

Roland Bartl

From: Roland Bartl
Sent: Friday, April 20, 2007 9:36 AM
To: 'ButterBrookFarm@aol.com'
Cc: 'Albiani, Jim'; 'James Valeriani'; Planning Board
Subject: RE: FW: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation...

This is great news. I appreciate your patience, cooperation and diligence in working through this. Good luck with everything.

PS: I am aware of your inquiry with Kristin. The Econ. Development Committee has been notified. We will try to set up a meeting with them soon.

*Roland Bartl, AICP
Planning Director, Town of Acton
472 Main Street
Acton, MA 01720
978-264-9636*

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

From: ButterBrookFarm@aol.com [mailto:ButterBrookFarm@aol.com]
Sent: Thursday, April 19, 2007 9:33 PM
To: Roland Bartl
Subject: Re: FW: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation...

Hello roland bartl and all on the distribution list. I've spoken with jim albiani today all documents are signed and notarized. Thank you all for your input and help in bringing this matter to a close. Sheryll and I really appreciate all your help. Jim is scheduled to pick up documents friday april 20th. Regards Guy

See what's free at <http://www.aol.com>.

4/20/2007

Roland Bartl

From: Roland Bartl
Sent: Thursday, April 19, 2007 10:04 AM
To: 'butterbrookfarm@aol.com'
Cc: Planning Board; 'James Valeriani'; 'Albiani, Jim'
Subject: FW: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation for Meeting on March 15, 2007; 4:00 PM; Acton Town Hall

Dear McKays:

The Planning Board will continue its hearing on the Verizon tower application at the Cappizi site this coming Tuesday, April 24th. As we discussed before, this tower would not be needed in the foreseeable future if the tower on your site were to be upgraded to meet current needs. It would therefore be truly wonderful if there could be a report on Tuesday that you and Crown Castle have reached agreement on the easement, or some indication of where things are in the substance. I fully respect and understand your due diligence effort in seeking review by your attorney. I would do the same. However, please do so with the Tuesday date in mind, if at all possible.

Thank you for your cooperation in this.

Regards -

*Roland Bartl, AICP
Planning Director, Town of Acton
472 Main Street
Acton, MA 01720
978-264-9636*

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

From: Albiani, Jim [mailto:Jim.Albiani@crowncastle.com]
Sent: Friday, April 13, 2007 8:23 PM
To: Roland Bartl; Greg_Niemyski@tjx.com
Cc: david@vssinc.net; butterbrookfarm@aol.com; Booth, Sean; Turcotte, Allen; Ruley, Michael; Bazinet, Andrew; Tuttle, Steve; Rand, Tara; MacCallum, Kyle; Harrington, Christian; Perrotta, Maryellen; James Valeriani
Subject: RE: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation for Meeting on March 15, 2007; 4:00 PM; Acton Town Hall

Mr. Bartl & Mr. Niemyski -

I am in receipt of Attorney Valeriani's email earlier today and wanted to respond -

Has the easement been signed/notarized by the McKays and forwarded to Verizon New England? If not, please let us know what obstacles remain, what Crown and the McKays are doing to clear those obstacles, and what approximate date the easement is expected to be signed.

The easement document was delivered to the McKays property by me on Thursday. The survey plan had already been completed and delivered to the McKays by our construction manager, Mike Ruley on the same day. Mr. McKay was out sick and Sheryl was planning to bring it home and review with Guy.

I spoke with Guy this morning and he appears interested in having an attorney look this over. I

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reminded Mr. McKay of our timeline and that Verizon typically will not make changes on the easement document and I hoped that his attorney would take that into account when reviewing. He assured me his attorney will be reasonable when reviewing.

Guy and I have agreed that we will speak on Monday.

Thank you.

