

# **Town of Princeton, Mass.**

## **PLANNING BOARD meeting/hearing Minutes --- Feb. 21, 2018**

In Town Hall Annex; present were: Chairman John Mirick, Ian Catlow, Tom Daly, Tom Sullivan and Rud Mason and alternate Ann Neuburg.

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**7:30 PM** John M. opened meeting and board reviewed ANR from surveyor Brian Szoc for three lots on West Princeton Road in Westminster with back land in Princeton. Registries require both Planning Boards to sign and Westminster PB already signed on Feb. 14. John M. requested that a note be added on the Mylar stating that "Lot 1 does not meet zoning requirements for a building lot in Princeton." After Szoc added the note, the board voted all in favor to sign the ANR.

**7:50 PM** John M. presented history of sign bylaw proposal, which was passed over at request of board at ATM last May because of questions raised by Advisory Cmte. Board has been working with Advisory Cmte. Select Board, and business owners. Board continued discussion on proposed sign by-law with several business/landowners and Advisory Cmte. members in attendance. Ian C. shared several life-size samples of wayfinding signs, printed on paper, showing blue background and white font at height of 4." New regs would consolidate signage provisions in a single by-law section and provide more liberal signage opportunities than current zoning. Signs in R-A district will expand from 2 sq.ft. to 6 sq.ft. Also, allows temporary signs like sandwich boards and "Open" flags, remote directional signs on town right-of-way under purview of Select Board. John M. explained dimensional details around signs in Business District. Wayne Adams asked about use of term "incidental" throughout bylaw. Board will consider more exclusions to the sign bylaw such as "warning" and "no trespassing" signs. Also noted may need some clarity on signs carved into objects such as boulders or logs etc., to avoid being misinterpreted as a "3-D" sign, which is restricted to 12" depth.

**8:30 PM** John M. re-opened public hearing for Verizon for modification of a Special Permit to co-locate on the cell tower at 194 Worcester Road. Verizon's attorney, Carl Gehring, explained there was a change in federal telecommunications regulations in 2012 that allows co-location on existing cell towers by right—so a discretionary "special permit" cannot be required assuming there are no site changes. The new law favors more uses on existing towers instead of building more towers. A court-ordered consent decree from 2002 established certain conditions on American Tower, which owns/maintains the tower itself and leases space to cell providers. Verizon contends that its project shouldn't be held up because of any lapses by American Tower in meeting conditions of the original consent decree.

Since the initial public hearing on Jan. 17, Verizon has had a chance to communicate with American Tower about complying with the consent decree. John M. observed that the Board prefers seeing conditions being met by American Tower rather than a Cease & Desist issued by the building inspector. Atty. Gehring was accompanied by expert witnesses from Verizon's Real Estate Dept., American Tower lawyers and engineers. Gehring gave a presentation on the history of cell tower zoning and Federal Communications Act specifics and distributed technical

reports showing adherence with codes. He agreed that the consent decree conditions on American Tower remain unchanged even if permitting for co-locations is not required anymore. He noted conditions that still apply which include uniform painting of monopole and shrouds now covering all antennae; no permanent diesel generator—which has been scrapped in favor of a GOAT (Generator On A Truck) to be rolled in only under power-loss emergency, after (one-day) battery back-up is depleted. Gehring went into great detail about there being no need for annual certifications from FCC and FAA. He distributed a chart of decibel levels and noted that the limit of 35 dBA at the property line, which is in the town's zoning and in the original tower permit, would make an emergency generator impossible and suggested 65 dBA. He also argued for a simple approval of the co-location and withdrawal of the Special Permit application, to give the building inspector the go-ahead for a building permit--still required with new FCC regs.

Board then requested public comment, and abutters David Utter and Richard Chase had a few basic questions, noting that they were both involved in the original tower permitting. They agreed with the compromise of using a GOAT and had no further issues. It was noted that three tenants are the limit for this tower; with Verizon being installed below Sprint and AT&T.

**9:25 PM** John M. closed the public input portion of the hearing and the Board began deliberation. One option was to continue the Special Permit process even though any decision would make no difference and an appeal period was a moot point because of weather limitations on starting the project. The second option was to approve the request for a co-location and let the building inspector issue a building permit that could incorporate the conditions that were discussed during the hearing. Most conditions of the Consent Decree have already been met or will be when construction starts. Ian C. pointed out that the building inspector will likely request a Controlled Construction Affidavit from the project engineers. The group stressed that approval for co-location does not alter the Consent Decree which regulates use of the tower.

**9:50 PM** Board voted all in favor to issue an administrative decision approving the co-location project with conditions as discussed during the hearing. The Board will review a draft decision on March 7.

Atty. Gehring respectfully requested to withdraw without prejudice of the Special Permit application and the board voted all in favor to accept the withdrawal.

**9:57 PM** Board voted to approve minutes of Jan. 17, 2018. It was announced that the town Caucus will be March 7 in the Annex—Tom D. will step down so there will be a two-year term to fill.

**10 PM** Board voted all in favor to adjourn.

Respectfully Submitted: Marie Auger, Admin. Assistant

**Referenced Documents:** Sign samples and proposed sign bylaw; technical documents from Verizon attorney/engineers.

**Upcoming meetings:** March 7 & 21, 2018

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