

Posted 12/1/2021-10:15AM-MK

**TOWN OF HARVARD
PLANNING BOARD AGENDA
MONDAY DECEMBER 6, 2021 @ 7:00PM**

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

Topic: Hildreth Pro's Planning Board Zoom Meeting
Time: Dec 6, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/82039031270?pwd=VVhQZmZtUWdDZkM0SThCMG15Tzgvdz09>

Meeting ID: 820 3903 1270

Passcode: 262459

One tap mobile

+13126266799,,82039031270# US (Chicago)

+19294362866,,82039031270# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

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Meeting ID: 820 3903 1270

Find your local number: <https://us02web.zoom.us/j/kcPweIbE4v>

Public Comment

New Business: a) Form-Based Code with George Proakis
b) Review Fiscal Year 2023 Land Use Boards Budget

7:45pm Continuation of a Renewal and Modification of a Special Permit & Driveway Site Plan Approval
– **Sprint Spectrum Realty Company, LLC, 47 Poor Farm Road** to replace six antennas and add three antennae for new network service upgrade with associated equipment, fiber and coax conduits

Old Business: a) Devens Jurisdiction Update
b) Ayer Road Vision Plan Request for Proposals Update
c) Spring Annual Town Meeting, 2022 - Open Space Residential Development (OSRD)

- Review schedule
- Comments on Proposed Draft

Standard Business: a) Board Member Reports

- Representatives & Liaisons Update
- Community Matters

b) Director's Report
c) Approve Minutes

**NEXT SCHEDULED MEETING:
DECEMBER 20, 2021**

OFFICE OF THE
PLANNING BOARD

13 AYER ROAD HARVARD, MA 01451 978-456-4100



To: Marlene Kenney, Town Clerk
Harvard Town Hall
13 Ayer Road
Harvard, MA 01451

December 6, 2021

HARVARD PLANNING BOARD
NOTICE OF DECISION ON APPLICATION OF
Sprint Spectrum Realty, LLC

For Modification of its
Special Permit

47 Poor Farm Road
Harvard, MA 01451
ASSESSORS MAP 9 – PARCEL 1.2
WORCESTER REGISTRY OF DEEDS
BOOK 32900, PAGE 3

The applicant proposes to modify the Special Permit for a Wireless Communications Tower to add and replace equipment to the existing wireless communications tower located 47 Poor Farm Road.

PLANS AND DOCUMENTS SUBMITTED IN SUPPORT OF THE APPLICATION

I. Applications:

- a. Application for a Modification of a Special Permit for Existing Wireless Communication Facility in the Wireless Overlay District, signed by the applicant received and stamped by the Harvard Town Clerk on October 26, 2021, with accompanying documents as required, including corresponding filing fees paid and the following:
 - i. Letter of Transmittal and Narrative from Applicant, undated
 - ii. Letter of facility Owner Authorization from Crown Castle, undated
 - iii. Broadband License for KNLF217, undated
 - iv. Special Permit modification and extension Decision, dated January 26, 2015

- v. Structural Analysis Report by Morrison Hershfield, dated September 20, 2021
- vi. Bond Verification Certificate in the amount of \$25,000 with an effective date of March 8, 2021 and signed by Sarah A. Eberhardt of RLI Insurance Company; Copy of Bond Instrument.
- vii. FCC Antenna Structure Registration dated December 10, 2012
- viii. FAA Determination of No Hazard to Air Navigation (undated)

II. Comments from Other Town Boards:

None

III. Comments from Other Interested Parties:

None

IV. Consultant Reviews:

None

V. Supplemental Materials from Applicant and/or Agent of Applicant:

- a. Site photographs dated November 16, 2021.
- b. Revised plan set dated November 18, 2021

VI. Legal Notices, Advertised and to Abutters:

a. A copy of the original Legal Notice dated October 26, 2021, advertising the Public Hearing to be held on this application on November 15, 2021; such advertisement appeared in "The Harvard Press" on October 29, 2021 and November 5, 2021, in compliance with MGL covering such public notice.

b. Abutters List Report and Request dated October 6, 2021 and endorsed by the Assistant Assessor.

