

Planning & Development Standing Committee
Wednesday, June 3, 2020 – 5:30 p.m.
REMOTE MEETING
-Minutes-

Present: Chair, Councilor Val Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett

Also Present: Councilor Melissa Cox; Grace E. Poirier; Vanessa Krawczyk

Applicants: Edward Pare for PP2020-004

*This meeting was conducted remotely through ZOOM
All votes by ROLL CALL*

Meeting called to order at 5:30 p.m.

Councilor Gilman announced, “This meeting is recorded by video and audio in accordance with state open meeting law. Consistent with the Governor's orders, suspending certain provisions of the open meeting law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation. If you are calling in on a phone, you can press Star 9 to request to speak. If you're watching on a computer a device, there is a raised hand button that you can tap or press to request to speak. Please use either these options to be recognized, to speak.”

The following item was taken out of order:

2. PP2020-005: Request by Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. to install 1 JO Pole on Washington Street beginning at a point approx. 20 feet northwest of the centerline of the intersection of Washington Street and Colburn Street; install 1 JO Pole, 1 Anchor and all appurtenances. (TBC 6/17/2020)

Councilor Gilman continued this matter to June 17, 2020.

1. PP2020-004: Request by New Cingular Wireless PCS, LLC d/b/a AT&T, in agreement with National Grid, to install a wireless small cell facility, including telecommunication wires and wireless attachments and appurtenances on a replacement utility pole in the public right of way – Pole #2337 – near Salt Island Road #2 (Cont. from 5/20/20)

Councilor Gilman opened the public hearing and asked the applicant's representative to review the application.

Edward Pare, Brown Rudnick, 1 Financial Center, Boston MA, representing New Cingular Wireless PCS, LLC explained the following:

- Carriers are looking to do additional capacity to accommodate users and provide upgraded speed;
- This fills in areas where people may be gathering or where there are gaps in coverage;
- Small cell facilities try to use existing utility poles (there are hundreds throughout the Commonwealth) and are constructed with:
 - 1 antenna, 2 feet tall, on top of a utility pole, 10 inches in diameter;
 - Cables run from the antenna to a small utility box (39 inches in height, 23 inches wide, 15 inches deep) which is attached 11 ½ - 12 feet up on the utility pole;
 - Small footprint of coverage;

- The cells are low power installations and full comply with FCC requirements regarding emissions.

Councilor Gilman asked if anyone would like to speak in favor of the petition. There were no attendees who asked to speak in favor. She then asked if anyone would like to speak in opposition to the petition. The following attendees spoke in opposition:

Duncan Todd, 4 Frost Road, Lexington MA, co-owner of 4 Salt Island Road (written statement on file)
Opposed to the proposed installation as it is 35 feet from his bedroom window and at eye level; concerned about health hazards of a facility being placed there; asked what problem AT&T is trying to solve by placing the facility there. He urged the committee to deny the petition.

Tom Todd, 345 Waltham Street, Lexington, MA, co-owner of 4 Salt Island Road and 90 Witham Street (written statement on file)

Opposed to the proposed installation as it is very close to his house, is aesthetically unpleasing, and is at eye level and the power is directly aimed into his bedroom and living area. Suggested that, if the regular tower is being overloaded due to the beach crowd, the facility be placed in the middle of the marsh, in the ledge area at the top of Salt Island Road, or on the pole at the corner of Witham Street and Salt Island Road.

D. Hayes, 2 Salt Island Road, Gloucester MA

Opposed as the pole is less than 25 feet away from her bedroom window; concerned about the radiation field; concerned that a winter storm could blow the box through her bedroom window; the box will not be aesthetically pleasing; there is already good AT&T coverage at that address. She urged the committee to deny the petition.

Mike Hayes, 97 Sanborn Lane, Reading MA

Opposed as the pole is directly in front of his bedroom window and not aesthetically pleasing; suggested the pole be placed on top of the hill to get a better signal and so as to not affect views.

Donna Poirier Connerty, 2 Salt Island Road, Gloucester MA

Opposed for the safety and health issues already brought up; suggested it be moved to a pole further up the hill.

