

HANSON BOARD OF APPEALS
Minutes of Public Hearing September 10, 2019

Members present: William Cushing, Chairman
Joanne Miniutti, Vice-Chair
Kevin Perkins, Clerk
Sean Buckley, Alternate

Also present for the BOA: Town Counsel Michael Kennefick
Peter Palmieri, Merrill Associates – Review Engineer

Petitioner: Cellco Partnership – - 7:00 PM - Case#19AU16
DBA Verizon Wireless
111 Liberty Street – Special Permit/Variiances/Site Plan
(cont. from 8/6/19)

Present for the Petitioner: Atty. Michael Giaimo

The Petitioner is requesting to construct a personal wireless service facility consisting of a 150' monopole tower, externally mounted wireless antennas and radio equipment, cables within the pole connecting to ground equipment within a fenced security enclosure and an access drive at 111 Liberty Street – Residence A zone.

Based on questions and concerns about the plans at the last hearing, new plans were submitted at this hearing with a revision date of 8/29/19. Plan changes mostly relate to the road and the design of the fence. Request was made to show the full perimeter of the existing school driveway and some parking areas which are now included in the update set of plans. Also include an additional setback to East Washington Street. They have provided additional topography/contours to determine that runoff will be going northeast away from the parking lot. Concerning abutting property, 6' tall arborvitae will be planted and are shown on the plan, also included proposed grading along the driveway, completed an stormwater drainage report as requested. Driveway will be gravel – 200 feet long.

They complied with the Fire Department's request to show a Knox box on plans. They complied with the request as best as possible for the turn around on the driveway and the Fire Department said it was ok as proposed and gave a verbal agreement.

Board still questioning the fencing. The Board is thinking more along the lines of a wrought iron fence with a flared end – tapered at top. Also Board discussed a gate back at the entrance – maybe would be more of a deterrent. Giaimo stated that the Fire Department requested that there not be another gate. Board will discuss this with the Fire Department – Deputy O'Brien.

Question was asked regarding the generators – potential up to 4 – self-contained – diesel fuel – 60-70 gals.

Peter Palmieri, Merrill Associates, received the updated calculations – they feel that some additional information should be provided – recommend soil testing at the grass swale which is the area they will be using for stormwater detention and infiltration – could be a condition in Decision – add additional

information on the contours of the grass swale – also extend the erosion control around the entire perimeter of the project.

Floor opened up to abutters: Bruce Davidson, 312 E. Washington Street, not in favor of this project. Feels project will detract from his property. What is the variance to build a house next to a cell tower?

Mike Kennefick, Town Counsel spoke briefly on how this all came about with a 2/3rd's vote at Town Meeting and then the lease was signed by Selectmen. The setback that the Town has in place is 150' but it allows the Board to reduce that by 2/3's so it could be 50'. However the construction of cell towers is guided substantially by the Telecommunications Act which is federal law. So this Board is empowered to impose reasonable conditions on this but not to go so far as to constitute a denial of the application. An outright denial and the cell company will go to court and they will win.

Atty. Giaimo was asked how they came up with that particular spot and he went on to say that they met with the then Town Administrator to discuss locations for the tower site and he gave them a little free reign – he wanted to make sure it fit on a property and he wanted to make sure that it made sense for everyone. One of his prime concerns was keeping the access road open and originally wanted a road built as part of all this. We elected not to construct the road and chose the location they did because of access to utilities – its hidden from the school in general – it has heavy tree cover and is not visible on public ways.

Abutter Scott Grabowski, 248 E. Washington St. – not in favor – questioning the 450' fall zone.

Abutter Mark Grabowski, 246 E. Washington St. - how can you talk about putting the tower 40' away from the house with six generators which run once a week? Daughter Lisa Grabowski represented her father Gil Grabowski 248 E. Washington St., completely against the project.

Abutters Mr. & Mrs. Edgerly 242 E. Washington St., in support of neighbors.

At this point the Board determined that it would be beneficial to all concerned if a site visit was conducted with the Board, the engineers and any abutters or neighbors who wanted to attend. In the meantime the Board agreed to continue the hearing.

Motion made to continue the hearing until October 1, 2019 at 7:15 PM: Kevin Perkins

Second: Joanne Miniutti

Vote e: 3-0