site. It will be clear to see which sites do not provide adequate coverage. But before Eastlink can hold another meeting, they need to see if the property owners of this other 'comparable' site would entertain the notation of a lease for a cell tower.

It should be noted if this alternative 'comparable' site can be secured, then the likelihood of having the tip of a tower will be in view and be ever present on the horizon's landscape. But at least the tower's base won't be in their face along the streetscape of Leslie Road itself.

If Eastlink is successful in getting another leasing agreement, then there ought to be an amended application coming forth for an alternative site for this cell tower case.

Furthermore, I once again re-iterated that Eastlink should consider further investment into the community by providing broadband, cable and telephone services more these residents that have gone far too long without these standard services.

I await to hear more from Eastlink from their further efforts.

Regards : DAH

David Andrew Hendsbee
HRM Councillor District 3 :
Preston - Lawrencetown – Chezzetcook

Darrell:

The construction of this proposed tower will create a ghastly eyesore within a few meters of our home. To build it right in the middle of a beautiful residential community is completely unnecessary.

Eastlink has said that there will not be any lights on the tower but that is impossible. It is required for any tower of 250 feet to have lights flashing. Imagine a light flashing all night long through the windows. Sitting on my balcony will be ruined.

The 250 foot tower will not only be unsightly but will reduce the market value of our homes. Tourism will be affected as the tower can be seen from the beach plus many people travel up Leslie Road to look beauty of the area, not to look at an ugly tower blinking at them. The fencing will be unsightly and a danger to our children.

The tower would be in the middle of a bird migratory path and a great many unsuspecting birds would be killed crashing into the tall lighted tower.

Rezoning property within this community to support the construction of this tower is not wanted and unnecessary. Eastlink does not provide any service to this area, so why should they be allowed to put this tower in our neighborhood.

It is not known what the lasting damage to our children's health will be from these towers, and probably won't for many years. We do not wish to take a risk with our children's health.

There are numerous sights away from our neighborhood with all the requirements that Eastlink requires. Most of the sights are outside of rural residential areas. Development of a telecommunication tower in a more isolated area would cost Eastlink more but that is Eastlink's problem and should not justify disturbing our residential neighborhood and widely used tourism location within HRM.

Do not allow this telecommunication tower be built on Leslie Road.

Debra Heaney

February 25, 2011

Mr. Darrell Joudrey
Planner
HRM Community Development
Planning Applications - Eastern Region
P. O. Box 1749
Halifax, NS B3J 3A5

Re: Proposed cell phone tower on Leslie Rd.

Dear Mr. Joudrey:

We are writing to you as the Atlantic View Trail Association.

As a volunteer association in the Lawrencetown area we have polled our membership on the matter of the proposed installation of a '76 meter Cell Phone Tower' on Leslie Road. Please know that our membership is unanimously against this location.

As residents of the Lawrencetown area we have provided countless hours of volunteer service in order to cultivate and preserve the natural beauty of our seaside community. Our organization is committed to the stewardship of the beaches, salt marshes and park land that surround us.

The proposed site is controversial for several reasons.

The government espouses to promote an active, healthy lifestyle: Lawrencetown is a perfect destination point for those who hike, bike, surf or swim.

Natural settings are few and far between these days. We do not need cell phone towers popping up in our scenic areas: we need responsible government helping us to maintain our shared green spaces and park settings. We need government officials and planning directors who are interested in developing and adopting laws to govern applications for wireless-communications facilities in residential and/or tourist destinations.

In conclusion, the installation of a cell tower as proposed by Eastlink will not enhance the Lawrencetown area and we trust that those with authority will consider the far reaching effects that such a decision would have on our community.

Respectfully,
ATLANTIC VIEW TRAIL ASSOCIATION

Mr. Doug MacLeod,
Chairman

Please note: Atlantic View Trail map follows this Attachment



HOUSE OF COMMONS
CANADA

January 28, 2011

Hon. Tony Clement, P.C., M.P.
Minister of Industry
C.D. Howe Building East Tower 11th Floor
235 Queen Street
Ottawa, ON K1A 1H5



Peter Stoffer

M.P. for Sackville—Eastern Shore

Dear Minister Clement,

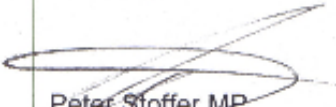
I am writing regarding the concerns of my constituents in Lawrencetown, Nova Scotia, with the proposed building of a 76.2 metre telecommunication tower by Bragg Communications Ltd (Eastlink).