Jim Albiani
Crown Castle
East Area - Property Manager
(781) 970-0052 office
(724) 416-4775 fax
(781) 789-7114 cell

From: Roland Bartl [mailto:rbartl@acton-ma.gov]
Sent: Monday, April 09, 2007 10:53 AM
To: Albiani, Jim; Greg_Niemyski@tjx.com
Cc: david@vssinc.net; butterbrookfarm@aol.com; Booth, Sean; Turcotte, Allen; Ruley, Michael; Bazinet, Andrew; Tuttle, Steve; Rand, Tara; MacCallum, Kyle; Harrington, Christian; Perrotta, Maryellen; James Valeriani
Subject: RE: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation for Meeting on March 15, 2007; 4:00 PM; Acton Town Hall

Jim:

Thank you for this and the past regular updates. As you are shooting for end of April, keep in mind that the next Planning Board hearing on the 820 Main St. Verizon tower proposal is on April 24. It would be really helpful if you could report by that date one or more completed milestones in this endeavor. Thanks for your efforts -

Regards -

*Roland Bartl, AICP
Town Planner, Town of Acton
472 Main Street
Acton, MA 01720
978-264-9636*

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

From: Albiani, Jim [mailto:Jim.Albiani@crowncastle.com]
Sent: Friday, April 06, 2007 3:10 PM
To: Roland Bartl; Greg_Niemyski@tjx.com
Cc: david@vssinc.net; butterbrookfarm@aol.com; Booth, Sean; Turcotte, Allen; Ruley, Michael; Bazinet, Andrew; Tuttle, Steve; Rand, Tara; MacCallum, Kyle; Harrington, Christian; Perrotta, Maryellen; James Valeriani
Subject: RE: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation for Meeting on March 15, 2007; 4:00 PM; Acton Town Hall

Mr. Bartl & Mr. Niemyski -

I wanted to give you my weekly update relative to 982 Main Street, Acton, MA. Crown continues to

move this project forward and maintains belief that we will have this completed and the easement document with Verizon Landline before the end of April!

I am happy to report that I have spoken with Kelly Ann Condon (Verizon Landline) to discuss the language of the easement on which we are requesting the LL's signature. I expressed to her the concern our LL had relative to the language regarding overhead lines/wires and how we can move this ahead, either amending or removing this language. After a brief discussion, we agreed that this language could be removed and, if landline needed to install overhead lines or the like in the future, they would first need to obtain approval from our LL. This should give the McKays a comfort level that nothing overhead will be installed without their prior approval!

I have also spoken with our surveyor and they are moving ahead on the project. They should have a preliminary plan for our review, and the review of our LL, by next Thursday - 4/12, the latest. Since this is an easement issue with handholes every two hundred feet, rather than a complex development project, it is likely that there will be little/no time wasted in the red-line phase of the survey plan. In other words, once the preliminary plan is reviewed/approved it should be quickly put into final format on which we will obtain the LL's initials and those initials of Crown.

The Crown offices will be closed on Monday April 9th but Mike and I will return to work on Tuesday 4/10. If you have any further questions or concerns, please contact me on my cell (781) 789-7114 or in my office on Tuesday or send me an email jim.albiani@crowncastle.com and I will get back to you as quickly as possible.

Thank you.

Jim Albiani
Crown Castle
East Area - Property Manager
(781) 970-0052 office
(724) 416-4775 fax
(781) 789-7114 cell

From: Albiani, Jim
Sent: Friday, March 30, 2007 4:35 PM
To: 'James Valeriani'; rbartl@acton-ma.gov
Cc: david@vssinc.net; butterbrookfarm@aol.com; Greg_Niemyski@tjx.com; Booth, Sean; Turcotte, Allen; Ruley, Michael; Bazinet, Andrew; Tuttle, Steve; Rand, Tara; MacCallum, Kyle; Harrington, Christian; Perrotta, Maryellen
Subject: RE: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation for Meeting on March 15, 2007; 4:00 PM; Acton Town Hall

Mr. Valeriani & Mr. Bartl:

I wanted to, once again, update you on progress we have made relative to the tower site located at 982 Main Street, Acton, MA. Crown continues to move this project forward and maintains belief that we will have this completed and the easement document with Verizon Landline before the end of April! I believe it is important to re-emphasize that Crown has no

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control over Landline and how soon thereafter they will pull the fiber.

