

**MINUTES
ZONING BOARD OF APPEALS
MARCH 4, 2013**

The meeting was held in Stow Town Building and began at 7:30 p.m. Board members present were Edmund Tarnuzzer, Michele Shoemaker, William Byron (associate) and Bruce Fletcher (associate). Also present were Planning Board members Kathleen Sferra and Ernest Dodd and Co-Town Counsel Barbara Huggins.

Star Tower Company/T-Mobile – The Board met with Attorney Barbara Huggins to review the Agreement for Judgment between Star Tower and the Board of Appeals with regard to the appeal of the Board's decision denying use and dimensional variances to allow a communications tower on the Wedgewood Pines Country Club property off 215 Harvard Road. The appeal had been filed with the U. S. District Court alleging violations of the Telecommunications Act of 1996. The Court had encouraged settlement between the two parties.

Ms. Huggins advised that acceptance of the Agreement will resolve the matter without further action and expense. The applicant will then be allowed to place the proposed tower at the location but at a height of 137 feet rather 150 feet. Town Counsel requests a vote of the Board to grant permission for Town Counsel to sign the Agreement on behalf of the Board.

Ms. Shoemaker moved to accept the Agreement for Judgment as presented to the Board; second by Mr. Fletcher. The vote was unanimous in favor. Ms. Shoemaker moved to allow Town Counsel to sign the Agreement on behalf of the Board; second by Mr. Fletcher. The vote was unanimous in favor.

Mr. Dodd noted that antennas on the Hillcrest Avenue tower had been covered by cylinders that make them less visible. He presented photos showing that installation and noted that the covering would protect against weather elements. Mr. Tarnuzzer noted that the balloons flown in the test of the proposed golf club location could be seen from only a couple of places. He did not believe at this point that the applicant could be requested to cover the antennas. Ms. Huggins felt it could be suggested the antennas be enclosed, and she was to pass that on to Town Counsel Witten for possible proposal to Brian Grossman, attorney for Star Tower.

Adjournment – The meeting was adjourned at 7:45 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board