VII. There was no public input regarding this application.

FINDINGS

The Harvard Planning Board restates and incorporates herein its findings as set forth in Paragraph II. Findings of the Sprint Spectrum, L.P. Special Permit and Driveway Site Plan Modification and Extension Decision dated January 26, 2015; except that for finding #2, this application proposes the following modifications to the tower:

- I. Replacement of six (6) panel antennas as per plan set and narrative.

- II. Add three (3) panel antennas as per plan set and narrative.
- III. Add associated antenna equipment, new fiber conduits, and related wireless communications equipment, and remove obsolete equipment, as per plan set and narrative.

Standard Conditions

- I. This Special Permit shall lapse no later than December 6, 2026, but shall not include such time required to pursue or await the determination of an appeal referenced to in M.G.L. Chapter 40A, §17, if substantial use of the Special Permit has not sooner commenced except for good cause or, in the case of a permit for construction, if construction has not begun by such date except for good cause.
- II. The plan set accompanying this Special Permit application shall be incorporated into this decision and shall be a standard condition of this approval.
- III. The granting of this Special Permit, and the project which is the subject of the Special Permit and accompanying plan set, including any and all construction and subsequent operations, is predicated on the applicant complying fully with all provisions of the Town of Harvard Protective Bylaw, the Town of Harvard Codified Bylaws, and Massachusetts General Law, as applicable.
- IV. The applicant shall be responsible for acquiring and complying with all other local, state, or federal permits and approvals as necessary to construct and operate the project as approved by the Board.
- V. This Decision and accompanying plan set shall be recorded by the applicant at the Worcester County Registry of Deeds. A copy of the recorded Decision and site plan shall be submitted to the Planning Board.
- VI. Duly authorized agents of the Town shall have the right to enter upon the Property to ensure continued compliance with the terms and conditions of this Special Permit.
- VII. This decision allows the proposed improvements and activities in the location shown on the approved site plan. No alterations, changed to the approved improvements, other additional uses or additional improvements shall be allowed without further review and approval by the Planning Board in the form of a modification to the Special Permit.

Special Conditions

The following conditions and limitations shall run with this Permit. They may be altered only by an application to this Board to further modify the Permit, or if such alteration is determined to be minor and meets the following requirements, they may be altered only by the written and recorded consent of four (4) members of the five (5) member Board, upon a vote taken at an open meeting, and then only if:

- The change is consistent with the findings above;
 - The change does not reduce a requirement of the Bylaw; and
 - The change does not prejudice the interests of anyone entitled to notice of the hearing on the Permit.
- I. The conditions of the original special permit and renewal shall remain in full force and effect, except as otherwise stated herein.
 - II. The Grantee shall maintain the \$25,000 bond (Bond Number 103557893 from Travelers Casualty and Surety Company of America) to assure the Special Permit holder's compliance with its obligations in the event that the holder ceases to use the tower and to remove parts owned by the Permit holder and all accessory equipment/structures so owned.
 - III. The Grantee shall file with the Building Commissioner and the Board an annual certification demonstrating continuing compliance with the standards of the Federal Communications Commission and the American National Standards Institute.
 - IV. The Grantee shall provide prior written notice to the Building Commissioner and the Board in the event of a change or increase of use of the tower or the Grantee's facilities on or at the tower, change of Grantee, or cessation of use on and at the tower. Any change in use or increase in the intensity of the use of the tower shall require a new Special Permit.
 - V. The term of this Permit is for five (5) years from the end of the appeal period for this decision. All provisions of the Permit shall be binding on the Grantee, its successors, or assigns.
 - VI. The Grantee shall remove all its installation(s) on the tower and all related accessory equipment/structures when there is a cessation of use for a period of at least one year, and/or one year following expiration of the Permit, unless renewed.