REBUTTAL:

Mr. Pare gave the following rebuttals:

- **EMISSIONS:** Per the emissions study report in the packet, at 25 feet away from the antenna, the power emitted would be less than 1% of the FCC's maximum permissible exposure (100% would be allowed and still considered safe). The report was based on the antenna running 24/7 at maximum capacity. AT&T must comply with the FCC's requirements.
- **SAFETY:** The antenna is attached in accordance with code. The mounting bracket and mechanism have been approved by the public utility company.
- **VISIBILITY:** Samples were provided in the application.

REBUTTALS TO REBUTTAL:

Donna Poirier Connerty

Did not see the application, still had safety concerns; asked if any other sites were looked at for the placement.

Mr. Pare:

- This facility is low power with an insignificant footprint (about ¼ mile of coverage);
- Can't attach to poles that have transformers – worked with the utility company to select the best pole.

Duncan Todd

Has not had a chance to view the application; asked what the problem was that AT&T is trying to solve; asked about the wiring that has gone on the pole prior to the public hearing.

Mr. Pare:

- Did not know about the wires to the pole;
- AT&T's engineers determined that a location in this area was necessary.

Mike Hayes

The pole is no more than 100 feet from the sand on the beach; people have spent a lot of money for their homes in that area and it's in the way of people's views to the water. Transformers are on every other pole – the antenna should be at the top of the hill so as to get more distance out of it and to not obstruct views.

Mr. Pare:

- Reiterated his previous comment that the engineer's determined this was the location it should be in.

Councilor Gilman asked if there were any written communications. The **Assistant City Clerk** read the communication from the DPW Director into the record:

“Councilors:

The Department of Public Works has reviewed the above-mentioned application by New Cingular Wireless (dba AT&T) for a grant of location for a Wireless Small Cell Facility including telecommunication wires and wireless attachments and appurtenances on a replacement utility pole in the public right of way – Pole #2337 – near 2 Salt Island Road, Gloucester. As depicted in the plans, this small cell installation on the replacement utility pole will include: fiber optic cable(s); remote radios in a small equipment cabinet 39” in height by 23” wide by 15” deep (7.8 cubic feet in volume) mounted to the pole at 11’6” above ground level; an unobtrusive pole top antenna measuring 25” long and 10” diameter (1.132 cubic feet in volume); conduits and cable protectors; and an electrical meter 8: above ground level with shutoff switch and grounding rod. In an attempt to maintain the quality of City roadways, the Department of Public Works requests the following be required of the applicant:

1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule will be prepared by the applicant for review and acceptance by the Department of Public Works.
2. Proposed excavation may only occur during accepted road opening and construction season, 15 March – 15 November.
3. In the absence of a detailed construction plan, the Department of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.
4. All excavations must be secured at all times.

5. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize potential pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches, totaling 4-inches.
6. Sidewalks must be restored with like material immediately after pole set.
7. All final paving shall be done in consultation with the Department of Public Works and an agreed upon final paving plan executed by the applicant.

Should you have any questions regarding the conditions requested, please do not hesitate to contact my office.”

At **Councilor Gilman’s** request, the **Assistant City Clerk** summarized the emails in opposition received from: Duncan Todd, who submitted a photograph taken from his bedroom window of the pole, which is 35 feet from his window and, considering the adverse health impacts, requested that the committee deny the request; and, Tom Todd, who requested that AT&T place the antenna in a different location.

Councilor Pett asked Mr. Pare to confirm the position of AT&T that the 1% emission level would not be harmful. **Councilors Pett** and **Holmgren** both asked him, considering the neighborhood opposition, if the cell facility could be placed on a different pole, such as somewhere between Barn Lane and Witham Street, or Thatcher Road.

Answers to the questions were put on hold as **Councilor Gilman** moved to continue the public hearing to June 17, 2020 to give the abutters time to view the application. She informed the attendees where the June 3, 2020 P&D packet was located on the website and urged them to contact her with any questions.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to continue the public hearing to June 17, 2020.

MOTION: on a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to adjourn the meeting at 6:31 p.m.

Submitted by Grace E. Poirier, Assistant City Clerk