



# TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 10-20-15

## Planning Board Meeting Minutes September 8, 2015

**Members in attendance:** Theresa Capobianco, Chair; Leslie Harrison; Amy Poretsky; George Pember; Michelle Gillespie (arrived at 6:25PM)

**Others in attendance:** Kathy Joubert, Town Planner; Elaine Rowe, Board Secretary; Fred Litchfield, Town Engineer; Chris Swiniarski, attorney representing Verizon Wireless; Martin Lawin, C Squared Systems LLC; David Tivnan, real estate consultant; Paul Gallagher, property owner of 386 West Main Street.

Chair Theresa Capobianco called the meeting to order at 6:13PM.

**Next Meeting Date** – Ms. Joubert asked the board when they would like to next meet, given that they modified their schedule to meet tonight instead of last week.

Members of the board agreed to meet on September 22, 2015. Ms. Harrison indicated that she will be away the first week of October.

**Sterling Court** – Ms. Joubert discussed the project at Sterling Court, which involves four new lots and an existing house. She noted that Mr. Litchfield has calculated the bond amount to be \$84,500. Ms. Capobianco asked if this amount will cover the town's liability in its entirety. Mr. Litchfield confirmed that it will. Mr. Pember asked if there is a contingency built into the calculation. Mr. Litchfield indicated that each line item includes a 20% contingency.

George Pember made a motion to approve the bond amount of \$84,500. Amy Poretsky seconded; motion carries by unanimous vote.

**16 East Main Street** - Ms. Poretsky asked about the Citro Electric project at 16 East Main Street. Ms. Joubert and Mr. Litchfield indicated that they have had no contact with anyone associated with the project since the board's last meeting.

**Lot release for Sterling Court** – Ms. Joubert stated that the developer will likely post his bond in the form of a check sometime this week or next. Given that, she asked the board to consider signing the lot release form with the understanding that she will not release the document until she is assured that the bond has been posted. Ms. Capobianco questioned what could happen with the lot release if the developer does not post the bond. Ms. Joubert stated that the board can wait until their next meeting to sign the lot release if they would be more comfortable. Mr. Pember asked what the town's security is if the lots are released. Ms. Joubert noted that the Building Department has historically not issued a building permit until they have the lot release,

but they are legally allowed to do so. Ms. Capobianco asked Ms. Joubert to clarify the relationship between lot release and the covenant. Ms. Joubert stated the lots are released from the covenant in order for the lots to be sold. Ms. Capobianco asked if it is acceptable to defer on the lot release. Ms. Joubert confirmed that it is.

**Continued Public Hearing – Proposed Wireless Communications Facility at 386 West Main Street**

<b>Applicant:</b>	<b>Verizon Wireless</b>
<b>Engineer:</b>	<b>Chappell Engineering Associates, LLC</b>
<b>Date Filed:</b>	<b>June 30, 2015</b>
<b>Decision Due:</b>	<b>Within 90 days of close of hearing</b>

Chris Swiniarski explained that, at the board’s last meeting, the applicant was asked to provide some additional details in the plans. He also noted that the hearing was continued to allow for the crane test to be completed and production of some photographic simulations. He indicated that simulations were provided showing a regular monopole tower and the proposed monopine. He voiced his opinion that the monopine is the best alternative, but noted that some members of the Trails Committee had indicated a preference for a regular pole.

Mr. Swiniarski indicated that he has provided a note on the plans stating that any parking spaces eliminated will be replaced on the other side of the parking lot. He noted that there are plans to do some changes to the lot that have nothing to do with this project.

Ms. Capobianco stated that the Trails Committee has asked for the chippings from any trees removed. Ms. Harrison voiced her understanding that there are plans for improvements to the roadway.

