

## PLANNING BOARD

DATE: February 22, 2018

TIME: 7:30 P.M.

PLACE: Large Meeting Room

FOR: Regular Meeting

PRESENT: Malcolm Fick, Vice-Chair; Jonathan Hankin; Jack Musgrove; Jeremy Higa  
Pedro Pachano, Associate Member  
Chris Rembold, Town Planner

Mr. Fick called the meeting to order at 7:31 P.M.

### **FORM A'S:**

Michael Parsons and Jack Magnotti from Kelly, Granger, Parsons and Associates, were present to discuss a Form A application submitted on behalf of Robert Sermini and Mary Huggins for 3 parcels of land located at the end of Pearl Street. Lot 1 contains 0.253 acres of land. Lot 2 contains 0.253 acres of land. Lot 3 contains 0.483 acres of land.

Mr. Parsons explained that the applicants believed the land had been divided. The plan shows pre-existing buildings, there are three buildings that were on the property prior to subdivision control laws that went into effect in 1970. Mr. Parsons presented maps showing the buildings in 1904 and 1946.

Mr. Musgrove made a motion to approve the Form A plan, Mr. Hankin seconded, all in favor.

### **MINUTES: FEBRUARY 8, 2018**

Mr. Hankin made a motion to approve the minutes of February 8, 2018 as amended, Mr. Higa seconded, all in favor.

### **SITE PLAN REVIEW: BARD COLLEGE OF SIMON'S ROCK**

The Board passed over this item until the applicant is ready to proceed.

### **MODIFICATION OF EXISTING WIRELESS TELECOMMUNICATIONS EQUIPMENT: 425 STOCKBRIDGE ROAD**

There was no one present to discuss the application to upgrade equipment at the telecommunications tower at 425 Stockbridge Road. Mr. Rembold said the applicants were notified but were not able to attend the meeting.

Mr. Rembold said SBA Tower Company proposes to upgrade the tower behind WSBS on Stockbridge Road. Three new Sprint antennas will be added and 6 additional radio heads will be added to the existing 6 remote radio heads. Accessory cabling will consist of 1 fiber line along the existing line route.

Mr. Rembold said the Telecom Federal Law has been provided. A mere change in equipment must be approved.

Mr. Rembold said the local bylaw allows 30 days to review the application and provide comment to the Building Inspector. Although comments are allowed the application cannot be denied.

Mr. Rembold said the applicant has not provided the total output of the facility. He thinks that information should be provided.

Mr. Fick asked if the Board can ask for the information.

Mr. Higa asked if the current output information could be provided.

Mr. Rembold said the applicant is required to provide all the requirements of the bylaws.

Mr. Hankin said the clock hasn't started for the comment period if the application is incomplete.

Mr. Musgrove said there are health concerns that we are unable to address but we can make the applicant aware that there are concerns. He said he would be happy to have the total output.

Mr. Fick said the applicant needs to provide the information for all requirements. He read through the bylaw stating that items 20, 21, 22 and 23 of Section 9.3.9 need to be provided as well as item 1 of Section 9.3.8.

Mr. Musgrove clarified that we are asking for the total output of all antennas. He said we should send a letter to the applicant and copy the Building Inspector, Mr. May, explaining what was not provided with the original application.

Mr. Musgrove said in the Board's opinion the application is incomplete. The information needs to be submitted prior to the issuance of the building permit. The information for the cumulative output needs to be certified by an engineer that the output does not exceed the maximum output as stated in Section 9.3.19 of the zoning bylaws.

Mr. Hankin said a complete application must be submitted to us so we can respond.

Mr. Fick said Section 9.3.11 supports Mr. Hankin's request for a complete application before commenting.

Mr. Musgrove agreed with Mr. Hankin. A complete application must be submitted including the information about the total output to show that the project is in compliance with the output levels allowed under the OET Bulletin 65 referred to in Sections 9.3.18 and 9.3.19.

Mr. Musgrove made a motion to send a letter to the applicant stating that the Board did not act on the application because it is incomplete. There are 5 items that are necessary to complete the application that include: items 20, 21, 22 and 23 of Section 9.3.9 and item 1 of Section 9.3.8 of the zoning bylaws. The applicant should look at 9.3.18 and certify that all RF emissions conform to levels allowed under OET Bulletin 65, Mr. Higa seconded.

Selectman Ed Abrahams asked if OET Bulletin 65 is part of our regulations.

Mr. Musgrove said no, it is a Federal regulation.

Mr. Fick called for a vote on the motion, all in favor.

#### **TOWN PLANNER'S REPORT:**

Mr. Rembold said at a future agenda the Board can decide if they want to comment on an appeal, filed by Rich Dohoney on behalf of Marc Fasteau and Anne Fredericks, of the Building Inspector's denial of enforcement regarding the replacement of a fuel tank at the Great Barrington Airport. Some of the neighbors are of the opinion that a special permit for work in the Water Quality Protection District is required for the replacement. Mr. May determined that a special permit is not required.

Mr. Rembold said he attended the BRPC meeting where there was a presentation by a man who consults with local governments regarding emerging 5G technology. There will be no local control within the public right of way. The infrastructure will consist of a much fatter pipe of high frequency data. The pipe will be fatter but shorter.

Mr. Rembold said nothing has been submitted to the Massachusetts Legislation to date so there is a little time. It is something the Board needs to be aware of for future discussion. He will keep the Board updated.

Mr. Higa asked if we can make comments.

Mr. Rembold said nothing has been submitted for you to comment on. Basically the Board needs to get bylaws in order so they are ready when it is time to discuss it.

Mr. Rembold said Tom Matuszko, the current Assistant Director of BRPC, has been selected as the next Director of BRPC. There was unanimous agreement that he become the next Director.

Mr. Rembold reminded the Board that the next meeting scheduled for March 8 will begin at 6:00 P.M. The public hearing for the zoning amendments will be held at that meeting.

#### **BOARD & COMMITTEE UPDATES/COMMENTS & CONCERNS:**

Mr. Hankin asked Mr. Rembold if he had looked into the issue at 17 Mahaiwe Street discussed at the last meeting.

Mr. Rembold said he did not have an opportunity to look into it.

Mr. Hankin asked him to please follow up on it.

Mr. Hankin said the sign bylaws should be looked at to allow for signage for performance venues. He said St. James Place is somewhat invisible due to the lack of signage allowed. He said the site would benefit from a sign that would serve as a marquee to show what is going on there. Higher visibility would be a benefit to the venue, the town, and to our visitors.

Mr. Rembold asked if an application has been made.

Mr. Hankin said no. He said he doesn't think the bylaws anticipated another performance venue. It would be a benefit for a sign to be in place that people can read from their cars. He suggested the bylaw be looked at.

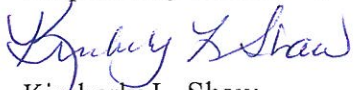
**CITIZEN'S SPEAK TIME:**

Mr. Abrahams asked if the telecommunications tower pays real estate or personal property taxes.

Mr. Rembold said he didn't know. He suggested asking the assessor.

Having concluded their business, Mr. Fick adjourned without objection at 8:31 P.M.

Respectfully submitted,



Kimberly L. Shaw  
Planning Board Secretary