



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 1/19/16

Planning Board Meeting Minutes October 20, 2015

Members in attendance: Theresa Capobianco, Chair; Michelle Gillespie; Amy Poretzky; George Pember; Leslie Harrison

Others in attendance: Kathy Joubert, Town Planner; David Maxson, Isotrope Wireless; Chris Swiniarski, Verizon Wireless; Keith Vellante, Verizon Wireless; Bob Mihalek, Northborough Trails Committee; Laura & Anthony Ziton

Chair Theresa Capobianco called the meeting to order at 7:10PM.

Consideration of Minutes – George Pember made a motion to accept the Minutes of the Meeting of September 8, 2015 as amended. Michelle Gillespie seconded; motion carries by unanimous vote.

George Pember made a motion to accept the Minutes of the Meeting of September 22, 2015 as amended. Michelle Gillespie seconded; motion carries by unanimous vote.

ANRs – Ms. Joubert discussed an ANR to be signed for a lot in the Sterling Court subdivision off of East Main Street. Ms. Capobianco agreed to sign at the conclusion of the meeting.

ZBA Applications – Ms. Joubert noted that the following projects will be considered at the October 27th meeting of the Zoning Board of Appeals (ZBA):

- Variance to reduce the side setback for a deck.
- Use variance for a house on Summer Street
Ms. Joubert explained that the home is listed as a 2-family in the Assessor's records but has been used as a 3-family for many years. She noted that the property was recently purchased and the new owners are seeking a use variance to make it a legal 3-family.
- Conversion of 2-story garage into an accessory dwelling unit

Ms. Gillespie asked about the rental business on Bearfoot Road. Ms. Joubert explained that the ZBA had granted a use variance for a U-Haul facility at their last meeting. Ms. Gillespie asked if the applicant will be going through Design Review. Ms. Joubert confirmed that they will be, but the applicant first wanted to be sure that their variances would be granted before incurring engineering costs to do a full site plan and architectural renderings.

Continued Public Hearing – Proposed Wireless Communications Facility at 386 West Main Street, including discussion with town’s consultant David Maxson, Isotrope Wireless

Applicant:	Verizon Wireless
Engineer:	Chappell Engineering Associates, LLC
Date Filed;	June 30, 2015
Decision Due:	Within 90 days of hearing

Ms. Capobianco indicated that the town’s consultant, David Maxson, is here again tonight at the board’s request. She noted that new information provided to the board includes a comment letter dated October 18th, a second one dated October 20th, and a series of emails between Mr. Maxson, Ms. Joubert, and Christopher Swiniarski of Verizon Wireless.

Mr. Swiniarski stated that he had no further information to add, as everything was covered in the first few meetings. He also commented that he is in general agreement with most of Mr. Maxson’s conclusions.

Ms. Capobianco explained that it had recently been discovered that there might be space on the existing tower at 300 West Main Street. Ms. Joubert indicated that she had spoken with Michael Villa from SBA, who agreed to get back to her about the availability and location of the space. She also noted that both she and Mr. Maxson had been out to the tower and believe there to be space that was vacated by MetroPCS. Mr. Swiniarski commented that he had emailed Mr. Villa several times and never received any indication that there was space available, but agreed to wait for his response provided it comes soon. Ms. Joubert noted that there were four electrical meters in the storage cabinet, one of which is missing and one that is not working, which leads her to believe there is space available for co-location of antennas.

Ms. Capobianco acknowledged that there has been difficulty getting a definitive response from SBA, but noted that the board needs confirmation since one of the requirements that the applicant must satisfy is the determination that there is no other space available for their wireless facility. Mr. Swiniarski reiterated that he is willing to wait but would like to set a limit as to how long he must do so. Ms. Joubert stated that she had spoken with Mr. Villa at 6:00PM and he agreed to try to obtain the necessary information and get back to her tomorrow.