This week we started with the budgets locked and the surveyor commenced his work for this site. The surveyor began his investigatory work on the entire parcel and should complete his specific site work and deliver to Crown a survey plan by the very end of next week (4/6) or the beginning of the following week (4/9). It is this plan on which we will obtain the LL's initials/signature to indicate we are in agreement as to the location of the easement/conduit through which the fiber will be pulled. This plan is essential to identify exactly where the fiber line will be located. I believe it is this step that will allow the easement from Verizon landline to be executed by the LL and given to Landline to commence the work order. I am also planning on calling Kelly Ann Condo as she returns from vacation on Monday April 2, 2007.

I have spoken in general terms with the town of Acton Public safety to let them know of our progress. I had discussions with Mark Hald and Lt. Don Palma. These gentlemen will need to continue discussions with Crown to determine if this tower will be a viable site for town antennas. I gave them contact names at Crown who can answer questions they have relative to a potential collocation.

Thank you.

Jim Albiani
Crown Castle
East Area - Property Manager
(781) 970-0052 office
(724) 416-4775 fax
(781) 789-7114 cell

From: James Valeriani [mailto:jamesvaleriani@comcast.net]
Sent: Friday, March 30, 2007 11:30 AM
To: Albiani, Jim
Cc: rbartl@acton-ma.gov; david@vssinc.net
Subject: FW: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation for Meeting on March 15, 2007; 4:00 PM; Acton Town Hall

Hi Jim: Can you provide an update on Crown's progress with the McKays and with New England Telephone on the easement and the implementation of the fiber optic equipment? Verizon Wireless agreed to continue its hearing from this past Tuesday March 27th to April 24th, which will be almost six weeks from the date we met informally at the Town Hall (Thu 3/15). Verizon Wireless would not be unreasonable in expecting that the two-page easement document will be signed and in the possession of NET by within a short time, certainly by April 24th, with the on-site work either underway by April 24th or at least in fully in the hands of NET for immediate scheduling. It is my recollection from the meeting on 3/15, and I note from Crown's email below, that Crown is committed to having the work done by the end of April.

Thank you in advance for any update you can provide at your earliest opportunity.

Sincerely,

Jim Valeriani

James A. Valeriani
Attorney at Law
10 Arthur Road
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fx. (781) 587-0207
jamesvaleriani@comcast.net

From: Albiani, Jim [mailto:Jim.Albiani@crowncastle.com]
Sent: Friday, March 23, 2007 3:28 PM
To: Roland Bartl
Cc: butterbrookfarm@aol.com; jamesvaleriani@comcast.net; Greg_Niemyski@tjx.com; david@vssinc.net; Booth, Sean; Turcotte, Allen; Ruley, Michael; Bazinet, Andrew; Tuttle, Steve; Rand, Tara; MacCallum, Kyle; Harrington, Christian
Subject: RE: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation for Meeting on March 15, 2007; 4:00 PM; Acton Town Hall

Mr. Bartl-

I wanted to send you an email update as I had promised at our meeting last week relative to our tower site located at 982 Main Street, Acton, MA. Once again, I want to emphasize that Crown is completely dedicated to expediting this process as much as possible.

Crown continues to make efforts to resolve this easement issue and is working to complete this task by the end of April, the latest. This week we met with the contractor to walk the site and discuss/mark the hand holes every 200 feet. There was also an analysis of the existing conduit to determine if space exists within which to pull the new fiber. It appears that there will be ample room within these conduits to run the new fiber! As we proceed, we will know for sure if the entire conduit run is accessible but the new hand holes will allow for us to make changes to part of the 800' run, if need be.

In order to get a PO [Purchase Order] from Crown Corporate - with which a contractor can commence work - we have formulated numbers, received management approval and submitted same to our accounting department the related internal budgets. These budgets should be locked either later this afternoon or first thing Monday morning and will allow us create PO's and issue NTP's [Notices to Proceed] which will allow our contractors to commence the work. The surveyor is prepared to go to this site beginning of next week and should have some sort of plan for review by Crown and the Landlord within 7 days.

