

WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
January 3, 2012

Pursuant to a meeting notice posted by the Town Clerk and delivered to all Board members, a meeting of the West Newbury Planning Board was held on January 3, 2012, in the Planning Board Office. Board members Ann Bardeen, Raymond Cook, Brian Murphey, John Todd Sarkis, Chair, and Arthur Wallace attended. Staff member Jean Nelson was also present.

The Meeting was called to order at 7:36 PM.

Continued Public Hearing to Consider Special Permit Application, Modification to a Special Permit for Personal Wireless Service Facilities and Site Plan Review, West Newbury Congregational Church, 308 Main Street, Assessors' Map U-1-30. Owner is Congregational Church, Inc., of West Newbury, Mass., and Applicant is New Cingular Wireless PCS, LLC by AT&T Mobility Corporation, Its Manager

Sarkis announced that the continued Public Hearing is now open. He said that:

..Ann Bardeen has listened to an audio recording of the Public Hearing of November 15, 2011, and satisfied the requirements of the Mullin Rule Law.

A revised Memo from Brown Rudnick dated December 6, 2011, has been received

..The review of the proposal from Isotrope, LLC, has been received and distributed.

Present for the Applicant were Joseph Giammarco, Brown Rudnick, Kristen Smith, Tilson Government Services, Agent for the Applicant, and Kevin Brewer, Frequency Engineer, New Cingular Wireless, PCS, LLC. Merton Chute of the Congregational Church was also present.

Giammarco stated that the steeple area is secured from the public. Chute added that anyone entering the office must ask for permission to enter the area. He said that the only people who maintain the clock are Town of West Newbury DPW employees and in fact, Brian Richard had been there the day before. One must climb a ladder on the wall, and a long flight of stairs. Access is limited. There is a lock from the office to the access area.

Giammarco said that AT&T would be willing to put a padlock on their area. A question was asked as to whether or not proper signage is in place. Giammarco said that the Building Inspector can require OSHA stickers warning of hazards.

The report from Isotrope, LLC, was discussed. On Page 2, David Maxson had pointed out that State Historic Preservation Office review may be required. Giammarco responded that a NEPA screen had been conducted for historic significance. He submitted a Screening Report dated December 9, 2011. Nelson noted that the Board had received a letter from EBI Consulting which had been forwarded to the Historical Commission, and discussed at the Hearing of November 15, 2011. The Board had decided not to comment on it.

The material specs for the replacement roof were discussed. Giammarco said that specs can be provided to the Building Inspector. Brewer stated that the color will be prepared to match the existing color. Murphey said that he is troubled that we do not have a sample of the material

and color to be used. Giammarco said that the Applicant is willing to post a bond to ensure that the roof is acceptable. Brewer said that the roof designs are prepared by architects, and built to code. Samples of the current roof material will be sent to the manufacturer, and it will be produced to mimic the texture and color as they appear now. In the past they have used Durofiber.

Murphey asked Chute what the condition of the turrets is. Chute responded that the Church has talked to the Engineer for a price for material for the four turrets, which will need to be re-shingled within the next few years.

Brewer said that the material does not fade. It was suggested that a sample of the final material be submitted to the Church and to the Board, but it was stated that a sample will not be made. Chute said that as long as the fiberglass shingles match, the Church will not have a problem with it. The Church may also redo the lower roof. Some shingles do not have any texture left. One cannot notice this when driving by. Smith said that she will look for a spec sheet from Durofiber.

Cook arrived at approximately 8:08 PM.

Maxson's footnote regarding Drawing Sheet C02 was discussed. The Board felt that he was using a photo and did not scale it off. It was determined this was not an issue.

The discussion of the Report ended.

Nelson read from a list of notes that she had prepared.

1. Visible cables on the steeple had been brought up by an abutter and discussed on November 15th. Chute said that these are either cables to an exhaust fan, or a ground, and are not part of the antenna installation.
2. Brown Rudnick Memo, Page 18, subsection g., Liability Insurance. A copy of the Liability Insurance Certificate, with the Church as the named insured, is to be submitted to the Board.
3. Subsections h. and i. on Pages 18-19 are not applicable.
4. The revised Site Plan shall be submitted to the Board. Giammarco said that a set of plans will be provided to the Building Inspector at the time of Application. It was decided that since the Site Plan will not be recorded, a corrected copy should be submitted to the Board for their records prior to application.

Motion made by Sarkis, seconded by Bardeen, to close the Public Hearing. The vote in favor was 5-0.

The Applicants left at approximately 8:45 PM.

General Business:

Update on Sullivan Property, Assessors' Map 1U, Lot 19, Whetstone Street and Sullivan Court, re Notice of Intent to Convert to Other Use Under M.G.L. Chapter 61A. There was no update.

Continued discussion of potential options for securing Affordable Housing at Ocean Meadow. The Board reviewed a confidential Legal Opinion from Town Counsel Michael McCarron. Various bonding mechanisms and dollar values were discussed. It was decided to send a letter to Steve Gillis, requesting his proposal for completion of the affordable units.

Discussion of Reduced Frontage Lot potential amendments. Nelson's research indicated that most towns require a Special Permit for a Reduced Frontage Lot. Hamilton, Fitchburg, and Concord allow such lots by-right, with specifications. The Board decided to amend Section 6.A.1. with a Table which includes the circle diameter and revised setbacks. The circle requirement will be 150'-200'-200' for RC, RB, and RA districts respectively. The Table will be prepared and will be reviewed at the next meeting, along with revised language for other sections of 6.A.1.

Discussion of Technical Memo from Judi Barrett, COG, Inc., and review of proposed revisions to the Zoning Bylaw. Nothing has been received from Judi Barrett. Sarkis will send a letter to Peter Sanborn, President of COG, Inc., requesting that the documents be sent.

Minutes of December 20, 2011. The Minutes were reviewed and edited.

Motion made by Sarkis, seconded by Cook, to approve the Minutes as edited. The vote in favor was unanimous.

Vouchers were signed.

Motion to adjourn, 10:30 PM.

Submitted by,

Jean Nelson
Planning Board Administrator

These Minutes were approved by the Planning Board on January 17, 2012.