



## ACTON PLANNING BOARD

### Minutes of Meeting January 7, 2014 Acton Town Hall Room 204

Planning Board members attending: Mr. Jeff Clymer (Chair), Mr. Rob Bukowski (Vice Chair), Mr. Michael Dube (Clerk), Mr. Roland Bourdon, Mr. Ray Yacouby and Mr. Derrick Chin. Also present: Assistant Planner Ms. Kristen Domurad-Guichard and Planning Board Secretary Ms. Kim Gorman.

Mr. Clymer called the meeting to order at 7:34 PM.

#### **I. Public Hearing – 5 Craig Road – Cell Tower Application**

Mr. Clymer opened the public hearing at 7:34pm. Mr. Ricardo M. Sousa Esq. from Prince, Lobel, Tye, LLP, representative for the applicant, SBA Towers II, LLC; Mr. Amjad MD, Radio Frequency (RF) Engineer for AT&T Wireless; Mr. Stephen P. McGovern, Site Acquisition, from Aerosmith Development; Ms. Julie Riley, freelance court reporter from Eppley Reporting, and Mr. David Maxson from Isotrope Wireless (Planning Board technical consultant), and several abutters and members of the public were present. Ms. Riley will prepare a full transcript of the hearing pursuant to the Acton Zoning Bylaw.

Mr. Maxson summarized the Federal Telecommunications Act of 1996, the MA Zoning Act (MGL Ch. 40A), and the Acton Zoning Bylaw as they pertain to the regulation and permitting of cell towers.

Mr. Sousa will be representing the applicant in place of Mr. Brian Grossman, Esq. who has left the firm.

Mr. Maxson stated he spoke with individuals from Massachusetts Department of Transportation (MassDOT) regarding land along Rt. 2 for possible cell tower location.

Mr. McGovern stated he also spoke with individuals from Massachusetts Department of Transportation (MassDOT) back in June regarding land along Rt. 2 and the site is problematic and not a viable option at this time. The State indicated to him that they would need to subdivide the property.

Mr. Amjad MD explained the 3G and 4G coverage maps. AT&T is trying to build a full network.

Abutters in attendance raised questions and concerns regarding:

- Inadequate information to support application.
- Capacity needs quality and signal strength.
- Disparities between lack of coverage shown by the applicant and actual coverage received by people living in the area with AT&T service.
- Effect on property values.
- What is difference between network and coverage; between voice and data?
- Should use existing structures.
- Would like to have more review time.

Mr. Maxson summarized the drive test data that was received, reviewed his report and discussed the 3G coverage data maps. Mr. Maxson noted the following questions: which frequency bands are being used (3G PCS and 4G LTE); population data/count; reduce tower height and 4G review of cell sites. Mr. Maxson stated he would need revised info from the applicant to do further research.

Board members discussed continuing the public hearing for more information, data and analysis. Deliverables for the next meeting:

The applicant will provide Mr. Maxson with all the raw data from the drive tests along with an affidavit from C-Squared stating it is untouched data, a redacted copy of SBA's lease with AT&T. In addition both the applicant and Mr. Maxson will work together to compile a population count of the service area. Mr. Maxson will conduct a similar study for the 4G sites as he did with 3G. Mr. Bourdon motioned to continue the public hearing on January 21, 2014@ 8:00pm in the Acton Town Hall, Room 204, Mr. Yacouby 2<sup>nd</sup>; all in favor.

Mr. Sousa stated they would agree to an extension deadline to February 18<sup>th</sup> for the decision if necessary.

## **II. Citizens' Concerns**

None

## **III. Consent Agenda – Draft Minutes of 011/05/13**

The minutes of 011/05/13 were approved as amended.

## **IV. Reports**

**Acton 2020** – Mr. Bukowski reported the Town hired The Cecil Group for the Kelley's Corner Improvement Initiative Project. The Board of Selectmen approved the Acton 2020 Committee's recommendation for a Kelley's Corner Steering Committee. The notification will be listed on the next Board of Selectmen agenda.

## **V. Other Business**

Senior Residence In-Lieu of Policy/Regulation -The Board directed staff to create draft bylaw examples for a future meeting.

The meeting was adjourned at 10:45 PM.

Respectfully Submitted,  
Kim Gorman