

**PLANNING BOARD
JANUARY 26, 2012
MINUTES**

chairman Burke called the meeting to order at 7:30 PM in the Town Hall

Members present: Burke, Barringer, Capes, Giger, and Parent

Members absent: Perkins and Wilson

PUBLIC HEARING – SPECIAL PERMIT, CROTEAU, 66 NORTH STREET

The Board held the continuation of the public hearing to consider the special permit application for Flexible Development submitted by Gerald and Joan Croteau to create seven new units off North Street. Attorney Robert Collins and design engineer Stan Dillis were present.

Attorney Collins said the configuration of the cul de sac has been revised as requested by the Planning Board. There will be a planting area in the center of the cul de sac. The revised cul de sac meets the turning radius requirements for fire trucks. The driveway locations have also been changed.

Member Giger said the revised plan is more aesthetically pleasing. He asked what would happen with the open space. Attorney Collins said it will most likely be conveyed to the abutters for use as a horse farm. The open space parcel will be protected by either a conservation restriction or agricultural preservation restriction.

Board members all agreed that the revisions improved the plan and that there are no other concerns. The Board requested that the Town Planner draft the special permit decision for its consideration.

The Board voted unanimously to continue the public hearing on February 23, 2012 at 7:30 PM.

ANR PLAN – WOODLE FAMILY RESIDENTIAL TRUST, TAVERN ROAD

The Board considered the Approval Not Required (ANR) plan submitted by the Woodle Family Residential Trust to create seven (7) new lots as authorized by the Planning Board's grant of Special Permit 2011-09. Attorney Collins represented the Woodle Family at the meeting.

The motion was made by Barringer, seconded by Capes, to endorse the plan entitled, "Plan of Land in Groton, Mass., Prepared for Woodle Family Residential Trust, dated December 15, 2010, with revisions through November 11, 22, 2011. The motion passed unanimously.

ROCKY HILL SUBDIVISION

Attorney Collins, representing developer David Moulton, requested that the Board waive the requirement to install street lights in the Rocky Hill subdivision as discussed at previous Planning Board meetings.

The motion was made by Barringer, seconded by Parent, to approve the applicant's request for a waiver of the requirement to install street lights at the Rocky Hill subdivision as stated in the letter dated January 12, 2012 from Attorney Robert Collins with the understanding that the base of the light fixture must be installed by the developer. The motion passed unanimously.

PUBLIC HEARING – SPECIAL PERMIT, ANYTIME FITNESS, 536 MAIN STREET

At the request of the applicant, the Board voted unanimously to continue the public hearing on February 2, 2012 at 8:15 PM.

PUBLIC HEARING – SPECIAL PERMIT, SPRINT SPECTRUM/BLOOD, 94 WEST MAIN STREET

In accordance with the provisions of Chapter 40A, Sections 9 and 11, the Groton Planning Board held a public hearing on January 26, 2012 in the Town Hall to consider the application submitted by Sprint Spectrum, LP, to modify Special Permit 2001-10 to install one multi-modal cabinet and one fiber distribution box, to remove six CDMA antennas and replace with six Network Vision antennas, to remove two existing CDMA cabinets and replace with two BBU cabinets, to replace GPS antenna with new similar GPD antenna, and to remove all existing CDMA coaxial cables and replace with four runs of hybrid multiplex cables. The proposed modification is shown on the plan entitled, "Site Number BS54XC133, Site Name: Blood Farm, 94 West Main Street, West Groton, MA 01450," prepared by Salient Architects, LLC, dated September 27, 2011. The modification of the special permit is subject to the provisions of Code of the Town of Groton Section 218-25.1 Personal Wireless Services Facility. The existing tower is located on land owned by Elliot and Doris Blood, Assessors Map 106, Parcel 15, at 94 West Main Street.

Chairman Burke called the public hearing to order. Clerk Parent read the notice published in the January 6 and 13, 2012 issues of the *Groton Herald*. Applicant Paul Debole of C. Davis Associates, agent for Sprint, and landowners Elliot and Doris Blood were present.

Mr. Debole described the proposed changes to Sprint's equipment on the tower located on the Blood's property. There will be no changes to the structure.

Member Barringer asked if the new equipment will be installed to replace the existing equipment. Mr. Debole said, "yes," and stated that there would be no change in the location of 120 AGL on the tower.

Member Parent asked if there would be any change in the size of the antennae as shown on Sheet A-3 of the plans. Mr. Debole said length of the equipment would increase from 60 inches to 72 inches.