Mr. Maxson explained that his report dated October 18th is a summary of the discussion at the last meeting. He noted that he had provided an illustration showing what another town has done to add facilities to an existing unipole where they allowed one carrier to put on a heavier covering on their section of the pole. He stated that the town felt it was better to allow the carrier to attach antennas on the outside of the pole instead of allowing them to erect another tower. He suggested that this may be an option for the board to consider if there is interest in pursuing space on the SBA tower.

Mr. Maxson discussed the possibility that the space on the existing pole may still be under lease agreement, but noted that deals can be made to make the space available if it is under lease but not being used. He stated that, if additional space is available below the 4 concealments and the town is willing, additional antennas on the outside of the pole could be considered.

Ms. Capobianco noted that a portion of Mr. Maxson’s report addresses the capacity crunch and how much of the Northborough 4 capacity will be offloaded by Northborough 5. Mr. Maxson commented

that Northborough 4 is an existing Verizon facility. Ms. Capobianco asked about utilizing either a new tower or the current tower at 300 West Main Street and if the effect of offloading Northborough 4 will be the same. Mr. Maxson noted that, at the last meeting, he had indicated that in a perfect world if offloading traffic from Northborough 4 were a key element of the network design, moving the tower closer to the one at 300 West Main Street would provide greater overlap into the more densely developed and more active area that Northborough 4 is serving. He indicated that there is no evidence that Northborough 4 is actually under pressure because the applicant has not provided any statistical analysis or trend analysis.

Ms. Joubert asked who would determine if the tower at 300 West Main Street is structurally safe, assuming SBA were willing to consider the idea of adding an additional carrier. Mr. Maxson noted that the board's mission is to decide on the application before them, and the reason the board is looking for viable alternatives is because the Telecommunications Act of 1996 stipulates that the town cannot effectively prohibit the provision of wireless services.

Mr. Maxson indicated that traffic information was provided by the applicant as requested. He noted that there were some statistics included on the map that were not on the list, so encouraged board members to read the traffic counts on the map in addition to those highlighted on the list. Ms. Poretsky indicated that she did not recall receiving this information. Mr. Swiniarski provided a copy of the information to Ms. Joubert, who made copies for the members of the board.

Mr. Maxson commented the most likely alternatives could be the two large parcels on the other side of the street (Zecco Brothers and Bigelow Nurseries). He noted that both parcels are at the same elevation as the proposed site and are wide open and not heavily treed. He stated that, while there are some mitigating factors that might preclude the placement of a tower on these alternative sites, he also understands that there have been some new issues raised about placing a tower on the proposed site.

Mr. Maxson discussed the 500-foot setback requirement from a residential property, and questioned whether there is a residential use on the property located west of the site. Ms. Poretsky stated that she has seen children walking from the home to the bus stop and also noted that there had been a small swimming pool in the yard during the warmer months. Mr. Maxson stated that a residential use would require the applicant to obtain a waiver of the 500-foot setback.

Mr. Maxson indicated that he had written a quick response earlier in the day addressing questions about parking in the vicinity of the proposed tower. He noted that there is an area within the private property that is known for being used for parking and access to the trailhead, but commented that he was not sure what the specific arrangement is with the landowner. Mr. Maxson explained that a question was raised about whether the proposed wireless communications facility would have a negative impact on the parking area. He noted that, based on illustrations in his report dated today (page 3), it appears that approximately 1/3 of the compound is occupying space that is currently being used as parking. He commented that, while the applicant's plans do appear to have preserved space for the parking, it is not shown in a way that is intentional. He also suggested that there will need to be some type of restriction to prevent parking in front of the access gate to the compound. Mr. Maxson recommended that the board ask the applicant to provide additional information about the parking and any new restrictions on it.

Mr. Swiniarski noted that the board had asked him to submit revised plans with a notation stipulating that any parking impacted by the new facility would be replaced on the other side of the lot. He

explained that, subsequent to that discussion, a licensed surveyor had staked out the compound and it does not appear to impact the parking area. Ms. Capobianco asked if any trees are to be removed for the construction of the proposed tower. Mr. Swiniarski confirmed that there will be. Ms. Joubert voiced her understanding that the Trails Committee had visited the site and had no issues with the type or location of the tower.