Exceptions

In recognition that cellular technology is constantly evolving, the Board shall provide the Grantee with the opportunity to provide updated technical specifications in order to amend limitations on antenna unit counts and dimensions, transmitting frequencies, transmission radiated power levels, and other relevant criteria provided that such modifications do not reduce the structural integrity of the tower, supporting structures and facilities, and accessories, and otherwise meet the requirements and use restrictions of the Bylaw and the Telecommunications Act of 1996 and successor and supplementary legislation. For any extension of this Special Permit, the applicant shall submit updated descriptions of specific use and intensity criteria to support findings of the decision.

ACTION OF THE PLANNING BOARD

Based on the foregoing findings and the evidence submitted at the Public Hearing, the Planning Board, by a unanimous vote of the five (5) members of the Planning Board eligible to vote, on December 6, 2021 hereby **GRANTS** the Modification of the Special Permit for a period of five (5) years beginning on December 26, 2021 and ending on December 26, 2026, subject to the conditions set forth in Paragraphs 1 through 10 inclusive of the 2015 approvals, the modified conditions as described in the 2016 Decision, and those additional conditions set forth in this Decision, except:

- a) to the extent that any such conditions are no longer applicable
- b) any such conditions have been fully complied with and require no further action for continued compliance

By a unanimous vote of five (5) members of the Planning Board, the application for Modification of the Special Permit is **APPROVED** subject to the Conditions and Limitations contained herein;

RECORDING

This decision shall be recorded with the Worcester District Registry of Deeds and a recorded copy shall be furnished to the Building Inspector and the Board, within 30 days after the expiration of the appeal period set forth in M.G.L. c. 40A, §17.

Appeals may be made pursuant to Massachusetts General Law Chapter 249 §4 and shall be filed within sixty (60) days after the date this decision is filed with the Town Clerk.

Justin Brown, Chair

Stacia Donahue, Vice-Chair

Richard Cabelus, Member

Brian D. Cook, Member

Douglas Thornton, Member

This decision must be recorded at the Worcester District Registry of Deeds, Worcester, Massachusetts before it becomes valid.

This is to certify that as of _____ no notice of appeal has been filed with this office in regard to this decision.

Signed: _____
Marlene Kenney, Town Clerk



Director of Community and Economic Development

UPDATE

December 6, 2021

■ Special Permit for Replacement and Addition of New Antennae and Associated Equipment; Sprint Spectrum Realty Co. LLC; 47 Poor Farm Road

Name of Applicant: Sprint Spectrum Realty Company LLC by Rep. Global Signal Acquisitions II, LLC
Location of Property: 47 Poor Farm Road, Harvard, MA
Assessors Map/Parcel: 9/1.2
Zoning District: Agricultural Residential (AR)
Property Owner: Crown Castle
Consulting Engineer or Representative: TerraSearch Real Estate Group
Application For: Wireless Communication Tower Special Permit for New Equipment

Summary: Sprint Spectrum Realty Company LLC d/b/a "T Mobile" has submitted an application for a Special Permit for new and replacement equipment for the wireless telecommunications tower at 47 Poor Farm Road. Under the auspices of Section 125-27, Wireless Communications Towers Overlay District, subsection D1, existing special permit holders are required to apply for a special permit modification for any extension or addition to a previously approved and currently compliant tower. For these medication requests, applicants are required to follow, "*...the same procedure as for an original application for a special permit.*"

In this application, T Mobile proposes to replace six (6) panel antennas and add three (3) new panel antennas. Additionally, they propose to add "associated" antenna equipment, new fiber conduits, and related wireless communications equipment, and to remove obsolete equipment.

Update: The Applicant provided an updated plan set and set of photographs of the site at ground level. Related to addressing prior staff comments and new comments, please note the following

Sheet T-1: Location map has been revised.

Sheet C-1.1: No further information regarding whether drive possess an access easement from Mui/Tame property.

Sheet C-1.2: Ground installations on Sprint pad appear to be fairly equivalent.

Sheet C-2: Confirmed that the 101' array is the only one receiving modifications.

Other: Note that the application does not include a FCC antenna structure registration nor an FAA determination of no hazard.

