

jamesvaleriani

From: jamesvaleriani [jamesvaleriani@comcast.net]
Sent: Thursday, December 07, 2006 10:05 AM
To: 'Roland Bartl'
Subject: RE: 982 Main Street, Acton site

Hi Roland: Thanks for the information below. I'll review as appropriate and necessary with Verizon Wireless for further discussion at the next hearing. In the meantime, I'll also send you copies of the court documents that I have in my possession. Also in the meantime, in the event the Planning Board or Department is seeking additional information on the litigation between Crown Castle and McKay, the Docket # for the Case is MICV2003-02512 and the case file is being held/archived at the Superior Court in Cambridge.

Bye for now.

Jim V.

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From: Roland Bartl [mailto:rbartl@acton-ma.gov]
Sent: Tuesday, December 05, 2006 1:30 PM
To: jamesvaleriani
Subject: 982 Main Street, Acton site

Dear Jim:

Wouldn't you know! Guy McKay, the owner of the underlying property (Butterbrook Farm), called the other day to tell us that he has no objections in principle to anyone making upgrades. All he wants to see are plans and information regarding the proposed upgrades so that he can evaluate how it might affect his own business. Sounds reasonable on the face of it, wouldn't you say?

He states further that Crown Castle never complied with his request. Instead they filed a law suit against him. According to him, the case was dismissed for lack of cause. He has not heard from Crown Castle since then. I am sure that, as in every dispute, there are two sides to this story. But, to hear his side seems interesting enough to warrant a follow up with him. As you know the Planning Board has encouraged you to contact the land owner directly, thus bypassing Crown Castle. Also, would it be possible for you to provide me with the relevant documents from both sides in the subject court case and the courts decision?
Thanks for your continued patience and cooperation.

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

1/6/2007