



ACTON PLANNING BOARD

DRAFT

Minutes of Meeting August 22, 2006 Acton Memorial Library

Planning Board members Mr. Greg Niemyski (Chairman), Mr. Christopher Schaffner (Vice Chair), Mr. Edmund Starzec, Mr. Michael Densen, Mr. Bruce Reichlen and associate Mr. Alan Mertz attended. Also present were Assistant Town Planner, Mrs. Kristin Alexander and Secretary, Ms. Kim DelNigro.

Absent were Mr. William King and Ms. Ruth Martin.

Mr. Niemyski called the meeting to order at 7:31 PM.

I. Citizens Concerns

No concerns.

II. Consent Agenda

A. Postponed until September 12, 2006.

III. Reports

CPC: Mr. Ed Starzec stated they have finalized the draft 2007 CPA plan.

IV. Omnipoint Wireless Communications Facility Special Permit – 164 Newtown Road

Mr. Niemyski opened the public hearing at 7:45PM and appointed Mr. Mertz to sit as a full Board member for the purpose of this matter. Mr. Brian Grossman from Prince, Lobel, Gloesky & Tye, LL, representative for the applicant; Mr. David Maxson from Broadcast Signal Lab, LLC (town consultant); Mr. Frank Wunderler, engineer for T-Mobile Communications and Mr. Ray Lyons, Church of the Good Shepherd's lawyer were present.

Mr. Niemyski explained to the residents the Federal Telecommunications Act of 1996 and Mass. Zoning Act, MGL Ch. 40a which contain mechanisms to override local resistance. The Chair also referred to Zoning Bylaw, Section 3.10.

Mr. Grossman reviewed and explained the application of the special permit to allow the installation of a wireless communications facility behind the Church of the Good Shepard. The applicant seeks to install and operate a wireless communications facility consisting of three (3) wireless telecommunications antennas mounted within a proposed 100-foot flagpole style monopole. The wireless communications facility accessory radio equipment will be placed inside a proposed 6 foot high chain link fence compound. Mr. Grossman explained the carriers phase development and that there is an area where cell phone coverage is needed to help close a gap in coverage. Mr. Wunderler explained and showed a map of coverage gaps.

Mr. Maxson of Broadcast Signal Lab explained he has been hired by the Town (and paid for by the applicant) to provide technical/expert review of the proposal to the Planning Board. Mr. Maxson explained the wireless communication regulations and potential impacts of the proposal.

The Planning Board questions and concerns included:

- Are there better locations?
- Will the access road be paved?
- Will the activity area remain opened and continue to be opened to the public?
- How will the mechanical equipment (i.e. battery backup) be contained?
- Schedule a balloon test/crane test in the fall.

Abutters in attendance raised questions and concerns regarding:

- Visibility of the monopole.
- Has the tow been approached regarding placing the tower on town land?
- Will the cell tower interfere with electronics inside abutter's homes?

- Safety of children.
- Potential noise from the monopole.
- Any clearing of trees?
- Could a house be expanded with the buffer zone?
- Home values if the tower is constructed?
- Health effects from the tower?

The Board directed the applicant to provide plan revisions to the staff to address outstanding concerns. The motion was made to continue the public hearing on September 26, 2006 at 7:45 PM. The motion passed unanimously.

V. Subdivision Rules and Regulations Changes Public Hearing

Mr. Niemyski opened the public hearing at 10:00PM. Board members reviewed the revisions to the subdivision rules and regulations and recommended minor revisions. The Board members agreed on the minor changes. The motion was made to close the public hearing. The motion was seconded and passed unanimously.

VI. Lauren Rosenzweig – update on Design Guidelines and Review Board

Lauren Rosenzweig and Ann Sussman explained that the design review board would like to act as an advisory board to the Selectmen on building and site plan design of commercial properties. They review all projects that fall under site plan review or site plan special permit criteria and would also be available to give informal review of other commercial plans upon the request of the Selectmen or other parties. They are approaching the Planning Board for input and for advise on how to implement it. The Board supports their efforts. The Board Chairman thanked Ms. Sussman and Ms. Rosenzweig for their work and time spend on the project.

VII. Board of Selectmen – draft Selectmen policies

The Board reviewed and discussed the draft Selectmen policies and the motion was made to approve the draft policies. The motion passed unanimously.

Mr. Densen moved to close the meeting, Mr. Starzec 2nd; all voted in favor.

The meeting adjourned at 10:30 PM.