These are points that the Board may wish to follow up on.

If the Board so finds that this application elicits no further substantive questions or concerns and is in agreement with the composition of the draft Decision, the Board may choose to make a motion to approve.

■ Director's Report

Land Use Boards Organizational Recommendations

This plan has been presented to the Town Administrator and there was some pushback, as follows:

1. The second administrative position for climate and energy has been removed.
2. The first administrative position seems supported but it may morph into additional hours and include administrative work for the Conservation Commission and possibly do some work for the Board of Health and the Building Commissioner. They may also be a receptionist for the Land Use Boards. It is not clear who would supervise this new position as revised.
3. The Town Administrator does not currently support making the Conservation Agent a "Director" but is still considering it as a full-time Agent position, and in this case, the position would likely still be supervised by my position.

I will provide further updates as they are available.

FY2023 Land Use Boards Budget

The FY2023 Budget for the Land Use Boards (of which Planning Board is included), was due on December 1st. I was able to get the budget packet submitted on time but wanted to give the Board an opportunity to at least see what was in it in case there were comments or questions. In that sense, I can file a supplement or addendum as needed.

I was instructed to file a budget that did not include technology requests or the Ayer Road Vision Plan funding as a line item. Technology will be a separate request to the Finance Director and Assistant Town Administrator. The Plan funding will be a warrant article to be carried forward in case CPIC does not support this year's request.

Note that this budget is highlighted by a 5.4% COLA increase for staff and a few specific items like a desk and a reference book. Otherwise, most of it carries forward ongoing regular expenses such as office supplies and contracts.

Ayer Road Vision Plan RFP

The review team has recommended The Chesapeake Group and Tischler-Bise consultant as the preferred consultant. We will be presenting this recommendation to the Select Board on Tuesday, December 7th and do not expect any difficulties. In the end, the team determined that the selected consultant was deemed very capable to do the work and were a better fit for Harvard and our needs than the other respondent.

Note that Harvard was just notified that we were awarded a \$45,000 grant from the Executive Office of Energy and Environmental Affairs for Phase 1 of the Ayer Road Vision Plan project. While unexpected, I will work with the Town Administrator and the state to try to find a way to either apply 100% to the current project or split the funding between Phases 1 and 2/3. The award was \$20,000 for FY2022 and \$25,000 for FY2023.

Devens Discussion

Following up on the 11/1/2021 initial discussion of Devens, we held a follow up and as agreed to in that session, scheduled a discussion with the Chair of the Harvard Devens Jurisdiction Committee, Victor Normand. This discussion was held on Monday, November 22nd and included myself, Justin Brown, Richard Cabellus, and Mr. Normand. Rich Maiore was invited but unable to join. At this meeting, I had the opportunity to quickly go through the PowerPoint Slide Show for follow up discussion.

Ultimately, Mr. Normand said that he appreciated the interest on the part of the Planning Board, and that these were nice ideas, but that in the end, not feasible. After this meeting, Mr. Normand requested a meeting with myself, which is scheduled for Thursday, December 2nd. I also have a meeting scheduled with Tim Bragan to discuss Devens on Wednesday, December 8th.

UPDATE: The meeting with Victor was informative and clarifying. I would be glad to share a broad-brush outline at our regular meeting. Additional information may require it to be in writing.

Open Space Residential Development (OSRD) Discussion

We'll discuss the proposed schedule and how we need to proceed in reviewing the draft. So far, my office has received substantive comments from Richard, Staci, and Jeff Brem, an engineer in Westford. What I would like to do, when time allows, is to compile all comments in a single document to see where there might be conflicts or consensus. If you can complete your review of all or part of the document (as your time allows) this week and be prepared to submit any comments to me next week, I would be appreciative.

George Proakis Form-Based Code Discussion

Mr. Proakis, the Executive Director of the Mayor's Office of Strategic Planning and Community Development in Somerville, has broad experience in Form Based Codes and has practically applied them in both Lowell and Somerville. While Mr. Manoian could no longer participate with us, Mr. Proakis is very qualified and experienced and should be able to share the basics about this tool and why it would be a good application for both Ayer Road and the Center.

