

**PLANNING BOARD
SEPTEMBER 11, 2014
MINUTES**

Chairman Barringer called the meeting to order at 7:30 PM at the Town Hall

Members present: Barringer, Burke, Giger, Svarczkopf, Vega, and Wilson

Member absent: Perkins

PUBLIC HEARING – SPECIAL PERMIT, SPRINT/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 Thursday, September 11, 2014, at 7:30 PM in the Town Hall to consider the application submitted by Global Signal Acquisitions and Sprint Spectrum for a Special Permit to replace three (3) antennas and three (3) remote radio heads at the height of 124 ft on the existing 120-ft monopole style telecommunication tower and to add required ground equipment on land owned by Elliot and Doris Blood, as shown on the plan entitled, "Sprint, Site Name: Blood Farm, Site No: BS54XC133," prepared by Hudson Design Group, dated June 14, 2014. 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 at 94 West Main Street, Assessors Map 106, Parcel 15, on the southerly side of West Main Street.

Chairman Barringer called the public hearing to order. Member Svarczkopf read the public hearing notice posted with the Town Clerk on August 12, 2014 and published in the August 22 & 29, 2014 issues of the Groton Herald. Attorney Earl Duval represented the applicant at the hearing. Landowners Elliot and Doris Blood and Richard Blood were present.

The Board received the following documents with the application:

- "Sprint, Site Name: Blood Farm, Site No: BS54XC133," prepared by Hudson Design Group, dated June 14, 2014
- "Application for Modification of Special Permit for Modifications of a Wireless Communications Facility, 94 West Main Street, Groton, MA," submitted by Duval & Klasnick, dated August 7, 2014

Attorney Duval presented Sprint's application to replace three existing antenna and add three new antenna and remote radio heads at the 124-ft elevation on the 120- ft tower on the Blood property. The equipment will be installed at the same height as Sprint's existing equipment and will be painted the same color. The new battery array will be installed in the fenced-in compound on the ground. A structural analysis was submitted with the application demonstrating that the tower has the capacity to support the additional equipment.

Member Svarczkopf asked what type of equipment will be used for the installation. Attorney Duval said a crane would be used during normal business hours. The installation should not take more than a day.

Chairman Barringer confirmed that there would be no exterior change to the ground equipment compound. Attorney Duval said that is correct.

The Board voted unanimously to close the public hearing.

DECISION

The motion was made by Burke, seconded by Wilson, to **GRANT** a special permit to replace three (3) antennas, add three (3) new antennas and three (3) remote radio heads at the height of 124 ft on the existing 120-ft monopole style telecommunication tower and to add required ground equipment on land owned by Elliot and Doris Blood, as shown on the plan entitled, "Sprint, Site Name: Blood Farm, Site No: BS54XC133," prepared by Hudson Design Group, dated June 14, 2014, with the following findings and conditions:

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, §§ 218-25.1 and 218-32.1:

§218-25.1:

1. On August 31, 2001, the Planning Board granted Special Permit 2001-10 to Sprint Spectrum, LP, for construction of a 120-ft telecommunication tower on the Blood Property located at 94 West Main Street. The addition of the proposed array of 12 antennas and required ground equipment complies with §218-25.1 H (6) and (7) requiring that antennas be collocated wherever possible and that towers be "designed and constructed to accommodate the maximum number of uses technically practical..."
2. The applicant demonstrated to the Planning Board's satisfaction that the location of the Sprint Spectrum's proposed replacement of the existing antennas and addition of new antenna on the Blood tower is necessary to provide personal wireless services coverage to the area. The proposed antennas will improve the reliability and efficiency of the network for users in Groton and surrounding towns.

§218-32.1:

1. **Social, economic and community needs:** The proposed antennas on the Blood tower will serve the communications needs of the community by improving the quality of wireless communication within the Town of Groton and surrounding areas.
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 124 ft elevation AGL on the Blood tower. The antennas will be collocated on an existing tower thereby minimizing impact on the neighborhood character in contrast to the applicant erecting an additional tower in or near the same location in order to serve its needs.
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 addition of three new antennas and associated ground equipment for the benefit of Sprint Spectrum will have a positive fiscal impact because the applicant/owner will pay property taxes to the Town of Groton for the value of the associated facilities.