Ms. Poretsky stated that she had reviewed a number of different case studies, and voiced her understanding that the Telecommunications Act does not guarantee providers coverage that is free of small dead spots. She commented that there seems to be a small area of impact, and questioned whether it can be considered a significant gap. She emphasized that it is not a given that there will be no blank spots in coverage. Mr. Maxson explained that the idea of dead spots came up in the early days of cell tower placement, and the concept of a dead spot today is much different than it was 20 years ago. He stated that, at looking at the proposed location for the new facility, it lies along a section of road at least a mile from Shrewsbury and heading toward Northborough, where the applicant shows that they have a deficiency in their LTE network coverage. He commented that the context of this area is something that he would not characterize as a coverage hole. Ms. Poretsky stated that she has never experienced a dropped call in this area and that she has difficulty justifying the placement of this tower given that, to the north is all open space and to the south is forestry. Mr. Maxson noted that the applicant is claiming that the coverage is needed for the heavily travelled commuter thoroughfare, and suggested that it is up to the board to determine if 8,000 cars a day constitutes a heavily travelled thoroughfare. He explained that what is happening now is a transition to the LTE network with high speed data services and, in order to provide the quality of service to their customers, that carrier must put in more cell tower sites where perhaps before they could tolerate a larger area of soft performance. Ms. Poretsky commented that there are also new technologies emerging, and there are some smaller antennas that can cover a smaller area. Mr. Maxson stated that the only other opportunity to cover this area would be a distributed antenna system. He noted that the difficulty in an area such as this is that there is insufficient density of use to warrant putting electronics on a utility pole every ¼ mile and wiring them up with fiber optics. He indicated that, for an area like this, it is still necessary to find a spot where you can put an antenna up fairly high.

Mr. Pember commented that he is intrigued by the possibility that Verizon can get placement on an existing monopole, and suggested that the board cannot render a decision until it can get clarification about whether that is possible. Ms. Harrison asked when MetroPCS had vacated the existing pole. Mr. Maxson voiced his understanding that it was a few years ago. Ms. Joubert stated that a building permit was obtained in March 2015 to remove equipment/antennas from the existing tower but it is unclear if it was MetroPCS who made the request. Ms. Gillespie asked if it would be possible to add a section to the building permit application where details about the specific carrier can be stipulated, as this could prove helpful for tracking which carriers are on each of the wireless facilities in town.

Laura Ziton, 17 Franklin Circle, emphasized the importance of managing the number of cell towers in town. She voiced concern about this proposal, which will place a cell tower at the trailhead of the Cold Harbor Trail that she and her family use daily. She indicated that, while she understands the importance of cell towers, she wants to be sure we are considering all options for the placement of towers. She commented that the proposed tower will be very visible from Cherry Street, and from the trails that are heavily trafficked.

Ms. Ziton also stated that, as a cell phone user, she has never experienced a gap in voice or data coverage so is skeptical as to whether a gap actually exists. She noted that 11 other residents in her

neighborhood have indicated that they have not experienced any issues with Verizon voice or data coverage, and reiterated her concerns that the coverage gap is not being looked at as closely as it should be. She also commented that she does not understand why the board is not further exploring the possibility of co-location on the existing tower at 300 West Main Street.

Mr. Swiniarski stated that the tower will not be visible from Cherry Street, and noted that Verizon had spent money for a crane test to illustrate where the tower will be visible from. He also spoke about the concept of a coverage gap, which has been discussed since day one in the process, and reiterated that a gap is not established by a user checking their individual cell phone.