I encourage you to think about these two different types of areas (Ayer Road and the Center) and make sure that George clearly articulates as to why FBC might be a better tool than conventional zoning. Should you want a little background on FBCs, [HERE](#) is one good one and another [HERE](#).

Hazard Mitigation Plan

The state notified us that their “free” grant program to pay for HMPs has been delayed and given that and the fact that Reserve Fund Transfer money has already been allocated to this project, I have been authorized to get started again on the RFP process. We have received four (4) responses and I am now distributing them to the review team.

Transportation Planning

MassTrails Grant – TEC is in the process of coming up with a cost estimate for this project so we can budget a 20% match and have a reserve to pay for the project (just design) prior to reimbursement. This should be done by Friday, December 3rd.

Transportation Plan – MRPC is in the process of developing a draft plan for review by the Planning Board, TAC, and CRWG. Once this has been done and edits made, it will be ready to schedule a presentation to the Select Board.

Community Resilience Working Group

I am nearing completion of administrative work with the CRWG by getting their approved minutes uploaded to the website (there were a total of 54 sets of minutes that needed to be published, so that was a bit of a time suck).

I have assisted CRWG in plan development work and will continue to help them in a technical sense. The CRWG is petitioning the Select Board to become a full advisory committee and this discussion will continue on Tuesday, December 7th.

**HARVARD PLANNING BOARD
MEETING MINUTES
NOVEMBER 15, 2021**

Chair Justin Brown called the meeting to order at 7:03pm virtually, pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures adopted during the State of Emergency and signed into law on June 16, 2021, under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

Members Present: Justin Brown, Stacia Donahue, Richard Cabelus, Brian Cook, Doug Thornton and Jefferson Burson (Associate Member)

Others Present: Christopher Ryan (Director of Community & Economic Development), Liz Allard (Land Use Administrator), Valerie Hurley (Harvard Press), Michael Maglothin, Timothy Greene and Eve Wittenberg

Public Comment

There were no comments from the public this evening

Spring Annual Town Meeting, 2022 - Open Space Residential Development (OSRD)

➤ Dimensions and Design Requirements Presentation

○ Three types of OSRD ownership:

- Condominiums with Exclusive Use Area
- Condominium
- Hybrid Planned Development

○ Two Types of OSRD Projects:

- Residential Village Development
- Residential Infill Development

▪ General Use Types:

- Open Space – 50% of total parcel size
- Civic/Institutional
- Residential Types I through III

▪ Dimensional criteria provide minimums and/or maximums for:

- Lot or Exclusive Use Area Size – need to be large enough to provide private space for occupant, but not so large to defeat the village cluster objective, which would provide the following:
 - Residential Type 1 (Single-family or Two-family homes) - 4,000 to 30,000 sf
 - Residential Type 2 (Town Houses) - Minimum 500 sf/unit
 - Residential Type 3 (Multifamily) - Minimum 350 sf/unit

▪ Front, Side, and Rear Setbacks

➤ Residential Type 1

- ☐ Front Yard Setback minimum 10'
- ☐ Side Yard Setback minimum 8'
- ☐ Rear Yard Setback minimum 25' unless a rear garage is provided

➤ Residential Type 2

- ☐ Front Yard Setback minimum 5' (or build to line if adjacent to proposed sidewalk)
- ☐ Side Yard Setback ranges from 10' to 50' for project exterior lines
- ☐ Rear Yard Setback ranges from 30' to 50' for project exterior lines

➤ Residential Type 3

- ☐ Front Yard Setback minimum 5' (or build to line if adjacent to proposed sidewalk)

