

Acton Wireless Communications Facilities Bylaw Committee

Minutes for July 25, 2007

Acton Town Hall, Room 126

Committee members present: Peter Berry (Chairman), Bill Flood, Joe Higgins, Bob Johnson, Sidney Johnston, Alan Mertz and Bruce Reichlen. Also present Asst. Town Planner Kristin Alexander, and observers Dave Wilson and Joe Conoby

Peter Berry called the meeting to order at 7:33 PM

The minutes of the June 13, 2007 of Bob Johnson were reviewed and approved following two grammatical corrections.

The committee agreed to invite Steve Tryder of North Andover who asked to speak to this committee. Peter Berry will invite him to our next meeting and give him 15 minutes.

We got a letter from the PCIA- The Wireless Infrastructure Association and after discussion it was agreed that no response was necessary. Peter said that Town counsel Tom Schnorr said that a 1 year moratorium was alright.

Map Review: Asst. Town Planner Kristen Alexander reviewed the 7 town maps, each map showing more restrictions based on the current town bylaw restrictions.

A review of the maps revealed that there may be an opportunity now under the present bylaw to put a tower on the site of the town transfer station if the municipal lots were consolidated there.

There was discussion about the school land on Arlington Street between Route 2 and Newtown Road.

The committee generated some questions about the maps that Kristen was going to ask Roland Bartl. There was a question as to whether the ARC land was accurately represented, the setbacks ignore common ownership on both sides of a "lot line", and Kristen made a list of other questions.

Bob Johnson said that part of our goal should be to find suitable places to put towers.

The consensus is that the bylaw as it stands currently protects the residents of Acton.

How do we draft the bylaw so the Board of Appeals has flexibility in individual cases to grant a special permit for a change of use.

Bruce suggested that presently, Acton does not allow appeals to the ZBA for cell towers. We could take that tack to give the ZBA the ability to grant a variance on the zoning bylaw for a cell tower. This would allow for negotiation at the ZBA level.

Bill suggests that it might be best to have another Board other than the Planning Board. Bruce suggests the Board of Selectmen be that board.

Next steps: the town map is adequate as it exists to protect the residential districts. Is the map so restrictive to effectively prohibit.

These maps are study maps and are being used for the purpose of this study. They are rough maps, made in a relatively short period of time and not necessarily accurate for every particular lot.

Alan thinks the boards should be limited to two steps, Planning Board and the Board of Appeals or the Board of Selectman.

Alan suggested that we might want to relax the height from the ground to put cell sites on commercial buildings.

Sidney suggested that we need to add some flexibility to the bylaw. Sidney also suggested that the steeple at the Methodist Church on Central Street might be a good site for a cell site.

Alan would like to know where all the cell sites in town are even if they are in or on a building.

Sidney passed around a first draft of his Proposed Zoning Bylaws for Acton.

Peter asked everyone to look at other bylaws, Sidney's proposal and come back with suggestions for drafting language.

The meeting was adjourned at 9:23 pm

Respectfully submitted. D. Wilson