



ACTON PLANNING BOARD

Minutes of Meeting
June 8, 2010

Acton Town Hall, Faulkner Room (204)

Planning Board members Mr. Ryan Bettez (Chairman), Mr. Jeff Clymer (Vice Chairman), Mr. Ray Yacouby (Clerk), Mr. Greg Niemyski, Mr. Roland Bourdon, Ms. Margaret Woolley-Busse, and associate members Ms. Kim Montella and Mr. Derrick Chin attended. Also present were Assistant Town Planner, Mrs. Kristin Alexander and Planning Board Secretary, Mrs. Kim Gorman.

Absent were: Ms. Leigh Davis-Honn.

Meeting was called to order at 8:31 PM.

I. Citizens Concerns

None raised.

II. Consent Agenda

Consent Item A. Minutes of 05/04/2010 was approved and all voted in favor.

III. Reports

CPC: Mr. Bourdon reported that they are reviewing the next years, 2011 Community Preservation Plan.

Open Space: Mr. Clymer stated they are nearing the final steps to purchase the Cauoette Property.

CCPC: Ms. Woolley-Busse stated they have spoken to the consultants and the Town is ready to sign a contract. Committee meetings will be the 2nd and 4th Wednesday of the month.

IV. Wireless Communication Facility Special Permit – Continuation of Public Hearing

Mr. Bettez opened the public hearing (continued from 6/08/10) at 7:45 PM.

Ms. Montella and Mr. Chin were appointed to sit as full voting members retroactively since the last hearing for the purpose of this matter.

Mr. Kevin S. Eriksen, Esq. from Deschenes & Farrell, P.C., representative for the applicant, SBA Towers, LLC; Mr. Anoop Jaikumar, Radio Frequency (RF) Engineer for Clearwire US LLC; Mr. John Marcus Pinard, Clearwire US LLC; Mr. Peter LaMontagne, Site Acquisition Consultant for Centerline Communications LLC as Agent for SBA Towers; Mr. Chris Fagas, Director – RF Engineering for SBA Towers; Mr. David Maxson from Broadcast Signal Lab LLC (Planning Board consultant), and several abutters and members of the public were present.

Mr. Eriksen explained the revised plans, discussed the gap and the reason for choosing 5-7 Craig Road. The best locations for the tower are 5-7 Craig Road and 8 Forest Road, however, the Acton Town Manager has responded that 8 Forest Road is not available. Mr. Eriksen discussed the email communication regarding the Lawsbrook Road site. He stated there are contamination issues and there is a serious concern to place a cell tower there. Mr. Pinard stated he discussed the issue with Mr. Allen (Acton Water District's District Manager) and many carriers do not want to use sites with contamination problems. The contamination plume is a moving target and could interrupt service; the risk is too great.

Mr. Eriksen stated the revised plans show the 140' foot high concealed antenna monopole (CAM) tower design which is the most aesthetic alternative and can be extended to 170'.

Mr. Jaikumar stated he investigated the 4th sector antenna option. Their supplier has no equipment to support a fourth sector.

Mr. Maxson discussed the antenna space and coverage. There is a possibility to do a 4th sector and geometrically it works better. Mr. Maxson stated that Samsung, Clearwire's supplier, does not have the capability to do it. Mr. Maxson stated that Clearwire is a different technology; high band with broadband capability. The internet does not handle voice system. The technology is so new, it is not available.

Mr. Eriksen stated the proposed site is in the Light Industrial (LI) zoning district, there is a lot of open space near the site, a willing landlord and no waivers are needed from the Bylaw.

Board members had the following comments/questions:

- How did Clearwire determine the search circle for coverage? Mr. Jaikumar stated it was the best compromise for the surrounding structures. Mr. Maxson stated it is generally the area they would like to service.
- Mr. Maxson asked how this process initiated for Clearwire? Mr. Eriksen stated T-Mobile asked SBA towers to locate a tower. Clearwire followed. T-Mobile is still interested as well if the site is accepted.
- Mr. Bettez asked what building permits are in the process? Mr. Eriksen stated Great Hill Road and Annursunac Hill.

Mr. Maxson stated that Mr. Ledoux's response letter did not research the possibility of having the cell tower at 8 Forest Road, but the Town did say no. However, the lease area could be smaller than proposed. If 8 Forest Road was chosen, it would take extra research, time and work; need to be taken to a Special Town Meeting (STM); and would be subject to a RFP.

Mr. Eriksen replied that Mr. Ledoux's letter explained the Town is looking to install solar panels. There are more issues than a small area. The letter is conclusive and there is no RFP drafted by the Town for a wireless communication facility.

V. Mr. Maglothin's Presentation – 5-7 Craig Road Cell Tower Application

Mr. Michael Maglothin, 288 School Street, introduced himself to the Board and members of the public. Mr. Maglothin explained his expertise and background regarding the areas pertaining to the application. Currently, he is the director of products and services for BSEC. He works with one of the largest defense companies and has specific responsibility for leading the modeling of optimal siting of wireless communication facilities. Mr. Maglothin explained he was to propose a model on behalf of the Acton citizens. Mr. Maglothin explained he used the numbers from the applicants' documents and applied them to his presentation of the project.

Mr. Maglothin explained his analyses and assumptions, antenna manufacturer specs, technical assumptions and target area. Mr. Maglothin reported his conclusions for the alternative options. Based on his modeling, the Adesa Concord property (77 Hosmer Street) is the best location to site a tower to fill the coverage gap for Clearwire.

Board members had the following comments/questions:

- How many residents within that area?
- Can you use tools like Google Maps? Mr. Maglothin stated he would be happy to research that method.
- What type of analysis was used? Mr. Maglothin stated he used only symmetrical and a 3D Model. The Chief Technical Engineer with BSEC stated their technology can tell them the best place to put the tower.
- Run the same model for the Adesa Concord site.
- The goal is trying to minimize the number of cell towers in Acton.

Mr. Maxson stated the presentation was very fancy and had everything included. It was generally accurate. Terrain blockage was used and was basic.

Mr. Fagas stated that Clearwire did take the proper procedure for the reference information. Mr. LaMontagne stated there were no short comings and Clearwire supplied proper plotting and used standard information.

Members of the public had the following comments/questions:

- Need to refocus search.
- Has the applicant complied with the Law and supplied what was needed for review.
- Town residents have the right to vote for the 8 Forest Road site. The site needs to be further researched.
- What came first - the cell tower or Clearwire?
- Too many questions unanswered. Burden should be on the applicant.
- Please submit documents early as requested. Not fair to staff and residents to receive them late because they will not be able to review them prior to the meeting.

Board members asked staff to send a letter to the Board of Selectmen from the Planning Board to further review and explore the 8 Forest Road site for a wireless communication facility. The Board asked the applicant to further review and explore the Adesa Concord site for a tower.

The motion was made to continue the public hearing on July 6, 2010 at 8:15 PM in the Acton Town Hall, Room 204, and to extend the decision deadline to September 6, 2010; 2nd; all voted in favor.

Motion was made to close the meeting, 2nd; all in favor; meeting adjourned at 10:50 PM.