

REGULAR MEETING
OCTOBER 3, 2011

IN CITY COUNCIL
ABSENT:

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2011 SEP 29 P 4: 27

1. Minutes of the City Council Meeting, September 26, 2011, not completed.
2. PUBLIC HEARING Application for Special Permit from Peter Fales on behalf of AT T Wireless PCS LLC, to modify Special Permit 04-100527B to replace four existing panel antennae and the addition of three LTE antennas for Applicant's fourth generation (4G) wireless network along with associated cabling at 53 Brigham St., Order No. 11-1003018.
3. Communication from the Mayor re: BayPath Elder Service grant awarded to the Council on Aging in the amount of \$10,000.00 which provides educational, preventive, health, socialization and language programs for underserved Portuguese and Latino seniors.
4. Communication from the City Solicitor re: Request for Executive Session re: Litigation Strategy in an Employee Matter.
5. Communication from the Local Election Districts Review Commission re: Approval of Marlborough's Re-Precincting.
6. Communication from Gilbarco Veeder-Root re: Global Station #2483, 270 West Main St. and 656 Boston Post Rd.
7. Communication from Massdevelopment re: Revenue Bond on behalf of the Justice Resource Institute.
8. Communication from Secretary of the Commonwealth, Massachusetts Historical Commission re: Marlborough Armory, 354 Lincoln St.
9. Communication from Central Mass. Mosquito Control Project re: Mosquito Control Update.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Wireless Communications Committee

10. **Order No. 11-1002973 – The Wireless Committee met on 9/13/2011 at 6:07 PM and took up Council Order No. 11-1002973.** The request by AT&T wireless PCS LLC, seeking permission to modify a existing rooftop wireless facility to accommodate three additional (3) LTE (Long Term Evolution) panel antennae at a height of 42.4', one (1) LTE GPS antenna on the rooftop which would be invisible from any vantage point, except the rooftop itself. The antennae will be connected via fiber optic or hybrid cables to appurtenant radio equipment also located on the rooftop. Members Present: Councilors Clancy, Pope and Landers. Also: City Solicitor Donald Rider. Applicants Present: Peter Fales and Atty. Michael Dolan. Discussion was begun on the application for a Special Permit for an upgrade to an existing location on a rooftop located at 450 Boston Post Rd. No new testimony was heard but it was noted that coverage maps would be developing by the installation of each new facility, due to the fact that the technology was new and currently no coverage maps existed. It should be noted that the facility will only extend 10' above the existing roofline. This was brought out due to its proximity to Marlborough Airport. It was agreed that the applicant would work with the owner of Marlborough Airport if a lifting device, such as crane, would be needed during the installation. A review of the "Decision" was begun covering the Evidence, Findings of Fact and the 11 Conditions, that would be applied. Minor changes were made to the wording for clarification. It was noted that the Applicant objected to Condition #6, which pertained to the \$1,500 payment to the Open Space Account. **Recommendation of the Wireless Communication Committee is to approve the application, pending the verification of ownership of the building, motion made by Councilor Pope and seconded by the Chair 3-0.**

11. **Order No. 11-1002974– The Wireless Committee met on 9/13/2011 at 6:07 PM and took up Council Order No. 11-1002974.** The request by AT&T wireless PCS LLC, to modify a existing wireless facility pertinent to lease Order No. 96-6861 to accommodate three additional (3) LTE (Long Term Evolution) panel antennae on to an existing water tank, owned by the City of Marlborough, MA, antenna. The antennae will be connected via fiber optic or hybrid cables to appurtenant radio equipment mounted behind the antennae and to an existing equipment shelter located within the WCF compound. One (1) LTE GPS will be mounted to a post at the existing ice bridge at the minimum height necessary to prevent obstruction from vegetation and snow accumulation. Members Present: Councilors Clancy, Pope and Landers. Also: City Solicitor Donald Rider. Applicants Present: Peter Fales and Atty. Michael Dolan. Discussion was begun on the application for a Special Permit for an upgrade to an existing location on water tank located at 97 Arnold St. Ext. No new testimony was heard but it was noted that coverage maps would be developing by the installation of each new facility, due to the fact that the technology was new and currently no coverage maps existed. The color of the equipment will matching its background and will not exceed the height of the tank. A review of the “Decision” was begun covering the Evidence, Findings of Fact and the 11 Conditions, that would be applied. Minor changes were made to the wording for clarification. It was noted that the Applicant objected to Condition #6, which pertained to the \$1,500 payment to the Open Space Account. **Recommendation of the Wireless Communication Committee is to approve the application, pending the address correction, motion made by Councilor Pope and seconded by the Chair 3-0.**
12. **Order No. 11-1002975 – The Wireless Committee met on 9/13/2011 at 6:07 PM and took up Council Order No. 11-1002975.** The request by AT&T wireless PCS LLC, seeking permission to replace three existing and obsolete wireless communication antennae with three new (3) LTE (Long Term Evolution) panel antennae and appurtenant equipment painted to match the façade of the building to minimize their visibility from public ways. Two antennae will be located at a height of 52.6’ and one at a height of 55.2’. The antennae will be connected via fiber optic or hybrid cables to appurtenant radio equipment also located on the rooftop. Members Present: Councilors Clancy, Pope and Landers. Also: City Solicitor Donald Rider. Applicants Present: Peter Fales and Atty. Michael Dolan. Discussion was begun on the application for a Special Permit for an upgrade to an existing location on a rooftop located at 4 Mt. Royal Ave. No new testimony was heard but it was noted that coverage maps would be developing by the installation of each new facility, due to the fact that the technology was new and currently no coverage maps existed. A review of the “Decision” was begun covering the Evidence, Findings of Fact and the 11 Conditions, that would be applied. Minor changes were made to the wording for clarification. It was noted that the Applicant objected to Condition #6, which pertained to the \$1,500 payment to the Open Space Account. **Recommendation of the Wireless Communication Committee is to approve the application, motion made by Councilor Pope and seconded by the Chair 3-0.**
13. **Order No. 11-1002976 – The Wireless Committee met on 9/13/2011 at 6:07 PM and took up Council Order No. 11-1002976.** The request by AT&T wireless PCS LLC, seeking permission install three new (3) LTE (Long Term Evolution) panel antennae and appurtenant equipment on the existing smokestack located at 157 Union St. (Marlborough Hospital). They are to be located at a height of 64.5’ and are to be painted to match façade of the smokestack. The antennae will be connected via fiber optic or hybrid cables to appurtenant radio equipment, also located on the rooftop. One (1) GPS antenna will be mounted to existing equipment on the rooftop. Members Present: Councilors Clancy, Pope and Landers. Also: City Solicitor Donald Rider. Applicants Present: Peter Fales and Atty. Michael Dolan.

Discussion was begun on the application for a Special Permit for an upgrade to an existing location on a smokestack located at 157 Union St. No new testimony was heard but it was noted that coverage maps would be developing by the installation of each new facility, due to the fact that the technology was new and currently no coverage maps existed. A review of the "Decision" was begun covering the Evidence, Findings of Fact and the 11 Conditions, that would be applied. Minor changes were made to the wording for clarification. It was noted that the Applicant objected to Condition #6, which pertained to the \$1,500 payment to the Open Space Account. **Recommendation of the Wireless Communication Committee is to approve the application, motion made by Councilor Pope and seconded by the Chair 3-0.**