Mr. Swiniarski addressed the issue of the cell tower at 300 West Main Street. He noted that he has reached out to the owner of the tower, SBA, in writing 4 times and by phone at least a dozen times and has not received any indication that there is available space on the tower. He also expressed a desire to know when the space became available, and noted that it would make a difference since Verizon started designing the proposed tower more than a year ago. He stated that, if there is truly space available, he would welcome an indication from the town that they would prefer that he take that direction, at which time he would evaluate whether or not it is a viable option. He commented that constant rehashing of the coverage gap is not productive, and reiterated his opinion that existence of a coverage gap has been demonstrated. He also commented that, given the expense, Verizon would not build a tower if there is no reason to do so.

Ms. Capobianco indicated that she is still uncertain as to whether she is fully convinced that there is a gap, and whether it is a current gap or anticipated gap. She noted that, despite the many conversations about the gap, it is clear that the board is not yet finished. She noted that Ms. Ziton had gone out of her way to do her own research and obtained a considerable number of responses. She also stated that the town bylaw is specific about alternate locations, and the board would prefer to do whatever poses the least impact to the community. She explained that, if there is space on the existing tower at 300 West Main Street, the board will certainly ask Verizon to explore that option. She questioned why there appears to be so much push-back from the applicant expressing disbelief about the possibility of available space on the existing pole, and reiterated her opinion that further exploration is warranted. She indicated that the board will request a definitive answer from SBA about the space on the pole. Mr. Swiniarski commented that he cannot imagine why SBA would not respond to his inquiries, since any available space would produce revenue for them.

Bob Mihalek, Chairman of the Northborough Trails Committee, stated that he had previously visited the site with Ms. Joubert and Mr. Litchfield, at which time he supported the proposal based on being shown that the proposed tower would be constructed in a small forested area currently being used for parking. He noted that, at the time, he was not told about the required 24/7 access to the compound, which could impact the availability of parking for users of the trail. He suggested that the impact could be substantial if access to the compound is necessary during a busy time. He also stated that he was not told that there was an existing tower nearby.

Mr. Mihalek questioned why the applicant would choose to locate a tower within conservation and active recreation land, especially given the large parcel across the street that would be better suited to accommodate the structure and would enable the applicant to comply with the required 500-foot setback from a residential lot. He voiced his opinion that the alternate site would be a more logical location. He also stated that he saw the crane from Davis Street, and is confident that the tower would be viewable from the trail in the area of the flood control dam.

Ms. Capobianco asked about the crane test, and whether anyone had gone onto the trail itself for visuals. Mr. Swiniarski indicated that his crew had not, but the public was certainly free to do so.

Mr. Swiniarski stated that the parking area will not be obstructed, and noted that 24/7 access to the compound will be for foot traffic and not vehicular access. Ms. Capobianco asked Mr. Swiniarski to confirm that there will be no issue, and nobody will be towed, if a car is parked against the fence around the compound at a time when Verizon needs to get access. Mr. Swiniarski commented that drivers will park in parking spaces and not against the fence. Ms. Capobianco asked if the parking area will be paved. Mr. Swiniarski stated that it will not. Ms. Capobianco asked how parking spaces will be delineated if the parking lot is not paved. Mr. Swiniarski stated that there will be no need to drive up against the fence. Ms. Capobianco expressed a desire not to mislead the board or the public about the parking spaces. Mr. Swiniarski agreed to delineate the leased area for the wireless facility.

Mr. Maxson noted that, per sheet A01, the gates appear to be double-wide, assumedly to accommodate a large piece of equipment should the need arise. He indicated that work requiring large equipment would typically be done during normal business hours. He also noted that arborvitaes and other vegetation are proposed in the gate area, which could potentially reduce the space in the parking area. He suggested modifying the 50' x 50' compound by rotating it 90 degrees, so that the utilities and gate will be on the side of the compound and the portion of the compound facing the parking lot would have no penetrations. He also suggested posting "no parking" signs to prevent vehicles from blocking access.

Ms. Poretsky asked if the transformer and mesa cabinet are to be located outside of the fence. Mr. Maxson voiced his understanding that they will be. Ms. Poretsky asked about public access to this equipment. Mr. Maxson commented that this type of equipment is commonly found in residential neighborhoods and is a very safe type of infrastructure.