Once the survey is approved by Crown and the LL, we can get the contractor to the site to commence the construction of the hand-holes and to make a determination if any part of the conduit needs to be replaced.

I have called and left a message for Kelly Ann Condon - Verizon Landline to make her aware of our progress and ask if the comments discussed last week with Mr. McKay relative to "no overhead lines" will create a problem and, if so, what a "fall

back" position may be.

On another note, I have called Town of Acton - IT Department, Mark Hald three times (unable to leave message and no answer) and Lt. Palma - Acton Police Department to discuss the tower and future needs of the town of Acton. Lt. Palma discussed his interest in our tower and promised to have his IT person (John Surette - who works for Mark Hald) give Crown information on antenna models, number of antenna, etc... so we can plan for future use of the tower.

Thank you.

Jim Albiani
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(781) 970-0052 office
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From: Roland Bartl [mailto:rbartl@acton-ma.gov]
Sent: Friday, March 23, 2007 1:06 PM
To: Albiani, Jim
Cc: butterbrookfarm@aol.com; jamesvaleriani@comcast.net; Greg_Niemyski@tjx.com
Subject: RE: Mobile Communications Tower at 982 Main Street, Acton, MA; Invitation for Meeting on March 15, 2007; 4:00 PM; Acton Town Hall

Dear Jim:

First, thank you for coming to the meeting last week. It is good to know Crown Castle and the McKay's are working on the easement matter and that there is apparently a good prospect for agreement. As discussed at the meeting, could you provide the Planning Board with an update on the progress made since the meeting? The Board hearing on the Verizon matter will be continued on March 27. Normally, we try to get their materials together on Fridays, i.e. today, for a package for the Board members' reading pleasure over the weekend. However, I will accept an update from you anytime before the 3/27 hearing, especially if it means a more up-to-date progress report.

Thank you for your assistance -

Roland Bartl, AICP
Town Planner, Town of Acton
472 Main Street
Acton, MA 01720
978-264-9636

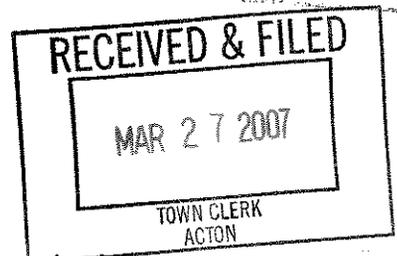
James A. Valeriani, Attorney at Law Phone: 781-587-0206 / Fax: 781-587-0207
Admitted in Massachusetts, New Hampshire and Connecticut jamesvaleriani@comcast.net

March 27, 2007



Via Email (rbartl@acton-ma.gov)
Via Fax (978-264-9630)

Gregory Niemyski, Chairman
Acton Planning Board
472 Main Street
Acton, MA 01720



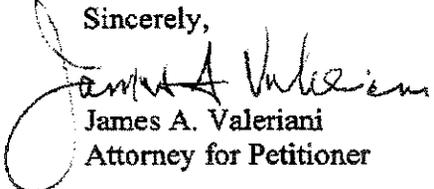
RE: Continuation Letter; Verizon Wireless as Petitioner; Wireless Communications Facility Special Permit Application; 820 Main Street, North Acton; Planning Board as Special Permit Granting Authority.

ATTN: Roland Bartl, Town Planner
Eva K. Taylor, Town Clerk

Dear Chairman Niemsyski:

I am writing to inform the Planning Board that Verizon Wireless, as the Petitioner in the above-referenced matter, agrees to continue the public hearing from this evening, March 27th, to the evening of April 24th. Additionally, Verizon Wireless agrees to extend the deadline for a decision to May 10th.

It is my understanding that there is no need for me or any other representative of Verizon Wireless to be present at tonight's meeting in connection with this continuation or any other aspect of this petition. It is kindly requested that the Planning Department also arrange for this letter to be filed with the Town Clerk. Please feel free to contact me with any questions or comments. Thank you.

Sincerely,

James A. Valeriani
Attorney for Petitioner

Copy to: David Velez, Real Estate Consultant to Verizon Wireless.

10 Arthur Road, Wakefield, Massachusetts, 01880