

**City Council of the City of New Castle  
Public Hearing at Town Hall  
201 Delaware Street – New Castle  
Tuesday, September 5, 2017 – 7:00 p.m.**

**A Public Hearing concerning Ordinance 511**

**Roll Call**

Councilperson Valarie W. Leary  
Councilperson Michael J. Quaranta  
Council President Linda Ratchford  
Councilperson Michael M. Platt  
Councilperson John A. Di Mondì

**Also present:**

Janet Carlin, City Treasurer  
Jamie Rogers, Police Chief  
Daniel Losco, City Solicitor  
William Barthel, City Administrator

Reading of Ordinance 511 by Council President Linda Ratchford; stated that it is an Ordinance to revise Chapter 230, Article IV, to amend Code Section 230.25.1 in the Zoning Code of the City of New Castle to permit certain telecommunication facilities by special exception from the Board of Adjustment in any zoning district in the City of New Castle other than the Historic Residence District and the Historic Commerce District.”

Discussion, including questions and responses:

John Tracey, Attorney representing Young Conaway Stargatt & Taylor LLP Partnership/Verizon Wireless, spoke in favor of the Ordinance, and introduced Andrew Peterson.

Andrew Peterson, Radio Frequency Design Engineer with DVM Engineering, and consultant to Verizon Wireless, spoke on the current and historical technology related to the reasons for the Ordinance, of which he is in favor. In answer to questions from Council President Ratchford, he stated that small cell technology is common in cities for downtown areas, generally outside, but are not suitable for coverage into many buildings. He also stated that the 5-story building currently being considered for placement of an antenna is the only candidate location that he is aware of. He stated that the “spottiness” of the cell/data coverage in the city, particularly in the southern part of the city, would be alleviated by the installation of the antenna. He stated that, currently, there is a lack of reliable service in that area.

Councilperson Di Mondì stated that he does not agree that there is a lack of reliable service in that area.

It was stated that any such lack of reliable service would be the burden of Verizon to establish, if/when they were to apply to place an antenna at the proposed location, which they can only do if/when the ordinance is passed.

It was discussed whether the statement in the ordinance which alludes to there being a lack of reliable service in the area, should be struck from the ordinance. Daniel Losco, City Solicitor, stated that such a language change to the ordinance could be accomplished, without any real impact to the result of the ordinance's passage, if applicable.

Mr. Tracey stated that the typical fees for the potential applications, permits, etc. would apply, but there would be no additional taxes or fees to the taxpayer base of the city, as a result of any approval to place an antenna, if that were to occur. It was also noted that the building in question is located on private property.

There was additional discussion as to whether, hypothetically, the city could collect any fees over the long term, as a result of the placement of an antenna on the property, possibly from the property owner.

Questions and comment from audience member Peter Toner.

Would this tower replace existing towers? Response: No.

Will the zoning at The Helm be changed to Mixed Use? Response: No.

If the ordinance is passed, could any owner with a tall house contract with a cell phone company? Response from Mr. Losco: Yes, after going through the approval process.

Audience member pointed out the potential loss of \$24,000 in annual revenue to the city.

Motion to adjourn, seconded, passed.

**Meeting adjourned at 8:07 pm.**

**Respectfully Submitted,**

**Brian G. Whitaker**

**City Clerk of New Castle, Delaware**