Conditions:

1. **Antenna Color:** The antennas will be the same color as those of the two existing carriers on the tower.
2. **Equipment Shelter Height:** The height of the equipment shelter shall not exceed ten feet as required in 218-25.1G (9).
3. **Triangular Mount:** The triangular mount to support the Sprint Spectrum antennas shall line up in the same orientation (+/- 15°) as those of existing carriers.
4. **Sprint Spectrum's proposed antennas** will be installed at the 124-ft approximate elevation AGL on the existing 120-ft 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 granted Sprint Spectrum, LP, on August 31, 2001.
5. The telecommunication facility shall comply fully with all applicable requirements of Groton Zoning By-law § 218-25.1 Personal Wireless Services Facility.
6. 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.
7. By January 1st of each year, the owner or operator of the personal wireless services facility shall submit certification to the Planning Board and the Building Commissioner demonstrating continuing compliance with the standards of the Federal Communications Commission, the Federal Aviation Administration and the American National Standards Institute, including compliance with radio frequency emissions. The facility must cease operations if the facility is not in full compliance.
8. 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.
9. There shall be a minimum of one parking space for each personal wireless services tower to be used in connection with the maintenance of a personal wireless services tower and the facility; however, the Planning Board may require additional parking spaces depending upon the number of providers and antennas and dishes that are to use the facility. The site shall not be used for overnight or permanent storage of vehicles.
10. The carrier shall continue to provide a bond, in a form acceptable to the town, or shall place into escrow, the amount of \$15,000.00 to cover the costs of removing the facility, including the

antennas from the subject property and, furthermore, said funds shall be held by an independent escrow agent to be appointed by the carrier and the Planning Board. The carrier shall authorize and, as necessary, shall provide the authorization of the owner of the property to allow the town or the escrow agent to enter upon the subject property to remove the facility when the facility has been abandoned or discontinued.

11. 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.
12. 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.
13. 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.
14. This special permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

SITE PLAN REVIEW – MOBIL STATION, 6 BOSTON ROAD

The Board received a letter dated September 4, 2014 from Attorney Robert Collins requesting a continuation of the public hearing to October 9, 2014. The Board voted unanimously to continue the hearing on October 9, 2014 at 7:30 PM.

REEDY MEADOW ESTATES ESCROW ACCOUNT

The Board received a letter dated from landowner John Lorden requesting a release of the remaining funds in the Chapter 593 Escrow Account for the Reedy Meadow Estates subdivision. The land is under agreement and will be sold in its entirety to a developer at the end of October. The motion was made by Wilson, seconded by Burke, to refund the remaining balance of \$1361.93, plus any accrued interest, deposited in a "593 Account" for the Reedy Meadow Estates subdivision. The motion passed unanimously.

ANR PLAN – DABIN REALTY TRUST, COW POND BROOK ROAD

The Board considered the Approval Not Required (ANR) plan submitted by Dabin Realty Trust to reconfigure lot lines on four new lots on Cow Pond Brook road. Surveyor Stan Dillis presented the plan. Mr. Dillis said the new lot configuration moves lot development area outside the 100 ft buffer zone from wetlands.

The motion was made by Wilson, seconded by Vega, to endorse as Approval Not Required the plan entitled, "Plan of Land in Groton, Massachusetts, Owner: Dabin Realty Trust," prepared by Ducharme & Dillis Civil Design Group, dated August 20, 2014. The motion passed unanimously.

PERFORMANCE BOND – AMANDAS WAY

The Board received a letter dated August 20, 2014 from Attorney Robert Collins requesting final release of the performance bond for the Amandas Way subdivision. The developer installed a new street sign that complies with the Subdivision Regulations. The DPW Director and Water Superintendent both signed off on the water gate at the intersection. These were the only remaining issues in the Nitsch report dated July 9, 2014.

The motion was made by Svarczkopf, seconded by Vega, to release the remaining amount held in the “Agreement and Contract – Town of Groton Planning Board, Enterprise Bank and Trust Company.” Please release the remaining funds to James Patierno, Trustee, Millstone Hill Nominee Realty Trust. The motion passed unanimously.

TOWN CENTER OVERLAY DISTRICT DESIGN GUIDELINES

The Board reviewed the final draft of the Town Center Overlay District Design Guidelines prepared by Dodson & Flinker. All the revisions from the public hearing were incorporated into the document.

The motion was made by Burke, seconded by Svarczkopf, to adopt the “Groton Center Design Guidelines – Groton Town Center Overlay District,” prepared by Dodson and Flinker, dated July, 2014, revised September 2014. The motion passed unanimously.

MINUTES

The Board voted unanimously to approve the minutes of August 7, 2014 and August 21, 2014.

Meeting adjourned at 8:15 PM

Respectfully submitted,

Michelle Collette
Land Use Director/Town Planner