

These minutes approved at the February 18, 2015 meeting by a unanimous vote (4-0)

Planning Board
Meeting Minutes of
January 28, 2015

Present: Michael Fitzgerald, Chair (MF)
Lauren Preston-Wells (LPW)
Alan Rice (AR)
Ken Miller (KM)
Jean Cherdack, Scribe
Jim Cutler and eight members of the public were present

Absent: Judy Haupt (JH)
Meeting called to order at 7:35 p.m.

Minutes of the January 7, 2015 meeting were approved as amended. AR moved, KM seconded, all in favor. (4-0).

MF asked LPW if the Ashfield News had received a copy of the AECOM letter. LPW spoke with David Kulp and he stated it was received but too late to print.

Discussed MassAudubon letter. MF stated that currently the Planning Board does not have any comments about the pipeline, just questions. MF suggested that a letter be sent when we have more information for the Planning Board to review. It was suggested that this item be tabled for the moment. AR suggested it be tabled until after tonight's presentation by Jim Cutler.

Telecommunications Bylaws revision was discussed. The following was added to the Bylaws:

- Under Section II: *Antennas that do not exceed the dimensional requirements for residential use outlined in section IV shall be allowed without a special permit.*
- Under VI. Use Regulations: *VI: F.3.h. If a NEPA study or any other impact study is required for FCC approval then the results of that study shall be submitted with the application.*

i. Colocation on existing non-conforming structures shall not require a special permit so long as the antenna does not make the structure substantially more non-conforming.

Add to conditions:

VI:F.2.

*m. The applicant shall be prepared to install the most appropriate and **up-to-date** camouflage **as determined by the Planning Board** if it will lessen impacts on the neighborhood character.*

n. Towers shall be set back 10 x their height from public schools, town owned parks and the Historic Plain District.

o. Towers shall be set back 5 x their height from residences and other buildings unless a right of way is obtained from the land owner.

AR moved that the bylaw amendments be accepted with corrections as noted. KM seconded all in favor. (4-0)

This bylaw will proceed to hearing when scheduled.

Jim Cutler, spokesperson for several residents impacted by the pipeline, distributed several documents (attached to minutes) and stated that he and other residents want to know how the Planning Board is going to handle the request from AECOM for information relative to the pipeline. MF stated that the Planning Board has very little jurisdiction over utility corridors. MF further stated that the Board has several questions such as where the pipeline is going to be above ground, below ground. None of this information has been provided to date. MF stated that he gave a copy of AECOM's Letter to all Boards/Commissions to act on it as they see fit. The Board does not have a position on the pipeline because we do not have enough information. MF stated that this is a normal request for a developer.

MF further stated that the PB is contemplating sending a letter asking questions. No one in town has asked the planning board to work on the pipeline. We will probably never have power over whether it will be built or not, but if we have a by-law we could put in restrictions i.e. below ground, buffer zones, etc. JC asked if there are aspects to this potential project that you as a planning board, could use in trying to

deliberate as things come up. AR stated that the Planning Board is concerned about compression stations, which could affect neighborhood character, etc. JC stated that there is talk about putting one in Windsor. JC would like an opportunity to come and present a presentation on compressions stations. He has the ability to come in and give the Planning Board details. MC asked JC if he should see any bylaws in the State of MA that effect pipelines, he should let the Planning Board know.

Board reviewed mail: Letter from Bruce Beliveau asking if his invoice from 11/17/14 has been paid. The amount is \$1,381.25. This was supposed to be paid by Industrial Wireless Communications who agreed to pay Bruce to be our consultant for the Spruce Corner Road Project. MF will look into this.

Wind Energy Siting Reform Act (HD1615) has been refilled in the State House. Lauren will look into this.

AR is planning to clean up the Planning Board filing system. JC will work with him.

Meeting adjourned at 9:20 pm
AR moved LPW seconded, all in favor.
Jean Cherdack, Scribe

Attachments:

- Mass Audubon Letter dated 1/15/2015
- FEREC (Federal Regulatory Commission) Freedom of Information Act Guide
- AECOM letter dated 12/30/14
- Minutes of the Special Town Meeting 6/23/14