Member Giger asked about the new technology. Mr. Debole said the new equipment is needed to handle data flow and faster transmission rates. It will enhance the level of service in the area and speed up transmission.

Member Capes asked about changes to the ground cabinets. Mr. Debole said the cabinets would be in the same location with a new fiber box on the existing steel frame. No additional ground space is required.

Chairman Burke asked about other carriers on the tower. Town Planner Michelle Collette said T-Mobile and Verizon are the only other carriers with special permits to locate on this tower.

Member Giger disclosed that he is a former employee, now retired, of Alcatel Lucent, design engineer of the proposed plan. He has no involvement in the project whatsoever (see disclosure filed with the Town Clerk).

Reporter Pierre Comtois asked about the height of the Tower. Member Barringer replied, "120 ft."

The Board voted unanimously to close the public hearing.

DECISION

At its regular meeting on January 26, 2012, the Planning Board voted unanimously (with members Burke, Barringer, Capes, Giger and Parent present) to modify Special Permit 2001-10 to install one multi-modal cabinet and one fiber distribution box, to remove six CDMA antennas and replace with six Network Vision antennas, to remove two existing CDMA cabinets and replace with two BBU cabinets, to replace GPS antenna with new similar GPD antenna, and to remove all existing CDMA coaxial cables and replace with four runs of hybrid multiplex cables. The proposed modification is shown on the plan entitled, "Site Number BS54XC133, Site Name: Blood Farm, 94 West Main Street, West Groton, MA 01450," prepared by Salient Architects, LLC, dated September 27, 2011.

Findings:

The Planning Board made the following findings based upon the criteria set forth in Chapter 218 Zoning of the Code of the Town of Groton, Section 218-32.1:

§218-32.1:

1. **Social, economic and community needs:** The proposed modification of the equipment on the Blood tower will serve the communications needs of the community by upgrading Sprint's network. The proposed upgrade will provide a public benefit by allowing customers to download and upload data at significantly higher speeds.
2. **Traffic flow and safety:** There will be no traffic flow or safety issues associated with the addition of the proposed antennas on the Blood tower and existing access road.
3. **Adequacy of utilities:** The Groton Electric Light Department indicated that it will be able to serve the proposed telecommunication facility and additional equipment as designed.
4. **Neighborhood character:** The proposed antennas will be installed at the same elevation of 120 AGL on the Blood tower as the equipment to be replaced.
5. **Impacts on the environment:** The proposed antennas will have far less impact than construction of another tower.
6. **Fiscal impact on the Town:** The replacement of Sprint's antennas and associated ground equipment for the benefit of Sprint will have a positive fiscal impact because the applicant/owner will pay personal property taxes to the Town of Groton for the value of the associated facilities.

Conditions:

1. The new antennas will be the same color as those of the existing carriers on the tower.
2. Sprint's new antennas shall be installed at the 120-ft approximate elevation AGL on the existing tower that is subject to conditions in Special Permit 2001-10. The telecommunications facility will comply with all applicable conditions enumerated in Special Permit 2001-10.
3. The telecommunication facility shall comply fully with all applicable requirements of Groton Zoning By-law § 218-25.1 Personal Wireless Services Facility and with the standards of the Federal Communications Commission, the Federal Aviation Administration and the American National Standards Institute.
4. The placement, construction and modification of a personal wireless services tower and any accessory structures, buildings and equipment shall be performed in accordance with all applicable local, state and federal requirements for the operation of such a facility.
5. Night lighting of the personal wireless services tower (aside from security lighting at the base of a tower) shall be prohibited unless required by the Federal Aviation Administration. If the Federal Aviation Administration requires lighting, then the lighting used shall be the minimum lighting required.
6. The applicant must obtain final sign-off from the Building Commissioner and a Certificate of Use and Occupancy, pursuant to 780 CMR of the Massachusetts State Building Code, prior to energizing the antennas and any associated equipment.
7. This special permit shall not be in effect until a certified copy of the special permit decision is recorded at the Middlesex South Registry of Deeds as required in GL Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall commence nor shall any necessary permits be issued by any Board or official until evidence of such recording is submitted to the Planning Board by the applicant.
8. This special permit shall lapse in 24 months, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A, Section 17, from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. The recording of the special permit shall constitute commencement of substantial use.
9. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

PUBLIC HEARING – SITE PLAN REVIEW, ANYTIME FITNESS

At the request of the applicant, the Board voted unanimously to continue the public hearing on February 2, 2012 at 8:15 PM.

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Meeting adjourned at 8:20 PM

Respectfully submitted,

Michelle Collette

Land Use Director/Town Planner

