

TOWN OF DEERFIELD
ZONING BOARD OF APPEALS
MEETING MINUTES

August 5, 2004

- I. Meeting convened at 7:00 p.m. Main Meeting Room, Municipal Offices, South Deerfield, MA.

Members Present: Chair Francis Olszewski, Ronald Bohonowicz, Roger Sadoski, and Richard Calisewski, Leonard T. Grybko, Sr.

Members Absent: Grace Friary, Stephen Barrett

- II. Nextel Communications, Inc.: The purpose of this hearing is to request permission to install antennas, lines and equipment on the existing telecommunication facility located off County Road (Pine Nook Road), in Deerfield, MA 01342. Nextel proposed to make a modification to the existing facility as well as an addition of communication equipment.

Taryn Lundin, who is representing Nextel Communications, makes a request to co-locate antennas, lines and equipment on the existing telecom facility owned by Warner Brothers.

Fran asked what Nextel is planning to build there.

Ms. Lundin shows that they want to flush-mount antennas on the tower located on Pine Nook Road. Nextel proposes to put a 12' x 12' equipment shelter next to the existing AT&T equipment shelter on a level concrete pad. There will be no digging necessary. It will be a concrete slab on grade, stick built (brought in by truck and assembled), one story high, just under 10 feet high, with a flat roof.

It is proposed that Nextel will remove the existing fence within property boundaries, however, it will be fairly close to property line on one side of the facility.

Nextel also proposes another gate access to their facility, which will also be the access to AT&T's facility. They will be bumping out the fence and they propose an 8' x 16' fence extension to match the existing fence. On the shelter itself, they are proposing to mount a GPS antenna, which is a small antenna. The tower currently has a GPS antenna that they will be relocating elsewhere on the tower.

Mr. Calisewski interrupts to remind Ms. Lundin that the application states that they want to "add" antennas, lines and equipment to the "existing" facility. Yet what they are asking for is a new building that does not meet the setback guidelines.

Ms. Lundin states that the shelter *is* equipment. The board disagrees. It is a structure.

The application is for an antenna extension not a structure with a non-conforming setback.

Nextel needs more than a special permit -- they need a variance for the structure. They must show a hardship for such a variance.

Ms. Lundin was asked if she personally wrote the application and she responded yes.

Nextel wants to put six antennas flush-mounted to the existing communication facility – 45' and 50' above ground.

The panels are roughly 6' high by 2' wide. The board needs the exact dimensions of the antenna in order to render a decision. Ms. Lundin states that the Nextel panels are smaller than the panels located higher up on the tower.

Three antennas are being relocated below AT&T's antenna (to the leg of the tower below 30') to make room for the Nextel equipment. In order to avoid interference, 10' is needed between carriers.

Mr. Bohonowicz wants to see a new diagram showing what the tower will look like after the Nextel antenna has been added and the three antennas have been relocated.

Ms. Lundin moved on to show the board the propagation maps which would show the antenna coverage area. The board did not need to see this information.

Mr. Bohonowicz points out that the request is for a special permit but what Nextel needs is two variances: 1) height variance (anything over 35') 2) setback variance.

The following will be needed before the next hearing:

- (1) Tower Mapping: a detailed drawing depicting the make and model number of the antenna along with the width, height and depth measurements.
- (2) A scale drawing showing the location of the Nextel equipment as well as the equipment that is being relocated.
- (3) Since the facility gate will swing onto the abutter's land, Nextel needs to get a letter from the abutter stating that it is okay to have the gate swing open on their property thus granting the necessary easement.
- (4) Certified plot plan showing that the structure will not be placed on anyone else's land.

Motion to continue to 8/26/04 @ 7pm was unanimous (5-0-0).

III. New Business:

- A. Issue: non-compliance signs on route 5 in the town of Deerfield -- It appears that some people go through the legal process to put signs up while others just place them.

After some discussion, It was suggested that a memo go to the Selectmen asking them to go out to view signs. The board feels that an inventory of illegal signs in town needs to be done. Mr. Bohonowicz offered to draft a letter to the Selectmen asking them to do this task.

Mr. Calisewski makes a motion that Mr. Bohonowicz draft up a memo to the Selectmen regarding illegal signs in town. Roger seconds. Motion passed unanimously (5-0-0).

- B. Issue: residential/office space -- Jonathan Lowe has proposed an office renovation for a home he owns on Pleasant Street in South Deerfield. He must vacate the office space that he is currently renting on Route 5 in Deerfield and wants to relocate his business to a new 16' by 24' addition to be added to a house that is not owner-occupied on Pleasant Street. After further discussion, the board decides that they need more information from Mr. Lowe in order to proceed with this issue.

Roger Sadoski makes a motion to tell the Building Commissioner, Brien Laporte, to send Mr. Lowe back to ZBA. Dick Calisewski will pass along the message to Mr. Laporte.

Motion passed unanimously (5-0-0).

Meeting adjourned.

Respectfully submitted,

Patricia Kroll
ZBA Clerk