Mr. Mihalek asked about a backup generator. Mr. Vellante indicated that there will be a generator, powered by natural gas.

Mr. Pember reiterated concerns about the concept of gap. He commented that, when discussing a gap, we are ultimately talking about a trend for additional building in the area, additional traffic and an increase in the number of people wanting to use devices in the area, all of which require greater capacity in the coming years. He noted that, if we wait until the service is lacking, it will take 2 to 3 years for the carrier to construct a tower, at which time demand may be even higher. He stated that, when talking about a gap in coverage, we are not talking about dropped calls today; we are talking very near future, but once gap happens, the carrier will need considerable time to address it.

Mr. Maxson agreed that the applicant certainly wants to put in a new facility before the need becomes severe. He noted that the applicant has provided coverage maps of its burgeoning LTE network that show a white space in the area of the proposed facility. He questioned if a customer, when making a call or using a data connection, knows whether they are on an LTE network or not. He commented that there is much about this technology that is complicated, and we are now seeing issues with overlap between cell sites because carriers are using the same channels. He explained that, when a new cell site comes on and overlaps an area where it becomes the dominant server, it is drawing traffic away from the other cell site. He stated that the white space on the coverage maps indicates that there is less than optimum LTE coverage and Verizon wishes to install a new tower to address that. He reiterated that,

even if there is no real pressure today, by filling in the white space today they may be addressing capacity crunches that could arise in the future.

Ms. Ziton asked if there is any way to validate and verify the white space and its existence. Mr. Maxson noted that, while he has been involved in situations where wireless companies have made mistakes in interpreting their data, he does not believe that to be the case here. Ms. Poretsky recalled that Mr. Maxson had previously said that there is no data to back it up today and that this tower would be more helpful for the Town of Shrewsbury than for Northborough, and suggested that it should be moved further east. Mr. Maxson clarified that he had previously stated that there is no capacity data trending or statistics on the record to address the anticipatory capacity conversation, but there is a coverage map that he has validated. He indicated that he had developed his own coverage map from the data but did not submit it because it was nearly identical to what Verizon had already submitted. Ms. Poretsky reiterated that the proposed location will result in the tower being more helpful for Shrewsbury. Mr. Maxson stated that the tower is not more helpful to Shrewsbury but, because of where it is placed, there will be coverage that gets into Shrewsbury. He commented that, from the town's perspective, if the facility were located farther to the east it would take away from the Shrewsbury coverage and add more capacity offload potential for the Northborough 4 facility. He also stated that there are some conceivable benefits of the tower being at 300 West Main Street as opposed to 386 West Main Street. He commented that, in the absence of capacity data, he is relying on the fact that Verizon's coverage maps today show there is a deficiency of LTE network coverage in this part of town.

Ms. Poretsky noted that Mr. Maxson had stated that he had done his own coverage maps and asked him about his process for doing so. Mr. Maxson explained that he used the transmitter table provided by Verizon to do some computer modelling from which he produced computer-generated coverage maps. Ms. Poretsky questioned Mr. Maxson about the use of Verizon's data. Mr. Maxson reiterated that he had used network characteristics in the transmitter tables provided by Verizon. He stated that, at some point, we have to trust that the applicant is going to give us data using and describing their network characteristics. He stated that he is comfortable with the material that has been submitted.

Ms. Capobianco asked Mr. Swiniarski if he had approached either Zecco Brothers or Bigelow Nurseries about using space on their property. Mr. Vellante stated that he had spoken with Bigelow Nurseries and they had no interest in the prospect, but he had not approached the Zecco's.

