



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 10/06/09

September 1, 2009
Planning Board Minutes

Members Present: Rick Leif, Chairman; George Pember, Michelle Gillespie, Dan Lewis, Leslie Harrison

Others Present: Kathy Joubert, Town Planner; Bill Farnsworth, Inspector of Buildings/Zoning Enforcement Officer; Fred Litchfield, Town Engineer

George Pember recused himself from the first public hearing.

Public Hearing for Special Permit Common Driveway at 78 Maple Street

Joe McManus, applicant, representing himself presented common driveway plan for 2 lots at 78 Maple Street. Identical plan for identical driveway was submitted and approved in September 2005. Original applicant did not construct common driveway and special permit expired in 2007. Mr. McManus is offering to continue the 15' no cut/no build area from 2005 plan and add additional square footage at rear of lot 1 as no cut/no build area. Seeking same waiver regarding 15' setback.

Abutters:

Ed & Kelly Kiley, 104 Wesson Road submitted petition from some of the residents seeking a 50' no cut/no build area on Mr. McManus's property.

Rick Leif, Michelle Gillespie and Dan Lewis all stated they believe existing 15' no cut area is restrictive enough.

Mr. Kiley also expressed concern about potential blasting, has the order of conditions been issued yet from the Conservation Commission, and he wants to make sure the buffer area stays vegetated.

Mr. McManus stated order of conditions has been issued.

Ms. Gillespie made motion to close hearing. Mr. Lewis seconded the motion. Hearing closed.

Mr. Lewis made motion to approve the special permit for the common driveway using the conditions found in the 2005 decision and adding comments 2-4 of the Fire Chief's letter and adding additional no build area on lot 1. Second by Ms. Harrison. All in favor.

Public Hearing for Special Permit Wireless Communication Facilities at 55 Bearfoot Road

Ms. Joubert reviewed history of cell towers in Northborough.

Robert Longden, Bowditch & Dewey attorney representing National Grid, gave presentation:

- Using MetroPCS plan of 119 Bearfoot Road (formerly known as 119 Colburn Street). No space is available for client.
- Line of sight study done by BCI Inc.
- AT&T letter/email stating no availability at 119 Bearfoot Road.
- Point to point communication system needed by client. Pt to pt requires clear line of sight from National Grid in Northborough to channel 27 tower in Boylston to National Grid sight in Paxton.
- BCI study - @ 80' on AT&T tower, not clear line of sight to Boylston due to tree canopy of 89' - 90'.
- From channel 27 tower to AT&T tower, only top 2 antennae at 135' and 150' have clear line of sight and those spots on tower are taken by other companies.
- Photos submitted of tree canopy.

Questions from board members:

Mr. Leif asked for confirmation of why 125' pole is needed at National Grid site; is there space at the channel 27 tower; and what size is the antenna?

Mr. Longden referred board to Transwave site survey. National Grid needs to be at 120' for dish. Client has not entered into lease agreement yet with channel 27 but have confirmed space is available for National Grid. Dish is 2.6' in diameter.

Ms. Gillespie asked if the existing co-locaters on the 119 Bearfoot Road tower could be moved elsewhere on the tower.

Brian Allen from KGK Wireless stated co-locaters are at specific heights for their coverage needs. AT&T does not have the right to break the leases with these companies nor ask them to move their dishes or antennas. National Grid also explored other options including dishes on their building and dishes on buildings across the street but only viable option is to construct 125' tower on site.

Mr. Longden replied to abutters from last meeting regarding property values being affected. He spoke with Diane O'Conner in Assessors Office and no decrease in property values will occur for properties abutting cell tower.

Regarding health risks, Mr. Longden referenced letter Board received from town counsel stating health issues are not jurisdiction of any town Board. Explained the exposure level from the National Grid dish is less than 1/1,000,000 of the maximum permissible exposure limit established by the FCC as referenced in the report from NEC.

Dates for balloon test discussed. Balloon will be flown on September 12th at 3pm for 4 hours. If raining that day, flown on September 13th at 3pm for 4 hours. Time frame of September 12th to September 15th. National Grid will notify abutters, within 300' of site, by mail of test dates.

Questions from residents:

Tom Blasko @ 18 Pond View Way

- Tower should be denied, applicant should locate at 119 Bearfoot Road
- Provided email from AT&T that there is availability at 140'

Laura Ziton @ 1A Pond View Way

- Provided handouts
- Believes space is available at 119 Bearfoot Road
- Proposed tower is not aesthetically pleasing to neighborhood

John Stevenson @ 19 Edmunds Way

- National Grid wants to control site so therefore they want their own tower
- Day care should be considered a school
- Tower will be visually intrusive to neighborhood
- Will tower be lit?

Kathleen Cahill @ 15 Overlook Park

- Concerned about wildlife in area

Kim Henderson-Lee @ 1 Edmunds Way

- Provided FCC bulletin to Board
- Concerned with RF emissions

Anthony Gardner @ 5 Edmunds Way

- Applicant has not done due diligence

Bruce DeGraff @ 23 Edmunds Way

- Will dishes be shrouded? Is National Grid willing to shroud dishes?
- How does board decide if tower is aesthetically pleasing?

Mr. Leif explained WCF bylaw. Questioned applicant that if applicant was willing to not allow co-location at 55 Bearfoot Road, could board place that as a condition in the decision?

Ms. Joubert explained opinion from town counsel regarding co-location cannot be waived. Board had asked that after first hearing.

Mr. Longden believes that condition violates the WCF bylaw.

Mr. Pember clarified for Board that the email Mr. Blasko received from AT&T does not state that space is available at 140'. Email refers to space being a suitable location.

Mr. Leif asked if proposed tower is only for emergencies.

Mr. Longden stated tower is for ongoing communications, not solely for emergency communications.

Mr. Farnsworth stated he will attempt to contact AT&T for clarification regarding 140' comments.

Mr. Lewis made motion to continue hearing to September 15, 2009 at 7:00pm. Second by Mr. Pember. All in favor.

Mr. Pember recused himself from next public hearing.

Public Hearing for Definitive Subdivision Cyrus Brook Estates and Special Permit Common Driveway Application for Cyrus Brook Estates

Carl Hultgren, Quinn Engineering and Tony Abu, applicant presented plans:

- Residential subdivision of 7 lots off of Shadylane Avenue
- Proposing two-family homes
- Retaining wall on lots 3, 4 & 5 ~ will be applying for variance as portion of wall is in side yard setback
- Lot 2 in groundwater area 2 & 3
- 3 waivers requested: (1) 10-36-120 requires 30' between curb cuts and 19' between lots 4 & 5 and 21' between lots 5 & 6; (2) 10-36-070 C.2. requires 36" of cover over pipe but applicant using pvc piping which does not require as much cover; and (3) 10-36-060 sidewalks on both sides of street and applicant seeks to construct sidewalk on one side and around cul-de-sac

Review letters from Fire Chief and Town Engineer were read.

Questions from Board:

Mr. Lewis asked if slight curve could be added to proposed roadway.

Mr. Hultgren will review possibility of that but distance is short for curvature to be constructed.

Mr. Litchfield added it would be difficult to meet Shadylane Avenue at 90 degrees if curve placed in roadway.

Ms. Joubert will prepare draft decisions for Board to consider at next meeting.

Ms. Gillespie made motion to continue public hearing to September 15, 2009 at 6:30pm, second by Mr. Lewis. All in favor.

Ms. Gillespie made motion to adjourn, second by Mr. Lewis. All in favor.