- 53 □ Side Yard Setback ranges from 20' to 50' for project exterior lines
54 □ Rear Yard Setback ranges from 30' to 50' for project exterior lines
55
56 ▪ Frontage
57 ➤ Residential Type I – Ranges from 36' to 75'
58 ➤ Residential Type II – Ranges from 16' to 30'
59 ➤ Residential Type III – Ranges from 10' to 20'
60
61 ▪ Relation to Project Type
62
63 ➤ Comments on Proposed Draft
64 ○ Why By-Right?
65 ▪ Suggested by Randall Arndt, as it is an improvement to the conventional subdivision, which are
66 by-right
67 ▪ Workshop of 2020 had participant asking why not by-right
68 ▪ Tighten it up enough to make sure Planning Board is comfortable with all of the decisions
69 ○ Purpose #4 – is there information available to back this statement up?
70 ▪ Arndt has case study – Ryan will provide
71

72 **Renewal and Modification of a Special Permit & Driveway Site Plan Approval – Sprint Spectrum Realty**
73 **Company, LLC, 47 Poor Farm Road.** Opened at 7:36pm (see page 4 for complete details)
74

75 **Spring Annual Town Meeting, 2022 - Open Space Residential Development (OSRD), continued**

- 76 ➤ Review schedule:
77 ○ Final language by end of January (want members comfortable with language prior to opening the
78 hearings)
79 ○ Website has been continuously updated
80 ○ Dropbox with additional materials for the members knowledge
81 ○ Develop Frequently Asked Questions handout
82 ○ Stakeholder meetings:
83 ▪ Other Planners around the Commonwealth
84 ▪ Designers and developers
85 ▪ Planner coffees
86 ▪ Open house a week or two before Tow Meeting to discuss the elements of the bylaw
87

- 88 ➤ Comments on Proposed Draft, continued discussion of By-Right versus Special Permit process.
89

90 **Board Member Reports**

- 91 • Representatives & Liaisons Updates
92 ○ *Open Space Committee* (OSC) – Cook explained OSC was requested to provide a map to Parks &
93 Recreation Commission including protected municipal lands. OSC agreed 5-1 to do so, with the
94 disclaimer that OSC does not support use of Conservation land for active recreation. Peter Dorward
95 provided a valiant effort on why that information should not be including at the OSC meeting and at a
96 recent meeting with the Conservation Commission. Cook stated Dorward has done a great job of
97 navigating between the two Commissions.
98 ○ *Harvard/Devens Jurisdictional Committee* (HDJC) – Cabelus stated the rezoning of Vicksburg Square is
99 being batted around, but seems to be going nowhere. He can't see how anything will pass a super
100 town meeting. A lot has stalled out at Devens. Ryan explained the stakeholders, which includes the
101 three towns (Harvard, Ayer & Shirley), MassDevelopment, and the business owners and residents
102 within Devens. The 6th stakeholder was added, making Devens leverage better as they continue to
103 develop. Within his report Ryan made a recommendation to have a Planning Board representative
104 and the chair of the HDJC discuss these issues and determine whether it should be taken up at a HDJC

meeting or discussed with Town officials. Cabelus volunteered to have this discussion with the chair of HDJC. Thornton wants to be certain the result of that meeting is reported back out to the Planning Board and how Planning Board can help.

- *Montachusett Regional Planning Commission (MRPC)* – Donahue stated at the monthly meeting they discussed American Rescue Plan Act of 2021 in regard to the funding being provided to the state and local communities; lots of fear on how to manage the paperwork and funds. MRPC is hiring an individual to handle this task. Additionally, no one wants to talk about Devens.
- *Transportation Advisory Committee (TAC)* – Mass Trails Grant moving forward, focusing on the Parks & Recreation trail from Depot Road to Lancaster County Road. Also talking about a bigger range to Old Mill Road and connecting to Devens. Meeting on November 17th to discuss the District Local Technical Assistance grant public meeting for the town-wide transportation goals with a climate lens.
- *Community Preservation Committee* – Meeting this week to review all of the applications. The general consensus is to invest in what the Town already owns as opposed to buying more stuff
- *Community Resiliency Working Group (CRWG)* – Meeting with Select Board tomorrow night to request CRWG be a standing committee as opposed to a subcommittee of the Planning Board. CRGW is planning and all-board meeting in February to discuss roles and responsibilities under the Town Resolution
- *Ayer Road Visioning Plan* – The two received proposals have been interviewed; currently checking references for both; and both are in the running at this point. Will review with the Select Board at their December 7th meeting.

