

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
Wednesday, August 18, 2010

Present: Elizabeth Banks
Marge Cooney
Thomas Creeden
Adam Gaudette, Chairman
Pat Jeffries
Maryann Thorpe

Also Present: Diane Trapasso, Administrative Assistant

Absent: Chris Mattioli

Mr. Gaudette opened the meeting at 6:30 PM.

The Board introduced themselves.

Mr. Gaudette read the agenda.

APPROVAL OF MINUTES

Motion: Made by Ms. Jeffries to approve the minutes of July 14, 2010.

2nd: Ms. Cooney

Discussion: None

Vote: 6 – 0

CORRESPONDENCE

None

OLD BUSINESS/NEW BUSINESS

None

CONTINUATION OF THE PUBLIC HEARING OF METROPCS, LLC IS REQUESTING A VARIANCE AND SPECIAL PERMIT TO ERECT A TELECOMMUNICATIONS TOWER. THE PROPERTY IS LOCATED AT 67 ROUTE 84 (DPW PROPERTY).

Materials Reviewed:

Report from Anderson & Kreiger – dated 8/11/2010

Letter from Anderson & Kreiger – dated 7/20/2010 – addressed to Mr. Morse, DPW Director

Report from Anderson & Kreiger – dated 7/13/2010

Email from Mark F. Hutchins – Radiofrequency Engineer – dated 8/13/2010

Email from Mr. Morse – DPW Director – dated 8/17/2010

Handwritten letter from Mr. Kreiger – dated 8/18/2010 – stating that the applicant consents to an extension of time for written decision by the ZBA to September 30, 2010

Mr. Gaudette gave a brief summary and time line of the status of the application to this date.

Mr. Kreiger of Anderson & Kreiger went through the report of August 11, 2010, answering the concerns from the July 14, 2010 meeting:

1. Lowering the monopole from 130' to 115' and provide certain information about a 115' monopole
 - A radiofrequency coverage plot map showing MetroPCS estimated coverage using a 115' monopole at the Site(Exhibit 1)
 - Photo-simulations depicting a 115' monopole at the Site(Exhibit 2)
 - Alternative Plan Sheet C-2 showing the 138" fall zone for a 115' monopole at the Site(Exhibit 3)
 - Alternative Plan Sheet A-1 showing the tower elevation for a 115' monopole (Exhibit 4). Although Exhibit 4 depicts three potential co-location spaces in practical terms reducing the height to 115' would eliminate one of these spots.
2. State Police Tower
 - On July 21, 2010, MetroPCS sent a letter (Exhibit 5) to Colonel McGovern asking her to state whether the State Police would reconsider co-location by MetroPCS on the existing tower, subject to an RFR, a lease to be negotiated and any other required steps, or confirm that the State Police does not intend to issue an RFR in the foreseeable future. On July 28, 2010, MetroPCS received an email (Exhibit 6) confirming that Colonel McGovern had received and would response by August 4. Subsequently, MetroPCS received a copy of an August 3, 2010 letter (Exhibit7) from Colonel McGovern to Mr. Creeden stating that the State Police are “unable to accommodate any requests from private companies” for space on the existing tower. In short,

MetroPCS will not be able to co-locate the Facility on that tower.

3. Leadmine Parcel as Potential Alternative Site

- The ZBA requested that MetroPCS evaluate whether the so-called “Leadmine Mountain” property, an approximately 826-acre Town-owned parcel acquired from OSV could be an alternative location for the Facility. MetroPCS determined that the Leadmine Mountain property is subject to a conservation restriction that renders it unavailable for use as a wireless communications facility. The conservation restriction (Exhibit 8) runs with the land in perpetuity. None of these structures or facilities is otherwise permitted in the restriction.

4. Privately-Owned Alternative Site

- The ZBA requested that MetroPCS reconsider parcels in its search ring as potential alternative locations for the Facility. MetroPCS is working to complete this evaluation and will be prepared to discuss this with the ZBA at its next hearing.

5. DPW Issues

- In his May 12, 2010 memo to the ZBA, Mr. Morse, DPW Director raised several issues and questions. MetroPCS responded to them in a July 13th letter to the Boards. It forwarded that letter to Mr. Morse on July 20th, requesting his reaction to its responses (Exhibit 9). He followed up with an email to Mr. Morse on August 4th (Exhibit 10) but has not yet received a response.

Mr. Morse’s email of August 17, 2010 responded to MetroPCS, July 13th letter. He stated that he was fairly satisfied with the new lower height of the tower and with no liability to the Town.

The Board still had issues and concerns and would like more information and asked for the following:

- What will be fenced in
- Other sites should be analyzed – specifically private sites
- Children able to climb the Tower
- DPW Directors response – to be more specific & make sure all his six items were answered
- Show the latest revision date on plans – April 9, 2010
- Term of lease
- Why in the middle of parcel
- What is the actual acreage of the leased land

Mr. Nestor stated that the pad will be completely fenced in with barbed wire at the top and it’s a monopole with spikes staring at 10’, unable to climb.

Mr. Heywood of 95 Colonial Drive and Treasurer of Sturbridge Hills Condominium Association stated he looked up MetroPCS map coverage of cell phone reception in Sturbridge and Sturbridge is rated good. Sometimes, good is good enough.

Mr. Kreiger submitted a handwritten letter consenting to an extension of time to September 30, 2010.

Motion: Made by Mr. Creeden to continue the Public Hearing for MetroPCS to September 15, 2010 @ 6:45 PM.

2nd: Ms. Jeffries

Discussion: None

Vote: 5 – 0 – 1(Ms. Cooney)

NEXT MEETING

September 15, 2010 @ 6:30 PM @ Center Office Building

On a motion made by Ms. Jeffries, seconded by Ms. Banks and voted unanimously, the meeting adjourned at 7:25 PM.