The location of the proposed tower is very troubling and residents have serious concerns. Over 300 local residents have signed a petition to oppose the location of the tower.

The proposed tower site is close to a residential area and less than a kilometer away from Lawrencetown Beach Provincial Park. Lawrencetown Beach is a draw to many tourists, surfers, and is home to protected bird populations.

I urge you to take into account the very serious concerns of my constituents as your department reviews this proposal. I thank you in advance for your time and consideration.

Sincerely,


Peter Stoffer MP
Sackville-Eastern Shore
PS/hb/cep232

House of Commons
Room 242
Confederation Building
Ottawa, Ontario
K1A 0A6
Tel: (613) 995-5822
Fax: (613) 996-9655

Constituency
2996 Highway 2
Fall River, Nova Scotia
B2Y 1W4
Tel: (902) 861-2311
Fax: (902) 861-4620



Hi Darrell

I visited the site last week. There doesn't appear to be any watercourses or wetlands in the area. That issue would be our only involvement as there is no request for a sewage disposal system. Contact me if you have any questions.

Thanks,
Peter
424-2692

+++++

Peter A. Mac Donald CPHI(c)
Inspector Specialist
Nova Scotia Environment
30 Damascus Road, Suite 115
Bedford ,N.S. B4A 0C1

Dear Darrell,

I am wondering if you have finished preparing the report for council related to Lawrencetown Telecommunication Tower. If not, Tourism has some general comments and trust that you will make appropriate recommendations based on the community, local and out-of-province visitors, the potential environmental impact, and the economic and telecommunications need for this infrastructure.

We have the following comments to contribute:

1. Visual aesthetics and viewplanes are important to the Tourism Industry. Depending on the perspective of the visitor, changes in the viewplanes can have a positive or negative impact on a visitors appreciation for a certain view. Lawrencetown is a much visited beach and the most important view is from the hill top (near the teahouse or from the road) looking down over Lawrencetown beach. Other important views would be looking along the beach or out into the water or from the water back towards the beach and dunes.

For your reference, here are some statistics on the activities that visitors to Nova Scotia participated in Winter, Spring and Summer, 2010. As you can see, coastal hiking and sightseeing are important activities for visitors:

Statistics from 2010 Visitor Exit Survey (conducted by NS Tourism, Culture and Heritage):

Winter Visitors:

Fifteen per cent of Nova Scotia's visitors between January and March indicated they participated in outdoor activities during their trip. Similarly, 15% of pleasure travellers also noted they participated in outdoor activities. The top five outdoor activities for pleasure travellers were: hiking in wooded or coastal areas (36%), cross-country skiing/ snowboarding (17%), nature

observing (13%), coastal sightseeing (13%), beach exploring (10%) and downhill skiing/snowboarding (10%).

Spring Visitors:

Thirty-six percent of Nova Scotia visitors between April and June indicated that they participated in outdoor activities during their trip to Nova Scotia. A larger portion of pleasure travellers (51%) participated in outdoor activities. The top five outdoor activities for pleasure travellers were: coastal sightseeing (52%), hiking in wooded or coastal areas (41%), beach exploring (33%), nature observing (29%) and outdoor sporting events (16%).

Summer Visitors:

Fifty-five per cent of all visitors and 63% of pleasure travellers between July and September indicated they participated in outdoor activities during their trip to Nova Scotia. The top outdoor activities specified were coastal sightseeing, beach exploring, hiking in wooded or coastal areas, outdoor swimming/sun bathing, nature observing, and whale watching.

2. Telecommunications: From the 2010 Visitor Exit Survey, we know that web visits to Nova Scotia.com are up 7%. 37% of Nova Scotia visitors use the internet for travel information. 22% use mobile devices. 31% use GPS maps. Having an excellent telecommunications network is key to the current and future support infrastructure for visitors to Nova Scotia. Perhaps the current infrastructure at Lawrencetown beach is sufficient but we just wanted to point this out as a general point to consider.

Thank you for allowing us to send some comments. Please let me know if you have any further questions.

Regards,

Jennifer McKeane
Tourism Development Officer
Tourism Division
Nova Scotia Economic and Rural Development and Tourism

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Atlantic View Trail



* Approximate location of proposed Telecommunication Tower