- Community Matters - None this evening

Director's Report

Reorganization of the Land Use Boards – job descriptions were graded last week. The two administrative positions did not grade out as Ryan had hoped; he will revise and re-submitting to the Personnel Board.

Approve Minutes

Donahue made a motion to approve the minutes of November 1, 2021 as drafted. Thornton seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown, aye.

Adjournment

Donahue made a motion to adjourn the meeting at 9:10pm. Thornton seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown, aye.

Signed: _____ Liz Allard, Clerk

EXHIBITS & OTHER DOCUMENTS

- Planning Board Agenda November 15, 2021
- Director of Community and Economic Development UPDATE, November 15, 2021
- DRAFT OPEN SPACE RESIDENTIAL DESIGN (OSRD) DEVELOPMENT BYLAW Session 6 – Dimensions, Design, and November 1, 2021
- T-Mobile Site Number: 4WL1746A BU#881554 Poor Farm Road, Harvard, Existing 115' -6" Monopole Plan set, prepared by Crown Castle, 9/24/2021

158 **Harvard Planning Board**

159

160 **Renewal and Modification of a Special Permit & Driveway Site Plan Approval**

161

162 **Sprint Spectrum Realty Company, LLC, 47 Poor Farm Road**

163

164 **November 15, 2021**

165

166 The public hearing was opened at 7:36pm by Chair Justin Brown virtually, pursuant to Chapter 20 of the
167 Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures adopted during the State of
168 Emergency and signed into law on June 16, 2021, under M.G.L. Chapter 40A and Code of the Town of
169 Harvard Chapter 125

170

171 **Members Present:** Justin Brown, Stacia Donahue, Richard Cabelus, Brian Cook, Doug Thornton and
172 Jefferson Burson (Associate Member)

173

174 **Others Present:** Christopher Ryan (Director of Community & Economic Development), Liz Allard (Land Use
175 Administrator), Valerie Hurley (Harvard Press) Michael Maglothin, Timothy Greene and Eve Wittenberg

176

177 This hearing is for the Renewal and Modification of a Special Permit & Driveway Site Plan Approval filed
178 on behalf of Sprint Spectrum Realty Company, LLC for the replacement of six antennas and addition of
179 three antennae for new network service upgrade with associated equipment, fiber and coax conduits at
180 47 Poor Farm Road, Harvard.

181

182 Timothy Greene stated the existing cell tower is disguised as a tree with Sprint/T-Mobile equipment at
183 101' on the tower. The application details the removal and replacement of equipment on the tower,
184 which will be painted as necessary to camouflage the equipment. Equipment currently at the 79' mark will
185 be removed and merged with that at the 100' mark. Sprint/T-Mobile has been a tenant on the tower
186 since it was constructed. Ryan stated he reviewed the prior approval and would recommend maintaining
187 the relevant conditions as detailed within his report. Staff did not have the ability to review the technical
188 aspects of the application; that information would require an outside consultant.

189

190 Donahue noted the plan indicated the removal of the camouflage; she wants to make sure it goes back up
191 once the new equipment is replaced. Greene assured her the camouflage will be reinstalled. Ryan asked
192 if the ground mounted equipment would be replaced within the same existing location. Greene stated it
193 would. When asked Greene stated the work was to be completed within a two- to three-week period.
194 When asked about the exercising of the generator, Greene stated the generator is most likely does not
195 belong to Sprint or T-Mobiles, but most likely is owned by Verizon. Greene will confirm that and remove
196 "add generator" on the plan.

197

198 There were no comments from the public.

199

200 With a few items to be addressed, Donahue made a motion to continue the hearing to 7:45pm on
201 December 6, 2021. Cabelus seconded the motion. The vote was unanimously in favor of the motion by
202 roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown; aye.

203

204 Signed: _____ Liz Allard, Clerk