Mr. Swiniarski commented that, while there may be alternatives, it is his job to make a decision about what will be the best option. He reiterated his opinion that he has established the existence of a coverage gap, and the next step under the law is to address that gap. He discussed the need to find the best possible means to address the gap, which is what they are here trying to do. He noted that the theme of the application all along is that the project as proposed is the best way to do it. He expressed a willingness to investigate other ideas, but wanted the board's input as to whether one of the other sites would be preferable to the proposed location. Ms. Gillespie indicated that she would prefer the Zecco Brothers property as it would preserve active recreational space near Cold Harbor Brook. Mr. Vellante commented that the Zecco land abuts residential property.

Next meeting – Ms. Joubert reminded the board that they had opened this hearing with four members present, so those four members must be present at all meetings and vote on the decision. She explained that Ms. Harrison is welcome to participate in the discussion but will not be permitted to vote. Members of the board agreed to meet on November 12, 2015.

Leslie Harrison made a motion to continue the hearing to November 12, 2015 at 7:00PM. George Pember seconded; motion carries by unanimous vote.

Ms. Capobianco noted that Ms. Joubert will attempt to get definitive answers from SBA about available space on the existing pole. She also asked Mr. Swiniarski to speak with SBA about the location and to determine if it is a viable option. Ms. Harrison also requested that Mr. Swiniarski explore the possibility of locating antennas on the exterior of the pole, as was done on a facility in Nahant. Mr. Swiniarski agreed to do so and also to model that scenario to determine if it can be done.

Mr. Maxson noted that SBA will indicate whether there is an available slot in one of the four slots on the pole. He suggested that Verizon could ask SBA to consider having another set of antennas below the four slots, on the exterior of the tower. He commented that, since the antenna height will be lower, it may or may not be effective.

Ms. Joubert recommended that the Planning Board look at the past decision for the pole at 300 West Main Street to be sure that anything they are considering is in keeping with the spirit of the original decision.

Ms. Poretsky asked if the external antennas can be added above the four slots on the pole. Mr. Maxson agreed to provide comments for consideration at the next meeting.

Right to Farm Bylaw – Ms. Joubert explained that, following the last meeting, she had reached out to the Board of Health and Board of Selectmen and determined that neither board has previously considered a Right to Farm bylaw. She noted that, based on her conversations with the Town Administrator, it appears that the Planning Board will need to send a memo to the Board of Selectmen explaining what it is that they are trying to accomplish with this bylaw and why they are proposing it. She stated that this is a general bylaw, and will require the creation of an Agricultural Commission through Town Meeting. Ms. Harrison asked if the Planning Board would need to drive this effort or if it could be spearheaded by a resident or group of residents. Ms. Capobianco commented that it might be preferable to find a group of people to drive this campaign. She voiced her opinion that it would not be feasible to try to get this on the 2016 warrant as it may require more time to garner public support. Ms. Capobianco encouraged Ms. Harrison to approach some of her neighbors, who have an agricultural interest, to spearhead the effort. Ms. Harrison asked Ms. Joubert to provide her with details about the process for trying to get this type of bylaw adopted. Ms. Poretsky commented that there may be some zoning changes that could come out of adoption of the Right to Farm bylaw.

Economic Development in Downtowns: Ms. Poretsky discussed her recent attendance at the CPTC workshop and noted that Northborough is fortunate to already have many of the key components in place (Town Planner, addition of mixed-use bylaws, established Design Review Committee, Open Space Plan, etc.). She explained that one of the key components missing is the existence of a town common, and noted that an application is before the Community Preservation Committee for funding to establish one. Ms. Poretsky asked the board members for a letter of support for the Town Common proposal. Members of the board expressed support of both the general concept and the proposal currently before the CPC. Mr. Pember stated that, while he personally supports the proposal, as legal counsel to Bucky Rogers there may be a perceived conflict of interest.

Ms. Capobianco agreed to provide a letter voicing unanimous support.

Church Street Bridge Replacement: Ms. Harrison advised the board that the foundation stones from the Church Street bridge could be donated to the town common committee.

November meetings – Members of the board agreed to meet on November 12, 2015 and November 23, 2015.

Meeting adjourned at 9:00PM.

Respectfully submitted,

Elaine Rowe, Board Secretary