Mr. Swiniarski noted that the board had also requested a model showing the coverage with a 75-foot tower, which was previously emailed to Ms. Joubert. He stated that the problem with the modeling software is that it uses topography but does not take the trees into consideration and most of the trees in the area are 65 to 75 feet high. Mr. Swiniarski explained that the reality is that, while the model shows some effect, a 75-foot tower will be useless. Ms. Capobianco asked if “Attachment F” illustrates existing coverage conditions. Mr. Swiniarski confirmed that it does. Ms. Capobianco noted that the coverage map shows a lot of white area around the proposed pole but the analysis of the 75-foot pole shows much of that area would be covered. Mr. Swiniarski reiterated that the model does not include the trees. He commented that the crane test better illustrates the height of the trees, which are in the 75-foot range. He also suggested that the photo simulations provide a more realistic illustration and, while the pole will be visible, it will not be an unsightly monster. He noted that there are many locations where the pole will not even be visible, and voiced his opinion that it will blend into the street scape well. Ms. Capobianco asked about the materials used for simulating the photograph. She noted that the monopine appears to be very dense and asked if it will truly be so. Mr. Swiniarski confirmed that it will be dense, and noted that more branches can be easily added. Ms. Capobianco asked if there is any risk of branch materials dislodging from the pole during a storm. Mr. Swiniarski stated that the risks are far less than those with a real tree, and

noted that the pole is designed to withstand winds of 100 miles per hour or more, though he offered no guarantees during extreme weather events.

Mr. Swiniarski provided a rendering of the compound, and expressed the applicant's willingness to provide different plantings if desired by the board. He noted that the plans include evergreens surrounding the compound and suggested that green slats on the gate can be added if requested.

Ms. Poretsky stated that her copy of the application didn't have a copy of the abutter list and asked if notice of the hearing was sent to abutters of the property. Ms. Joubert confirmed that it was.

Ms. Poretsky noted that the town bylaw requires wireless towers to be a minimum of 1000 feet from any school, and stated that the Goddard School is closer than 1000 feet. Ms. Joubert explained that FCC regulations override local bylaws if the Applicant is able to demonstrate a need for coverage. Mr. Swiniarski noted that school setbacks are often implemented because of a concern about the health effects, but mentioned that the federal government has ruled health effects cannot be regulated by local government.

He also stated that there have been concerns about children climbing on the structure but suggested that is not going to happen based upon the fencing and location of access to the monopine. He emphasized that this aspect of the local bylaw is invalid under Federal law.

Mr. Swiniarski noted that the Planning Board has the authority to grant waivers. He indicated that a waiver may be needed from a property in the business zone that might be presently be used as a residence, though he is not sure if it is being used residentially at this time. Ms. Poretsky commented that she has seen children at the location in question and there was an inflatable blue pool in the backyard during the crane test.

Mr. Swiniarski reiterated that this location affords the only means to provide coverage. He stated that the applicant has explored the possibility of moving the tower further back on the property, but it is not possible to do so. Ms. Joubert noted that the revised site plan provided shows an alternate location closer to the building, as was requested by the board. Mr. Swiniarski commented that this location is less than ideal, and will result in decimating the entire lawn area of the building. He voiced his opinion that the location identified is preferred as it enables the tower to be discreetly tucked into a wooded area.

Ms. Poretsky commented that the maps provided by Mr. Swiniarski show supposed gaps but the online Verizon Wireless coverage maps do not show coverage gaps. Mr. Swiniarski suggested that the marketing information is not based on science, and referred the board to the disclosure at the bottom of Verizon's website. Ms. Poretsky questioned if some of the information contained in the application is current.

