

**Lee Planning Board
32 Main Street
Lee, Massachusetts 01238, 2012**

December 10, 2012

Present: Chairman, David Durante, Thomas Wickham, Anthony Caropreso, and Harold Sherman

This meeting was called to order at 6:15P.M.

AT & T Mobility/Site Plan Review/Special Permit Case #21-23

Karla Hanna, Tower Resource Management, Inc. represented AT & T Mobility in a request for approval of a site plan review and a Special Permit under Section 199- 9.7H. The project involves the replacement of 3 existing antennas with 3 new LTE antennas at the existing height of 100' along with supporting equipment on Marble Street.

Tom made a motion that the board has sufficient information to review and approve the site plan as presented. This motion was seconded by Tony and was unanimously approved, 4-0.

The Board made the following findings under Section 199-9.7H(1):

- (a) That the applicant has demonstrated to the satisfaction of the Planning Board that the requirements of the bylaw have been met.
- (b) That the size and height of the structure is the minimum necessary.
- (c) That the proposed wireless communication facilities will not adversely impact historic structures, scenic views, or residential neighborhoods.
- (d) That there are no feasible alternatives to the location of the proposed wireless communication facilities, including co-location of the proposed wireless communication facilities, including co-location, that would minimize their impact, and the applicant has exercised good faith in permitting future co-location of facilities at the site.

Tom made a motion that all the findings have been met. This motion was seconded by Sherman and was unanimously approved, 4-0.

The Board made the following findings under Section 199-13.4(D):

1. The project is in compliance with all provisions and requirements of this chapter and in harmony with its general intent and purpose.

2. The project is essential or desirable to the public convenience or welfare at the proposed location.
3. The project will not be detrimental to adjacent uses or to the established or future character of the neighborhood.
4. The project will not create undue traffic congestion or unduly impair pedestrian safety.
5. The project will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to the hazards affecting public health, safety or general welfare.

Tom made a motion that all the findings have been met. This motion was seconded by Sherman and was unanimously approved, 4-0.

Sherman made a motion to approve the Special Permit under Section 199-9.7H for AT & T Mobility Case # 21-23. This motion was seconded by Tom and was unanimously approved, 4-0.

AT & T Mobility/Site Plan Review/Special Permit Case #21-24

Karla Hanna, Tower Resource Management, Inc. represented AT & T Mobility in a request for approval of a site plan review and a Special Permit under Section 199-9.7H. The project involves the addition of 3 new LTE antennas, 6 remote radio heads and supporting equipment to an existing tower located at 335 Forest Street. The Chairman indicated that he had a possible conflict of interest and advised the applicant they would have to continue the public hearing due to a lack of quorum.

Tony made a motion to continue this public hearing to January 14th at 6:15 P.M. This motion was seconded by Tom.

AT & T Mobility/Site Plan Review/Special Permit Case #21-25

Karla Hanna, Tower Resource Management, Inc. represented AT & T Mobility in a request for approval of a site plan review and a Special Permit under Section 199-9.7H. The project involves the replacement of 3 existing antennas with 3 new LTE antennas at the existing height of 100' along with supporting equipment located at 215 Laurel Street.

The Board received a letter from an abutter indicating they were concerned if any of the existing trees were removed screening the project.

Karla stated that AT & T Mobility has no intention of removing any trees in the area of the project.

Tom made a motion that the Board has sufficient information to accept and approve the site plan for AT & T Mobility project at 215 Laurel Street. This motion was seconded by Sherman and was unanimously approved, 4-0.

Frank Consolati, abutter stated that initially AT& T planted trees with the original project and they have since died and were never replaced.

Several abutters present at the meeting were concerned with the visibility of the proposed project from their property.

Karla stated that AT & T doesn't own the property or the tower. The property is owned by MASS DOT. The tower is owned by American Tower.

The Chairman stated that one of the conditions for approval of a Special Permit is that vegetative screening shall be used to screen abutting residential properties and roadways. Plants that fit in with the surrounding natural vegetation shall be used.

The Chairman suggested that the applicant remove the dead trees and attempt to satisfy the neighbors with a plan for proposed screening at the next meeting.

Sherman made a motion to continue this public hearing to January 14th at 6:30 P.M. This motion was seconded by Tom and was unanimously approved, 4-0.

Recreational Bylaw

This was a continued discussion regarding the most recent draft of a suggested language for a recreational bylaw.

The Board agreed that they would be in favor of the simpler approach. There was a lengthy discussion that followed.

This discussion will be continued on January 14th.

Berkshire Engineering/Site Plan Review

Mike Kulig, Berkshire Engineering is seeking approval of a site plan to relocate his business from its current location at 157 Columbia Street to 80 Runway.

The property is located in the Industrial Zoning District. They intend to relocate their offices and establish other uses within the building that are consistent with their other business interests. They are in the process of expanding their services to include an environmental sampling and testing laboratory and promoting ground penetrating radar technology mapping services.

They are requesting a written confirmation from the Planning Board to allow additional businesses in the extra rental space as described so that they can meet financing contingencies with their lending institution. The Chairman stated that the Board cannot give approval for a future business without reviewing the use through site plan approval. The Chairman suggested that Mr. Kulig ask his lender what they actually need from the Planning Board then in turn draft a letter for the Board's review.

Don Torrico, Zoning Enforcer stated that he would provide him with a letter of the uses that would be allowed in the Industrial zone.

Tom made a motion to approve the site plan to relocate Berkshire Engineering to 80 Runway. This motion was seconded by Sherman and was unanimously approved, 4-0.

5 Cents a Dance/Site Plan Review

Jan B. Greiner is seeking approval a site plan review for a new business to be located at 139 Main Street. Ms Greiner will operate a sewing business at the location.

The Board agreed not to approve the site plan until she submits a sign permit for the existing sign located at 139 Main Street.

Other business

Tom made a motion to approve the minutes of October 15th as written. This motion was seconded by Tony and unanimously approved, 3-0. Sherman abstained.

Tom made a motion to approve the minutes of November 19th as written. This motion was seconded by Sherman and was unanimously approved, 3-0. Tony abstained.

Sherman made a motion to adjourn this meeting at 8:30 P.M.

Respectfully submitted,

Jaimy Messana
Land Use Administrative Assistant

CC: Board of Health
Principal Assessor
Board of Public Works
Town Administrator
Board of Selectmen

Town Clerk
Historical Commission
Conservation Commission
Building Inspector
Town Counsel