Ms. Capobianco asked when the readings shown in the map were actually taken. In response to the question from Ms. Poretsky and Ms. Capobianco, Mr. Swiniarski indicated that the coverage maps provided were printed within a few days of submission of the application but he could not verify when the data was actually generated. Mr. Swiniarski asked Mr. Lawin and Mr. Lawin was not sure when the data was collected. Mr. Swiniarski asked David Lawin to discuss the

methodology. Mr. Lawin explained that the model was derived by using decibel Planner, a Windows-based RF propagation computer modeling program and network planning tool. The measured data in the area showed a gap. Ms. Capobianco suggested that the coverage map could be wrong. Mr. Swiniarski stated that Verizon would not spend the money to install this pole if it was not truly needed. He also indicated that the goal is to provide a network that can handle all of the demand, and provide relief for sites that can no longer provide the bandwidth for everyone using the network. Ms. Poretsky noted that the other Verizon tower site is only a mile away. She also asked about costs to do these installations as she was told during the crane test that the actual cost of the tower was less than \$100,000. Mr. Swiniarski noted that sites like this can easily cost more than a million dollars due to all the work done before the tower installation.

Ms. Capobianco asked if there is a process or methodology to determine anticipated increase in demand. Ms. Swiniarski stated that they gauge it based on past behavior and market trends, and noted that the demand has increased exponentially in recent years. He discussed a 2013 study that showed that under 50% of American households relied exclusively on wireless devices for communicating with the outside world. He noted that it is easy to see that in the next 5 to 10 years it will be the exclusive means of communication. Mr. Swiniarski indicated that there are additional sites planned to address the increased coverage needs.

Ms. Capobianco asked about the proposed tower at Shops Way. Mr. Swiniarski indicated that it will be different, as the need is different and that it will be antennas on rooftops and not a tower. He explained that the coverage needed at Shops Way is for data service for shoppers. Ms. Gillespie asked if the installation at Shops Way will be the rooftop canister types. Mr. Swiniarski confirmed that it will, and noted that they are currently focusing on locating it on the Wegmans building if details can be worked out. He indicated that it will likely not be visible as it can be hidden in the steeples.

Ms. Capobianco explained that the board needs to recess to attend a joint meeting with the Board of Health. She stated that the board would like to continue the hearing to September 22, 2015 and noted that it appears that the application needs to be amended as there are some waiver requests missing, specifically with regards to the distance from a school building. She mentioned that the certification provided does not address that provision and needs to reflect that.

Mr. Swiniarski asked if it will be possible to have a decision rendered on September 22, 2015.

George Pember made a motion to continue the hearing to September 22, 2015 at 7:00PM. Michelle Gillespie seconded; motion carries by unanimous vote.

Members of the Planning Board recessed in order to attend a joint meeting with the Board of Health for a discussion regarding the regulating of farm animals in residential neighborhoods

Following conclusion of the joint meeting with the Board of Health, the Planning Board meeting resumed at 8:30PM.

Committee Appointments for the CMRPC, Design Review Committee, Groundwater Advisory Committee, Open Space Committee, and Community Preservation Committee – Leslie Harrison

made a motion to keep the committee appointments as they are. Michelle Gillespie seconded; motion carries by unanimous vote.

**ZBA applications** – Ms. Joubert noted that the next ZBA meeting will include the following:

A continued public hearing for a large pylon sign for shops in the Northborough Crossing development to be located on an offsite property. She noted that the ZBA had asked the applicant to meet with the owner of Northborough Crossing to discuss the proposal. Ms. Gillespie suggested that the Planning Board discuss this at their next meeting and send a comment letter to the ZBA.

An application for variances and special permit with site plan review for a U-Haul self-storage facility at 40 Bearfoot Road. Ms. Joubert noted that this project will eventually be before the Design Review Committee.

**Other business** - Ms. Poretsky asked about the status of the project at the former Pierce Gas Station site. Ms. Joubert explained that the applicant is aware that their Variances have expired. She noted that they are currently working with a third partner and are reevaluating what to do with the site. Ms. Gillespie voiced her understanding that they are looking for a larger anchor store.

Ms. Harrison asked about the project at 73-79 West Main Street (Hilltop Grill and Boost Fitness buildings). Ms. Joubert indicated that there is nothing that the town can do about improvements to this site.

Meeting adjourned at 8:40PM.

Respectfully submitted,  
Elaine Rowe  
Board Secretary